



**2016**  
**ANNUAL REPORT**  
  
**of the**  
  
**CHARLES COUNTY**  
**PLANNING COMMISSION**  
**(as required by the Land Use Article of the**  
**Annotated Code of Maryland)**

*Prepared by*

**The Planning Division**  
**Department of Planning and Growth Management**  
**Post Office Box 2150, La Plata, MD 20646**  
**May 2017**

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<b>Planning Commission Members</b>		
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	Gilbert (Buddy) Bowling, Jr., Vice Chairman	
	Rosemin Daya	
	Wayne Magoon	
	Vicki Marckel	
	Nancy Schertler	
	Rick Viohl	

# I. Purpose of Report

State law requires the Planning Commission to prepare and file an annual report with the County Commissioners<sup>1</sup>. The report is available for public inspection and a copy of the report is provided to the Secretary of Planning for the State of Maryland. 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 2016 has been designed to comply with Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions enumerated in the Land Use Article of the Annotated Code of Maryland<sup>2</sup>. 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
County Attorney's Office:	(301) 645-0555
Automated Response System:	(301) 645-0600
Transit:	(301) 645-0642

Effective July 1<sup>st</sup>, 2016, reorganizational changes to Charles County Government were implemented. Capital Services is now within the Department of Public Works. Transit is now within the Department of Planning and Growth Management.

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 5<sup>th</sup>, 2017 and forwarded to the Charles County Commissioners on June 28<sup>th</sup>, 2017.

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<sup>1</sup> Annotated Code of Maryland, Land Use Article, §1-207, §1-208

<sup>2</sup> Annotated Code of Maryland, Natural Resources Article §8-1808

## II. Executive Summary

This Annual Report provides an opportunity for the Charles County Planning Commission to review development approvals for 2016. Actual development can then be compared to the overall vision of future development as articulated in the newly adopted 2016 Comprehensive Plan. The general “theme” of the plan is that the County should continue to grow with a Smart Growth philosophy: balancing this growth with strong environmental protection measures by conserving resources within the framework and guidance of this plan. This Comprehensive Plan makes significant changes from the previous plans by reducing the Development District by 30,011 acres, concentrating growth, protecting our natural resources, promoting historic village revitalization efforts, and supporting light rail transit for long term development. Previous Planning Commission Annual Reports have measured development inside and outside of the Development District. However, this will be the first Annual Report to focus primarily on the Priority Funding Area (PFA) since the Development District now matches the modified PFA in the northern part of Charles County.

Charles County's population increased from 155,923 to 157,705 between July 2015 and July 2016, according to the latest Census population estimates. These population figures correspond to an annualized growth rate of 1.14-percent during this period. With the adoption of the 2016 Comprehensive Plan, the anticipated growth rate is approximately 1-percent or less per year. The average annual growth rate between 2007 and 2016 is 1.12-percent.

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 2007 to 2016. For purposes of analyzing growth trends and compliance with Comprehensive Plan policies, this report looks at a ten year time frame but also considers short range variations.

Figure 1: 2007-2016 Development Summary

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Residential Building Permit Units <sup>3</sup>	882	672	744	576	693	644	1,246	788	1,166	874
Number of Preliminary Plan Lots Approved <sup>4</sup>	458	381	313	250	1,333	729	173	200	529	1,038
Preliminary Plan Developed Acreage <sup>5</sup>	1,492	953	715	1,694	677	1,913	886	221	449	426
Number of Final Plat Lots approved	839	820	287	425	341	802	918	455	767	411
Final Plat Developed Acreage	2,500	3,403	1,332	1,470	1,173	4,068	3,192	2,371	1,703	900
Total Acres of Projected Open Space from Cluster Preliminary Plans <sup>6</sup>	400	275	157	377	142	876	352	16	132	136
Total Acres of Protected Lands <sup>7</sup>	5,340	3,837	2,232	220	968	1,457	1,016	2,423	180	1,201
Site Development Plan Approvals (square feet)	2,198,029	535,175	576,727	80,128	88,467	105,883	712,182	614,847	535,831	315,775

<sup>3</sup> Complete Town data included.

<sup>4</sup> Six (6) Major Preliminary Plans were approved in 2016.

<sup>5</sup> 2010 Preliminary Plan acreage includes 888 acres of residue, which can be further subdivided in the future. 2011, 2012, 2013, 2014, 2015, and 2016 Preliminary Plan acreage does not include residue.

<sup>6</sup> 2009-2015 open space acreage was collected through the Net Open Space Data Calculation Table per Green Notice #09-12.

<sup>7</sup> See page 16 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 2016 Comprehensive Plan to determine if it is consistent. Due to the significant changes made in the 2016 Comprehensive Plan, it is anticipated that the growth rate will be slowed to a 1-percent or less rate of growth per year. Further, growth control mechanisms, especially zoning, water and sewer policies, and adequate public facility regulations, will likely continue to result in 70-75 percent of new growth occurring in the Development District and the towns.

One of the 2016 Comprehensive Plan goals is to direct 75-percent of future residential growth to the sewer service areas and to the Towns of Indian Head and La Plata. 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 2016, the County exceeded its target development goal with 84-percent of the total preliminary plan lots being located inside the Development District/PFA. An analysis of preliminary plan lots inside the Development District/PFA from 2007 through 2016 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 73-percent over the ten year period.

In 2016, the County is generally consistent with its target goal of 75-percent of the total final plat lots being located inside the Development District/PFA with 76-percent. An analysis of final plat lots inside the Development District/PFA from 2007 through 2016 demonstrates that the County is consistent with our Comprehensive Plan goals, averaging 75-percent over the ten year period.

For purposes of analyzing growth trends and compliance with comprehensive plan policies, this report looks at a ten year time frame but also considers short range variations. Figure 13 below demonstrates how Charles County is generally consistent with the 2016 Comprehensive Plan targets and goals, with the exception of housing types. It is important to note that market conditions will dictate the mix of housing available in Charles County.

The following table (Figure 2) demonstrates how Charles County is generally consistent with the 2016 Comprehensive Plan goals, with the exception of housing types. It is important to note that local market conditions, as well as the Washington DC market, has influence on housing availability and price in Charles County. The Planning Division is working with the American Planning Association's Community Planning Action Team to study the best way to comply with housing goals and the direction of the Comprehensive Plan.

Figure 2: Development Consistency with Comprehensive Plan Goals

	<b>Comprehensive Plan Goals</b>	<b>2016</b>	<b>Average 2007-2016</b>
<b>% Preliminary Plan Lots Inside Development District/PFA:</b>	75%	84%	73%
<b>% Final Plat Lots Inside Development District/PFA:</b>	75%	76%	75%
<b>Housing: Single Family</b>	80%	60%	57%
<b>Housing: Townhomes</b>	15%	31%	22%
<b>Housing: Apartments</b>	5%	9%	21%

Per the state Smart, Green and Growing legislation, jurisdictions are to establish a goal toward increasing the percentage of growth within their PFAs 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 PFAs. Additionally, the County is committed to having 50-percent of its overall acreage in open space. 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. **Monitor:** 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?
6. **Re-evaluate Comprehensive Plan Goals:** Given the economic trends in the County, it may be time to re-evaluate the Comprehensive Plan goals for housing.

In the recent review and update of the Comprehensive Plan, the Planning Commission decided not to change the growth or housing goals in the 2016 plan, but to consider trends in the Annual Report and consider changes based on such trends.

### **Recommendations**

The Planning Division has established a work program to implement the new direction of the Comprehensive Plan and will be bringing forth code amendments to the Zoning Ordinance and Subdivision Regulations over the next several years as we proceed. 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 2016 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. The County Commissioners approved a revised tier map in April 2014. The new map was included in the 2016 Comprehensive Plan.**

## 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 CY2016, the Charles County Planning Commission conducted eighteen (18) regularly scheduled meetings and two (2) special meetings.

### **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 newly adopted 2016 Comprehensive Plan. The current policy of Charles County is aligned with the principles of the State's legislation by encouraging the majority of its development into the Development District located in the northern portion of the county, as well as the Priority Funding Areas (PFAs). Further, through the 2016 Comprehensive Plan, the Development District has been reduced by more than 30,000 acres in the northern part of the county to match the PFA. Additionally, the County is committed to having 50-percent of its overall acreage in open space.

## IV. Growth Related Changes in 2016

### **Development Patterns**

The following section provides an in-depth look at development patterns that have occurred during calendar year 2016. 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 2016, there were 805 residential building permits (874 new units) and five (5) commercial building permits (5 new units) issued in Charles County. Building permits are issued for a variety of building related activities in Charles County including accessory structures, alterations, additions, pools, signs, etc. However, only new residential or commercial structures are counted in the totals above.

#### **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. A subdivision project is considered to be a major subdivision when the proposed subdivision will result in the creation of more than five (5) lots from a parcel that was in existence on June 15, 1976, or more than seven (7) lots are proposed from a parcel, residue or remainder in existence on December 31, 2012; provided that any lot resulting from a recorded deed or subdivision plat prior to December 31, 2012, cannot be considered a parcel for purposes of Section 17 of the Charles County Subdivision Regulations.

In 2016, there were eleven (11) Preliminary Subdivision Plans approved. Five (5) of these plans were revisions to previously approved plans. Of the 1,038 newly approved preliminary lots, 215 were created for single-family housing, 215 for townhomes, 608 for apartments, and zero (0) for commercial/industrial. Of the total 1,038 preliminary lots approved during 2016, 870 lots were located inside the Priority Funding Area (PFA), and the remaining 168 lots were located outside. Of the lots located inside the PFA, there were 208 lots approved in the St. Charles Planned Unit Development (PUD).

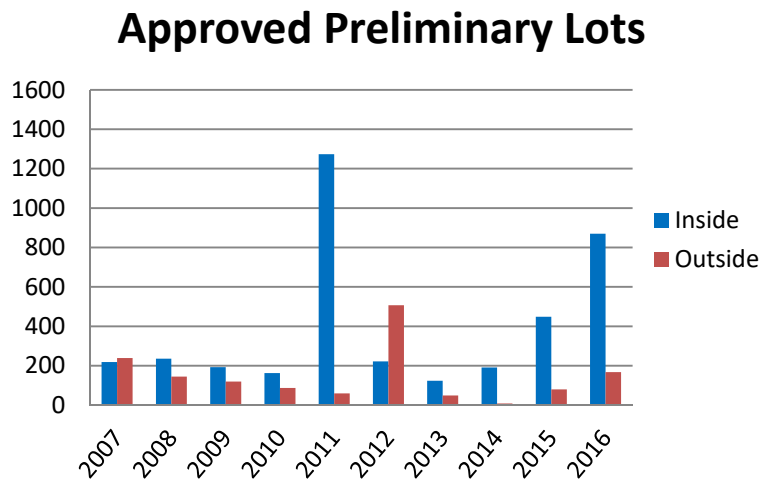
Figure 3 on the following page shows the distribution of Preliminary Plan lots approved inside and outside of the Development District for years 2007 through 2015, and the PFA for 2016. As noted previously, because the Development District matches the PFA in the northern part of the county, the annual report will now only track development inside and outside of the PFA. Similarly, Figure 4 on the following page graphically depicts the total number of Preliminary Plan lots approved inside and outside of the Development District (2007-2015), and the PFA (2016).



Figure 3: Number of Preliminary Lots Approved Inside and Outside of the Development District (2007-2015) and Priority Funding Area (2016)<sup>8</sup>

YEAR	Total Number of Lots	Total Lots Inside	Total Lots Outside
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%)
2013	173	124 (72%)	49 (28%)
2014	200	191(96%)	9 (4%)
2015	529	449 (85%)	80 (15%)
2016	1,038	870 (84%)	168 (16%)
<b>Total</b>	<b>5,404</b>	<b>3,937 (73%)</b>	<b>1,467 (27%)</b>

Figure 4: Approved Preliminary Lots Inside and Outside of the Development District (2007-2015) and Priority Funding Area (2016)



### 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 meet any of the following criteria:

- The creation of more than five (5) lots from a parcel that was in existence on June 15, 1976, or more than seven (7) lots are proposed from a parcel, residue or remainder in existence on December 31, 2012; provided that any lot resulting from a recorded deed or subdivision plat prior to December 31, 2012, cannot be considered a parcel for purposes of Section 17 of the Charles County Subdivision Regulations.
- 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 Director. 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 (seven 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.

During 2016, a total of seventy-two (72) Final Subdivision Plats were approved. Of these, there were thirty-one (31) residential final plats containing a total of 399 lots. 201 residential lots were recorded inside the PFA and 198 were recorded outside the PFA. Three (3) commercial final plats containing twelve (12) lots were approved and located in the PFA. There were 157 final plat lots located in the St. Charles PUD. This represents 74-percent of the lots located inside of the PFA, and 38-percent of the total final plat lots. Figure 5, on the following page,

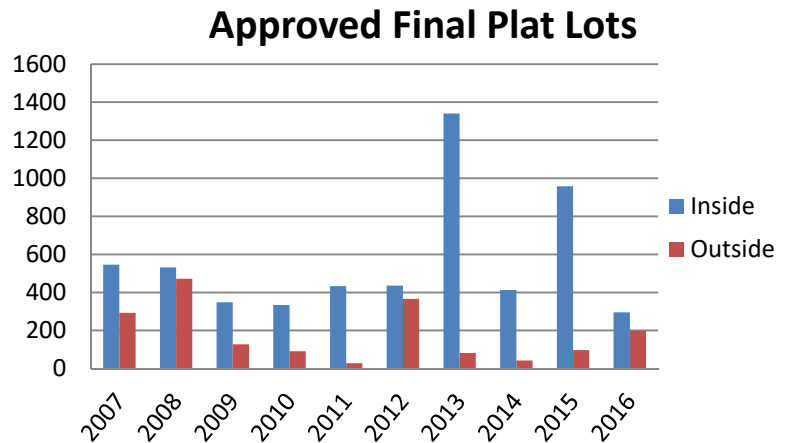
<sup>8</sup> Preliminary Plan lot numbers include apartment and multifamily (duplex, triplex, quadriplex) units, if applicable.

shows the distribution of Final Plat lots approved inside and outside of the Development District from 2007 through 2015 and the PFA for 2016. As noted previously, because the development district matches the PFA in the northern part of the county, the annual report will only track development inside and outside of the PFA from 2016 forward. Similarly, Figure 6, below, graphically depicts the total number of Final Plat lots approved inside and outside of the Development District from 2007 through 2015 and PFA in 2016.

Figure 5: Number of Final Plat Lots Approved Inside and Outside of the Development District (2007-2015) and Priority Funding Area (2016)<sup>9</sup>

YEAR	TOTAL NUMBER OF LOTS	TOTAL LOTS INSIDE	TOTAL LOTS OUTSIDE
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%)
2013	1,423	1,341 (94%)	82 (6%)
2014	455	413 (91%)	42 (9%)
2015	1,055	958 (91%)	97 (9%)
2016	493	295 (60%)	198 (40%)
<b>Total</b>	<b>7,432</b>	<b>5,636 (76%)</b>	<b>1,796 (24%)</b>

Figure 6: Approved Final Plat Lots Inside and Outside of the Development District (2007-1015) and Priority Funding Area (2016)



#### D. Site Plan Approvals

Minor Site Development 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 Development Plans are any site plans other than those identified as Minor Site Plan applications, which can also include residential apartment buildings and cellular towers.

In 2016, a total of 315,775 square feet of site plan development on 1,557 acres of land was approved in Charles County. The table on the following page, Figure 7, provides a breakdown of site plan development in 2016.

<sup>9</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 Figures 5 and 6. In 2016, building permits for 72 apartment units and 10 multi-family units were approved.

Figure 7: Site Plan Development

Type of Use	Square Footage	Acreage
Commercial/Retail	144,156	77
Institutional/Church/School/Public Use	56,198	96
Cellular Towers	321	1,285
Residential –Townhouses and Permanent Shelter	115,100	99
<b>Total</b>	<b>315,775</b>	<b>1,557</b>

The Planning Commission approved 314,775 square feet of site plan development on 597 acres inside of the PFA in 2016. Further, 1,000 square feet of site plan development on 960 acres was approved outside of the PFA. In terms of residential development, 115,100 square feet on 38 acres was approved inside the PFA in 2016. Further, there was 187,091 square feet of site plan development located on 439 acres inside the St. Charles PUD in 2016.

**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 2016:

ZMA #13-48 Washington Glen

The purpose of this amendment is to change the zoning for the 136.63 acre property on the south side of Billingsley Road in White Plains from Rural Conservation Deferred Development RC(D) to Medium Density Residential (RM). A public hearing with the Planning Commission was to take place in April of 2016, but the applicant deferred the amendment indefinitely.

ZMA #16-53 Kody Holdings (Waldorf Dodge)

The purpose of this amendment is to change the zoning for the 6-acre property from Acton Urban Commercial (AUC) to Community Commercial (CC). The Planning Commission voted to waive the public comment period and forwarded the amendment to the County Commissioners with a recommendation for approval. The County Commissioners approved the amendment in December of 2016.

ZMA #16-54 Watershed Conservation District (WCD)

The purpose of this amendment is to implement the direction of the Comprehensive Plan, which will result in a change to twenty different zoning districts in this area and zone them as Watershed Conservation District as consistent with the new WCD Zoning Text Amendment. After two public hearings on April 24<sup>th</sup>, 2017, the Planning Commission voted to forward the Watershed Conservation District map amendment to the County Commissioners with a recommendation for approval. The County Commissioners approved the amendment in June of 2017.

**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 ZTA’s on the following page were processed in 2016:

ZTA #15-138 Medical Cannabis

The purpose of this text amendment is to amend Article IV, §297-63 Figure IV-1 Table of Permitted Uses to add 1.05.300 Medical Cannabis Dispensary, 6.04.100 Processing Operation, and, 6.04.200 Dispensary Operation as uses permitted in specified zones with conditions; and amend Article XIII, §297-211 and 212, to include the minimum standards for such uses permitted with conditions. The Planning Commission voted to forward this amendment to the County Commissioners for approval. The County Commissioners approved the amendment in March of 2016.

ZTA #16-139 Retail Sales Greater than 100,000 SQ. FT.

The purpose of this text amendment is to amend Article III, §297-49 Word usage; definitions, Article IV, §297-63 Figure IV-1 Table of Permitted Uses, and Article XIII, §297-212 Uses corresponding with the Table of Permissible Uses, in order to revise the definition and requirements for retail sales greater than 100,000 square feet. (Use 6.01.150). The proposed amendments would specifically affect the use approval requirements within the Mixed-Use (MX) and Transit Oriented Development (TOD) zones. The Planning Commission voted to forward this amendment to the County Commissioners for approval. The County Commissioners approved the amendment in June of 2017.

ZTA #16-140 Mobile Food Service Facilities (Trucks)

The proposed amendments to the Zoning Ordinance are to incorporate new regulations for Mobile Food Service Facilities (Food Trucks) regarding standards, permitting, operational, safety and sanitation requirements. The Planning Commission voted to forward the text amendment with several changes to the County Commissioners for approval. The County Commissioners approved the amendment in April of 2017.

ZTA #16-141 Amendment to §297-505 Clarification, Applicable Laws, Regulations and Policies

The purpose of this text amendment is to clarify that the terms of a Development Rights and Responsibilities Agreement must be consistent with all requirements set forth in the Zoning Regulations of the Charles County Code, including school capacity adequacy. The Planning Commission voted to forward this amendment to the County Commissioners for approval. The County Commissioners approved the amendment in October of 2016.

ZTA #16-142 Watershed Conservation District

The purpose of this text amendment is to incorporate new regulations and create a new Watershed Conservation District (WCD) Zoning category within the Zoning Ordinance. This will replace the district known as the Rural Conservation-Deferred Zoning District (RC(D)), which will be removed from the Zoning Ordinance. The new Watershed Conservation District will implement the direction and intent of the Charles County Comprehensive Plan. After two public hearings on April 24<sup>th</sup>, 2017, the Planning Commission voted to forward the Watershed Conservation District map amendment to the County Commissioners with a recommendation for approval. The County Commissioners approved the amendment in June of 2017.

**G. Comprehensive Plan Amendments and Planned Development Zone Amendments**

There were no Comprehensive Plan Amendments or Planned Development Zone Amendments in 2016.

**H. Comprehensive Plan Updates**

The County Commissioners officially adopted the 2016 Comprehensive Plan on July 12, 2016. The Plan contains several major land use changes as follows. The Plan reduces the size of the Development District from 52,200 acres to 22,189 acres, for a total reduction of 30,011 acres. The reduced Development District matches the modified Priority Funding Area (PFA) in the northern part of the county. The Plan establishes a Watershed Conservation District, which encompasses lands in the Mattawoman Stream Valley, most of the watershed, plus an additional 1,160 acres within the Port Tobacco Watershed. The Plan sets the density for the Watershed Conservation District at one unit per twenty acres and also reduces densities in other areas of the county, including the major stream valleys and the Bryans Road town center area. The remaining areas for development

include the Waldorf transit corridor and Sub-Area, St. Charles Planned Unit Development (PUD), the Newburg-Clifton-Aqualand Sub-Area, Swan Point, the White Plains employment area, the Towns of Indian Head and La Plata, and the villages (including Hughesville and the newly designated Bryans Road mixed-use village). In the fall of 2016, staff presented a draft Zoning Text Amendment to implement the Watershed Conservation District to the Planning Commission. The Watershed Conservation Zoning District was adopted by the County Commissioners in June of 2017.

## **I. Infrastructure Changes**

The Charles County Capital Improvements Division of Planning and Growth Management completed numerous infrastructure enhancements in 2016. These projects included roadway improvements, water and sewer improvements, and stormwater and drainage improvements. Specific projects are as follows:

### **Water/Sewer Projects**

- Mt Carmel Woods/CSM Pump Station and Force Mains – Phase 1A
- Smallwood Tower Rehabilitation - Interior

### **Transportation/Drainage Projects**

- Old Washington Road Drainage Repairs
- Tawny Drive @ Troy Court Drainage Repairs
- Tawny Drive @ Tumbleweed Court Drainage Repairs
- Pinewood Drive Culvert Repairs

### **Other Infrastructure**

- NPDES Tanglewood Outfall Improvements
- NPDES Holly Tree Outfall Improvements
- NPDES White Plains Submerged Gravel Wetlands
- NPDES – Tenth District Submerged Gravel Wetlands
- Bibury Bridge Improvements
- Charles County Landfill Cell #2B & 3B Expansion

### **Bond Call Projects**

- Bracey Estates Phase One (Asphalt roadway paving, and sidewalks)
- Bucks Run
- Eagle Ridge Phase One

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

The County Government and Board of Education began working together on Elementary School No. 22 in 2014. The property was purchased in 2015 on Billingsley Road, west of US 301, and site design and architectural was initiated. The new school is scheduled to open in the fall of 2018. The Board of Education also initiated the renovation of Dr. Mudd Elementary School, which includes the addition of student capacity.

### **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 on the following page.

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

All zoning amendments and development approvals were internally consistent with the Comprehensive Plan and Zoning Ordinance.

**2. Consistency of Development Changes with Recommendations of 2015 Annual Report**

Changes as a result of development were consistent with the previous annual report.

**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 2016, the Planning & Growth Management Department has continued the process to transition from paper to electronic permitting and plan review. A consultant has been hired by the County and it is anticipated that this will be a multi-year process to completely automate the plan intake and permitting process.

**Ordinances and/or Regulations**

Subdivision Regulation Amendment (SRA) 15-02 clarified the use of private roads and the length of road requirements for new subdivisions. The Planning Commission voted to forward the amendment to the Commissioners for approval in November of 2016. The Commissioner approved the amendment in January of 2017.

SRA 16-01 requires Conceptual Subdivision Plans to be presented to the Planning Commission at a public meeting prior to review and consideration of Preliminary Subdivision Plans. The Planning Commission held a public hearing on the amendment in December of 2016 and is awaiting action by the County Commissioners.

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

Section 1-208 of the Land Use Article 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 calendar year 2016.

### 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 PFA map for Charles County is included in the appendix.

#### Residential Growth

##### *Preliminary Subdivision Plans*

There were ten (10) Preliminary Subdivision Plans that approved 1,038 residential lots<sup>10</sup> on 426 acres of land. There were 815 residential preliminary lots located in the St. Charles PUD, representing 79-percent in 2016. The Preliminary Subdivision Plans can be broken down as follows:

Inside PFA: **870 Units** (SFD, Townhouses and Apartments) and **118 acres**

Outside PFA: **168 Units** (Single-Family Detached) and **308 acres**

##### *Final Plats*

There were seventy-two (72) Final Plats, of which thirty-one (31) Final Plats recorded 399 new residential lots on 781 total acres of land in 2016. There were 157 lots located in the St. Charles PUD, representing 39-percent of the total residential final plat lots. The Final Plats can be broken down as follows:

Inside PFA: **201 Units** and **95 acres**

Outside PFA: **198 Units** and **686 acres**

#### Non-Residential Growth

The total square footage of commercial/retail growth in 2016 was 144,156 square feet encompassing 77 acres of land. This can be broken down into the following categories:

Inside PFA: **143,156 square feet** and **76 acres**

Outside PFA: **1,000 square feet** and **1 acres**

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<sup>10</sup> Three Preliminary Plan revisions added a total of 279 lots on previously approved subdivision acreage.

## **B. Net Density of Growth being located inside and outside the Priority Funding Area in 2016**

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 calculating net density 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 2016, there were ten (10) Preliminary Plans with residential lots that were approved by the Planning Commission. Three (3) were approved inside the PFA, and seven (7) were approved outside the PFA. Of the plans approved, three were revisions to existing plans that added a total of 208 new units onto existing acreage. Therefore, these units were not counted to determine the net density.

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

Total Area of Residential Lots: **321** acres / Total Number of Lots: **830** = **0.39** acres average lot size

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

Total Area of Residential Lots: **42** acres / Total Number of Lots: **662** = **0.06** acres average lot size

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

Total Area of Residential Lots: **279** acres / Total Number of Lots: **168** = **1.66** acres average lot size

### For Final Plats:

In 2016, there were thirty-one (31) residential plats approved by the Planning Director. Six (6) were approved inside the PFA, and twenty-five (25) were approved outside the PFA.

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

Total Area of Residential Lots: **496** acres / Total Number of Lots: **399** = **1.24** acres average lot size

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

Total Area of Residential Lots: **23** acres / Total Number of Lots: **201** = **0.11** acres average lot size

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

Total Area of Residential Lots: **473** acres / Total Number of Lots: **198** = **2.39** acres average lot size

### For Site Plans:

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

Total Commercial Building Area: **144,156** sq. ft. / Total Area of Commercial Lots: **3,354,120** sq. ft. (**77** acres) = **0.04** floor area ratio (FAR)

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

Total Commercial Building Area: **143,156** sq. ft. / Total Area of Commercial Lots: **3,310,560** sq. ft. (**76** acres) = **0.04** floor area ratio (FAR)

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

Total Commercial Building Area: **1,000** sq. ft. / Total Area of Commercial Lots: **43,560** sq. ft. (**1** acre) / = **0.02** floor area ratio (FAR)



**C. Creation of New Lots and the Issuance of Residential and Commercial Building Permits Inside and Outside of the PFA in 2016**

Preliminary Plans

Figure 8: Inside the Priority Funding Area

<b>Subdivision Name</b>	<b>New Acreage</b>	<b>Total Number of New Lots</b>
Westwood Townes	14	55
Gleneagles North, Revision #4	0	208
Stonehaven	104	607
<b>Total</b>	<b>118</b>	<b>870</b>

Figure 9: Outside the Priority Funding Area

<b>Subdivision Name</b>	<b>New Acreage</b>	<b>Total Number of New Lots</b>
Highgrove Sections 7 & 8	0	8
Cambridge Meadows	51	16
Royal White Oaks	62	21
Washington's Discovery	105	33
Crossroads Shapard	90	27
Fischer's Grant	0	63
<b>Total</b>	<b>308</b>	<b>168</b>

Final Plats

Number of recorded lots inside the PFA = 213 (includes 12 commercial lots)

Number of recorded lots outside the PFA = 198

Building Permits

- Residential = 805 permits (874 units)
  - Inside the PFA = 548 (617 units)
  - Outside the PFA = 257 (257 units)
- New Commercial = 5 permits (5 units)
  - Inside the PFA = 5
  - Outside the PFA = 0

Use and Occupancy Permits

- Residential = 876 permits (876 units)
  - Inside the PFA = 665 (665 Units)
  - Outside the PFA = 211 (211 Units)
- New Commercial = 9 permits (9 units) (see other types below)
  - Inside the PFA = 7
  - Outside the PFA = 2

*Other Use and Occupancy Permit Types:*

Commercial Addition: 9  
 Commercial Alteration: 71  
 Miscellaneous Commercial: 83  
 Green Card: 114

#### D. Development Capacity Analysis

A development capacity analysis was conducted as part of the 2016 Comprehensive Plan update. Figure #10 below provides a summary of 2040 Demand and Supply for Commercial/Employment Land, and Figure #11 provides a summary of Residential Dwelling Units/Acreage. Further information on this analysis is available in the Appendix of the 2016 Comprehensive Plan.

Figure #10: Summary of 2040 Demand and Supply for Commercial/Employment Land

Commercial/Employment (all figures in acres)	Demand <sup>11</sup>	2,773
	Supply	6,807
	<b>Net Supply</b>	<b>4,034</b>

Figure #11: Summary of 2040 Demand and Supply for Residential Dwelling Units/Acreage

	<b>Dwelling Units<sup>12</sup></b>	<b>Acres<sup>13</sup></b>
1. Residential Demand	33,208	35,928
2. "Committed" Units/Land <sup>14</sup>	24,198	22,383
<b>3. Remaining Demand (1 minus 2)</b>	<b>8,010</b>	<b>13,545</b>
4. Other Developable Units/Land <sup>15</sup>	29,898	113,030
<b>5. Net Residential Supply (4 minus 3)</b>	<b>21,888</b>	<b>99,485</b>

<sup>11</sup> Source: Center for Regional Analysis (See Section 1 of the Land Use Market Supply and Demand Analysis)

<sup>12</sup> Source: Center for Regional Analysis (See Section 1 of the Land Use Market Supply and Demand Analysis)

<sup>13</sup> Source: Center for Regional Analysis (See Section 1 of the Land Use Market Supply and Demand Analysis)

<sup>14</sup> "Committed" means land for which a preliminary subdivision plan (or subsequent plan or plat) has been submitted to the Department of Planning and Growth Management (see Section 2 of the Land Use Market Supply and Demand Analysis). Note that there are 30,926 total committed units. This total discounted by approximately 20 percent to reflect the number of these units that are expected to be built by 2040.

<sup>15</sup> Includes residentially-zoned land shown as "Undeveloped/Developable" on the Land Use/Land Cover Status Map, presented at the Regional Visioning Sessions in 2011. Potential dwelling units are calculated based on acreage and assumed development yields at base density.

### E. Number of Acres Preserved in 2016

Figure 12 below provides a detailed breakdown of protected lands in Charles County. There was a net increase of 1,201 acres of protected land. Forest Conservation and the Transfer of Development Rights program contributed 574 total acres. Conservation easement programs, such as Maryland Agricultural Land Preservation Foundation (MALPF) Easements and Rural Legacy remain active, contributing 760 acres in 2016.

Figure 12: Protected Lands in Charles County through December 2016 (in acres)

	<b>Type of Protection</b>	<b>Protected through 2015</b>	<b>2016 Data</b>	<b>Protected Through 2016</b>
Regulatory	Resource Protection Zone (RPZ)	28,648	-439	28,209 <sup>16</sup>
	Forest Conservation Easements	9,001	161	9,162
	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	20,749	393	21,142
	State and Federal Owned Easements	3,589	68	3,657
	Maryland Agricultural Land Preservation Foundation Easements (MALPF)	7,486	383	7,869
	Maryland Historical Trust (MHT)	247		
	Maryland Environmental Trust (MET)	5,988	-500 <sup>17</sup>	5,488
State/Local	Rural Legacy Easement Properties	3,777	377	4,154
	Transfer of Development Rights Program	5,124	413	5,537
	County and Town Parks	3,259		
Other	The Nature Conservancy (TNC)	2,610		
	Conservancy for Charles County (CCC)	113	21	134
	Joint MET & CCC Properties	1,148	324	1,472
<b>Total Acres Protected</b>		<b>93,951</b>	<b>1,201</b>	<b>95,152</b>
<b>Total Acres of Projected Open Space from Preliminary Plans for 2016</b>			136	

<sup>16</sup> Decrease in RPZ accounts for acreage moved to other permanently protected categories.

<sup>17</sup> The decrease in acreage in the MET category accounts for the movement of 294 acres to the Joint MET & CCC Properties category and 206 acres to the State Owned Resource Land category.

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

### *Local Land Use Goal*

#### Local Land Use Goal:

With the recent adoption of the 2016 Comprehensive Plan, several significant changes were made to the 2006 Comprehensive plan, including downzoning measures to protect the County’s natural resources, and increasing the size of Priority Preservation Areas (PPA). It is anticipated that the growth rate will be slower and will approach 1-percent or less rate of growth in the near future. One of the land use goals of the 2016 Comprehensive Plan, which was retained from the 2006 Comprehensive Plan, is to direct 75-percent of future residential growth to the sewer service areas and to the Towns of Indian Head and La Plata. Further, the 2016 Comprehensive Plan also retained the goal of protecting 50 percent of the county’s land area as open space.

Charles County was required to establish a Priority Preservation Area through the Agricultural Stewardship Act of 2006 with a goal of preserving 80-percent of the remaining undeveloped lands within the PPA for agricultural and forestry uses. The PPA contains 134,168 acres and includes three major rural parts of the county: the Cobb Neck Area, the Nanjemoy Peninsula, and the Mattawoman Creek. The adoption of the Tier Map in 2014, designated the PPA as Tier IV, which enabled the County to stabilize the land base in this area by limiting subdivisions on septic systems within the PPA to minor subdivisions.

#### Timeframe for achieving the goal:

The timeframe is ongoing and is based on the creation of additional policies and programs as outlined in the 2016 Comprehensive 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.

### *Charles County Open Space Goal Acreage Analysis*

Charles County has an open space preservation goal of 50-percent. The following table (Figure 13) provides a summary of the County’s preservation efforts through 2016 to meet this open space goal.

Figure 13: Open Space Goal Acreage Analysis

<u>Category</u>	<u>Acres</u>	<u>Comments</u>
Total County land area	294,404	
50% overall open space protection goal	147,202	294,404/2
Protected through December 2016	95,152	65% of goal, 32% of County total Land area
<u>Additional needed to meet goal</u>	<u>52,050</u>	

**Annual Growth Rate**

In 2016, a target growth rate of approximately 1-percent, or less, per year was adopted with the 2016 Comprehensive Plan update. The table (Figure 14) below demonstrates the population growth rate per year between 2007 and 2016. In 2016, the annual growth rate was 1.14-percent. The average annual growth rate between 2007 and 2016 is 1.12-percent.

Figure 14: Population Growth Rate Per Year<sup>18</sup>

<b>Year (FY)</b>	<b>Population</b>	<b>Growth Rate per Year</b>	<b>Average Annual Growth Rate between 2007 and 2016</b>
2007	142,721	1.10%	1.12%
2008	143,783	0.74%	
2009	144,804	0.71%	
2010	147,148	1.62%	
2011	149,282	1.45%	
2012	150,770	1.00%	
2013	152,821	1.36%	
2014	154,567	1.14%	
2015	155,923	0.88%	
2016	157,705	1.14%	

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<sup>18</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>, 2016.

**Housing Diversity**

The 2016 Comprehensive Plan identifies a goal for housing mix of approximately 80-percent single-family detached units, 15-percent townhouses and condominiums and 5-percent apartments. In 2016, building permit data indicates a total of 874 units permitted throughout the County including 520 single-family detached dwellings (60%), 272 townhomes (31%), and 82 apartments/multifamily units (9%). Therefore, using building permit data as an indicator, in 2016 the County generally met the goal for apartments, but was below the goal for single-family detached dwellings. The County exceeded the goal for townhouses. Please see Figure 15 below for a breakdown of housing types per year since 2007.

Figure 15: Actual Residential Units Per Year<sup>19</sup>

YEAR	SFD's	Townhomes	Multifamily*	Total
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	169	0	644
2013	495	242	509	1,246
2014	482	306	0	788
2015	555	323	288	1,166
2016	520	272	82	874
<b>Total</b>	4,713	1,847	1,725	8,285
<b>Average #</b>	471	185	173	828
<b>Average %</b>	57%	22%	21%	

Source: Charles County Permits Administration, PGM

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

Recorded Lots – Built vs. Vacant

In terms of residential lots in the County, according to the Maryland Property View Database as of June 2016, there are approximately 43,600 platted (subdivided) lots. Approximately 3,600 platted lots are currently vacant in the County. The Maryland Department of Planning typically updates the Maryland Property View Database on an annual basis, however Charles County has not received an update since 2015.

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 (12,682 single-family homes, 6,784 townhouses, and 5,264 apartments). There were plat approvals for 94 units in St. Charles in 2016. Therefore, as of December 31, 2016, St. Charles has received plat approvals for a total of 15,025 units (7,796 single-family homes, 4,484 townhouses, and 2,745 apartments). There are 9,705 remaining units to be platted (4,886 single-family homes, 2,300 townhouses, and 2,519 apartments).

<sup>19</sup> Complete Town data included.

## 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 the approval of development based on the status of public infrastructure, which includes water supply, rural fire suppression resources, roadways, and schools. Through the APFO and related subdivision regulations, the County requires commercial and residential developments to provide necessary improvements to infrastructure (specifically roads and fire suppression water supplies) when the impact of the development is shown to degrade the level of service of the surrounding infrastructure. For schools, a residential development project must be granted an allocation of school capacity for each proposed lot or dwelling unit in order to receive approval of a record plat of subdivision.

The Charles County Commissioners currently allocate the available capacity of each school to pending new development lots based on the measurement of 110% of State Rated Capacity. In order to obtain allocations, capacity must be available in each of the three schools (elementary, middle, and high school) that students generated by the particular subdivision would attend. A school allocation granting is restricted by the most limited school capacity among the three schools serving the proposed community. While the overall student population in the County has been declining slightly since 2011, the Elementary school level has experienced a steady increase in population, warranting an expansion of capacity by the planned construction of a new Elementary School in the Waldorf area. In order to fund the County share of school construction funds, a School Construction Excise Tax is collected from the homeowner of each new home via their property tax bill. Since the enactment of the Charles County Excise Tax in 2003, the calculation was based on the Producer Price Index, which was not keeping pace with the actual cost of school construction. In 2015, the Maryland General Assembly passed a revision to the Charles County Excise Tax Legislation to tie the calculation of the Excise Tax to the “State’s Per Square Foot Cost of School Construction,” ensuring the tax assessment keeps pace with the costs incurred by the County. The Fiscal Year 2017 Excise Tax assessed for a single family dwelling is \$16,206, which is amortized over a 10-year period in the property tax bill.

The Charles County Commissioners directed staff in 2015 to prepare an overview of the School Adequate Public Facilities Program and related policies, with an intention to enact certain revisions. As a result of the Program overview the County Commissioners eliminated the Development Rights and Responsibilities Agreements (DRRAs) program for applications where developers would proffer payments to off-set the impact on schools as a result of the new residential development. In addition, an amendment to the APF Ordinance was finalized which now provides a revised formula for determining the available, allocatable capacity of schools. These amendments to the APF Ordinance provide for the use of 110% of State Rated Capacity for the determination of available capacity as well as allowing the capacity of planned and funded new schools to be counted and allocated within the 18 months prior to the opening of the new school facility.

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

The Zekiah Sewer Pump Station reached its maximum functional capacity in 2012, which prompted the County to take certain actions in 2013. 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 (Leonardtowntown Road) to the south. The Zekiah Pump Station was determined to be the most limiting factor with the Waldorf Urban Redevelopment Corridor (WURC) 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 a 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 approved the capital projects to replace the pump station and the associated sewer infrastructure. The County Commissioners also authorized upgrades to the near-by St. Mark's and Route 5 pump stations to divert a significant portion of the Zekiah flows, providing more immediate relief and a potential lift of the development limitations. 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 2016. Development approvals need to be compared to the vision of future development as outlined in the 2016 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 155,923 to 157,705 between July 2015 and July 2016, according to the latest Census population estimates. These population figures correspond to an annualized growth rate of 1.14-percent during this period. With the adoption of the 2016 Comprehensive Plan, the anticipated slower growth rate will approach 1-percent or less per year. The average annual growth rate between 2007 and 2016 is 1.12-percent.

One of the 2016 Comprehensive Plan goals is to direct 75-percent of future residential growth to the sewer service areas and to the Towns of Indian Head and La Plata. 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. Although Bryans Road will be limited for future development per the direction of the Comprehensive Plan.

In 2016, the County exceeded its target development goal with 84-percent of the total Preliminary lots being located inside the Development District/PFA. An analysis of preliminary plan lots inside the Development District/PFA from 2007 through 2016 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 73-percent over the ten year period.

In 2016, the County is generally consistent with its target goal of 75-percent of the total final plat lots being located inside the Development District/PFA with 76-percent. An analysis of final plat lots inside the Development District/PFA from 2007 through 2016 demonstrates that the County is consistent with our Comprehensive Plan goals, averaging 75-percent over the ten year period.

For purposes of analyzing growth trends and compliance with comprehensive plan policies, this report looks at a ten year time frame but also considers short range variations. Figure 16 on the following page demonstrates how Charles County is generally consistent with the 2016 Comprehensive Plan targets and goals, with the exception of housing types. It is important to note that local market conditions, as well as the Washington DC market, influences housing availability and price in Charles County. The Planning Division is working with the American Planning Association's Community Planning Action Team to study the best way to comply with housing goals and the direction of the Comprehensive Plan.

Figure 16: Development Consistency with Comprehensive Plan Goals

	<b>Comprehensive Plan Goals</b>	<b>2016</b>	<b>Average 2007-2016</b>
<b>% Preliminary Plan Lots Inside Development District/PFA:</b>	75%	84%	73%
<b>% Final Plat Lots Inside Development District/PFA:</b>	75%	76%	75%
<b>Housing: Single Family</b>	80%	60%	57%
<b>Housing: Townhouses/ Condominiums</b>	15%	31%	22%
<b>Housing: Apartments</b>	5%	9%	21%

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 (PFAs) while decreasing the percentage of growth outside the PFA. 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 PFAs, which now match in the northern part of the county. Additionally, the County is committed to having 50-percent of its overall acreage as open space. 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. **Monitor:** 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?
6. **Re-evaluate Comprehensive Plan Goals:** The 2016 Comprehensive Plan was just adopted, so the changes are still too new to fully measure the effect of growth.

### Recommendations

The Planning Division has established a work program to implement the new direction of the Comprehensive Plan and will be bringing forth code amendments to the Zoning Ordinance and Subdivision Regulations over the next several years as we proceed. The Planning Commission recommends the following:

1. **If monitoring through the Annual Reporting process reveals that the County is not meeting its 2016 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 adopted through the Waldorf Urban Design Study legislation.
3. **Develop and implement the new 2016 Comprehensive Plan and the findings from the Water Resources Element.** The major update to the Comprehensive Plan has been completed, which includes the Water Resources Element. Further, the Planning Commission Annual Reporting process requires additional information about smart growth measures and indicators since the Smart, Green and Growing legislation was passed in 2009.
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. The County Commissioners revised the map and adopted it in 2014. The new map was included in the 2016 Comprehensive Plan.**

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.

## 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

Steve Kaii-Ziegler, Director

#### Planning Division

Steven Ball, Planning Director

Theresa Pickeral, Office Associate

Carrol Everett, Office Associate

#### *Community Planning*

Cathy Thompson, Community Planning Program Manager

Amy Blessinger, Planner

Beth Groth, Planner

Sheila Geisert, Planning Technician

#### *Current Planning*

Yolanda Hipski, 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

Kyle Redden, Planner

#### Resource and Infrastructure Management Division

Jason Groth, Chief

Sarah Sandy, Administrative Associate

#### *Adequate Public Facilities*

John Mudd, Resource Manager

#### *Transportation*

Tony Puleo, Resource Planner

#### *Water & Sewer*

Ben Yeckley, Resource Planner

*GIS*

Glenn Gorman, GIS Resource Analyst

Codes, Permits & Inspection Services Division

Ham Mathur, Acting 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

**IMPORTANT PLEASE NOTE:** All publications located within the Planning and Growth Management section of the web site are believed to be accurate as of their posting date. However, they may not be accurate on the day you view them. To verify whether these documents are the most current official document, please contact the division associated with the document in question.

**PLANNING COMMISSION OF CHARLES COUNTY, MARYLAND**

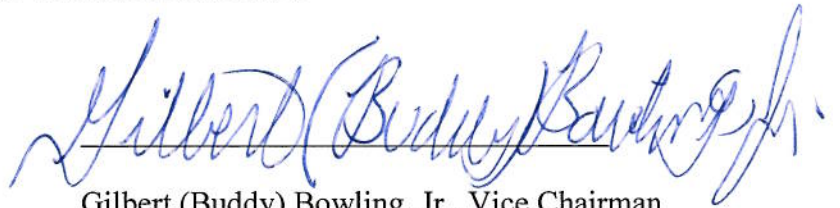
BE IT RESOLVED, this 5<sup>th</sup> day of June, 2017, by the Planning Commission of Charles County that the document consisting of text, maps, and charts, entitled "2016 Annual Report of the Charles County Planning Commission" and dated May 2017, is hereby adopted in accordance with the Land Use Article of the Annotated Code of Maryland.

CHARLES COUNTY PLANNING COMMISSION

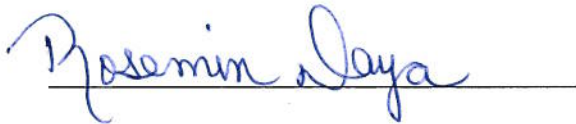
CHARLES COUNTY, MARYLAND



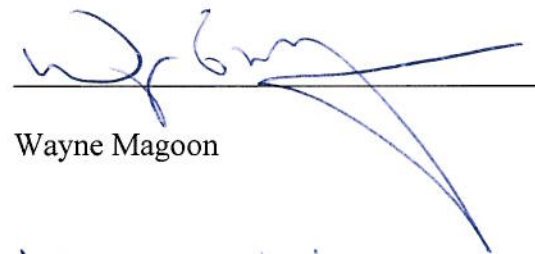
Angela Sherard, Chairman



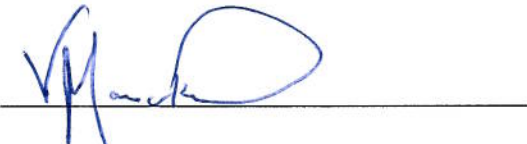
Gilbert (Buddy) Bowling, Jr., Vice Chairman



Rosemin Daya



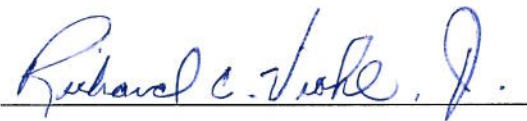
Wayne Magoon



Vicki Marckel




Nancy Schertler



Rick Viohl

ATTEST:



Theresa Pickeral, Clerk