

Managing Maryland's Growth:

Models and Guidelines

Interjurisdictional Coordination for Comprehensive Planning

- *Legal Basis*
- *Mechanisms*
- *Plan Element*

***This document may not reflect current law
and practice and may be inconsistent
with current regulations.***

The Maryland Economic Growth,
Resource Protection, and Planning Act of 1992

Maryland Office of Planning

State of Maryland
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OVERVIEW

Introduction

This publication promotes the policy of Interjurisdictional Coordination for preparing and implementing local comprehensive plans. It is one in a series of Models and Guidelines reports developed to assist local jurisdictions to meet the challenges and pursue the opportunities of the Economic Growth, Resource Protection, and Planning Act of 1992 (Planning Act). The Planning Act identifies interjurisdictional coordination as an important element in achieving the purposes of the Act.

“Interjurisdictional Coordination” is defined, for purposes of this report, as the act of establishing 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 future physical, economic, and social development of the jurisdictions.

As preparation for this report, staff surveyed interjurisdictional coordination activities of local governments. Few were directly related to comprehensive plan preparation and content. The local comprehensive plan should be the cornerstone of all interjurisdictional coordination and cooperation. The attention and sensitivity with which it is addressed in the comprehensive plan will set the tone and reflect the jurisdiction’s attitude toward such cooperation.

Local jurisdictions are currently developing plan revisions to meet the requirements of the Planning Act. It is timely to address the issue of comprehensive plan-related aspects of interjurisdictional coordination. The topic of interjurisdictional coordination includes many other areas of activity beyond the focus here on counties and municipalities. Other aspects of interjurisdictional coordination, including State, federal and local, will be explored in the future. This will include an examination of the establishment of Growth Area Boundaries and the implications for interjurisdictional coordination.

Report Organization

Chapter One discusses the Planning Act and its requirements relating to interjurisdictional coordination. It also defines the need for planning coordination, the goals to be met, and the benefits to be realized.

Chapter Two presents the results of a survey of local procedures, laws, committees, memoranda of understanding, and other coordinative measures used in Maryland to facilitate cooperative planning. It includes a summary of State enabling law which facilitates local jurisdiction interjurisdictional planning coordination. The techniques are organized by category and examples are presented.

Summary of Findings

Chapter Three contains a description of an interjurisdictional coordination plan element, distilled from the survey of adopted and proposed plans discussed in Chapter Two. This Chapter suggests how effective coordinated planning can be integrated into a local comprehensive plan.

This report discusses various aspects of interjurisdictional coordination related to local comprehensive plan preparation, content, and implementation. The mechanics of coordination are important. However, the catalyst which allows coordination to work smoothly is cooperation. Without cooperation, even the best mechanisms are of little value.

The key interjurisdictional coordination recommendations of this report are:

- Start early in plan development.
- Include all adjacent jurisdictions and levels of government.
- Include interjurisdictional coordination goals, policies, and strategies as a plan element.
- Formalize coordination through agreements, committees, and other means.
- Foster a cooperation "ethic" among local officials and staff.

In the course of preparing this report, additional material with new ideas and approaches to this topic continued to arrive. This substantiates the trend observed by the authors that local governments are giving greater attention to the issues identified in this report. This is encouraging, and confirms the timeliness of this publication. This report strongly advocates communication and dialogue among jurisdictions. We want this report to become part of the dialogue that it advocates. The Maryland Office of Planning and the Subcommittee on Interjurisdictional Coordination want to hear from local officials about their efforts, successful or not, to continue to add to the information already collected on this topic. In this way, our service to local governments as an information clearinghouse can be enhanced. To facilitate this, a response form is provided (see page 65) for readers to fill out and return with reactions to this report and recommendations of additional methods for promoting interjurisdictional coordination.

Response Form

CHAPTER ONE: THE PLANNING ACT AND INTERJURISDICTIONAL COORDINATION

A. Overview of the Act

The Planning Act directs local governments and the State to coordinate their planning and development efforts to achieve the “Seven Visions.” The Visions are a comprehensive set of goals which encourage economic development in plan-designated growth areas while protecting rural and environmental resources. Under the Act, local governments must adopt comprehensive plans which include the Visions. Zoning and other planning implementation mechanisms must be consistent with these plans.

State actions are also required to be guided by the Visions which have become the State’s growth policy. State projects, and any project using State funding, must be consistent with the Visions and with local comprehensive plans.

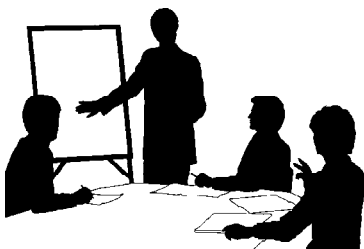
The Planning Act created the Economic Growth, Resource Protection, and Planning Commission, making it responsible for direction and progress in implementing the Act. The Commission is also responsible for exploring new solutions to problems.

B. Interjurisdictional Coordination Under the Planning Act

The Planning Act reflects the Maryland Legislature’s belief in the importance of interjurisdictional coordination, by requiring the Commission to establish a special subcommittee to report solely on problems and solutions in this area. The Subcommittee on Interjurisdictional Coordination is charged with promoting planning coordination and cooperation among all Maryland counties and municipalities, consistent with the State’s Economic Growth, Resource Protection, and Planning Policy.

The Act provides that the Commission shall advise and report to the Governor, the General Assembly, and any local government, on the progress of State, regional, and local government agencies in the resolution of interjurisdictional conflicts concerning land use and development. The Subcommittee’s recommendations regarding the coordination and consolidation of local activities governing land use and development supports the Commission in this responsibility.

Under the Planning Act, local comprehensive plans must include recommendations for improving planning and development processes to encourage economic expansion, and to direct future growth to appropriate areas. Such development and economic growth often have interjurisdictional impacts on transportation infrastructure, environment, and other areas of concern. For this reason, it is necessary for planning, growth strategies, and policies to promote and encourage cooperation among adjacent jurisdictions.



C. Need for Interjurisdictional Coordination

This report is intended to help promote understanding of interjurisdictional planning issues and procedures. It offers numerous examples of intergovernmental coordination mechanisms, focusing on the types of mechanisms which should be considered when a jurisdiction updates its comprehensive plan and implements its planning program.

Everyone will agree that interjurisdictional coordination is important and valuable. However, when real-world issues are confronted by jurisdictions with conflicting agendas, ideals often fade and agreement can be difficult to achieve. It will be impossible to achieve the intent of the Planning Act without immediate and effective interjurisdictional coordination. It is necessary to identify potential conflicts, address them as an integral part of comprehensive plan preparation, and include provisions in the plan for continuing coordination and cooperation. As jurisdictions collaborate on issues of mutual interest in their respective comprehensive plans, they generally become more aware of one another's needs and priorities. This contributes to their ability to better anticipate potential problems.

There are many underlying reasons for interjurisdictional problems. Some examples are cited below:

- Disputes can result because political boundaries are imposed on environmental systems and features. For example, several counties sharing part of a watershed may make very different, and sometimes conflicting, land use decisions. These decisions may not be in the best interest of the watershed as a single environmental system, or may adversely affect planned uses of downstream jurisdictions.
- Our highly mobile life style is another source of potential conflict. For instance, massive in-commutation from one jurisdiction may create congestion, air pollution, and undesirable development in the other.
- Variations in the economic, demographic, and cultural makeup of neighboring jurisdictions may also lead to differing viewpoints.
- Disputes over land use decisions result as urban areas expand and react with other urban areas, or with jurisdictions which wish to remain rural.
- Intergovernmental disputes arise from the reality, or perception, that the benefits of growth and development for one jurisdiction will have a negative impact on its neighbors.

Developmental conflicts which cross governmental boundaries can be expected to occur in situations where:

- Jurisdictions have overlapping authority over, or needs for, natural resources (such as water supply).
- Land use proposals differ in areas which are likely subjects of future annexation.
- A jurisdiction must pay for and maintain transportation facilities used mainly by commuters from beyond its boundaries.
- A jurisdiction provides infrastructure but does not control land use which affects demand for its use.

Other circumstances which can create or exacerbate interjurisdictional concerns are summarized below.

- Local officials may find it difficult to support a project which may benefit the region or State more than their own jurisdiction (i.e., accepting the location of a regional landfill).
- Local officials may be reluctant to support projects that result in tax base enhancement in neighboring areas at the expense of their jurisdiction.
- Government staff may contribute to lack of coordination by being narrowly focussed on site-specific or jurisdiction-specific problems. Staff may be unaware of activities in neighboring jurisdictions which affect their responsibilities.

These examples point to the need for open and frequent communication between staffs and elected officials of adjacent jurisdictions. This communication can take many forms. At one end of the coordination continuum is information sharing and problem resolution. The other end features formal, statutory institutions and mechanisms. A combination of approaches is usually needed. The challenge is to identify the need, and apply the appropriate techniques.

D. The Goals and Benefits of Interjurisdictional Coordination

The most important benefit of timely interjurisdictional coordination is that it enables the affected jurisdictions to identify and resolve issues at the earliest possible stage when they are usually easiest to address and manage.

Issues that are not addressed early may grow into disputes that become widely publicized and as a result impede effective coordination. By that time, affected interests have already established rigid positions, and the political stakes have been raised. Some experts recommend that these situations be resolved by convening groups of affected parties, assisted by a neutral third party mediator. While such techniques can be useful, they often come too late to be fully effective. Major consequences can then result from any decision, with the inevitable perception of a winner and loser.

The Planning Act's clear mandate is to create the planning "infrastructure" to address interjurisdictional issues before they become disputes, and to create or improve the machinery to address disputes before they become full-blown political conflicts.

A jurisdiction's comprehensive plan reflects the local attitude toward interaction with its neighbors. If this plan or policy is sensitive to the need for involving all parties in addressing interjurisdictional issues, chances are improved for recognizing problems and negotiating solutions. Since the development of these policies takes place in the early stages of preparing a plan, this is the most beneficial time for a jurisdiction to meet with its neighbors to discuss its problems and intentions, and to identify issues of mutual benefit and potential concern.

The goals of comprehensive plan interjurisdictional coordination should be to achieve:

- Goal 1: Rational development patterns which lead to an improved environment, a better business climate, and a higher quality of life.
- Goal 2: Compatible interjurisdictional goals, objectives, and policies to guide development and resource protection.
- Goal 3: Efficient and cost-effective provision of services.
- Goal 4: Savings in time and resources spent on political and legal battles and conflict resolution.

Goal 5: Allocation of staff resources to positive pursuits like public involvement, joint planning, and consensus building.

Goal 6: Formal and informal forums to ensure continuing communication for information sharing and conflict resolution.

Goal 7: Conflict prevention associated with annexation actions.

In order to realize benefits from implementation of these goals, neighboring jurisdictions must take steps to inform each other about planning and plan implementation programs.

CHAPTER TWO: SURVEY OF INTERJURISDICTIONAL COORDINATION IN MARYLAND

To determine the status of interjurisdictional coordination, the Maryland Office of Planning surveyed planning enabling law and the activities of counties and municipalities throughout the State. This survey identified the types of interjurisdictional coordination mechanisms in use by Maryland's local governments.

A wide variety of formal and informal cooperative mechanisms were identified. Among those examined were: coordination committees, regional facility contracts, cooperative agreements, and plan review procedures. The findings of the survey are presented in the next four sections.

A. *Enabling Law*

The survey of Maryland law found there is broad and comprehensive legal authority for Maryland jurisdictions to coordinate planning and zoning efforts. The enabling laws provide either clear affirmative statements, specific grants of power, or broad-based powers which accomplish the same end. These powers include the authority to consult and work together in developing comprehensive plans and to resolve issues crossing political boundaries.

Maryland law allows and encourages jurisdictions to work with neighboring governments to address issues with the potential to influence land use and infrastructure planning.

Additional details and information, beyond the summaries provided in this section, can be found in the Annotated Code of Maryland by referencing the citations provided.

Article 66B of the Annotated Code of Maryland delegates basic planning and land use powers to the State's municipalities and non-charter counties. It specifically recognizes the need for a collaborative approach to address issues which transcend jurisdictional boundaries. The law authorizes jurisdictions to promote and actively coordinate in the preparation, update, and implementation of their comprehensive, functional, and facilities plans, and zoning ordinances. See in particular sections 3.01(b), 3.05(a), 3.05(a) viii(3), 3.06(a), 3.07, and 3.09.

Article 25A delegates planning and zoning powers to six charter counties (Anne Arundel, Baltimore, Harford, Howard, Talbot, and Wicomico). These are broad-based powers which allow these jurisdictions to enter into agreements or establish a variety of mechanisms to ensure interjurisdictional coordination of comprehensive plans. While this Article does not explicitly address interjurisdictional coordination, the powers it grants are sufficiently broad to allow full coordination.



Article 28 delegates planning and zoning powers to Montgomery and Prince George's counties. This Article creates the Maryland National Capital Park and Planning Commission, which operates through separate planning boards for Montgomery and Prince George's Counties. The Boards are given broad authority to cooperate with the federal government, the State, the District of Columbia, municipalities and others in exercising their planning and zoning powers. See in particular sections 7-105, 7-109, 7-110, 7-112 and 8-104.

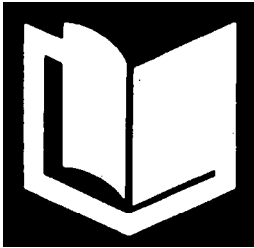
Regional Planning Organizations. Four multi-purpose regional agencies in Maryland have planning coordination responsibilities. In addition, there are two interstate regional planning organizations which include portions of the State. These organizations cover all 14 Western Shore counties, the City of Baltimore, and Cecil County. While their legal mandates and organizational structure vary, each organization has a role in promoting and facilitating interjurisdictional coordination and planning. Each organization also provides a forum for discussing interjurisdictional issues and for exchanging information. Their recommendations on issues are advisory to their member jurisdictions. The organizations are the Tri-County Council for Southern Maryland (Article 20 §2-301 and 3-103), the Tri-County Council for Western Maryland (Article 20A §2-202), the Baltimore Metropolitan Council (Article 78D §2), the Frederick Council of Governments (Article 25 §26A), the Metropolitan Washington Council of Governments, the Wilmington Metropolitan Area Planning Coordinating Council.

Conclusion

Maryland law encourages interjurisdictional coordination at all governmental levels in the State. These laws are generally broad and permissive. Therefore, they allow great flexibility and creativity for jurisdictions.

B. Mechanisms by Type

The survey of existing interjurisdictional mechanisms found that the vast majority of the more than fifty identified are formal. Generally, they are established by some form of written agreement, ordinance or contract. In addition to their formal nature, a common characteristic of these mechanisms is that they are permanent or intended to operate for the long term. More than half of the mechanisms concern a single issue or facility and the interaction is most often limited to a county and a town, or two counties. However, the major exception to these characteristics is the coordination most directly related to planning. Most of the planning mechanisms identified are informal, established between or among local planning agency staffs or individual directors. These efforts risk being



short lived because they are not institutionalized.

The following summaries of mechanisms present primarily those planning coordination agreements that are formal or institutionalized and were identified as being particularly effective or innovative.

Mechanism 1. ***Interjurisdictional Coordination "Plan Element"***

The inclusion of an interjurisdictional coordination "Plan Element" when updating comprehensive plans is an appropriate means of addressing intergovernmental concerns. Planning enabling authority permits such an element in the plan. The preparation of the element will encourage more dialogue between and among counties and towns. For municipalities, it will provide a more proactive forum to advocate development policy in their areas of influence and growth.

To be effective, however, this plan element must examine all interjurisdictional issues which will impact the plan's findings and recommendations. It must also propose a coordination process for resolving these issues, and a series of implementation policies.

Example: Howard County's 1990 General Plan begins with a chapter appropriately titled "Responsible Regionalism". This chapter describes the County's relationship to its neighboring jurisdictions and reveals that many of its growth issues are interjurisdictional in nature. "Responsible Regionalism" identifies those multi-jurisdictional issues and opportunities inherent in growth management, transportation, agriculture, and the environment. Finally, it presents coordination mechanisms and policies, along with specific actions to address these areas of concern.

Mechanism 2. ***County As Staff To Municipalities***

Small incorporated towns which have limited resources may find that their planning coordination needs can be met by an agreement with the county. In many cases they cannot afford a planning staff. The greater resources of the county can render invaluable assistance to such towns while facilitating interjurisdictional coordination. There are several good examples in Maryland, though each has a somewhat different approach.

Example: Carroll County's program began in 1978. The Town/County agreements are formal documents enumerating the types of services the County provides to the towns. The agree-

ments are tailored to the needs of the municipality and vary in complexity, depending on whether the town has in-house planning staff. County services range from simple liaison (e.g., notifying the town of all future developments within one mile of its boundaries) to full staffing for most planning and zoning matters. The latter includes reviewing development plans and advising the appropriate municipal boards and commissions on the best course of action as well as preparing comprehensive plans and zoning and subdivision ordinances. This cooperative relationship has worked well. It ensures the open exchange of information regarding plans and development proposals. As a result, many issues are resolved at the staff level, reducing the possibility of problems later in the process. (A sample of an agreement between Carroll County and a town appears as Appendix A.)

Example: Frederick County has a similar program. However, its Town/County agreements are informal. County planning services provided to municipalities vary, depending on the needs of the municipality. For the City of Frederick and the Town of Mount Airy, which have in-house planning staff, County service is limited to notifying these municipalities of proposed developments within one mile of their boundaries.

For most of the remaining municipalities, a County staff person is assigned to act as town planner. The duties vary with the need. They generally include reviewing plats and plans, making recommendations to the appropriate municipal approving bodies, and preparing comprehensive plans and implementing ordinances.

Mechanism 3. ***Joint County/City Planning***

A county and a major municipality may mutually establish and share a planning commission and staff.

Example: Wicomico County and the City of Salisbury share the same planning commission and planning department. Since 1943 the City and County have cooperated in conducting a joint planning program. In the early 1960's the two jurisdictions established a joint planning office to oversee planning and zoning activities. In response to the dramatic changes that have occurred in both the City and the County in recent years, the shared planning office was renamed the Department of Plan-

ning, Zoning and Community Development in 1989.

The Salisbury-Wicomico County arrangement is a formal relationship based on separate ordinances passed by both jurisdictions' elected councils. The respective councils actually created two independent planning commissions; however, the appointed members are the same for both commissions. This approach is useful because it provides a single development philosophy for the Salisbury metropolitan area.

The Department of Planning serves City and County citizens in a variety of ways. It acts as planning and zoning advisor to the City and County Planning and Zoning Commission and any other group designated by the County or City Council. The Department is also responsible for coordinating the review and update of City and County comprehensive plans, site plans, and applications for variances, special exceptions and rezoning.

By sharing a joint planning staff and planning commission, the City of Salisbury and Wicomico County effectively coordinate planning and development issues in both jurisdictions, particularly those issues affecting the Salisbury Metropolitan Core.

Mechanism 4. ***Joint County Planning***

Two counties may combine their resources to address mutual planning opportunities and problems.

Example: The Maryland-National Capital Park and Planning Commission is a joint planning entity established by an act of the Maryland General Assembly. The Commission oversees the operation of separate planning boards, planning departments, and parks departments in Montgomery and Prince George's counties. The Commission is empowered to: acquire, develop and maintain a regional system of parks and recreation; to prepare and administer a general plan for the physical development of the two counties; and to prepare and administer a zoning ordinance. This structure provides significant opportunities for interjurisdictional coordination.

Mechanism 5. ***County/Municipalities With Same Consultant***

There is great potential and need for interjurisdictional coordination during the update of a community's comprehensive plan. One way

to do this is to use the same consultant in a simultaneous update of the county and municipal plans. The consultant can act as a facilitator bringing all parties together to address issues and problems of an interjurisdictional nature.

Example: Garrett County and seven of its municipalities have agreed to combine their resources in updating their comprehensive plans to meet the requirements of the Planning Act. This cooperative effort evolved from the realization by both County planning staff and town representatives that the towns lacked the resources to undertake their own updates. The joint effort was financed by combining the towns' Maryland Office of Planning/Maryland Department of Transportation grants, with County resources committed to its plan update. Garrett County and its participating towns submitted a single joint application for the State funding.

This joint effort is a very practical way to address situations where towns with insufficient funds can update their plans while coordinating interjurisdictional issues. This provides opportunities to resolve interjurisdictional issues during the plan update rather than during subsequent plan implementation.

Mechanism 6. ***City and County Planning Commissions Communicate***

A significant opportunity exists for interjurisdictional coordination where the planning commissions of adjacent governments solicit each others' comments concerning proposed development projects, and exchange information about programs and decisions. Periodic joint meetings of the commissions can help establish the personal relationships which are helpful in finding solutions to policy conflicts.



Example: The City of Hagerstown and Washington County planning commissions began their cooperative arrangement a number of years ago when the County was creating growth boundaries. The City was contacted for its input. Although the City and County failed to agree on the growth boundaries, the process became institutionalized. While not formalized by a written agreement, the two commissions continue to discuss proposed projects on an as-needed basis. As a result, site plans, rezonings, and subdivision applications are exchanged for review and comment.

In addition, the two commissions meet yearly to discuss projects, programs and problems. Among the issues discussed are recycling and solid waste management, water and sewer facility use, transportation facilities, and economic development. For example, a recent joint-meeting agenda included an update of an Interstate Interchange Study, Urban Growth Areas, and implementing the requirements of the Forest Conservation Act.

Mechanism 7. *Adjacent Counties and Cities Adopt Planning Memorandum of Understanding*

The execution of a Memorandum of Understanding (MOU) by elected officials, committing jurisdictions to cooperative planning and actions provides a formal structure for coordination of interjurisdictional planning issues. The survey revealed that the majority of the information exchange and issue discussion between jurisdictions is currently handled by irregular contacts by planning directors or staff. The involvement of elected officials in an ongoing agreement to work towards resolving interjurisdictional conflicts is likely to result in a better understanding of the need for regional action.

Example: Anne Arundel, Carroll, Frederick, Howard, Montgomery, and Prince George's counties and the City of Laurel have entered into a MOU recognizing that they are part of an interdependent region whose planning issues and infrastructure often cross jurisdictional boundaries. The purpose of the MOU is to establish a comprehensive framework to assure coordinated planning. The parties agree to work cooperatively on solutions concerning planning, regulatory, environmental, and infrastructure issues which have interjurisdictional implications.

The MOU includes four primary objectives: (1) Establish a notification and review procedure to inform neighboring jurisdictions of any proposed changes to plans, regulatory policies, zoning, and capital improvement programs which have interjurisdictional implications; (2) Hold quarterly meetings of planning department representatives to discuss planning issues of mutual concern and provide for ongoing communication; (3) Establish repositories within each jurisdiction containing the plans and other documentation concerning proposals of adjacent governments; and, (4) Seek the development of common

approaches to data collection, analysis, and mapping formats. (A copy of this planning agreement appears as Appendix B.)

Conclusion

This sampling of techniques employed by local governments demonstrates that creative applications tailored to meet local needs can result in significant benefits to the involved parties. These techniques have positive value in helping to achieve the Visions. They can contribute to streamlining by adding certainty to the development process in areas that might otherwise be the subject of local disputes over annexation, or dysfunctions in the provision of infrastructure.

The next section summarizes some recent examples of how local governments have addressed interjurisdictional coordination and used some of these techniques in their comprehensive plan.

C. Content in Plans

Maryland county and municipal comprehensive plans were surveyed to identify the extent to which cooperative planning with adjacent governments was addressed. The survey found a wide range of treatment of this issue. Chapter Three of this booklet presents an interjurisdictional planning element based on this survey. Examples of local plan treatment of this topic are summarized below.

1. The ***Brunswick Master Plan***, in its goals and objectives section, states that the City will “cooperate with Frederick County, the State of Maryland, and other jurisdictions in the development of long range plans and planning regulations.” Its natural features policies and recommendations section states that the City and County will coordinate stormwater management plan reviews. The transportation recommendations note that the City will coordinate transportation planning with the County and the State where those jurisdictions’ highways are involved.
2. The ***Mount Airy Master Plan*** acknowledges that the Town’s location at the juncture of four Maryland counties means that the growth management decisions of these jurisdictions will have an effect on the Town’s future development. The Plan discusses the relevant portions of the surrounding county plans that affect the Town and specifies the need for interjurisdictional coordination. The Plan states that “Mount Airy should support county efforts to maintain and strengthen agriculture and conservation districts around the Town” and work with surrounding counties to limit

development adjacent to the Town which “obscures the definition of the community.” The Plan recommends preserving farmland around Mount Airy and concentrating development within its boundaries. The Plan’s goals and actions statements call for the Town to actively coordinate with surrounding counties on development phasing and related growth management issues.

3. The ***Comprehensive Plan for Queen Anne’s County*** addresses “Intergovernmental Relations” in its first chapter. The Plan refers to the County’s collaboration with neighboring counties in implementing regional programs such as education, health services, and solid waste management. The Plan says that future programs may warrant regional planning coordination in such areas as riverfront development and major rural highways. The Plan also recognizes that plan implementation will depend heavily on good working relations and coordinated planning with the municipalities.

The Plan recommends that the County work with its municipalities to explore an interjurisdictional transfer of development rights program. Sending areas would be designated in rural parts of the County, and development rights would be transferred from these sites to designated receiving areas within municipalities.

4. The ***Chesapeake Beach Comprehensive Plan*** identifies how the Town is impacted by outside forces and recommends continuing liaison with the public officials of Calvert County and North Beach. The Plan makes continual references to the importance of Town coordination with county-wide planning efforts, especially in the areas of transportation, parks and recreation, and public facilities.
5. The ***Northeast Sector Community Facilities Plan***, while not a traditional comprehensive plan like the others reviewed above, is a document that represents the results of a significant interjurisdictional planning process among Calvert County and the incorporated towns of Chesapeake Beach and North Beach. This plan is a blueprint for future actions that affect all three jurisdictions in the areas of housing, schools, roads, parks, recreation areas, and other public facilities. The County and towns worked closely to develop the plan. Each jurisdiction, through its planning commission and elected body, adopted the document.
6. The ***Town of Grantsville Comprehensive Plan*** recommends that the Town “work in cooperation with the County government on an

area-wide comprehensive plan". It also recognizes the importance of encouraging the County to preserve sensitive areas outside of town. These would act as a buffer to protect the scenic views that make Grantsville an attractive place to live. The Plan outlines development issues beyond Grantsville's boundaries, including areas the Town intends to annex. This information allows the County to identify areas of potential conflict.

7. The **Frederick City Comprehensive Plan** (1993 draft) recommends a number of areas for coordination between the City and Frederick County. A stated "Goal" in the land use section of the Plan is "to ensure the maximum coordination and cooperation between the City and County in land use, growth management, and annexation policy." This includes mutual referral of various development proposals and revision of City land-use map proposals to correspond more closely with those of the County.

The Plan states that the City will work with the County to meet long-term needs for water and wastewater for both jurisdictions. City/County coordination also includes planning and implementing recycling programs and a Monocacy River recreation and preservation plan. The document provides a map which shows areas the City proposes for future annexation.

8. The **Howard County General Plan** devotes an entire chapter to the issue of interjurisdictional coordination. Setting the tone for the chapter is its title, "Responsible Regionalism." By placing this subject first in its Plan, the County demonstrates that it has recognized that its land use decisions and those of its neighbors have a profound influence upon the future plans of each.

The Chapter describes the County's relationship to the growth of the Washington and Baltimore metropolitan areas. It identifies the problems resulting from this expanding pattern of development in terms of the regional transportation network, agriculture preservation, and protection of the environment. For each problem area, it identifies mechanisms and specific opportunities for the County to contribute positively to these interjurisdictional issues. It also establishes policies the County should follow in its land use deliberations to achieve the goal of responsible regionalism.

Conclusion

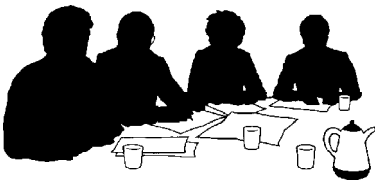
D. Process

The importance of interjurisdictional coordination suggests that jurisdictions take a fresh look at how, and in some cases whether, interjurisdictional planning is addressed in comprehensive plans and related programs. After a thorough examination, each local government's plan should outline the problems and opportunities shared with adjacent jurisdictions. Based on this comprehensive plan analysis, the jurisdiction should adopt planning coordination policies through which these problems can be solved and the opportunities realized.

The fourth aspect of interjurisdictional coordination focuses upon mechanisms local governments have used to update their comprehensive plans. The survey showed that, while many counties have developed special relationships with their own municipalities concerning planning coordination, few counties have sought the significant participation of adjacent counties in their comprehensive plan update process.

Jurisdictions subject to Article 66B are required to refer their draft plans for comment to all adjoining jurisdictions at least 60 days before the public hearing on the comprehensive plan. In addition, the State Clearinghouse operates a voluntary review process which allows the distribution of draft plans and collection of comments from State agencies and adjacent local governments. However, these procedures are limited in scope and come late in the plan development process. It is more productive if neighboring jurisdictions are engaged early, and at key points throughout plan development.

The survey identified the following types of cooperative planning techniques which are most commonly used, or are especially productive for coordinating the update of a comprehensive plan.



Mechanism 1. *County has Town(s) Represented on Plan Advisory Committee*

One possible method of assuring good communication during the update of a county comprehensive plan is for the county to include representatives of incorporated towns within its borders on special plan advisory committees. This is beneficial because such committees are responsible for helping to identify goals and objectives for the plan. They also review and provide comments on draft portions of the document as it is developed. Having representatives from the municipalities insures that the towns' concerns and plans are given adequate consideration at an early stage in the plan-update process.

Example: Queen Anne's County uses an elaborate public involvement program to obtain municipal input to its plan update process. As part of an overall citizen and special interest group planning participation effort, the County establishes advisory groups or committees which represent a cross-section of its citizens. These groups include people from the business community, environmentalists, government agency staff and representatives from the towns located in the County. These groups review and provide comments on a series of issue papers. The results of these review discussions directly influence the shape of draft comprehensive plan elements. After the draft elements are brought together as a complete draft plan, the County holds a series of public meetings or plan workshops, in several areas of the County. There, significant features of the plan are presented. Maximum opportunity for participation and exchange of ideas is afforded both County and municipal interests. Finally, after these meetings, the final draft plan is prepared, and several public hearings are held leading to eventual adoption by the County Commissioners.

Example: Talbot County has a public participation program similar to Queen Anne's. The County appoints an advisory group to help develop, write and review its plan update. This group includes several administrative or elected representatives from the towns in Talbot County.

Mechanism 2. ***Municipality Encourages Communication with County***

A municipality can promote planning coordination between itself and the county in which it is located by encouraging opportunities for communication. By inviting the county to send a representative to all municipal planning meetings and workshops, a town can assure the two-way flow of information and concerns. Thus, interjurisdictional issues can be identified at an early stage in the development of the new plan.

Example: To promote coordination with Harford County, the Town of Bel Air's Planning Director has invited Harford County Department of Planning representatives to a variety of meetings which are part of the Town plan development process. This provides an opportunity for direct discussions of interjurisdictional issues and exchange of information. In addition, the County Executive was invited to speak at a day-long "issues

and goals" conference, and present the County perspective concerning the growth and future character of the area adjacent to Bel Air.

Mechanism 3. *County Planning Meetings Facilitate Communication with Towns*

A county can initiate meetings with its municipalities to improve identification of interjurisdictional issues, and provide a forum for the exchange of ideas and concerns.

Example: During 1993, while Harford County was working on various supporting elements of its land use plan, its three municipalities were updating their comprehensive plans. The County administration saw this as an opportunity for significant coordination. It also recognized the need for regular interjurisdictional planning staff meetings to facilitate identification of issues and to coordinate information exchange. The County Executive initiated a series of meetings with the three towns' planning directors. The focus of these meetings was limited to specific areas of concern, such as transportation and environmental issues.

Mechanism 4. *Establish County-Municipal Planning Agreements*

Several Maryland counties have developed agreements through which they provide planning support to municipalities lacking their own planning staff. These agreements provide an excellent formal structure to facilitate the coordination of county and town concerns about each other's plans. (Also see previous discussion on page 9).

Example: The county-municipal planning aid agreement in Carroll County assures that the concerns and comments of each jurisdiction are automatically injected into the comprehensive planning processes of each. This arrangement provides for frequent meetings between town and County officials during the preparation of plans.

Mechanism 5. *State Clearinghouse for Intergovernmental Assistance*

The State Clearinghouse, a division of the Maryland Office of Planning, administers a review and coordination process authorized by Presidential

and Gubernatorial Executive Orders, and carried out through State regulations. Most applications for federal and State grants are subject to this review process. Additionally, many other documents and actions are submitted for review, including environmental assessments and local comprehensive plans.

The Maryland Intergovernmental Review and Coordination Process (MIRC) provides copies of the proposed action or document to interested State agencies and local jurisdictions which may be directly or indirectly affected by the proposal. The comments received from these agencies or governments are consolidated in an advisory letter to the applicant, with original comment letters attached. If any significant problems or inconsistencies are identified, the Clearinghouse can function as mediator to assure that such matters are addressed and resolved.

The review of local comprehensive plans using this process is at the discretion of the local government. In most cases, the jurisdiction submitting its plan for review has directly handled the distribution, and request for comments, to its neighboring jurisdictions, allowing the Clearinghouse to solicit comments from State agencies. However, the opportunity does exist for the Clearinghouse to facilitate the coordination of interjurisdictional review and comment if asked to do so by the applicant.

Example: The Town of Union Bridge used the Maryland Intergovernmental Review and Coordination Process to have the Clearinghouse handle a comprehensive distribution and review of its Master Plan. This review procedure involved all the town's neighboring jurisdictions and interested State agencies. The comments and concerns received by the town represented a wider perspective than normally available.

Mechanism 6. *Jurisdiction Forwards Draft Plan to Neighbors for Comment*

Many Maryland jurisdictions forward copies of their draft plans to adjacent governments for review. This is sometimes done as a courtesy to inform those neighbors of intended action or it may be a serious attempt to receive constructive comments. The key to any coordination benefit to be realized from this mechanism is a commitment to address the comments received in the final plan document.

Example: The City of Laurel has a referral process for review

and comment, that was used during its 1989 comprehensive plan update. It forwards draft copies of its plan to all adjacent jurisdictions and solicits reviews. Comments received from Prince George's County were used by the City as the basis for a recent plan amendment.

Conclusion

This Chapter presented the findings of a survey of interjurisdictional coordination relationships and mechanisms that are used by Maryland jurisdictions to manage issues that cross political boundaries. Four aspects of this topic were addressed.

- The legal basis for planning coordination.
- Coordination mechanisms for plan implementation and cooperative coexistence.
- Interjurisdictional coordination as addressed in comprehensive plans.
- Mechanisms used to coordinate local comprehensive plan development.

Since the Planning Act became law, there is a trend toward improved interjurisdictional coordination in the plan development and drafting process. While there is no mandatory requirement for assuring full and early coordination, there is increasing sensitivity to the need for it. The examples provided in this Chapter reflect efforts that have met with success, and which can be built on and adapted by other jurisdictions to meet their particular needs.

For additional information about the plans and the interjurisdictional coordination mechanisms presented in this Chapter, the reader may contact the Maryland Office of Planning, Local Planning Assistance Division or the jurisdiction indicated as the source of the example. Appendix C provides a directory of planning agency contacts to facilitate this communication.

CHAPTER THREE:

INTERJURISDICTIONAL PLANNING

COORDINATION ELEMENT

This Chapter presents the structure for an Interjurisdictional Coordination Element for local comprehensive plans. Preparation of a separate plan element will help assure that this topic receives adequate attention and is highly recommended.



The Interjurisdictional Coordination Plan Element is presented in four sub-elements (Sections A to D). The content of each sub-element is briefly discussed as to purpose, topic, and procedures for coordinating its preparation with neighboring jurisdictions. The sub-elements outline was derived from the survey of the contents of local comprehensive plans discussed in Chapter Two. The discussion of the sub-elements is followed by excerpts from local comprehensive plans (Section E). The excerpts are organized by proposed sub-element to facilitate clarity and understanding.

- Section A. Background/Framework
- Section B. Goals and Objectives
- Section C. Policies/Strategies
- Section D. Implementation
- Section E. Excerpts From Local Plans

The excerpts in Section E were selected to illustrate various approaches used by Maryland counties and municipalities to address this topic. They are offered for the purpose of stimulating thought and ideas. Varying local definitions of what constitutes a goal, objective, policy, or strategy were accepted as presented in the plans. There is wide variation in the treatment of interjurisdictional coordination issues in local plans. These variations provide a rich source of ideas and alternatives. At the same time, there is no standard or minimum requirement for including such an element. Some plans have not addressed this topic, or have only given it cursory treatment.

A. Background/ Framework

This sub-element should address the existing interjurisdictional setting of the planning area. To establish a foundation for an interjurisdictional program, the current physical, cultural, economic, and institutional setting should be surveyed and analyzed. It is important to bring neighboring jurisdictions, including municipalities, into the planning process to help in the development of this sub-element. This should be the start of a continuing relationship, through a committee or some other means, to involve all adjacent jurisdictions in the plan development process. The scope of the effort may vary depending on the size and nature of the jurisdiction and the complexity of its regional setting.

The following outline is drawn from the compendium of local plans presented later in Section E. It represents the range of topics that are covered in current local plans.

A. Regional Context and Trends: History and Status

- Legal/Regulatory
- Intergovernmental Relations: Federal, State, Regional
- Boundaries: Political, Legislative, County/Municipal
- Physical Geography
- Environmental Features
- Land Use
- Plans and Policies
- Economy
- Demography
- Facilities
- Culture

B. Key Interjurisdictional Issues

- Commutation Patterns
- Migration
- Land Use/Zoning Patterns
- Boundary/Annexation
- Environmental
- Socio-Economic
- Infrastructure
- Cultural Facilities
- Economic Development
- Fiscal
- Institutions and Relationships

Examples of text from local comprehensive plans addressing Background and Framework are presented on pages 27 through 32.

B. Goals and Objectives

The interjurisdictional problems and issues identified in the “Background/ Framework” sub-element should be translated to meaningful, specific goals, objectives, and priorities. Chapter One, Section D of this report presents some overall goals that may be used to guide an Interjurisdictional Coordination Element.

The “Goals and Objectives” reflect and set the tone and attitude of the jurisdiction toward any particular area of planning and implementation

activity. They are important for that reason. One can draft and adopt general positive goals that say all the “right” things. However, the goals and objectives should be stated in ways that can readily be translated into programs that address “what, how, who, and when”. How well this is done is the measure of how serious a jurisdiction is in implementing the goals. Ideally, a matrix should be constructed that links each goal and objective to the appropriate policies, strategies, and implementation techniques in the body of the plan. The more clarity and specificity contained in the goals and objectives, the greater the likelihood that they can and will be implemented by local agencies and respected by outside entities. Once a jurisdiction has developed its Goals and Objectives, the draft should be distributed to adjacent jurisdictions so the “consensus building” can begin as early as possible.

The examples presented in Section E vary widely in their degree of specificity and in their breadth of coverage. At one end of the spectrum are plans that express a simple broad sentiment for interjurisdictional cooperation. At the other end of the spectrum, several pages are devoted to interjurisdictional coordination, with goals and objectives that go a long way toward framing the specific policies, strategies, and implementation techniques that follow in the plan.

Examples of text from local comprehensive plans addressing Goals and Objectives are presented on pages 32 through 35.

C. Policies/ Strategies

This sub-element provides greater detail, bridging the more general “Goals and Objectives” and the specific “Implementation” sub-element which follows. This is where real fleshing out should start to appear; and where players, mechanisms, and institutions should be initially identified. If the work for the prior sub-elements has been done well, the direction of this sub-element should flow easily, even though, ironically, the complexity of dealing with real issues in effective ways may increase.

Preparation of this sub-element presents another important opportunity to use and develop the interjurisdictional contacts established in preparing the “Background/Framework” sub-element. Consultations with the appropriate neighbors is critical to preparing effective strategies. It may be a statement of the obvious, but finding effective ways to address interjurisdictional issues cannot take place with only one jurisdiction at the table.

As in the previous sub-elements, the examples presented in Section E below demonstrate a wide range of approaches. The survey found that

some plans have very general policies and strategies; others go to a higher level of detail and specificity. Many plans are silent concerning the sometimes sensitive issue of annexation; few plans address this important matter in depth.

Examples of text from local comprehensive plans Policies and Strategies are presented on pages 35 through 41.

D. Implementation

If a jurisdiction wishes to demonstrate a strong commitment to Interjurisdictional Coordination, this sub-element must be written in a way that shows conviction, and presents practical and effective ways to institutionalize the necessary relationships. This will require continued use of the interjurisdictional contacts developed for plan preparation. It also requires a serious reevaluation of existing mechanisms, and the establishment of new ones as needed.

Chapter Two of this booklet discussed types and examples of implementation techniques in use. That Chapter, together with the documents in the Appendices, provide a reference resource for jurisdictions wishing to give high priority to implementing interjurisdictional coordination.

Additional examples presented in Section E below provide a larger sampling of the content of implementation techniques discussed in local plans. Most plans contain some discussion of implementation measures. Some contain mechanisms that have been implemented. A few establish a very solid foundation and agenda for intergovernmental coordination necessary to fulfill their goals, objectives, and policies.

Examples of text from local comprehensive plans addressing Implementation are presented on pages 41 through 49.

E. Excerpts from Local Plans

This Section presents excerpts from county and municipal plans in the structured format discussed in the previous four sections. The excerpts, shown in italics, are quotes of text derived from a review of plans carried out in the fall of 1993. The survey found widely varying attention given to interjurisdictional coordination, ranging from silence to detailed comprehensive policy statements and programs. To emphasize a point made at the beginning of this Chapter, these excerpts are a presentation of content selected to illustrate a variety of approaches using an organized format.

Background/ Framework

To establish a foundation for interjurisdictional policies, government relationships, plans, programs and policies should be surveyed and analyzed. The scope of this effort will vary depending upon the size and nature of the jurisdiction preparing the plan and the complexity of its regional setting.

Example: Discussion Of A County Regional Setting With Particular Attention To The Central City.

Over the past months, County staff have collected basic background data and information with respect to existing conditions, identifiable trends, and growth and change projections from both a County and Regional perspective.

Baltimore County is strong and independent, politically and economically. However, neither this County nor any other in the Region can achieve its full potential if Baltimore City, the urban core of the Region, is ailing. Recognition of our common interests advances enlightened self-interest.

- *Baltimore County is largely free from the kinds of physical and societal problems experienced by most urban centers. As the County inevitably becomes more urban, it cannot expect continuing immunity if problems persist within the City.*
- *Regional transportation policies may have even more telling implications. Investing hundreds of millions of dollars in cross-county highways might or might not solve County and regional traffic circulation problems. The highways certainly would post a grave threat to protecting the County's rural values against further sprawl. The City, however, is especially dependent on the radial highways for commuting in both directions.*
- *The region must function as an interrelated whole, sharing the benefits of the physical surroundings, the cultural facilities, the transportation network, and the regional economy. (Baltimore County Master Plan, 1990)*

Example: The Challenge Is To Seek Regional Solutions Through Regional Cooperation.

Montgomery County shares many major problems with its neighbors, including air pollution, water pollution, and traffic congestion. Major elements of the region's infrastructure cross jurisdictional boundaries. To solve regional problems effectively, new approaches must be explored to reach regional consensus.

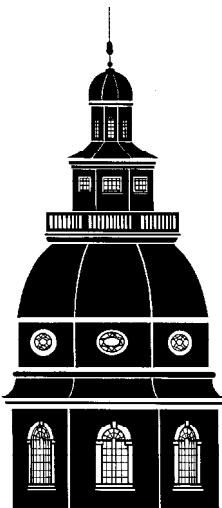
*The impediments to **regional cooperation** often lie in the inability of local government to overcome short-term interests to achieve long-term solutions. The existing regional framework often creates an environment better suited for competition than cooperation. There is competition for scarce federal and State funds. There is competition for clean, revenue-producing commercial activity. There is competition for the prestige and viability of federal headquarters. This competition sometimes prompts decisions that can be justified on the grounds of economic gain, but questioned from a broader and longer-term fiscal or land use perspective.*

The fate of the individual areas that constitute the Baltimore-Washington region will become increasingly intertwined. The greater region will continue to influence Montgomery County's future and vice versa. The County cannot afford to be isolated in its thinking or actions. It must become a partner in coordinated decision making. Montgomery County, with its economic and cultural ties to Washington, D.C., and fiscal and political ties to Annapolis and Baltimore, is in an excellent position to work within these regional and State-wide frameworks. (General Plan Refinement: Goals And Objectives Montgomery County, 1993)

Example: City-County Functional Relationships.

There is general appreciation among Lower Peninsula residents of the many functional relationships between areas both within and outside of Annapolis. Many Annapolis employees live outside the city and commute in each day. Many city residents shop in Parole outside the city. The major public health center for Annapolis residents is outside the city while the major hospital is inside. The Annapolis Senior High School is now inside the city, but may soon move out. Annapolis Junior High is outside, just across the city line, which students regularly cross to get from home to school. The major public library is inside the city along with the sewage treatment plant which will soon serve areas of the Lower Peninsula outside the city as well. The major water supply is outside the city, but on city-owned land and serving areas of the Lower Peninsula both within and outside the city.

There seems to be general agreement between the City and County on growth strategy... The major road improvements, development density patterns, and non-residential locations proposed in the growth strategy are all apparent in the County's general development plan for the Lower Peninsula. There are some discrepancies -- in the scale and character of the road proposals, and in proposed densities in certain locations -- but the broad outlines are very much the same.



There is also general agreement that the City has a stake in development patterns in its immediate environs. Since there is very little remaining vacant land in the City, most new development will occur in areas outside, areas over which the City has no regulatory control. Yet the character, location and timing of this development is critical for the future of Annapolis. Development in certain locations outside the city can generate traffic pressures along corridors whose capacity cannot or should not be expanded. Development of single family housing only outside the city can create pressures on the city to accommodate the increasing portion of households who either do not want or cannot afford single family housing on half acre lots. Subdivision development patterns can damage environmental quality, deny public access to shoreline areas, and create excessive expense for basic services. Delayed development, in the face of region wide development pressures, can create extra burdens on the city in the interim.

Given the general agreement on development patterns in the Lower Peninsula, it should be possible to prepare and implement jointly more specific policies with regard to transportation, zoning, development patterns, utilities and housing -- policies dealing with matters of location, timing and development character. (Annapolis Comprehensive Plan, 1985)

Example: A Town's Regional Setting.

When planning for Easton's future, the location of the Town and the interdependence of the Town with other geographic and economic regions is of prime importance. The future population and economic vitality of Easton is determined, not only by local activities, but also by activities in the larger region of which Easton is a part. To this extent, it is essential to relate the Town of Easton to Talbot County, the Eastern Shore, the Delmarva Peninsula, and larger metropolitan areas within close proximity. (Town of Easton Comprehensive Development Plan, 1989)

Example: Documenting County Polices That Impact The Town. Most Municipal And County Plans Are Silent Regarding Development Policy Of Their Neighbors.

The Land Use Plan map, Year 2000, portrays County land development policies for Goldsboro and vicinity. The County plan projects limited single family residential and neighborhood commercial growth from infill and peripheral expansion. Industrial growth is encouraged south of the town...

The Caroline County Comprehensive Plan does not anticipate major development activities in Goldsboro over the next 15 years. The County intends to concentrate and encourage commercial and industrial growth in towns with existing sewage treatment facilities...

The County zoning map shows that most of the area around Goldsboro is zoned as R-1 (single-family residential district) which requires a minimum residential lot size of 20,000 square feet and minimum width of 100 feet. The County locates this zone near municipalities to provide a belt of medium density development which promotes affordable housing and efficient use of services. Land along Maryland 313 west of town and along Maryland 311 to the north of Meeks Road is zoned HC Highway Commercial. The zone is intended to provide specialized services necessary for travelers. However, it also permits more general commercial uses, as well as agriculture and single family houses. The I-2 (Light Industrial zone) is located along the railroad tracks north and south of town. The zone permits a broad range of light industrial, wholesale, and warehouse uses. One acre lots are required, and each must have a minimum width of 200 feet. Most industrial uses require site plan approval to ensure adequate parking and loading facilities and buffers to protect surrounding neighborhoods and the environment. (Comprehensive Plan, Goldsboro, Maryland, 1989)

Example: A Chapter Focused On Regionalism - County Context For Regional Patterns And Growth Pressures.

Howard County's relatively small size and location between two major metropolitan areas makes examination of our regional context extremely important. We are part of a dynamic regional economy, transportation network, agricultural land base, and natural resource system. We are affected by regional trends and conditions which do not heed political boundaries. We are influenced by the decisions of neighboring jurisdictions and we, in turn, influence our neighbors and the region.

This chapter places Howard County in the context of regional issues as they relate to land use, transportation, housing, agriculture and the environment. It outlines the policy decisions and actions to be taken that have ramifications beyond the County's borders.

History Of Regional Growth Patterns

...The growth controls, the high cost and short supply of land served by water and sewer, and the continuing pressure for jobs and housing in the Washington and Baltimore regions have forced development into areas well beyond the beltways.

The county most squarely in the path of the growth from both the Baltimore and Washington areas is, of course, Howard County...

The Washington and Baltimore beltways were constructed in the 1960s. I-95 had replaced US 1 and the Baltimore/Washington Parkway as the major north-south through-highway by 1970. This road network reinforced and expanded the centrifugal pattern of movement and development occurring in the 1970s. However, the extension of I-270 and I-70 to Frederick created a "golden triangle." East-west movements became much easier, and suddenly Frederick and even Westminster were closer to the beltway job centers than ever before.

Indeed, these beltway centers themselves began to expand along the new radial highways. The growth of BWI as an employment area and the possibility of commuting to the State capitol in Annapolis along Maryland 32 from Columbia and Westminster further established Howard County as the main street of regional traffic...

In addition to some of the zoning and growth management tools adopted by various counties in the face of these growth pressures, counties also adopted master plans to guide growth. The D.C. Regional Plan, famous in the 1960s, was known as the "Wedges and Corridors" plan because of the proposed radial development along highways that would be separated by regional-scale open space large enough to sustain farming.

The Baltimore region's counties also adopted such a Plan. ...[A]s development threatened to fill in the wedges, the urgency to strengthen zoning tools to preserve them grew. Thus, Baltimore County in 1979 adopted 50-acre rural zoning for much of its "wedges"; Montgomery County developed a Transfer of Development Rights (TDR) program which sought to preserve its "wedges" by "sending" rural growth demand into designated urban "receiving" areas.

The County's Role In Regional Patterns

Howard County, astride these merging regions, assumed through the 1970s that Columbia would absorb most of the growth pressures and that its rural "wedge" would be insulated from development pressure...

The approaches to growth management reflected in the 1982 General Plan were inadequate in the face of the strong pressures for development. Howard County became the development frontier of the 1980s. Despite soaring land prices, the growth rate of the mid-1980s continued unabated. The increasingly stringent growth management techniques implemented in neighboring counties in the region only reinforced the attractiveness of Howard County for urban development.

Other counties (e.g., Frederick and Carroll Counties) are also experiencing high levels of housing growth due to major highway extensions designed to serve

planned growth centers such as Owings Mills and Rockville-Gaithersburg. The attempts by some of the more mature jurisdictions to manage and limit their growth have had the effect of diverting growth to less protected counties, such as Howard, Charles and Calvert. (1990 Howard County General Plan)

Example: Multi-Jurisdictional Watershed Planning.

The approval of the Patuxent River Policy Plan in 1984 by all seven Patuxent Counties and the Maryland General Assembly means that lands bordering the streams in the watershed are to receive special management and planning consideration...

The Patuxent River Policy Plan...contained an action program with the following elements.

- 1. Establish a Primary Management Area*
- 2. Provide Best Management Practices (BMPs) and vegetative cover buffer*
- 3. Identify major non-point source pollution sites*
- 4. Retrofit existing development*
- 5. Accommodate future development*
- 6. Increase recreation and open space*
- 7. Protect forest cover*
- 8. Preserve agricultural land*
- 9. Manage sand and gravel extraction*
- 10. Adopt an annual Action Program (City of Laurel Master Plan, 1989)*

Goals and Objectives

General goals for an inter-jurisdictional coordination element are listed in Section One D of this booklet. Interjurisdictional goals and objectives of widely varying extent and scope are found in local plans. Goals and objectives range from very broad and general to quite specific.

Example: Functional Goals And Objectives.

It is our goal to ensure maximum coordination and cooperation between Frederick City and County in land use, growth management, and annexation policy.

Objective: Minimize potential conflicts between city and county land use through plan coordination and development referrals.

Objective: Coordinate the planning, location and funding of infrastructure so

as to equitably provide for adequate public facilities concurrently with growth.

It is our goal to increase interjurisdictional coordination and cooperation in meeting the transportation needs of the city and region.

Objective: Coordinate to the extent possible the functional classifications of City and County and State and encourage projects of regional and state interest to be planned and programmed to complement that coordinated network.

It is our goal to work cooperatively with the County, State, and Federal governments in meeting park needs.

Objective: Encourage Frederick County to locate district parks in close proximity to the population centers they will serve, including Frederick City.

Objective: Encourage development of community and neighborhood parks in non-city neighborhoods to help relieve pressure on city facilities.

Objective: Proceed with study and implementation of the Monocacy River greenway which will link city and county parks and the Monocacy Battlefield Park. (Frederick City Comprehensive Plan Draft, 1993)

Example: Broad And General Goals.

- Develop close cooperation with all government agencies in protecting shorelines, wetlands and waters of Cecil County.*
- Establish and maintain close coordination between the County and Towns to plan for future annexations by the Towns.*
- Coordinate transportation planning and programming with all appropriate State and regional agencies.*
- Work with the Towns to identify opportunities for affordable, high density housing... (Cecil County Comprehensive Plan, 1990)*

Example: County Objective To Offer Planning Technical Assistance To Its Towns.

Objective: Make intergovernmental cooperation an integral part of planning by developing close working relationships with operating agencies in the county, in adjoining counties and at the State and federal levels.

Objective: Arrange for the County to provide continuing planning services to the incorporated towns to assure the successful on-going implementation of their planning programs. (Garrett County Comprehensive Development Plan, 1974)

Example: Addresses The Importance Of County/Municipal/University Coordination.

- (a) Establish a Joint Consultative Committee between County, town and UMES to coordinate expansion programs, annexation issues and areas of mutual interest, including provision of off-campus amenities and recreation opportunities for students.*
- (b) Improve communications between the County and the two incorporated towns on issues of mutual interest, such as development issues, use of sewer capacity, maintenance of recreation facilities, solid waste collection...*
- (d) Explore opportunities for grants, and other municipal assistance programs at the federal and state levels. Examine advantages of cooperating with adjacent counties to promote regional needs for assistance. (Somerset County, Maryland Comprehensive Plan, 1991)*

Example: Interjurisdictional Planning And Public Service Goals.

- Cooperate with adjoining counties to insure that zoning and subdivision regulations permit compatible development along the city boundary line.*
- Work closely with the adjacent counties and nearby municipalities in the provision of public services.*
- Achieve greater inter-governmental cooperation with Allegany County, the Tri-County Council for Western Maryland and the State and federal*

government agencies. (The Comprehensive Plan, Cumberland, Maryland, 1984)

Example: The Detail Must Follow To Convert Goals To An Action Agenda.

- *Establish regular means of cooperation between the County and its towns and neighboring counties for mutual benefit.*
- *Consolidate services among local jurisdictions wherever feasible and beneficial. (Dorchester County Comprehensive Plan, 1974)*

Example: An Objective To Establish Growth Boundaries.

- *Establish a future corporate limits line to identify areas that may logically be annexed into the City in order to obtain the **full** range of municipal services. (Comprehensive Plan for Westminster And Environs, 1993)*

Policies/Strategies

Local jurisdictions address interjurisdictional policies and strategies in a number of ways. Some adopt only very general policies; others go to another level of detail and specificity. Many plans are silent concerning the sometimes sensitive issue of annexation. Others address the matter in depth.

Example: County/Municipal Policies.

- *The County should coordinate with the incorporated towns in the review and approval of proposed developments which are adjacent to or near town borders. This is advisable since developments in these locations may someday be annexed to the town.*
- *The County and its incorporated towns should coordinate capital improvement programs. This coordination could lead to the more efficient provision of facilities and services throughout the County. Since the county has determined that the majority of its future growth and development should occur in and around the incorporated towns, it may become necessary for the County to assist the towns in providing needed facilities and services required to accommodate new growth. Improved County and town coordination for community facilities can also help to alleviate unnecessary duplication of services. (Talbot County Comprehensive Plan, 1990)*



Example: Intergovernmental Cooperation.

Future growth will not be a concern just for the Mayor and City Council alone because environmental concerns and service needs do not stop at jurisdictional lines. Development policies and land use controls must be shared by Wicomico County and several other municipalities. Thus, the proper management of future growth is a shared responsibility between state and local governments...

Sewerage Systems. *The obvious trend in Maryland is to increase regulations on undeveloped lands thereby forcing more development to be served by municipal or community sewer systems... some towns may not want nor be able to afford additional growth. It is essential, therefore, that Salisbury and other town representatives coordinate land use and service policies. Local regulations could then be altered to encourage development to locate where it can be served or to discourage it where it cannot.*

Sensitive Areas. *Areas identified by State Law as being "sensitive areas", such as rare and endangered species habitats, cross jurisdictional lines. A much more comprehensive management approach can be found if all jurisdictions coordinate protection strategies.*

Stormwater Management/Drainage Issues. *Any natural drainageway that passes through more than one jurisdiction in the County presents a potential management problem...*

Successful management of stormwater and the correction of isolated drainage problems is compounded on a watershed basis because of a number of different governmental jurisdictions.

Transportation Planning. *The increasing limitations of public revenues requires an even greater degree of intergovernmental cooperation. Because of the historic road pattern in Wicomico County, coordination of road improvements is essential to each jurisdiction in order to maximize public investment in these facilities. In many instances, one road passes through County jurisdiction, a municipal jurisdiction, and the City of Salisbury.*

Conclusion. *To accomplish closer coordination of policies and to encourage the development of uniform solutions to common problems, a committee composed of representatives from Salisbury and the other seven towns, as well as the County, should be established. In this manner closer coordination of specific activities that are mutually beneficial can be undertaken by the affected jurisdictions. (City of Salisbury Growth Management Strategies, Draft, 1993)*

Example: Policies And Proposals Focused On City/County Interrelationships.

Establish and operate a coordinated planning approach for strictly-guided development within the urban growth area.

- 1. Continue the Urban Growth Area Concept and handle future development within the Urban Growth Area completely as a joint City/County matter.*
- 2. Revise the Urban Growth Area Committee and assign it the important task of looking at County policies that directly affect both the City and County.*

Develop a joint city/county annexation policy and make annexations only after full examination of the long-term benefits and costs to the city.

- 1. Use an Urban Growth Area Plan, holding capacity study and other studies and information to identify portions of the Urban Growth Area that are appropriate for future City annexation.*
- 2. Establish guidelines for systematic use in making annexation decisions, including a cost-benefit analysis approach to making such decisions. (City of Hagerstown Comprehensive Plan, 1988)*

Example: A Foundation For Specific Implementation Actions.

- Support efforts to maintain a healthy economy and economically viable region.*
- Use both proven and innovative techniques for the resolution of regional conflicts.*
- Support economic incentives and disincentives to achieve regional objectives.*
- Inform people about regional issues, activities, and initiatives.*
- Work with adjacent and internal jurisdictions to plan concurrently and compatibly.*

- *Advocate the provision of regional facilities necessary to support locally planned development.*
- *Encourage the development of priorities in addressing regional problems.*
- *Attain and maintain regional standards for matters of regional significance.*
- *Work with the County's municipalities to achieve consensus on regional issues and solutions.*
- *Work with the County's municipalities to develop agreement on maximum expansion limits and orderly growth decisions.*
- *Develop procedures to ensure long-term consistency between municipal and County plans. (General Plan Refinement, Goals and Objectives, Montgomery County, 1993)*

Example: A Town That Must Coordinate With Four Counties At Its Borders.

In order to better manage regional growth and its effects on the Town of Mount Airy, the Town will:

1. *Take a leading role in discussions with all four counties regarding growth management in the Mount Airy Region.*
2. *Accept county policies that concentrate growth around existing centers, and therefore plan for growth...*
4. *Reach agreements with each county regarding the phasing of growth so that the Town is assured of county cooperation with the orderly growth policies of the Town, and the provision for adequate facilities and services.*

In order to mitigate the impacts of regional growth on Town character, the Town of Mt. Airy will:

1. *Maintain the Town limit defined by existing county development.*
2. *Encourage protection of farmland outside the proposed ultimate Town boundaries.*
3. *Accommodate regional traffic through Town with minimal conflict on local streets.*
4. *Identify and enhance Town boundaries. (Mt. Airy Comprehensive*

Plan, 1993)

Example: Detailed And Specific City/County Policies.

POLICY: The County Commissioners should formally adopt the City's Comprehensive Plan as part of the County's own Comprehensive Plan.

POLICY: The City will provide facilities and land for the bulk of the County's residential, commercial and industrial growth. The County should take those steps necessary to direct that growth within the City's boundaries.

POLICY: The City will seek County participation in funding major city-initiated capital projects of community wide benefit.

POLICY: A jurisdiction which has received a proposal for a privately-sponsored development with major potential impacts on another jurisdiction will refer that proposal to the affected jurisdiction for its review before that proposal is approved.

POLICY: The City and County will share staff and facilities where such sharing will avoid duplication of services and waste and will improve public service capabilities.

POLICY: A clear delineation of responsibility between the City and the County regarding service delivery will be made.

POLICY: City and County taxation policies will be adjusted, if necessary to relate more closely to service responsibilities. (Frederick City Comprehensive Plan, 1979)

Example: City Policies Are Updated.

County Coordination/Annexation: *The need for coordination with Frederick County is mentioned in nearly every chapter of the plan. The area of land use is especially critical. There is a city limit line, one side under city jurisdiction, the other under county. It is important to have compatible plans for land use on either side of this line to avoid conflicts and incompatible uses adjacent to one another. It is important for the city to look to areas which are logical and appropriate for annexation and ensure that county future land use plans are in line with long range city plans.*



This process of plan adjustment is accomplished through referral of plans and development proposals to each jurisdiction and careful consideration of comments and concerns which may be raised. Frederick City staff and officials worked closely with the county in the 1992 Frederick Region update. This city plan, of course, will be subject to county review and comment, as well. The 1988 City County Comprehensive Plan Coordination and Annexation Study provides a foundation for plan coordination and an ongoing process of development referral.

POLICY: *Plan for land use recognizing the proposals set forth by Frederick County in the Frederick Region Plan Update, January 1992, and attempt to minimize potential conflicts.*

It is appropriate for Frederick City to consider what is desired on the city's fringes and what is appropriate for areas which are likely to be annexed and developed within the city. Of course, Frederick must rely upon the county in zoning and development approvals for these fringe areas until they are annexed at some time in the future.

This plan employs land use map designations which have been revised over those employed in 1979 so as to more closely correspond to county designations. There are areas of difference, particularly with respect to desired intensity of use for some areas. Every effort has been made to achieve a compatible and mutually supporting pattern of land use for the region.

POLICY: *This plan's recommendations for a future annexation area will update the future city limit line set forth in the June 1988 City/County Annexation Study.*

This 1988 study was prepared by a City/County task force and accepted by both city and county officials as agreed upon policy with respect to the important issue of annexation. The future corporate limit line reflects a number of considerations, chief among them Comprehensive Plan land use recommendations. It is recommended that this area be periodically reviewed and revised, if necessary, in light of revisions to plans, development actions, or other factors...

POLICY: *Continue to submit plans for Frederick County review and comment pursuant to the Joint Policy on Development Review and support the General Development Policy for the Frederick City Area as set*

Implementation

forth in the June 1988 City/County Annexation Study Report.

Since late 1988, city and county planning department staff have worked to provide opportunity for review and comment on each jurisdiction's plans, development proposals, rezoning, text amendments, and other significant land use approval. The general policy on annexation also guided city and county action with respect to annexation and approvals. They should be continued and revised and updated if required in the future.

POLICY: Frederick City will coordinate its future comprehensive plan updates with the Frederick Region Update as outlined in the county's regional plan update process.

Although the Comprehensive Plan has a long range perspective, it is prudent to monitor its effectiveness and to update and fine tune it periodically to reflect changing conditions. The Maryland Planning Act calls for a six year interval for plan updates. Frederick County's Regional Update process calls for different regions to be revised at five year increments. As the Frederick Region is reexamined in 1997, Frederick City will once again participate in the county process to ensure city goals, objectives, and policies are reflected. In addition, a review of Frederick City plan recommendations is recommended to achieve maximum plan coordination. (Frederick City Comprehensive Plan Draft, 1993)

Some plans contain implementation mechanisms that, in fact, have been adopted as discussed earlier in this booklet. A few establish a very solid foundation and agenda for intergovernmental coordination necessary to realize development goals, objectives and policies.

Example: Thorough Presentation Of Steps To Implement The County/ Municipal Aspects Of The County's Plan, Including Mutually Defined Long Range Growth Boundaries.

The General Plan growth management policies guide growth to areas where it can be most efficiently and economically served with existing public services and facilities through the orderly expansion and extension of these systems and services. Growth Areas and Rural Villages will accommodate growth which would otherwise occur as scattered suburban development in the rural environment...

Growth Areas center around incorporated towns, and thus successful implementation of the General Plan policies will require much more than a regulatory process on the part of the County. Implementation will require a high



degree of coordination and cooperation among County, State and local governments and special purpose agencies.

Governmental processes necessary to effectively coordinate development must be established. This will require that, among the County and municipalities in Growth Areas, there be:

- 1. An agreement on Growth Area boundaries;*
- 2. Clearly defined lines of responsibility for the provision of facilities and services;*
- 3. Agreement on method of financing and payment for services;*
- 4. Agreement on taxation and annexation policies;*
- 5. Agreement on assumptions used to project population, employment and households within the Growth Areas and on assumptions used in the preparation of facilities plans for water, sewer, solid waste, transportation, parks, and schools;*
- 6. Coordination of development planning and regulation, public facility planning and capital programming, economic incentives and tax policy.*

A program statement should be prepared to establish the structure for a process of negotiation and resolution of these issues. Certainly this will not be an easy process, nor can solutions be easily expected. It will require a commitment to the goals of the General Plan by public officials to initiate and pursue negotiations until agreement can be reached.

The municipalities are expected to absorb what would otherwise occur as scattered rural subdivision. The costs to the County and to the taxpayer in general for provision, maintenance, and operation of facilities and services will be lower as growth is guided to these areas. For this reason, it will be advantageous in the long run for the County to examine and propose means of equitably sharing the costs of services provided by municipalities to the Growth Areas beyond their jurisdictional limits. Some alternatives suggested by this Plan are schemes such as local revenue sharing, tax base sharing and tax differential.

At the same time, both the preservation of open space in the County and the economies to be realized through the provision of public services will benefit residents of the municipalities as well as their rural neighbors. Thus, it is also to the advantage of the municipalities to pursue equitable agreements.

A considerable amount of local planning assistance will be needed if municipalities in the Town Growth Areas are to be able to accommodate the projected growth. Developing areas must be related to existing development through circulation systems, both pedestrian and vehicular, and in the scale and design of land uses. Additional growth beyond the jurisdictional boundaries will have impacts on commercial areas and the maintenance of facilities in the town center. For this reason, joint planning within the Growth Area is essential and assistance should be provided by the County, whether through its own planning staff, or through aid in securing planning grant funds.

Coordination of development policies among the County and municipalities is the fundamental means of implementing the General Plan. The Growth Area concept and the goals on which the Plan is based cannot be realized if agreements in the six principal areas outlined above cannot be achieved.

The Need For Intergovernmental Cooperation

In order that the General Plan goals and objectives may be successfully implemented, it is essential that policies for providing public facilities to the Growth Area be coordinated between the municipalities and County government. Cooperative agreements should be prepared and adopted. The boundary of each of the Growth Areas should encompass a realistic geographical area that can ultimately be served by the municipality, and which the city or town feels is a logical growth boundary for the twenty year planning period.

The following policies pertain to community facilities for Growth Areas:

Agreements

The municipalities and County should agree on responsibilities for providing public services to the area outside the corporate limits. This policy is based upon the following assumptions:

- A. Since the city or town will assume responsibility for services to the new area if annexation occurs, it will appear reasonable that the municipality should have both initial and continuing participation in the decisions for facility service.*
- B. People living within the proposed Growth Area have common interests with the residents of the municipality whether they live inside or outside of the present city limits.*
- C. Residents living within Growth Areas need urban services such as sewer, water and storm drainage facilities, street lighting and fire and police*

protection.

- D. Future urban or suburban development should be contained within the geographical limits of the delineated Growth Areas boundary where community services can be economically and efficiently provided.*

Defining Growth Area Boundaries

Limits for the Growth Areas should be established jointly between County and municipal planning commissions and officially adopted by both jurisdictions. The following factors should be considered in establishing Growth Area boundaries:

A. Service District Boundaries:

- i. Sewerage service areas...;*
- iii. Established water distribution service areas;*
- iv. Economy and efficiency in districting for the provision of other public facilities.*

B. Major highways.

C. Natural features such as rivers, soils, floodplains and drainage areas:

- i. The Growth Areas should contain a minimum of land unsuitable for development because of terrain, geology, or floodplains;*
- ii. The Growth Areas should minimize encroachment upon lands of high value for long-term agricultural use...*

E. Land use and development goals and policies.

- i. The Growth Areas should be large enough to accommodate projected residential, commercial, and industrial growth;*

Financing

Financing mechanisms should be developed and formally adopted to allow the County to share costs with municipalities in investment programs for public facilities in order that General Plan objectives for growth management can be achieved. Possible mechanisms which should be evaluated include:

- A. *County supported block grant programs (local revenue sharing).*
- B. *Tax base sharing.*
- C. *Tax differential.*
- D. *Cost reimbursements. (Washington County Comprehensive Plan, 1981)*

Example: City's Intergovernmental Policies And Priority Actions Mirror County Recommendations; Here Is An Example.

City and County elected officials should reestablish the Urban Growth Area Committee to address major area-wide issues affecting City and County development and to provide direction and input to a detailed Urban Growth Area Plan.

City and County staffs should prepare a preliminary scope of work, budget and staff requirements for a plan, and the Planning Commission and staff should meet with the Urban Growth Area Committee to refine a scope of work for preparing the Urban Growth Area Plan. (City of Hagerstown Comprehensive Plan, 1988)

Example: Why A City Should "Plan" Beyond Its Borders.

The Land Use Plan - Vicinity, summarizes the desired development pattern in the county between the city limits and a line one mile beyond the city limits. This one mile zone is under the jurisdiction of Allegany County and therefore Frostburg has no direct control over its development. The county, however, must consult with Frostburg before taking land use actions within this area, so it is important for Frostburg to establish an attitude towards and develop plans for the area. Because this is the locale into which Frostburg may eventually grow, the city must make sure that development in this area is compatible with its overall city plans. (City of Frostburg Comprehensive Plan, 1990/91 Update)

Example: Cooperative Feasibility Studies Recommended.

It should be noted that Somerset's two principal towns are subject to their own Comprehensive Plans. Both communities do have a significant influence over land surrounding their boundaries and both towns appear desirous of annexing

adjacent areas of the County... Feasibility studies of future annexations should be a cooperative effort between the County and the Town wishing to annex. (Somerset County, Maryland Comprehensive Plan, 1991)

Example: The County And Its Municipalities.

Dorchester County residents depend on both the county and its municipalities for their necessary governmental services. The county, for example, provides education, public welfare and major roads. The municipalities provide central sewer and water facilities, local streets, and police protection within their jurisdictions. Other services such as parks and recreation, the airport, and the marine port are joint efforts.

Therefore,

the county, through the County Commissioners and the Planning and Zoning Commission, should work with their counterparts in the municipal governments to establish regular communication and effective cooperation for the mutual good.

*Because **the Plan's** growth areas concept places special importance on county/municipal cooperation,*

The County Planning Commission should coordinate with municipal officials on all land use matters within one mile of their corporate limits.

*The County Planning and Zoning Commission, because of its larger staff, should take the initiative in seeing that municipal plans are, to the maximum extent feasible, coordinated with each other and the county's **Comprehensive Plan...***

A study should be undertaken to examine all functions of the county government and the various towns to determine where additional cooperation is needed and potential savings are possible.

Planning, zoning administration, issuance of building permits, and code enforcement are just a few of the areas where additional cooperation could be beneficial to both parties. (Dorchester County Comprehensive Plan, 1974)

Example: A Proposed County/Municipal Coordination Mechanism.

It is recommended that the County and the towns establish a joint study committee charged with making recommendations and drafting memos of understanding concerning the annexation review process, targeting development to the towns, rateables, moderate income housing, and the compatibility of zoning districts at common boundaries. The committee should also be charged with developing recommendations for a permanent forum, such as a regional council of governments, in which the County and towns can discuss, decide, and implement policies on issues of mutual concern. (Cecil County Comprehensive Plan, 1990)

Example: Plan Highlights Town/County Agreement.

The City of Westminster and Carroll County have established an agreement for coordinating the joint review of subdivision plans and other planning matters. This agreement includes the following:

- 1. Procedures for joint review of: subdivision plans; development of, or amendments to, Master Plans; and petitions for annexation and rezoning requests;*
- 2. Policies and procedures regarding annexation and future corporate limits;*
- 3. Provision of the following county services to the City of Westminster:*
 - a. data processing for tax and utility billing;*
 - b. resident trooper augmentation of city police force;*
 - c. planning and zoning coordination; and*
 - d. building inspection.*
- 4. Sharing with Westminster a portion of a countywide grant program. (Comprehensive Plan Westminster And Environs, 1985)*



Example: Putting The Plan Into Action.

Each element of this Plan includes a review of plans or actions by other levels of government. This reinforces the fact that Frederick cannot plan in isolation. It is essential to plan, recognizing that other levels of government will take some of the steps necessary to implement the plan. It is also essential to coordinate the overall foundation or development concept desired for Frederick with those of the surrounding county, region, and state. Intergovernmental coordination cur-

rently is achieved in these ways:

- **City/County Meetings** - A monthly City/County meeting of elected officials and key departments afford an opportunity for communication and policy coordination.
- **City/County Development Referral Process** - One of the recommendations of the June 1988 Annexation/Plan Coordination Study was establishment of Joint Policies on Development review. Frederick City and County Planning Departments refer development proposals, rezonings, text amendments, and annexations for review and comment. The policy allows for either jurisdiction to call for a joint meeting to discuss a potential conflict which could necessitate a 30 day continuance on a matter...
- **Frederick County Council of Governments** - Frederick County Council of Governments brings together county and municipal officials to act upon issues of mutual concerns...
- **Maryland Office of Planning Clearinghouse** - The Statewide Clearinghouse circulates to local jurisdictions a notice of proposed State or federal action of potential impact. There is an opportunity for comment and for objections to be raised should actions be contrary to the local plan...
- **Capital Programming** - To ensure that capital projects using State funds are consistent with the Comprehensive Plan and Visions expressed in the 1992 Maryland Economic Growth, Resource Protection, and Planning Act, Frederick City has adopted procedures for review of all projects, state funded or not, in conjunction with the annual approval of the Frederick City Capital Improvement Program.

Frederick City also monitors Frederick County's Capital Improvement Program, particularly with respect to facilities such as schools and roads planned for the Frederick Region...

- **Staff Level Coordination** - Frederick County Planning Department staff meets monthly with County Planning and Board of Education staff to review status of approved projects under construction and those pending approval to enable accurate projection of enrollments. Similar staff level coordination occurs for special projects of either jurisdiction. City and County staff meet frequently to coordinate their respective approaches to the mandated Forest Conservation program. (Frederick City Comprehensive Plan Draft, 1993)

Example: County Recommends Joint Annexation Studies.

The organizational concept of the Comprehensive Plan's land use recommendations is one of growth directed toward communities where public facilities and services exist. The extension of these public facilities, if owned by the town, often depends upon annexation into the town. It is the County's intent to encourage annexation in such cases. Open communication between the incorporated municipalities and the County will facilitate agreement where services are or could be provided by more than one source. In recognition of the importance of sound annexation policies to proper planned growth, it is recommended that the Towns and County undertake joint annexation studies and all municipal master plans contain proposals for future annexation limits. These proposals should be developed to ensure coordinated planning and development and to avoid costly duplication of public services. (Frederick County Comprehensive Plan, 1990)

Conclusion

The Interjurisdictional Coordination Plan Element presented in this Chapter is offered as a reference tool. It is one approach to fully integrating planning with interjurisdictional issues. It should stimulate new ideas among local officials as they begin the process of updating their plans to meet the requirements of the 1992 Planning Act.

APPENDIX

This appendix section presents two samples of interjurisdictional planning agreements discussed in Chapter Two and a directory of planning agency contacts. The directory is provided for persons wanting more information about the plans, policies, and coordination mechanisms cited as examples in this report. The first two appendices are offered as a reference tool for local jurisdictions to use as a starting point for developing their own interjurisdictional planning agreements. The applicability of any particular agreement to address local interjurisdictional issues will depend on the parties involved. The two samples provided here represent agreements among a variety of types of jurisdictions:

- A. A county and town planning agreement.
- B. Adjacent counties and city planning agreement.

Appendix A: County and Town Planning Agreement

CITY/COUNTY AGREEMENT

(For Fiscal Year **1993-94** pertaining to sharing of funds and participation in planning and other governmental functions between Westminster and the County Commissioners of Carroll County)

This City/County Agreement made this ____ day of _____, 1993, between The Mayor and Common Council of Westminster hereinafter sometimes referred as "Westminster" or the "City") and The County Commissioners of Carroll County (hereinafter referred to as "County").

WHEREAS, it is the intent that Westminster and the County coordinate its planning and governmental functions in the interest of the citizens of Westminster, Carroll county, and

WHEREAS, it is desirable that an equitable assignment of funds received by both parties be made in the interest of providing services to all citizens in the most efficient and effective manner.

NOW, THEREFORE, considering their joint and separate public responsibilities, Westminster and the County do hereby establish and provide the following separate and joint actions:

I. SUBDIVISION, MASTER PLANS, ANNEXATION

(Joint Review Responsibilities)

WESTMINSTER

Copies of requests for subdivision of land, development of or amendments to Master Plans (including annexation plans), site plans, rezoning petitions, or petitions for annexations, will be forwarded to the County for its information and comment. In the case of subdivision, copies of any required sketch plans may be forwarded to the County for review and comment but, in any event, a copy of the preliminary subdivision plan or any revised preliminary plan which has been received after approval of sketch plans shall be sent to the County within 45 days of its receipt. Upon final approval of a plan, a copy of that plan, record plat mylars, and paper prints of mylars of approved site plans shall be forwarded to the County for its records. Master Plans or revisions thereto shall be forwarded to the County following its initial review by the City, but in no event later than 45 days prior to any scheduled public hearing. Annexation petitions shall be furnished the County at least 60 days before the public hearing regarding the annexation. Notices of hearing for any rezoning requests shall be sent to the County, prior to hearing, if adjacent to the corporate limits or if part of property annexed within a five year period previous to the request.

COUNTY

Upon receipt of requests for subdivision or site development within one mile of the corporate limits of Westminster, copies of a preliminary plan will be forwarded within 30 days of its receipt to the City for information and comment. On any new Master Plan or revision of Master Plans affecting any areas within one (1) mile of the City corporate limits, copies will be forwarded to the City at least 45 days prior to the hearing thereon. Notices of hearing for any rezoning and copies of the rezoning petition of property adjacent to the City corporate limits shall be furnished to the City or County at least 45 days prior to such a hearing at which time each shall be given the opportunity to present any comments.

REVIEW PROCESS

1. Westminster and the County shall give each an official written notice of any meeting or hearing in which a preliminary subdivision plan or site plan is to be reviewed, or a Master Plan, annexation petition, or petition for rezoning is to be considered which is within scope indicated herein.
2. At such meeting, Westminster or the County shall be afforded the right to present its written comments as a first item of business.
3. Any comments received by Westminster or the County shall be given due consideration in its final deliberations. Any decision pertaining to preliminary subdivision approval, annexation, or a master plan which may be contrary to comments or recommendations made by Westminster or the County shall be considered tentative and shall include any reasons for actions taken.
4. All decisions shall be in writing and copies shall be forwarded within 30 days to Westminster and the County for subdivision, site plan, master plans, zoning petitions, or annexation approval or disapproval.

APPEAL PROCESS

When Westminster or the county shall have made a tentative decision which is not in accordance with the desire of the other, an opportunity shall be afforded for an official joint meeting to further discuss the concerns or recommendations previously made. The concerns or recommendations shall be documented in writing and evidence of any detrimental short or long term findings shall be a part of the written document.

At such time as the evidence has been reviewed jointly by both parties, a decision shall be made by the jurisdiction which has the prime responsibility for approving the applications. The decision may be in the form of approval, disapproval, or approval with conditions.

POLICIES AND PROCEDURES REGARDING ANNEXATION

General Statement of Policy: The City and the County agree that the public health, safety, and

welfare will best be served by cooperation between the City and County with respect to coordinated responsibility for those areas which logically should become a part of the City of Westminster. For the purpose of establishing a continuity of municipal services as well as preserving the effectiveness of planning functions, the City and the County establish the following policies. These general policies shall not restrict the legislative powers of either the City or the County.

1. **Future Corporate Limit Line.** The City and County agree that future growth and development in the Westminster area to be served by public facilities should take place within the future corporate limits. To achieve this, the City and County will jointly agree upon and designate a future corporate limit line.
2. **Development of Property Within Future Corporate Limits.** When land is proposed for development within the future corporate limits, the County will require that land to be annexed to the City. The City will agree to accept the annexation of land within the future corporate limits.
3. **Development Procedures.** Where land is proposed for development within the future corporate limits, the developer shall first obtain from the County a determination of whether the development process will be under the County regulations and procedures, with annexation to follow development, or under the City regulations and procedures, with annexation to occur prior to or simultaneously with development. After seeking the advice of the City, the County will make this determination and communicate it to the developer and to the City. The County agrees that it will not approve development unless provision is made for annexation to the City, and the City agrees that it will not approve an annexation unless development has been completed under the County's jurisdiction or the County has determined that development take place under the City's regulations and procedures. The City and County will seek the advice and guidance of each other during the course of the development process.
4. **Already Developed Land.** The City and County concur in the objective that already developed land within the designated future corporate limits to become annexed to the City.
5. **Annual Renewal.** These policies and procedures under the within section entitled "Policies and Procedures Regarding Annexation" shall become a part of the City/County Agreement and shall be subject to annual review and renewal.

II. SERVICES AVAILABLE TO WESTMINSTER

Pursuant to separate memoranda of understanding, the County will make available Animal Control, Planning Services, Zoning Services, Building Permits and Inspection, Data Processing Services for Tax and Utility Billing, and Augmentation of Police protection by Resident Troopers, at the level as currently exists in unincorporated areas of the County without charge. Prior to County providing any of the above services, the Towns will have adopted, where required, an Ordinance or provisions similar to or the same as the County Ordinance which concerns the service and will have Town and County Attorneys review prior to the town and County authorizing the service to be performed by the County under provisions of the Town Ordinance.

County shall collect building permit fees for all Building Permits issued within the Westminster City limits and on a quarterly basis shall remit to the City of Westminster ten percent (10%) of all refunds of Building Permit fees pertaining to Building Permits previously issued within the City limits.

III. FUNDING GRANTS AVAILABLE TO WESTMINSTER

The County, upon the execution of this Agreement, will cause payment from its budget for Fiscal Year 1993-94, a grant in the amount of \$000,000. Such grant in each case shall be payable within 60 days following July 1, 1993 and be in addition to such other funds which shall be legally due from the County or from the County acting as an agent for other State or Federal funds.

PROCEDURES

Included as a part of this Agreement are procedures to be generally followed in conforming to the requirements set forth herein. The procedures are general and may be modified from time to time upon the mutual understanding of the two parties.

This Agreement shall become effective upon its adoption by Westminster and the County and shall terminate on June 30, 1994.

Appendix B: Adjacent Counties and City Planning Agreement

MEMORANDUM OF UNDERSTANDING

The Counties of Anne Arundel, Carroll, Frederick, Howard, Montgomery and Prince George's and the City of Laurel recognize that we are part of an interdependent regional fabric whose planning and infrastructure needs often cross jurisdictional lines. This recognition has been further distilled through our collegial involvement in a series of public interjurisdictional forums which were designed to identify additional opportunities for regional communication. We believe that all of use have a common interest in maintaining the region's quality of life. Regional problems can be solved by seeking regional solutions through cooperation and consensus. It is the intent of all parties to further enhance interjurisdictional communication.

Each jurisdiction recognizes the ability of a County or City to develop or 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 Maryland Growth Management Act.

Therefore, the Counties of Anne Arundel, Carroll, Frederick, Howard, Montgomery and Prince George's and the City of Laurel agree to the following:

1. We will work cooperatively on planning, regulatory, environmental and infrastructure issues having interjurisdictional implications and solutions. Each jurisdiction will 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.
2. Notification guidelines will be developed for reviewing our respective land use, regulatory and infrastructure related policies, plans and programs that affect neighboring jurisdictions.
3. Repositories will be established within each jurisdiction to allow interested citizens and officials the opportunity to review the plans and proposals of adjacent areas. It is recommended that the respective planning departments serve as central repositories for this purpose.
4. Every effort will be made to develop common approaches to data collection, analysis, and mapping formats (GIS) in coordination with the Metropolitan Washington Council of Governments and the Baltimore Metropolitan Council.
5. Quarterly meetings of planning department representatives from each jurisdiction will be scheduled to discuss planning issues of mutual concern and to provide ongoing communication to implement the recommendations for coordinated planning of future growth. The quarterly meetings will be augmented by less formal, ad hoc meeting of staff to discuss specific issues when deemed necessary.
6. The proposed time frame for initiating this memorandum is six months from the date of mutual agreement by all parties.

Signed this ____ day of _____ in the year ____.

Signatories are Anne Arundel, Carroll, Frederick, Howard, Montgomery, and Prince George's Counties and City of Laurel elected officials.

Appendix C: Directory of Planning Agency Contacts

This directory is provided for persons wanting more information about the policies, agreements and implementation measures cited in this report. All Maryland county and municipal planning agencies which contributed to the information provided in this report are listed.

Signatories are Carroll County and City of Westminster elected officials.

(410) 848-4500

COUNTY PLANNING CONTACTS

Mr. Robert J. Dvorak

Director

Anne Arundel County
Dept. of Planning & Code Enforcement
P.O. Box 6675
Annapolis MD 21404
(410) 222-7430

Mr. Al Wein

Planning Director

Cecil County
Planning and Zoning Office
County Office Building
129 East Main Street
Room 300
Elkton MD 21921
(410) 996-5220

Mr. Pat Keller

Director of Planning

Baltimore County
Office of Planning and Zoning
Courts Building
401 Bosley Avenue
Towson MD 21204
(410) 887-3211

Ms. Jacquelyn M. Seneschal

Director of Planning

Charles County
Department of Planning & Growth Management
Courthouse
P.O. Box B
La Plata MD 20646
(301) 645-0540

Mr. Frank A. Jaklitsch

Director

Calvert County
Department of Planning and Zoning
Courthouse Annex
Prince Frederick MD 20678
(410) 535-2348

Mr. Steve Dodd

Director of Planning

Dorchester County
Planning and Zoning Office
501 Court Lane
P.O. Box 307
Cambridge MD 21613
(410) 228-3234

Mr. Edmund R. Cueman

Director of Planning and Development

Carroll County
Planning and Zoning Commission
County Office Building
225 North Center Street
Westminster MD 21157

Mr. James R. Shaw

Director of Planning

Frederick County
Planning Commission
Winchester Hall
12 East Church Street

Frederick MD 21701
(301) 694-1134

Mr. John Nelson

Director
Garrett County
Planning Office
Old Courthouse
Room 307
Oakland MD 21550
(301) 334-1920

Mr. William G. Carroll

Director
Harford County
Department of Planning and Zoning
220 South Main Street
Bel Air MD 21014
(410) 638-3103

Mr. Joseph W. Rutter, Jr.

Director
Howard County
Department of Planning and Zoning
3430 Courthouse Drive
Ellicott City MD 21043
(410) 313-2350

Mr. Robert Marriott

Director of Planning
Montgomery County
Department of Planning
Md. National Capital Park & Planning Commission
8787 Georgia Avenue
Room 305
Silver Spring MD 20910-3760
(301) 495-4500

Ms. Fern Piret

Director of Planning
Prince George's County Department of Planning
Md. National Capital Park & Planning Commission
14741 Governor Oden Bowie Drive
Room 5032
Upper Marlboro Md 20772
(301) 952-3595

Mr. Steven Kaii-Ziegler

Director of Planning
Queen Anne's County
Department of Planning and Zoning
107 Liberty Street

Centreville MD 21617
(410) 758-1255

Mr. William C. Livingston

Director of Planning
Salisbury-Wicomico County
Planning and Zoning Commission
Government Office Building
Room 203
N. Division Street and E. Church St.
P.O. Box 870
Salisbury MD 21803-0870
(410) 548-4860

Ms. Joan Kean

Acting Director
Somerset County
Dept. of Technical & Community Services
Somerset County Office Complex
11916 Somerset Avenue
Room 102
Princess Anne MD 21853
(410) 651-1424

Mr. Daniel Cowee

Planning Officer
Talbot County
Office of Planning and Zoning
Courthouse
Easton MD 21601
(410) 822-2030

Mr. Robert C. Arch

Director
Washington County
Planning Department
County Administration Building
100 West Washington Street
Room 320
Hagerstown MD 21740
(301) 791-3065

MUNICIPAL PLANNING CONTACTS

Ms. Eileen P. Fogarty

Director of Planning and Zoning
City of Annapolis
Planning and Zoning Commission
160 Duke of Gloucester Street
Annapolis MD 21401
(410) 263-7961

Ms. Carol L. Deibel

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OTHER PUBLICATIONS AVAILABLE

The Maryland Office of Planning's Series: Managing Maryland's Growth

Models and Guidelines

**Procedures for Review of Local Construction Projects;
Review Checklist, Compliance Schedule, Work Program**
#92-13

Procedures for State Project Review Under the Planning Act of 1992
#93-02

Preparing a Sensitive Areas Element for the Comprehensive Plan
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Regulatory Streamlining
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Achieving "Consistency" Under the Planning Act of 1992
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Other Planning Act of 1992 Resource Publications

What You Need to Know About the Planning Act of 1992
#92-07

**Economic Growth, Resource Protection, and Planning Commission --
A Membership Guide**
#93-07

The Economic Growth, Resource Protection, and Planning Commission Publications

1993 Report - The Commission's Annual Report
Part 1: Recommendations
Part 2: Measures of Progress

What is Being Done to Manage Maryland's Growth? (Brochure)

Publications may be ordered from the Maryland Office of Planning,
301 West Preston Street, Room 1101, Baltimore, Maryland 21201.
Cost is \$2.00 each. *(There is no charge for the Brochure)*

READER RESPONSE FORM

The Maryland Office of Planning would appreciate receiving comments and suggestions concerning this report. Additional examples of interjurisdictional coordination mechanisms would be useful. Assessments of how well any of the mechanisms cited are working would be worth sharing with others. Please take the time to fill out this form and send it to the Maryland Office of Planning, 301 W. Preston Street, Baltimore, Maryland 21201-2365.

COMMENTS ON REPORT (How useful is it? Were you made aware of something you did not know? Will you try to use any of the mechanisms?). (Attach additional pages as necessary)

1.

2.

3.



RECOMMENDATIONS OF ADDITIONAL MECHANISMS AND EXAMPLES (Please attach copies of any documents as appropriate).

1.

2.

3.

NAME:

AFFILIATION:

ADDRESS:

.....

PHONE NUMBER:

Maryland's Models and Guidelines for Interjurisdictional Coordination for Comprehensive Planning