



CHAPTER 1

Introduction to a Comprehensive Plan

The Freedom Community Comprehensive Plan was developed in accord with state legislation that enables local citizens to plan for the orderly development of their communities. The plan, therefore, sets the direction for future development decisions in the community and serves as the legal basis for those decisions. The County Planning Commission, after a review of current local conditions and future projections, is charged with creating a plan that promotes the health, safety, and welfare of its citizens by making adequate provisions for, among other things, the conservation of natural and cultural resources, an efficient and healthy distribution of the population, good civic design, safe and efficient traffic circulation, and responsible public spending.

A. Plan Definition and Purpose

The purpose of the comprehensive plan is to provide a legal framework that guides the growth and development of a community. A set of goals is developed to help achieve the overall vision for the future of the community. Specific actions that are needed to implement the goals are recommended and become a work program for the local government, community leaders, and citizens of the community. Decisions and activities that are made and undertaken subsequent to the adoption of a plan should be consistent with the intent and content of the plan.

Vision ⇒ *A vision is a statement that defines a community's preferred future.* To choose a direction, a community first must have developed a mental image of a possible and desirable future state. This vision should articulate a feasible, achievable, realistic, and attractive future for the community, which should be a future that is better than that of existing conditions. The process of developing a vision not only helps to define the community's preferences and desires for the future but also helps to empower members of the community. A *shared* vision builds community between the public and private, the leaders, and the residents. It encourages cooperation and coordination among the stakeholders. It is also easier to establish priorities when community leaders know toward what end they are working. The defined vision must become an integral part of the management and operation of the local government(s) and the activities in which residents participate. The purpose of this vision statement is to serve as a guide that community leaders and decision makers use as a basis for the decisions made and activities undertaken.

Goals ⇒ *A goal identifies the purpose toward which an endeavor is directed.* Goals are broad statements of intended accomplishments which, if achieved as a whole, would bring the community closer to meeting its overall vision of the future. They do not identify specific activities that will be undertaken. Rather, a set of objectives or actions that are more specific activities are developed to guide the community toward meeting its goals.





Recommendations ⇔ *An action that helps bring a community closer to achieving its goal(s).* Goals help to identify where a community wants to be and toward what they are striving. However, they do not identify specific things that can be done to help the community get there. Recommendations are planning, land use, and general government-related activities that can be pursued, ideally as a whole, to help the community meet its goals. Recommendations are often referred to as objectives or implementation measures.

The comprehensive plan for a specific community within Carroll County, a small area plan called a “community comprehensive plan,” gives that community the opportunity to study in more detail the factors which influence its area and provides more direction on what the community hopes to accomplish beyond what the countywide master plan addresses. Individual properties can be reviewed, specific areas can be designated for revitalization, and unique functional plan elements can be developed to apply to these small areas. These more detailed activities and items would not normally be addressed in the countywide plan.

As a comprehensive plan addresses more than just land uses and zoning, the community comprehensive plan gives a community the opportunity to address such issues as economic development, community involvement, park facilities, and historic resources, among other things. These issues can and should be addressed regardless of whether the community ultimately decides to make changes to the existing land use designation map or zoning districts.

The plan contained herein presents a set of goals that address the issues of growth management and land use, transportation, community facilities, natural resources, economic development, community involvement, and community character. The chapters around which these issues are organized each share common components. They all discuss current conditions, recommendations, and fiscal impacts.

B. State Enabling Legislation

Article 66B of the Annotated Code of Maryland

Article 66B, added to the Maryland Code in 1927 and now entitled “Zoning and Planning”, delegates basic planning and land use regulatory powers to the state's municipalities, Baltimore City, and non-charter counties. Important sections of Article 66B apply to charter counties as well.

Under Article 66B, it is the function and duty of the planning commission to develop, with help of staff, and approve a plan which will be recommended to the local legislative body for adoption. This required plan serves as a guide to all public and private actions and decisions to ensure that development of public and private property occurs in appropriate relation to each other. This plan document satisfies the requirement to provide 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.





The Economic Growth, Resource Protection, and Planning Act

On October 1, 1992, the Maryland Economic Growth, Resource Protection, and Planning Act of 1992 (the Planning Act) was passed with the intent of encouraging economic growth, limiting sprawl development, and protecting the state's natural resources. The Planning Act amends Article 66B. Most local jurisdictions in the state have established priority areas for resource protection. The Planning Act encourages these jurisdictions to build on that base with consistent development regulations and targeted infrastructure investment by the state.

A premise of the Act is that the comprehensive plans prepared by counties and towns are the best place for local governments to establish priorities for growth and resource conservation, and that once those priorities are established, it is the state's responsibility to back them up.

The Planning Act is based on eight "Visions." County and municipal plans are required to be amended so that the plans implement an established set of policies, which should be based on the Visions. The Visions are stated in the Act as follows:

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 1 through 5 above, economic growth is encouraged and regulatory mechanisms are streamlined;
7. Adequate public facilities and infrastructure under the control of the county or municipal corporation are available or planned in areas where growth is to occur; and
8. Funding mechanisms are addressed to achieve these visions.

Making the Visions part of Maryland's planning and zoning enabling legislation gives local jurisdictions a succinct statement of Maryland's priorities for their plans.

Local planning commissions are now required to review, and if necessary, amend their plans at regular six-year intervals. Until the adoption of the Planning Act, there had been no statewide requirement that local jurisdictions review their plans on a regular basis. This provision ensures that plans are frequently reconsidered in light of new needs.

Smart Growth and Neighborhood Conservation Act of 1997

The 1997 General Assembly adopted several specific programs, which together form the *Smart Growth* initiatives. Under these initiatives, counties may designate areas as Priority Funding Areas if they meet guidelines for intended use, availability of plans for sewer and water systems, and permitted residential density. The state will not put their funds where development is low in density; there must be an average density of 3.5 dwelling units per acre to qualify for state funds.

In addition, areas eligible for county designation are existing communities and areas where industrial or other economic development is desired. Counties may also designate areas planned





for new residential communities which will be served by water and sewer systems and meet density standards. As of October 1, 1998, the state is prohibited from funding growth-related projects not located in a Priority Funding Area.

Smart Growth also establishes a Rural Legacy program to preserve sensitive rural areas and to help jurisdictions purchase agricultural land easements, a brown fields program to encourage redevelopment, a Job Creation Tax Credit to promote revitalization, and a Live Near Your Work program to promote settling in older urban areas.

C. Planning Commission Responsibilities

Traditionally, the Planning Commission consists of members of the public at large, who reside in that particular jurisdiction, with little or no formal training in planning. Article 66B authorizes municipalities and counties to create a Planning and/or Zoning Commission made up of five to seven members, one of whom may be a member of the local legislative body to serve in an ex-officio capacity concurrent with his or her official term. Members are appointed by the Board of County Commissioners to serve a term of five years, with members' terms staggered so that terms end at different times. Removal of a member may only occur by the legislative body through a public hearing process and filing of a written statement demonstrating inefficiency, neglect of duty, and/or malfeasance in office. The idea of appointing a group of lay people to make decisions and recommendations about land use planning came about to reduce political influence on decisions.

The purpose of the Planning Commission is to serve as advisor to the elected officials, the Board of County Commissioners, on land use planning and to review matters related to planning and development. The Commission holds a meeting open to the public on a regular monthly basis to consider land use issues. One of the most significant responsibilities that the Planning Commission is given is the authority to develop the county's comprehensive plan. Upon completion of a final draft acceptable to the Commission, the members will vote to approve the plan and will forward it to the elected officials with a recommendation for adoption. The elected officials have the authority to accept or reject this recommendation. While the elected officials cannot make revisions to the plan themselves, they may send it back to the Planning Commission to make suggested modifications.

The Planning Commission is also empowered with original jurisdiction for the review and approval of subdivision. It is also responsible to develop and approve subdivision regulations which must be adopted by the elected officials in their respective jurisdictions in order to become effective. As with comprehensive plans, the Commissioners may not make changes to the proposal. If the elected officials disapprove the proposal for adoption, they may only send the proposal back to the Commission for revisions. Since the Commission focuses on planning issues, it is a valuable intermediary between the public and the elected officials.





The Planning Commission also makes recommendations to the elected officials on proposals relating to zoning or rezoning. The elected officials have the authority to accept, reject, or modify those recommendations.

D. The Planning Process

Under Article 66B, it is the duty of the Planning Commission to develop a comprehensive plan. Generally, the staff to the Planning Commission carries out the responsibility of actually writing the plan on behalf of the Planning Commission. The development of a plan is more successful when the Planning Commission and the legislative body work cooperatively. Community meetings and other forms of citizen participation are encouraged to ensure that the goals of the plan truly reflect the desires of the community.

When a comprehensive plan is developed or revised, the Commission is required to develop land development regulations that will implement the plan. As part of these implementation measures, the Commission has the power to recommend a comprehensive rezoning that will implement the new plan. A comprehensive rezoning may occur without the necessity to demonstrate change or mistake, as is normally required under Article 66B when a rezoning occurs. The Commission may also recommend other measures to implement the comprehensive plan, including new ordinances or amendments to existing ordinances. The Commission has the authority to hold a public hearing on amendments to the subdivision regulations and approve and adopt these amendments.

The Planning Commission and County Commissioners may choose to proceed with adoption of the plan and then proceed with adoption of the implementing measures after the plan is adopted. However, they may also choose to adopt the plan and its implementing measures simultaneously. Upon completion of a final draft of the plan and before recommending adoption of the plan to the County Commissioners, the Commission must hold at least one public hearing. Notice of the time and place must 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 must 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. This referral must occur at least 60 days prior to the public hearing. The recommendation of each jurisdiction that comments on the plan's recommendations must be included in the Planning Commission's report to the local legislative body. Approval of the plan by the Planning Commission must be by a majority of affirmative votes. The Commission will then refer the recommended draft of the plan to the County Commissioners for adoption.

The County Commissioners must hold a public hearing on the proposed comprehensive rezoning associated with the plan if applicable. Although the legislative body may choose to combine this public hearing with a public hearing on the plan itself, it is not required to hold a public hearing on the plan. The County Commissioners are then responsible for the adoption of the plan and the approval of the proposed rezonings. The plan and associated implementation measures then





become effective (law) once a resolution, the plan, and any associated maps have been signed by the members of the legislative body.

E. Relationship of the Freedom Community Comprehensive Plan to the County Master Plan

Since 1964, the primary goal of the County Master Plan has been to direct growth to designated growth areas. The County Master Plan applies to all unincorporated areas of the county, including the Freedom area. Therefore, the Freedom Plan must be consistent with those goals. It seeks to enhance the countywide goals as they apply in the Freedom area and provide additional, more detailed recommendations that are specific and unique to the Freedom community and the desires of its citizens.

This plan replaces the 1977 Comprehensive "Mini" Plan for the Freedom area. Likewise, the plan and implementation measures would supercede those functional plans that were part of the 1977 Freedom Comprehensive "Mini" Plan, such as the Major Street Plan, the Community Facilities Plan, and the Land Use Plan.

