

2009 COMPREHENSIVE PLAN

Interjurisdictional Coordination

2009

CITY OF WESTMINSTER



Part 1: Existing Coordination

The primary formal agreement for interjurisdictional coordination between the City of Westminster and Carroll County is the City/County Agreement (also known as the Town/County Agreement). This agreement provides for coordinated participation in planning and joint review of subdivisions, development proposals, master plans, and annexations. Plats, plans, and other materials are exchanged between the City and the County for informational purposes and to provide staff members and elected officials the opportunity to comment. Certain County agencies review plans for conformance with City regulations and ordinances such as stormwater management and forest conservation. City and County staff also attend one another’s Planning and Zoning Commission meetings in order to stay appraised of planning related activities in the other jurisdiction. In addition, the agreement clarifies the types of County services that are available to the City of Westminster, such as planning and zoning services, building permits and inspection, and data processing services for tax and utility billing.

Chapter 14

Part 1: Existing Coordination

Part 2: Carroll County Master Plan

Part 3: Future of Interjurisdictional Coordination

Part 4: Town/County Agreement

Goals and Objectives

Section 1: History of Interjurisdictional Coordination

In the past, comprehensive planning activities for the City of Westminster addressed the entire Westminster Community Planning Area and involved extensive participation by Carroll County Department of Planning staff. The 2004 update of the City of Westminster Comprehensive Plan had more limited involvement of County staff in part due the nature of the updates required for the 2004 plan, and in part due to changing work priorities at the County level. For the 2009 Comprehensive Plan, County staff has been kept informed of the Comprehensive Plan update through the City’s liaison planner at the County.

Section 2: Westminster Community Planning Area

Three elements of the *City of Westminster Comprehensive Plan* have involved a coordinated effort between City and County staff: Environmental Resources, Transportation, and Water & Sewer. These elements in particular exhibit an inherent functional connection to the Westminster Community Planning Area as a whole.

Environmental Resources and Protection Element

The Environmental Resources element that appeared in the 1998 Comprehensive Plan was developed for all of Carroll County by County staff and an Interjurisdictional Steering Committee. The

Interjurisdictional Steering Committee consisted of representatives from the County and each of its municipalities. The Environmental Resources chapter includes those sections of the County Environmental Resources Plan that apply to the City of Westminster. Certain sections of the 2004 Environmental Resources Element have been updated by City staff for the 2009 Comprehensive Plan to reflect current conditions and practices and the element is now called the Environmental Resources and Protection Element to reflect the City's new environmental protection programs.

Transportation Element

The Transportation Element of this plan was developed in 2004 for the City of Westminster in a coordinated effort between City and County planning staff. County staff provided a significant source of traffic data through a consultant's study commissioned for the County's update of the Transportation element of the *Westminster Environs Community Comprehensive Plan*. The concurrent update of both plans has encouraged significant cooperation between City and County leadership regarding a vision for the transportation system serving the Westminster area over the next 20 years. Aspects of this vision are reflected and further developed in the Transportation Element. The 2009 Comprehensive Plan stresses the interjurisdictional coordination of the implementation of the plan with the County more than the updating process.

Water Resources Element

The final area in which there has been coordination between the City of Westminster and Carroll County is the Water Resources Element. The *Carroll County Master Plan for Water and Sewerage* was originally developed and is updated periodically through the joint cooperation of Carroll County and the municipalities that own and operate community water and sewer systems. Although not included in this document in its entirety, the *Carroll County Master Plan for Water and Sewerage* is included as part of Westminster's Comprehensive Plan by reference. Since 2007, the City of Westminster and Carroll County have worked together on developing the 2009 Westminster Water Resources Element, a new requirement by the State of Maryland, which has increased the mandatory components and details about how the City manages water resources than in past Water and Sewer Elements.

Part 2: Carroll County Master Plan

The current draft of the Master Plan for Carroll County is titled the "Pathways Plan." Carroll County Planning Staff presented a draft of the proposed Pathways Plan to the Carroll County Planning Commission on April 28, 2009. On May 4, 2009, the Planning Commission released the plan for public review and comment. The public review period lasted 60 days, starting May 11, 2009, and ending on July 10, 2009. The Commission held a public hearing following the 60-day review period, at which verbal comments and additional written comments were collected. The Commission is currently reviewing all of the collected comments on the draft and working on revisions to the draft of the Pathways Plan. The final draft of the Carroll County Master Plan will be published in 2010.

The Pathways are the key issues and topics discussed and addressed in the Pathways Plan. They do not include all topics typically addressed in a comprehensive plan. The Pathways are items viewed to be the most pressing for the future of Carroll County:

Pathway 1: Directing & Designing Growth

Address such questions as where future development should go and what it should look like

Pathway 2: Taking Care of Business

Looks at the needs for commercial and employment uses and where they should be located

Pathway 3: Networking Transportation

Analyzes the future transportation network that will improve efficiency and provide alternatives

Pathway 4: Connecting with Heritage

Considers the County's heritage from historic architecture to agricultural lifestyles

Pathway 5: Housing the Workforce

Focuses on creating opportunities for additional housing for moderate-income families

Pathway 6: Sustaining our Natural Systems

Studies environmental resources, mineral resources and water resources

Participation by the municipalities and planning councils in Carroll County is essential to the success of the Carroll County Master Plan. The municipalities have an important role to play in implementing the outcome. Each member of the Carroll County Council of Governments (COG) act as a liaison and coordinator with the town or planning council he or she represents to provide input from the members of the COG.

The Carroll County Master Plan outlines County goals and objectives for interjurisdictional coordination with the eight municipalities in Carroll County. These goals and objectives affirm the commitment of the County to coordinate planning and land use decisions with the municipalities.

Part 3: Future of Interjurisdictional Coordination

The level of interjurisdictional coordination between the City of Westminster and Carroll County has improved in recent years, although significant challenges remain. The rapid transition of Carroll County from a rural to exurban and suburban community has highlighted inefficiencies and differing methodologies between the two jurisdictions, particularly in the areas of growth and site development.

Concurrency Management Ordinance

The County's recent revision of the Concurrency Management ordinance presented an opportunity for the City and County to engage in dialogue regarding the pace of residential development in the County, and the impact on public facilities in the Westminster area.

County Growth Task Force

The Growth Task Force, consisting of County and municipal staff, developers, citizens groups, and quasi-governmental agencies, forwarded a report on the proposed changes to the Board of County Commissioners in January of 2004.

Council of Governments for Carroll County

The City has also participated in the formation of a Council of Governments for Carroll County. The Council of Governments will provide a forum for municipal and County leadership to discuss growth and development issues facing the County. The City envisions future participation in similar efforts to improve communication between the two jurisdictions.

Smart Growth

The City, County, and State, through the State Smart Growth legislation, recognize Westminster as an appropriate location to accommodate a portion of the projected future growth of the County. Continual efforts to improve communication and coordination are essential with respect to projects, plans, and policies that have impacts beyond jurisdictional boundaries.

Part 4: Town/County Agreement

Annexation procedures highlight the importance of efficient interjurisdictional coordination between the City of Westminster and Carroll County. In accordance with the provisions of the Town/County Agreement, the City and the County have agreed that the public health, safety, and welfare will best be served if the City and County coordinate responsibility for the annexation of appropriate properties into the corporate limits of the City of Westminster. The City and County have established the following policies to achieve continuity of municipal services and preserve the effectiveness of planning functions. These policies do not restrict the legislative powers of either the City or the County, and are subject to annual review and renewal through the renewal of the Town/County Agreement.

Policy 1: Future Corporate Limit Line

The City and County have agreed that future growth and development to be served by public facilities in the Westminster area should take place within the future corporate limits. The City and County will jointly agree upon and designate a future corporate limit line to clarify

expectations regarding the annexation of properties into the City. The line will be designated during the update to the County's Westminster Environs Plan.

Policy 2: Development of Property within Future Corporate Limits

When land is proposed for development within the future corporate limits, the County will require that land to be annexed to the City. The City will agree to accept the annexation of land within the future corporate limits. If annexation is not possible, the property owner will file an Irrevocable Declaration of Intent to Request Annexation with the City.

Policy 3: Development Procedures

Where land is proposed for development within the future corporate limits, the developer shall first obtain from the County a determination of whether the development process will be under the County regulations and procedures, with annexation to follow development, or under the City regulations and procedures, with annexation to occur prior to or concurrently with development. After seeking the recommendation of the City, the County will make this determination and communicate it to the developer and to the City. The County agrees that it will not approve development unless provision is made for annexation to the City, and the City agrees that it will not approve an annexation unless development has been completed under the County's jurisdiction or the county has determined that development will take place under the City's regulations and procedures. The City and County will seek comment and guidance of each other throughout the course of the development process.

Policy 4: Land with Existing Development

The City and County concur that land with existing development located within the designated future corporate limits should annex into the City.

Interjurisdictional Coordination Element

The 2009 Comprehensive Plan recognizes that although the basis for coordination with other jurisdictions and organizations is in place, the working relationships with many of these entities could be improved. The Interjurisdictional Coordination Element has been developed to facilitate increased cooperation and coordination among these groups.

Goals and Objectives

Goal J1: Enhance interjurisdictional coordination with Carroll County.

Objective 1: Develop and implement strategies and methods to improve the areas of coordination outlined by the Town/County Agreement, particularly in the areas of growth and development due to the City's status as a Priority Funding Area

- a. Review the Town/County Agreement in coordination with the other municipalities in the County, and update the agreement as necessary
- b. Implement the strategies outlined in the Municipal Growth Element about the growth and development within the City Growth Boundary

Objective 2: Continue coordination of activities with the Carroll County Department of Planning

- a. Coordinate with Carroll County through the joint liaison planner as the County prepares and completes the Westminster Environs Community Comprehensive Plan
- b. Continue to cooperate with the County in regard to updates of the Carroll County Master Plan for Water and Sewerage
- c. Enlist the support of the Carroll County Bureau of Water Resource Management to identify water resources for increased water capacity in the Westminster area
- d. Jointly revise development review procedures in collaboration with the Carroll County Bureau of Planning and Development Review
- e. Support the County in the development and implementation of a County Adequate Public Facilities Ordinance

Objective 3: Enhance or establish working relationships with other Carroll County governmental agencies, including Transportation, Economic Development, School Facilities, Geographic Information Systems, and the Health Department

- a. Establish contacts with key agencies and maintain close communications with these staff in regard to Westminster area projects or policies

Goal J2: Enhance interjurisdictional coordination with the State and local government agencies

Objective 1: Continue and enhance the working relationship with the State Department of Transportation in regard to road improvements, road access, and alternative modes of transportation.

- a. Improve communications in regard to decision-making that could impact both the state and local jurisdiction
- b. Explore opportunities to provide transit service to Westminster area residents
- c. Continue joint planning for reconstruction of State highways in the Westminster area
- d. Continue and enhance the working relationship with the Department of Housing and Community Development to improve housing options, rehabilitate older sections of the City, and preserve the City's historic resources
- e. Work closely with State government staff so that local grant applications and projects correspond to the goals of the State Department of Housing and Community Development
- f. Participate in training sessions offered by the State Department of Housing and Community Development

Objective 2: Continue and enhance the working relationship with the Maryland Office of Planning in regard to planning practices and data.

- a. Stay familiar with Maryland Office of Planning Publications and provide feedback on the content and utility of such publications
- b. Maintain a current version of Maryland Property View and report errors to the appropriate agencies

Objective 3: Identify opportunities to involve other State agencies in projects and initiatives that will meet existing and future needs of City residents.

- a. Keep informed of new State initiatives and funding sources relevant to the City's needs

Goal J3: Enhance coordination with other public and private entities

Objective 1: Enhance coordination with other municipalities in Maryland.

- a. Continue participation in the Maryland Municipal League
- b. Promote sharing of information between municipalities to avoid duplication of effort

Objective 2: Coordinate with McDaniel College in regard to the development of the College's campus and the surrounding area.

- a. Maintain communications with College officials, so that both the City and the College are aware of the other's projects and plans
- b. Work closely with the College when development plans for College facilities are under review