


# **2012 ANNUAL REPORT**

**of the**

## **CHARLES COUNTY PLANNING COMMISSION**

**(as required by the Land Use Article of the Annotated Code of Maryland)**



CHARLES COUNTY MARYLAND  
 Where Eagles Fly™

*Prepared by*

**The Planning Division  
Department of Planning and Growth Management  
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May 2013**

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## I. Purpose of Report

The Land Use Article, per SB280/HB295, SB273/HB294, and SB276/HB295, of the Annotated Code of Maryland requires the Planning Commission to prepare and file an annual report with the County Commissioners. It states that the report shall be made available for public inspection and a copy of the report shall be mailed to the Director of the Maryland Office of State Planning. The criteria for the content of the report are specified as follows:

"The annual report shall (a) index and locate on a map all changes in development patterns including land use, transportation, community facilities patterns, zoning map amendments, and subdivision plats which have occurred during the period covered by the report, and shall state whether these changes are or are not consistent with each other, with the recommendations of the last annual report, with adopted plans of adjoining jurisdictions, and with the adopted plans of all state and local jurisdictions that have the responsibility for financing and constructing public improvements necessary to implement the jurisdiction's plan; (b) contain statements and recommendations for improving the planning and development process within the jurisdiction."

The Annual Report for 2012 has been designed to address the requirements of recent legislation passed in 2009 titled Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions (Senate Bill 276 & House Bill 295). The Annual Report is not intended to provide a comprehensive account of the activities of the Planning Office.

### Sources of Additional Information

Detailed information on other endeavors, projects, operations and/or the status of submittals is available directly through the following sources:

Planning Office:	(301) 645-0540
Permits Administration:	(301) 645-0692
Capital and Development Services:	(301) 645-0641
County Attorney's Office:	(301) 645-0555
Automated Response System:	(301) 645-0600

Charles County Government Web Site: <[www.charlescountymd.gov](http://www.charlescountymd.gov)>

In compliance with the above-stated provision of the Land Use Article, this Annual Report was adopted by the Charles County Planning Commission on June 17, 2013 and forwarded to the Charles County Commissioners on June 24, 2013.

## II. Executive Summary

This Annual Report provides an opportunity for the Charles County Planning Commission to review development approvals for 2012. Actual development can then be compared to the overall vision of future development as articulated in the 2006 Comprehensive Plan. The managed growth strategy outlined in the 2006 Comprehensive Plan was first developed in 1990 and refined in 1997. One of the eight land use visions of the Comprehensive Plan is to concentrate development in suitable areas. The general theme of the plan is that the County should endeavor to preserve and enhance the present “character” of the County and improve the quality of life for its citizens while maintaining a pace of growth and development which is managed. This general theme, when interpreted in terms of land use, says that the County should adopt a “managed growth” philosophy toward the use of the land over which it has zoning authority and that development should be of a controlled nature, channeled into the most appropriate areas and discouraged in other areas. The County has determined that such a philosophy is necessary to cost-effectively sustain adequate levels of public services and facilities in the form of schools, transportation networks, sewer, water, police, fire, and other services that will be required to support present and future residents. The land use goal in the 2006 Comprehensive Plan is to direct 75% of all development to the northern and western portions of the County identified as the Development District.

Charles County's population increased from 149,242 to 150,592 between July 2011 and July 2012, according to the latest Census population estimates. These population figures correspond to an annualized growth rate of 0.90% during this period. According to the 2006 Comprehensive Plan, the target growth rate is approximately 1.7% but less than 2.0% per year. The average annual growth rate between 2003 and 2012 is 1.02%.

Charles County has seen growth over the past decade in terms of population and approved building lots. The following table (Figure 1) is a summary of development activity in Charles County from 2003 to 2012.

Figure 1: 2003-2012 Development Summary

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Residential Building Permits <sup>1</sup>	1,045	945	1,316	1,366	882	672	744	576	718	644
Number of Preliminary Plan Lots Approved <sup>2</sup>	1,935	1,642	1,566	1,897	458	381	313	250	1,333	729
Preliminary Plan Developed Acreage <sup>3</sup>	2,101	1,165	3,254	3,081	1,492	953	715	1,694	677	1,913
Number of Final Plat Lots approved	758	1,283	1,299	1,726	839	820	287	425	341	802
Final Plat Developed Acreage	2,455	2,061	3,488	3,139	2,500	3,403	1,332	1,470	1,173	4,068
Total Acres of Projected Open Space from Cluster Preliminary Plans <sup>4</sup>	<i>Not Available</i>			1,470	400	275	157	377	142	876
Total Acres of Protected Lands <sup>5</sup>	1,402	1,696	1,360	1,956	5,340	3,837	2,232	220	968	1,457
New Construction Sq. Ft. Approved (Site Plan Approval)	328,996	413,707	980,553	1,073,937	2,198,029	535,175	576,727	80,128	88,467	105,883

<sup>1</sup> Complete Town data included for 2005 and all subsequent years. 2001 includes Town data for La Plata only.

<sup>2</sup> 16 Preliminary Plans were submitted in 2012, and of these 2 had 5 lots or less.

<sup>3</sup> 2010 Preliminary Plan acreage includes 888 acres of residue, which can be further subdivided in the future. 2011 and 2012 Preliminary Plan acreage does not include residue.

<sup>4</sup> 2009, 2010, 2011 and 2012 open space acreage was collected through the new Net Open Space Data Calculation Table per Green Notice #09-12. 270.50 acres of the 876 open space acres reported in 2012 were from revised Preliminary Plans and not previously recorded as they predated the Open Space Data Table.

<sup>5</sup> See page 18 for a breakdown of protected lands.

## Conclusions & Recommendations

### **Conclusions**

Development approvals need to be compared to the vision of future development as outlined in the 2006 Comprehensive Plan to determine if it is consistent. In terms of the annual growth rate, the Comprehensive Plan specifies a target growth rate of approximately 1.7% but less than 2.0% per year. In 2012, the growth rate was 0.90%.

The Comprehensive Plan specifies that 75% of all development should be located inside the Development District. Development in the St. Charles Planned Unit Development is included as part of the Development District totals. Mixed use districts in Bryans Road and Waldorf are also included as part of the Development District, along with the mixed use district of Swan Point, a planned unit development. Further, commercial and industrial projects are also included in the overall development totals, which are primarily located within the Development District. In 2012, the County did not meet its target development goal with only 30% of the total Preliminary lots being located inside the Development District. The implementation of the recent Sustainable Growth and Agricultural Preservation Act of 2012 could potentially explain this anomaly. However, an analysis of preliminary plan lots inside the Development District from 2003 through 2012 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 74% over the ten year period.

In 2012, the County did not meet its target goal of 75% of the total final plat lots being located inside the Development District with 54%. Again, the implementation of the recent Sustainable Growth and Agricultural Preservation Act of 2012 could potentially explain this anomaly. An analysis of final plat lots inside the Development District from 2003 through 2012 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 72% over the ten year period.

Another goal articulated in the Comprehensive Plan is for housing. The Plan identifies a goal of approximately 70% single-family detached units, 20% townhouse units, and 10% apartment units. In terms of single-family housing, Charles County exceeded the target goal of 70% with 74% in 2012. For townhouses, the County exceeded the target goal of 20% with 26% in 2012. In terms of apartments and multifamily, the County did not meet its target goal of 10% as there were no approvals for units in 2012. However, an analysis of building permits from 2003 through 2012 demonstrates that the County is generally consistent with its Comprehensive Plan housing goals, averaging 70% for single family houses, 12% for townhomes, and 18% for apartments.

The following table (Figure 3) demonstrates how Charles County is generally consistent with the 2006 Comprehensive Plan targets and goals:

Figure 3: Development Consistency with Comprehensive Plan Goals

	<b>Comprehensive Plan Goals</b>	<b>2012</b>	<b>Average 2003-2012</b>
<b>% Lots Inside Development District: Preliminary Plans</b>	75%	30%	74%
<b>% Lots Inside Development District: Final Plats</b>	75%	54%	72%
<b>Housing: Single Family</b>	70%	74%	70%
<b>Housing: Townhomes</b>	20%	26%	12%
<b>Housing: Apartments</b>	10%	0%	18%

Per the state Smart, Green and Growing legislation, jurisdictions are to establish a goal toward increasing the percentage of growth within their Priority Funding Areas while decreasing the percentage of growth outside. The current policy of Charles County is aligned with the principles of the legislation by encouraging, as a matter of policy, the majority of its development into the Development District and the Priority Funding Areas (PFAs). Additionally, the County is committed to preserving 50% of its acreage from development. Charles County has been supporting smart growth as a policy and concept as reflected in the Planned Unit Development (PUD) of St. Charles Communities for well over three decades.

Currently, the trend lines indicate development is within the level of tolerance, however the Planning Commission must monitor and ensure that these trends continue. If data indicates a dramatic shift of development patterns, then the following questions must be considered in what action, if any, to initiate:

1. **Project Timing:** Developments often get approvals but are not built for years. Should development approvals be counted which may not come online for several years; or only development with building permits?
2. **Market:** Market desires for housing type and economic conditions greatly impact when and what type of development occurs.
3. **Time frame:** What is the time frame to be set to determine if percentages are being met?
4. **Balance:** To what extent can the percentages exceed limits before development is halted or delayed in order to then balance the desired percentages?
5. **Enforcement:** Is there a policy to stop development that exceeds the percentages based on the designated time frame? Or to delay projects until a balance is achieved?

## **Recommendations**

The Planning Commission recommends the following:

1. **If monitoring through the Annual Reporting process reveals that the County is not meeting its Comprehensive planning goals, then implement strategies to control the pace of growth and to promote the concentration of development within the Development District and Priority Funding Areas.**
2. **Implement superior design criteria and track open space, especially for cluster subdivisions. Continue to monitor development design.**
3. **Develop and implement the findings from the Water Resources Element in the new 2013 Comprehensive Plan.**
4. **Continue annual updates of the Protected Lands Map.**
5. **The Planning Commission recommended and submitted a tier map to the County Commissioners in November 2012, which the County Commissioners are currently reviewing for approval.**

## **III. Introduction**

### **Planning Commission Functions and Membership**

The Planning Commission consists of seven members who are appointed by the County Commissioners. Members serve four-year terms, with a chairperson appointed annually by the Commissioners.

The purpose and functions of the Charles County Planning Commission are stated in the Land Use Article, Charles County Code of Public Laws, and the Charles County Zoning Ordinance. Functions include:

- Prepare and recommend a comprehensive plan for development of the jurisdiction, including among other things, land use, water and sewerage facilities, and transportation;
- Review and approve the subdivision of land of the jurisdiction;
- Reserve transportation facility rights-of-way;
- Review and approve adequate public facilities studies and mitigation measures;
- Approve and periodically amend the Site Design and Architectural Guidelines;
- Review and provide recommendations on rezoning requests for base zones, overlay zones, and floating zones;
- Review and make recommendations for amendments to the Zoning Ordinance and the Subdivision Regulations; and
- Adopt rules and regulations governing its procedure and operation not inconsistent with the provisions of the Zoning Ordinance.

During CY2012, the Charles County Planning Commission conducted twenty-four regularly scheduled meetings and one special meeting.

### **Annual Reporting**

This Annual Report provides an opportunity for the Charles County Planning Commission to review development approvals each year. Actual development can then be compared to the overall vision of future development as articulated in the 2006 Comprehensive Plan. The managed growth strategy outlined in the 2006 Comprehensive Plan was first developed in 1990 and refined in 1997. The first of eight land use visions of the Comprehensive Plan seeks to concentrate development in suitable areas permitting efficient use of current and planned infrastructure improvements including roads, water and sewer, and school construction. The land use goal in the currently adopted 2006 Comprehensive Plan is to direct 75% of all development to the northern and western portions of the county identified as the Development District.

## IV. Growth Related Changes in 2012

### Development Patterns

The following section provides an in-depth look at development patterns that have occurred during calendar year 2012. A map is attached in the Appendix that shows the changes in development patterns including preliminary subdivision plans, final plats, and zoning map changes.

#### **A. New Building Permits Issued**

In 2012, there were 644 residential building permits and 28 commercial building permits issued in Charles County.

#### **B. Preliminary Plan Approvals**

A Preliminary Subdivision Plan is the initial plan of subdivision consisting of drawings and supplementary materials that indicate the proposed layout of a subdivision. Approval of a Preliminary Subdivision Plan establishes general consistency with the Charles County Comprehensive Plan, and compliance with the requirements of the Zoning Ordinance and Subdivision Regulations that are known to be applicable during the preliminary review stages. Lots proposed with a Preliminary Subdivision Plan may be for future residential, commercial or industrial purposes. Preliminary Subdivision Plans are approved by the Planning Commission.

Preliminary Subdivision Plans are required in Charles County for all major subdivisions. Prior to December 31<sup>st</sup>, 2012, a subdivision project is considered to be a major subdivision when more than five lots are proposed, or the proposed subdivision will result in the creation of more than five lots from a tract after June 15, 1976. The latter of the two requirements for Preliminary Subdivision Plans are often smaller projects consisting of a few lots or the subdivision of residue parcels that may have been previously reported as developed.

During their twenty-four regularly scheduled meetings in 2012, the Planning Commission approved sixteen (16) Preliminary Subdivision Plans. Of the 729 newly approved lots, 538 were created for single-family housing, 170 for townhomes, and 21 for commercial/industrial. Of the total 729 lots approved during 2012, 222 lots were located inside the Development District, and the remaining 507 lots were located outside. Of the lots located inside the Development District, there were 6 commercial lots located in the St. Charles Planned Unit Development (PUD). Figure 4 on the following page summarizes Preliminary Subdivision Plan activity for 2012.



Figure 4: Preliminary Subdivision Plan Activity Inside and Outside the Development District for 2012

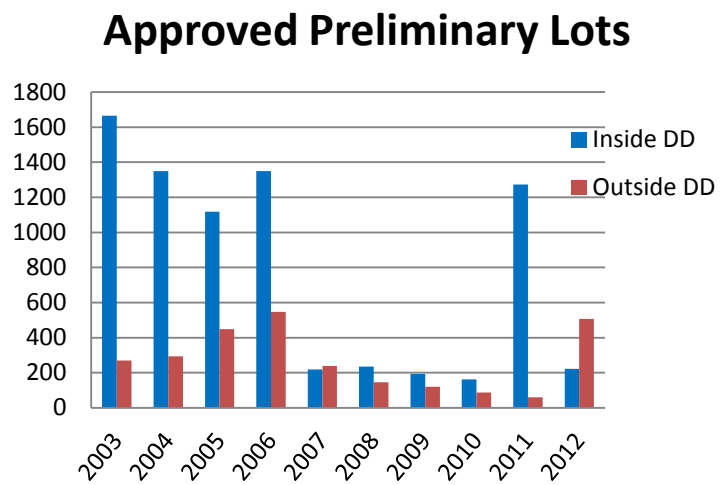
	Approved Minor Preliminary Plans: 5 Lots or Less	Approved Major Preliminary Plans: 6 Lots or More	Total Number of Approved Preliminary Plans in 2012	Total Number of Approved Preliminary Lots in 2012
	Total Number of Lots	Total Number of Lots		
Inside of the Development District			5	222
Single-family	0	31		
Townhouse	0	170		
Apartments	0	0		
Condominiums	0	0		
Commercial	0	21		
Total	0	222		
Outside of the Development District			11	507
Single-family	4	503		
Townhouse	0	0		
Apartments	0	0		
Condominiums	0	0		
Commercial	0	0		
Total	4	503	Total: 16	Total: 729

Figure 5 on the following page shows the distribution of Preliminary Plan lots approved inside and outside of the Development District between 2003 and 2012. Similarly, Figure 6 on the following page graphically depicts the total number of Preliminary Plan lots approved inside and outside of the Development District from 2003-2012.

Figure 5: Number of Preliminary Lots Approved Inside and Outside of the Development District<sup>6</sup>

YEAR	Total Number of Lots	Total Lots Inside DD	Total Lots Outside DD
2003	1,935	1,665 (86%)	270 (14%)
2004	1,642	1,349 (82%)	293 (18%)
2005	1,566	1,118 (71%)	448 (29%)
2006	1,897	1,350 (71%)	547 (29%)
2007	458	219 (48%)	239 (52%)
2008	381	236 (62%)	145 (38%)
2009	313	193 (62%)	120 (38%)
2010	250	160 (64%)	90 (36%)
2011	1,333	1,273 (95%)	60 (5%)
2012	729	222 (30%)	507 (70%)
<b>Total</b>	<b>10,504</b>	<b>7,788 (74%)</b>	<b>2,716 (26%)</b>

Figure 6: Approved Preliminary Lots



### C. Final Plat Approvals

A Final Subdivision Plat establishes the official division of land that is approved by the Department of Planning and Growth Management and is recorded in the Land Records of Charles County. A *major* Final Subdivision Plat is for subdivisions that have been subdivided five or more times and meet the following criteria:

- The creation of more than a total of five (5) lots, from a parcel that was in existence on June 15, 1976.
- The creation of any new public streets proposed as part of a private development.
- The extension of a public water or sewer system proposed as a part of a private development.
- The installation of off- site drainage improvements through one or more lots to serve one or more other lots proposed as a part of a private development.

Major Final Subdivision Plats are subject to, and approved in accordance, with an approved Preliminary Subdivision Plan. Final Plats are approved by the Planning Commission, and signed by the Chairman of the Planning Commission. In contrast, prior to December 31<sup>st</sup>, 2012, a *minor* Final Subdivision Plat, is for subdivisions that have not been subdivided more than five times (five lots or less) and does not meet any of the criteria for major Final Plats, does not require a Preliminary Subdivision Plan and is prepared in accordance with the applicable Subdivision Regulations. A *minor* Final Subdivision Plat is signed by the Director of Planning in lieu of the Planning Commission Chairman.

During 2012, the Planning Commission approved a total of ninety-eight (98) Final Subdivision Plats containing a total of 802 lots. Two commercial final plats were recorded in 2012. In terms of residential lots, 436 lots were recorded inside the Development District and 366 lots were recorded outside the Development District. Of the lots located inside the Development District, there were 248 lots located in the St. Charles PUD. This represents 57% of the lots located inside of the Development District, and 31% of the total final plat lots. Figure 7, on the following page, shows the distribution of Final Plat lots approved inside and outside of the Development District

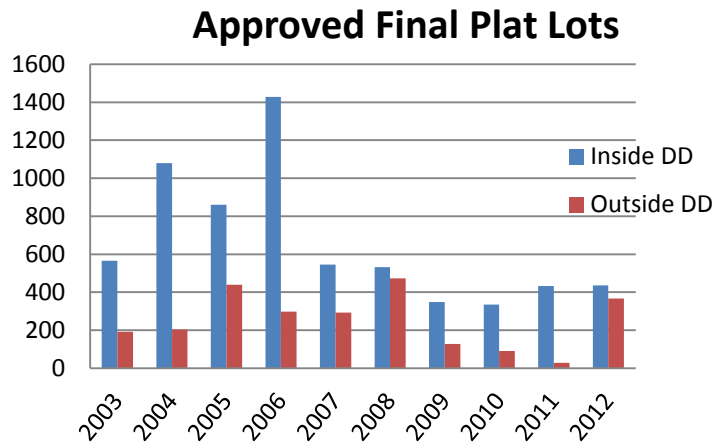
<sup>6</sup> Preliminary Plan lot numbers include apartment and multifamily (duplex, triplex, quadriplex) units, if applicable. For example, in 2006, the total number of lots was 1,897, which includes 659 apartment units and 84 condominium units. In 2011, there were 224 apartment/multifamily units approved on new Preliminary Plans.

between 2003 and 2012. Similarly, Figure 8, below, graphically depicts the total number of Final Plat lots approved inside and outside of the Development District from 2003-2012.

Figure 7: Number of Final Plat Lots Approved Inside and Outside of the Development District<sup>7</sup>

YEAR	TOTAL NUMBER OF LOTS	TOTAL LOTS INSIDE	TOTAL LOTS OUTSIDE
2003	758	566 (75%)	192 (25%)
2004	1,283	1,079 (84%)	204 (16%)
2005	1,299	860 (66%)	439 (34%)
2006	1,726	1,429 (83%)	297 (17%)
2007	839	546 (65%)	293 (35%)
2008	1,004	532 (53%)	472 (47%)
2009	475	348 (73%)	127 (27%)
2010	425	334 (79%)	91 (21%)
2011	461	433 (94%)	28 (6%)
2012	802	436 (54%)	366 (46%)
<b>Total</b>	<b>9,072</b>	<b>6,563 (72%)</b>	<b>2,509 (28%)</b>

Figure 8: Approved Final Plat Lots



#### D. Site Plan Approvals

Minor Site Plans are Site Plans for detached single and two family dwellings, accessory buildings, additions less than 1,200 feet for residential uses, and change in use. Major Site Plans are any Site Plans other than those identified as Minor Site Plan applications.

In 2012, the Planning Commission approved a total of 105,883 square feet of non-residential development on 921 acres of land. Of this, 105,385 square feet of non-residential development on 301 acres was approved inside the Development District. Further, 498 square feet of non-residential development on 620 acres was approved outside of the Development District. There was 22,554 square feet of non-residential development located on 79 acres inside the St. Charles PUD in 2012.

#### E. Zoning Map Amendments

A Zoning Map Amendment (ZMA) is a Local Map Amendment application that requests the rezoning of land to a different base zone. An application for a ZMA is required to demonstrate that either a change in the character of the neighborhood of the subject property has occurred or that a mistake was made in the current zoning of the subject property. ZMA requests are presented to the members of the Planning Commission at a Public Meeting. The Planning Commission then votes to make either a recommendation of approval or denial of the ZMA to the Charles County Commissioners. The Charles County Commissioners hold a Public Hearing on the proposed ZMA and subsequently vote as to whether or not the rezoning should be approved. The following ZMA's were processed in 2012 and reflect the status at the end of 2012:

<sup>7</sup> Final Plat lot numbers in Figure 6 include apartment and multi-family (duplex, triplex, quadriplex) units, if applicable.

Apartment units are not counted as individual lots on final plats; therefore, this information was extracted from building permit data and added to the appropriate plat year in Figure 6.

ZMA #11-43, Waldorf Estates Property

The purpose of this request is to rezone part of the property from Rural Conservation (RC) to Community Commercial (CC) based on a change in the character of the neighborhood. The Planning Commission recommended denial of the request. The County Commissioners denied the amendment.

ZMA #12-45, Swan Point Growth Allocation, & Docket 250 Amendment 12-250(1)

The purpose of this request is to change when environmental easements are required to be recorded. The current approval requires environmental easements be recorded prior to the approval of the first preliminary plan on the entire property. The applicant requested that this be changed to the requirement that they record and bond FIDS easements by pre-designated phasing at the time of the first Development Services permit for that phase and not at preliminary plan stage. The matter is pending before the Critical Area Commission.

**F. Zoning Text Amendments**

A Zoning Text Amendment (ZTA) is a proposal to add new text, amend existing text, and/or delete existing text from the Charles County Zoning Ordinance. ZTA requests are presented to the members of the Planning Commission at a Public Meeting. The Planning Commission then votes to make either a recommendation of approval or denial of the ZTA to the Charles County Commissioners. The Charles County Commissioners hold a Public Hearing on the proposed ZTA and subsequently vote as to whether or not the text amendment should be approved. The following ZTA's were processed in 2012 and reflect the status at the end of 2012:

ZTA #11-125, Medical/Office Building Parking

The purpose of this amendment is to amend parking requirements in Use #5.01.116 (Offices or Clinics of Physicians, Dentists, or Chiropractors) found within Figure XX-1 Table of Off-Street Parking Requirements, in order to revise the current requirement of 4 spaces per exam, diagnostic and/or treatment room, plus 1 employee and replace it with a 1 space per 200 square feet of gross floor area requirement. The Planning Commission recommended approval to the County Commissioners. The County Commissioners approved the amendment.

ZTA #11-126, Commercial Kennels in the Low-Density Residential (RL) Zone

The proposed amendment changes the use in the Table of Permissible Uses to permit commercial kennels, with conditions, in the Low-Density (RL) zone. The Planning Commission recommended denial of the amendment, but the County Commissioners approved it.

ZTA 11-128, Sign Ordinance

The purpose of this amendment is to correct inconsistencies and add village signs and agri-tourism sign programs. Both the Planning Commission and the County Commissioners approved the amendment.

PDZA 00-77, Waldorf Crossing TOD, Step 2, General Development Plan Approval

Waldorf Crossing TOD is a planned development consisting of 789 residential units and 453,000 square feet of commercial/office space. The General Development Plan (GDP) approved three phases of the project to allow for a mixture of building types. In addition, the GDP approved the design code for the overall project.

PDZA 12-90(16), Fairway Village Master Plan Amendment

The purpose of this amendment is to revise the mix of dwelling unit types and the number of units within the Gleneagles North and Gleneagles South neighborhoods of Fairway Village; revise the use of the Fairway Village Center, Parcel EE1 located at St. Charles Parkways and Billingsley Rd. to commercial instead of mixed commercial/residential; update certain conditions of approval; provide for the use of Urban Road Standards within Fairway Village; and provide other updates to the current Master Plan. Both the Planning Commission and the County Commissioners approved the amendment.

### PDZA 12-90(17), Villages of Wooded Glen & Piney Reach Master Plan Amendment

The purpose of this amendment is to revise the mix of dwelling unit types and the number of lots within the neighborhoods of the Villages of Wooded Glen & Piney Reach, and to provide for the use of Urban Road Standards within this Planned Unit Development, as well as to provide other updates to the current Master Plan. The amendment was approved by both the Planning Commission and the County Commissioners.

### **G. Comprehensive Plan Updates**

Charles County is in the process of the Comprehensive Plan Update for 2013. In 2012, the Charles County Commissioners affirmed the Planning Commission's adoption of the Water Resources Element of the Comprehensive Plan. The adoption of the Water Resources element complies with House Bill 1141, as adopted by the Maryland State Legislature in 2006.

### **H. Infrastructure Changes**

There were no new roads or major transit facilities constructed or improved in 2012. However, the County completed construction of the Piney Branch Sewer Interceptor Upgrade, the replacement of the Bel Alton Wastewater Treatment Plant, and the interconnection of the Strawberry Hills water system with the Bryans Road water system. The Piney Branch Interceptor project added a 36-inch sewer line adjacent to the existing interceptor, and provides the necessary capacity to accommodate planned growth in the south-eastern portion of the St. Charles Planned Unit Development. The Bel Alton Wastewater Treatment Plant was an in-kind replacement of the previous sewage treatment facility with no net increase in capacity. However, the plant enabled several existing buildings within the Village Priority Funding Area to abandon their antiquated treatment systems and substantially reduce their nutrient loads through this modern treatment facility. The Strawberry Hills water line extension created a vital link with the Bryans Road water system, creating an additional water source, increasing water pressures in the community, and enabling the County to further reduce the impact on the Lower Patapsco aquifer in Western Charles County.

Charles County also completed two major drainage infrastructure improvement projects. The Dogwood Drive drainage improvements, located within the Pinefield community, installed innovative stormwater management mechanisms in an area that predated contemporary stormwater management regulation. The County also completed the replacement of a large three-cell culvert on Hamilton Road in the Waldorf area, which eliminated the recurrent flooding that occurred during major rain events.

### **I. New Schools or Additions to Schools**

The County Commissioners and the Board of Education initiated the construction of the new St. Charles High School, which is designated to open in the fall of 2014.

### **Consistency Analysis**

It is important to determine if the changes in development patterns described above are consistent with, (1) each other; (2) recommendations of the previous Annual Report; (3) Charles County adopted plans; (4) adopted plans of all adjoining jurisdictions; and (5) the adopted plans of State and local jurisdictions that have responsibility for financing and constructing public improvements necessary to implement Charles County's plan. This analysis has been completed below.

#### **1. Consistency of Development Changes with each other**

All zoning amendments and development approvals were internally consistent with the Comprehensive Plan and Zoning Ordinance. However, it is important to note that there were more housing units approved on preliminary plans outside of the Priority Funding Area than inside in 2012. This could have been a result of a shift in housing type preference for single-family housing in the rural area.

- 2. Consistency of Development Changes with Recommendations of 2011 Annual Report**  
Changes as a result of development were consistent with the previous annual report. Again, it is important to note that there were more housing units approved on preliminary plans outside of the Priority Funding Area than inside in 2012. This could have been a result of a shift in housing type preference for single-family housing in the rural area.
- 3. Consistency of Development Changes with Charles County Adopted Plans**  
Changes as a result of development were consistent with adopted plans.
- 4. Consistency of Development Changes with Adopted Plans of Adjoining Jurisdictions**  
Changes as a result of development were consistent with adjoining jurisdictions.
- 5. Consistency of Development Changes with Adopted Plans of State and Local Jurisdictions Related to Infrastructure Improvements**  
Infrastructure improvements are based on our direction of the Comprehensive Plan which is adopted and found to be consistent with State plans.

### **Process Improvements**

In 2012, a consultant was hired to evaluate the County's codes and ordinances to make them more energy efficient. A report has been drafted with suggested code changes. These code changes will be going through the public process for review. The Staff is also undergoing a comprehensive review of the development review and approval process with the ultimate goal being to create an electronic review and approval process for development applications.

### **Ordinances and/or Regulations**

Bill 2012-12 was approved at the end of 2012. This bill revised the subdivision ordinance regarding definition of minor subdivisions increasing the lots from 5 to 7 lots under certain conditions. The conditions for qualification for increasing minor subdivisions were further defined and distributed as a part of the public notification process which is now in place.

During calendar year 2012, the Planning Commission devoted significant time considering tier map options as per the requirements of SB236. After holding public meetings and conducting work sessions, the Planning Commission transmitted a recommended Tier Map to the County Commissioners in November 2012. As of May 2013, no action has been taken by the County Commissioners with regard to the Planning Commission's recommendation.

During calendar year 2012, Charles County Department of PGM utilized technical assistance from LimnoTech, Inc. to analyze the cost effectiveness of three different nutrient reduction scenarios for two source sectors: urban stormwater and septic. These are fully described in the *Charles County Phase II Watershed Implementation Plan (WIP) Strategy, February 2013*. The most cost effective scenarios, along with two-year milestones (July 2013-June 2015) were presented to the County's WIP II Workgroup, and the County Commissioners in April 2013. The County Commissioners approved the two year milestones to be forwarded to the Maryland Department of Environment.

## V. Smart Growth Goals, Measures, and Indicators and Implementation of the Planning Visions

Senate Bill 276 and House Bill 295 titled Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions, requires local planning commissions and boards to include specified smart growth measures and indicators, and information on a local land use goal as part of the Annual Report. This information is included below for 2012.

### Measures and Indicators

#### **A. Amount and Share of Growth being located inside and outside the Priority Funding Area**

Priority Funding Areas are existing communities and places where State and local governments want to target their efforts to encourage and support economic development and new growth. Further, these locations are also where local governments want State investment to support future growth. The Priority Funding Areas map for Charles County is included in the appendix.

#### Residential Growth

##### *Preliminary Subdivision Plans*

There were sixteen Preliminary Subdivision Plans that approved 708 residential lots on 1,624 acres of land. There were 0 residential preliminary lots located in the St. Charles PUD in 2012. The Preliminary Subdivision Plans can be broken down as follows:

Inside the Priority Funding Area: **170 Units** (Townhouses) and **29 acres**

Outside the Priority Funding Area: **538 Units** (Single-Family Detached) and **1,595 acres**

##### *Final Plats*

There were 98 Final Plats, of which 56 Final Plats recorded 800 new residential lots on 4,017 acres of land in 2012. There were 246 lots, representing 31% of the total final plat lots, located in the St. Charles PUD. The Final Plats can be broken down as follows:

Inside the Priority Funding Area: **464 Units** and **1,478 acres**

Outside the Priority Funding Area: **336 Units** and **2,539 acres**

#### Non-Residential Growth

The total square footage of non-residential growth in 2012 was 105,883 square feet encompassing 921 acres of land. This can be broken down into the following categories:

##### Inside the Priority Funding Area

- 1) Office: **22,654** square feet and **1** acre
- 2) Retail: **41,564** square feet and **111** acres
- 3) Industrial: **2,256** square feet and **32** acres
- 4) Institutional: **38,911** square feet and **147** acres

##### Outside the Priority Funding Area

- 1) Office: **0** square feet and **0** acres
- 2) Retail: **498** square feet and **242** acres
- 3) Industrial: **0** square feet and **3** acres
- 4) Institutional: **0** square feet and **385** acres

## Redevelopment

There were four properties in White Plains and Waldorf approved for redevelopment in 2012.

### **B. Net Density of Growth being located inside and outside the Priority Funding Area in 2012**

In an effort to simplify the calculation of net density and have it apply to all counties and municipalities, the Maryland Department of Planning has suggested that it be calculated based on the average lot size, which assumes one dwelling unit per lot. For residential uses, net density is the average lot size (total area of residential lots divided by the number of residential lots). For non-residential uses, net density is the floor area ratio of all non-residential development (total non-residential lot area divided by the total non-residential building area).

#### For Preliminary Plans:

In 2012, there were sixteen (16) Preliminary Plans that were approved by the Planning Commission.

##### *Net Density of Proposed Projects Countywide*

Total Area of Residential Lots: **661** acres / Total Number of Lots: **708** = **0.93** acres average lot size

##### *Net Density of Proposed Projects inside the Priority Funding Area*

Total Area of Residential Lots: **9** acres / Total Number of Lots: **170** = **0.05** acres average lot size

##### *Net Density of Proposed Projects outside the Priority Funding Area*

Total Area of Residential Lots: **652** acres / Total Number of Lots: **538** = **1.21** acres average lot size

#### For Final Plats:

In 2012, there were fifty-six (56) residential plats approved by the Planning Commission.

##### *Net Density of Proposed Projects Countywide*

Total Area of Residential Lots: **795** acres / Total Number of Lots: **800** = **0.99** acres average lot size

##### *Net Density of Proposed Projects inside the PFA*

Total Area of Residential Lots: **50** acres / Total Number of Lots: **460** = **0.11** acres average lot size

##### *Net Density of Proposed Projects outside the PFA*

Total Area of Residential Lots: **745** acres / Total Number of Lots: **340** = **2.19** acres average lot size

#### For Site Plans:

##### *Net Density of Proposed Projects Countywide*

Total Area of Non-Residential Lots: **921** acres / Total Non-Residential Building Area: **105,883** sq. ft. = **0.008** floor area ratio

##### *Net Density of Proposed Projects inside the PFA*

Total Area of Non-Residential Lots: **291** acres / Total Non-Residential Building Area: **105,385** sq. ft. = **0.002** floor area ratio

##### *Net Density of Proposed Projects outside the PFA*

Total Area of Non-Residential Lots: **630** acres / Total Non-Residential Building Area: **498** sq. ft. = **1.27** floor area ratio



### C. Creation of New Lots and the Issuance of Residential and Commercial Building Permits Inside and Outside of the PFA in 2012

#### Final Plats

Number of recorded lots inside the PFA = 466

Number of recorded lots outside the PFA = 336

#### Building Permits

- Residential = 644
  - Inside the PFA = 307
  - Outside the PFA = 337
- Commercial = 28
  - Inside the PFA = 22
  - Outside the PFA = 6

#### Preliminary Plans

Figure 9: Inside the Priority Funding Area

Subdivision Name	Total Acreage	Total Number of Lots
Hamilton Park	28.71	170
Indian Head Science & Technology Park	260.52	15
Fairway Village Parcel AA	26.16	6
Fieldside, Revision #1	0	0
<b>Total</b>	<b>317.81</b>	<b>191</b>

Figure 10: Outside the Priority Funding Area

Subdivision Name	Total Acreage	Total Number of Lots
Shad Crossing	18.97	31
Fischer's Grant, Revision #1	0	109
Millseat I, Revision #1	0	0
Millseat II	204.69	52
Beethoven Place	305.14	83
Chandler's Town Phase 3	140.47	37
Simpson's Corner Overlook	7.09	2
Gilbert Run	455.94	100
Hamilton Farm	272.75	69
Knotting Hill, Phase 2	18.79	7
Normandy Farms, Section 3	12.00	2
High Pointe	159.49	46
<b>Total</b>	<b>1595.33</b>	<b>538</b>

#### Use and Occupancy Permits

There were 689 Use and Occupancy Permits issued during 2012.

#### **D. Development Capacity Analysis**

Charles County is currently in the process of updating the Comprehensive Plan for 2013. Therefore, the development capacity analysis will be available upon completion of the Comprehensive Plan Update for 2013 as part of a future Planning Commission Annual Report.

**E. Number of Acres Preserved in 2012**

- Number of acres preserved using local agricultural land preservation funding: 710 acres
- Number of acres preserved using other local funds or use of easements:  
 198 acres through the Transfer of Development Rights (TDR) program  
 226 acres through the Forest Conservation program  
 51.5 acres through Rural Legacy program

Figure 11 below provides an in-depth breakdown of protected lands in Charles County.

Figure 11: Protected Lands in Charles County through December 2012 (in acres)

	<b>Type of Protection</b>	<b>Protected through 2011</b>	<b>2012 Data</b>	<b>Protected through 2012</b>
Regulatory	Resource Protection Zone (RPZ)	29,554	39 <sup>8</sup>	29,593
	Forest Conservation Easements	7,983	226	8,209
	Stream Buffers in the Critical Area/Critical Area Buffer outside of the RPZ (IDZ and LDZ)	612		612
Federal	Federal Properties	1,600		1,600
State	State owned Resource Land	20,026	136	20,162
	State Owned Easements	3,396		3,396
	Maryland Agricultural Land Preservation Easements (MALPF)	5,687	710	6,397
	Maryland Historical Trust (MHT)	247		247
	Maryland Environmental Trust (MET)	5,988		5,988
State/Local	Rural Legacy Easement Properties	3,059	51	3,110
	Transferrable Development Rights	4,958	198	5,156
	County and Town Parks	2,790	97	2,887
Other	The Nature Conservancy (TNC)	2,747		2,747
	Conservancy for Charles County (CCC)	113		113
	Joint MET & CCC Properties	1,032		1,032
<b>Total Acres Protected</b>		<b>89,792</b>	<b>1,457</b>	<b>91,249</b>
<b>Total Acres of Projected Open Space from Preliminary Plans for 2012</b>			876	

<sup>8</sup> Increase in RPZ was a result of updated GIS polygon data.

**F. Local Land Use Goal & Comprehensive Plan Goals**

*Local Land Use Goal*

Local Land Use Goal:

The stated land use goal for 2012 is articulated in the Comprehensive Plan as follows:

“Maintain a planned land use pattern of compatible utilization of land and water guiding future growth into efficient and serviceable form.”

The Comprehensive Plan is now undergoing extensive revisions and it is anticipated that this goal will be revised once the updated plan is completed.

Timeframe for achieving the goal:

The timeframe is ongoing and based on the direction of additional policies and programs as outlined in the plan and implemented through various codes and ordinances.

Resources necessary:

Resource needs are reviewed on an annual basis as a part of the County budget process.

*Annual Growth Rate*

In July of 2006, a target growth rate of approximately 1.7% but less than 2.0% per year was adopted with the 2006 Comprehensive Plan update. The table (Figure 12) below demonstrates the population growth rate per year between 2003 and 2012. In 2012, the growth rate was 0.90%. The average growth rate between 2003 and 2012 is 1.02%.

Figure 12: Population Growth Rate Per Year<sup>9</sup>

Year (FY)	Population	Growth Rate per Year	Average for 1997 & 2006 Comp. Plan Periods
2003	131,099	2.70%	1.02%
2004	134,307	2.45%	
2005	136,887	1.92%	
2006	139,124	1.63%	
2007	140,434	0.94%	
2008	141,233	0.57%	
2009	141,981	0.53%	
2010	147,113	3.61%	
2011	149,242	1.45%	
2012	150,592	0.90%	

<sup>9</sup> The population growth rates per year are based on updated U.S. Census Bureau estimated population figures as of July 1<sup>st</sup>, 2012.

*Charles County Open Space Goal Acreage Analysis*

Charles County has an open space preservation goal of 50%. The following table (Figure 13) provides a summary of the County’s preservation efforts through 2012 to meet this open space goal.

Figure 13: Open Space Goal Acreage Analysis

Category	Acres	Comments
Total County land area	294,404	
50% overall open space protection goal	147,202	294,404/2
Protected through December 2012	91,249	62% of goal, 31% of County total Land area
<u>Additional needed to meet goal</u>	<u>55,953</u>	

*Housing Diversity*

According to the 2006 Comprehensive Plan, in order to meet population projections, the target number of housing units in the County from the year 2005 to the year 2025 should be 23,300. This breaks down to approximately 1,110 dwelling units per year for the 21-year period. According to building permit data, the actual average residential units per year since 2001 is 957 with peak years in 2002, 2005 and 2006.

The Comprehensive Plan (1997 & 2006) identifies a housing goal of approximately 70-percent single-family detached units, 20-percent townhouse units and 10-percent apartment units. In 2012, building permit data indicates a total of 644 units permitted throughout the County including 475 single-family detached dwellings (74%), 169 townhomes (26%) and 0 apartments/multifamily units. Therefore, using building permit data as an indicator, in 2012 the County generally met its goal for both single-family dwellings and townhomes, however did not meet its goal for apartments. Please see Figure 14 below for a breakdown of housing types per year since 2003.

Figure 14: Actual Residential Units Per Year<sup>10</sup>

YEAR	SFD's	Townhomes	Multifamily*	Total
2003	829	116	100	1045
2004	909	34	2	945
2005	896	12	408	1316
2006	939	161	266	1366
2007	505	129	248	882
2008	377	29	266	672
2009	371	185	188	744
2010	499	57	20	576
2011	434	135	124	693
2012	475 (74%)	169 (26%)	0	644
<b>Total</b>	6,234	1,027	1,622	8,883
<b>Average #</b>	623	102	162	887
<b>Average %</b>	70%	12%	18%	

Source: Charles County Permits Administration, PGM

\* Multifamily category includes Apartments, Duplex, Triplex, Quadriplex units

<sup>10</sup> Complete Town data included for 2005 and all subsequent years. 2004 includes Town data for La Plata only.

### Recorded Lots – Built vs. Vacant

In terms of residential lots in the County, according to the Maryland Property View Database, there are approximately 40,890 platted (subdivided) lots that have been built upon. In addition, there are approximately 3,600 platted (subdivided) lots that are currently vacant in the County. This equates to a six year surplus of vacant platted lots based on the approval of approximately 600 building permits per year. The Maryland Department of Planning updates the Maryland Property View Database on an annual basis.

St. Charles accounts for a significant portion of development approvals within the Development District. The Zoning Indenture known as Docket #90 authorized the Planned Unit Development (PUD) of St. Charles. Through village master plans, St. Charles is allowed to build a total of 24,730 units (12,693 single-family homes, 6,720 townhouses, and 5,317 apartments). There were plat approvals for 244 units in St. Charles in 2012. Therefore, as of December 31, 2012, St. Charles has received plat approvals for a total of 13,831 units (7,257 single-family homes, 4,042 townhouses, and 2,532 apartments). There are 10,899 remaining units to be platted (5,536 single-family homes, 2,678 townhouses, and 2,785 apartments).

## **VI. Adequate Public Facilities Ordinance Restrictions**

### **A. Adequate Public Facilities Ordinance**

Charles County adopted an Adequate Public Facilities Ordinance (APFO) in 1992, which has been amended as needed since that time. Primarily, the APFO governs pace of development based on the status of public infrastructure, which includes the carrying capacity of public water supply, wastewater treatment, roadways, and schools. Through the APFO and related subdivision regulations, the County requires commercial and residential developments to make the necessary improvements to water and sewer infrastructure as well as roadways as a condition of project approval. For schools, a residential development project must be granted an allocation of school capacity for each proposed lot in order to receive approval of a record plat of subdivision.

In June of 2008, the Charles County Commissioners amended the APFO related to schools to phase-in a reduction of capacity at each of the County's 35 schools. The Commissioners desired to reduce each school from Local "Core" capacity, which included the capacity of relocatable classrooms, to State-rated capacity, which accounts for permanent building capacity only. This reduction was being phased-in over a 6-year period, with a 25% reduction from Core capacity to State-rated capacity every 2 years. However, in 2011 (codified by Resolution in 2012), the Charles County Commissioners reduced the capacity measurement to State Rated Capacity, ahead of the planned schedule. This action eliminated the phased-in (reduction) to State Rated Capacity. In most cases, this adjustment reduced the capacity of each school by no longer including relocatable classrooms and additional lunch shifts into the measurement of that schools capacity. This measure was intended to ensure that classroom overcrowding is not created by growth and development. With the shift of capacity measurement to State-rated capacity, the list of schools over capacity was increased, as the "bar" was lowered. As of December 2012, 18 of 35 schools were over State-rated capacity. This includes 12 of 21 Elementary Schools, 3 of 8 Middle Schools, and 3 of 6 High Schools.

An additional change from the original 2008 APFO amendments was the requirement for available capacity in each of the three school levels (elementary, middle, and high school) prior to the granting allocations. Allocations were previously granted by high school district, based on a complicated formula which averaged the available capacities of associated middle and elementary schools. The inaccuracy of this approach resulted in overcrowding in certain schools. These two significant regulatory changes substantially reduced the available capacity to allocate, reducing the annual allocations granted to development from approximately 845 in 2007 to 68 in 2012.

If a development is restricted by the limitation of school seats in their receiving schools, they may proffer mitigation to forward-fund the State's share of school construction on a per lot basis. If approved by the County Commissioners through a public meeting, the developer can pay into a fund for school construction. The County share of school construction funds is collected through the School Construction Excise Tax which is charged to the homeowner of each new home via their property tax bill.

In an effort to explore improvements to the Charles County Adequate Public Facilities Ordinance regulations, specific to the management of school capacity and funding mechanisms of new school capacity, the Charles County Commissioners appointed a committee to make appropriate recommendations. This School Adequate Public Facilities and Funding Review Committee is comprised of County Commission members, County Board of Education member, Building Industry members, and Parents with students in the school system. The recommendations are anticipated in late 2013 for consideration by the Board of County Commissioners.

### **B. Name and Location of Restriction within PFA**

In 2012, the Zekiah Sewer Pump Station reached its maximum functional capacity. Development activity within the north-eastern quadrant of Waldorf has fulfilled the capacity of the sewer infrastructure serving the area between MD 5 (Mattawoman–Beantown Road) to the east, US 301 (Crain Highway) to the west, Acton Lane to the north, and MD 5 Business (Leonardtwn Road) to the south. The Zekiah Pump Station was determined to be

the most limiting factor with the Redevelopment Corridor of the Waldorf Urban Design Study (WUDS) area. The County completed the Infrastructure Analysis and Phase I Development Plan in late 2012, which determined the necessary infrastructure-related incentives to create a catalyst for the redevelopment of this area of Waldorf. Among several water and wastewater improvements found to be essential to kick-start this initiative, the complete replacement of the pump station and associated sewer lines was illustrated as the highest priority. It was also noted that this sewer infrastructure capacity restriction would prohibit even small scale projects from moving forward, with the exception of projects that were previously approved and accounted for in the final flow calculations of the pump station capacity. To address this restriction, the County Commissioners have approved the capital projects to replace the pump station and the associated sewer infrastructure beginning on July 1, 2013. Once completed and operational, development activity may resume in this area of Waldorf.

## VII. Conclusions and Recommendations

### Conclusions

As previously stated, this Annual Report provides an opportunity for the Charles County Planning Commission to review development approvals for 2012. Development approvals need to be compared to the vision of future development as outlined in the 2006 Comprehensive Plan to determine if it is consistent. The Comprehensive Plan seeks to concentrate development in suitable areas permitting efficient use of current and planned infrastructure improvements including roads, water and sewer, and school construction.

#### Consistency with Comprehensive Plan

Charles County's population increased from 149,242 to 150,592 between July 2011 and July 2012, according to the latest Census population estimates. These population figures correspond to an annualized growth rate of 0.90% during this period. According to the 2006 Comprehensive Plan, the target growth rate is approximately 1.7% but less than 2.0% per year. The average annual growth rate between 2003 and 2012 is 1.02%.

The Comprehensive Plan specifies that 75% of all development should be located inside the Development District. Development in the St. Charles Planned Unit Development is included as part of the Development District totals. Mixed use districts in Bryans Road and Waldorf are also included as part of the Development District, along with the mixed use district of Swan Point, a planned unit development. Further, commercial and industrial projects are also included in the overall development totals, which are primarily located within the Development District. In 2012, the County did not meet its target development goal with only 30% of the total Preliminary lots being located inside the Development District. The implementation of the recent Sustainable Growth and Agricultural Preservation Act of 2012 could potentially explain this anomaly. However, an analysis of preliminary plan lots inside the Development District from 2003 through 2012 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 74% over the ten year period.

In 2012, the County did not meet its target goal of 75% of the total final plat lots being located inside the Development District with 54%. Again, the implementation of the recent Sustainable Growth and Agricultural Preservation Act of 2012 could potentially explain this anomaly. An analysis of final plat lots inside the Development District from 2003 through 2012 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 72% over the ten year period.

Another goal articulated in the Comprehensive Plan is for housing. The Plan identifies a goal of approximately 70% single-family detached units, 20% townhouse units, and 10% apartment units. In terms of single-family housing, Charles County exceeded the target goal of 70% with 74% in 2012. For townhouses, the County exceeded the target goal of 20% with 26% in 2012. In terms of apartments and multifamily, the County did not meet its target goal of 10% as there were no approvals for units in 2012. However, an analysis of building permits from 2003 through 2012 demonstrates that the County is generally consistent with its Comprehensive Plan housing goals, averaging 70% for single family houses, 12% for townhomes, and 18% for apartments.

Figure 15 on the following page demonstrates how Charles County is generally consistent with the 2006 Comprehensive Plan targets and goals.



Figure 15: Development Consistency with Comprehensive Plan Goals

	<b>Comprehensive Plan Goals</b>	<b>2012</b>	<b>Average 2003-2012</b>
<b>% Lots Inside Development District: Preliminary Plans</b>	75%	30%	74%
<b>% Lots Inside Development District: Final Plats</b>	75%	54%	72%
<b>Housing: Single Family</b>	70%	74%	70%
<b>Housing: Townhomes</b>	20%	26%	12%
<b>Housing: Apartments</b>	10%	0%	18%

Per the state Smart, Green and Growing legislation, jurisdictions are to establish a goal toward increasing the percentage of growth within their Priority Funding Areas while decreasing the percentage of growth outside. The current policy of Charles County is aligned with the principles of the legislation by encouraging, as a matter of policy, the majority of its development into the Development District and the Priority Funding Areas (PFAs). Additionally, the County is committed to preserving 50% of its acreage from development. Charles County has been supporting smart growth as a policy and concept as reflected in the Planned Unit Development (PUD) of St. Charles Communities for well over three decades.

Currently, the trend lines indicate development is within the level of tolerance, however the Planning Commission must monitor and ensure that these trends continue. If data indicates a dramatic shift of development patterns, then the following questions must be considered in what action, if any, to initiate:

1. **Project Timing:** Developments often get approvals but are not built for years. Should development approvals be counted which may not come online for several years; or only development with building permits?
2. **Market:** Market desires for housing type and economic conditions greatly impact when and what type of development occurs.
3. **Time frame:** What is the time frame to be set to determine if percentages are being met?
4. **Balance:** To what extent can the percentages exceed limits before development is halted or delayed in order to then balance the desired percentages?
5. **Enforcement:** Is there a policy to stop development that exceeds the percentages based on the designated time frame? Or to delay projects until a balance is achieved?

## Recommendations

The Planning Commission recommends the following:

1. **If monitoring through the Annual Reporting process reveals that the County is not meeting its Comprehensive planning goals, then implement strategies to control the pace of growth and to promote the concentration of development within the Development District and Priority Funding Areas.**
2. **Implement superior design criteria and track open space, especially for cluster subdivisions. Continue to monitor development design.** The intent of the cluster development zoning regulations is to permit residential development with better designs than could be provided under regulations applicable to conventional subdivisions. Continue to work with staff to implement ‘superior design,’ which was recently adopted through the Waldorf Urban Design Study legislation.

3. **Develop and implement into the new 2013 Comprehensive Plan, the findings from the Water Resources Element.** The next major update to the Comprehensive plan is currently underway. As part of this process, new elements to be incorporated into the Comprehensive Plan include the Water Resources Element, which was adopted in 2011. Further, the Planning Commission Annual Reporting process requires additional information about smart growth measures and indicators since the Smart, Green and Growing legislation (Senate Bill 276) was passed in 2008.
4. **Continue annual updates of the Protected Lands Map.** The Planning Division will continue to update the Protected Lands Map, consistent with the methodology adopted by the County Commissioners in November of 2011, on an annual basis.
5. **The Planning Commission recommended and submitted a tier map to the County Commissioners in November 2012, which the County Commissioners are currently reviewing for approval.**

These recommendations will help the Planning Commission follow and understand growth trends in the Washington DC Metropolitan region, which will ultimately affect development in Charles County. It is also important to note that during calendar year 2012, 198 acres were protected through the transfer of development rights (TDRs). This represents 66 TDRs transferred. The average sales price per TDR was \$5,500. The County Commissioners also established, for the first time, a budget to create a Purchase of Development Rights or (PDR) program to help support existing land preservation programs. Staff anticipates creating a program similar to Calvert County, where a certain number of transferrable development rights would be purchased and retired each year, based on funding availability. Funding was budgeted at \$100,000 for the first year.

## VIII. Appendix

### A. Staff

Activities of the Planning Commission are supported by staff of the Planning Division, the Resource & Infrastructure Management Division, the Codes, Permits & Inspection Services Division, and the County Attorney's Office. Members of the Divisions of Planning, Resource & Infrastructure Management, Codes, Permits & Inspection Services, and the County Attorney's Office are:

#### Planning and Growth Management

Peter Aluotto, Director

#### Planning Division

Steven Ball, Planning Director

Theresa Pickeral, Administrative Associate

Carrol Everett, Administrative Associate

#### *Community Planning*

Cathy Thompson, Community Planning Program Manager

Amy Blessinger, Planner

Beth Groth, Planner

Sheila Geisert, Planning Technician

#### *Current Planning*

Shelley Wagner, Subdivision and Site Plan Program Manager

Heather Kelley, Planner

Tetchiana Anderson, Planner

Kirby Blass, Planner

Cyndi Bilbra, Planning Technician

#### *Environmental Planning*

Charles Rice, Environmental Program Manager

Karen Wiggen, Planner

Aimee Dailey, Planner

Erica Hahn, Planner

#### Resource and Infrastructure Management Division

Jason Groth, Chief

Sarah Sandy, Administrative Associate

#### *Transportation*

Tony Puleo, Infrastructure Planner

#### *Water & Sewer*

John Mudd, Water & Sewer Resource Manager

#### *GIS*

Glenn Gorman, GIS Resource Analyst

Codes, Permits & Inspection Services Division

Frank Ward, Chief

Reed Faasen, Inspection and Enforcement Manager

Charles Quade, Zoning Technician

Robert Padgett, Zoning Technician

County Attorney's Office

Elizabeth Theobalds, Deputy County Attorney

**B. Supplemental Information**

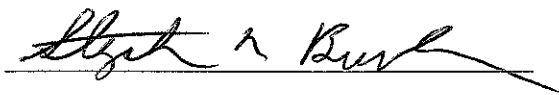
Development Activity Map with Priority Funding Areas

**PLANNING COMMISSION OF CHARLES COUNTY, MARYLAND**

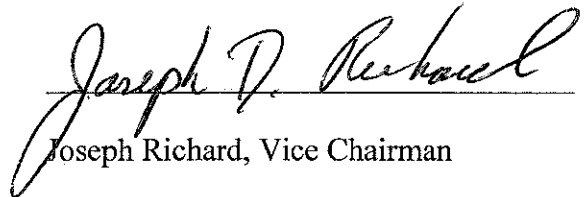
BE IT RESOLVED, this 17<sup>th</sup> day of June, 2013, by the Planning Commission of Charles County that the document consisting of text, maps, and charts, entitled "2012 Annual Report of the Charles County Planning Commission" and dated May 2013, is hereby adopted in accordance with the Land Use Article of the Annotated Code of Maryland.

**CHARLES COUNTY PLANNING COMMISSION**

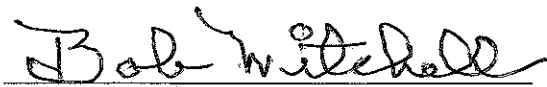
**CHARLES COUNTY, MARYLAND**



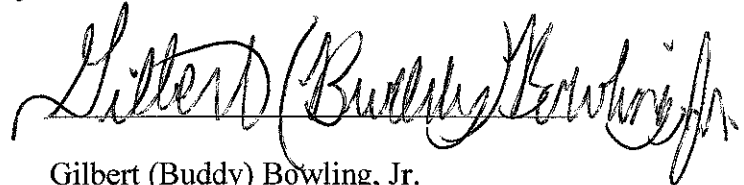
Stephen Bunker, Chairman



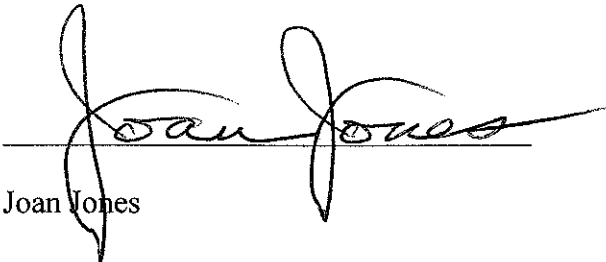
Joseph Richard, Vice Chairman



Bob Mitchell, Secretary



Gilbert (Buddy) Bowling, Jr.



Joan Jones



Kenneth Smith



Joseph Tieger

ATTEST:



Theresa Pickeral, Clerk