



## Maryland DEPARTMENT OF PLANNING

10/15/2024

Thomas Long  
Chairman, Town of Union Bridge Planning Commission  
104 W. Locust St., Union Bridge, MD 21791

Dear Mr. Long,

Thank you for the opportunity to comment on the draft Town of Union Bridge Town Plan Amendment (Draft Plan). The Maryland Department of Planning (MDP) believes good planning is important for efficient and responsible development that addresses resource protection, adequate public facilities, housing, community character, and economic development. Please keep in mind that MDP's attached review comments reflect the agency's thoughts on ways to strengthen the Draft Plan, as well as satisfy the requirements of Maryland's Land Use Article.

MDP forwarded a copy of the Draft Plan to several state agencies for review, including: the Maryland Historical Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Disabilities, and Housing and Community Development. To date, we have received comments from the Department of Housing and Community Development. These comments are included with this letter. Any plan review comments received after the date of this letter will be forwarded upon receipt.

The department hopes that Union Bridge considers the comments included in this review as a reflection of our desire to support Union Bridge in its comprehensive planning efforts and notes that our suggestions are intended to help further the implementation state, county, and the town's own visions. MDP staff are available and eager to assist Union Bridge in any Draft Plan updates, including meeting the housing element requirements of HB1045 and HB90. Please let the department know if the town would like to meet with us to discuss our comments.

MDP respectfully requests that this letter and accompanying review comments be made part of the city's public hearing record. When the Draft Plan is adopted, please send Brooks Phelps a PDF copy of the final document.

If you have any questions or concerns regarding these comments, please email the Central Maryland Regional Planner, Brooks Phelps at [brooks.phelps@maryland.gov](mailto:brooks.phelps@maryland.gov).

Sincerely,

A handwritten signature in blue ink that reads "Joe Griffiths".

Joe Griffiths, AICP  
Director, Planning Best Practices

Enclosures: Review Comments Town of Union Bridge Draft Town Plan Amendment

cc: Perry L. Jones, Jr., Mayor, Town of Union Bridge  
Dawn Metcalf, Town Clerk, Town of Union Bridge  
Susan Llareus, Planning Supervisor, Maryland Department of Planning  
Brooks Phelps, Regional Planner for Central Maryland, Maryland Department of Planning



**Maryland Department of Planning  
Review Comments  
Town of Union Bridge Draft 2024 Town Plan Amendment**

The Maryland Department of Planning (MDP) received the Draft 2024 Union Bridge and Environs Community Comprehensive Plan Amendment (Draft Plan) from the Town of Union Bridge on August 15, 2024. These comments are offered as suggestions to improve the Draft Plan and better address the statutory requirements of the Land Use Article. Other state agencies, as noted below, have contributed comments and others may submit comments separately. If comments are subsequently received by MDP, the department will forward them to the town.

**Draft Plan Summary**

This Draft Plan is a partial update to the adopted 2008 Union Bridge and Environs Community Comprehensive Plan. The Draft Plan reaffirms many of the sections of the 2008 plan, but contains significant updates to the municipal growth element, transportation capital projects, and related maps, as well as a discussion of a housing element. MDP encourages the town to consider whether the Draft Plan meets housing element requirements following the passage of HB1045 and HB90, as described in our comments below.

**Maryland State Visions – Synopsis**

Land Use Article Section 1-201 requires Maryland jurisdictions with planning & zoning authority to implement the state’s 12 Planning Visions through the comprehensive plan. The visions reflect the state’s ongoing aspiration to develop and implement sound growth and development policy. The visions address: quality of life and sustainability; public participation; growth areas; community design; infrastructure; transportation; housing; economic development; environmental protection; resource conservation; stewardship; and implementation approaches.

**Plan Analysis**

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The Synopsis section of the Draft Plan (page 3) explains that the Visions and Goals set forth in the 2008 Comprehensive Plan are reaffirmed.

Maryland’s Planning Act of 1992, and subsequent legislation in 2000 and 2009, require that the 12 Planning Visions be included and implemented through local comprehensive plans. The visions are found in the Land Use Article. The Draft Plan includes outdated Planning Visions from the 1992 Planning Act. The town should update the State Visions section to include the text of the 12 Planning Visions from the 2009 Planning Visions law (see the link in the chart below for easy access).

**Municipality Minimum Planning Requirements**

Land Use Article (LUA) Section 3-102 describes the required and optional elements for non-charter county and municipal comprehensive plans but does not mandate how they are to be addressed. The following checklist identifies required plan elements and how the Draft Plan addresses them.

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Reference</b>
(1) A comprehensive plan for a non-charter county or municipality must include:	<a href="#">L.U. § 3-102(a)</a>		
(a) a community facilities element	<a href="#">L.U. § 3-102(a)(1)(i)</a>	<a href="#">L.U. § 3-108 -- Community facilities element.</a>	Not updated
(b) an area of critical state concern element	<a href="#">L.U. § 3-102(a)(1)(ii)</a>	<a href="#">L.U. § 3-109 -- Areas of critical State concern element</a>	Not updated
(c) a goals and objectives element	<a href="#">L.U. § 3-102(a)(1)(iii)</a>	<a href="#">L.U. § 3-110 -- Goals and objectives element</a>	Not updated
(d) a housing element	<a href="#">L.U. § 3-102(a)(1)(iv)</a>	<a href="#">L.U. § 3-114 -- Housing element</a>	Page 26 of amendment, Incomplete
(d) a land use element	<a href="#">L.U. § 3-102(a)(1)(v)</a>	<a href="#">L.U. § 3-111 -- Land use element</a>	Not updated
(e) a development regulations element	<a href="#">L.U. § 3-102(a)(1)(vi)</a>	<a href="#">L.U. § 3-103 -- Development regulations element</a>	Not updated
(f) a sensitive areas element	<a href="#">L.U. § 3-102(a)(1)(vii)</a>	<a href="#">L.U. § 3-104 -- Sensitive areas element</a>	Not updated
(g) a transportation element	<a href="#">L.U. § 3-102(a)(1)(viii)</a>	<a href="#">L.U. § 3-105 -- Transportation element</a>	Page 5 of amendment
(h) a water resources element	<a href="#">L.U. § 3-102(a)(1)(ix)</a>	<a href="#">L.U. § 3-106 -- Water resources element</a>	Not updated – should have additional changes.
(i) a mineral resources element, IF current geological information is available	<a href="#">L.U. § 3-102(a)(2)</a>	<a href="#">L.U. § 3-107 -- Mineral resources element</a>	Not updated
(j) for municipalities only, a municipal growth element	<a href="#">L.U. § 3-102(a)(3)</a>	<a href="#">L.U. § 3-112 -- Municipal growth element</a>	Page 4-5
(k) for counties only if located on tidal waters, a fisheries element	<a href="#">L.U. § 3-102(a)(4)</a>	<a href="#">L.U. § 3-113 -- Fisheries element</a>	Not Applicable
<b>Optional:</b> (2) A comprehensive plan for a non-charter county or municipality <b>MAY</b> include: (a) a community renewal element; (b) a conservation element; (c) a flood control element; (d) a natural resources element; (e) a pollution control element; (f) information concerning the general location and extent of public utilities; and (f) a priority preservation area (PPA) element	<a href="#">L.U. § 3-102(b)</a>	<a href="#">L.U. § 3-102(b)(2)(i)</a>	N/A
(3) Visions -- A local jurisdiction <b>SHALL</b> through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 3-201(c)</a>	<a href="#">L.U. § 1-201 -- The 12 Planning Visions</a>	Not updated – plan reaffirms 1992 visions.
<b>Optional:</b> (4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	<a href="#">L.U. § 1-509</a>		N/A

**Conformance with Section 3-102 of the Land Use Article**

The following analyzes whether the Draft Plan meets the requirements of the municipal comprehensive plan elements, in accordance with the LUA.

### **1. Development Regulations Element – Synopsis**

The element is required to include the planning commission’s recommendations for land development regulations to implement the plan. Regulations are required to be flexible to promote innovative and cost saving site design, protect the environment, and identify areas of growth. The areas identified for growth are required to encourage flexible regulations, which should further promote economic development using innovative techniques, streamlining the review of applications, including permit review and subdivision processing.

#### **Plan Analysis**

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No changes to the Development Regulations element from the 2008 comprehensive plan are included.

### **2. Housing element - Synopsis**

The housing element is required to address the need for housing within the jurisdiction that is affordable to low-income and workforce households. The housing element is required to also assess fair housing and ensure that a jurisdiction is affirmatively furthering fair housing through its housing and urban development programs.

#### **Plan Analysis**

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The housing element included in the Draft Plan is largely a history of housing challenges and a description of the Land Use Article’s requirements. MDP believes that these paragraphs do not meet the requirement for a housing element as required by HB 1045 (2019). This bill requires comprehensive plans to address the need for affordable housing, including but not limited to workforce housing and low-income housing, as defined by statute. The Draft Plan must address these needs and not only state that the action is required. MDP notes that Union Bridge’s 2022 median household income of \$69,609 would be considered low income as it is less than 60% of the AMI.

In addition, the housing element must also meet the requirements of HB 90 and include meaningful actions to affirmatively further fair housing. The Draft Plan appears to misinterpret that, because the bill includes a clause that no “specific action to affirmatively further fair housing” is required, that it does not need to include meaningful actions. The “specific action” language in Land Use Article 3-114 means that jurisdictions are free to determine the best action to apply locally, but that actions are still required. The Draft Plan appears to interpret that clause to say the housing element does not need to take any action at all. Union Bridge should consider how it might best include actions in the Draft Plan to affirmatively further fair housing, as the requirements allow for discretion as to what specific actions will be included.

MDP has developed tools and guidance to assist jurisdictions with developing the housing element, meeting the housing element requirements, and suggests the town confer with its municipal attorney on whether the Draft Plan meets the requirements of [LUA Section 3-114](#).

The housing element explains that sewer capacity prevents Union Bridge from including discussion of affordable housing and that new capacity would allow the Town to update its housing element. However, the 2023 Triennial Update to the Carroll County Water and Sewer Master Plan includes two developer-driven wastewater treatment plant expansions within the next five to ten years, as well as a long-term recommendation to acquire land and construct an additional wastewater treatment plant, which evidences the potential to create additional capacity. MDP advises that a full housing element meeting the requirements of HB 90 and HB 1045 is required regardless of current sewer capacity.

### **3. Sensitive Areas Element – Synopsis**

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The LUA also assigns sensitive areas element data provisions and review responsibilities to the Maryland Departments of the Environment and Natural Resources.

#### **Plan Analysis**

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No changes to the sensitive areas element from the 2008 comprehensive plan are included.

### **4. Transportation Element - Synopsis**

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travelways, and estimate the use of proposed improvements.

#### **Plan Analysis**

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MDP notes that the planned Union Bridge Road extension to North Main Street would result in a portion of the roadway being located outside of the existing town limits and proposed growth boundary. This roadway may increase traffic through the town and impact adjacent land use. MDP suggests developing impact studies to determine whether strategies to limit any negative impacts on the Town or adjacent conservation areas are necessary.

The planned Jackson Ridge Street pattern appears to be planned as curva-linear streets and cul-de-sacs structures, which do not integrate or reflect the town's historic street grid. MDP suggests that the town consider the idea of continuing the existing grid pattern into new growth areas that will reflect the historic grid pattern and will help to ensure efficient multimodal travel within Union Bridge.

### **5. Water Resources Element – Synopsis**

The water resources element (WRE) is required to consider available data provided by MDE to identify drinking water that will be adequate for the needs of existing and future development proposed in the plan, as well as suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to prepare the water resources element, ensuring consistency with MDE programs and goals.

#### **Plan Analysis**

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The Draft Plan does not include any changes to the WRE, which adopted the 2010 Carroll County WRE by reference. However, the 2010 WRE includes specific goals to develop additional water supplies and wastewater treatment capacity to support planned future growth, which appears to contradict the claims in the housing element.

### **6. Goals and Objectives Element - Synopsis**

This element requires that comprehensive plan goals, objectives, principles, policies, and standards guide the development, economic growth, and social well-being of the community.

#### **Plan Analysis**

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No changes to the goals and objectives element from the 2008 comprehensive plan are included.

### **7. Land Use Element - Synopsis**

The land use element is required to reasonably project into the future the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.

## **Plan Analysis**

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No changes to the land use element from the 2008 comprehensive plan are included.

### **8. Community Facilities Element - Synopsis**

The community facilities element is required to propose, as far into the future as is reasonable, the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities. These facilities may include, but are not limited to fire stations, libraries, cultural facilities, hospitals, places of worship, school and education facilities, and parks.

## **Plan Analysis**

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No changes to the community facilities element from the 2008 comprehensive plan are included.

### **9. Municipal Growth Element - Synopsis**

The municipal growth element (MGE) is only required in Maryland municipal comprehensive plans. The MGE is required to plan for and describe the municipality's past growth patterns, the capacity of land available for new and infill development, and areas outside of the existing corporate boundaries into which the municipality wishes to grow. The MGE is required to calculate the land area needed to satisfy the demand for growth based on population projections and desired densities. The MGE needs to consider and include any rural buffers, transition areas, and sensitive areas to be protected. MGEs are also required to consider and plan for the community facilities and public infrastructure, as well as their financing mechanisms, required to accommodate desired growth. If a municipality wishes to annex land, such areas are required to be included and described in the MGE.

## **Plan Analysis**

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The updated MGE removes almost all parcels from the Growth Area map, citing a lack of water and sewer capacity. However, as discussed in the housing element and analysis above, several capacity projects are currently in the planning stages. The Adopted Carroll County WRE recommends planning for additional capacity to support growth rather than reducing the Growth Area. MDP notes that removing these parcels from the Growth Area is inconsistent with other parts of the plan that support the expansion of infrastructure and the town's growth, such as the Adopted 2008 Plan's goals, which remain in the Draft Plan, "To secure funding for infrastructure expansion/improvements to meet the needs of planned new and existing development" and "To provide housing opportunities for all income levels and age groups" (pages 13-14). While these parcels may require new infrastructure prior to annexation, this should not necessitate the removal of these parcels from the Growth Area.

The Mount Pleasant Farm and three additional parcels along the east side of Bucher John Road at Main Road are removed from the Growth Area map, with the amendment synopsis indicating that these parcels should become county preserved agricultural land, since it states this area is zoned for conservation. However, the current county zoning for most of this area is R-10,000 and not conservation. Any changing of a parcel's potential for residential growth and development introduces barriers to residential development. MDP recommends a thorough analysis of changes that may result in the reduction for the opportunity for future residential subdivision(s). Any recategorization that would conflict with the goals of the state to provide adequate and fair housing to accommodate the current housing crisis should be avoided. Removal of residential land from growth areas may also conflict with the anticipated increases in population noted in the Carroll County Comprehensive Plan.

### **10. Areas of Critical Concern Element - Synopsis**

The areas of critical state concern element are required to include planning commission recommendations to determine, identify, and designate areas that are of critical state concern.

## **Plan Analysis**

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No changes to the areas of critical concern element from the 2008 comprehensive plan are included.

### **11. Mineral Resources Element - Synopsis**

If current geological information is available, a comprehensive plan is required to include a mineral resources element. It should identify land that remains undeveloped to provide a continuous supply of minerals, which are defined in the Environment Article. They include clay, diatomaceous earth, gravel, marl, metallic ores, sand, shell, soil, and stone. The element is required to further identify post excavation land uses and incorporate strategies that balance resource extraction with other land uses and prevent, as much as possible, preempting mineral extraction in the jurisdiction.

## **Plan Analysis**

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No changes to the mineral resources element from the 2008 comprehensive plan are included.

### **12. Growth Tiers – Analysis**

The Growth Tier Map (Map 18, page 25 of the PDF) has changed from the one submitted on 12/21/2012, largely because the town's growth area boundary has been significantly reduced. Several areas previously mapped as Tiers I, II, and IIA in the Growth Area are no longer identified on the Growth Tier Map since the town is no longer planning to annex those areas. Approximately 20 parcels remain in the growth area. No Tier IIA areas are mapped on the updated Growth Tier Map. Under Section 1-504 of the Land Use Article, if the town adopts a comprehensive plan that includes a Growth Tier Map, then the town must notify and provide MDP with all information necessary to allow for the department's detailed review required under Section 1-505 of the Land Use Article. If requested, MDP can complete a detailed review of a proposed Growth Tier Map before the Draft Plan is adopted.

### **14. Plan Implementation**

No new text relating to Plan Implementation has added to that of the 2008 comprehensive plan. The Land Use Article Section 1-207(c)(6) requires jurisdictions to submit a comprehensive plan implementation report every five years. MDP reminds the town to adhere to this requirement in the future.

### **State Data Center**

The State Data & Analysis Center has no substantive comments on the Draft Plan.

**Maryland Department of Planning Review Comments  
Draft Plan**

**STATE AGENCY COMMENTS**

The following are state agency comments in support of MDP's review of the Draft Plan. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by MDP, the department will forward them to the Town of Mount Airy as soon as possible.

**Attachments**

Page 7: Maryland Department of Maryland Department of Housing and Community  
Development



October 15, 2024

Brooks Phelps  
Maryland Department of Planning  
120 E. Baltimore Street  
Baltimore, MD 21201

Dear Mr. Phelps,

Thank you for the opportunity to review and comment on the Union Bridge 2024 Plan Amendment (the “Plan”). When reviewing plans, the Maryland Department of Housing and Community Development (“DHCD”) comments on items for which political subdivisions can strategically leverage DHCD’s resources to accomplish their housing and community development goals. DHCD also reviews comprehensive plans for consistency with relevant statutes and, if appropriate, Sustainable Communities Action Plans.

Staff in the DHCD Division of Neighborhood Revitalization usually review plans and provide comments in order to help realize plan goals. Because the Plan is abbreviated and does not include many of the components on which staff would usually comment, this is an abbreviated comment letter.

Maryland House Bill 90 (2021) requires, effective January 1, 2023, that comprehensive plans include an assessment of fair housing. The Plan acknowledges this requirement but does not identify any strategies to further fair housing or describe how those strategies will further fair housing. For technical assistance in development of the Plan’s Housing Element, please contact staff at the Maryland Department of Planning.

We in the Division of Neighborhood Revitalization look forward to continuing our productive partnership with Union Bridge in its future initiatives. Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding the comments above, please contact me at [carter.reitman@maryland.gov](mailto:carter.reitman@maryland.gov) or 410-209-5849.

Sincerely,

Carter Reitman  
Program Manager, State Revitalization Programs

Cc: Joseph Griffiths, Maryland Department of Planning  
Sara Jackson, DHCD Division of Neighborhood Revitalization  
John Papagni, DHCD Division of Neighborhood Revitalization