

Planning Commission, Planning Board and Board of Appeals Education Course

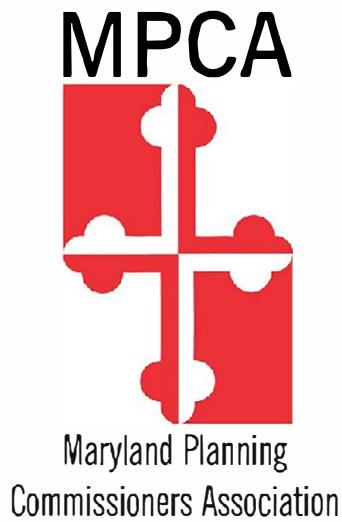
Developed pursuant to Section 1-206 of the Land Use
Article, Annotated Code of Maryland.

Module Two: The Comprehensive Plan



Planning Commission, Planning Board and Board of Appeals Education Course

Developed pursuant to Section 1-206 of the Land Use Article, Annotated Code of Maryland.



Planning Commission, Planning Board and Board of Appeals Education Course

Welcome!

I am pleased to welcome you to the online Planning Commission, Planning Board and Board of Appeals Education Course, which was developed by the Maryland Department of Planning so that members of planning boards or commissions and boards of appeal can fulfill their education requirements under Section 1-206 of the Land Use Article, Annotated Code of Maryland. This requirement first came about through passage of Smart and Sustainable Growth Act of 2009, which implemented the requirement that, within six (6) months of appointment, members of local planning boards or commissions and boards of appeal complete an education course concerning certain aspects of land use planning.

This education requirement applies to the non-charter counties and municipalities that exercise planning and zoning authority, and to charter counties, including Montgomery and Prince George's counties. The law provides that the course must include education on (i) the role of the comprehensive plan, (ii) proper standards for special exceptions and variances, as applicable, and (iii) the jurisdiction's zoning, planned development, subdivision and other land use ordinances and regulations.

This course was developed with input from 2007's Task Force on the Future of Growth and Development, and your partners in planning policy and implementation including the Maryland Association of Counties (MaCo), Maryland Municipal League (MML), Maryland Planning Commissioner's Association (MPCA) and others. This joint effort has resulted in the course you are about to take, and we hope you find it informative, useful and beneficial in your important role as a planning official.

Our goal is to provide good information to help you make even better informed planning decisions for your city, town or county. I welcome and encourage your feedback on this course, and if you have any suggestions after completing it, please feel free to pass them along.

Enjoy the course!

Sincerely,



Rebecca L. Flora, AICP, LEED ND/BD+C
Secretary, Maryland Department of Planning

Table of Contents

Module Two: The Comprehensive Plan	2-1
What is a comprehensive plan?	2-2
Comprehensive Plan Checklist	2-2
The Twelve Visions of Smart Growth	2-2
Required Comprehensive Plan Elements for Non-Charter Counties and Municipalities	2-3
Additional Comprehensive Plan Elements for Non-Charter Counties and Municipalities	2-4
Comprehensive Plan Elements for Charter Counties	2-4
Additional Comprehensive Plan Elements for Charter Counties	2-4
Developing the Comprehensive Plan	2-5
How is it prepared?	2-5
The Role of State Government	2-5
Plan submittal	2-5
Plan Review	2-5
The Role of Local Government in preparing the plan	2-6
The Planning Commission or Planning Board	2-6
Taking ownership of the plan	2-6
Work sessions	2-6
Public input	2-6
Taking other plans into account	2-6
Public Hearing Date	2-7
Comments	2-7
Incorporating comments and making revisions	2-7
Final Draft and Adoption	2-7
Consistency	2-7
Six Year review	2-7
Board of Appeals	2-7
The Citizen's Role	2-8
County – Municipal Interjurisdictional Coordination	2-9
Why coordinate?	2-9
Potential coordination issues	2-9
The Comprehensive Plan and water and sewer plans	2-9
The Comprehensive Plan and schools	2-10
The Comprehensive Plan and Transportation Planning	2-10
Reading Maps	2-11
Basic principles	2-11
Map coordinates	2-11

Scale	2-11
Legend	2-11
Maps that planners use	2-11
Federal	2-11
State	2-11
Local	2-11
Digital maps and Geographic Information Systems (GIS)	2-12
Advantages	2-12
Advantages to planners and other end users of these products	2-12
Municipal Growth Element	2-13
Purpose of the MGE	2-13
MDP Role and Responsibilities	2-13
What the MGE should contain	2-13
Module Two: Review Questions	2-15

Module Two: The Comprehensive Plan

What is a comprehensive plan?

- Required comprehensive plan elements/ Relationship to the 12 visions
- State, local and citizen roles in the development of a comprehensive plan
- County/municipal planning relationship (i.e. Schools, public safety, transportation, water and sewer planning, etc.)
- Reading maps/PFAs, understanding comment areas
- Municipal Growth Element

Module Two: The Comprehensive Plan

What is a comprehensive plan?

Comprehensive plans, also known as master plans, capture how people want their communities to function and grow. In Maryland, most local jurisdictions are required to review and, if necessary, update their comprehensive plans every ten years. The Maryland Department of Planning offers technical assistance for these updates. The Land Use Article outlines the elements, such as sensitive areas, that a comprehensive plan must address, and gives planning commissions the authority to include elements not specifically required by the Article (such as a housing element). Generally speaking, comprehensive plans should incorporate all of the elements that are necessary to provide a thorough assessment of issues and a well-planned course of action.

The Maryland Department of Planning has published two documents on comprehensive plans: *Preparing a Comprehensive Plan* (#13 in the Models & Guidelines Series) and *Revisiting the Comprehensive Plan: the Six Year Review* (#20 in the Models & Guidelines Series)

Comprehensive Plan Checklist

There are required elements and additional elements that may be added if applicable to a particular jurisdiction. All comprehensive plans must relate to the 12 visions of smart growth, described as follows:

The Twelve Visions of Smart Growth

1. **Quality of Life and Sustainability:** A high quality of life is achieved through universal stewardship of the land, water and air resulting in sustainable communities and protection of the environment.
2. **Public Participation:** Citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals.
3. **Growth Areas:** Growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers.
4. **Community Design:** Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources.
5. **Infrastructure:** Growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner.
6. **Transportation:** A well-maintained, multimodal transportation system facilitates the safe, convenient, affordable and efficient movement of people, goods and services within and between population and business centers.
7. **Housing:** A range of housing densities, types, and sizes provide residential options for citizens of all ages and incomes.
8. **Economic Development:** Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities is encouraged.
9. **Environmental Protection:** Land and water resources, including the Chesapeake Bay and its coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems and living resources.
10. **Resource Conservation:** Waterways, forests, agricultural areas, open space, natural systems and scenic areas are conserved.
11. **Stewardship:** Government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection.

12. **Implementation:** Strategies, policies, programs and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State and interstate levels to achieve these visions.

Required Comprehensive Plan Elements for Non-Charter Counties and Municipalities

All comprehensive plan elements must bear a relationship to the 12 visions.

For non-charter counties and municipalities, state agencies review and analyze the required elements of the draft plan for content, accuracy, consistency, and compliance with the stated regulatory requirements of the Land Use Article. In non-charter counties and municipalities, a local comprehensive plan must have the following elements:

- Statement of Goals, Objectives, Principles, Policies and Standards
- Transportation Plan Element
- Mineral Resources Plan Element (if applicable)
- Water Resources Plan Element
- Sensitive Areas Plan Element
- Land Use Plan Element
- Community Facilities Plan Element
- Areas of Critical State Concern (within the County)
- Municipal Growth Element (only for municipalities)
- Recommendation for Land Development Regulations to Implement the Plan

Additional Comprehensive Plan Elements for Non-Charter Counties and Municipalities

The Land Use Article allows optional elements to be adopted in comprehensive plans. These optional elements include the following:

- Community Renewal Elements
- Housing Elements
- Flood Control
- Pollution Control
- Conservation
- Fisheries (if located on tidal waters of the State)
- Natural Resources
- Priority Preservation Areas
- General Local and Extent of Public Utilities
- Workforce Housing Plan Element

Comprehensive Plan Elements for Charter Counties

The Land Use Article requires a local comprehensive plan in charter counties to have the following elements:

- Transportation Plan Element
- Mineral Resources Plan Element (if applicable)
- Water Resources Plan Element
- Sensitive Areas Plan Element
- Land Use Plan Element

Additional Comprehensive Plan Elements for Charter Counties

When developing a comprehensive plan for a charter county, a planning commission may include a priority preservation area element that is developed in accordance with Section 2-518 of the Agriculture Article.

Developing the Comprehensive Plan

How is it prepared?

Comprehensive plan preparation should include citizens, business persons, environmental interests, land owners, farmers, foresters, community groups, and affected governmental agencies. With respect to governmental agencies, participation should be encouraged from adjoining jurisdictions, and officials from relevant State agencies.

State, local, and citizen roles in the development of a comprehensive plan are described as follows:

The Role of State Government

In drafting a local comprehensive plan, counties and municipalities may seek information and technical assistance from various State agencies to assist with the development of the plan. For example, MDP has developed a Models & Guidelines (M&G's) series to assist local governments and citizens with planning related matters. Among the M&G's relevant to the comprehensive plan processes are

M&G #13, *Preparing a Comprehensive Plan*

<http://planning.maryland.gov/Documents/OurProducts/Archive/72195/mg13-reparing-A-Comprehensive-Plan.pdf>
and M&G #20, *Revisiting the Comprehensive Plan: The Six-Year Review*

<http://planning.maryland.gov/Documents/OurProducts/Archive/72195/mg20-Revisiting-the-Comprehensive-Plan-Six-Year-Review.pdf>

Plan submittal

For non-charter counties and municipalities, upon completion of the draft plan, counties and municipalities, via their respective Planning Commissions, are required to submit the draft document to the State Clearinghouse at least 60 days prior to the Planning Commission's scheduled public hearing. Charter counties are encouraged to voluntarily submit their draft documents to the Clearinghouse for review.

The State Clearinghouse, located within MDP, is responsible for the distribution of draft plans to all State agencies for review and comment, to include the Maryland Historical Trust, and the Departments of Transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, and Agriculture.

Plan Review

MDP is responsible for the consolidation of all State agency review comments and suggested revisions, and to provide these review comments to the jurisdiction for its consideration by the public hearing date. State review comments should be introduced at the public hearing and be made part of the public hearing record.

State agency representatives may also elect to attend the public hearing and provide testimony on the draft plan.

State agencies are available to answer questions about specific State review comments and /or to provide additional information to assist with any revisions to the draft plan.

MDP's website planning.maryland.gov contains comprehensive plans on-line which provides a copy of draft and adopted plans for each jurisdiction with State agency comments for public view and reference.

The Role of Local Government in preparing the plan

The Planning Commission or Planning Board

The planning commission or planning board has both formal and informal roles. Formal decision-making and advisory roles, such as preparing the comprehensive plan and implementing the plan through local ordinances, are designated by State and local laws, or through planning commission or planning board by-laws. In addition, the planning commission or board takes on more informal roles such as negotiator, mediator, unofficial advisor, researcher, and coordinator.

For a full explanation, please refer to the Roles and Responsibilities module of this course. But for specifics pertaining to the comprehensive plan, read on.

In non-charter counties and municipalities, a major responsibility and formal role of planning commissions is to prepare a comprehensive plan. Once the planning commission is created, the planning commission has the function and duty to prepare a comprehensive plan for its jurisdiction, and to present this plan to the local legislative body or governing body for its consideration and adoption.

In charter counties, the planning board's role in preparing a comprehensive plan will be outlined in an ordinance.

Taking ownership of the plan

As caretakers of the comprehensive plan, planning commissions/boards are charged with helping a community achieve its full potential, as outlined by the overall vision of the plan. Planning commission/board members accept the civic responsibility of helping residents, businesses, and property owners develop and implement a vision for how the community is to look and function in the future.

The development of a comprehensive plan is not often an easy task. Planning commissions/boards are required to grapple with different viewpoints and, above all, to represent the overall public interest over the long-term. As such, it is appropriate to engage local staff, create advisory groups or task forces, and/or hire outside technical advisors (consultants) to assist in the development of the comprehensive plan.

Work sessions

Planning commissions/boards typically hold open work sessions when developing the comprehensive plan and such sessions are usually in addition to the planning commission regular monthly meeting. These sessions are open to the public, but are generally limited to discussion among planning commission or planning board members, staff and consultants and not for public input. During these work sessions, planning commission or planning board members discuss information that has been gathered, review background studies, evaluate existing conditions, identify key issues, and review the existing plan for necessary revisions.

Public input

At any point in the process, the planning commission/board may elect to identify and solicit input from affected citizens, community leaders, and various community groups and associations. The planning commission/board can also elect to form a citizen's advisory committee to gain public input in the development of an overall community vision.

Although not required, it is recommended that the planning commission board engage the public in the early stages of the plan development process to include opportunities such as public workshops, open forums, community surveys, and public outreach (i.e. community newsletters, flyers, community blogs and email).

Taking other plans into account

It is also strongly recommended that the planning commission make every effort to include neighboring jurisdictions and other levels of government (federal and State) in the plan development process. The plan will be more viable with participation across jurisdictions. Furthermore, coordinated planning can create supportive linkages between local land use policy and other government programs for technical assistance, funding, and regulatory permits.

Public Hearing Date

Once a draft of the comprehensive plan has been prepared, the planning commission/board schedules a public hearing date to obtain community input. The required public hearing must be scheduled beyond the 60-day review period for State Clearinghouse review, as previously mentioned under the Role of State Government section.

Comments

At the planning commission/board public hearing, all comments, including those from the public and local and state officials are considered. Once the public hearing is closed, the planning commission or board may opt to accept additional written comments for a designated period of time.

Incorporating comments and making revisions

Upon completion of the comment period, the planning commission/board decides what, if any, revisions need to be made to the draft document based upon all of the review comments received.

Final Draft and Adoption

A final draft of the comprehensive plan is prepared and, during a regular planning commission meeting, a recommendation for adoption is made to the local legislative or governing body.

Consistency

The Smart and Sustainable Growth Act of 2009 clarifies “consistency” between the local comprehensive plan and the local zoning ordinances and regulations as actions that further, and are not contrary to, the policies, timing of implementation of the plan, timing of rezoning, timing of development, development patterns, land uses, and densities or intensities. In order to implement the 12 planning visions, the 1992 Economic Growth, Resource Protection, and Planning Act required all jurisdictions to adopt ordinances and regulations (this includes rezoning ordinances), planned development ordinances and regulations, subdivision ordinances and regulations, and other land use ordinances and regulations that are “consistent” with the plan. This new definition applies to special exceptions (for non-charter counties and municipalities only), water and sewer amendments and critical area growth allocations (codified in the critical area law).

In order not to interfere with ordinances that allow planned unit developments in zones and density bonuses, a modified version of the definition of consistency applies. In Priority Funding Areas, “consistency” between the local comprehensive plan and the local zoning ordinances and regulations are actions that further, and are not contrary to, the policies, timing of implementation of the plan, timing of rezoning, timing of development and development patterns. Land uses and densities or intensities are not included in “consistency” in order to provide flexibility in adopting ordinances that encourage mixed use developments and density bonuses,

Ten Year review

The Land Use Article also contains a requirement, for both charter counties and non-charter counties and municipalities, that each jurisdiction review and, if necessary, update its comprehensive plan every ten years. Reviewing and updating comprehensive plans is intended to reflect any social, economic and physical changes in communities’ circumstances and goals over time.

Board of Appeals

The Board of Appeals is not typically involved in the development of the comprehensive plan, but rather in the implementation of the plan through regulatory ordinances.

One exception may be a jurisdiction’s decision to appoint a task force or citizen’s advisory committee to assist the planning commission with plan development. Such committees could include the appointment of a Board of Appeals representative(s), which would involve the Board of Appeals, to some extent, in the comprehensive plan development process.

The Citizen's Role

Although it is not a legal requirement to engage the public in the comprehensive plan process in Maryland, it is in the planning commission's/board's best interest to do so because public interest in, and understanding of, the plan helps to establish public trust and support for the comprehensive plan, and ultimately makes implementation of the plan easier.

At a minimum, public input is helpful to identify problem areas, generate ideas, and build support for development of the comprehensive plan. It is essential for the public to be stakeholders in the process.

The comprehensive plan should be prepared with broad public input and participation, so that all interests are represented, and the participation process should be based on a "vision" for the jurisdiction.

Plan preparation should include citizens, business persons, environmental interests, land owners, farmers and foresters, community groups, and affected governmental agencies.

A number of participation techniques are possible, such as advisory groups, focus groups, open forums, and visioning workshops. Advisory and focus groups, open forums, and workshops help citizens gain a better understanding of the planning process; and help everyone to gain a better understanding of who and what the community is and how residents see the community today and into the future.

Public participation provides an opportunity for consensus building among all interested parties and stakeholders in the development of the comprehensive plan.

It is important that the comprehensive plan be developed through an open and good faith process and including the public in the process of developing the plan will create an "ownership mentality" in the plan and forge community support for implementing its goals and recommendations.

As mentioned earlier, MDPs Models and Guidelines #13, "*Preparing a Comprehensive Plan*" provides information on forming a citizen's advisory group, selecting its members, and putting the group to work. M&G #13 also provides sample case studies from other Maryland jurisdictions.

County – Municipal Interjurisdictional Coordination

The State of Maryland recognizes and encourages counties and municipalities to develop and implement solutions to growth management concerns, to develop plans for land located within their respective jurisdictions and to achieve land use, environmental, transportation, and staging objectives consistent with duly adopted general plans, master plans and the 1992 Economic Development, Resource Protection and Planning Act.

Why coordinate?

Plans cannot completely achieve their goals and objectives without coordination with surrounding jurisdictions.

Maryland statute defines inter-jurisdictional coordination as "...the act of establishing a regular means of communication among officials of two or more political jurisdictions for the purpose of addressing and resolving issues of mutual interest related to the operations, and the future physical, economic and social development of the jurisdictions."

In addition, the State further defines the comprehensive planning process as the cornerstone of interjurisdictional coordination through the mutual development of policies, goals, and strategies. The formalization of interjurisdictional coordination can be effected through agreements, committees, and other means.

Potential coordination issues

The following are examples of potential issues that cooperative agreements between jurisdictions might support:

- A pledge to work cooperatively on planning, regulatory, environmental and infrastructure issues having interjurisdictional implications and solutions. In Maryland, each jurisdiction must notify adjacent jurisdictions of proposed changes in general plans, master plans, regulatory policies, staging, zoning or capital improvement programs having interjurisdictional implications to assure well planned regional development.
- Make use of the notification guidelines that have been developed within the Land Use Article for reviewing respective land use, regulatory and infrastructure related policies, plans and programs that affect neighboring jurisdictions.
- Repositories could be established within each jurisdiction to allow interested citizens and officials the opportunity to review the plans and proposals of adjacent areas.
- Every effort should be made to develop common approaches to data collection, analysis, and mapping formats (GIS). For example, the Metropolitan Washington Council of Governments and the Baltimore Metropolitan Council might use common methodology in order to provide statistically relevant reports.
- Regularly scheduled meetings of planning department representatives from each jurisdiction should be held to discuss planning issues of mutual concern and to provide ongoing communication to implement the recommendations for coordinated planning of future growth. Regular meetings can be augmented by less formal, ad hoc meeting of staff to discuss specific issues when deemed necessary.

The Comprehensive Plan and water and sewer plans

The Comprehensive Plan informs future land use decisions. The water and sewer plan implements the land use decisions by directing water and sewer infrastructure to lands designated for development in the comprehensive plan. A water and sewer plan and any amendments to the plan is required to be consistent with the comprehensive plan.

Guided by Maryland State Law and COMAR, each county and Baltimore City is required to prepare, adopt, and annually maintain, a 10-year forecasted Water and Sewer Plan to demonstrate how safe and adequate water and sewerage facilities will be provided to support planned redevelopment and new growth, outlined in adopted Comprehensive land use plans.

The water and sewer plan must be approved by the Maryland Department of the Environment. MDP is mandated to advise the MDE concerning the consistency of these water and sewer plans and plan amendments with local comprehensive plans and other development related policies and programs.

More recently, HB 1141 added significantly to the importance of water resource management and growth related impacts to the efforts of preserving Maryland's waterways and the Chesapeake Bay through the requirement of new Comprehensive plan elements.

The Comprehensive Plan and schools

Through coordination with municipalities, counties provide educational public facilities to school aged children in Maryland based on state-wide measures. Counties implement and maintain mechanisms designed to closely coordinate with the school board in order to provide consistency between the local Comprehensive plan and local Board of Education public school facilities programs.

Consistency between the Comprehensive plan and local school facility master plans support the following:

- Greater efficiency for the School Board and the County by the placement of schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;
- Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs;
- The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; and,
- The expansion or rehabilitation of existing schools so as to support neighborhoods.

The Comprehensive Plan and Transportation Planning

The link between land use planning and transportation planning is inextricable. The integration of transportation and comprehensive land use planning is critical in achieving smarter growth in that such planning can result in increased travel efficiency and convenience of getting to activities, improving returns on infrastructure investment, and reducing automobile-related greenhouse gas emissions.

In coordination with other state, regional, local and federal agencies and engaging with the public, MDP strives to integrate transportation and land use planning that result in a multimodal transportation system that supports Smart Growth opportunities for Maryland communities.

Reading Maps

The planning commissioner, planning board member or board of appeals member should be familiar with basic aspects of map reading.

Basic principles

Knowledge of the basic principles of map reading are necessary to help establish a strong foundation in order to be able to interpret all varieties of map products that may be presented in the course of your tenure.

Map coordinates

Coordinates help the user establish location on the map. Basic types to learn are latitude and longitude, alpha and numeric.

Scale

Learn how to read the scale on the map, the different ways it might be displayed, how to measure with the scale, and why maps use different scales.

Legend

Become familiar with what the legend shows and why. Learn about the north arrow and why no map should be without one.

Maps that planners use

Federal

Federal agencies provide a plethora of maps. For example, the U.S. Geological Survey (USGS) provide topographic maps showing cultural features and elevation of the entire U.S. landmass.

The U.S. Census Bureau provides decennial census maps showing boundaries of census tracts and block groups for the entire U.S.

State

Many state agencies produce mapping products, but the main ones are SHA, DNR and MDP.

The State Highway Administration (SHA) issues base maps that show more detailed cultural information for each political jurisdiction.

The Department of Natural Resources (DNR) produces base maps which show wetlands, rural legacy areas and other physical features for each political jurisdiction.

MDP provides base maps showing planning related information including land use, land cover and census characteristics. MDP also produces maps showing electoral redistricting, historic preservation and archaeological sites, and Priority Funding Areas.

Local

Local jurisdictions might typically provide comprehensive plan maps and local town plan maps.

Digital maps and Geographic Information Systems (GIS)

Most entities and organizations involved in developing and maintaining maps have computerized their mapping efforts. As these systems proliferate, the cost of these systems goes down and become more affordable and user friendly for more people to take advantage of all they can offer.

Advantages

- GIS systems are more cost effective to store maps electronically and prepare paper map products as needed.
- Revisions and corrections can be introduced easily.
- Data sharing between jurisdictions, organizations and other entities can be more easily accommodated.

Advantages to planners and other end users of these products

- Maps produced at various scales can be combined
- Data from other sources can be utilized, such as satellite imagery and field data collected from global positioning system (GPS) units.
- Maps and mapping software become dynamic tools that assist in the decision making process.

Municipal Growth Element

Purpose of the MGE

The Municipal Growth Element (MGE) is a required element for municipalities of the Comprehensive Plan (per House Bill 1141). The element requires a detailed and quantitative analysis of a municipality's anticipated expansion over the next twenty years based on a capacity analysis of the areas identified for growth. The element helps counties and municipalities to fully consider the capacity of land use, public services and infrastructure, and costs and financing associated with growth before committing resources. The legislation requires coordination between counties and municipalities to attempt to reach consensus on the character, intensity and timing of growth at the local level. The ultimate goal of the legislation is to help direct future growth at the local level in a rational, predictable manner.

MDP Role and Responsibilities

MDP is responsible for providing technical assistance for the development of the MGE to local municipalities upon request. To aid municipal planners, MDP prepared a Models and Guidelines document, hosted a series of informational workshops, reviewed early drafts of the element, and also provided development capacity analysis and official population projections.

MDP has coordinated mediation services between counties and municipalities to attempt to resolve growth disputes. According to the law, all municipalities were required to adopt MGEs by October 1,

2009, however, MDP is authorized to review and grant requests for up to two 6-month extensions for municipalities showing good cause for extending this time limit.

What the MGE should contain

For a municipal corporation that exercises zoning authority, the comprehensive plan shall contain a growth element, which shall include consideration of:

- Anticipated future municipal growth areas outside the existing corporate limits of the municipal corporation;
- Past growth patterns of the municipal corporation;
- The capacity of land areas available for development within the municipal corporation, including in-fill and redevelopment;
- The land area needed to satisfy demand for development at densities consistent with the long- term development policy;
- Public services and infrastructure needed to accommodate growth within the proposed municipal growth areas, including those necessary for:
 - Public schools, sufficient to accommodate student population consistent with state rated capacity standards established by the interagency committee on school construction;
 - Libraries;
 - Public safety, including emergency medical response;
 - Water and sewerage facilities;
 - Stormwater management systems, sufficient to assure water quality both inside and outside the proposed municipal growth area; and
 - Recreation;
- Anticipated financing mechanisms to support necessary public services and infrastructure;
- Rural buffers and transition areas;
- Any burden on services and infrastructure for which the municipal corporation would be responsible for development in areas proximate to and outside the proposed municipal growth area;

- Protection of sensitive areas that could be impacted by development planned within the proposed municipal growth area;
- The relationship of the long-term development policy to a vision of the municipal corporation's future character.

Module Two: Review Questions

1. The Municipal Growth element (MGE) should do which of the following?
 - A. Provide a detailed and quantitative analysis of a municipalities anticipated annexations over the next twenty years.
 - B. Should be based on a capacity analysis of the areas identified for growth.
 - C. Provide for coordination between municipalities and counties.
 - D. All of the Above
2. Resource Conservation is one of the Twelve Visions of Smart Growth. It states the following:
 - A. No net loss of wetlands or forest.
 - B. Undeveloped fields should be preserved.
 - C. Waterways, forests, agricultural areas, open space, natural systems and scenic areas are conserved.
 - D. Beaches and boating areas must be kept clean.
3. Which of the following are ways that Planning Commissions can seek public input into comprehensive plans?
 - A. Public workshops and open forums.
 - B. Community surveys.
 - C. Newsletters, flyers and internet.
 - D. All of the Above
4. Every six years each jurisdiction must do what with their Comprehensive Plan?
 - A. Hold a special public hearing.
 - B. Take the plan off the shelf and vacuum any dust.
 - C. Review and, if necessary, update the plan.
 - D. Update the title page and the maps.
5. The planning commission has as a primary function and duty to:
 - A. To present the comprehensive plan to the local legislative body or governing body for its consideration and adoption.
 - B. To hear appeals regarding building permit denials.
 - C. Prepare an open space plan for its jurisdiction.
 - D. Respond to plans developed by adjacent communities.

Planning Commission, Planning Board and Board of Appeals Education Course

Developed pursuant to Section 1-206 of the Land Use Article, Annotated Code of Maryland.

