

MASTER PLAN OVERVIEW  
1997

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MASTER PLAN PROCESS  
AN OVERVIEW

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## TO THE READER

Gaithersburg, as an incorporated city, is subject to Article 66B (the Maryland Planning and Zoning Enabling Act) of the Annotated Code of Maryland and as such, must meet the requirements for the formulation of a city master plan. The City has selected an approach for preparing its land use element which utilizes review and updating by planning neighborhoods. This concept originated in 1977-1978 when the City was divided into six areas, or neighborhoods, as part of an open space study conducted by the City Department of Parks and Recreation. Since then, this division of neighborhoods has served as a basis for orderly review in every aspect of City government, including land use planning and zoning actions. Other master plan elements, including transportation, community facilities, and sensitive areas, will have been prepared as city-wide documents.

This master plan overview is intended to provide the reader with current information on a city-wide basis including statistics on estimated population and the number of dwelling units by housing type, and traces City growth through annexation from 1960 to the present.

MASTER PLAN PROCESS

AN OVERVIEW

## LEGAL AUTHORITY OF THE PLAN

The City of Gaithersburg exercises autonomous planning and zoning powers as described under Article 66B (the Maryland Planning and Zoning Enabling Act) of the Annotated Code of Maryland. Section 3.05 of Article 66B mandates that the following items be included in a master plan document: (1) a statement of the plan's goals, objectives, policies and standards; (2) a land use component; (3) a transportation component; (4) a community facilities component; (5) a mineral resources element; (6) an element containing land development regulations; (7) determination of areas of critical State concern; and (8) a sensitive areas element. Although these items constitute the fundamental elements of a master plan, some plans go on to explore other areas such as community renewal, housing, flood control, pollution, and public utilities. For any plans whose revision or preparation is required to begin after October 1, 1992, Article 66B further requires that the Commission implement certain visions throughout the plan along with the above required elements.

## THE MASTER PLAN PROCESS

The process of developing a master plan often involves the following tasks: (1) developing and collecting data with respect to the locality; (2) identifying policy issues and areas of community concern; (3) establishing community planning goals; (4) preparing alternative means to secure local goals; (5) evaluating the plan document; (6) developing interrelated strategies to implement the plan by coordinating separate land use, housing, and transportation plans; (7) formally adopting the master plan following a period of community involvement and participation; and (8) ongoing review and revision of the plan. The process is a continuous one if a local jurisdiction is to keep its master plan current and geared to the evolving needs of its community. In fact, the State of Maryland's 1992 Planning Act mandated that each jurisdiction exercising planning and zoning authority provide to the Governor a schedule for updating the required elements of the local master plan.

At the conclusion of 1974, the Gaithersburg Planning Commission adopted the *Corridor City Master Plan*. In 1996, the Master Plan was revised comprehensively in response to the Maryland Economic Growth Resource Protection and Planning Act of 1992 which states in part:

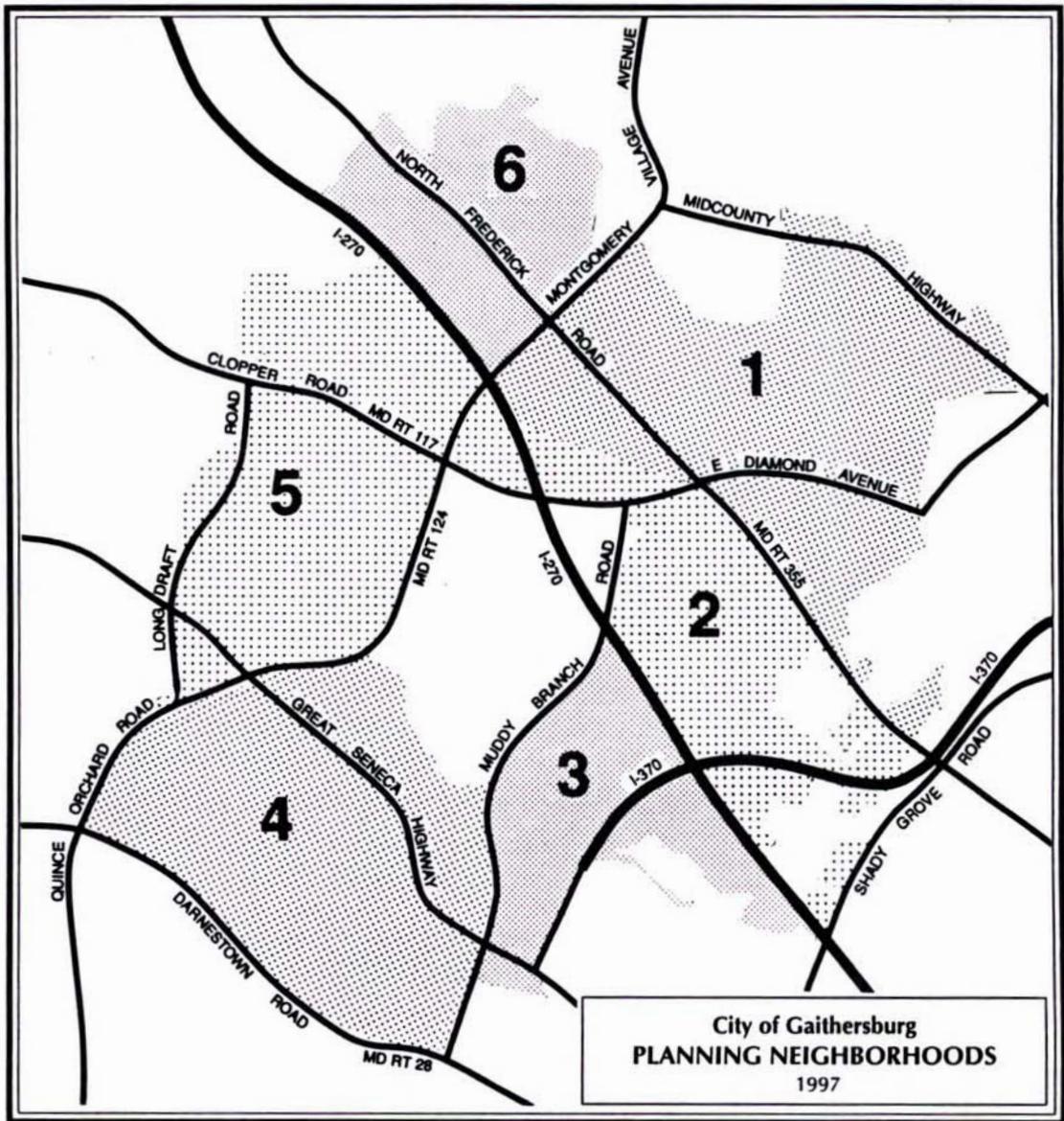
### 3.05. Plan Purpose; Vision

(a) In the preparation of the plan the commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the jurisdiction, and with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing the coordinated, adjusted, and harmonious development of the jurisdiction, and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provision for light and air, conservation of natural resources, the prevention of environmental pollution, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

Since 1970, the City's population has increased by five and a half times and this growth must be controlled by the master plan process.

## PLANNING NEIGHBORHOODS

The City has been divided into six neighborhoods for land use planning purposes. The primary goal of this process is to balance, on a neighborhood-by-neighborhood basis, the competing issues and interests which will affect the future growth and development patterns within the corporate limits of the City. The City has moved through the process on a systematic basis, preparing a land use plan for adoption by the Planning Commission and Mayor and City Council for each neighborhood, after which the updating process will begin again. To date, Neighborhoods One, Two, Four and Six have been completed. Other master plan elements, described previously, will also be prepared, adopted and/or revised by July 1997 as part of the City's ongoing master planning process.



## GOALS AND STRATEGIC DIRECTIONS

During March 1979, the Planning Commission and the Mayor and City Council participated in a goals workshop for the purpose of guiding short- and long-term physical planning through the Master Plan revision process. More recently, the Mayor and City Council has embarked on a Strategic Planning Process to pave the way for the City's future. In 1994, a 21st Century Committee was established to "identify, study, and make recommendations on issues facing the City in the future." This Committee helped revise the City's vision, mission statement, and guiding principles, all of which are reviewed now, or on an annual basis, and provide the framework for ongoing land use decisions.

### Strategic Directions

- Actively pursue economic development programs and strategies
- Actively pursue Olde Towne Blueprint
- Maintain support of neighborhood Community Policing programs
- Pursue programs that preserve and improve current and future housing stock and mix (e.g., aging apartments)
- Create and implement a Master Plan for parks, recreation, cultural and leisure time activities—include private enterprise
- Implement recommendations from ongoing evaluations of natural resources and encourage the protection and enhancement of the environment (streams, parks, stormwater management, and other CIP projects)
- Evaluate and pursue programs that foster educational and recreational opportunities for youth that are underserved by existing resources
- Implement recommendation #5 of the transportation element of the Master Plan (bicycle and sidewalk projects)
- Continue technology planning to ensure the City derives the benefits of technology
- Continue communication activities and explore programs that promote citizen involvement

### Vision

In the 21st Century, Gaithersburg will set the standard for other cities as a "special" place where people want to live, work, and play.

Gaithersburg will be a city that:

- Lives by the Six Pillars of Character Counts! (trustworthiness, respect, responsibility, fairness, caring, and citizenship)
- Has retained the best qualities of a small town

- Has involved citizens and supportive businesses
- Has a fiscally conservative, proactive government
- Has safe neighborhoods and business centers
- Has an attractive business environment and diverse employment options
- Has excellent educational opportunities
- Has a variety of housing types
- Has attractive and beautifully maintained parks and public places
- Has many leisure time activities
- Has a high quality, family-oriented lifestyle for all ages, cultures and interests
- Has citizens with a strong sense of individual responsibility
- Has a natural environment that is protected, respected, and enhanced

### **Guiding Principles**

We (the City) are guided by the Six Pillars of Character Counts as demonstrated by:

#### *Customer Focus*

We actively pursue the identification of citizen needs through citizen involvement to provide effective services to our community with efficiency, accountability, and a caring attitude.

#### *Open Communication*

We promote honest, open communication and easy access to information.

#### *Creativity*

We strive to improve the quality and efficiency of City services through creative approaches and new cost effective technologies.

#### *Fiscal Responsibility*

We provide quality services, of the best value, to effectively meet the needs of our community while maintaining a pay-as-you-go philosophy.

#### *Cooperation*

We promote a spirit of fairness, trustworthiness, respect and teamwork among our elected officials, City employees, residential and business communities, neighboring jurisdictions, and other governmental agencies.

#### *Commitment to Excellence*

We have the responsibility to our citizens to strive to achieve excellence in all we do.

#### *Continuous Improvement*

We advocate good citizenship and support the freedom to actively pursue suggestions, ideas, and creative approaches, leading to continuous improvements.

## **CITY-WIDE GROWTH PATTERN THROUGH ANNEXATIONS**

Since 1960, the City's growth has been measured not only in terms of natural and net immigration population increases, but also through annexations.

### **Rationale of Annexation**

During the 1960s and early 1970s, the City's growth policies were directed towards the annexation of surrounding land in order to accommodate urbanization pressures anticipated by a developing "Corridor City." Through annexation, citizens could enjoy enhanced municipal services as well as benefit from a responsive local government. The City was able, in most cases, to incorporate a larger tax base to generate additional revenues required to support the wider array of programs and services that were not previously offered throughout Gaithersburg. Together with more diverse public services, recreational and cultural activities, the City also provided an attractive location for developers seeking a less cumbersome development review process which could be completed within a predictable period of time. Thus, the annexation process, which is an economic development tool, has been employed as one means by which the City has effectively controlled and accommodated physical development so that public improvements and services can keep pace with the needs of a growing Corridor City.

### **State Code Amendment and Zoning Issues**

In 1971, the *Annotated Code of Maryland* was amended to preclude municipalities from offering zoning as an incentive to annexation. Since that time, a municipality may not rezone a parcel at annexation or within five years of same to a category which is substantially different from the County's Master Plan without the express consent of the County Council. Accordingly, annexation activity in the City dropped off considerably at that point.

### **Growth Pattern Through Annexations**

The following chart illustrates the City's historical growth pattern through annexations from 1960 through December 1996. The principal growth occurred through annexations during the period between 1965 and 1971, during which time the City annexed 3,572 acres or approximately 5.58 square miles. Other peak years were 1982, 1987, and 1991. By the end of 1996, the size of the City had increased to 6,386 acres or approximately 9.97 square miles.

CITY OF GAITHERSBURG  
ANNEXATIONS BY EFFECTIVE DATE

YEAR	ACRES ANNEXED	TOTAL CITY ACRES YEARS END	CITY SQUARE MILES
<b>1960</b>	<b>804.00000</b>	<b>804.00000</b>	<b>1.2562500</b>
1961	145.21334	949.21334	
1962	21.63836	970.85170	
1963	21.27880	992.13050	
1964	99.90210	1092.03260	
1965	485.13700	1577.16960	
1966	400.97181	1978.14140	
1967	1650.94720	3629.08860	
1968	408.94110	4038.02970	
1969	314.66320	4352.69290	
<b>1970</b>	-	<b>4352.69290</b>	<b>6.8010826</b>
1971	311.53560	4664.22850	
1972	91.89020	4756.11870	
1973	49.99099	4806.10960	
1974	30.90000	4837.00960	
1975	-	4837.00960	
1976	-	4837.00960	
1977	1.39320	4838.40280	
1978	.24200	4838.64480	
1979	30.59115	4869.23590	
<b>1980</b>	<b>20.95570</b>	<b>4890.19160</b>	<b>7.6409243</b>
1981	100.01000	4990.20160	
1982	213.09710	5203.29870	
1983	57.69560	5260.99430	
1984	73.44000	5334.43430	
1985	73.23000	5407.66430	
1986	83.44000	5491.10430	
1987	228.53690	5719.64120	
1988	3.54500	5723.18620	
1989	100.54380	5823.73000	
<b>1990</b>	<b>53.93360</b>	<b>5877.66360</b>	<b>9.1838493</b>
1991	338.29385	6215.95740	
1992	127.13300	6343.09040	
1993	4.95300	6348.04340	
1994	8.62496	6356.66836	
1995	7.869	6364.53736	
1996	21.59493	6386.13229	
<b>TOTAL</b>		<b>6386.13229</b>	<b>9.9783315</b>

## MAXIMUM EXPANSION LIMITS



A purpose of the Maximum Expansion Limits (MEL) policy is to set a geographical boundary for growth. Areas that are between the City's corporate limits and the Maximum Expansion Limits may be annexed into the City; however, there is no legal commitment to do so. Maximum Expansion Limits were set unilaterally by City Council Resolution and adopted in 1973. The Maximum Expansion Limits are useful in terms of planning because the City can forecast future service needs as well as determine the service responsibilities between County agencies and the City. Throughout the '80s, the City, in conjunction with the County, envisioned changing the existing MEL's, with the proposed boundary changes to basically follow existing roads instead of following or traversing

private properties, and reflect a more bilateral approach to this issue. Several annexations have already become effective within these proposed MEL's. Additionally, in 1992, the City of Gaithersburg, along with the City of Rockville and Montgomery County, entered into a joint Memorandum of Understanding which established guidelines for a 20-year planning horizon with respect to the land use and required community facilities, capital investment responsibilities, and logical and efficient operating service areas. The most important aspect of this Memorandum was the agreement by the jurisdictions to work cooperatively to develop procedural guidelines for annexation agreements which should include staging components.

Overall, the trend to grow will continue, but the rate of change, even with the new MEL, will be much slower in the 1990s, than during the 1980s.

**POPULATION TRENDS**

The City of Gaithersburg was the fastest growing city in the State of Maryland between 1970 and 1980, as it grew from 8,344 in 1970 to 26,424 in 1980 for an 18,080 person increase (or 216.7 percent) above the population in 1970. Between 1980 and 1990, the population increased to 39,542 reflecting a 49.6 percent increase by 1990.

The increase in population for Montgomery County went from 522,809 in 1970 to 579,000 in 1980, a 10.8 percent increase. In 1990, the Census Bureau listed the County population at 757,027.

The County's Gaithersburg Vicinity Planning Area (which excludes the City but includes Montgomery Village) comprises 31.6 square miles of land (1985 figure). The following figures illustrate the population growth for the City and surrounding area:

	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>1995</b>	<b>1997</b>
City of Gaithersburg	8,344	26,424	39,542	46,216	49,126
Gaithersburg Vicinity	23,150	66,516	103,500	115,800	120,400

The current estimate for the City of Gaithersburg as of July 1, 1997, is 49,126 persons. Assuming a growth rate of approximately 2 percent per year, or an addition of 240 dwelling units to the City's housing stock on an annual basis, population projections for the City to the year 2010 are as follows:

<b>2000</b>	<b>2005</b>	<b>2010</b>
53,176	58,710	64,820

**HOUSING TRENDS**

As population increased in the City, the number of housing units saw a concurrent increase. For many years the composition of the housing stock did not vary significantly. Apartment units dominated the inventory as documented in the City's first comprehensive housing survey in 1976, which pinpointed 68 percent of the housing stock as apartments.

Housing Units	1960	1970	1976	1980	1990	1995	1997
Single-Family Detached	657	1,026	1,627	1,635	2,838	3,600	3,825
Townhouses	-	-	1,897	2,072	4,971	5,395	5,813
Apartments	442	1,961	7,087	7,087	7,704	9,244	9,539
Other Dwelling Units*	-	-	-	-	-	19	29
<b>TOTAL UNITS</b>	<b>1,009</b>	<b>2,987</b>	<b>10,611</b>	<b>10,794</b>	<b>15,513</b>	<b>18,312</b>	<b>19,206</b>

\*Other includes: Asbury Methodist Village (Asbury Nursing Home), Wells-Robertson House, and Kentlands Urban Cottages.

By 1977, from a policy perspective, the City sought to change what was perceived as an imbalance in its housing inventory with a push to encourage more homeownership options for those who wished to reside within the corporate limits. As a result of zoning map amendments and broad code changes, the City was faced with an influx of fee-simple townhouses, many of which were constructed on land originally zoned for garden apartments. On a short-term basis this appeared to address the issue of broadening housing choices; however, by 1984, concern began to arise that a new imbalance was emerging in the form of an over-concentration of townhouses and a lack of choices for those seeking "move-up" single-family detached units. To deal with this new problem, in 1984 the Planning Commission adopted a housing position paper to move back towards the goal of creating a more balanced housing stock. This new housing policy sought to curb the proliferation of townhouses, create greater opportunities for single-family detached units, seek out locations for up-scale housing, and discourage the construction of additional rental housing.

The new policy directive has been implemented by the Planning Commission and the Mayor and City Council as evidenced through master plan and zoning initiatives. The consequence of this policy shift has resulted in a considerable alteration to the composition of the City's housing stock as shown below.

**Percentage of Total Housing**

Housing Types	1976	1984	1987	1990	1995	1997	Future (Approved)
Single-Family Detached	15.3	16.4	15.5	18.3	20.8	19.9	37.9
Townhouses	17.8	24.0	32.2	32.0	30.0	30.3	16.7
Apartments	67.9	59.6	52.2	49.7	48.3	49.7	41.1
Other Dwelling Units*	-	-	-	-	0.9	0.2	4.3

\*Other includes: Asbury Methodist Village (Asbury Nursing Home), Wells-Robertson House, and Kentlands Urban Cottages.

## LAND USE DESIGNATIONS AND CORRESPONDING ZONING CATEGORIES

The following chart shows the relationship between the City's land use designations and corresponding zoning categories.

LAND USE DESIGNATIONS	CORRESPONDING ZONING CATEGORIES
Low Density Residential	R-A (20,000 sq.ft. minimum/unit) R-90 (3 units average/acre) R-90 Cluster (3.5 units/acre)
Medium-Low Density Residential	R-6 (6 units/acre maximum)
Medium Density Residential	RP-T (9 units/acre maximum) R-18 (18 units/acre maximum) R-20 (21.5 units/acre maximum)
High Density Residential	R-H (54 units/acre maximum)
Mixed Residential	MXD (Mixed Use Development)
Residential-Office	R-B (Residential Buffer) R-O (Planned Residential)
Central Business	CBD (Central Business District)
Commercial-Office-Residential	C-B (Commercial Buffer) MXD (Mixed Use Development)
Commercial	C-1 (Local Commercial) C-2 (General Commercial) C-3 (Highway Commercial) H-M (Hotel-Motel)
Commercial/Industrial- Research-Office	MXD (Mixed Use Development)
Industrial-Research-Office	E-1 (Urban Employment) E-2 (Moderate Intensity Industrial Park) I-3 (Industrial and Office Park)
Industrial	I-1 (Light Industrial) I-4 (General Industrial)
Institutional	R-A (20,000 sq.ft. minimum/unit) R-90 (3 units average/acre) R-B (Residential Buffer)
Open Space	R-A (20,000 sq.ft. minimum/unit)

MASTER PLAN PROCESS  
AN OVERVIEW

APPENDIX

ARTICLE 66B  
ANNOTATED CODE OF MARYLAND  
ZONING AND PLANNING

(EXCERPT)

**3.05. Plan Preparation, Elements, Adoption; Periodic Review; Miscellaneous Powers and Duties; Initial Zoning District Boundaries and Regulations; Schedule for Complying with Requirements**

(a) It shall be the function and duty of the commission to make and approve a plan which shall be recommended to the local legislative body for adoption and which shall serve as a guide to public and private actions and decisions to insure the development of public and private property in appropriate relationships and which shall include any areas outside of its boundaries which, in the commission's judgment, bear relation to the planning responsibilities of the commission. The elements of the plan may be [exercised] EXPRESSED in words, graphics, or other appropriate form. They shall be interrelated and each element shall describe how it relates to each of the other elements and to the statement of objectives, principles, policies, and standards.

(1) The plan shall contain as a minimum the following elements:

(i) A statement of goals and objectives, principles, policies, and standards which shall serve as a guide for the development and economic and social well-being of the jurisdiction;

(ii) A land use plan element which shall show proposals for the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the manner in which the community should use its public and private land at specified times as far into the future as is reasonable. Such land use may include, without being limited to, public and private, residential, commercial, industrial, agricultural, and recreational land uses;

(iii) A transportation plan element which shall show proposals for the most appropriate and desirable patterns for the general location, character, and extent of the channels, routes, and terminals for transportation facilities, and for the circulation of persons and goods at specified times as far into the future as is reasonable. THE TRANSPORTATION PLAN ELEMENT SHALL ALSO PROVIDE FOR BICYCLE AND PEDESTRIAN ACCESS AND TRAVELWAYS. AN ESTIMATE OF THE PROBABLE UTILIZATION OF ANY PROPOSED IMPROVEMENTS SHALL BE INCLUDED. Such channels, routes, TRAVELWAYS, and terminals may include, without being limited to, all types of highways or streets, BICYCLE WAYS, SIDEWALKS, railways, waterways, airways, routings for mass transit, and terminals for people, goods, and vehicles related to highways, airways, waterways, and railways;

[Brackets] indicate matter deleted from the law in 1995.  
CAPITALS indicate matter added to the law in 1995.

(iv) A community facilities plan element which shall show proposals for the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities for specified times as far into the future as is reasonable. Such facilities may include, without being limited to, parks and recreation areas, schools and other educational and cultural facilities, libraries, churches, hospitals, social welfare and medical facilities, institutions, fire stations, police stations, jails, or other public office or administrative facilities;

(v) If current geological information is available, a mineral resources plan element that:

1. Identifies undeveloped land that should be kept in its undeveloped state until the land can be used to provide or assist in providing a continuous supply of minerals, as defined in §7-6A-01 (i) of the Natural Resources Article;

2. Identifies appropriate post-excavation uses for this land that are consistent with the county's land planning process; and

3. Incorporates land use policies and recommendations for regulations to balance mineral resource extraction with other land uses and, to the extent feasible, to prevent the preemption of mineral resources extraction by other uses; and

4. Has been reviewed by the Department of Natural Resources to determine whether the proposed plan is consistent with the programs and goals of the Department.

(vi) An element which shall contain the planning commission's recommendation for land development regulations to implement the plan and *which encourages the following:*

*1. Streamlined review of applications for development, including permit review and subdivision plat review within the areas designated for growth in the Plan;*

*2. The use of flexible development regulations to promote innovative and cost-saving site design and protect the environment; and*

*3. Economic development in areas designated for growth in the plan through the use of innovative techniques;*

(vii) Recommendations for the determination, identification, and designation of areas within the county which are of critical State concern; *and*

(viii) *A sensitive area element that contains goals, objectives, principles, policies, and standards designed to protect, from the adverse effects of development, sensitive areas, including the following:*

*Italics indicate matter added to the law in the Planning Act of 1992.*

1. *Streams and their buffers;*
2. *100-year floodplains;*
3. *Habitats of threatened and endangered species; and*
4. *Steep slopes.*

(2) *The sensitive areas element adopted under paragraph (1)(viii) of this subsection may also include other areas in need of special protection, as determined in the local plan.*

(3) The plan may include, without being limited to, any additional elements such as community renewal, housing, flood control, pollution, conservation, natural resources, the general location and extent of public utilities, and other programs which, in the judgment of the planning commission will further advance the purposes of the plan.

(4) The mineral resources plan element shall be incorporated in:

(i) Any new plan adopted after July 1, 1986 for all or any part of a jurisdiction; and

(ii) Any amendment or addition that is adopted after July 1, 1986 to a plan that was in effect on July 1, 1985.

(5) (i) As a component of its plan, each planning commission of a county that is located on the tidal waters of the State and that exercises authority under this article shall amend or include in its plan by January 1, 1988 the designation of areas on the tidal water or in close proximity to the tidal water for the following purposes:

1. Loading and unloading finfish and shellfish;
2. Processing finfish and shellfish; and
3. Docking and mooring commercial fishing boats and vessels.

(ii) The designated areas under subparagraph (i) of this paragraph shall be geographically located in order:

1. To facilitate the commercial harvesting of finfish and shellfish;
- and
2. To assure reasonable access to the waterways of the State by commercial watermen.

*Italics indicate matter added to the law in the Planning act of 1992.*

(b) (1) *Any plan whose preparation or revision begins or is required to begin after October 1, 1992 shall include all elements required in subsection (a) of this section and the visions set forth in §3.06(b) of this article.*

(2) *On or before July 1, 1997 all local jurisdictions shall adopt and include in their plans all elements required in subsection (a) of this section and the visions set forth in §3.06(b) of this article.*

(3) *The planning commission, at intervals of no more than 6 years, shall review and if necessary revise or amend a plan to include all elements required in subsection (a) of this section and the visions set forth in §3.06(b) of this article.*

(4) *A planning commission may elect to prepare plans for 1 or more major geographic sections or divisions of the jurisdiction, provided that the plan for each geographic section or division is reviewed and if necessary revised or amended within each 6-year interval.*

(c) *The commission shall have power to promote public interest in and understanding of the plan. The commission shall from time to time recommend to the appropriate public officials programs for public structures, improvements and land acquisitions, and for their financing. It shall be part of its duties to consult public officials and agencies, public utility companies, civic, educational, professional and other organizations, and citizens with relation to the protecting or execution of the plan. The commission shall have the right to accept and use gifts and public or private grants for the exercise of its functions. All public officials shall, upon request, furnish to the commission within a reasonable time that available information as it may require for its program. The commission, its members, officers, and employees, in the performance of their functions may enter upon any land and make examinations and surveys. In general, the commission shall have those powers as may be necessary to enable it to fulfill its functions, promote planning, or execute the purposes of this article.*

(d) *In order that a county or municipal corporation may avail itself of the zoning powers conferred by this article, it shall be the duty of the planning commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. Such commission shall make a preliminary report and hold at least one public hearing thereon before submitting its final report and the local legislative body shall not hold its public hearings or take action until it has received the final report of such commission.*

(e) *By January 1, 1993, each jurisdiction that exercises planning and zoning authority shall provide to the Governor a schedule for complying with the requirements of §§3.05, 3.06(b), and 4.09 of this article, including a schedule for the adoption and implementation of a sensitive areas element and the visions and the achievement of consistency in local zoning, subdivision, and other regulations.*

**3.06. Plan Purpose; Visions**

(a) In the preparation of the plan the commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the jurisdiction, and with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing the coordinated, adjusted, and harmonious development of the jurisdiction, and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provision for light and air, conservation of natural resources, the prevention of environmental pollution, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

(b) *In addition to the requirements of subsection (a) of this section, the Commission shall implement the following visions through the plan described in 3.05 of this article:*

- (1) *Development is concentrated in suitable areas;*
- (2) *Sensitive areas are protected;*
- (3) *In rural areas, growth is directed to existing population centers and resource areas are protected;*
- (4) *Stewardship of the Chesapeake Bay and the land is a universal ethic;*
- (5) *Conservation of resources, including a reduction in resource consumption, is practiced;*
- (6) *To assure the achievement of paragraphs (1) through (5) of this subsection, economic growth is encouraged and regulatory mechanisms are streamlined; and*
- (7) *Funding mechanisms are addressed to achieve these visions.*

(c) (1) *Except as provided in paragraph (2) of this subsection, the authority to adopt regulations concerning the implementation of subsection (b) of this section in a plan shall be vested solely in the legislative body of the jurisdiction that has adopted the plan.*

(2) *This subsection does not limit the Office of Planning, the State Economic Growth, Resource Protection, and Planning Commission, or any subcommittee of the Commission, from exercising any authority granted under the State Finance and Procurement Article.*

*Italics indicate matter added to the law in the Planning Act of 1992.*

### **3.07. Plan Hearings, Referral; Resolution Recommending Approval**

The commission may recommend adoption of the plan as a whole or may recommend adoption of successive parts of the plan, the parts corresponding to major geographical sections or divisions of the jurisdiction, and may recommend adoption of any amendment or extension of or addition to the plan. Before recommending the adoption of the plan or any part, amendment, extension, or addition, the commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the jurisdiction. Copies of the recommended plan and all amendments to the plan shall be referred to all adjoining planning jurisdictions, and to all State and local jurisdictions that have responsibility for financing or constructing public improvements necessary to implement the plan, at least 60 days prior to the public hearing. The recommendation of each jurisdiction that comments on the plan's recommendations shall be included in the planning commission's report to the local legislative body. The approval of the plan or of any part, amendment, extension, or addition shall be by resolution of the commission carried by the affirmative votes of not less than a majority of the membership. The resolution shall refer expressly to the text, map, and descriptive, and other matter intended by the commission to form the whole or part of the plan, and the action taken shall be recorded on the map, plan, text or other matter by the identifying signature of the chairman or secretary of the commission, or both. An attested copy of the plan or part of the plan shall be certified to the local legislative body.

### **3.08. Mandatory Referrals to Planning Commission; Plan Adoption**

Whenever the local legislative body shall have adopted the plan as a whole or for one or more geographic sections or divisions of the jurisdiction, no street, square, park or other public way, ground, or open space, or public building or structure, or public utility, whether public or privately owned, shall be constructed or authorized in the jurisdiction or major geographic section thereof until the location, character, and extent of such development shall have been submitted to and approved by the commission as consistent with the plan provided, that the commission shall communicate its decision and reasons to the local legislative body which shall have the power to overrule such action by a recorded vote of not less than 2/3 of its entire membership; provided, however, that if the public way, ground, space, building, structure or utility be one the authorization of financing of which does not, under the law or charter provisions governing same, fall within the province of the local legislative body, then the submission to the planning commission shall be by the board, commission or body having such jurisdiction, and the planning commission's action may be overruled by said board, commission or body by a vote of not less than 2/3 of its membership. Failure of the planning commission to act within 60 days from and after the date of official submission to the planning commission shall be deemed approval. Failure of the local legislative body to act within 60 days from and after the date of submission of the recommendation of the planning commission shall be deemed concurrence with the recommendation of the planning commission.

The local legislative body shall adopt the plan as a whole or for one or more major geographic sections or divisions of the jurisdiction, and further shall adopt any amendment or extension thereof or addition thereto.