

# REGIONAL AND INTERGOVERNMENTAL PLANNING



American Planning Association  
Regional and Intergovernmental  
Planning Division

*Making Great Communities Happen*

A Publication of the Regional and Intergovernmental Planning Division  
of the American Planning Association

Spring • 2012



## MARYLAND TAKES THE LEAD FOR SUSTAINABLE GROWTH PLANNING

By Andrew Ratner

It's rare when several Maryland governors join for a ceremony, but that was the scene at the Maryland State House on Dec. 19, 2011 when Governor Martin O'Malley was joined by former Governors Harry Hughes and Parris Glendening to receive PlanMaryland, the state's first sustainable growth plan.

**G**overnor O'Malley directed the Maryland Department of Planning to create a state growth plan after he became governor in 2007. The state's General Assembly as far back as 1959, and again in 1974, 2007 and 2010, either required or laid out the process for the Secretary of Planning to submit a state development plan, but the mandate had gone unmet for decades. Following three years of outreach that drew about 3,000 Marylanders to meetings throughout the state, the department released an initial draft of the plan in April 2010 and a follow-up draft in September 2010. After analyzing about 300 written comments over six months, the planning department completed a final plan that it submitted to the governor. The trio of governors, along with Maryland Planning Secretary Richard Eberhart Hall, AICP, and Jon Laria, chairman of the Maryland Sustainable Growth Commission, spoke at the Dec. 19th ceremony before members of the media, officials and stakeholders from groups such as the Chesapeake Bay Foundation and 1,000 Friends of Maryland that had supported the initiative.

"There are some challenges so large we can only hope to tackle them together. Creating jobs and expanding opportunity is one of those, and building a sustainable, long-term future for our children is another," Governor O'Malley said after accepting the plan. PlanMaryland's primary goals are to further smart growth by promoting future development in existing growth areas, while slowing large-lot residential development

that causes greater pollution of the bay and other waterways. State agencies will evaluate their own programs to better align with "smart growth" goals.

Both Governor Hughes, through the University of Maryland Center for Agro-Ecology that bears his name, and Governor Glendening had indicated support for the plan while it was being drafted. Hughes' tenure as governor during the 1980s was marked by his advocacy for protecting the health of the Chesapeake Bay. Glendening became widely known as a champion of smart growth during his two terms from 1995 to 2003. "Smart growth strategies like these aren't new to Maryland, and they have enjoyed a long history of bipartisan support," Glendening wrote of PlanMaryland for "Smart Growth America."

However, in the months leading up to its delivery, PlanMaryland sparked opposition, particularly among officials in rural areas who interpreted it as impinging on their authority to oversee land use and zoning. The harshest condemnation echoed opposition to environmental planning that has been seen from Maine to Florida and that casts "smart growth" in conspiratorial terms related to the United Nations' Agenda 21. Criticism from some persisted despite an opinion from the office of the Maryland Attorney General that concluded that PlanMaryland does not usurp the zoning and planning authority that rests with local jurisdictions; such a change could only be made through statute by the General Assembly. Now that Governor O'Malley has issued an executive order to accept the document, the Department



of Planning is beginning to work with local governments and state agencies to implement the plan. "We're in this for the long haul," said Secretary Hall. "We're only at the beginning, not the end."

PlanMaryland is only a piece of the state's "Smart, Green & Growing" program. The American Planning Association recently recognized the array of efforts being made to reinvigorate smart growth in Maryland by awarding Governor O'Malley its 2012 National Planning Excellence Award for Planning Advocate.

"Governor Martin O'Malley has continued the legacy of planning innovation in Baltimore that started nearly 50 years ago. Concerned that homes were being built on state farmland and forest land far quicker than the rate of population growth, Governor O'Malley developed a multi-pronged approach to promote smarter growth in Maryland," the APA wrote in a press release in January 2012. "Among the many highlights achieved during his tenure, O'Malley has signed into law provisions that require a jurisdiction's zoning to be consistent with its comprehensive plan; championed two light rail Metro projects; helped establish a public-private partnership to redevelop a 50-year-old complex of state offices; and created Maryland's first ever state-wide development plan, PlanMaryland, to help strengthen older communities, build sustainable new places inside growth areas, and preserve resource land."

PlanMaryland ties into other long-range planning efforts, such as septic legislation

that is being proposed to the Maryland General Assembly during the 2012 session. The legislation followed months of study by a gubernatorial-appointed Task Force on Sustainable Growth and Wastewater Disposal. The objective is to remedy the problem that outdated wastewater technologies -- septic systems -- are one of the few nitrogen pollutant sources in Maryland that continues to increase and which often supports wasteful land development practices outside of sewered areas. New development in Maryland using septic tanks are projected to represent a quarter of future growth during the next quarter-century, but will account for two-thirds of the State's future increase in wastewater and storm water pollution loads from development, according to the Maryland Department of the Environment and the Department of Planning.

PlanMaryland's objectives are also in line with the State's ongoing work towards the Bay Watershed Implementation Plan, or WIP. The U.S. Environmental Protection Agency required in 2010 that the jurisdictions in the watershed of the Chesapeake Bay -- Maryland, Virginia, Pennsylvania, Delaware, West Virginia, New York and the District of Columbia -- create a Watershed Implementation Plan to better protect the bay, the largest estuary in the United States and one of the largest and most biologically productive estuaries in the world. The EPA established a nutrient and sediment "pollution diet" for the bay, more formally known as the Chesapeake Bay Total Maximum Daily Load, or TMDL. After more than a year of work, the Maryland departments of the environment,



planning, natural resources and agriculture released Phase I of their plan in late 2010. They are currently working on detailed reduction targets and specific strategies for Phase II.

Increased nutrient runoff into the bay has been exacerbated by sprawl patterns of development, which have continued in spite of groundbreaking work on smart growth in the past. Since Maryland established “Priority Funding Areas” in the late 1990s to encourage growth in or close to existing communities, three-quarters of development in acreage has occurred outside those areas. It took three centuries to develop the first 650,000 acres of land in Maryland – and some 40 years to develop the next million. The housing boom of the mid-2000s in Maryland helped carve a wide swath of development through farmland and forest, consuming land at more than triple the rate of population growth. Through the year 2035, planners project 1 million additional people to join the 5.7 million that the U.S. Census counted in Maryland in 2010. A series of large scale forces, including rising energy costs, global climate change, an aging population and globalization of the economy, have brought the increasingly dispersed development patterns of the last half-century into sharper focus.

PlanMaryland also helps the state encourage development of more walkable communities that are less reliant on automobile use and that help reduce greenhouse gas emissions, traffic congestion and sprawl. The state is trying to prompt more transit-oriented

development, or TOD, to encourage compact, walkable neighborhoods around transit stations. The Maryland Department of Housing and Community Development is in the process of moving its headquarters from a remote office setting in a semi-rural area to a new mixed-use location at a major Maryland rail and Metro station. That project is anticipated to generate a net public benefit of more than \$11 million over the course of the 15-year lease and create an estimated 300 jobs during construction and an additional 80 retail jobs.

The state is also planning for a “Purple Line” light rail connection in the Washington suburbs and for a “Red Line” on Baltimore’s light rail system to connect western suburbs with universities, hospitals and employment centers in the city. The Department of Planning estimates that a smart growth approach could save the state and local governments more than \$1 billion a year during the next 20 years on infrastructure costs for new roads and schools. On the other hand, if current growth patterns continue, Maryland will need 12,000 new miles of road at a cost of \$100 billion to support the trend.

“We need to do a better job of protecting the sanctity of environmentally sensitive areas, such as wetlands, forest and productive farmland that have become fragmented and compromised by decades of sprawl,” Secretary Hall said. “We want to promote growth in cities and towns where people can live, work, shop and play and be less car-dependent to do those things.”

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**E**xactly 100 years ago in 1912, Teddy Roosevelt broke with his party to form the progressive Bull Moose Party and run as a third party progressive candidate for president on the platform, of among other things, good government. Rarely, these days do we hear these two words link: "good" and "government." Yet, it was in this climate of progressivism that the Good Government Movement incubated the emerging profession of urban planning.

While Roosevelt lost to Wilson, support for progressive government was in the wind and in the ensuing decade Good Government advocates championed zoning, city manager government, the first public roads act and what was called then "The City Planning Movement."

It seems that we could use a revival of some of that civic spirit now, as increasingly today's "movements" seem against anything government, including and at times especially, planning.

"Agenda 21" has become the catch-word and rallying cry for much of the anti-planning rhetoric many of us are experiencing today. While Agenda 21 is merely a definitional guide to thinking and acting responsibly for balanced actions for a healthy economy as well as a healthy environment with a concern for social equity, it has somehow taken on the code word threat of imperial government that will take away personal freedoms at all levels including outside intervention by the United Nations. Some of the "Agenda 21" scare points to planners proposing things like public transit, bike and walking trails, dense developments and limiting highway expansion.

APA has taken on this



*Nothing new about the planning skeptics. Here the political cartoon from the November 4, 1915 Sacramento Bee warns John Nolen with his new plan for Sacramento that he should take "One thing at a Time" and the caption specifies roads before beauty.*

challenge, for instance, with a recent series of webinars and information resources that members can access at <[www.planning.com/communications](http://www.planning.com/communications)>. One of the learnings in the webinar is that the "Agenda 21" anti-planning tactics work less well when there has been a truly open, participatory planning process and where stakeholders are equal partners with the sponsoring planning agency. If the community-at-large enthusiastically supports a plan then it is difficult to spin it as either an evil or bumbling

government imposition.

It is in this climate that the Regional and Intergovernmental Divisions has weighed in with this edition of our eJournal to focus on multi-governmental planning efforts that are working with a reminder that our government is for, by and of the people and planning is its civic laboratory.

**Ron Thomas, AICP**  
Regional & Intergovernmental Division, Board & Editor