

Maryland Planning 101





Maryland Planning History

- 1933 – Maryland General Assembly created State Planning Commission- the first in the US.
- Up to the 1990s – several land use policies and programs, including land preservation, Chesapeake Bay Critical Areas Act, Patuxent Policy Plan, etc.
- 1990s – 1992 Planning Act & 1997 Smart Growth Act.
- 2006 – Annexation planning, water resource and municipal growth elements in comprehensive plans, and land preservation enhancements.

Why Plan?

- Guide efficient land use.
- Foster quality economic development and housing.
- Provide adequate public facilities.
- Protect our sensitive land and water resources.
- Accommodate growth in an environmentally sound and cost efficient manner.

1992 Growth Act

The Visions

- ✓ Development is concentrated in suitable areas.
- ✓ Sensitive areas are protected.
- ✓ In rural areas, growth is directed to existing population centers and resource areas are protected.
- ✓ Stewardship of the Chesapeake Bay and land is a universal ethic.
- ✓ Conservation of resources is practiced.
- ✓ To assure 1 through 5 above, economic growth is encouraged and regulatory mechanisms are addressed to achieve these visions.
- ✓ Adequate public facilities and infrastructure are available or planned in areas where growth is to occur. (2000 Session)
- ✓ Funding mechanisms are addressed to achieve these visions.

MD Annotated Code Delegates Planning & Zoning Authority to Jurisdictions

- Local jurisdictions control their land use through their plans and ordinances.
- State control is indirect through regulation and power of funding.

Planning & Zoning Power Delegated By:

- Article 66B- all non-chartered counties, municipalities outside Montgomery and Prince George's counties and Baltimore City. Certain provisions apply to all counties and municipalities (such as the comprehensive plan).
- Article 25A- all chartered counties.
- Article 28- Montgomery, Prince George's counties and most municipalities herein.

Ordinances Related to Planning

- Subdivision Ordinance
- Water and Sewerage Plan
- Stormwater Management Ordinance
- Critical Area Ordinance
- Floodplain Ordinance
- Building Code
- Adequate Public Facilities Ordinance
- Design Ordinance
- Zoning Code

2006 Planning Legislation Summary- HB1141

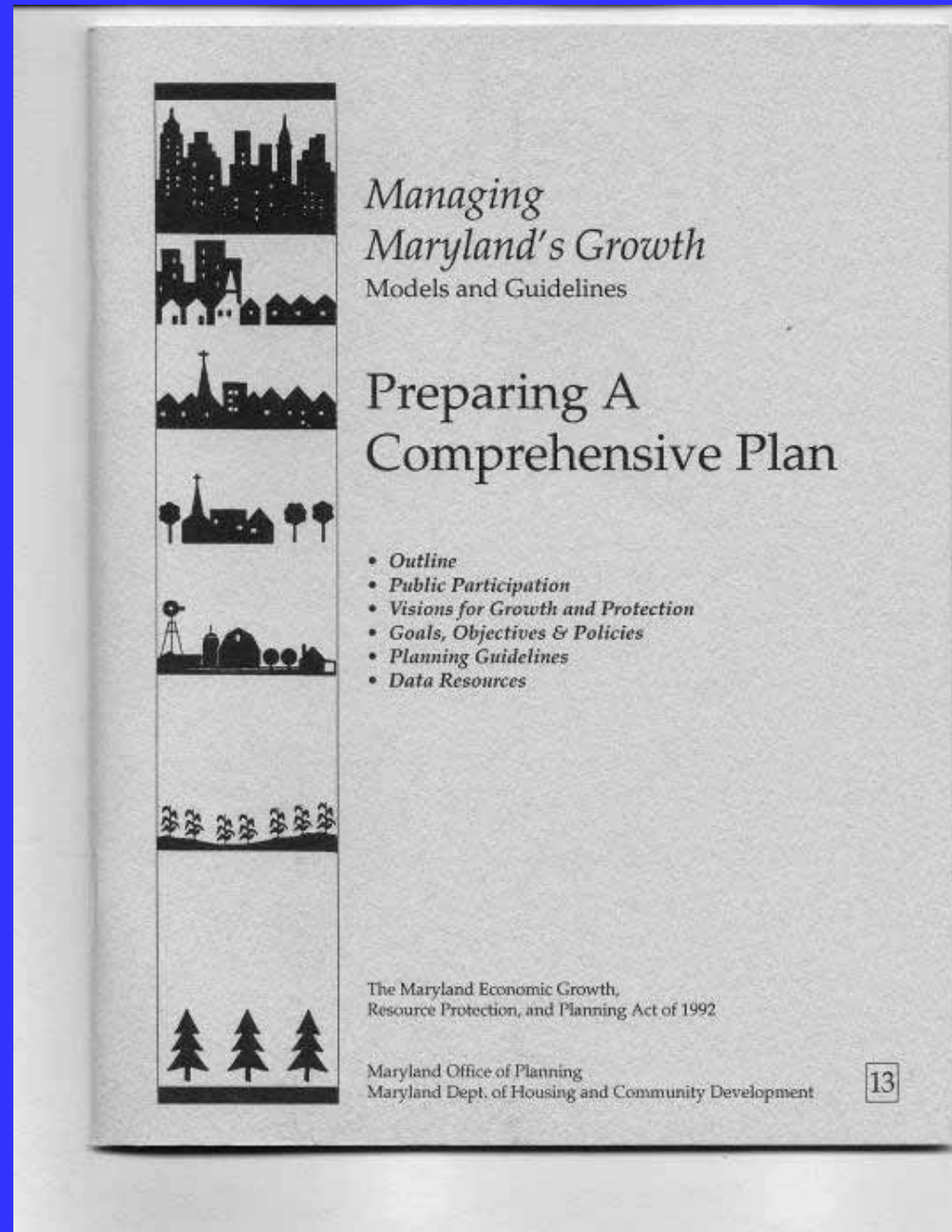


- Water Resources
- Municipal Growth
- Land Preservation
- Annexations
- Growth Task Force

Comprehensive Plan

- A guide for an area's future growth and preservation
- Includes policies, maps, analysis, goals, and interrelated plans for:
 - Private and public land use
 - Transportation
 - Community facilities
 - Water resources
 - Sensitive areas
 - Agricultural and forest lands
 - Affordable and workforce housing
 - Municipal growth (applies to municipalities only)

- Plans are to be evaluated and updated every 6 years.
- MDP provides assistance to local government to prepare a plan.
- MDP reviews and forwards comments.



Water and Sewer Plan

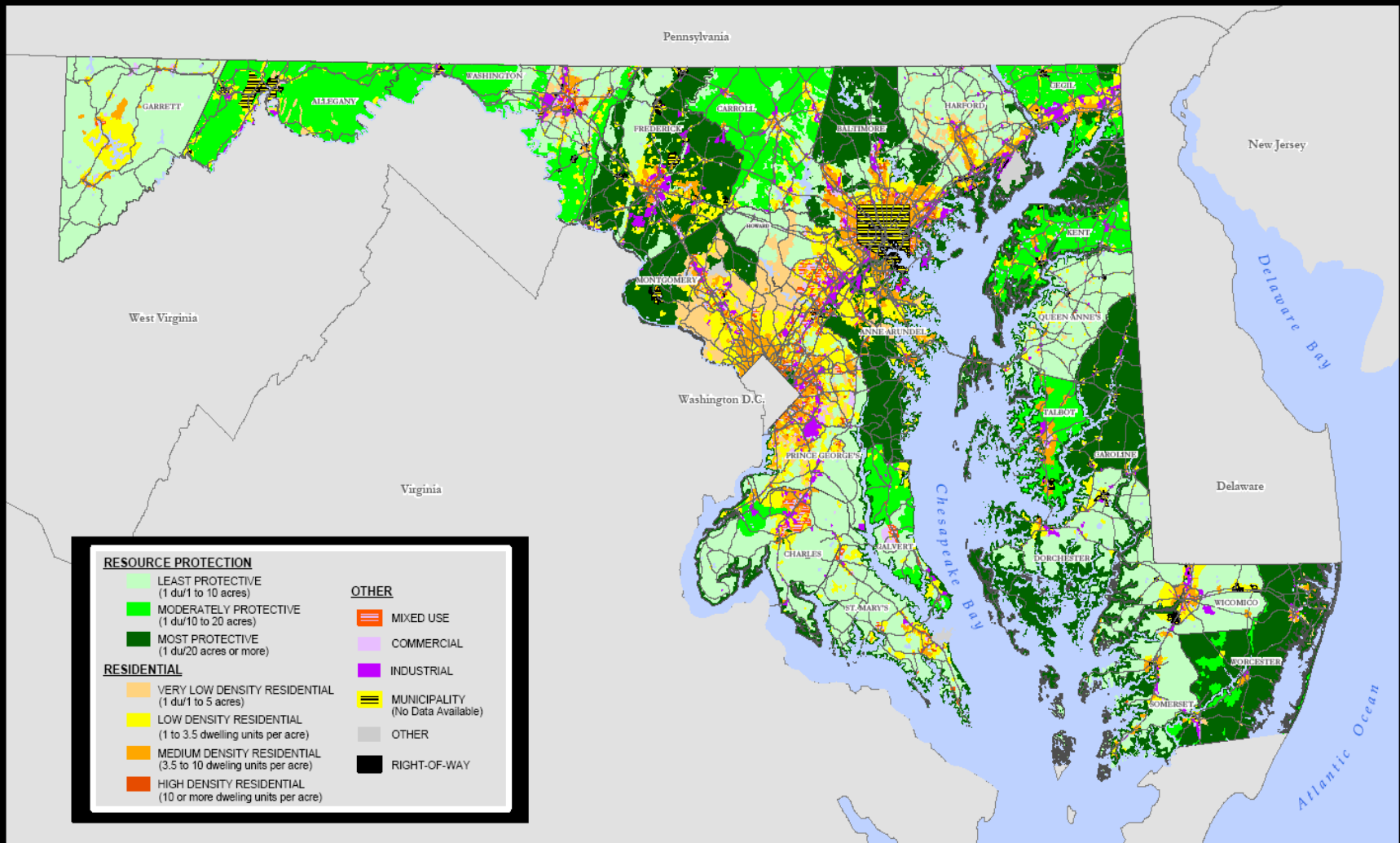
- The plan guides the location, timing and construction of water/sewer infrastructure.
- Purpose is to ensure the provision of safe and adequate water and wastewater systems for present and future demand.
- Must be consistent with comprehensive plan and updated every 3 years.
- MDE approves the plan/amendments with MDP input.



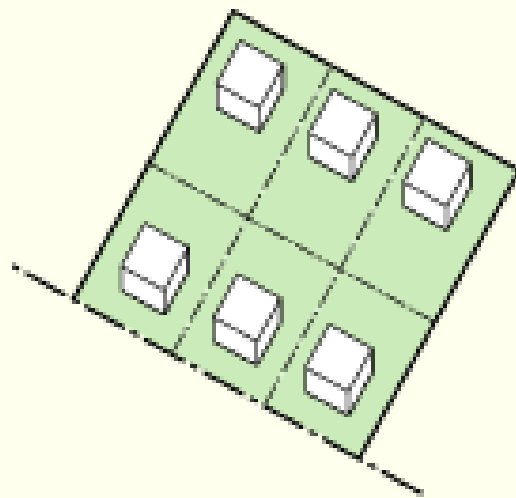
Zoning Ordinance

- Implements the comprehensive plan.
- Divides a jurisdiction into zoning districts based on land use and density.
- Each zone specifies allowable uses and size restrictions for buildings for properties.
- Subdivision regulations further specify form and design of building construction.

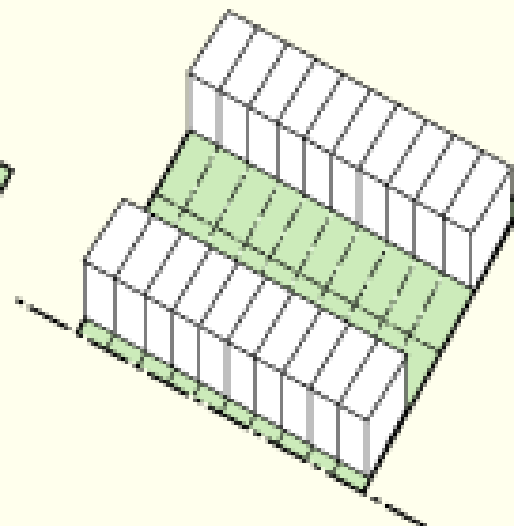
GENERALIZED ZONING IN MARYLAND



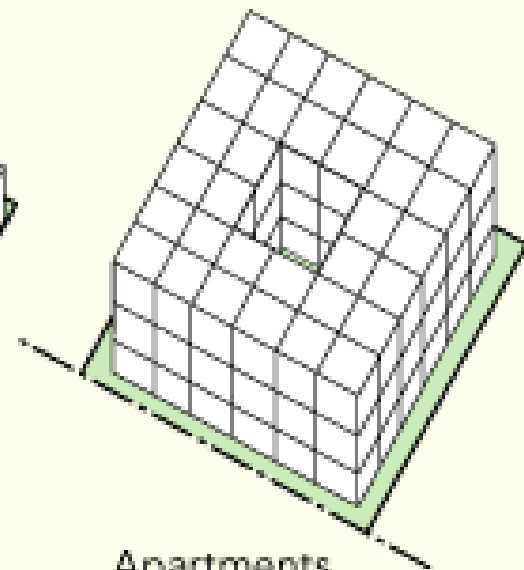
Housing Density Dwelling Units Per Acre (du/ac)



Single Family Homes
(4-10 du/ac)

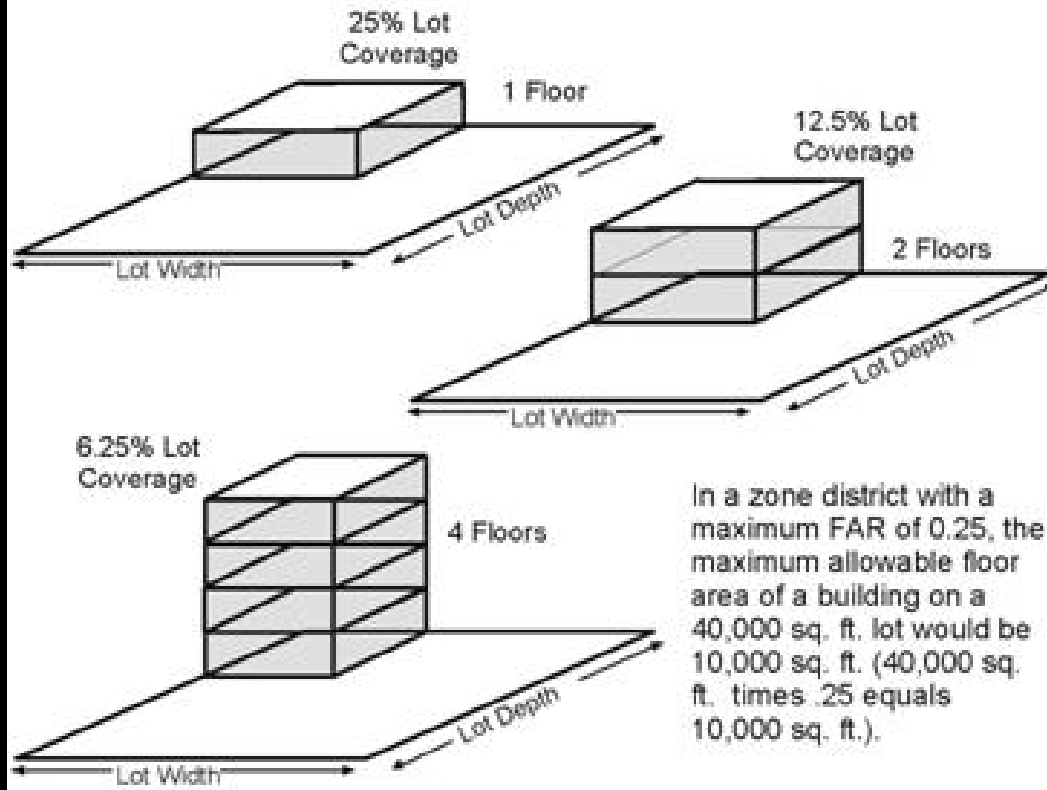


Townhomes
(20-40 du/ac)



Apartments
(50-100 du/ac)

Possible Building Configurations for 0.25 FAR



In a zone district with a maximum FAR of 0.25, the maximum allowable floor area of a building on a 40,000 sq. ft. lot would be 10,000 sq. ft. (40,000 sq. ft. times .25 equals 10,000 sq. ft.).

NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Building Area (All Floors)}}{\text{Lot Area}}$$

Adequate Public Facilities Ordinance (APFOs)

- APFOs are an effort to time the provision of public facilities to be consistent with development demand and the goals of the comprehensive plan.
- Development should not occur unless public facilities are present and are in good condition.
- Facilities include: water, sewer, schools, roads, emergency services.

The Role of Priority Funding Areas

The BROAD purpose is to focus State spending to:

- Make the “most efficient and effective use” of existing infrastructure investment
- To “preserve existing neighborhoods”
- To preserve “Maryland’s fields, farms, and open spaces”

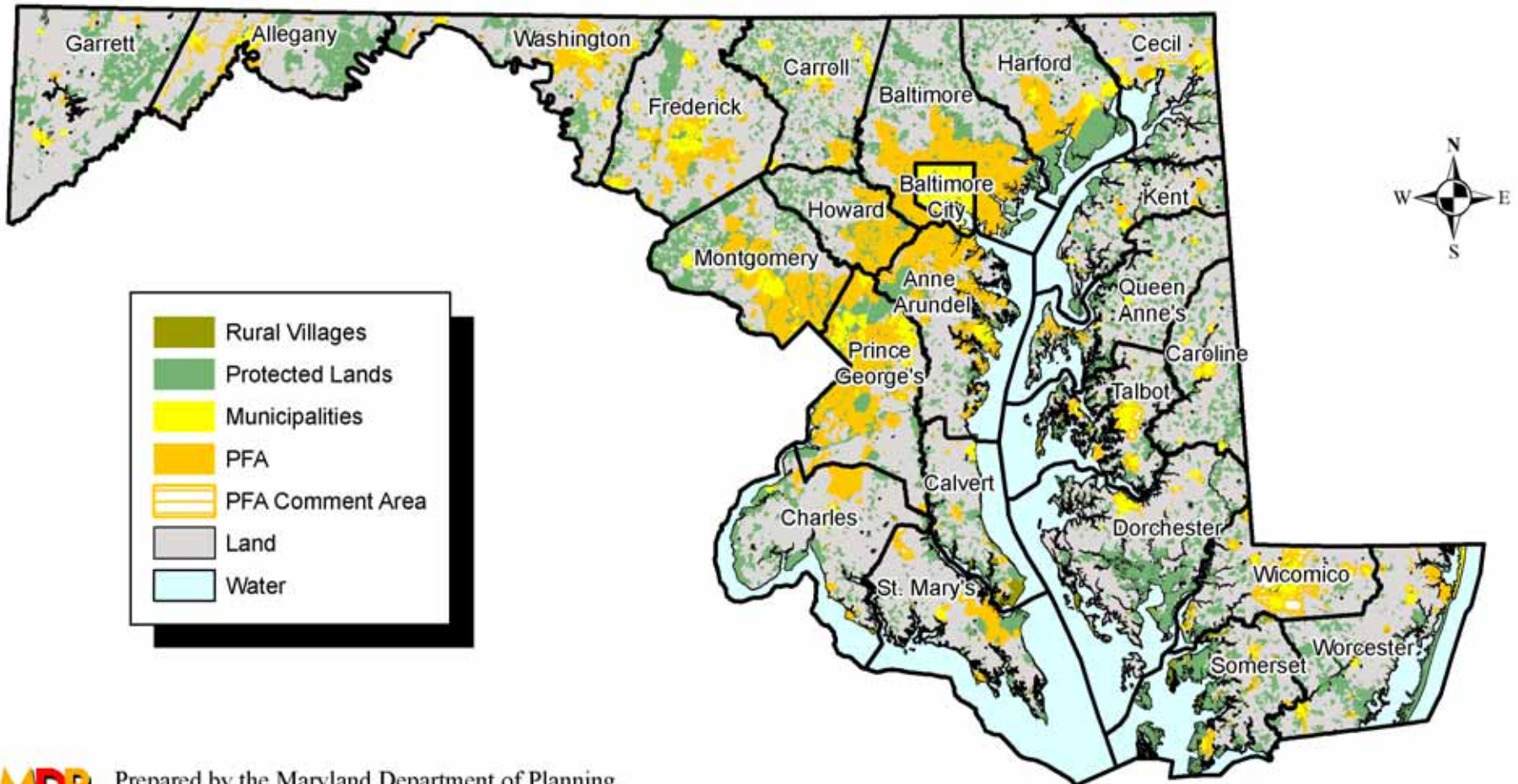


How are PFAs Established?

Some established by law:

- Municipal Boundaries as of 1/1997
- Designated Neighborhood Program Areas
- Enterprise Zones
- Heritage Areas that are also county growth areas
- Inside the Beltways
- Local Governments MAY certify additional areas consistent with criteria (growth areas).

Maryland Priority Funding Areas and Protected Lands



Prepared by the Maryland Department of Planning.
October 2007.

Priority Funding Area Criteria

- Existing or planned water and sewer service
- Average permitted residential density of 3.5 units per acre
- Growth plan consistent with projections
- The total SIZE of the PFA must be based on an assessment of land needed for 20 years growth

Land Development in Maryland

