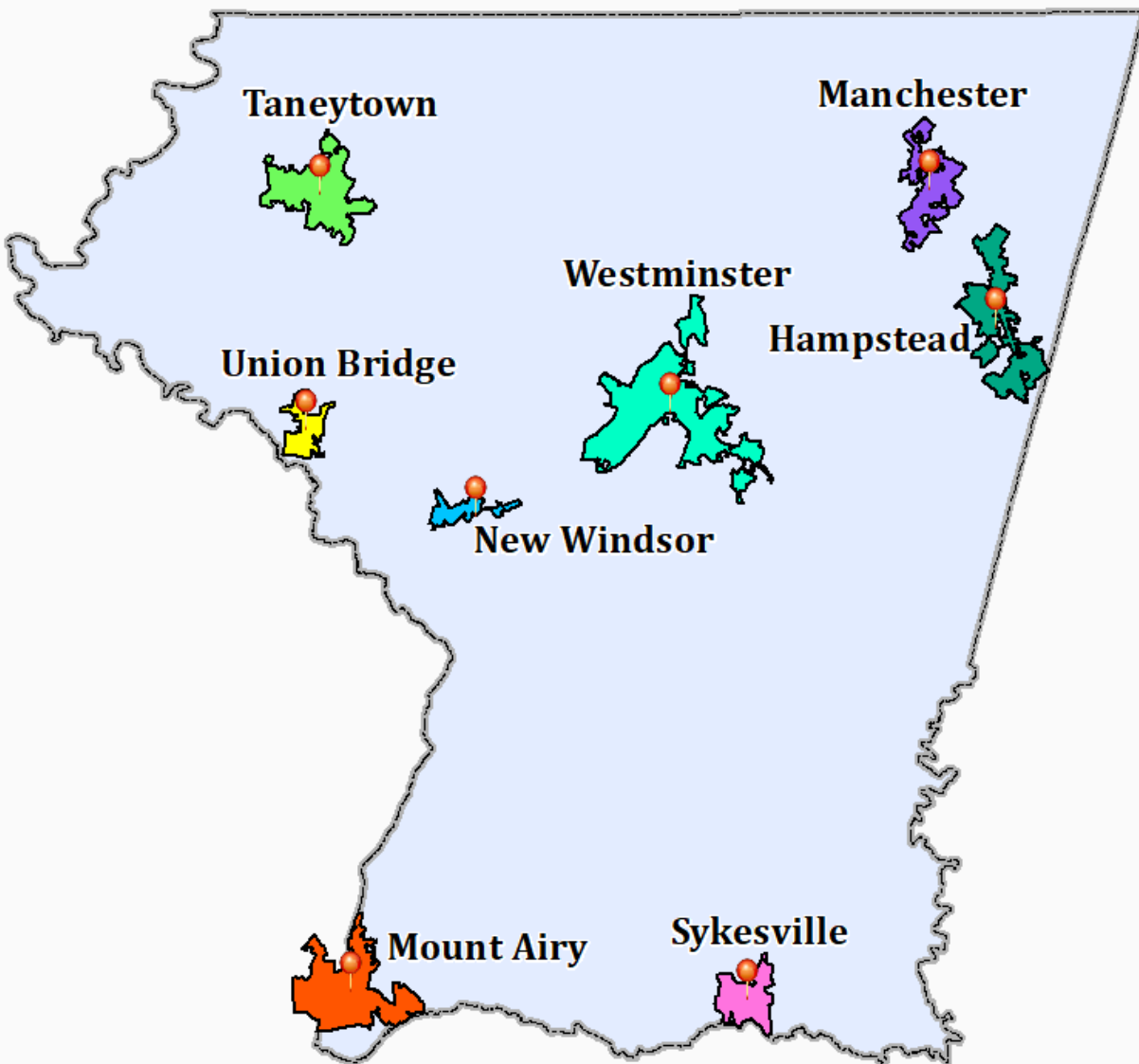


Guide to County and Municipal Planning Processes



**Carroll County Department of Planning
April 2021**

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Purpose of the Manual

To provide a guide for municipal staff and officials on the County's, planning related, role in assisting and collaborating on various plans, projects and planning related state mandates. This manual will be updated and distributed yearly to reflect any changes throughout the previous year.

Town/County Agreements

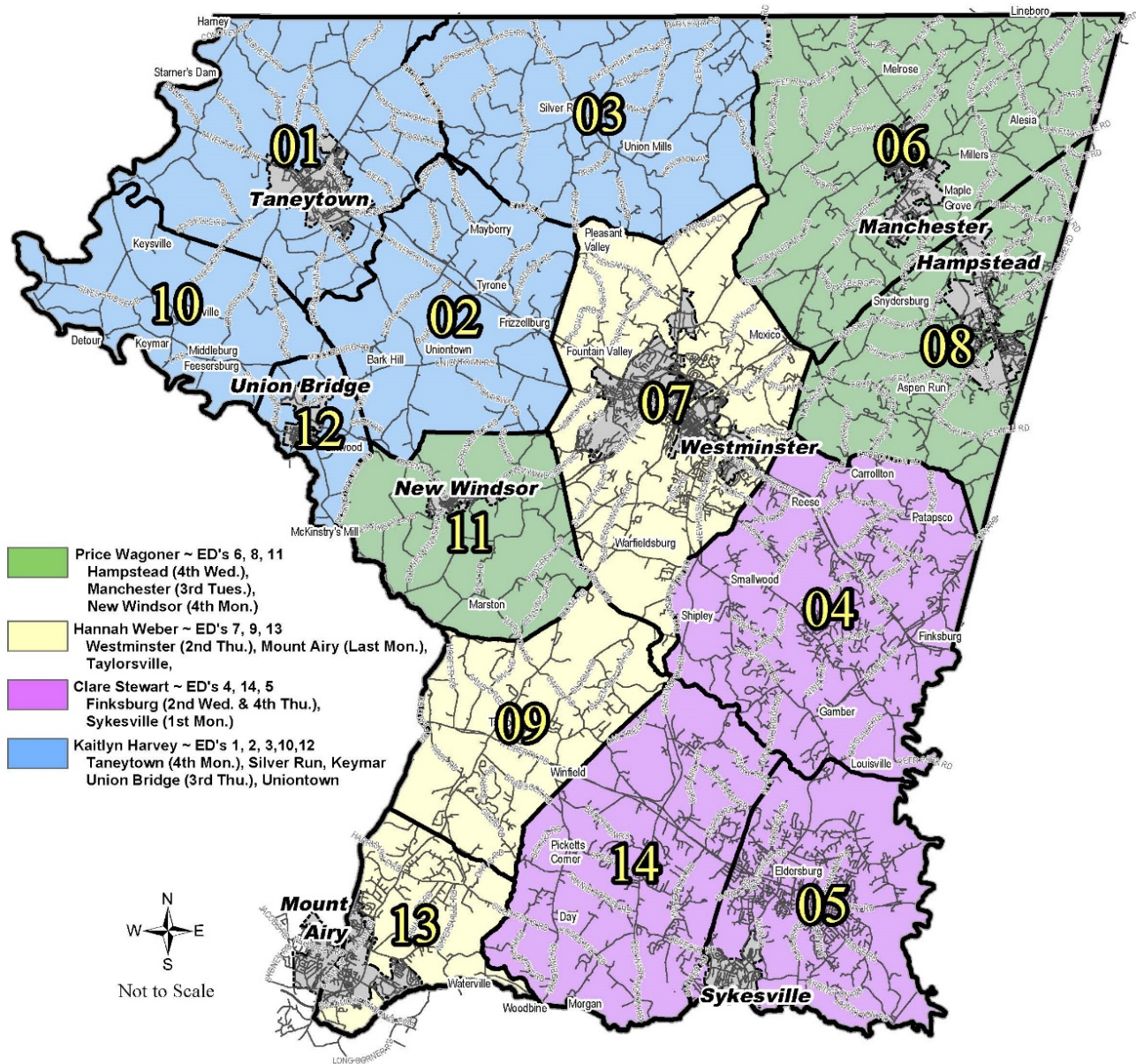
The Town/County Agreements pertain to "sharing of funds and participation in planning and other governmental functions" between a town and the County Commissioners of Carroll County. The agreement lists necessary roles of the Towns and the County for planning and development related processes like annexations, Master Plan amendments, rezoning's, concept plans, etc. See Appendix A (*page 19*) for excerpts from the 2020-2021 Town/County Agreements pertaining to planning and development related processes.

County Liaison to Municipal Planning Commission

This is an ongoing function of the County Planning Department. A comprehensive planner is assigned to each Municipality and is the primary contact between the department and the Town/City. This staff will attend the monthly planning commission meetings and provide an update on the activities of the County Planning Department. They will be responsible for the review of the development projects in the municipality for consistency with all applicable plans (*page 12*). The designated planner will serve as the first point of contact for questions the Town may have for the County for development and planning related matters. See the following map, "*Planners' Geographic Areas of Responsibility*," depicting the County Planning Department liaisons and their respective municipality as of February 2021. Staff may change in the County Planning Department, but each municipality will always have a liaison in the department.



Planners' Geographic Areas of Responsibility



Prepared by the Carroll Co. Dept. of Planning, 2/19/21 (kc)

**subject to change throughout the year*

Town and County Processes

Annexations

Overview of Municipal Annexations: Municipal annexation is the process of legally including an unincorporated area within the corporate limits of a city or town. In order to be annexed, an area must be located in the municipal growth area (MGA) and be contiguous and adjoining to the existing municipal corporate limits. The annexation area may not create an enclave of unincorporated area upon completion of the annexation. The petition must be signed by at least 25% of the qualified voters and the owners of 25% of the total assessed property in the area to be annexed. It is the municipalities responsibility to process the annexation request. According to the Town/County Agreements, annexations are to be forwarded to the County for its information and comments, and seek approval of a zoning waiver, if applicable.

What is Submitted to the County: The annexation packet is submitted to the County by the municipality and must include the following: a cover letter, draft annexation resolution, annexation petition (if annexation is initiated by petitioner), survey plat and metes and bounds description, request for zoning waiver (if applicable), copy of the legal ad, annexation plan outlining the extension of public facilities and a copy of the adopted comprehensive plan map for the area. Per the Town/County Agreements, the annexation packet must be sent, in full, to the County for their review at least 60 days prior to the public hearing. The County cannot accept an incomplete annexation packet, and the 60-day window will not begin until a complete annexation packet is received by the County. Municipal staff should be aware of this when scheduling the public hearing.

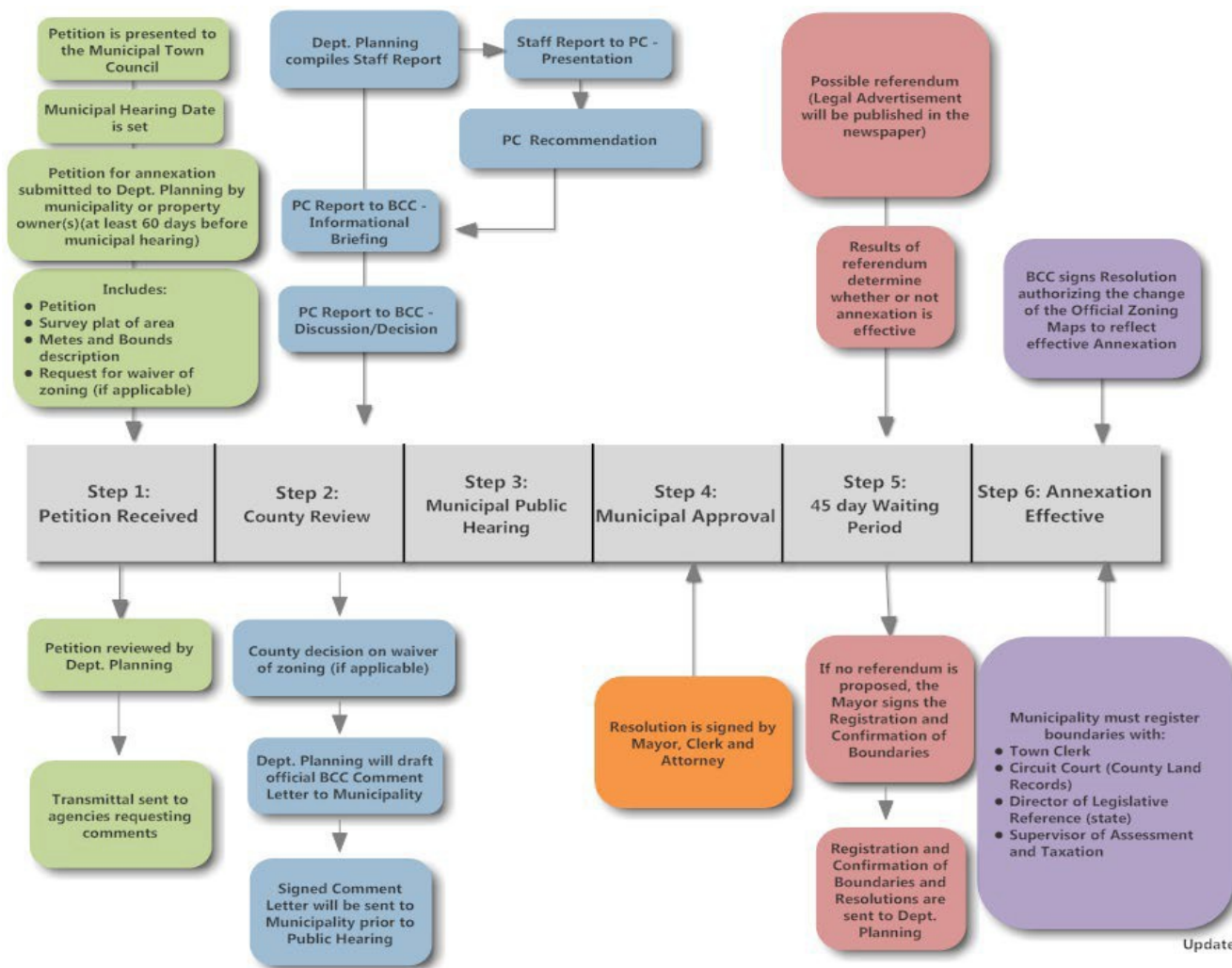
Zoning Waiver: If the proposed municipal zoning is substantially different in use or has a development density of greater than 50% than the original county zoning, the Board of County Commissioners (BCC) may approve a zoning waiver if they desire. Without approval of the zoning waiver from the BCC, no rezoning can occur on the annexed area for 5 years. As noted above, the 60-day review period at the County does not begin until all documents are received, including the request for a zoning waiver. If unsure whether a zoning waiver is necessary, the Maryland Department of Planning (MDP) as well as the County Planning Department can provide guidance on whether a zoning waiver request will be necessary.



County Review of the Annexation Petition: When the County Planning Department receives the annexation packet from the municipality, it is sent to agencies for their respective comments (Land and Resource Management, Public Works, etc.). After comments from agencies are received, the planning department presents a staff report to the County Planning Commission (PC) for their recommendation. The PC recommendation is forwarded to the BCC for their review, discussion, and decision on the zoning waiver if applicable. The BCC will approve, sign, and forward an official Comment Letter to the municipalities Mayor, prior to the municipal public hearing, to be included into the public record. Whether the BCC provides favorable or unfavorable comments on the petition, the annexation process can continue. If the BCC denies the zoning waiver, the annexation process can still continue but the land cannot be rezoned for 5 years.

After Annexation is Approved: Following the municipality's decision to enact the resolution to annex and a 45-day waiting period, the resolution becomes effective. Directly following enactment of the resolution and prior to the effective date, the municipality is responsible for completing and returning the 'Resolution Enactment Date & Effective Date' form to Carroll County Department of Planning. It is the municipality's responsibility to register their boundaries and send a signed annexation resolution and completed Registration and Confirmation of Boundaries form to the County Planning Department. The BCC will sign a resolution which authorizes a change in the official County zoning map(s) to reflect the effective annexation.

Resources: The below flow chart is a reference depicting both the municipal and County responsibilities for a Municipal Annexation. Additional information regarding the municipal annexation process can be found on the County's website, <https://www.carrollcountymd.gov/government/directory/planning/annexationsrezonings/>.



The following information and diagrams are meant to give an overview of the annexation process. The Department of Planning makes no guarantees of legal accuracy as it relates to the reader's individual annexation petition. All State Annexation Laws come from the Local Government Article, Division II, Title 4, Subtitle 4 (§ 4-401 through § 4-4016).

- [Overview of Annexation Process](#)
- [Overview of Legal Process for Annexations](#)
- [Municipal Reporting Responsibilities Following Annexation](#)
- [Municipal Annexation Resolution Reposition Form](#)
- [Registration and Confirmation of Boundaries Form](#)
- [Municipal Annexation Handbook](#)

**Resources found
on the County
Planning
Department
Website**

Fall and Spring Water and Sewer Amendments

The fall and spring Amendments function is to keep the *Carroll County Master Plan for Water and Sewerage* as current as possible in between each Triennial Update (page 10), which takes place every three-years. The Amendments take place twice a year, during the fall and spring, on a cyclical basis. To be included in the Spring Amendment, an individual, Town/System Operator, or County Planning Staff must submit the application by February 1st for the Spring Amendment and August 1st for the Fall Amendment. See the below chart for the biannual Amendment cycle timeline and submittal dates. When submitting the application to the Department of Planning, a completed application must be submitted as well as a copy of the proposed revisions to both the Plan map(s) and text as well as any additions/extensions of necessary facilities. More information may be necessary in the application, questions are to be directed to the County Department of Planning.

*

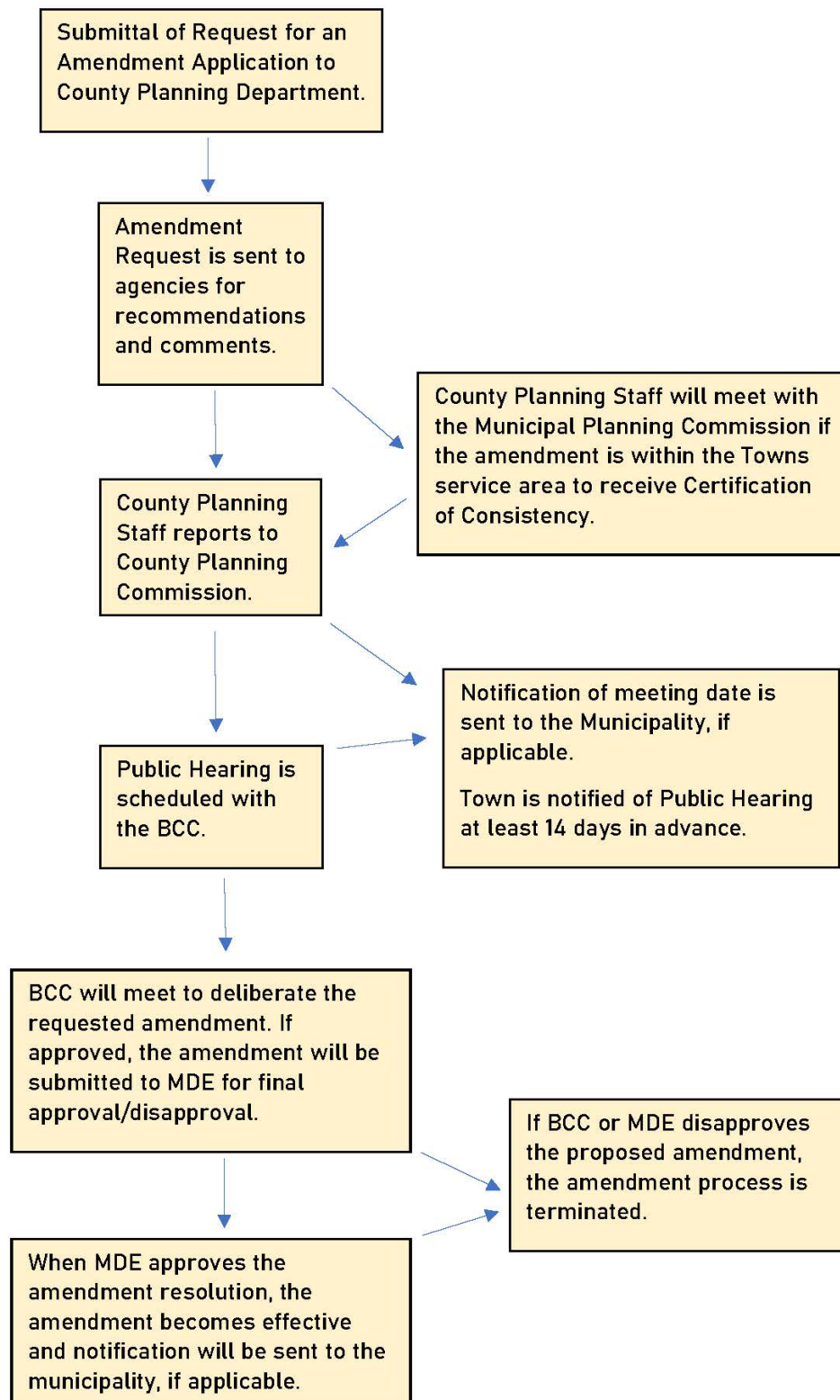
Amendment Cycle Submission Deadline	Planning and Zoning Commission Certification	Board of County Commissioner Public Hearing, Adoption, & Transmittal to MDE
February 1 (Spring)	March	April
August 1 (Fall)	September	October

*Timeline is subject to change.

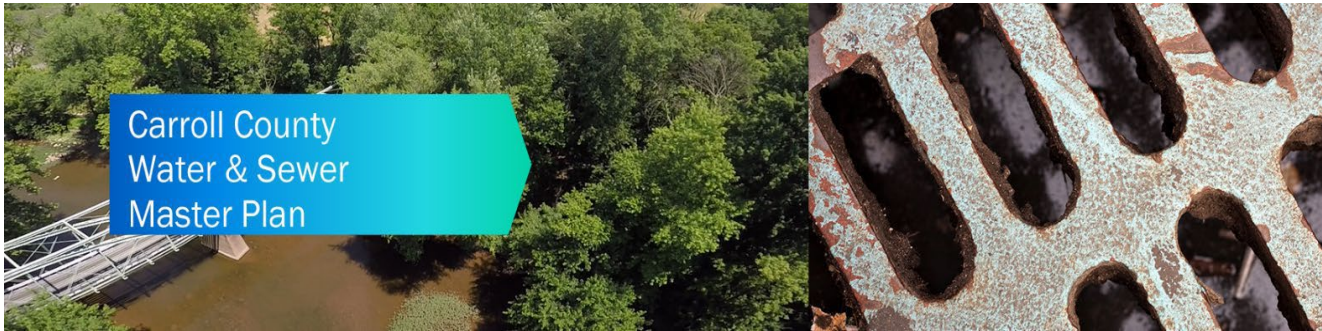
Processing the Amendment: Following the submission deadlines, the following are steps taken in processing the Amendment. (see *the flow chart of the Fall and Spring Amendment Process*, page 9)

1. The Department of Planning will prepare a report for each requested Amendment to present to the County Planning Commission. The Planning Department will send the Amendment request to agencies including the Carroll County Health Department, Carroll County Bureau of Utilities, Maryland Department of Planning, and Maryland Department of the Environment (MDE). The agencies recommendations and comments are included in the report presented to the Planning Commission.
2. Before meeting with the County Planning Commission, the Planning Department will present the report to the Municipal Planning Commission if the amendment is within the Towns service area. At the Municipal Planning Commission, a certification of consistency with the Town's Comprehensive Plan is necessary to continue the amendment process.
3. Following the County Planning Commission recommendations, a public hearing date will be set with the BCC. Both the Planning Commission and public hearing meeting date will be shared with the municipality, if applicable. The BCC will deliberate on the requested Amendment following the public hearing.
4. If approved by the BCC, the resolution will be sent to MDE for final approval. Only when approved by MDE will the amendment be official in the *Carroll County Master Plan for Water and Sewerage*. If the BCC or MDE does not approve the proposed Amendment, the process is terminated. See below flow chart of the Fall and Spring Amendment process.

Fall and Spring Amendment Process



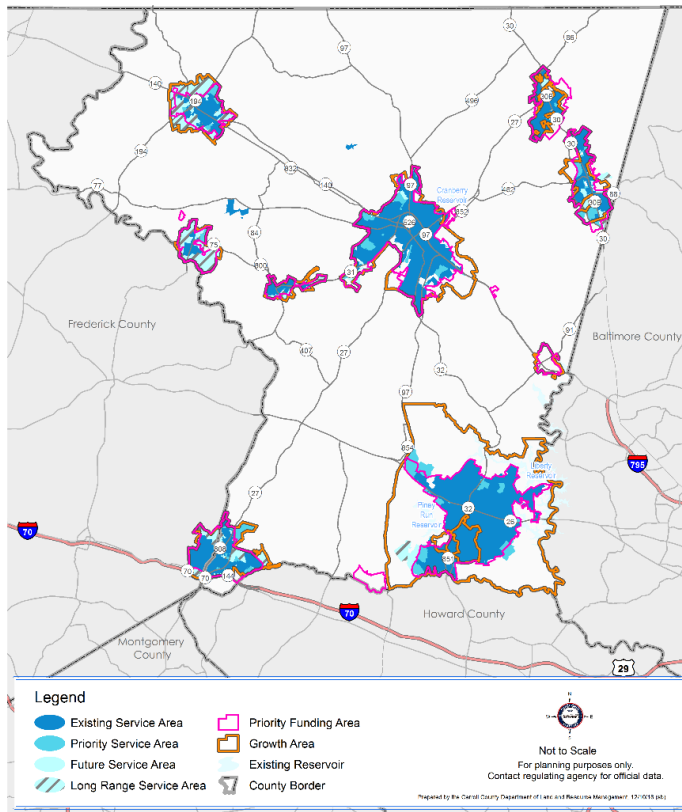
Triennial Update



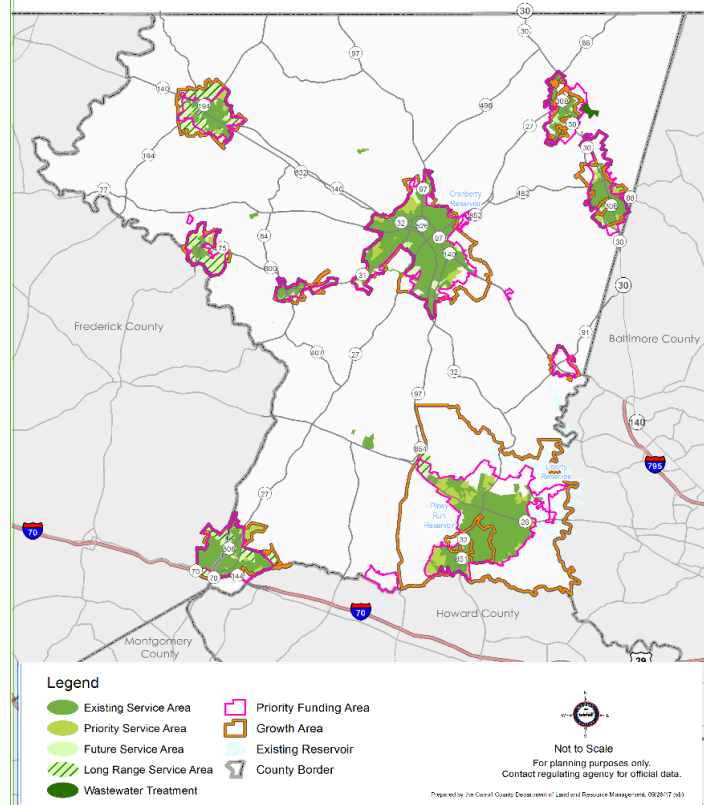
The Triennial Update of the *Carroll County Master Plan for Water and Sewerage* occurs every 3 years in accordance with Section 9 – 503 of the Environment Article of the Annotated Code of Maryland. This update is comprehensive and includes updating of the entire plan including new calculations for tables, maps, and text. The Fall and Spring Amendments (*page 8*) are considered part of the updating process. (*see the Planned Water and Sewer Area maps, page 11*)

Involvement with Towns: The County Planning Staff will notify each municipality that the Triennial Update is underway. Any projects undertaken by the municipalities will be included in the Update if they were not already included in a Fall or Spring Amendment. County Planning Staff will send the specific municipality their chapters (charts, maps, text) for their review and updates. The municipalities will also provide updated numbers to populate county-wide tables and charts. Before meeting with the County Planning Commission, County Planning Staff will meet with each of the Municipalities' Planning Commissions' for their certification of consistency with their respective Municipal Master Plan. When approval is given by each municipality, the updated plan will be brought to the County Planning Commission for approval and then to the BCC for their adoption. When each chapter is certified by the municipality, it will be sent to MDE for approval and only then will the chapter become effective.

Planned Water Service Areas



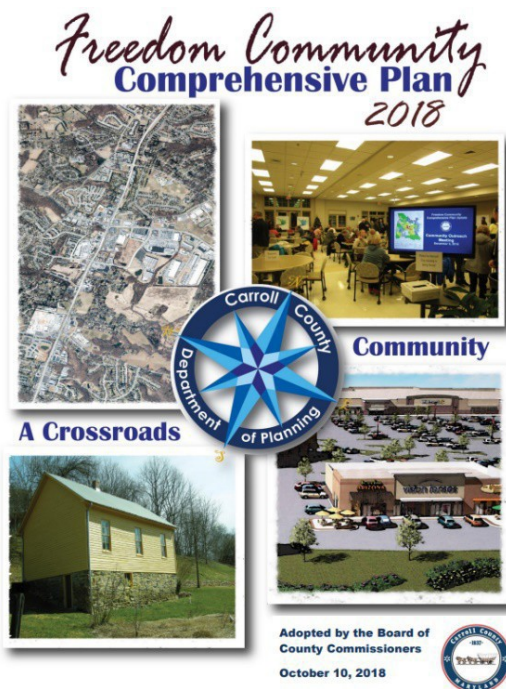
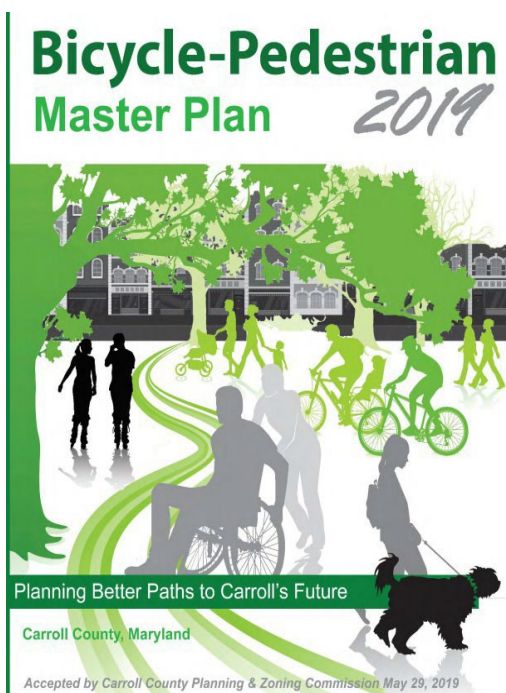
Planned Sewer Service Areas



Review of Development Plans

Overview and Distribution: The Town/County agreements state that the Town and County have “joint review responsibilities” for development plans. Also, in the Town/County agreements, any development plan within 1 mile of the municipality corporate limits must be sent to the Town for review and comment. At the County, the concept plan is received from the surveyor/engineer at the Bureau of Development Review where it is then transmitted to the County Planning Department. Concept plans are distributed amongst the Planning Department by the planner’s geographic area of responsibility as well as sent to the Town (see map, “Planners Geographical Areas of Responsibility”, page 4). The Bureau of Development Review sends the concept plan to many agencies at the County for approval.

Review for Consistency: The planner that has received the concept plan will find consistency with policies and recommendations contained in multiple applicable plans. The plans can include the, Carroll County Master Plan, the Freedom Community Comprehensive Plan, the Finksburg Corridor Plan, the municipality’s Comprehensive Plan (if applicable), Carroll County Master Plan for Water and Sewerage, the Bicycle-Pedestrian Master Plan, and other functional plans as applicable. The planner looks for policies and recommendations related to land use, transportation (planned major streets, bike/ped, TrailBlazer stops and planned routes), agricultural easements and preservation, historic sites and districts, and rural villages to support a determination whether the proposed concept plan is consistent or not consistent with the surrounding area. The Town staff, when reviewing the concept plan, will use their in-depth knowledge of the area and the Town’s Comprehensive Plan to generate their comments of consistency or comments of concerns.



Memo Submittal and Technical Review Committee (TRC): When the County Planner's comments are drafted and completed, they will be sent to the respective Town staff for their advisement. On the original distributed concept plan, the TRC date will be provided to both Town and County staff for their attendance. At the TRC meeting, Town staff have the "right to present written comments as a first item of business," according to Town/County Agreements. Any decision pertaining to concept plan approval that is contrary to comments made by the town or county staff must be supported by any reasons for action taken.

County and Town Review: Per the Town/County Agreements, both the County and Town "shall give official written notice of any meeting or hearing in which a preliminary subdivision plan or site plan is to be reviewed...". After review, a written copy of the approval or disapproval for all site plans and subdivision plans shall be forwarded to the County or Town within 30-days.

Resources: At the County level, the Bureau of Development Review is the lead agency when it comes to all development projects and site plans. On the County website under the Bureau of Development Review in the directory, there are many links to resources that may prove helpful in the review process for site plans, subdivision plans, as well as municipal transmittal forms that are required for some municipalities. The link to these resources can be found, <https://www.carrollcountymd.gov/government/directory/land-resource-management/development-review/checklists-and-forms/>.

Municipal Forms

[Town of Manchester Transmittal Form - Subdivision and Site Plan](#) (revised 09/25/2020)

[Town of Mount Airy Transmittal Form - Subdivision and Site Plan](#) (revised 09/25/2020)

[City of Taneytown Transmittal Form - Subdivision and Site Plan](#) (revised 09/30/2020)

[City of Westminster Transmittal Form - Subdivision and Site Plan](#) (revised 09/25/2020)

Subdivision

[Major Residential Subdivision Review Process Overview](#) (revised 09/14)

[Minor Residential Subdivision Review Process Overview](#)

[Pre-Submittal Conference Form](#) (revised 04/01/19)

[Subdivision Application](#)

Site Plan

[Site Development Review Process Overview](#)

[Simplified Site Plan](#)

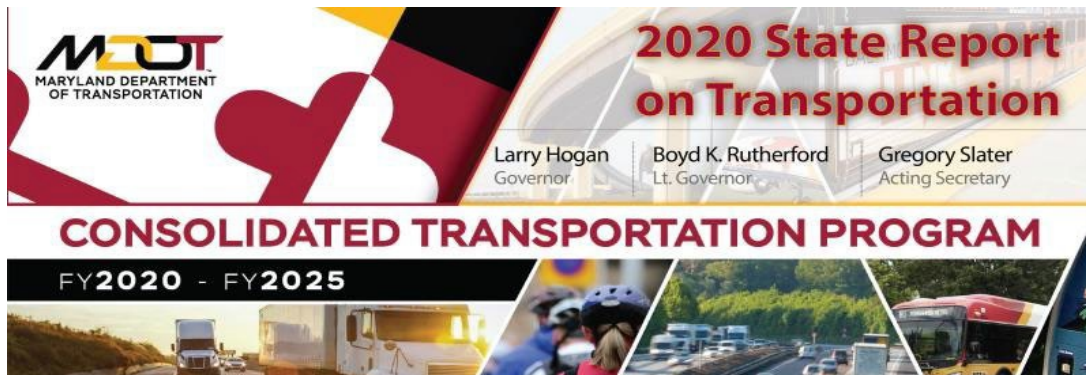
[Simplified Site Development Plan Review Transmittal](#) (10/20/2020)

[Pre-Submittal Conference Form](#) (revised 04/01/19)

[Site Development Plan Application](#)

**Resources
found under
Development
Review on the
County Website**

State Consolidated Transportation Program (CTP)



CTP Priority Letter: Each year, the BCC drafts a letter to the Maryland Secretary of Transportation which details the County's top priorities in terms of state road projects. It is the County's practice to be consistent from year to year with their priorities and not include minor road improvements/projects that are not specified in the adopted plans. The BCC and County Planning Staff meet several times during February and March to update the previous year's letter, if necessary. Updates can include progress on projects that have been made over the past year, enhance justification for projects listed or list new projects entirely. These projects listed in the letter are used by the Maryland Department of Transportation (MDOT) during preparation of the Annual Consolidated Transportation Program (CTP). The County's Planning Department is responsible for coordinating with the municipalities during this effort.

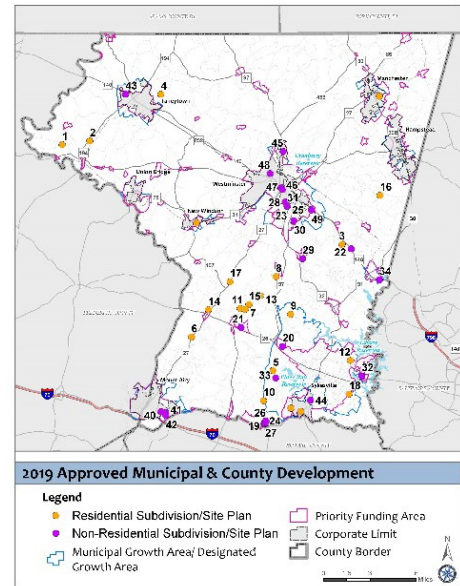
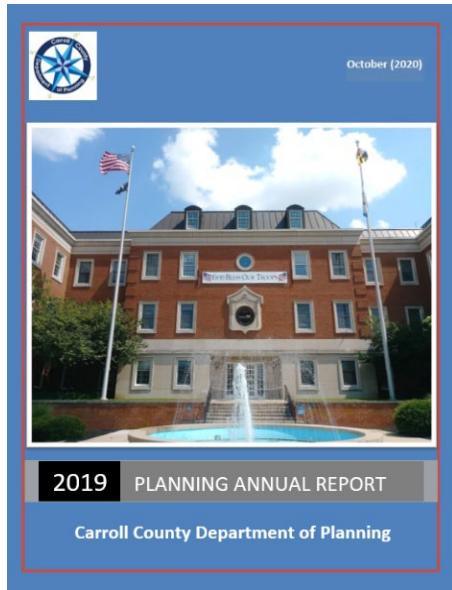


Involvement with Towns: In January, the County Planning Department informs the Towns that the Priority Letter is approaching. A follow-up meeting with the County may be requested. The Towns are asked to provide their input into the County's Priority Letter for the year. Municipalities also have the ability to draft their own Priority Letter if that is preferred. After approval of the Priority Letter by the BCC, it is sent to MDOT and the Municipalities.

CTP Pre-Tour and Tour: Following MDOT's preparation and release of the CTP, the Secretary at MDOT schedules a Tour throughout the state with each County individually. The purpose of this meeting is to present the CTP and specifically discuss the projects that were included in the County. Participants in the Tour meeting include all interested elected officials who have been invited to attend by the BCC on behalf of Carroll County. Preceding the Tour, the "Pre-Tour" meeting occurs. This meeting is attended by the County, municipal and MDOT staff. The Pre-Tour meeting serves as a preparatory meeting to the Tour. Both the Tour and Pre-Tour meetings usually occur during the months of September and October.

General Reports

Annual Report



The Annual Report serves as a summary of development that occurred over the previous year. This report is mandated by Section 1-208 of the Maryland Land Use Articles. The report includes both County and municipal development and it is submitted to the state when it is certified with the County.

Involvement with Towns: In February of each year, the County Planning Department will send a template to all the municipalities requesting information regarding their development over the previous year. The information being requested may include the number of residential and commercial development plans approved over the year, any rezoning's/annexations, substantial changes in roads/facilities, adopted amendments, etc. (*Municipal Information Templates, page 16*) The deadline for this information to get back to the County is usually the beginning of March. After the County has finished compiling the information received from the municipalities and other County departments, planning staff will bring the report back to the municipalities planning commissions over the months of April-May for each of their certifications. When the report has received certification from each municipality and their planning commissions, it will be brought to the County Planning Commission in June for their approval. The Annual Report is due to MDP by July 1st.

Municipal Information Templates

1. Residential Subdivisions that received Final Approval from Planning Commission in 2019

- Name
- Number of lots
- Number of Units
- Acres
- Zoning
- Net density (total area of residential lots, not including open space, roads, stormwater management, etc., divided by number of lots)

If possible please provide the following information for each site plan approved:

- ❖ Record ID #
- ❖ Map #
- ❖ Block/Grid #
- ❖ Parcel #

2. Commercial & Industrial Site Plans that received Final Approval from Planning Commission in 2019

- Name
- Acres
- Square Footage of Building
- Zoning
- Floor-area ratio (total lot area not including open space, roads, stormwater management, etc., divided by total building area)

If possible please provide the following information for each site plan approved:

- ❖ Record ID #
- ❖ Map #
- ❖ Block/Grid #
- ❖ Parcel #

3. Residential Preliminary Plans Approved by the Planning Commission in 2019

- Name
- Total acreage of subdivision plan
- Number of lots
- Number of residential units (if applicable)
- Average lot size
- Zoning
- PFA (Priority Funding Area?)
- MGA/DGA (Municipal Growth Area/ Designated Growth Area?)

If possible please provide the following information for each residential preliminary plan approved:

- ❖ Record ID #
- ❖ Map #
- ❖ Block/Grid #
- ❖ Parcel #

Zoning Map & Text Amendments

1. Rezoning & Annexations

- Resolution number and date passed
- Description of change
- Map of affected area

2. Zoning Map & Text Amendments

- Ordinance number and date passed
- Summary of amendment (Brief Description)
- Map of affected area (if applicable)

Facilities

1. New Parks

- Name
- Acres
- Facilities available
- Map of area

2. New Roads or Substantial Changes in Roads or Other Transportation Facilities

Master Plan Updates

County Master Plan

In accordance with Maryland State Law, all County master plans are to be updated every 10 years (2013 House Bill #409). The most recent Carroll County Master Plan update was in 2014 and amended in 2019. At the start of the update, there is a kickoff meeting with planning staff and staff from the Municipalities to inform them that the County is updating the Master Plan. After the kickoff meeting, there is informal participation with the Municipalities and County planning staff, as requested. The County planning liaison to the Municipality will also provide updates at the monthly Municipality planning commission detailing where the County is at with updating the Plan as well as answering any questions they may have.

Involvement with Towns: When the County Planning Commission approves the updated Master Plan, it is sent to all the Municipalities for a 60-day review, in accordance with Maryland State Law. The 60-day review is for the Municipalities to provide feedback on the County's proposed updated plan and to assure it is consistent with the Municipalities' Master Plans. After the 60-day review, there is a public hearing with the County Planning Commission and finally it is sent to the BCC for adoption.

Municipal Master Plans

The County Planning Department, through the assigned liaison, will coordinate with the Town/City staff and planning commissions throughout the development and adoption of their Master Plans. This includes coordination on all issues of common interest and attendance at work sessions when requested. There is a particular need for collaboration on county public facilities such as schools, roads, recreation, libraries, and public safety, which are not subject to municipal boundaries. In two of the towns, changes to the provision of water and sewer is also a shared issue that requires coordination. All land use changes should include an evaluation of the impact on the County facilities and operations. Changes to municipal growth area boundaries are also of mutual interest and should be coordinated between both entities.

The assigned liaison will also be a facilitator between the Town and other County departments if assistance is needed in updating the Master Plan. Often, other County departments provide updated maps and printing services to the Towns when they are updating their plans. If these services are needed by the Town, the Town will advise the assigned liaison of the necessity early in the updating process. After the plan is approved by the Town, per the Town/County Agreement, "Master Plans or revisions hereto shall be forwarded to the County following its initial review by the Town, but in no event later than 45 days prior to any scheduled public hearing."

Transportation Master Plan



The County Department of Planning is currently drafting the first countywide Transportation Master Plan (TMP) for Carroll County. The TMP will address the transportation issues in the County and will provide a vision for future needs based on the recently adopted land use plans. Unlike County land use plans which only address the areas outside of municipal boundaries, this plan will address transportation issues and priorities throughout Carroll County, including major roads within the towns.

The objective of this Plan will follow the goal set forth by the 2014 Carroll County Master Plan as amended in 2019, which states, "Provide a safe and functional intra-County transportation system that promotes access and mobility for people and goods through a variety of transportation modes." The Transportation Master Plan will rely heavily on the goals and objectives laid out in the 2014 Carroll County Master Plan as amended in 2019, 2019 Carroll County Bicycle-Pedestrian Master Plan, 2018 Freedom Community Comprehensive Plan, and all other applicable plans. Additionally, the County is working alongside a Transportation Consultant to analyze data relating to our transportation network by establishing transportation, land use, and demographic profiles to identify potential improvements. Ultimately, this plan aims to help prioritize County and State roads for State improvement or breakout projects.

In 2020, The County planning staff met with representatives of the eight municipalities to discuss their needs, concerns, and priorities regarding transportation facilities within and surrounding their jurisdictions. These issues were considered during preparation of the TMP and addressed where feasible. The TMP will be reviewed and approved by the County Planning Commission and transmitted to the Board of County Commissioners for adoption. Throughout this review process, the municipalities will be kept apprised of the progress of the plan and their input solicited.

The TMP will be amended periodically to be consistent with any updates to County and municipal land use and other functional plans. County planning staff will again work with local staffs on these updates.

Appendix A:

Town County Agreement Language (2020-2021)

Planning and Development Related Language in Town/County Agreements:

“Copies of requests for subdivisions or site development of land, amendments to Master Plans, site plans, rezoning petitions, or petitions or plans for annexations, will be forwarded to the County for its information and comments. In the case of a subdivision, copies of any required sketch plans may be forwarded to the County for review and comment but, in any event, a copy of the preliminary subdivision plan or any revised preliminary plan which has been received after approval of sketch plans shall be sent to the County within 45 days of its receipt. Upon final approval of a plan, a copy of that plan record plat mylars, and paper prints or mylars of approved site plans shall be forwarded to the County following its initial review by the Town, but in no event later than the 45 days prior to any scheduled public hearing. Annexation petitions shall be furnished the County at least 60 days before the public hearing regarding the annexation petition.”

“Upon receipt of requests for subdivision or site development within 1 mile of the corporate limits of (municipality), copies of the proposed preliminary plan will be forwarded within 30 days of its receipt to the Town for review and comment. On any new Master Plan or revision of Master Plan affecting any areas within 1 mile of the Town corporate limits, copies will be forwarded to the Town at least 45 days prior to the hearing thereon. Copies of any rezoning petition for property adjacent to the Town corporate limits and notices of any hearing on the petition shall be furnished to the Town at least 45 days prior to such hearing at which the Town shall be given the opportunity to present any comments.”

“In addition to the provisions set forth in the previous paragraph, the County agrees to provide reasonable advance notice, which shall mean not less than 45 days, to (municipality) of any intent or proposal to rezone property, whether by means of Master Plan revision or Petition to rezone or otherwise, within a 1 mile radius of the (municipality) Town limits, to something other than its current zoning and to seek and obtain the opinions and advice of the Town’s Mayor and Council in a public forum held within the geographic boundaries of the Town that would include invitation to and opportunity for public comment by the citizens of the Town and the residents of the area proposed to be rezoned, without cost to the Town or residents of the area proposed to be rezoned.”

“Review Process

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

“Appeal Process

When (municipality) or the County shall have made a tentative decision which is not in accordance with the desire of the other, an opportunity shall be afforded for an official joint meeting to further discuss the concerns or recommendations previously made. The concerns or recommendations shall be documented in writing and evidence of any detrimental short- or long-term findings shall be part of the written document. At such time as the evidence has been reviewed jointly by both parties, a decision shall be made by the jurisdiction which has the prime responsibility for approving the applications. The decision may be in the form of an approval, disapproval, or approval with conditions.”

“Services Available

Pursuant to separate memoranda of understanding, the County will make available animal control services, planning services, zoning services, building permits and inspections services, data processing services for tax and utility billing at the level as currently exists in unincorporated areas of the County without charge.

Prior to County providing the above services, the Town will have adopted, where required, an Ordinance or provisions similar to or the same as the County Ordinance which govern the service and Town and County Attorneys shall review it prior to the Town and County authorizing the service to be performed by the County under provisions of the Town Ordinance.”

***please contact the respective liaison of your Municipality for a full copy of the Town/County Agreement**

