

2007 & 2008 ANNUAL REPORT

of the

CHARLES COUNTY PLANNING COMMISSION

(as required by Article 66B, Annotated Code of Maryland)



CHARLES COUNTY MARYLAND
 Where Eagles Fly™

Prepared by

The Planning Division
Department of Planning and Growth Management
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MISSION STATEMENT

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient, and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning, and have an appropriate managerial organization tempered by fiscal responsibility.

VISION STATEMENT

Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount; where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.

I. Purpose of Report

Section 3.09, Article 66B, Annotated Code of Maryland, requires the Planning Commission to prepare and file an annual report with the County Commissioners. It states that the report shall be made available for public inspection and a copy of the report shall be mailed to the Director of the Maryland Office of State Planning. The criteria for the content of the report are specified as follows:

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

The last Planning Commission Annual Report to be completed was for 2006. The County Commissioners requested follow-up information regarding this report, which took Planning staff time to prepare. The 2006 Planning Commission Annual Report, along with the County Commissioners' Follow-up Information, was approved in April of 2009. Therefore, years 2007 and 2008 are being combined into one Annual Report. The Annual Report for 2007 & 2008 has been designed to address the requirements of Section 3.09. Five sections, corresponding to the topics listed in (a) above, describe the respective changes in development patterns which have occurred over each year. Maps are included to depict locations of affected lands. In contrast to some previous years' reports, 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) 870-3896
Permits Administration:	(301) 645-0692
Capital and Development Services:	(301) 870-3937
County Attorney's Office:	(301) 645-0555
Automated Response System:	(301) 645-0600

Charles County Government Web Site: <www.charlescounty.org>

In compliance with the above-stated provision of Section 3.09, Article 66B, this Annual Report was adopted by the Charles County Planning Commission on **July 13th, 2009** and forwarded to the Charles County Commissioners on October 7th, 2009.

II. Executive Summary

This Annual Report provides an opportunity for the Charles County Planning Commission to review development approvals for 2007 and 2008. Actual development can then be compared to the overall vision of future development as articulated in the 2006 Comprehensive Plan. The managed growth strategy outlined in the 2006 Comprehensive Plan was first developed in 1990 and refined in 1997. One of the eight land use visions of the Comprehensive Plan is to concentrate development in suitable areas. The general theme of the plan is that the County should endeavor to preserve and enhance the present “character” of the County and improve the quality of life for its citizens while maintaining a pace of growth and development which is managed. This general theme, when interpreted in terms of land use, says that the County should adopt a “managed growth” philosophy toward the use of the land over which it has zoning authority and that development should be of a controlled nature, channeled into the most appropriate areas and discouraged in other areas. The County has determined that such a philosophy is necessary to cost-effectively sustain adequate levels of public services and facilities in the form of schools, transportation networks, sewer, water, police, fire, and other services that will be required to support present and future residents. The overarching land use goal in the 2006 Comprehensive Plan is to direct 75% of all development to the northern and western portions of the County identified as the Development District.

Charles County's population increased 16.8% from 120,546 to 140,764 between the last census conducted in April of 2000 and July 1, 2008.¹ These population figures correspond to an annualized growth rate of 1.96% during this period. According to the 2006 Comprehensive Plan, the target growth rate is approximately 1.7% but less than 2.0% per year. The 1997 Comprehensive Plan specified a target growth rate between 2.0% and 2.5%. This growth rate was the target from 1997 until June of 2006. The average annual growth rate during the life of the 1997 Comprehensive Plan (1997-2006) was 2.39%. The average annual growth rate between 2007 and 2008 is 0.57%.

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 2001 to 2008.

Figure 1: 2001-2008 Development Summary

	2001	2002	2003	2004	2005	2006	2007	2008
Residential Building Permits*	1,287	1,319	1,045	945	1,316	1,366	882	672
Number of Preliminary Plan Lots Approved	251	761	1,935	1,642	1,566	1,897	458	381
Preliminary Plan Developed Acreage	758	1,352	2,101	1,165	3,254	3,081	1,492	953
Number of Final Plat Lots approved	517	859	758	1,283	1,299	1,726	839	820
Final Plat Developed Acreage	1,926	4,065	2,455	2,061	3,488	3,139	2,500	3,403
Preserved through Open Space/Cluster	<i>Not Available</i>					1,470	400	275
Total Acres of Protected Lands	351	1,513	1,402	1,696	1,360	1,956	5,340	3,837
New Construction Sq. Ft. Approved (Site Plan Approval)	617,473	148,030	328,996	413,707	980,553	1,073,937	2,198,029	535,175

* Complete Town data included for 2005 and all subsequent years. 2001 includes Town data for La Plata only.

¹ Ever year, the U.S. Census Bureau updates the estimated population figures for each year since 2000.

Conclusions & Recommendations

Conclusions

Development approvals needs to be compared to the vision of future development as outlined in the 2006 Comprehensive Plan to determine if it is consistent. In terms of the annual growth rate, the Comprehensive Plan specifies a target growth rate of approximately 1.7% but less than 2.0% per year. In 2007 and 2008, the growth rates were well below the target at 0.72% and 0.42%, respectively. The lower growth rates can be attributed to the current economic situation.

The Comprehensive Plan specifies that 75% of all development should be located inside the Development District. In 2007 and 2008, the County did not meet its target goal of 75% of the total lots being located inside the Development District with 48% and 62% respectively. An analysis of preliminary plan lots inside the Development District from 2001 through 2008 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 74% over the eight year period.

Similarly for final plat lots, in 2007 and 2008, the County did not meet its target goal of 75% of the total lots being located inside the Development District with 65% and 53% respectively. Again, an analysis of final plat lots inside the Development District from 2001 through 2008 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 70% over the eight year period.

Another goal articulated in the Comprehensive Plan is for housing. The Plan identifies a goal of approximately 70% single-family detached units, 20% townhouse units, and 10% apartment units. In terms of single family housing, Charles County was below the target goal of 70% with 57% in 2007 and 56% in 2008. For townhouses, the County was below the target goal of 20% with 15% in 2007 and 4% in 2008. In terms of apartments, the County exceeded its target goal of 10% with 28% in 2007 and 40% in 2008. However, an analysis of building permits from 2001 through 2008 demonstrates that the County is generally consistent with its Comprehensive Plan housing goals, averaging 75% for single family houses, 10% for townhomes, and 15% for apartments.

The following table (Figure 2) demonstrates how Charles County is generally consistent with the 2006 Comprehensive Plan targets and goals:

Figure 2: Development Consistency with Comprehensive Plan Goals

	2007	2008	Comprehensive Plan Goals	Average 2001-2008
Preliminary Plans	48%	62%	75% Inside Development District	74%
Final Plats	65%	53%	75% Inside Development District	70%
Housing: Single Family	57%	56%	70%	75%
Housing: Townhomes	15%	4%	20%	10%
Housing: Apartments	28%	40%	10%	15%

Recommendations

The Planning Commission presents the following recommendations:

- 1. Continue to monitor development approvals inside and outside of the Development District, through the Annual Reporting process.**
- 2. Implement new data collection methods for classifying and calculating open space data and protected lands.**
- 3. Continue to monitor development design, especially for cluster subdivisions, by working with staff to develop a definition of superior design.**
- 4. Develop and implement new measures according to the findings in the Water Resources and Priority Preservation Elements.**

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 Article 66B, 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 in accordance with section 3.05 of Article 66B;
- Review and approve the subdivision of land of the jurisdiction in accordance with section 3.05 of Article 66B;
- Reserve transportation facility rights-of-way in accordance with section 6.01 of Article 66B;
- 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.

The 2007 & 2008 Planning Commission consisted of the following members:

Raymond Detig, Chairman

H. Duncan Creelman, Jr., Vice Chairman

Robert Mitchell, Secretary

Louis D. Grasso

Gail Manuel

Joseph Richard

Stephen Bunker

Legal Counsel: Sue Greer, Assistant County Attorney for Charles County

Theresa Pickeral, Clerk

During CY2007 and CY2008, the Charles County Planning Commission conducted twenty regularly scheduled meetings each year for a total of forty 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 2006 Comprehensive Plan. The managed growth strategy outlined in the 2006 Comprehensive Plan was first developed in 1990 and refined in 1997. The first of eight land use visions of the Comprehensive Plan seeks to concentrate development in suitable areas permitting efficient use of current and planned infrastructure improvements including roads, water and sewer, and school construction. The overarching land use goal in the 2006 Comprehensive Plan is to direct 75% of all development to the northern and western portions of the county identified as the Development District.

IV. Population Growth Rate

The 1997 Comprehensive Plan specified a target growth rate between 2.0% and 2.5%. This growth rate was the target from 1997 until June of 2006. In July of 2006, a target growth rate of approximately 1.7% but less than 2.0% per year was adopted with the 2006 Comprehensive Plan update. The average annual growth rate during the life of the 1997 Comprehensive Plan (1997-2006) was 2.28%.² The growth rate (percent change in population) for 2007, as well as 2008, was considerably lower. The following table (Figure 3) demonstrates the Population Growth Rate Per Year between 1997 and 2008. In 2007, the growth rate was 0.72% and in 2008, the growth rate was 0.42%. Since the adoption of the 2006 Comprehensive Plan Update, the average growth rate is 0.57% as compared to the Comprehensive Plan goal of approximately 1.7% but less than 2.0% per year. Please also refer to the attached Building Permit History report, which shows the 40-year average from 1968 through 2009.

Figure 3: Population Growth Rate Per Year³

Year (FY)	Population	Growth Rate per Year	Average for 1997 & 2006 Comp. Plan Periods
1997	113,563	n/a	2.28%
1998	116,177	2.30%	
1999	118,571	2.06%	
2000	121,204	2.22%	
2001	124,691	2.88%	
2002	127,777	2.47%	
2003	131,448	2.87%	
2004	134,531	2.35%	
2005	137,144	1.94%	
2006	139,164	1.47%	
2007	140,169	0.72%	0.57%
2008	140,764	0.42%	

² The average annual growth rate reported in the County Commissioners' Follow-up Information to the 2006 Planning Commission Annual Report was 2.39%. The newly calculated average annual growth rate of 2.28% over the life of the 1997 Comprehensive Plan is due to the change in the yearly population estimate figures provided by the U.S. Census Bureau in 2009.

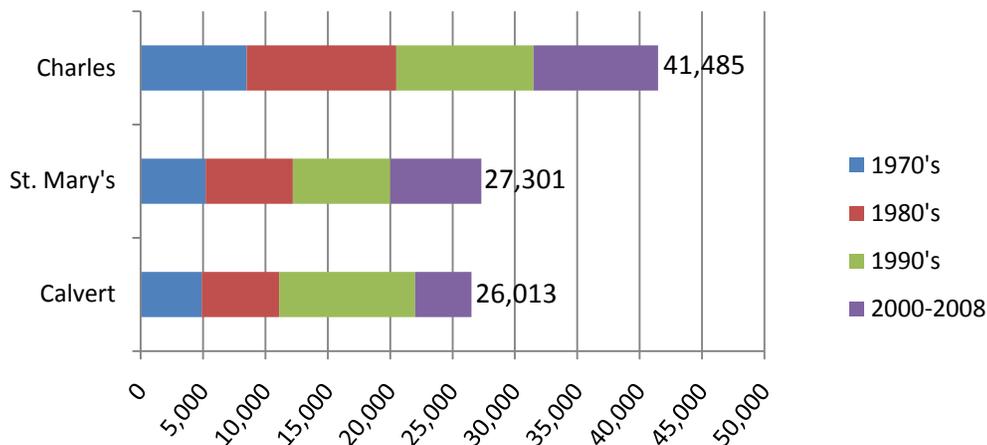
³ The population growth rates per year are based on updated U.S. Census Bureau estimated population figures as of 2009.

V. Subdivision and Site Plan Administration

According to Maryland Department of Planning, Southern Maryland is one of the fastest growing regions in the state. Of the three Southern Maryland counties, Charles has experienced more development than St. Mary's and Calvert. The following chart (Figure 4) demonstrates the number of building permits issued between 1970 and 2008 in Southern Maryland.

Figure 4: Total Building Permits Issued for Southern Maryland between 1970 & 2008

Total Building Permits Issued for Southern Maryland 1970-2008



Source: U.S. Census Bureau, Building Permits Data

The following Subdivision and Site Plan Administration sub-sections provide an in-depth look at development in Charles County for 2007 and 2008 to include preliminary subdivision plans, final plats of subdivision, site development plans, clustering & open space, zoning map amendments, zoning text amendments, and planned development zone amendments. In addition, historical trend data for preliminary plans and final plats has been provided.

A. 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.

Years 2007 and 2008 exhibited a slow-down in residential development. A review of approved preliminary plans and final plats in Charles County during 2007 & 2008 demonstrates that residential development accounts for most of the development in Charles County. Further, single-family housing accounts for the highest proportion of residential development for both preliminary plans and final plats.

During their twenty regularly scheduled meetings in 2007, the Planning Commission approved nineteen (19) preliminary subdivision plans. All 458 of the newly approved lots will ultimately be created for single-family housing. Of the total 458 lots approved during 2007, 219 lots were located inside the Development District, and the remaining 239, were located outside. The preliminary lots can be broken down as follows:

458	Single-family
0	Townhouse
0	Apartments
0	Condominiums
0	Commercial

In 2008, the Planning Commission held 20 regularly scheduled meetings. The Planning Commission approved twenty-one (21) preliminary subdivision plans during 2008. Of the 381 lots approved, 36 were townhouses, and 15 were commercial. The remaining 331 lots were all single-family detached dwelling units. 236 of the approved lots were located inside the Development District, while 145 were located outside of the Development District. The preliminary lots can be broken down as follows:

330	Single-family
36	Townhouse
0	Apartments
0	Condominiums
15	Commercial

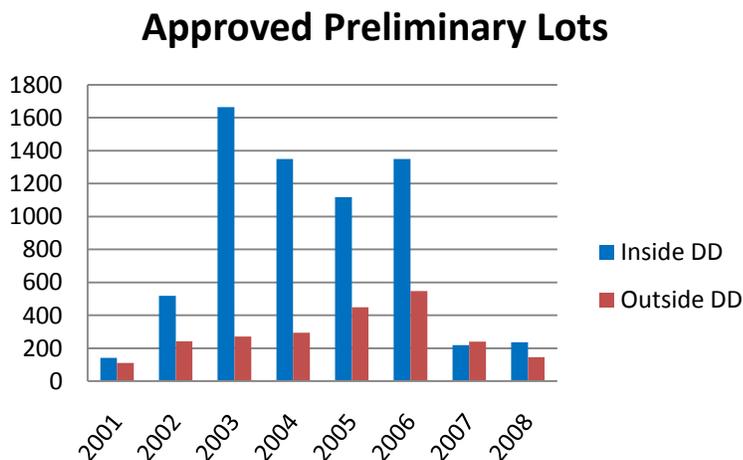
The preliminary lot figures do not include revisions, which means that lots have not been counted twice, nor have they been removed as a result of a revision. Further, preliminary lots only contain buildable lots. This means that all other types of lots (open space, agricultural preservation, storm water management, etc.) are not included in the figures.

Figure 5 on the following page shows the distribution of preliminary plan lots approved inside and outside of the Development District between 2001 and 2008. Similarly, Figure 6 on the following page graphically depicts the total number of preliminary plan lots approved inside and outside of the Development District from 2001-2008.

Figure 5: Number of Preliminary Lots Approved Inside and Outside of the Development District⁴

YEAR	TOTAL NUMBER OF LOTS	TOTAL LOTS INSIDE	TOTAL LOTS OUTSIDE
2001	251	141 (56%)	110 (44%)
2002	761	519 (68%)	242 (32%)
2003	1,935	1,665 (86%)	270 (14%)
2004	1,642	1,349 (82%)	293 (18%)
2005	1,566	1,118 (71%)	448 (29%)
2006	1,897	1,350 (71%)	547 (29%)
2007	458	219 (48%)	239 (52%)
2008	381	236 (62%)	145 (38%)
Total	8,891	6,597 (74%)	2,294 (26%)

Figure 6: Approved Preliminary Lots



B. 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, which is for subdivisions that have been subdivided five or more times and meet the following criteria:

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

Major final subdivision plats are subject to, and approved in accordance with, an approved Preliminary Subdivision Plan, is consented upon by the Planning Commission, and is signed by the Chairman of the Planning Commission. In contrast, a *minor* Final Subdivision Plat, which is for subdivisions that have not been subdivided more than five times (five lots or less) and does not meet any of the criteria for major final plats, does not require a Preliminary Subdivision Plan and is prepared in accordance with the applicable Subdivision Regulations. A *minor* Final Subdivision Plat is signed by the Director of Planning in lieu of the Planning Commission Chairman.

During 2007, the Planning Commission approved a total of 191 final subdivision plats containing a total of 839 lots. The lots can be separated into 4 categories - 543 residential lots inside the Development District, 293 residential lots outside the Development District and 3 commercial lots inside the Development District, '0' commercial lots outside the Development District. Of the total final plat lots, 546 lots, or 65%, were located inside of the county's Development District, leaving the remaining 293 lots, or 35%, outside of this designated area.

⁴ Preliminary Plan lot numbers include apartment and multifamily (duplex, triplex, quadriplex) units, if applicable. For example, in 2006, the total number of lots was 1,897, which includes 659 apartment units and 84 condominium units. In 2007 and 2008, there were no apartment units approved.

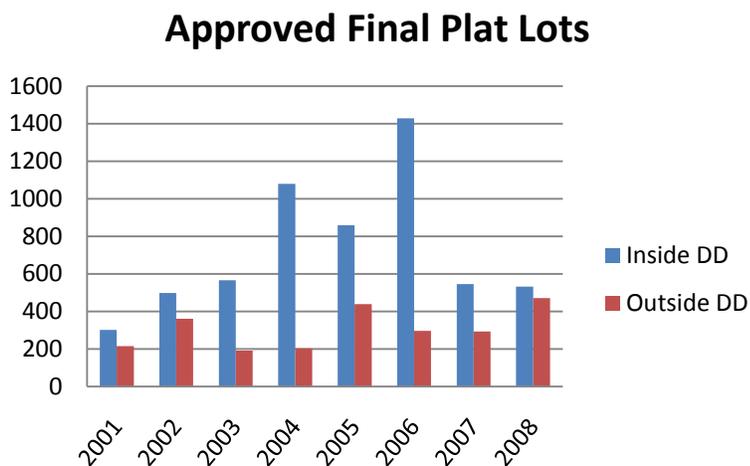
During 2008, the Planning Commission approved a total of 158 final subdivision plats containing a total of 820 lots. The lots can be separated into 4 categories - 348 residential lots inside the Development District, 471 residential lots outside the Development District and '0' commercial lots inside the Development District, 1 commercial lot outside the Development District. Of the total final plat lots, 348 lots, or 42%, were located inside of the county's Development District, leaving the remaining 472 lots, or 58%, outside of this designated area.

The following chart (Figure 7) shows the distribution of final plat lots approved inside and outside of the Development District between 2001 and 2008. Similarly, Figure 8 below, graphically depicts the total number of final plat lots approved inside and outside of the Development District from 2001-2008.

Figure 7: Number of Final Plat Lots Approved Inside and Outside of the Development District⁵

YEAR	TOTAL NUMBER OF LOTS	TOTAL LOTS INSIDE	TOTAL LOTS OUTSIDE
2001	517	302 (58%)	215 (42%)
2002	859	498 (58%)	361 (42%)
2003	758	566 (75%)	192 (25%)
2004	1,283	1,079 (84%)	204 (16%)
2005	1,299	860 (66%)	439 (34%)
2006	1,726	1,429 (83%)	297 (17%)
2007	839	546 (65%)	293 (35%)
2008	1,004	532 (53%)	472 (47%)
Total	8,285	5,812 (70%)	2,473 (30%)

Figure 8: Approved Final Plat Lots



C. Site Plan Approvals

Minor Site Plans are Site Plans for detached single and two family dwellings, accessory buildings, additions less than 1,200 feet for residential uses, and change in use. Major Site Plans are any Site Plans other than those identified as Minor Site Plan applications. Like Preliminary Plans and Final Plats, Site Plans are submitted year-round and may not be approved in the same calendar year it was submitted.

Seventy-two (72) total Site Plans were submitted for review in 2007. Seventy-six (76) Site Plans were approved by the Planning Commission in 2007 including thirty-two (32) new construction Major Site Plans, totaling 2,198,029 square feet (multi-family residential & commercial); twenty-one (21) plans (Major and Minor) for additions to existing structures, totaling 26,639 square feet (multi-family residential & commercial); and fourteen (14) Change of Use Minor Site Plans. Further, nine (9) Major Site Plans for commercial projects located in the Planned Unit Development (PUD) zone were approved by the Planning Commission in 2007.

⁵ Final Plat lot numbers include apartment and multi-family (duplex, triplex, quadriplex) units, if applicable. In 2007, there were no apartment or multi-family units approved, however, in 2008 there were 184 apartment units approved. Apartment and multi-family units are not counted as individual lots on final plats, therefore, this information was extracted from building permit data and added to the appropriate plat year in Figure 7.

Similarly, sixty-eight (68) total Site Plans were submitted for review in 2008. Eighty-one (81) Site Plans were approved by the Planning Commission in 2008 including twenty-three (23) new construction Major Site Plans, totaling 535,175 square feet (multi-family residential & commercial); twenty-seven (27) Site Plans (Major and Minor) for additions to existing structures, totaling 24,349 square feet (multi-family residential & commercial); and twenty-five (25) Change of Use Minor Site Plans. Further, six (6) Major Site Plans for commercial projects located in the Planned Unit Development (PUD) zone were approved by the Planning Commission in 2008.

D. Preliminary Plan and Final Plat Acreage

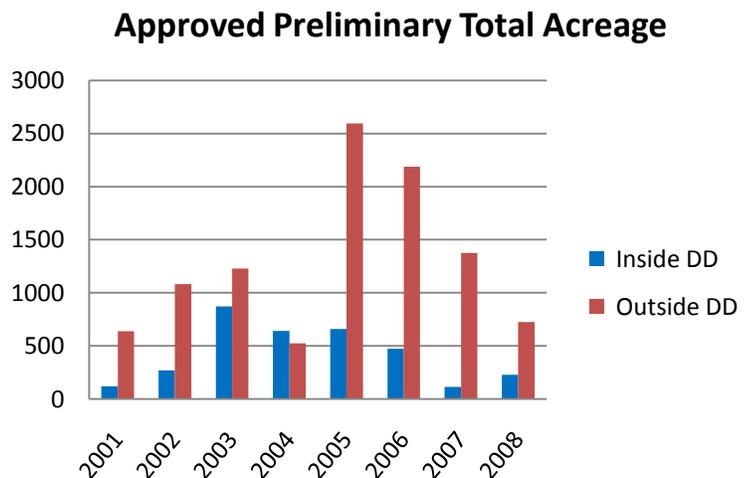
In 2007, 1,492 acres were approved for future development through the preliminary plan process and 2,500 acres were approved through the final plat process. In 2008, the total number of approved acres on preliminary plans was 953 and 3,403 acres were approved on final plats. Total acreage includes open space, stormwater management, forest conservation and Resource Protection Zones, as well as buildable lot acreage. Therefore, some of this acreage can be considered as open space. For a more detailed discussion of open space and land preservation, please see the following section, “E. Cluster Subdivisions and Open Space” on page 13, as well as the Land Preservation summary on pg 21.

The following chart (Figure 9) shows the preliminary plan total acreage approved inside and outside of the Development District between 2001 and 2008. Similarly, Figure 10 graphically depicts the preliminary total acreage approved inside and outside of the Development District from 2001-2008.

Figure 9: Approved Preliminary Plan Acreage

YEAR	TOTAL ACREAGE	TOTAL ACREAGE INSIDE	TOTAL ACREAGE OUTSIDE
2001	758	121 (16%)	637 (84%)
2002	1,352	271 (20%)	1,081(80%)
2003	2,101	872 (42%)	1,229 (58%)
2004	1,165	642 (55%)	523 (45%)
2005	3,254	658 (20%)	2,596 (80%)
2006	3,081	475 (18%)	2,189 (82%)
2007	1,492	115 (8%)	1,377 (92%)
2008	953	228 (24%)	725 (76%)

Figure 10: Approved Preliminary Acreage

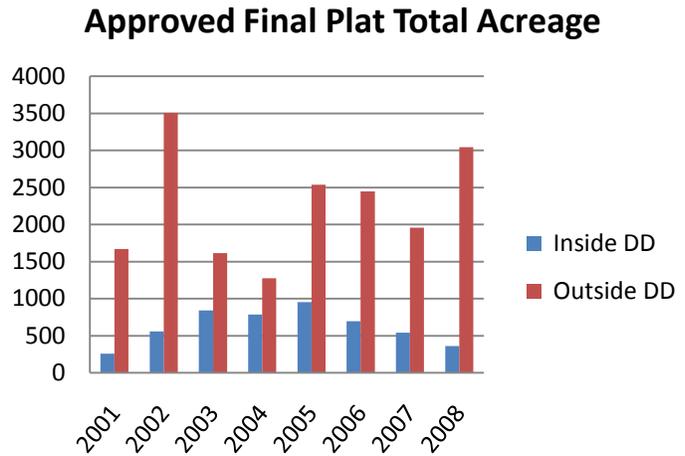


The chart on the following page (Figure 11) shows the final plat acreage approved inside and outside of the Development District between 2001 and 2008. Similarly, Figure 12 on the following page graphically depicts the final plat total acreage approved inside and outside of the Development District from 2001-2008.

Figure 11: Approved Final Plat Acreage

YEAR	TOTAL ACREAGE	TOTAL ACREAGE INSIDE	TOTAL ACREAGE OUTSIDE
2001	1,926	257(14%)	1,669 (86%)
2002	4,065	558 (14%)	3,507 (86%)
2003	2,455	841 (35%)	1,614 (65%)
2004	2,061	786 (38%)	1,275 (62%)
2005	3,488	951 (27%)	2,537 (73%)
2006	3,139	694 (22%)	2,445 (73%)
2007	2,500	542 (22%)	1,958 (78%)
2008	3,403	361 (11%)	3,042 (89%)

Figure 12: Approved Final Plat Acreage



E. Cluster Subdivisions & Open Space

In 2007, the total number of cluster subdivisions was 6 out of 19 preliminary plans. In 2008, the total number of cluster subdivisions was 6 out of 21 preliminary plans. The following table (Figure 13) shows the number of cluster preliminary plans inside and outside of the Development District.

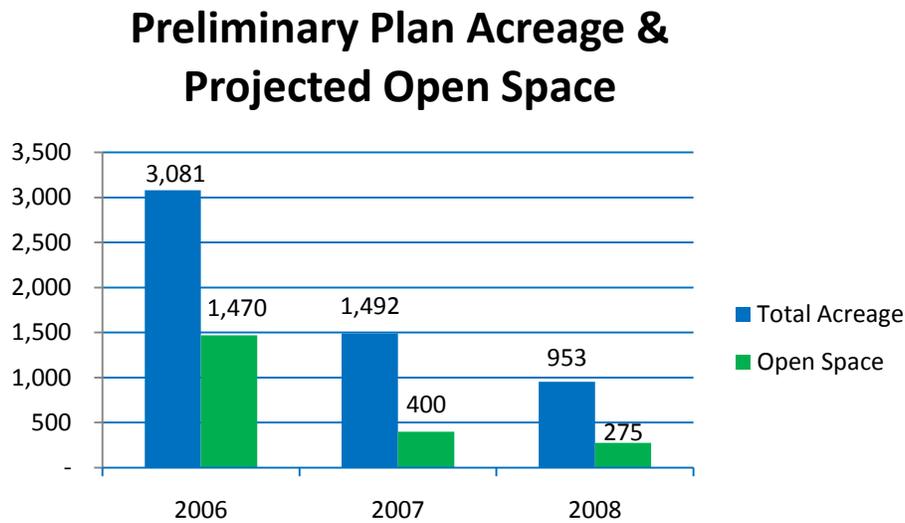
Figure 13: Cluster Subdivisions Inside and Outside of the Development District

Year	Total Preliminary Plans	Total Inside of the DD	Total Outside of the DD	Total # of Clusters	Clusters Inside the DD	Clusters Outside the DD
2006	30	8	22	17	4	13
2007	19	3	16	6	2	4
2008	21	11	10	6	3	3

The Charles County Zoning Ordinance requires that open space be preserved when a developer chooses to build a suburban cluster subdivision per section §297-219. Houses in cluster subdivisions are typically “clustered” on smaller lots in order to preserve environmentally sensitive areas. Open space may include forest conservation easements, resource protection zones, agricultural use lots, active and passive recreational facilities, stormwater management facilities, etc. However, the open space calculation does not capture land preserved through forest conservation or resource protection zones on traditional building lots (i.e. outside of open space). Unfortunately, this data is not currently available; however, it will be available in 2009. Consequently, the percentage of open space acreage preserved through the subdivision process is understated.

In 2006, 47% of the total acreage subdivided was projected to be preserved as open space. In 2007 and 2008, 27% and 29% of the total acreage, respectively, is projected to be preserved as open space. The graph on the following page (Figure 14) demonstrates the number of open space acres projected to be preserved in relation to the total number of acres subdivided in 2006, 2007, and 2008 through the preliminary plan process.

Figure 14: Preliminary Plan Total Acreage & Projected Open Space



F. 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.

ZMA #07-29 Hamilton Property (2007 & 2008)

The proposed map amendment was a request for a re-zoning from BP (Business Park) to RH (High Density Residential) based on a substantial change in character due to 1) the construction of Western Parkway, 2) the development along the Parkway, 3) availability of water and sewer, and 4) availability of mass transit. The applicant felt that the 29.79 acre parcel is not large enough to support a Business Park and therefore does not meet the Employment and Industrial District goals of the Comprehensive Plan or the Waldorf Sub-Area Plan. Staff found that the development of the property as an office/business park would afford nearby residents a better opportunity to live near their workplace. They also provide a finding that the acreage is sufficient in light of the fact that there are presently two other business parks being built in the area with less acreage. The Planning Commission forwarded the amendment to the County Commissioners with a recommendation for denial on March 3rd, 2008. The County Commissioners approved the map amendment on June 17th, 2008.

ZMA #07-27 Greenstone/Bear Property (2007)

The proposed amendment was a request to have the zoning changed from BP to RH for a 26.7 portion of the property located along the Western Parkway at Vernon Road based on a change in the character in the neighborhood as well as a mistake when the property was rezoned. The Planning Commission felt that the area was intended for a business park and that the request does not support the Waldorf Sub-Area Plan or the 2006 Comprehensive Plan. The request was unanimously denied by the Planning Commission on September 10th, 2007. The application was withdrawn by the applicant on October 17th, 2007.

ZMA #06-26 Everything Amish (2007 & 2008)

The applicant, William and Pamela Bowling, owners of Everything Amish in Hughesville, Maryland, requested an amendment to change the AC, Agricultural Conservation Zone to CN, to Commercial Neighborhood Zone for two parcels located directly off Maryland Route 5 in Hughesville, Maryland. The applicant presented a case for a mistake as defined by Article 66B of the Annotated Code of Maryland and the Charles County Zoning Ordinance. The Planning Commission forwarded the ZMA to the County Commissioners on December 11th, 2006 with a recommendation for approval of the rezoning request. The County Commissioners approved this ZMA in April of 2008.

ZMA #07-31 Jenkins Property (2007 & 2008)

The proposed amendment by the applicant, Chaney Enterprises, was a request to change the zoning from AC/RV (Agricultural Conservation/Village Residential) to IH (Heavy Industrial) based on a change in the character of the neighborhood. The Planning Commission forwarded the proposed amendment to the Commissioners for approval on May 5th, 2008. This Zoning Map Amendment is still pending with the County Commissioners.

G. 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.

ZTA #06-87 Use of Churches/Schools in BP Zone, 2nd Revision (2007)

The proposed amendment would allow churches, synagogues and temples in the (Business Park) BP Zone as a special exception if they already existed when the property was zoned BP, but would not allow them if not already existing. Further, the use allowance would be discontinued if the use is abandoned for 365 consecutive days or more. Also, schools would be allowed by special exception to support an existing office, manufacturing or institutional use within the BP Zone. This Planning Commission forwarded the ZTA to the County Commissioners with a recommendation for approval on January 12th, 2007. The County Commissioners approved the ZTA on March 14th, 2007.

ZTA #07-90 Cottage Industry Revision (2007)

The proposed amendment requests a revision to the previously approved zoning text amendment, which allows rural land owners some additional options to home occupation permits. The revision would allow a Cottage Industry to be placed on the existing structure on parcel of five or more acres that adjoins the primary dwelling of the property owner as long as both parcels remain under common ownership, and requires the Cottage Industry site to be closer to the primary dwelling than to neighboring residences. This ZTA was forwarded to the Commissioners with a recommendation for approval by the Planning Commission on July 9th, 2007. The County Commissioners approved the ZTA on October 16th, 2007.

ZTA #07-89 Usable Yard Area for Homeowners (2007 & 2008)

The proposed amendment pertains to the creation of building lots that contain areas of the Resource Protection Zone Overlay that significantly reduce usable lot area. It was specified that lots requiring analysis are those lots less than one acre or lots greater than one acre of which 1/3 or more of the total lot area is encumbered by an area of RPZ or Forest Conservation Easement. The amendment was forwarded to the Commissioners with a unanimous recommendation for approval by the Planning Commission on August 6th, 2007. The Commissioners did not act on the ZTA and the amendment was withdrawn by the Planning Commission on October 6, 2008.

ZTA #07-93 Parking & Landscaping (2007 & 2008)

The proposed amendment would reduce the amount of impervious surfaces, enhance landscaping and update approved plants lists. The goal of the parking section is to minimize impervious surface and the impact of stormwater run-off on natural resources; the goal of the landscaping of parking facilities section is to increase interior landscape area from 5% to 10%, increase shading from 20% to 35%, encourage bioretention by allowing increased parking row from 10 to 15 spaces if used, increase minimum width from 5 ft to 8-1/2 ft and amended soil for required landscape areas, conservation landscaping for minimum of 50% of all landscape area and walkways across planting areas and 90% of all required plant material to be native species. The Planning Commission forwarded the ZTA to the County Commissioners on January 7th, 2008 with a unanimous recommendation for approval. The Commissioners approved the ZTA on May 7th, 2008.

ZTA #07-92 Keller Transportation (2007 & 2008)

The proposed amendment would allow Keller Transportation to expand its operations to meet the growing demands of the increasing numbers of commuters who choose bus transportation from Southern Maryland to D.C. The proposal would allow them to store and dispatch buses as well as provide a facility for parts, maintenance, and washing. The Planning Commission forwarded the ZTA to the County Commissioners with a recommendation for approval on December 17th, 2007. The County Commissioners approved the ZTA in May of 2008.

ZTA #08-95 Historic Preservation (2008)

The proposed amendment would establish a Historic Preservation Commission, their powers and duties, and a process for the designation of and review of historic properties. In addition, a tax credit would be created to help with the rehabilitation of eligible historic properties. The Planning Commission forwarded the ZTA to the County Commissioners with a unanimous recommendation for approval on August 18th, 2008. The County Commissioners approved the ZTA on January 14th, 2009.

ZTA #08-96 School APFO (2008)

The proposed amendment enacts the Zoning Ordinance Amendments needed to implement Resolution 08-09 regarding changes to the School Allocation Program. The provisions of the Zoning Ordinance (Section 258 APF) establish the enabling authority to conduct a school allocation program to implement the Adequate Public Facility (APF) requirements for schools. This section establishes the School Capacity Allocation Committee as the County Commissioners and the Board of Education (BOE). It identifies the potential factors that the Committee should take into consideration in establishing the amount of allocation that is available for development projects. Several clarifications were made to the list of factors to be considered in granting allocations by the Commissioners including the elimination of Core capacity as a potential measure. The bill also removed references to the allocation of capacity based on Capital Improvement Program projects “within the next 5 years” to make sure that the ordinance would not be interpreted in such a way that capacity needed to be allocated if programmed 5 years in advance. The County Commissioners approved this ZTA on June 18th, 2008.

ZTA #08-97 Personal Services in CRR Zone (2008)

This ZTA revised Article IV, 63, Figure IV-1 Table of Permissible Uses to include 5.01.112 Personal Services as a permitted use in the Core Retail Residential (CRR) Zone. Personal Services is defined as services rendered to an individual. Examples are beauty and barber shops, clothing alterations, dance and music studios, fur repair, interior decorating, photography studios, rug cleaning and repair (in-home cleaning), shoe repair, watch and jewelry repair, appliance repair and furniture repair. When comprehensive re-zoning of Bryans Road was completed, 5.01.112 Personal Services was inadvertently left off the Table of Permissible Uses. This amendment corrected this oversight. The Planning Commission forwarded this amendment to the County Commissioners on July 22, 2008 with a recommendation for approval. This ZTA was approved by the County Commissioners on September 3, 2008.

ZTA #08-99 Ancillary Airport Uses in BP Zone (2008)

The proposed text amendment, initiated by the County Commissioners, would allow ancillary equipment, facilities and utilities necessary to support a general aviation airport in the BP Zone. The planned expansion requires the re-alignment of the existing runway which has environmental features on the property that was not previously taken into account or unknown at the time of the 1992 rezoning. The current airport runway is located on a large parcel of land zoned IG. The permissible use table would also be corrected to show this use. The Planning Commission forwarded the ZTA to the County Commissioners with a unanimous recommendation for approval on August 18th, 2008. The County Commissioners approved the ZTA in October of 2008.

ZTA #08-100 Site Design & Architectural Review (2008)

The proposed ZTA would transfer the duties and responsibilities of the Site Design & Architectural Review Board (SDARB) over to Planning Staff. As a result of this Resolution, the Zoning Ordinance is being amended to reflect the transfer of these duties from the SDARB to the Planning staff. The Site Design & Architectural Guidelines and Standards, and review for compliance with these guidelines, remain in effect. The Planning Commission forwarded this amendment to the County Commissioners with a recommendation for approval on August 18th, 2008. The Commissioners approved this ZTA on October 22nd, 2008.

ZTA #08-101 PUD Annexation (2008)

The proposed amendment would change Section 93(a) of the Zoning Ordinance to add any parcels of land which are contiguous with the PUD. The applicant stated that the purpose of the amendment was to allow ACPT, with some additional flexibility, to expand the PUD to parcels as they proceed with the development of the lower villages of St. Charles. The change in language was at the recommendation of the County Attorney's Office. The Planning Commission forwarded the ZTA to the County Commissioners with a recommendation for approval in October of 2008. This ZTA is still pending with the County Commissioners.

ZTA #08-102 Energetics R&D (2008)

The proposed amendment would add language to the Zoning Ordinance to allow pyrotechnics research and development in the Planned Employment (PEP) Zone, as well as add the use in the Table of Permitted Uses. The purpose is to keep the County in the lead in order to attract businesses that support military facilities associated with BRAC. In order to make the County a viable place for technology companies, the term should be changed to "energetics" with the following definition: "A branch of physics that deals primarily with energy (physical, chemical or biological) and its transformations, including the research and development of pyrotechnics, explosives and propellants". The new definition would be added to Section 49 of the Zoning Ordinance and would better serve the County as inclusive for future businesses. The above amendment was forwarded to the County Commissioners with a recommendation of approval on October 20th, 2008, which would also include the new definition of "energetics". The County Commissioners approved the proposed amendment on October 22nd, 2008.

ZTA #08-104 ADA Compliance (2008)

The proposed zoning text amendment would bring sidewalk standards for the physically handicapped in compliance with Maryland Accessibility Code, as well as Federal standards. The proposed amendment was forwarded by the Planning Commission to the County Commissioners for approval on October 20th, 2008. The County Commissioners approved this ZTA in December of 2008.

ZTA #08-105 Utility Transmission Lines (2008)

The County Commissioners' proposed zoning text amendment would add language to recognize existing and future overhead transmission lines that carry a voltage in excess of 69,000 volts. SMECO was concerned that if enacted, the amendment would prohibit them from concurrently using lines that are less than 69,000 volts. A letter was written to SMECO from the County Attorney's Office assuring them that they would not be

affected by this amendment. The Planning Commission forwarded the amendment to the County Commissioners on November 3rd, 2008 with a recommendation for approval. The County Commissioners approved this ZTA in December of 2008.

H. Planned Development Zoning Amendments

The Planned Development Zoning Amendment (PDZA) is a local map amendment requesting a rezoning of land to a different base zone. These zones, Planned Residential (PRD), Mixed Use Development (MX), Planned Employment and Industrial Park (PEP), Transit Oriented Development (TOD) and Planned Manufactured Home Park (PMH), encourage innovative and creative design of residential, commercial and industrial development; and provide a broad range of housing economic opportunities to present and future residents of the County consistent with the Charles County Comprehensive Plan.

PDZA #07-17 The Towns of Billingsley (2007 & 2008)

The proposed amendment requests approval to add an overlay zone of Planned Residential Development (PRD) on top of the existing zoning of Residential, High Density (RH). The reason for the request was to build townhomes, which are generally more affordable, instead of single-family homes. On August 20th, 2007 The amendment was forwarded to the Commissioners by the Planning Commission with a recommendation for denial. The Commissioners denied the request on February 6th, 2008.

PDZA #08-19 Hughesville Station (2008)

The Owner, Ace I, LLC, requested an amendment to change the zoning of the property described below from the current AC (Agricultural Conservation) Zone to PEP (Planned Employment Park) Floating Zone. The subject property considered for the application of the PEP zone contains 44.80 acres of land located in the 9th Election District of Charles County, Maryland. The property is located in Hughesville, which is outside of the Development District. It is located adjacent to, but outside of, the Study Area for the 2007 Hughesville Village Revitalization Plan. Hughesville Village is a designated Village in the Comprehensive Plan. The Master Plan of the site proposes an integrated mix of 181,900 square feet of office, retail, commercial, warehouse, and flex space, which is consistent with the general purpose. The Planning Commission voted unanimously to recommend approval to the County Commissioners on November 3rd, 2008. The County Commissioners also unanimously voted to approve the amendment on February 10th, 2009.

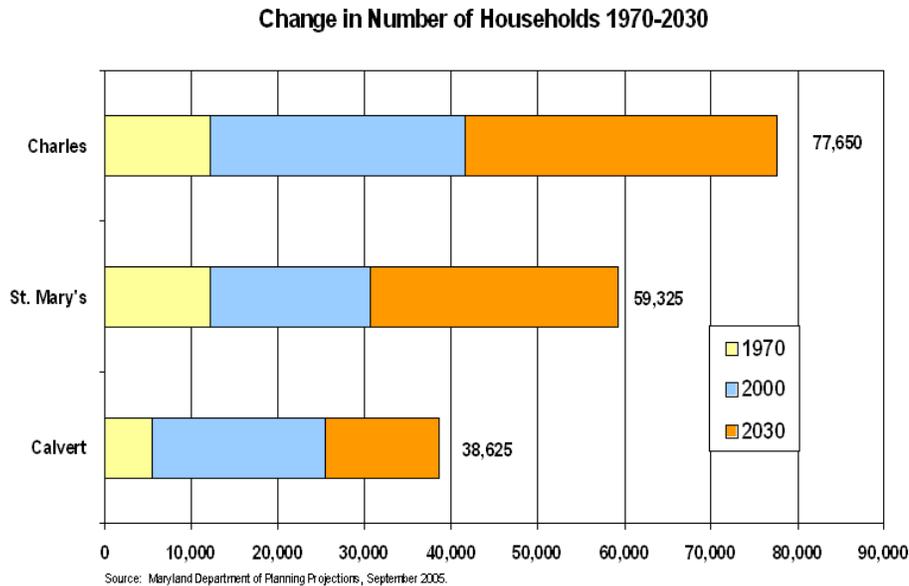
PDZA #08-20 Adams Crossing (2008)

The proposed amendment would change the property from the current RH (High Density Residential) zone to the PRD (Planned Residential Development) zone. The applicant proposes 312 apartment units, 174 townhomes and 12 duplex units to be workforce housing. The proposed amendment was forwarded to the County Commissioners with a recommendation for approval by the Planning Commission on October 20th, 2008. The County Commissioners approved this PDZA in February of 2009.

VI. Housing

Projections from the Maryland Department of Planning indicate that the number of households in Charles County will increase by 77,650 units between 1970 and 2030, reflecting the largest increase in households for the lower southern Maryland counties. In contrast, St. Mary's County is expected to add 59,325 households and Calvert is expected to add 38,625 households during the same period. The following graph (Figure 15) shows the change in the number of households in Southern Maryland between 1970 and 2030.

Figure 15: Change in Number of Southern Maryland Households



According to the 2006 Comprehensive Plan, in order to meet population projections, the target number of housing units in the County from the year 2005 to the year 2025 should be 23,300. This breaks down to approximately 1,110 dwelling units per year for the 21-year period. According to building permit data, the actual average residential units per year since 2001 is 1,104 with peak years in 2002, 2005 and 2006.

The Comprehensive Plan (1997 & 2006) identifies a housing goal of approximately 70 percent single-family detached units, 20 percent townhouse units and 10 percent apartment units. In 2007 building permit data indicates a total of 882 units permitted throughout the County in 2007 including 505 single family detached dwellings (57%), 129 townhomes (15%) and 248 apartment units (28%). Therefore, using building permit data as an indicator, in 2007 we are just under our goal for single family dwellings and townhomes, while exceeding our goal for apartments. In 2008, building permit data indicates a total of 670 units, with 377 single family dwellings (56%), 29 townhomes (4%) and 266 apartments (40%). Please see Figure 16 on the following page for a breakdown of housing types per year since 2001.

Figure 16: Actual Residential Units Per Year⁶

YEAR	SFD's	Townhomes	Multifamily	Total
2001	1016	271	0	1287
2002	1114	145	60	1319
2003	829	116	100	1045
2004	909	34	2	945
2005	896	12	408	1316
2006	939	161	266	1366
2007	505 (57%)	129 (15%)	248 (28%)	882
2008	377 (56%)	29 (4%)	266 (40%)	672
Total	6585	897	1350	8832
Average #	823	112	169	1104
Average %	75%	10%	15%	

Source: Charles County Permits Administration, PGM

Inclusionary Housing Initiatives

The Housing Commission has been discussing Moderately Priced Dwelling Unit (MPDU) program options and will be seeking Commissioner approval to develop a permanent MPDU Program to replace the County's temporary program. This program would be developed in concert with the Housing Authority and Planning and Growth Management (PGM). The Department of PGM, the Department of Community Services, and the County Attorney's Office are reviewing a proposal for 14 MPDUs under the County's temporary, voluntary MPDU Program.

Market Trends – Regional Analysis

Because the job market is strong in the Washington DC Metropolitan area, due in part to the high number of government jobs, this area has not experienced the job loss that other parts of the country have to date. Jobs in government, education/health services, and professional/business services have increased in the Washington region, whereas jobs in the financial, construction, and manufacturing sectors have decreased in the region, according to the Metropolitan Washington Council of Governments' Regional Economic Monitoring System (REMS) Report in January 2009. The REMS report also points out that in 2008 employment in the Washington region grew 0.4 percent, compared to national employment, which decreased 2.1 percent. Though small, the region is still experiencing an increase in certain job sectors, well into the current slumping economy.

In terms of the housing market, home values have been falling across Southern Maryland. According to the Maryland Association of Realtors (MAR), the average sale price for homes in Charles County in 2007 was \$354,847. In 2008, the average sale price of homes in Charles County was \$313,328, which is a -11.7 percent change from 2007. The average sale price for homes in Calvert County in 2007 was \$400,009. In 2008, the average sale price of homes in Calvert County was \$349,455, which was a -12.6 percent change from 2007. Further, the average sale price of homes in St. Mary's County in 2007 was \$350,870. In 2008, the average sale price of homes in St. Mary's County was \$349,762, a -0.3 percent change from 2007.

⁶ Complete Town data included for 2005 and all subsequent years. 2004 includes Town data for La Plata only.

VII. Environmental Planning

The Environmental Programs Section of the Planning Division is responsible for long- and short-term planning and implementation of the County's environmental and land preservation regulations, including those contained in the Charles County Comprehensive Plan, Charles County Zoning Ordinance and the Charles County Forest Conservation Ordinance. The regulations include, but are not limited to, the Resource Protection Zone, Chesapeake Bay Critical Area, Transfer of Development Rights Program and miscellaneous site and design guidelines. Planners review development applications for compliance with environmental and land preservation regulations, many times serving as liaisons between State regulatory agencies and property owners. Planners also provide education and outreach, ensuring that the citizens of Charles County have access to a wide variety of environmental information and resources and are engaged in the success of the County's environmental and land preservation regulations.

Additional responsibilities include providing staff to and advising the Charles County Board of Commissioners, Charles County Planning Commission, Board of Zoning Appeals, Wicomico Scenic River Commission, Tributary Strategy Teams and the Agricultural Land Preservation Advisory Board. Staff serves as program administrators for the Maryland Agricultural Land Preservation Foundation and the State Rural Legacy Program. The National Pollutant Discharge Elimination System (NPDES) Program is also managed by staff of the Environmental Programs Section.

Forest Conservation

State and County laws require the preservation of forest land when properties are subdivided or developed. As part of the subdivision or site plan approval process, a Forest Conservation Plan is submitted, which outlines how forest areas will be protected. Permanent preservation of these forested areas occurs through the recordation of a conservation easement.

During 2007, approximately 566 acres were retained or reforested/afforested and placed under Forest Conservation Easement. A total of 42 Forest Conservation Plans were approved in 2007.

In 2008, approximately 530 acres were retained or reforested/afforested and placed under Forest Conservation Easement. A total of 38 Forest Conservation Plans were approved in 2008.

Land Preservation

In an effort to protect productive agricultural and forest land, Charles County partners with the Maryland Agricultural Land Preservation Foundation (MALPF) and the Department of Natural Resources (DNR) to purchase conservation easements from landowners wishing to preserve their property. Landowners can also voluntarily protect their land through the creation of Agricultural Land Preservation Districts by agreeing to keep the land in agriculture/forestry for at least five years. In 2007, the Planning Commission approved 36 properties totaling 1,623 acres to be designated Agricultural Land Preservation Districts. In 2008, the Planning Commission approved 15 properties totaling 1,492 acres as Agricultural Land Preservation Districts.

In 2007, the County partnered with MALPF and DNR, through the Rural Legacy Program, to purchase conservation easements on 1,025 acres. Nearly the same number of acres, 1,052, were protected through these two Programs in 2008.

Charles County also protects agricultural and forested properties through its Transfer of Development Rights (TDR) Program. The transfer of development rights is a mechanism that allows a property owner to receive compensation for preserving their land while retaining ownership for agricultural and forestry uses.

Development rights can be transferred from sending areas (Agricultural Preservation Districts) to receiving areas (the Development District). The rate of transfer is one development right per three acres. In 2007, protective covenants were recorded over 1,665 acres as a result of the TDR Program. In 2008, the declining real estate market resulted in fewer TDR transfers and thus, only 192 acres being protected. Please see the Retired TDRs chart in Appendix C for further information.

Land is also preserved through donated conservation easements. The Maryland Environmental Trust (MET) and the Conservancy for Charles County (CCC) are the primary agencies that hold donated conservation easements. In 2007, 104 acres were protected through these types of donations. In 2008, there were no acres protected through donations. Figure 17, below, shows the number of acres protected each year in 2007 and 2008 respectively through the various state and local programs.

Figure 17: Protected Lands in Charles County in 2007 & 2008

	<i>Type of Protection</i>	<i>Cumulative Data from 2006 Annual Report</i>	<i>Revised 2006 Cumulative Data</i>	<i>2007 Data</i>	<i>2008 Data</i>
	Resource Protection, isolated wetlands	49,282	49,282	xxx	xxx
Regulatory	Forest Conservation	4,445	4,445	566	530
Agricultural Preservation⁷	Maryland Agricultural Land Preservation Districts	21,582	15,193	1,623	1,492
	Maryland Agricultural Land Preservation Easements	N/A	3,489	1,000	749
	Transferrable Development Rights	N/A	2,900	1,665	192
State	State owned/easements ⁸	18,463	18,463	275	355
	Rural Legacy	1,870	1,870	25	303
	Maryland Historical Trust (MHT)	297	297	0	0
	Maryland Environmental Trust (MET) ⁹	6,890	6,890	104	0
Other	Conservancy of Charles County (CCC)	175	175	0	0
	The Nature Conservancy (TNC)	2,720	2,720	82	0
County/Town/Bd of Ed	County & Town Parks	3044	3,044	0	216
Federal	Federal Properties	4,078	4,078	0	0
Open Space Protected as of Dec., 2006		112,846	112,846		
Total Acres of Open Space Protected in 2007 and 2008				5,340	3,837
Projected Open Space from Preliminary Plans				400	275

⁷ Agricultural preservation data will be broken out between districts, easements and TDR properties to better reflect local efforts and investments.

⁸ State easements and owned properties were originally reported separately but will now be combined.

⁹ MET properties were originally separated into separate categories for agricultural lands and natural resources lands, but are now combined into one category.

The following figures (Figure 18 and 19) from the Land Preservation, Parks, and Recreation Plan (LPPRP) demonstrate how much land has been preserved throughout the County as of December 2008.

Figure 18: Charles County Open Space Goal Acreage Analysis

Category	Acres	Comments
Total County land area	294,404	
50% overall open space protection goal	147,202	294,404/2
Protected to date	101,688	69% of goal, 34% of County total land area
Additional needed to meet goal	45,514	

Figure 19: Cumulative Total of Land Preserved in Charles County through December 2008

	Category	Acres
Regulatory	Resource Protection, isolated wetlands	49,282
	Forest Conservation	5,541
Agricultural Preservation	Agricultural Land Preservation Districts	18,308
	Maryland Agricultural Land Preservation Easements	5,238
	Transferrable Development Rights	4,757
State	State owned/easements ¹⁰	19,093
	Rural Legacy	2,198
	Maryland Historical Trust (MHT)	297
	Maryland Environmental Trust (MET) ¹¹	6,994
Other	Conservancy for Charles County (CCC)	175
	The Nature Conservancy (TNC)	2,802
County/Town/Bd of Ed	County & town parks	3,260
Federal	Federal properties	4,078
TOTAL ACRES OF PROTECTED LANDS (includes overlap)		122,023
Overlap		20,335
Total Protected as of December, 2008		101,688

Priority Preservation Element

During the 2006 and 2007 legislative sessions, the Maryland General Assembly passed the Agricultural Stewardship Act of 2006. Along with several other related pieces of legislation, the Act requires jurisdictions to designate Priority Preservation Areas (PPA) in order to retain certification under the Maryland Agricultural Land Preservation (MALPF) Program. Certification under the MALPF Program allows Charles County to retain 75% of our agricultural transfer tax for purchasing easements, rather than the 33% afforded to non-participating jurisdictions.

The legislation requires Charles County to:

- specifically designate agricultural and forest lands intended for resource protection or conservation -

¹⁰ State easements and owned properties were originally reported separately but will now be combined.

¹¹ MET properties were originally separated into separate categories for agricultural lands and natural resources lands, but are now combined into one category.

- the designated areas must either contain productive agricultural or forest soils or be capable of supporting profitable agricultural and forestry enterprises, and be large enough to support normal agricultural and forestry activities in conjunction with the amount of development permitted by the County in the PPA;
- establish a goal of preserving at least 80% of the remaining undeveloped land in the PPA through easements and zoning;
- outline and adopt policies, ordinances, regulations and procedures that stabilize the agricultural/forest land base so that development doesn't compromise or convert the resources, and support the ability of working farms in the PPA to engage in normal agricultural activities
- incorporate the information into the Comprehensive Plan through a Sensitive Areas Element.

The Planning Commission was briefed on the Priority Preservation legislation at the Joint Planning Commission and County Commissioner meeting on April 23rd, 2008.

VIII. Community Planning

The Community Planning Section manages the development and oversight of the County's long range planning documents including the Comprehensive Plan and other sub-area and community development plans. The section also manages the County's Scenic Byways and Historic Preservation Program and produces the Planning Commission Annual Report and Demographic Trends Newsletter.

Bryans Road-Indian Head Sub-Area Plan (2001)

The Bryans Road-Indian Head Sub-Area Plan, adopted in 2001, was developed to guide future land use and development in the Bryans Road-Indian Head Area of Charles County, Maryland. The Sub-Area covers approximately 17.5 square miles, a little fewer than four percent of Charles County's land area. In 2005 the County adopted comprehensive rezoning for the Bryans Road Town Center.

In 2008, a Design Feasibility Study was completed for a stormwater management retrofit/town common project in the area of the Bryans Road Shopping Center. The project design will provide both quantity and quality stormwater management improvements with community open space. It will also incorporate improved landscaping and other amenities to help create a town center in this area. The project was endorsed by the Commissioners and the County is moving forward with acquisition and design of the facility.

Important economic assets in the Sub-Area include the Naval Surface Warfare Center, Indian Head Division, one of the largest employers in the County; the County's only airport; and the Bryans Road and Indian Head business areas. The County is working in partnership with private developers, naval base officials, and other research entities to establish an energetics research facility in Bryans Road, which will attract related businesses and further spur economic development in the area. The Energetics Technology Center is expected to begin construction between 2008 and 2009, and will likely stimulate more residential and commercial development in the core area of Bryans Road. In 2008, Charles County entered into an agreement with Facchina and Corporate Office Properties Trust (COPT) for this project, which facilitates implementation of the Bryans Road-Indian Head Sub-Area Plan. The Maryland Airport Expansion is proceeding through the County development review process and is expected to begin construction in Spring 2009.

Waldorf Sub-Area Plan (2004)

In 2004 the County adopted a Sub-Area Plan to establish a vision for future land use and development in the Waldorf Sub-Area. Some of the main components of this vision include the creation of mixed-use, high-density Activity Centers as focal areas for Waldorf with supporting land uses around them; encouragement of redevelopment of older highway-oriented business areas into mixed use areas; promotion of diverse, well-located employment areas; and coordination of land use with transportation and facilities planning. During 2007, the County worked with a citizens group, the Waldorf Citizens Advisory Committee, and the public to develop new zoning to implement these recommended land use patterns in designated Community Mixed-Use Areas, Business Corridor Mixed-Use Areas, and Activity Centers.

In early 2008, the County initiated an Urban Design Study to transform the Activity Centers in the central core of Waldorf into a vibrant downtown center. The overall vision of the Study is to provide a dynamic place for people to work, live, shop, and play in the center of Waldorf, in order to enhance the quality of life for all our citizens. The Waldorf study is a vital part of the County's larger overall policy to concentrate development in the County's Development District and preserve the more rural areas of the County. The major goals of the Waldorf Urban Design Study project are to:

- Create a truly urban environment in Waldorf, with a mix of office, shopping, residences, and recreational amenities; pedestrian-friendly streets; high-quality, high-paying jobs; and beautiful parks and green spaces - all of which contribute to an increased vitality and sense of place in Waldorf;

- Achieve higher development densities within the Activity Centers that will support a high-capacity, fixed-rail transit system to provide citizens with easier access to the broader Washington, DC metropolitan region; and
- Increase real estate values that will benefit both property owners and Charles County.

The area encompassed by the Study, known as Downtown Waldorf, stretches from roughly north of Acton Lane to south of Leonardtown Rd, and between Route 301 and the railroad tracks. As part of the Study, new zoning text and map amendments, design guidelines, and a Vision Plan for Downtown Waldorf are being prepared by a consultant and are expected to be completed by the end of calendar year 2009.

Hughesville Village Revitalization Plan (2007)

The Hughesville Village Revitalization Plan was adopted in 2007. The first significant implementation item to be addressed is the completion of the Hughesville Water and Sewer Feasibility Study. The Study is scheduled to be completed in 2009. A Planned Employment Park (PEP), known as Hughesville Station was under review in 2008. Also in 2008, SMECO submitted site development plans to relocate their headquarters from White Plains to Hughesville.

Historic Preservation Plan (2004)

The Charles County Historic Preservation Plan was adopted in 2004. Recent major implementation items include the consideration and adoption of the historic preservation legislation that will establish a permanent historic preservation commission and a rehabilitation tax credit available for certified locally designated properties.

In addition Charles County is assisting with various improvement projects in Port Tobacco, a designated Target Investment Zone under the Southern Maryland heritage Area Tourism Management Plan. Grants include the rehabilitation of the 18th century Burch House for use as a collections headquarters for the Port Tobacco Archaeology Project; and a grant to develop an interpretive trail throughout the historic district.

The 2004 Preservation Plan calls for ongoing research and documentation of heritage resources in Charles County. In 2008 Charles County was awarded a grant from the United States Department of the Interior to support the archaeological investigation of Civil War-related sites in Port Tobacco. Through a small grant from Preservation Maryland and Southern Maryland Heritage Area Consortium, a cultural resource study is being conducted for Benedict and its association with the War of 1812 and Civil War. Finally, staff is completing a grant to publish an architectural history of Charles County based on the results of the comprehensive historic sites survey completed in 2005.

Religious Freedom Byway Corridor Management Plan (2008)

In March of 2006, Charles and St. Mary's Counties were awarded a grant from the Maryland State Highway Administration to develop a corridor management plan for the Religious Freedom Byway. The Byway route interprets the history of early Maryland and its establishment based on the principals of religious toleration. The Draft Religious Freedom Byway Management Plan was developed and describes the goals, strategies and responsibilities for preserving, maintaining and enhancing the Byway's most valuable qualities.

The Charles County Planning Commission held a public hearing for the Draft Religious Freedom Byway Management Plan on June 16, 2008. The Planning Commission voted unanimously to forward the Draft Religious Freedom Byway Management Plan to the County Commissioners for adoption. The plan was adopted by the County Commissioners in September 2008.

Countywide Pedestrian and Bicycle Facilities Master Plan (2008)

A Countywide Pedestrian and Bicycle Facilities Master Plan is currently being developed with the assistance of a consultant. This plan will be adopted and/or incorporated by reference into the Comprehensive Plan and will articulate a planned vision for a true pedestrian-bicycle network in Charles County. Work will begin in the spring of 2009.

Green Building (2008)

A meeting was held for the Commissioners in June of 2008 to brief them on green building and how Charles County can implement a green building program for both the public and private sectors. The Commissioners had many questions about green building and a subsequent briefing is being prepared to address their issues and concerns.

Census 2010

Charles County is working with the U.S. Census Bureau to prepare for a successful Census 2010. During 2008, Community Planning coordinated with the County's Department of Emergency Services to update all of the resident addresses in the County as part of the Local Update of Census Addresses (LUCA) program. This will help ensure that as many Charles County residents as possible are provided the opportunity to participate in Census 2010. In 2008 Charles County also registered to participate in the Participant Statistical Areas Program (PSAP). This program allows the County, following Census Bureau guidelines and criteria, to review and update the boundaries of geographical entities such as Census Tracts and Census Designated Places (CDPs). Data tabulated for these Census geographic entities are used for many vital purposes, including the distribution of government funds to provide critical community services; location of roads, schools, hospitals, and other public uses; and determination of the number of seats each state will have in the U.S. House of Representatives as well as the boundaries of legislative districts.

Blossom Point Joint Land Use Study (JLUS) project (2008)

In 2008, the County prepared to conduct a Joint Land Use Study (JLUS) for the Blossom Point Research Facility in Nanjemoy. The objective of the JLUS is to identify land use measures needed to ensure that future public and private civilian development adjacent to this military installation are compatible with Blossom Point's mission. In fall 2008 the County submitted a grant to the federal Office of Economic Adjustment (OEA) for funds to hire a consultant to conduct this study.

Maryland Clearinghouse Review (Ongoing)

In 2007, eighteen (18) Clearinghouse Reviews were performed. Of these reviews, 74% were Charles County projects, 5.3% were from other County jurisdictions, and 21% were of state origin. In 2008, twenty-nine (29) Clearinghouse Reviews were performed. Of these reviews, 66% were Charles County projects, 10% were from other County jurisdictions, and 24% were of state origin.

IX. Adequate Public Facilities

The Division of Resource and Infrastructure Management (RIM) oversees the development and management of infrastructure in the County. APF Adequate Public Facilities (APF) review, currently a function of the RIM Division, is responsible for the planning, management, and coordination of water and sewer infrastructure, transportation facilities, and public school capacity management for both public and private projects. The RIM Division also reviews and monitors local water resources for potable water supply, wastewater treatment capacities, and associated planning activities.

Developer Rights and Responsibilities Agreements (DRRA's) (Ongoing)

In 2005, the Charles County Commissioners enacted legislation to enter into a Developer Rights and Responsibilities Agreement or a "DRRA" to allow a developer to make certain proffers as a form of mitigation for the impact their development will have on County infrastructure or resources. While the DRRA's do not take the place of the requirements of zoning or subdivision regulations, the agreements do allow the developer to offer land, infrastructure improvements or funding to mitigate for their subdivision's impact to County facilities. In 2007, the Charles County Commissioners approved a total of five (5) DRRA's for residential subdivisions, both inside and outside the Development District. Although many of the agreements allot school allocations over several years, 182 total allocations (1 per lot) were granted for projects in 2007. 112 allocations were approved outside of the Development District, and 70 allocations were approved inside of the Development District. The County Commissioners have a cap of 900 school allocations that can be approved for each year. In 2008 the Commissioners approved two (2) DRRA's for a total of 26 school allocations. One allocation was approved outside of the Development District, and 25 were approved inside of the Development District.

Adequate Public Facilities Ordinance Committee (Schools) (2007/2008)

The Charles County Commissioners appointed a five-member Committee to carefully evaluate the current Adequate Public Facilities Ordinance and associated policies with regard to allocation of school capacity and determine if the intended policy goals were being met. Specifically, the Committee evaluated solutions to resolve certain schools being over Local Core Capacity. The recommendations were reported to the Commissioners and after a series of work sessions changes to the policy were agreed upon and established in a Resolution 08-09 adopted April 2008. Amendments to the Adequate Public Facilities Manual and Zoning Ordinance were prepared to put provisions in place to ensure that no individual schools would be overcrowded by new development allocated school capacity through the allocation process. Those regulations were adopted in June 2008 and applied to projects on the waiting list for the July 2008 allocation cycle.

Administrative Extensions of Preliminary Subdivision Plans (2007/2008)

In 2007 and 2008, staff managed the granting of one-year extensions to every Preliminary Subdivision Plan which reached or surpassed its two year expiration date. In 2007, there were 82 extensions and in 2008, there were 89. These extensions are necessary until the associated subdivision plats are recorded, fulfilling the subdivision process.

Charles County Commuter Bus Advisory Group (2008)

In an effort to address the citizen concerns and associated challenges with the growing Commuter Bus Services within Charles County, the Charles County Commissioners appointed a 5-member volunteer committee to discuss the issues and determine potential solutions. The Charles County Commuter Bus Advisory Committee (CCC BAG) was tasked with determining recommendations to improve the issues with the commuter bus services, and present those findings to the County Commissioners. The Committee made a series of recommendations to the County Commissioners in October of 2008, which were forwarded to the Maryland Transit Administration for consideration of service improvements.

Shared Sewage Disposal Facilities (2008)

During the Comprehensive Water and Sewer Plan Amendment Cycle for Spring 2008, the County Commissioners received a proposed text amendment to allow shared sewage disposal facilities in the rural areas of the County. To ensure these systems are applied and administered in the appropriate areas of the County, the Commissioners designated a work group to provide recommendations. The Committee's recommendations were accepted by the Commissioners and codified in a County Resolution which was sent to MDE for approval.

Water Resources Element (2008)

The Water Resources Element will be a new Chapter of the County Comprehensive Plan as mandated by the Maryland State Legislature under House Bill 1141 (HB 1141). This legislation requires that all counties and municipalities that exercise planning and zoning authority must adopt a water resources Element in their Comprehensive Plan by October 1, 2009.

The purpose of the Water Resources Element is to ensure that local growth plans are consistent with the available future water supply, the capacity to treat wastewater (including septic systems), and the ability of the local water bodies to assimilate the discharges from both wastewater and stormwater facilities.

The Water Resources Element is also intended to guide County and Municipalities to make planning decisions for additional water supply, wastewater and stormwater treatment, in order to appropriately manage growth impacts.

The Planning Commission was briefed on the Water Resources Element at the Joint Planning Commission and County Commissioner meeting on April 23rd, 2008.

X. Conclusions and Recommendations

Conclusions

As previously stated, this Annual Report provides an opportunity for the Charles County Planning Commission to review development approvals for 2007 and 2008. Development approvals needs to be compared to the vision of future development as outlined in the 2006 Comprehensive Plan to determine if it is consistent. The Comprehensive Plan seeks to concentrate development in suitable areas permitting efficient use of current and planned infrastructure improvements including roads, water and sewer, and school construction.

Consistency with Comprehensive Plan

In terms of the annual growth rate, the Comprehensive Plan specifies a target growth rate of approximately 1.7% but less than 2.0% per year. In 2007 and 2008, the growth rates were well below the target at 0.72% and 0.42%, respectively.

The Comprehensive Plan specifies that 75% of all development should be located inside the Development District. In 2007 and 2008, the County did not meet its target goal of 75% of the total lots being located inside the Development District with 48% and 62% respectively. An analysis of preliminary plan lots inside the Development District from 2001 through 2008 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 74% over the eight year period.

Similarly for final plat lots, in 2007 and 2008, the County did not meet its target goal of 75% of the total lots being located inside the Development District with 65% and 53% respectively. Again, an analysis of final plat lots inside the Development District from 2001 through 2008 demonstrates that the County is generally consistent with our Comprehensive Plan goals, averaging 70% over the eight year period.

Another goal articulated in the Comprehensive Plan is for housing. The Plan identifies a goal of approximately 70% single-family detached units, 20% townhouse units, and 10% apartment units. In terms of single family housing, Charles County was below the target goal of 70% with 57% in 2007 and 56% in 2008. For townhouses, Charles County was below target goal of 20% with 15% in 2007 and 4% in 2008. In terms of apartments, the County exceeded its target goal of 10% with 28% in 2007 and 40% in 2008. However, an analysis of building permits from 2001 through 2008 demonstrates that the County is generally consistent with our Comprehensive Plan housing goals, averaging 75% for single family houses, 10% for townhomes, and 15% for apartments.

The following table (Figure 20) demonstrates how Charles County is generally consistent with the 2006 Comprehensive Plan targets and goals:

Figure 20: Development Consistency with Comprehensive Plan Goals

	2007	2008	Comprehensive Plan Goals	Average 2001-2008
Preliminary Plans	48%	62%	75% Inside Development District	74%
Final Plats	65%	53%	75% Inside Development District	70%
Housing: Single Family	57%	56%	70%	75%
Housing: Townhomes	15%	4%	20%	10%
Housing: Apartments	28%	40%	10%	15%

Recommendations

The Planning Commission presents the following recommendations:

- 1. Continue to monitor development approvals inside and outside of the Development District, through the Annual Reporting process.** Seek strategies to reduce development outside of the Development District if monitoring reveals that the County is not meeting our comprehensive planning goals. Brief the Planning Commission every six months to provide interim annual report data for review.
- 2. Implement new data collection methods for classifying and calculating open space data and protected lands.** The Office of Planning recently developed a Net Open Space Data Calculation Table to be included on all future preliminary plans and final plats for cluster subdivisions that will help staff to track projected open space through the development process.
- 3. Continue to monitor development design, especially for cluster subdivisions, and determine if it is superior.** 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. Work with staff to develop a definition of ‘superior design’ utilizing elements of the Comprehensive Plan and relevant planning documents.
- 4. Develop and implement new measures according to the findings in the Water Resources and Priority Preservation Elements.** The next major update to the Comprehensive plan is scheduled for 2012. As part of this process, the State of Maryland is now requiring new elements to be incorporated into the Comprehensive Plan. Two of these, the Water Resources Element and the Priority Preservation Element, are currently being written. Further, the Planning Commission Annual Reporting process will now require additional information about smart growth measures and indicators since the Smart, Green and Growing legislation (Senate Bill 276) was recently passed.

The above 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.

New Annual Reporting Requirements

Beginning July 1, 2011, the Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions bill (SB 276/HB 295) will require Planning Commissions to submit Annual Reports to the County Commissioners that include specified smart growth measures and indicators and information on a local land use goal as part of the report. In addition to other planning and development information required under current law, the Annual Report must state which ordinances or regulations were adopted or changed to implement the State’s planning visions. The measures and indicators that must be reported on are the:

- Amount and share of growth that is being located inside and outside the Priority Funding Area (PFA);
- Net density of growth that is being located inside and outside the PFA;
- Creation of new lots and the issuance of residential and commercial building permits inside and outside the PFA;
- Development capacity analysis, updated once every 3 years or when there is a significant zoning or land use change; and
- Number of acres preserved using local agricultural land preservation funding.

The bill establishes a statewide land use goal of increasing the current percentage of growth within the PFA and decreasing the percentage of growth outside the PFA. The General Assembly required local jurisdictions to develop a percentage goal towards achieving the statewide goal. The Annual Report filed by local jurisdictions must also include:

- Local goal;
- Time frame for achieving the local goal;
- Resources necessary for infrastructure inside the PFA and land preservation outside the PFA; and
- Any incremental progress made towards achieving the local goal.

By July 1, 2009, and after consultation with specified entities, the Task Force on the Future for Growth and Development must recommend additional measures and indicator information that should be collected.

XI. Appendix

A. Staff

Activities of the Planning Commission are supported by staff of the Planning Division as well as the Resource & Infrastructure Management Division (formerly the Adequate Public Facilities Section of Planning). Members of the Divisions of Planning and Resource & Infrastructure Management are:

Planning Division

Reed Faasen, Acting Planning Director
Carolyn Mitchell, Administrative Associate
Theresa Pickeral, Administrative Associate
Carrol Everett, Administrative Associate

Community Planning

Cathy Hardy, Community Planning Program Manager
Amy Blessinger, Planner
Beth Groth, Planner
Sheila Geisert, Planning Technician

Current Planning

Shelley Wagner, Subdivision and Site Plan Program Manager
Heather Kelley, Planner
Tetchiana Anderson, Planner
Kirby Blass, Planner
Cyndi Bilbra, Planning Technician

Environmental

Charles Rice, Environmental Program Manager
Karen Wiggen, Planner
Aimee Dailey, Planner
Mary Grant, Planner
Jerry Ringling, Planner

Zoning

Mary Vance, Zoning Administrator
Charles Quade, Zoning Technician
Ray Buckler, Zoning Technician
Robert Padgett, Zoning Technician
Harold Hancock, Forest Conservation Inspector

Resource and Infrastructure Management Division

Jason Groth, Chief
Sarah Sandy, Administrative Associate

Transportation

Tony Puleo, Infrastructure Planner

Schools

Zakary Krebeck, Infrastructure Planner

Water & Sewer

Vacant, Water & Sewer Resource Manager

GIS

Glenn Gorman, GIS Resource Analyst

Michael Morgan, Cartographer

B. Maps

The following maps are attached to this report:

Subdivision Activity Map

C. Supplemental Information

Building Permits History

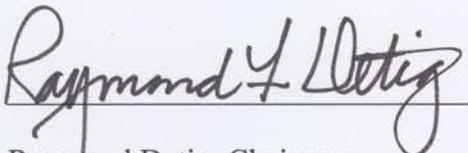
Retired TDRs

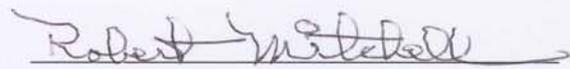
PLANNING COMMISSION OF CHARLES COUNTY, MARYLAND

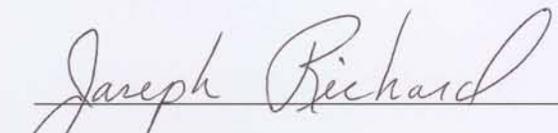
BE IT RESOLVED, this 13th day of July, 2009, by the Planning Commission of Charles County that the document consisting of text, maps, and charts, entitled "2007 & 2008 Annual Report of the Charles County Planning Commission" and dated May 2009, is hereby adopted in accordance with Article 66B of the Annotated Code of Maryland.

CHARLES COUNTY PLANNING COMMISSION

CHARLES COUNTY, MARYLAND

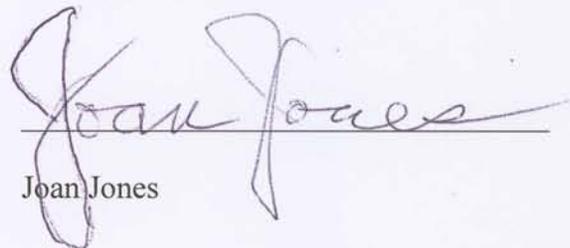

Raymond Detig, Chairman

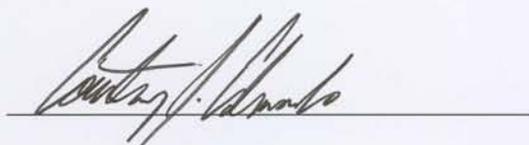

Robert Mitchell, Vice Chairman

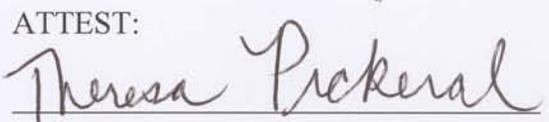

Joseph Richard, Secretary


Louis D. Grasso

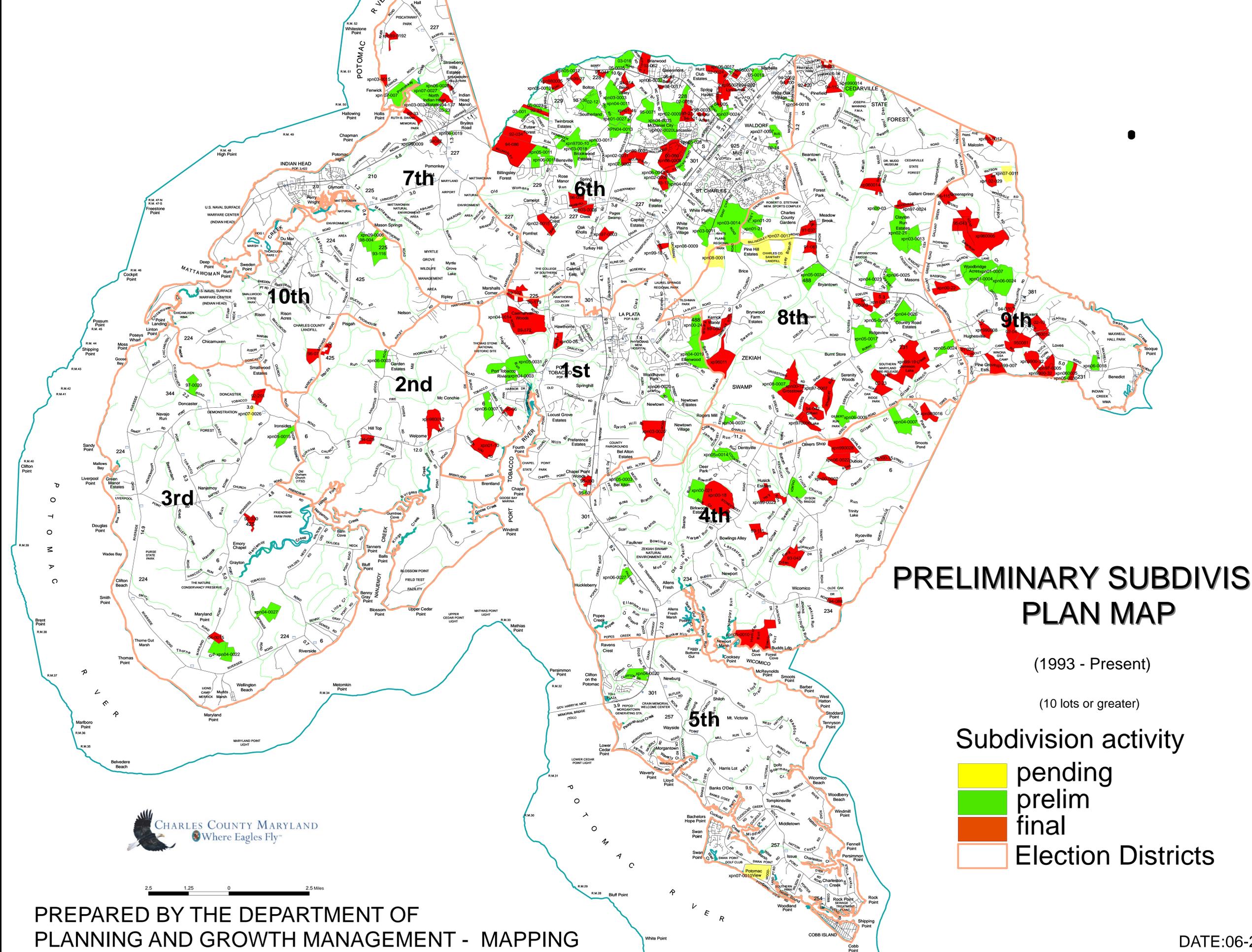

Stephen Bunker


Joan Jones


Courtney Edmonds

ATTEST:

Theresa Pickeral, Clerk

CHARLES COUNTY, MARYLAND



PRELIMINARY SUBDIVISION PLAN MAP

(1993 - Present)

(10 lots or greater)

Subdivision activity

- pending
- prelim
- final
- Election Districts

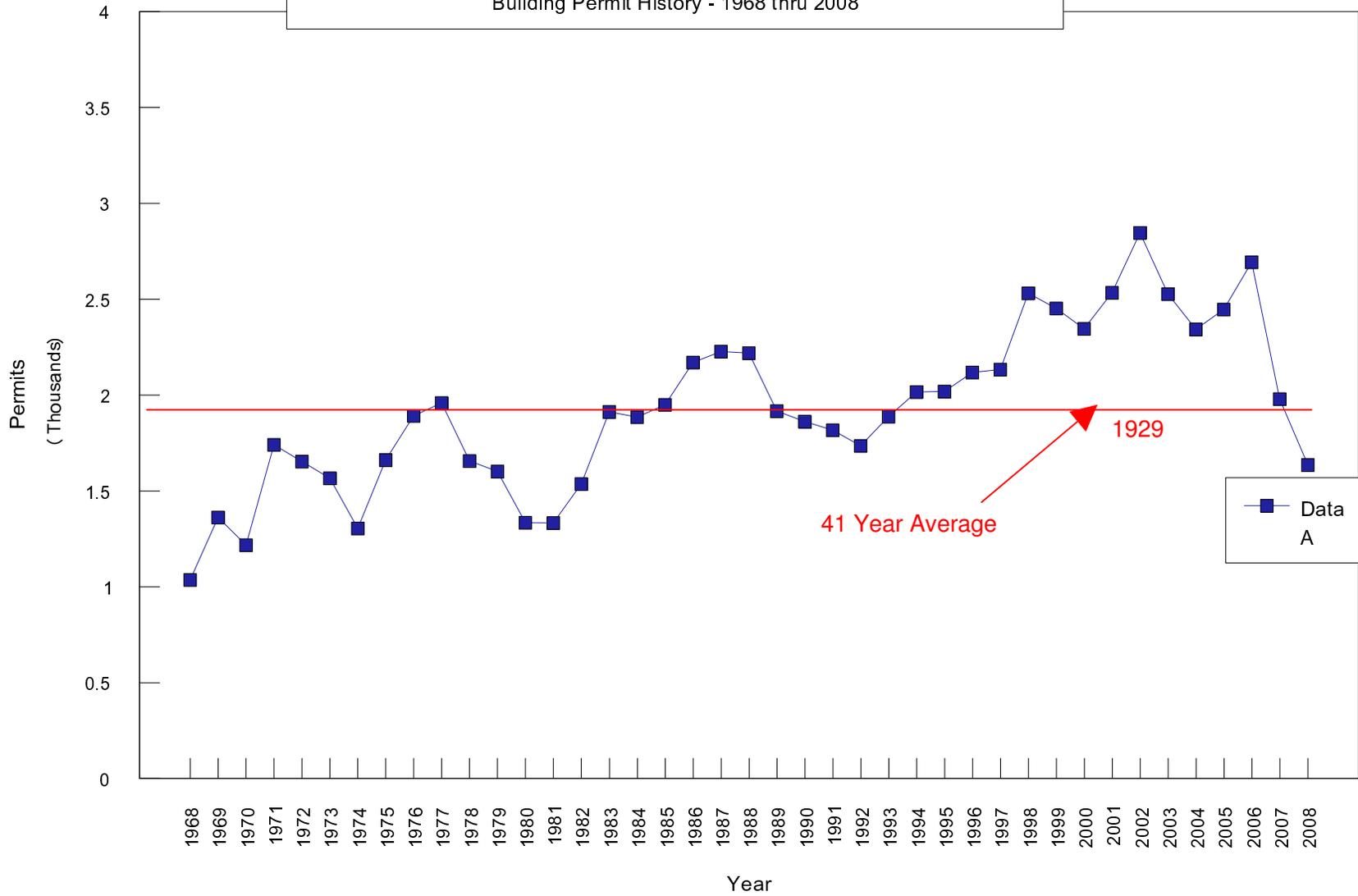


PREPARED BY THE DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT - MAPPING

DATE:06-23-09

PLANNING AND GROWTH MANAGEMENT

Building Permit History - 1968 thru 2008



Transferrable Development Rights (TDR's)

Number Retired Annually

