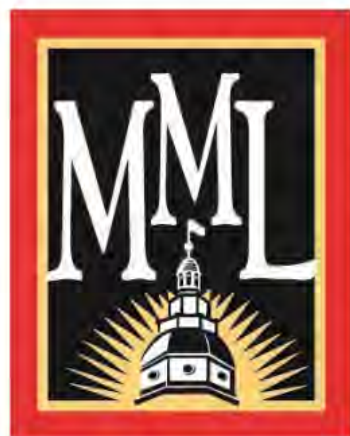




Local, Regional, and State Considerations

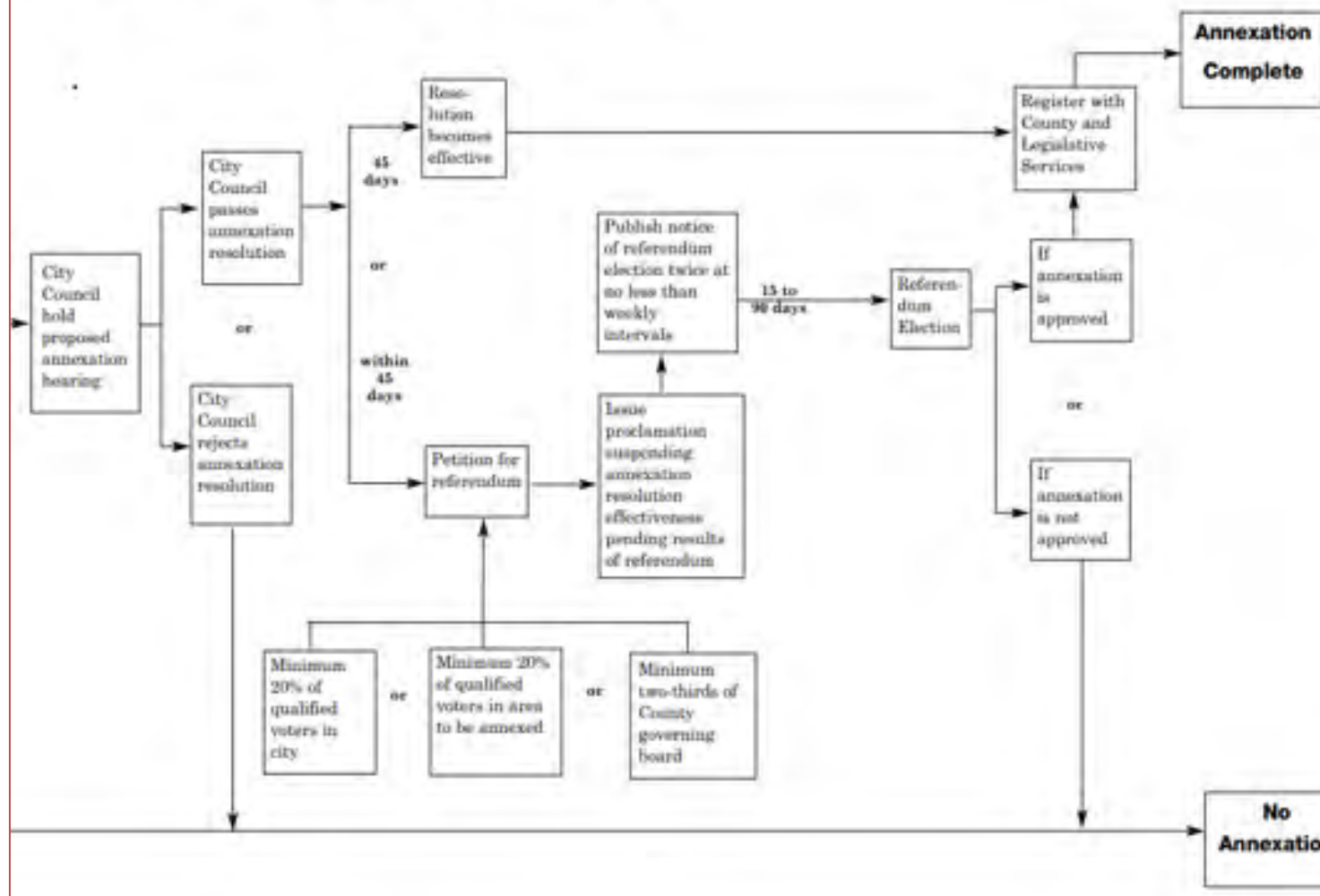
THINK YOU WANT TO ANNEX?



THE
MARYLAND
MUNICIPAL
LEAGUE

Municipal Annexation Handbook

Maryland Municipal Annexation Procedures



WHY ANNEX?

Extend municipal services and/or public utilities

Expand size and property tax base for a municipality

Ensure municipal influence and control over development at edge of existing boundaries

Achieve municipal growth goals

Support economic and community development

Facilitate development of community amenities

Promote Smart Growth

STATE REQUIREMENTS LOCAL GOVERNMENT ARTICLE § 4-415

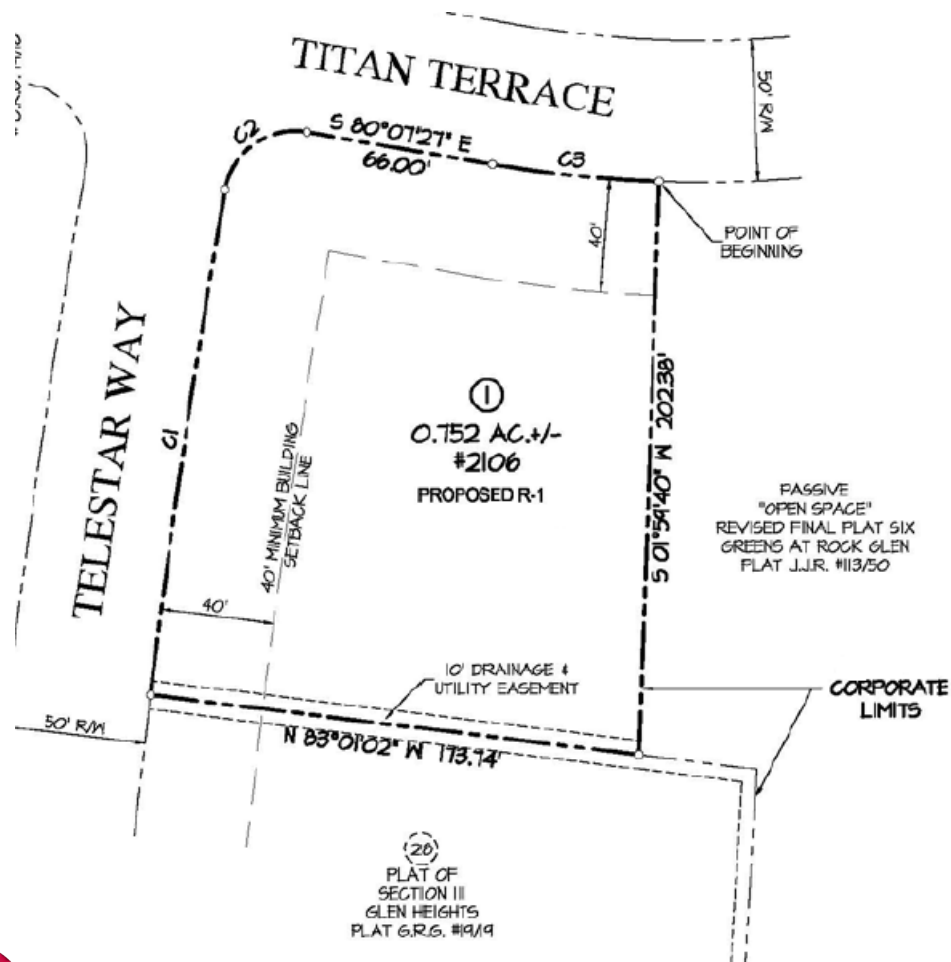


Annexation plan shall be consistent with the Municipal Growth Element

- Map growth or annexation area
- List of potential annexation properties
- Growth analysis

STATE REQUIREMENTS

LOCAL GOVT ARTICLE § 4-401 - § 4-416



Contiguity

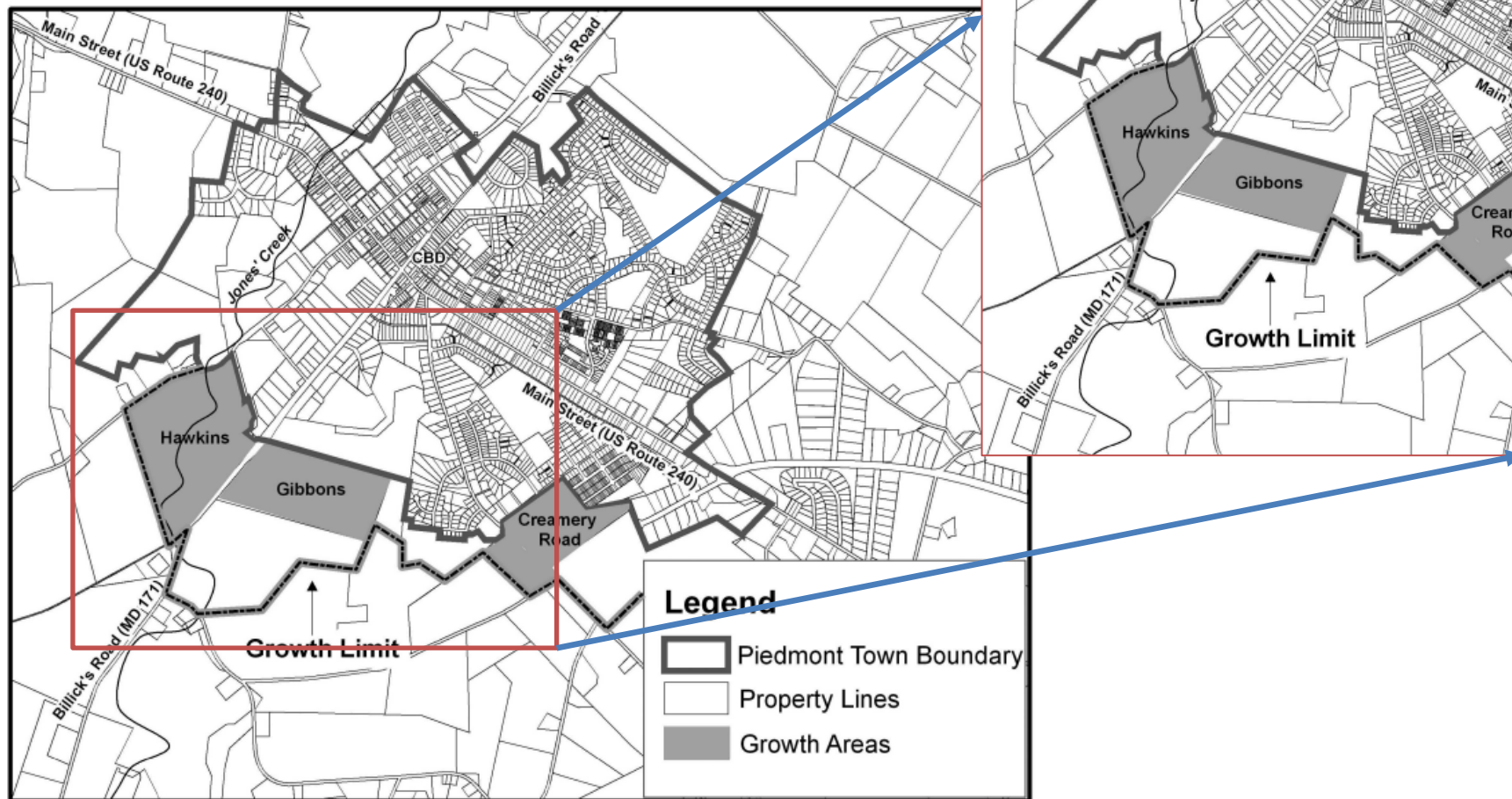
Rights-of-way

Cannot annex areas already incorporated in another municipality

STATE REQUIREMENTS

LOCAL GOVT ARTICLE § 4-401 - § 4-416

Map II - Town of Piedmont and Growth Areas



Enclaves

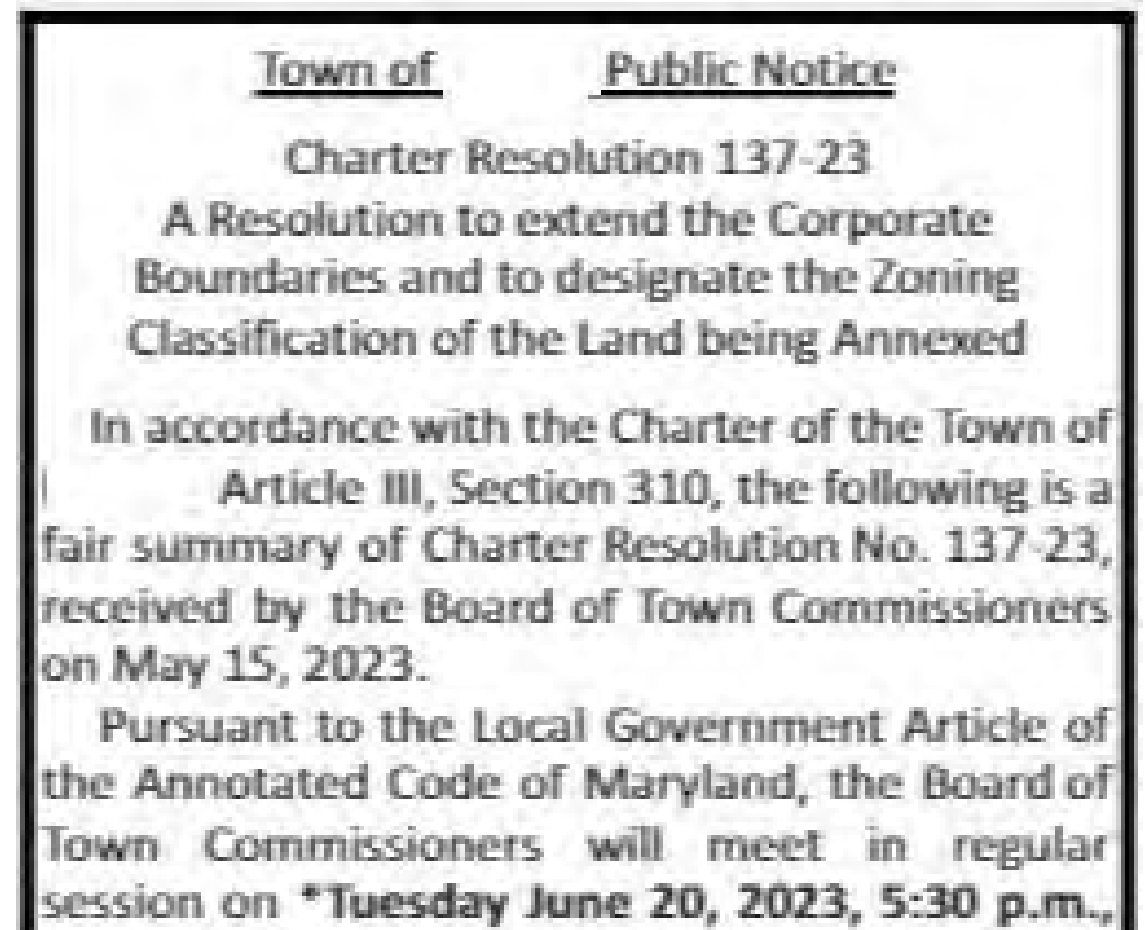
Rights-of-way

STATE REQUIREMENTS

LOCAL GOVT ARTICLE § 4-401 - § 4-416

Notifications

- After a resolution is introduced, the municipality must publish a public notice at least four times if the proposed annexation area is greater than 25 acres, two times if equal to or less
- After first publication, the municipality must provide a copy of the notice to the county and MDP
- Public notice must
 - Briefly and accurately describe the annexation area
 - Include the date, time, and place of public hearing



STATE REQUIREMENTS

LOCAL GOVT ARTICLE § 4-401 - § 4-416

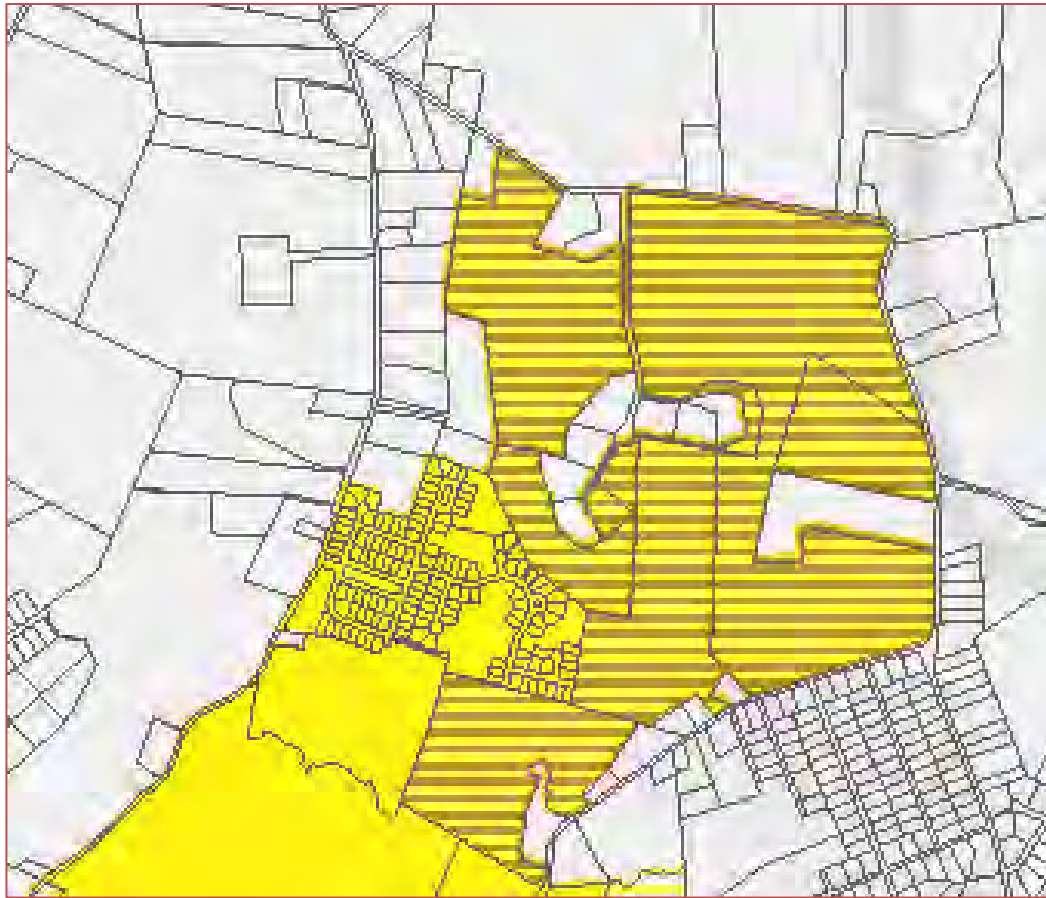
Timeframe	Annexation Plan Components	Additional Components
<p>At least 30 days prior to the public hearing</p>	<p>Description of land use pattern</p> <p>Schedule and financing to extend municipal services</p>	<p>Official cover letter</p> <p>Draft resolution</p> <p>Boundary survey plat, metes and bounds, parcel number, address(es)</p> <p>Existing county and proposed municipal zoning</p> <p>If available, county waiver information or communication</p>

Instructions and Guidance for Specific Plan Submissions

- General
- Comprehensive Plans
- Annexations
- PFA Certifications
- Water and Sewer Plans

STATE REQUIREMENTS

LOCAL GOVT ARTICLE § 4-401 - § 4-416



- Five Year Rule
 - Land Use
 - Density
- Priority Funding Areas

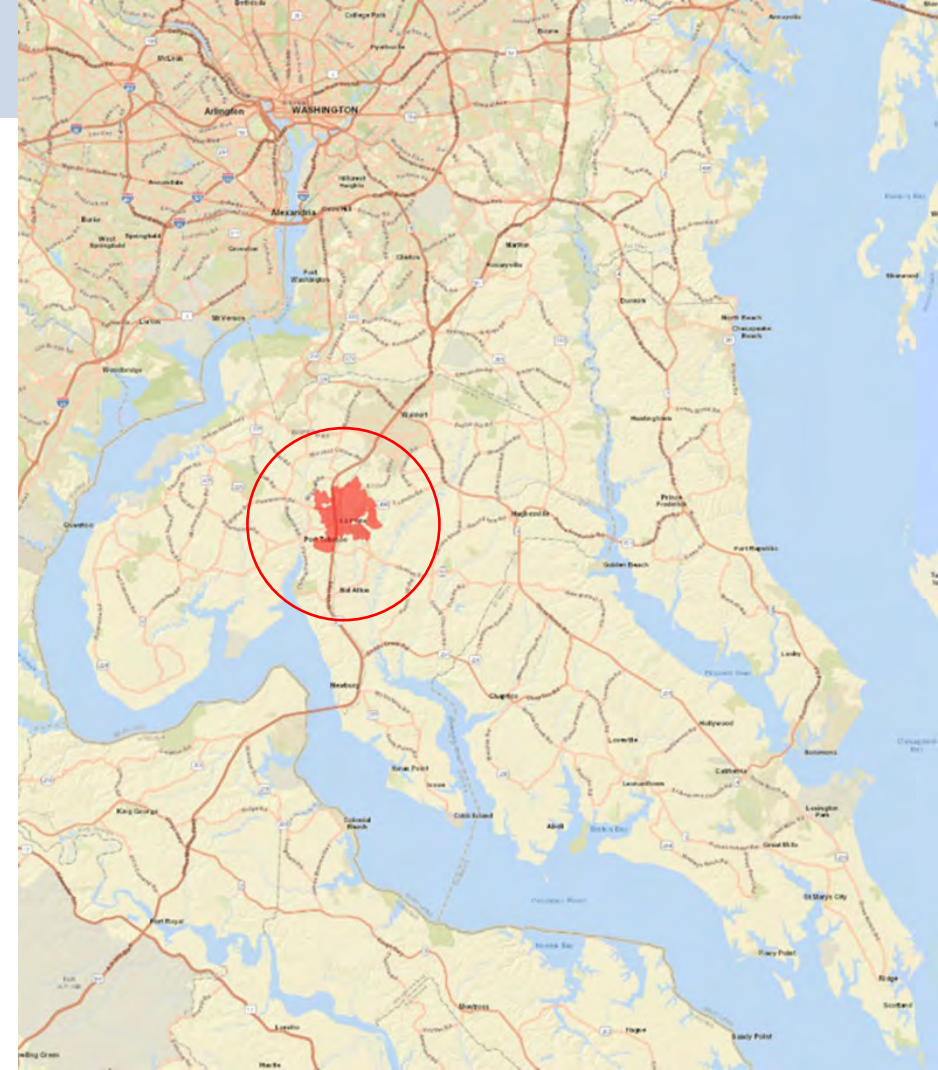


Town of La Plata Annexations

JEANINE HARRINGTON, AICP
DIRECTOR OF PLANNING

Introduction – Town History

The Town of La Plata, located in Charles County in southern Maryland, was founded in 1873 as a train stop along the Pope’s Branch of the Baltimore and Potomac Railroad and became an incorporated municipality on April 4, 1888. La Plata replaced Port Tobacco as the county seat for Charles County in 1892 when fire destroyed the Port Tobacco courthouse. Expansion of the transportation system again stoked the growth of La Plata in 1940 with the opening of the then Potomac River Bridge (later, the Governor Harry W. Nice Memorial/ Senator Thomas “Mac” Middleton Bridge), which carries US Route 301 over the Potomac River. The bridge, which provided a link to King George, Virginia, brought long-distance east coast traffic through the town as an alternative to US 1 and, later, Interstate 95. US 301 bisects La Plata with rural and residential communities to the west and the historic downtown, county courthouse and office buildings, and the University of Maryland Charles Regional Medical Center to the east. Being located approximately 35 miles south of Washington DC, 50 miles south of Annapolis and 65 miles south of Baltimore, the Town has largely become a bedroom community for the metropolitan areas and for two military installations: Naval Air Station Patuxent River approximately 35 miles to the south Naval Support Center Indian Head approximately 10 miles to the west.



2022	10,404
2021	10,112
2020	10,159
2010	8,753

Data from the Census Bureau Quick Facts

Why does the Town Annex Land?

- **Town Interests:**
 - **Expanded Tax Base** - Commercial and industrial development is far more needed to grow the town’s tax base to support those services; however, enough population growth is necessary to justify private investment in those areas.
 - **Town Control over Development** – The majority of the Town’s Municipal Growth Area is currently zoned Rural Residential (low density residential). The Town’s future land use map offers mixed use zoning categories to promote “Smart Growth”.
 - **Environmental Benefits** - There are environmental benefits to extending water and sewer in certain areas allowing for the removal of septic systems; therefore, reducing Nitrogen output into the surrounding watersheds

- **Property Owner Interests:**
 - **Water and Sewer Connections**
 - Failed Septic Systems – Bay Restoration Grant Funding (BRF)
 - Connection to public water and sewer
 - **Development Opportunities**
 - County Zoning Vs. Town Zoning
 - Priority Funding Area Designation (if approved by MDP)

- **Limiting Factors:** The Town faces a difficult balance between the desire for growth and providing the public infrastructure and services to support the growth. Such as:
 1. Jobs and Housing Balance
 2. Ensuring that services and infrastructure are available:
 1. Water and Sewer Allocations
 2. Schools (Charles County)
 3. Fire and EMS Services (Charles County)
 4. Police (Town and Charles County)
 5. Medical (Private Services)

Commercial and Industrial	891	<i>Commercial</i>	235
		<i>Industrial</i>	656
Residential	1185	<i>High Density</i>	3
		<i>Medium Density</i>	49
		<i>Low Density</i>	1133
Public Facilities and Open Space	241	<i>Public Lands</i>	13
		<i>Roadway</i>	115
		<i>Floodplains</i>	113
Mixed-Use	535		
To Be Determined	2104		

TABLE 3: ENVISIONED GROWTH AREA LAND USE (ACRES)

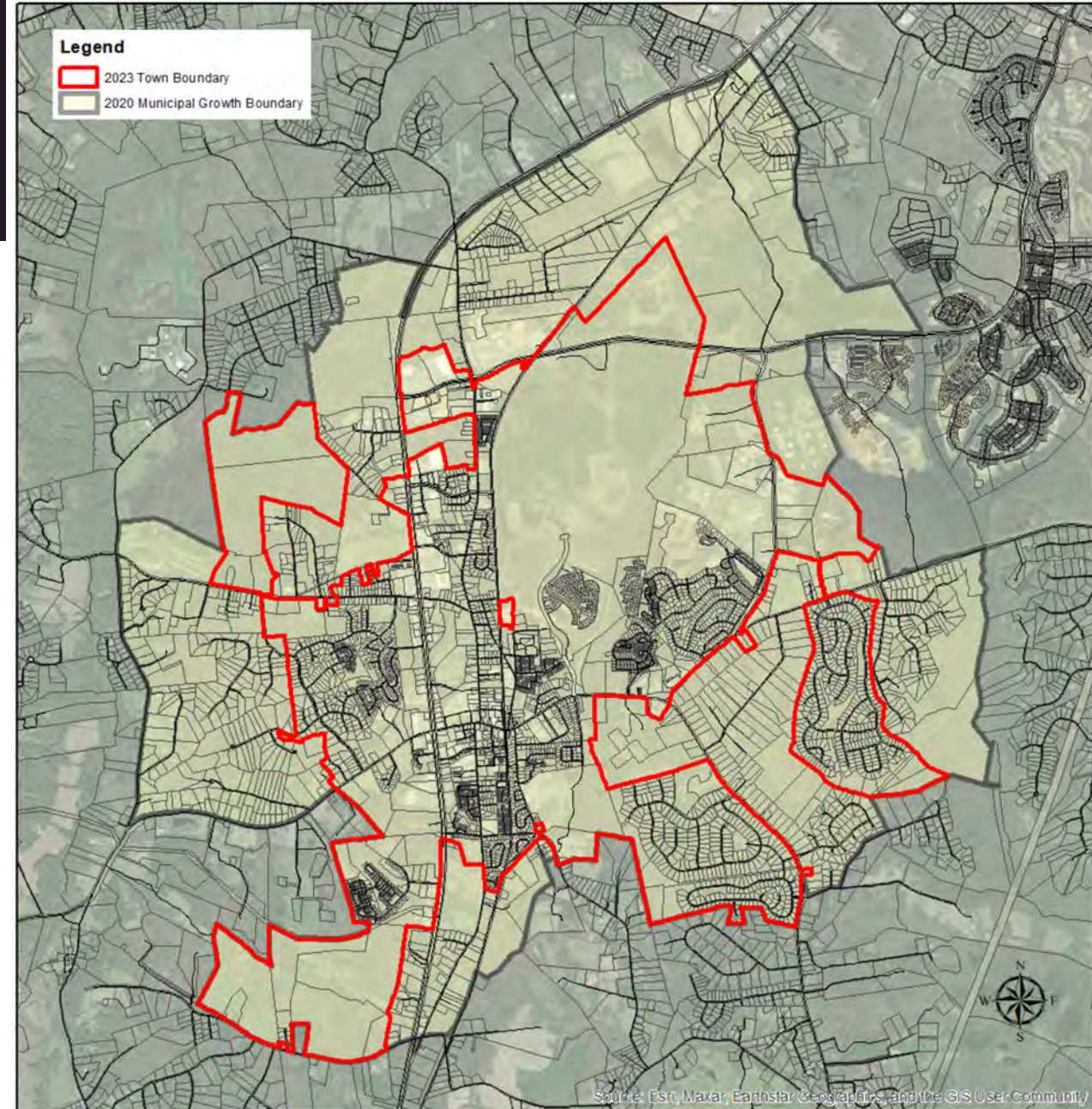
Potential Nitrogen Reduction: (Example for Single Family Dwelling Unit)		
	<u>Approx. Total Nitrogen (TN) Discharged (lb/yr)</u>	<u>Total TN Reduced (lb/yr)</u>
No Action	23.0	0
BAT Upgrade	11.5	11.5
ENR Connection	1.94	21.0

Municipal Growth Element

- The Town adopts a Comprehensive Plan (every 10 years) which creates a Municipal Growth Area and a Future Land Use Map.
- The purpose of the Municipal Growth Element is an attempt to quantify the potential impact of growth that may occur as a result of potential annexations beyond the existing municipal boundaries.
- The Municipal Growth Boundary is decided with input from the residents, Charles County Government, Planning Commission board and the Town Council.
- Only land within the Municipal Growth Boundary may be annexed into the Town.
- Inclusion of areas outside the current Town boundary does not promise approval of any annexation. Those decisions are made by the Town Council on a case-by-case basis.



Town of La Plata Comprehensive Plan
QR Code



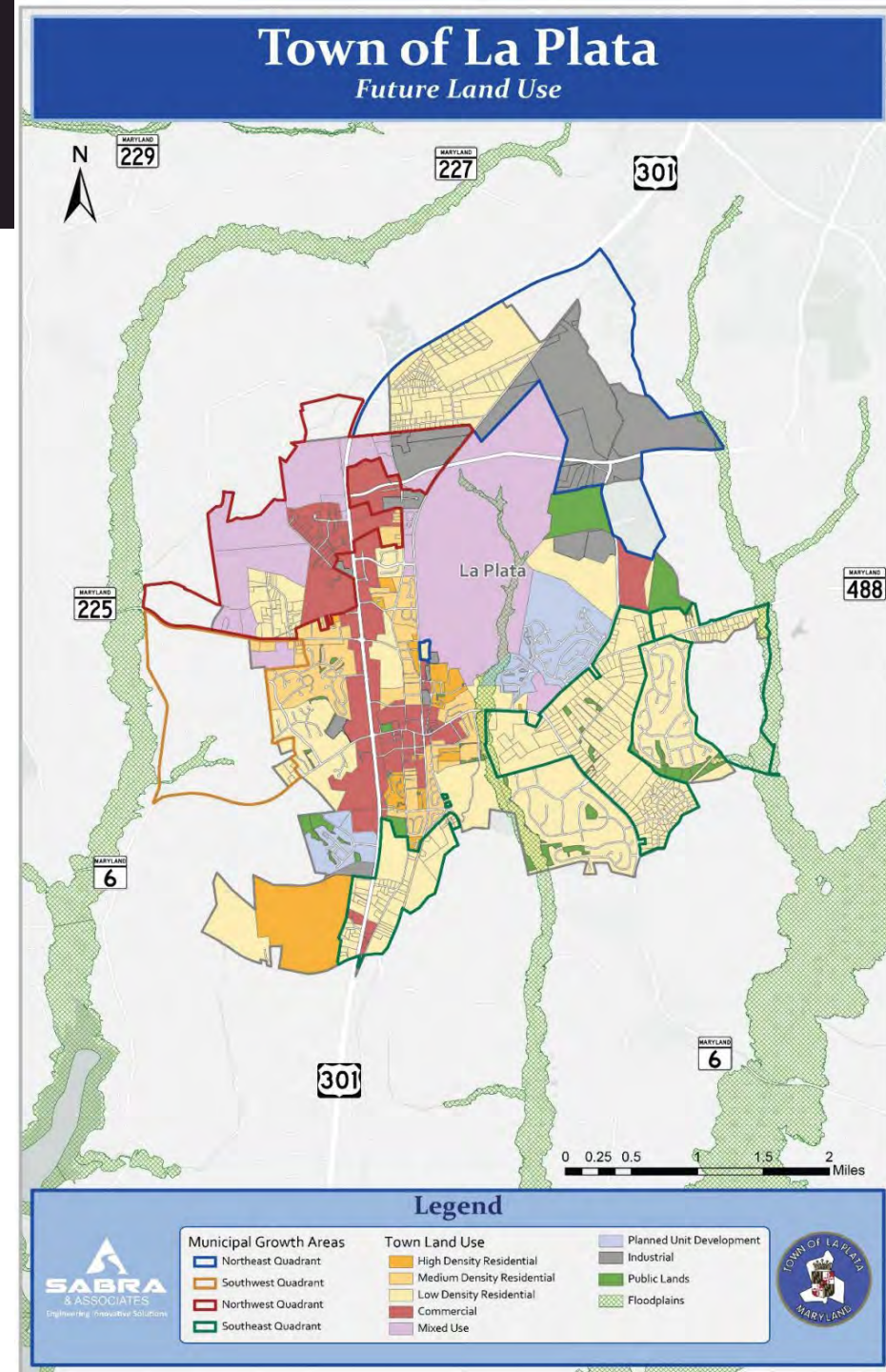
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Municipal Annexation Process – Zoning Categories

The municipal growth area is the basis for which properties can be annexed into the Town and the designated land use dictates what zoning category should be applied. The zoning also dictates what uses are permitted on the land and how it can be developed.

Land Use Map categories and their equivalent zoning designations:

- High Density Residential – R3, R5
- Medium Density Residential – R8, R10
- Low Density Residential – R21
- Commercial – CB, CBT, CH
- Mixed Use – TDX, NCX
- Planned Unit Development – PD-ST, PD-AG, PD-HR
- Industrial – IL, IH

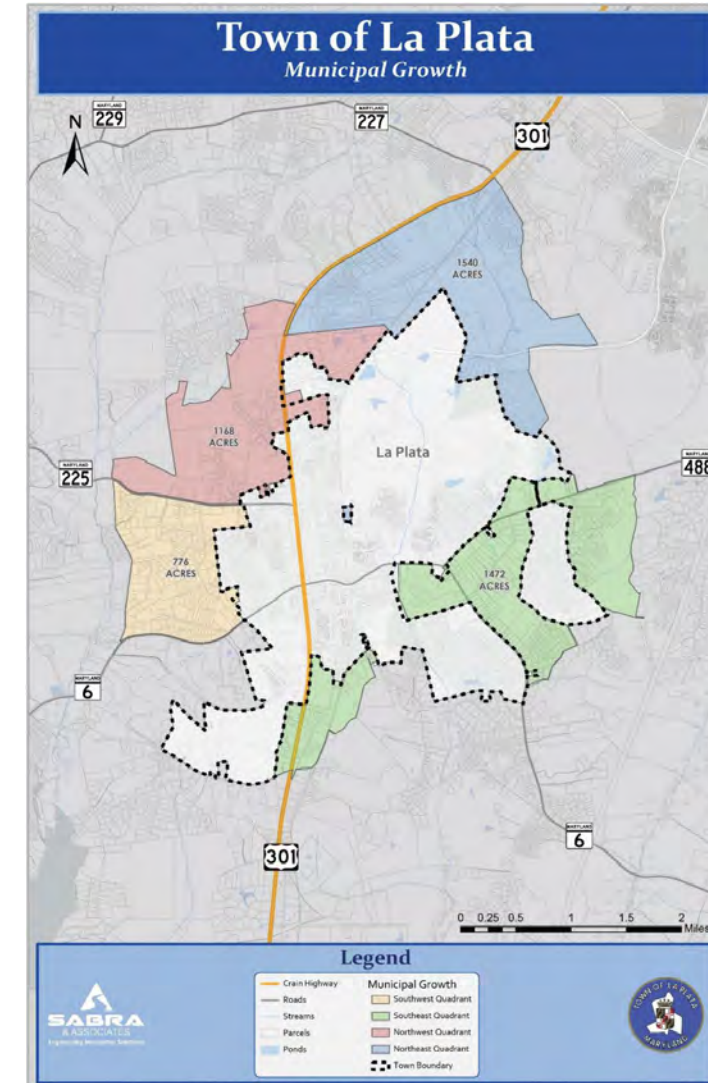
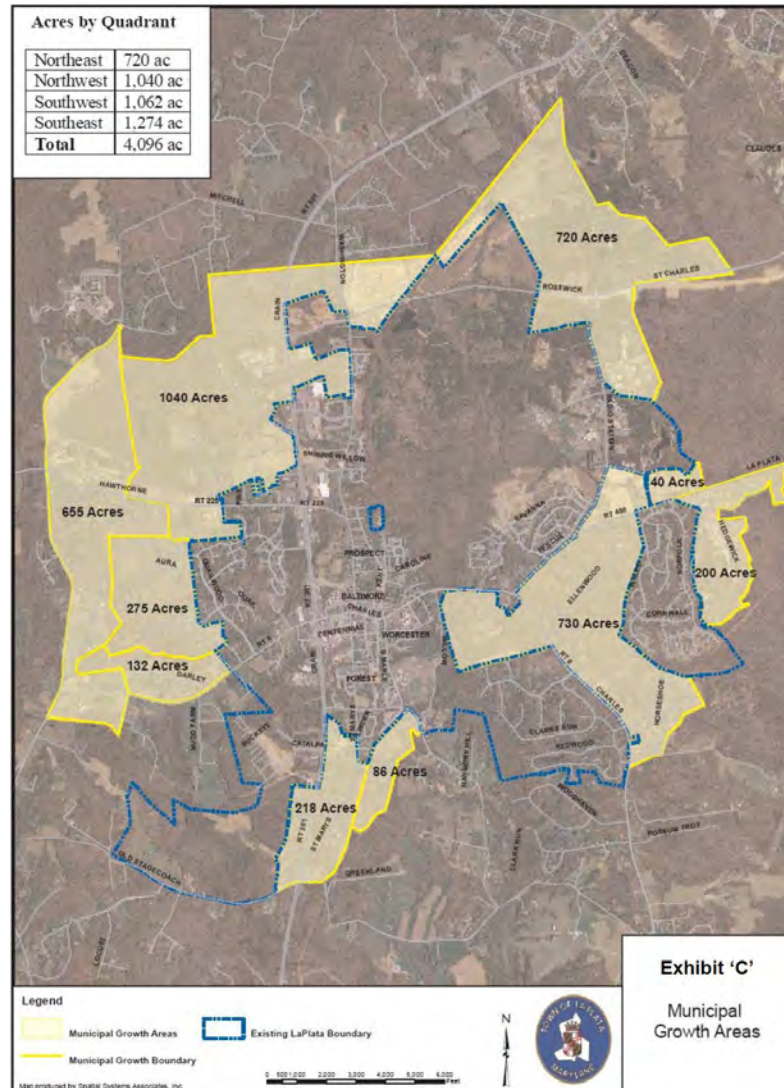


Municipal Growth Element – Community Outreach and Engagement

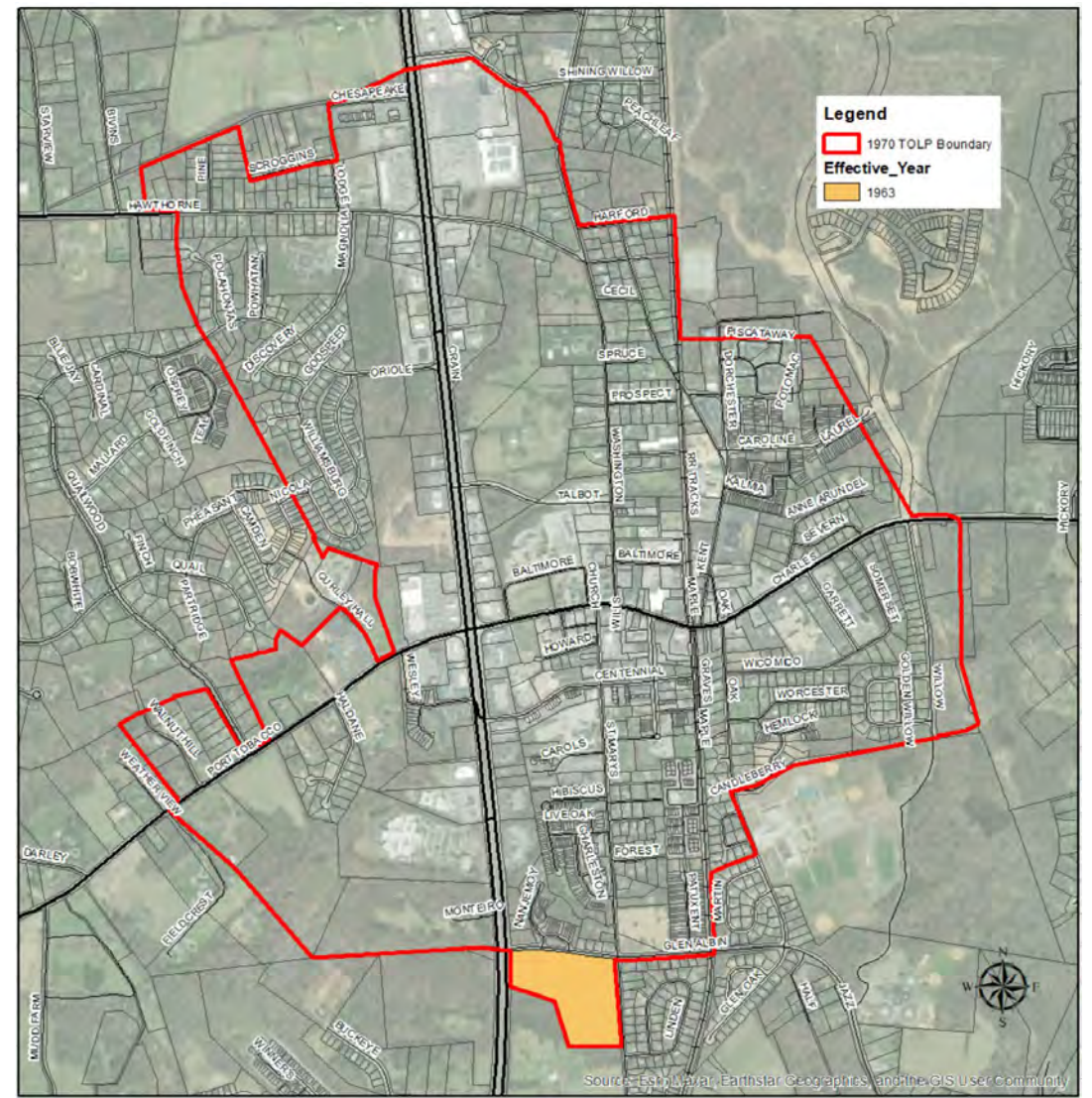
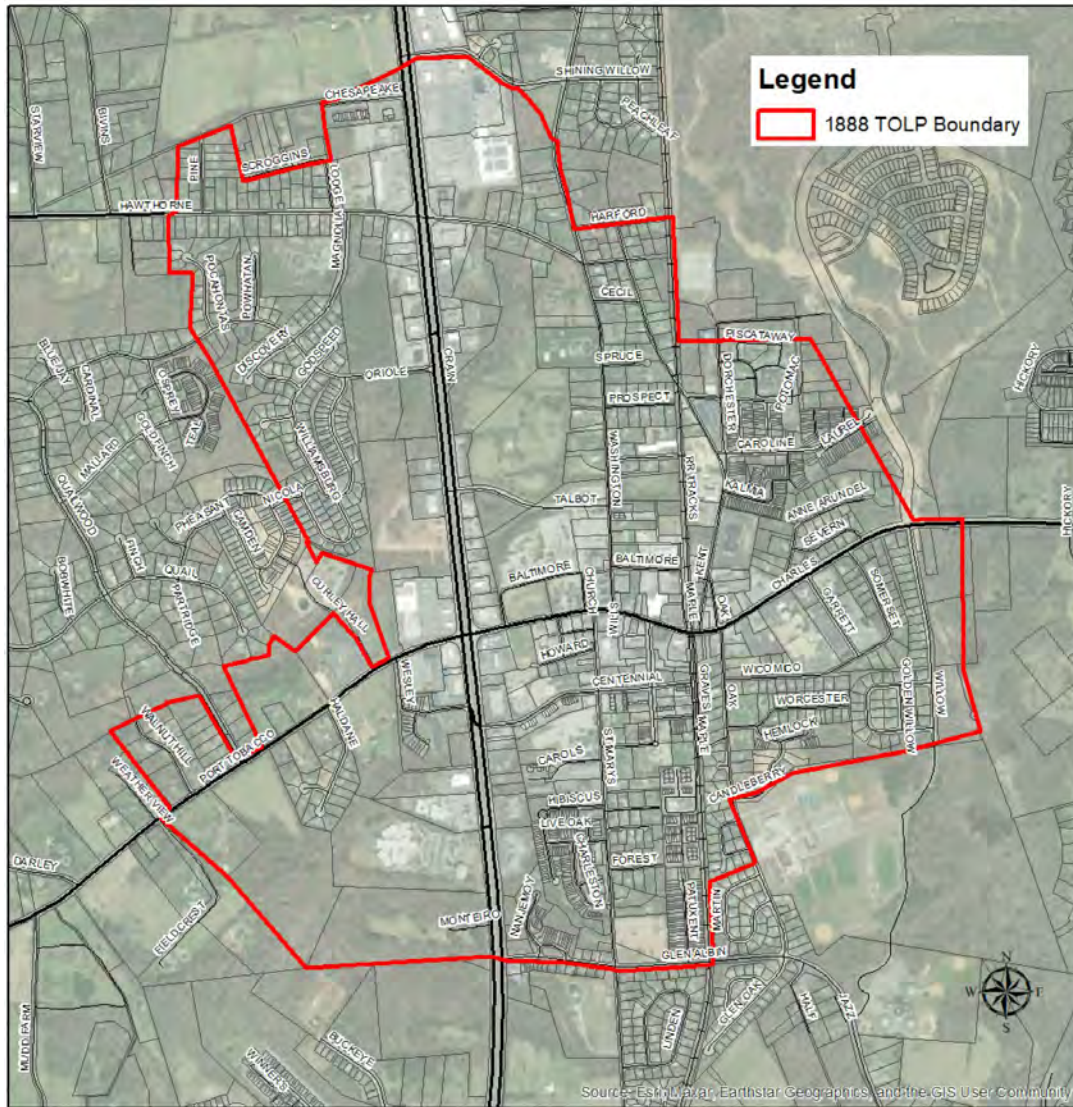
- The input of the community is essential to the development the Municipal Growth Element.
- During the 2020 Comprehensive Plan Update the Town held a kick-off meeting with table discussions and vision exercises.
- We appointed a Steering Committee to help guide discussions and provide feedback.
- Four (4) listening sessions were conducted to cover Downtown Development, Economic Development, Municipal Growth and Transportation
- Participants were given survey's, questionnaires and activities to determine what should be included within the growth area.

Changes from Previous MGE

Quadrant	2009	2020
Northeast	720	1,540
Northwest	1,040	1,168
Southeast	1,274	1,472
Southwest	1,062	776
Total:	4,096 Ac.	4,956 Ac.

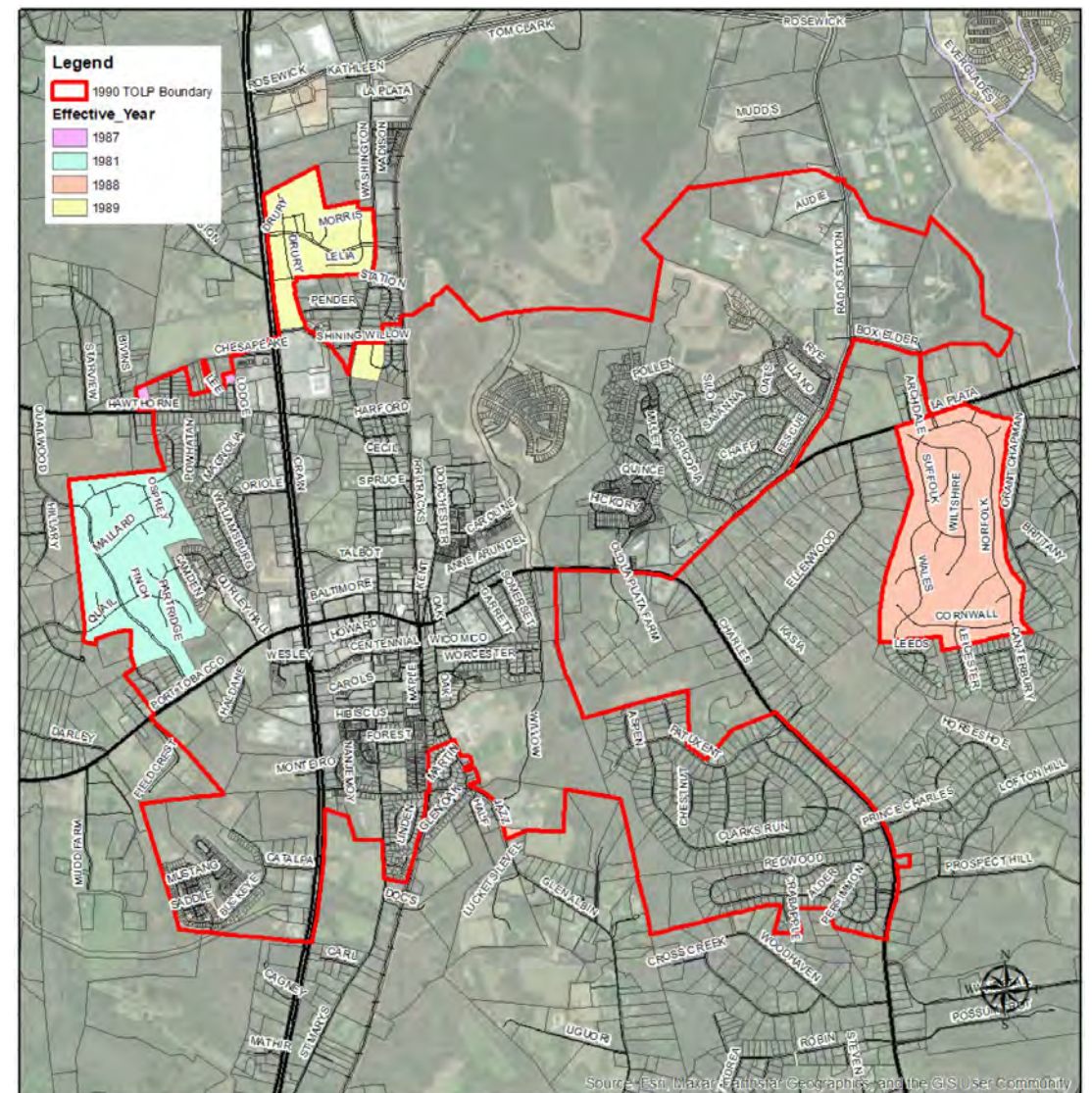
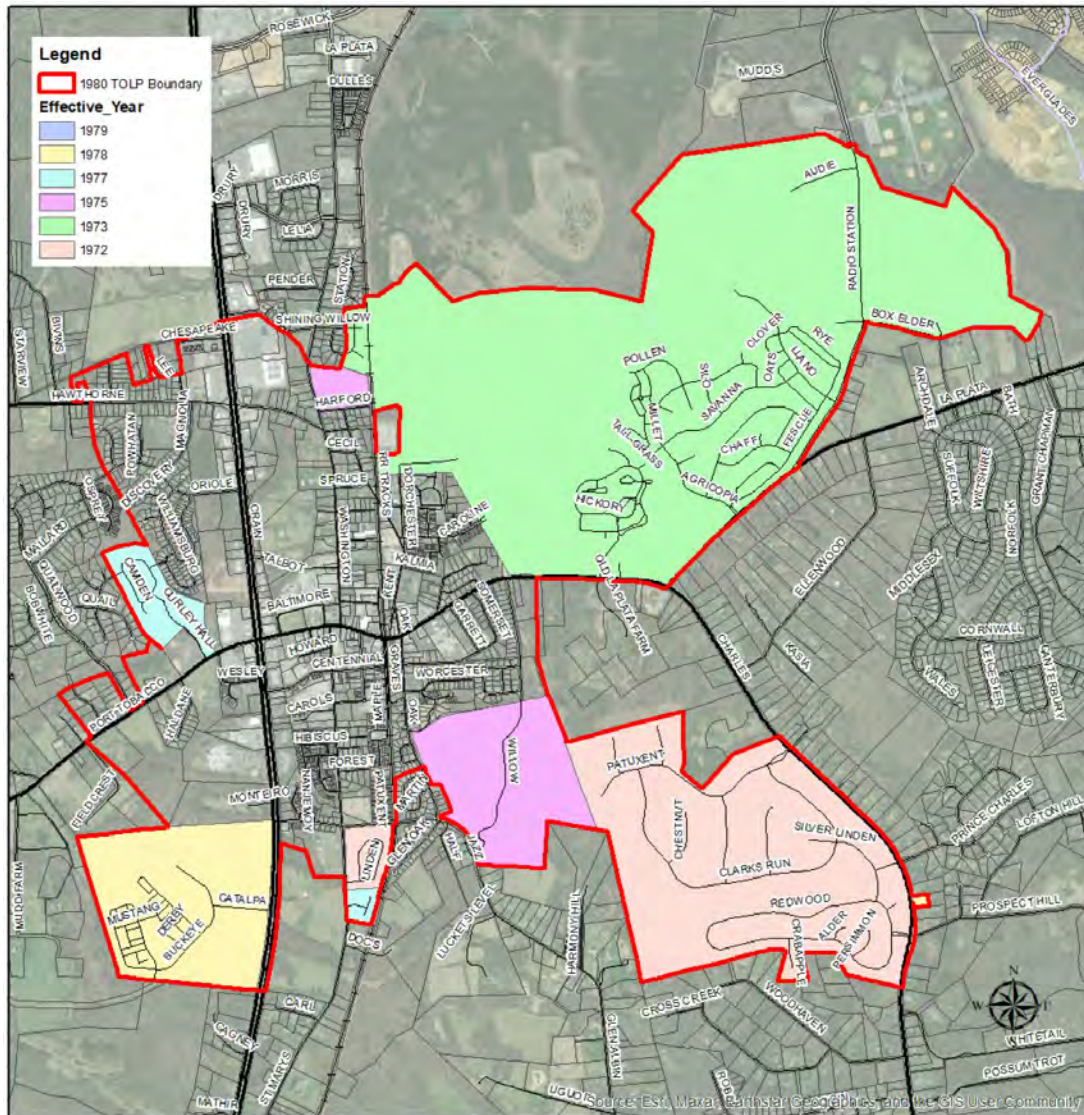


How has the Town Boundary changed over time? 1888-1970



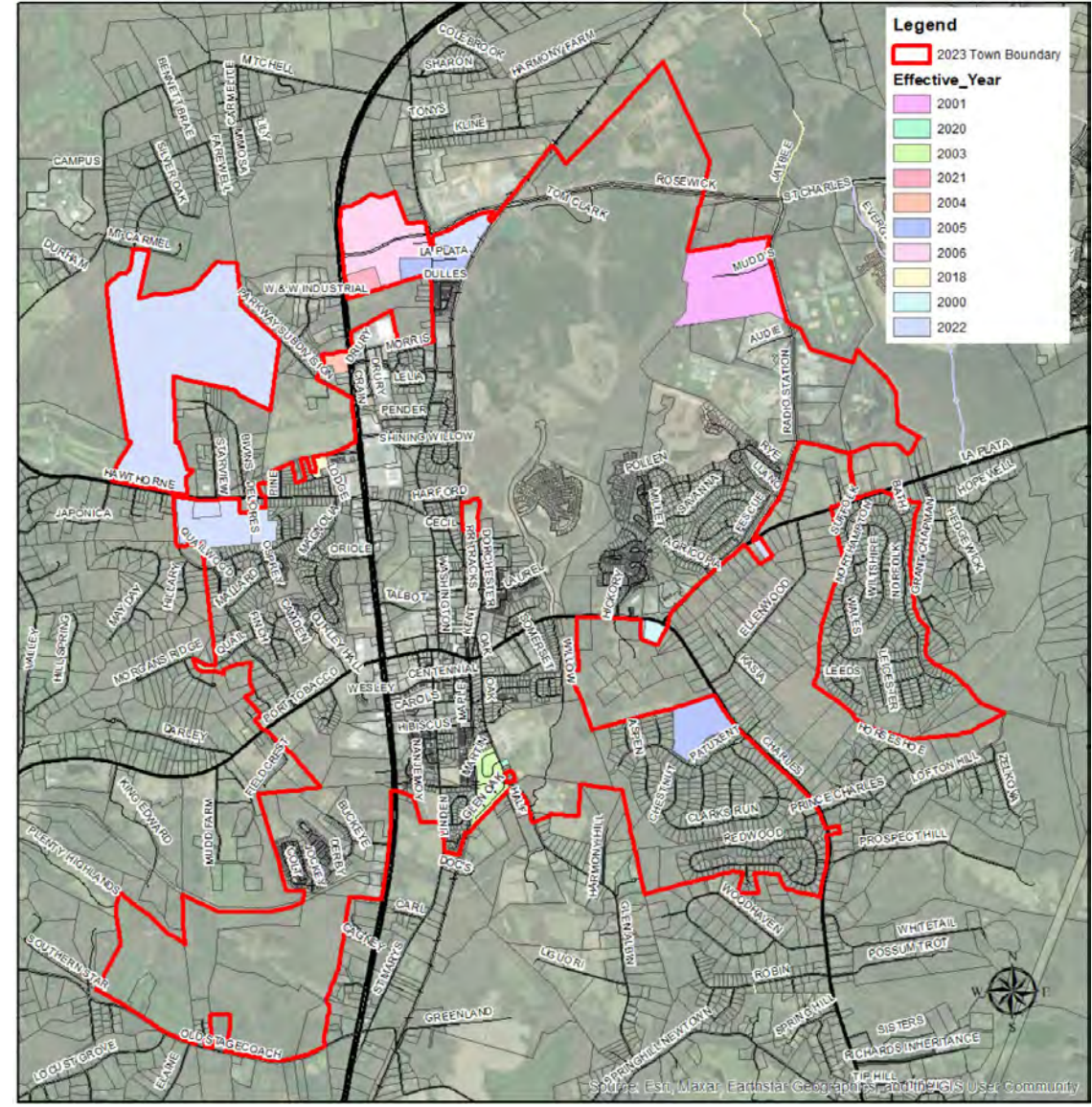
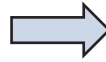
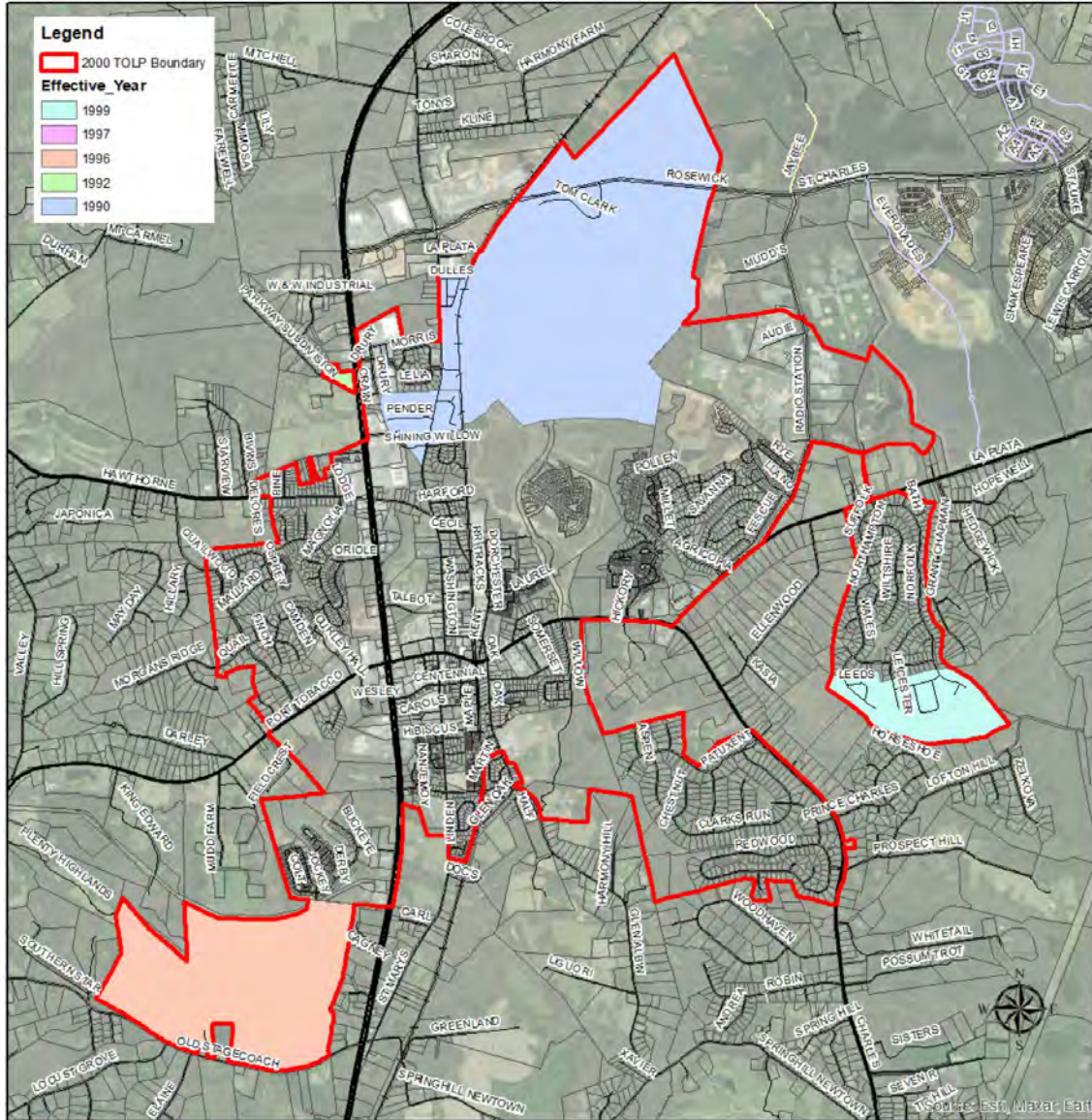
Approximately 1.5 Square Miles

How has the Town Boundary changed over time? 1970-1990



Source: EST, Wazari, Earthstar, GeoPhotos, and the GIS User Community

How has the Town Boundary changed over time? 1990-2023

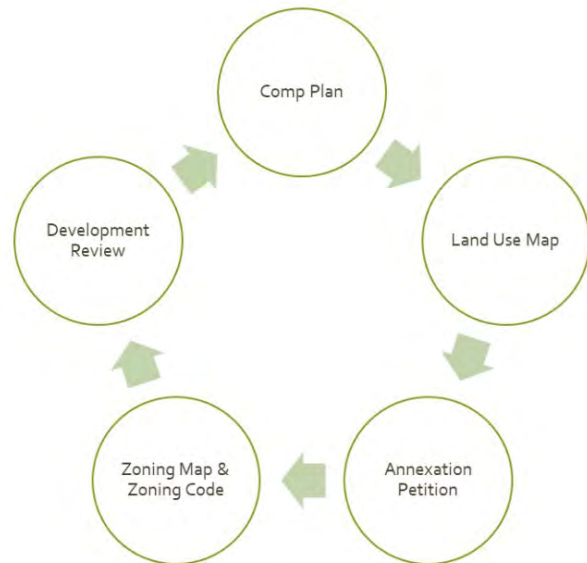


Approximately 7.45 Square Miles

Municipal Annexation Process Overview

Property Owner Initiated Annexation:

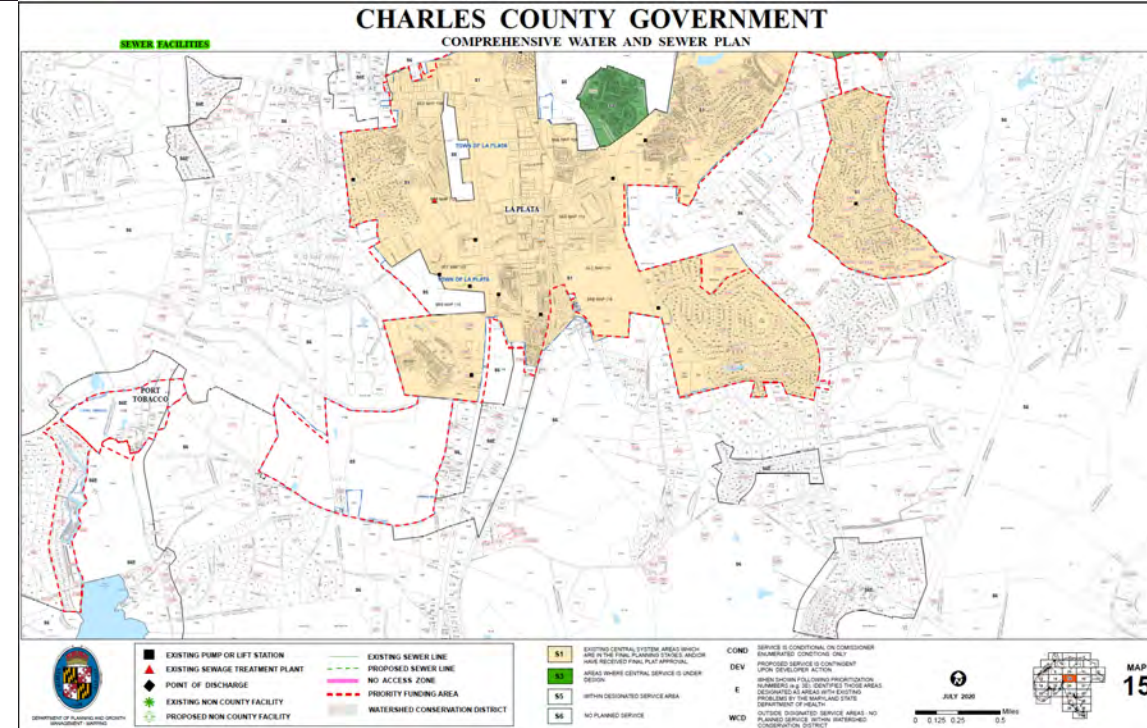
- Pre-Application Meeting with Town Staff
 - Submit Complete Petition to the Town Council (Consensus to Proceed)
 - Petition is reviewed by the Town Attorney and Staff for Legal Sufficiency
 - Annexation and Annexation Plan sent to the Maryland Department of Planning and Charles County Government for a 30-day review
 - Public Hearing – Town Council
 - Town Council Adopts Annexation Plan and Annexation Petition by Resolution or annexation fails.
 - If approved the Annexation becomes effective 45 days after enactment unless petitioned for referendum (**Reference Md. Code Article §4-412 for the different referendum processes**)
 - Immediately after the effective date Annexation and Annexation Plan are sent to:
 1. Clerk of the Charles County Circuit Court
 2. Charles County Supervisor of Elections
 3. Charles County Commissioners
 4. Charles County Planning and Growth Management
 5. Supervisor of Assessments (SDAT)
 6. Maryland Department of Planning



County and Municipal Coordination

How does the County and Municipality coordinate on Annexation Petitions?

- ❖ County reviews the Town's Municipal Growth Boundary and Municipal Growth Element during Comprehensive Plan Updates – Long Term Planning
- ❖ Annexation Petition Review and Comment Period
 - ❖ Planning and Growth Management
 - ❖ County Commissioners
 - ❖ Charles County Board of Education
- ❖ Zoning Category Changes – 5 year Rule
 - ❖ Waiver Process
- ❖ Charles County Water and Sewer Comprehensive Plan
 - ❖ Updating water and sewer categories



It is important to note that we are not opposed to the annexation, as both the County's Comprehensive Plan and the Town's Comprehensive Plan include the property within the Municipal Growth Element. However, we recognize it will be critical that the County and Town work together to insure adequate public facilities exist at the time of development. Additionally, we recommend that any future development on this site include facilities to accommodate County Emergency Services and police services.

Charles County Perspective on Municipal Annexations

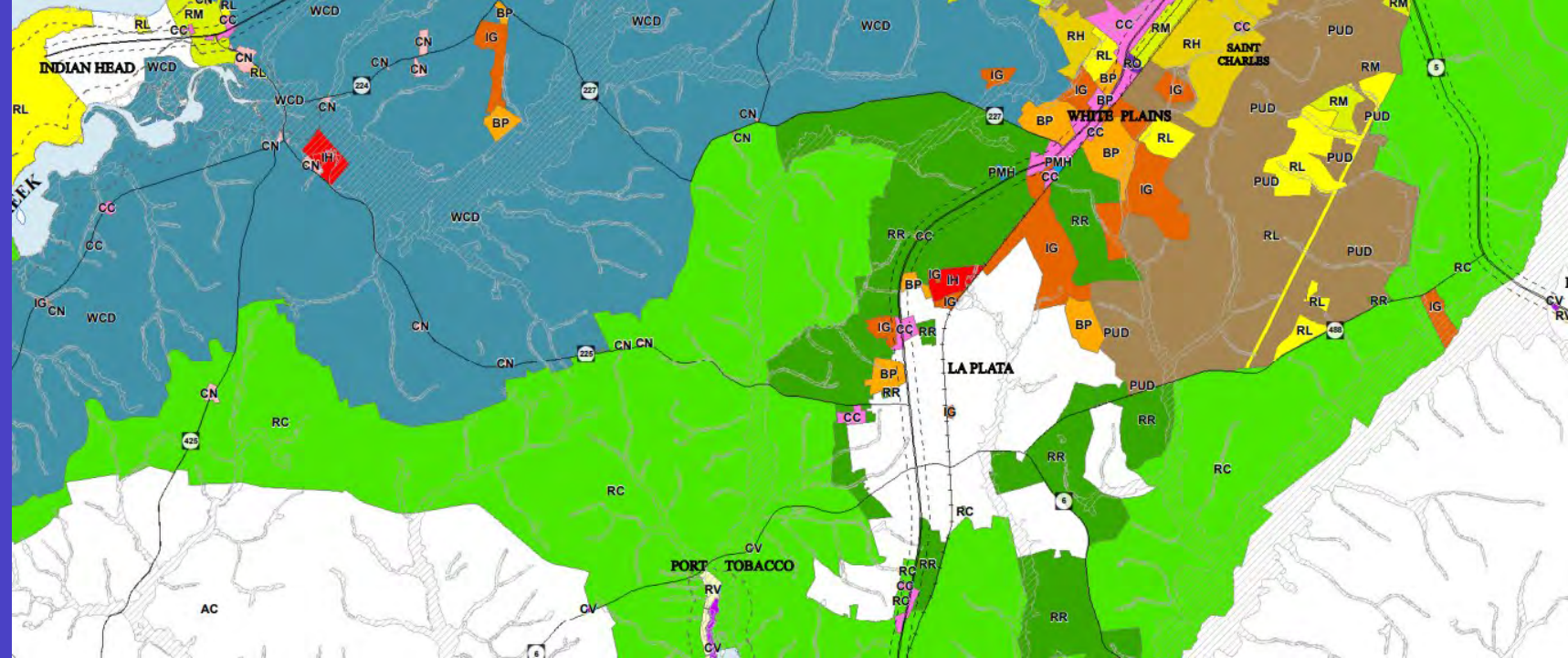
Joel Binkley, AICP, Planner III



DRAFT

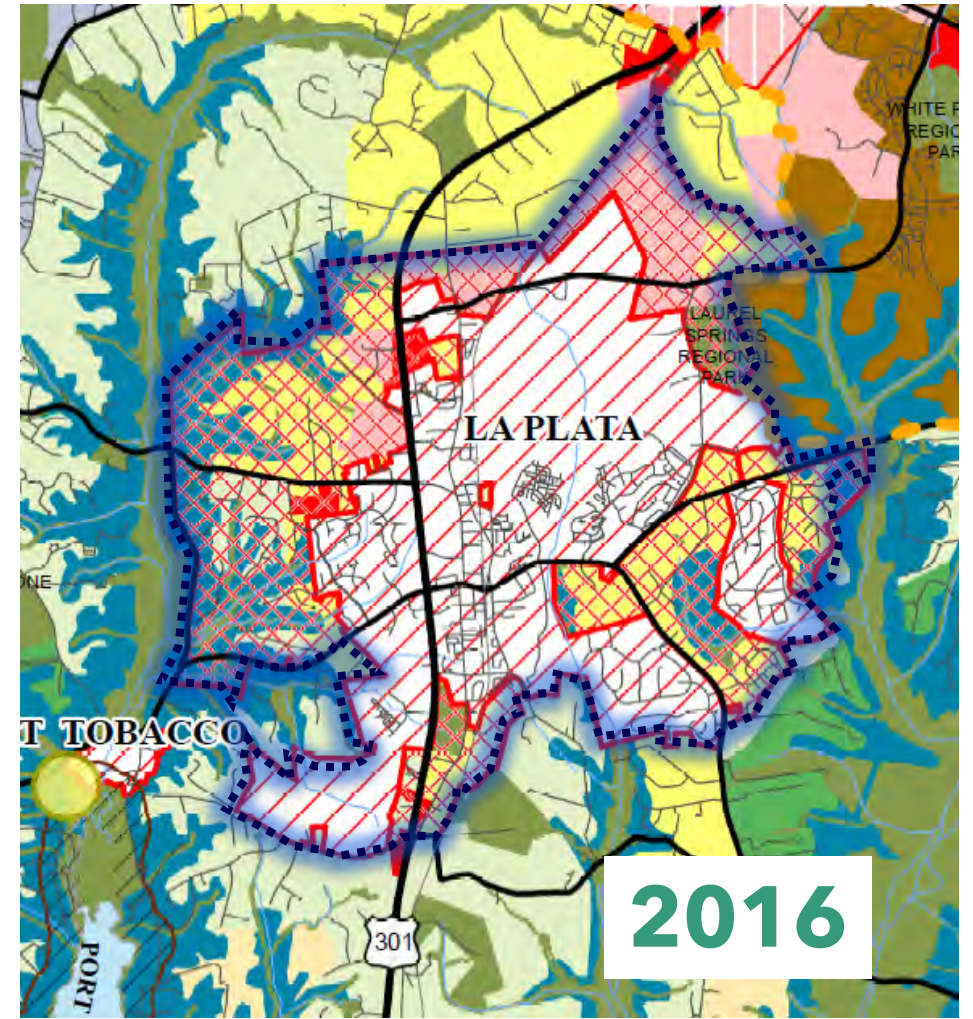
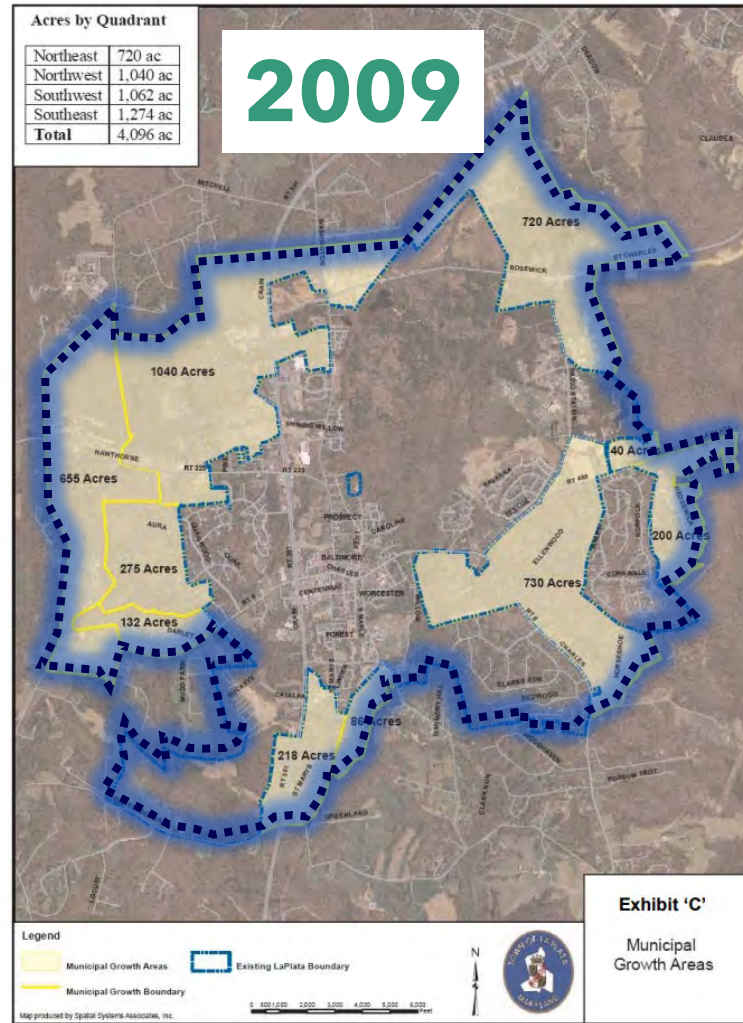


Agenda



- The County's Role - Long Term
- The County's Role - Short Term
- Infrastructure Review
- To Waive or Not to Waive?

Long Term: Municipal Engagement



- Municipal Growth Planning Cycle
 - County Feedback vs County "Approval"
- County-Municipality Relationships

Short Term: Responding to Annexation Requests

Annexation Received	Planning Staff Review
30 day window to brief the County Commission and return public comment	

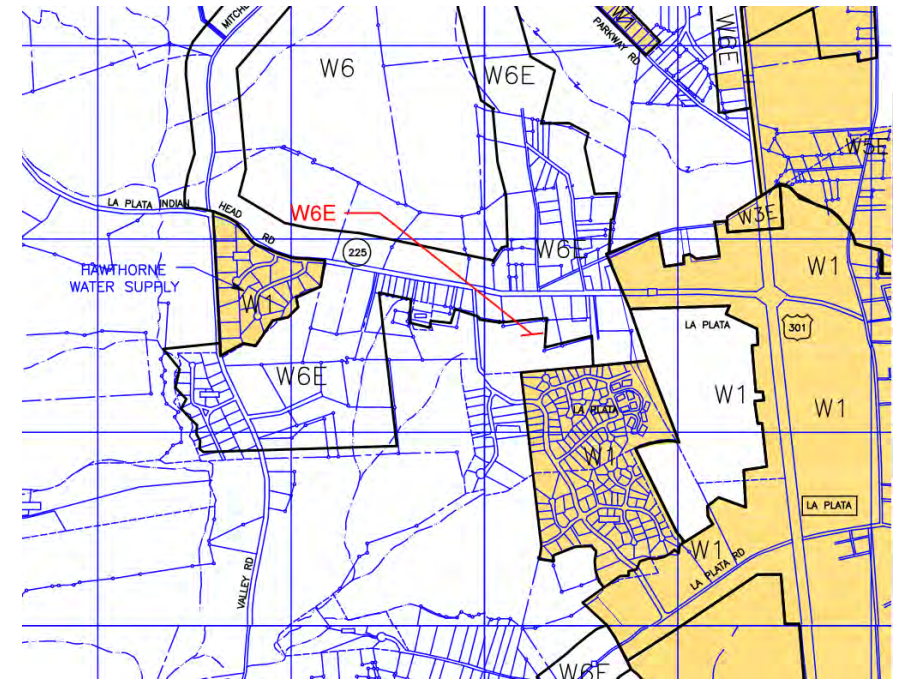
Infrastructure Review

- County Water/Sewer Plans
- Differing APF Guidelines
- Guidance vs. "Gotcha"

"With the massive influx of residential development to the Town of La Plata, how does the Applicant plan on developing as to not overwhelm or overcrowd the schools that serve the Project?"

The Traffic Impact study that was provided was from 2019, which is over three (3) years old. It is not possible to say that this Project does not have an impact on surrounding roads when the entire study needs updated. Here is a list of my comments / concerns with what was provided.

- Since there is a lot of queuing occurring at the intersection of US 301 @ MD 228 / E Hawthorne Drive that often backs up past Magnolia Drive, Staff recommends a queuing analysis be done as well as adding MD 225 @ Magnolia Drive to the study scope.
- Heritage Green should be included as Background Development and factored into this TIS, as it is currently building out and approved.
- The ITE Trip Generation Numbers used in the study are inaccurate and out of date. These should be revised.
- There are no Reserve Capacity calculations provided for unsignalized intersections.
- The traffic counts used in the TIS are from 2019. These should be revised.



"The Water and Sewer Categories for 9115 Hawthorne Road, La Plata are currently W6E and S6E, so the properties would need to apply to change both categories to be serviced by public water/sewer."

Waiver of Five-Year Rule

The Five Year Rule

- The following may not be permitted by a city or town for five years following an annexation:
 - Uses substantially different than allowed by the County's Zoning Ordinance at the time of annexation;
 - A density that is higher than an additional 50% of the allowable density as established in the County's Zoning Ordinance at the time of annexation

Under Section 4-416 of the Local Governments Article of the Annotated Code of Maryland a county governing body may waive this requirement by an express approval of the change of use and the increased density.

Commissioners' Discretion

- Applicant may request hearing
- Commissioners vote to waive
- Optional:
 - Additional public notice
 - Additional hearings
 - Consultation with Planning Staff

POST ANNEXATION PROCEDURES

- [Local Govt Article §4-414](#)
 - Clerk of the Court in county which municipality is located
 - Signed resolution with description of new boundaries
 - Census Bureau
 - Complete the Boundary and Annexation Survey (BAS)
 - Department of Legislative Services
 - Within 10 days of effective date. Signed resolution and reposition form

[Planning Practice Monthly Article](#)

Copy MDP on transmission to DLS!



MARYLAND DEPARTMENT OF PLANNING RESOURCES

[Instructions and Guidance on Annexation Submissions](#)

[Local Government Frequently Asked Questions](#)

[Writing the Municipal Growth Element to the Comprehensive Plan](#)

[Zoning CheckUp](#)

QUESTIONS/CONTACTS

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- Website: www.townoflaplata.org
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Joe Griffiths

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Thank you

Charles County Perspective on Municipal Annexations

