

**Planning Commission, Planning Board and Board of Appeals Education Course**

**Planning 101**



---

---

---

---

---

---

---

---

**Planning 101**

- **Planning in MD and Smart Growth**
  - Twelve Visions
  - Priority Funding Areas
- **The Comprehensive Plan**
  - What is a Comprehensive Plan
  - Required and Optional Elements
  - Developing the Comprehensive Plan
  - County-Municipal Coordination

---

---

---

---

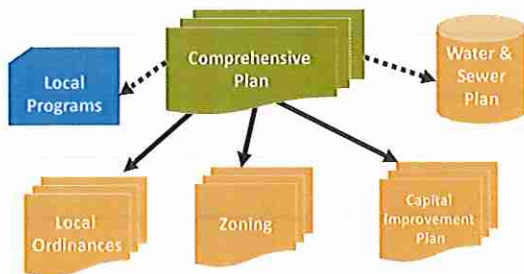
---

---

---

---

**Planning and Implementation**



---

---

---

---

---

---

---

---

## Maryland Statutes

### New Land Use Article

- Combines major land use provisions in Article 25A, Article 28 and Article 66B.
- The article as a whole governs the establishment and implementation of land use mechanisms by local governments in their jurisdictions.
- Division I is derived from Article 66B – Land Use and contains statewide enabling authority and planning requirements and other provisions concerning land use in commission counties, municipal corporations, and Baltimore City.
- Division II is derived from Article 28 – Maryland-National Capital Park and Planning Commission and contains provisions on M-NCPPC and on land use in Montgomery and Prince George's counties.

---

---

---

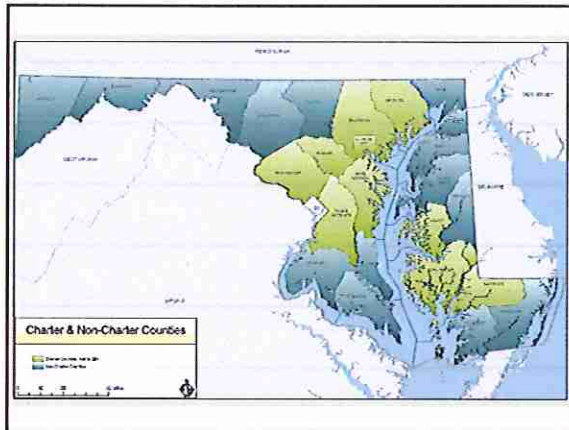
---

---

---

---

---



---

---

---

---

---

---

---

---

## Smart Growth

- Goals for land use planning
- Promotes livability, sustainability, well managed development
- Minimizes development footprint
- Quality of life



---

---

---

---

---

---

---

---

**The Twelve Visions**

- Housing
- Economic Development
- Environmental Protection
- Resource Conservation
- Stewardship
- Implementation
- Quality of Life and Sustainability
- Public Participation
- Growth Areas
- Community Design
- Infrastructure
- Transportation

---

---

---

---

---

---

---

---

**Priority Funding Areas**

- PFAs focus State spending to:
  - Make the most efficient and effective use of taxpayer dollars
  - Preserve and maintain existing neighborhoods
  - Preserve farms, and open spaces
  - Reduce pollution
- Municipal boundaries in place by 1997 are automatically PFA

---

---

---

---

---

---

---

---

**Priority Funding Areas**

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

---

---

---

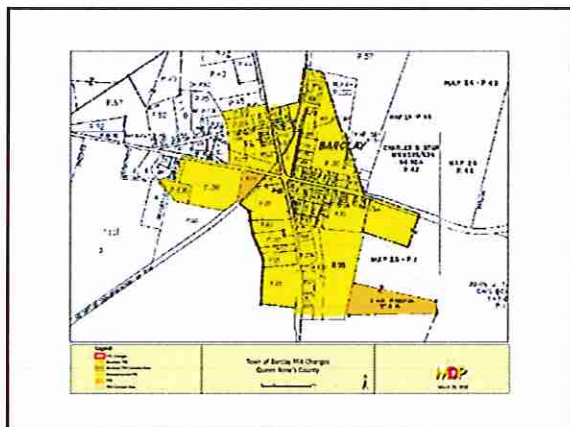
---

---

---

---

---



---

---

---

---

---

---

---

---

**Comprehensive Plan**

- Guides future growth, development and preservation for an area
  - Inventory
  - Analysis
  - Recommendations
  - Implementation Strategies
  - Feedback and Adaptive Management

---

---

---

---

---

---

---

---

**Required Elements of Comprehensive Plans**

1. Statement of Goals, Objectives, Principles, Policies and Standards
2. Land Use Plan Element
3. Transportation Plan Element
4. Community Facilities Plan Element
5. Water Resources Plan Element
6. Sensitive Areas Plan Element

---

---

---

---

---

---

---

---

**Required Elements  
of Comprehensive Plans**

- 7. Mineral Resources Plan Element (if applicable)
- 8. Municipal Growth Plan Element
- 9. Fisheries (if located on tidal waters of the State)
- 10. Areas of Critical State Concern (within the County)
- 11. Recommendation for Development Regulations to Implement the Plan

---

---

---

---

---

---

---

---

**Optional Elements  
of Comprehensive Plans**

- Community Renewal Elements
- Housing Elements
- Flood Control
- Pollution Control
- Conservation
- Natural Resources
- Priority Preservation Areas
- General Local and Extent of Public Utilities
- Workforce Housing Plan Element

---

---

---

---

---

---

---

---

**Developing a Comp Plan**

- Draft Developed by Planning Commission
  - 60 Day Public Notice of Draft Plan
  - Review of Public and Agency Comments
  - Required Public Hearing
  - Recommendation for Adoption by Council
- Adoption by Council
  - May hold another public hearing
  - Final decision on Comp Plan

---

---

---

---

---

---

---

---

### Developing a Comp Plan

- Required to review every 6 years
  - Update if necessary



---

---

---

---

---

---

---

---

### Inter-Jurisdictional Coordination

- Comprehensive Planning is Cornerstone
  - Developing mutual goals and objectives
- Potential Coordination Issues
  - Municipal Growth
  - School Planning
  - Water Resource Planning
  - Transportation Planning
  - Comprehensive Water and Sewer Plans

---

---

---

---

---

---

---

---

### Planning Commission, Planning Board and Board of Appeals Education Course

#### Planning 201



---

---

---

---

---

---

---

---

### Planning 201

- Growth Management Tools
  - Zoning and Subdivision
  - Adequate Public Facilities
  - Capital Improvement Programs
  - Water and Sewer Master Plans
  - Land Preservation Tools
  - Annexation
  - Developers Agreements

---

---

---

---

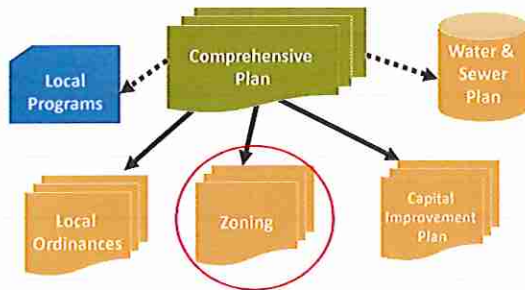
---

---

---

---

### Planning and Implementation



---

---

---

---

---

---

---

---

### Zoning Regulations

- Practice of designating permitted uses of land based on mapped zones
  - Most common form of land use control through ordinance
  - A zoning ordinance consists of text and maps
- Regulates Uses of the Land
  - Also can control density, building height, and bulk of building on the land

---

---

---

---

---

---

---

---

### Zoning

- Traditional ordinances relied on “Euclidean zones”
  - Strict separation of land uses
- Modern ordinances often allow some mixing of uses
  - Floating zones, performance zoning, and planned unit developments (PUDs)
- Zoning is also used to protect community character, i.e. historic districts

---

---

---

---

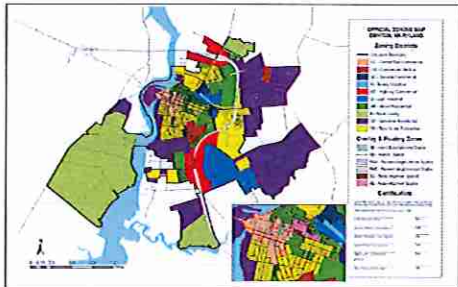
---

---

---

---

### Zoning



---

---

---

---

---

---

---

---

### Subdivision Ordinances

- Division of property
  - Into one or more lots for development purposes
  - May include consolidation of smaller lots or re-subdivision
- Typically include standards for lot layout for:
  - Streets
  - Utilities
  - Landscaping
- Usually specifies information needed to record subdivision plat and to ensure installation of needed public improvements

---

---

---

---

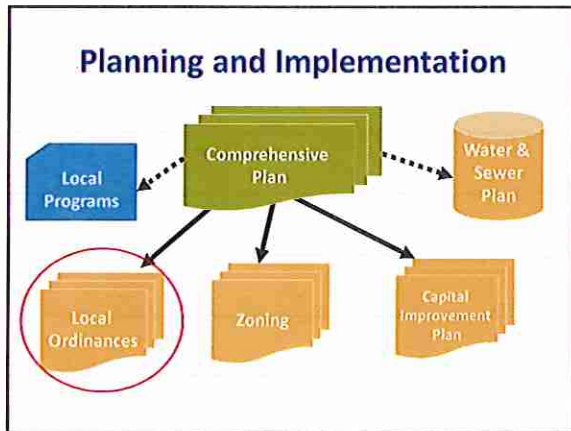
---

---

---

---





---

---

---

---

---

---

---

---

### Adequate Public Facilities (APFOs)

- **Primarily Addresses**
  - Roads, Schools, Water and Sewer
  - What is adequate and what is not
- **Adequate Public Facilities Ordinances**
  - Relationship to development approvals
  - Relationship to smart growth
  - Used in 14 Counties and 26 Municipalities

---

---

---

---

---

---

---

---

### APFOs

- **Any jurisdiction can adopt APFOs**
  - Development approval can be contingent on being able to provide service
  - Adequate facilities must be reasonably probable of fruition in the foreseeable future
  - Lack of standards can lead to invalidation of regulations



---

---

---

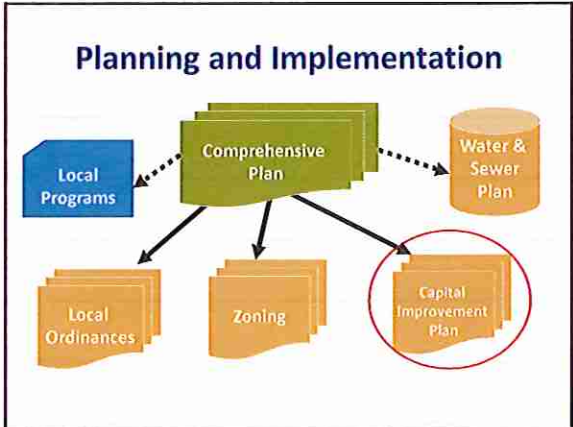
---

---

---

---

---



---

---

---

---

---

---

---

---

### Capital Improvement Programs (CIP)

- Blueprint for planning a community's capital expenditures
  - Roads, Schools, Water and Sewer, Recreation, Community Facilities,
  - Coordinates community planning, financial capacity and physical development
- Includes a capital budget and a capital program

---

---

---

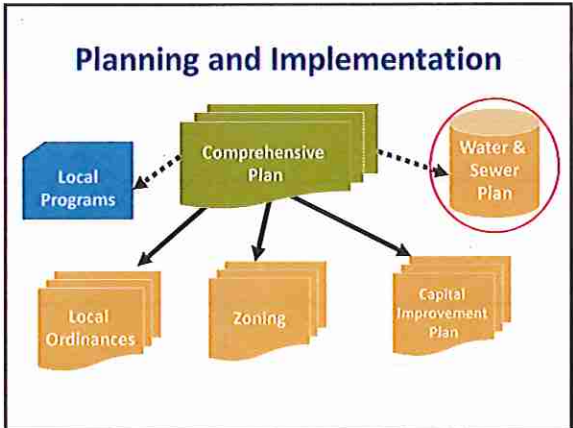
---

---

---

---

---



---

---

---

---

---

---

---

---

**Water and Sewerage Master Plan**

- **Implementing tool of the Comp Plan**
  - Identifies areas to be served with public sewer and water
  - Identifies various timing categories for provision of W&S
  - Shows existing and planned capital facilities
  - To be kept current every 3 years and amended as needed
  - Governed by State law

---

---

---

---

---

---

---

---

**Water and Sewerage Master Plan**

- **Basis for issuing permits for water supply or wastewater handling facilities**
  - Guide land development approvals
  - Identify projects and costs necessary to maintain fiscally sustainable systems
  - Identify new service areas
  - indicate upgrades and expansions to water supply or wastewater treatment facilities

---

---

---

---

---

---

---

---

**Water and Sewerage Master Plan**

- **Incorporating Smart Growth**
  - Focus on serving areas that are within PFAs
- **When expanding, consider:**
  - Local comprehensive plan consistency
  - Realistic population projections
  - Infill development
  - Sufficient land to accommodate employment and commercial centers

---

---

---

---

---

---

---

---

### Sustainable Growth and Agricultural Preservation Act of 2012

- SB 236 (Septics Bill)
- Growth Tiers designated by counties and municipalities
- Tiers govern new subdivisions
  - Tier I – existing sewer: major and minor subdivisions okay
  - Tier II – planned sewer: only minors on septic systems
  - Tier III – no sewer: majors on septic; controlling authority for shared systems
  - Tier IV – only minor subdivisions allowed

---

---

---

---

---

---

---

---

### Sustainable Growth and Agricultural Preservation Act of 2012

- Tiers to be adopted by December 31, 2012
- Initial adoption allowed by administrative action
- Tiers incorporated into next update of comprehensive plan
- Changes to tiers requires amendment to comp plan
- Planning Commission has new role in tier adoption and subdivision approval (Tier III)

---

---

---

---

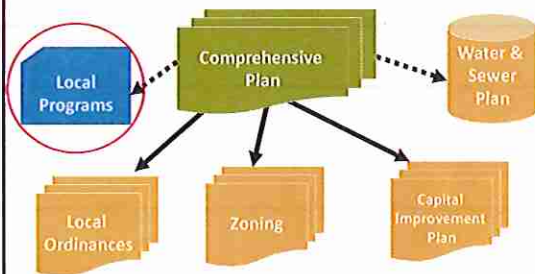
---

---

---

---

### Planning and Implementation



---

---

---

---

---

---

---

---

### Programs & Other Tools

Plan implementation comes in various forms

- Affordable Housing Programs
  - Housing Rehabilitation Assistance
  - 1<sup>st</sup> Time Homebuyer Assistance
  - Moderately Priced Dwelling Unit Program
- Economic Development Programs
  - Job Creation Tax Credits
  - Commercial Historic Tax Credits
- Crime Prevention Programs
- Social Service and Homeless Programs

---

---

---

---

---

---

---

---

### Land Conservation Tools

In addition to protective zoning:



- Easement Programs
  - Agriculture Protection
  - Natural and Environmental Resources
  - Historic & Cultural Resources
- Development Right Control
  - Purchase of Development Rights (PDR)
  - Transfer of Development Rights (TDR)
- Cover Crop Programs

---

---

---

---

---

---

---

---

### PlanMaryland

- New state plan for sustainable growth
- Became official state plan in December 2011
- Coordinates state agency delivery of services and resources to planning areas
- Collaboration with local governments to identify planning areas

---

---

---

---

---

---

---

---

### PlanMaryland

- **Planning areas:**
  - Targeted Growth and Revitalization Areas
  - Established Communities
  - Future Growth Areas
  - Large Lot Development Areas
  - Rural Resource Areas
- **Preservation/Conservation Areas**
  - Priority Preservation Areas for Agriculture
  - Natural Resource Areas
  - Water Resource Areas
  - Historic & Cultural Resource Areas
  - Climate Change Impact Areas

---

---

---

---

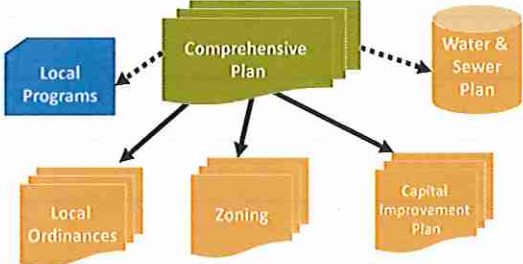
---

---

---

---

### Planning and Implementation




---

---

---

---

---

---

---

---

### Consistency

- **Consistency between the local comprehensive plan and certain decisions and ordinances is required by State law**
  - Zoning, planned development, subdivision and other land use ordinances
  - Annexations
  - Water & Sewer Plan Amendments
  - Growth Allocations in Critical Areas

---

---

---

---

---

---

---

---

### Consistency

- An action that will further, and not be contrary to, the Comprehensive Plan
  - Policies
  - Timing of the implementation of the plan
  - Timing of development
  - Timing of rezoning
  - Development patterns
  - Land uses
  - Densities or intensities

---

---

---

---

---

---

---

---

### Questions?



[www.planning.maryland.gov](http://www.planning.maryland.gov)

---

---

---

---

---

---

---

---

### Commission Issues to Discuss

- Is the existing comprehensive planning process in Maryland working?
- Are Maryland communities achieving what was planned?
- If not, what changes are needed?
- What should be the role of the Commission moving forward?

---

---

---

---

---

---

---

---

Date	Description
1890	...
1891	...
1892	...
1893	...
1894	...
1895	...
1896	...
1897	...
1898	...
1899	...
1900	...
1901	...
1902	...
1903	...