



Hampstead Community Comprehensive Plan



Chapter 13: Interjurisdictional Coordination & Communication Goals

❖ Goals

- **To improve communication and coordination between the towns, County, and State**
- **To increase partnering with other government bodies on local community projects**

“Under the Planning Act, local comprehensive plans must include recommendations for improving planning and development processes to encourage economic expansion and to direct future growth to appropriate areas. Such development and economic growth often have interjurisdictional impacts on transportation infrastructure, the environment, and other areas of concern. For this reason, it is necessary for planning, growth strategies, and policies to promote and encourage cooperation among adjacent jurisdictions.

No one will dispute that interjurisdictional coordination is important and valuable. However, when real-world issues are confronted by jurisdictions with conflicting agendas, ideals often fade, and agreement can be difficult to achieve. It will be impossible to achieve the intent of the Planning Act without immediate and effective interjurisdictional coordination. It is necessary to identify potential conflicts, address them as an integral part of comprehensive plan preparation, and include provisions in the plan for continuing coordination and cooperation. As jurisdictions collaborate on issues of mutual interest in their respective comprehensive plans, they generally become more aware of one another's needs and priorities. This contributes to their ability to better anticipate potential problems.

The most important benefit of timely interjurisdictional coordination is that it enables the affected jurisdictions to identify and resolve issues at the earliest possible stage when they are usually easiest to address and manage.

Issues that are not addressed early may grow into disputes that become widely publicized and as a result impede effective coordination. By that time, affected interests have already established rigid positions, and the political stakes have been raised. Some experts recommend that these situations be resolved by convening groups of affected parties, assisted by a neutral third party mediator. While such techniques can be useful, they often come too late to be fully effective. Major consequences can then result from any decision, with the inevitable perception of a winner and loser.

The Planning Act's clear mandate is to create the planning ‘infrastructure’ to address interjurisdictional issues before they become disputes, and to create or improve the machinery to address disputes before they become full-blown political conflicts.”⁶

⁶ *Interjurisdictional Coordination for Comprehensive Planning, Managing Maryland's Growth: Model and*





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The goal of this comprehensive plan is *to improve communication and coordination between the towns, county, and state and to increase partnering with other government bodies on local community projects.* The objectives of this goal should be to achieve:

1. "Rational development patterns which lead to an improved environment, a better business climate, and a higher quality of life.
2. Compatible interjurisdictional goals, objectives, and policies to guide development and resource protection.
3. Efficient and cost-effective provision of services.
4. Savings in time and resources spent on political and legal battles and conflict resolution.
5. Allocation of staff resources to positive pursuits like public involvement, joint planning, and consensus building.
6. Formal and informal forums to ensure continuing communication for information sharing and conflict resolution.
7. Conflict prevention associated with annexation actions.

In order to realize benefits from implementation of these objectives, neighboring jurisdictions must take steps to inform each other about planning and plan implementation programs."⁷

❖ Current Conditions

The Town of Hampstead has been successfully practicing interjurisdictional coordination and communication measures with Carroll County and with the other municipalities in Carroll County for many years. These activities have produced a number of benefits and provided a good deal of assistance between jurisdictions.

1 Town/County Agreement

Since 1977, the County Commissioners and the Town of Hampstead have annually entered into an agreement to share funds and coordinate planning and other governmental functions. The Town/County Agreements are formal documents enumerating the types of services the County provides to the towns. The agreements are tailored to the needs of the municipality and vary in complexity, depending on whether the Town has in-house planning

Guidelines, Maryland Office of Planning, June 1994.

⁷ Interjurisdictional Coordination for Comprehensive Planning, Managing Maryland's Growth: Model and Guidelines, Maryland Office of Planning, June 1994.





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staff. County services range from simple liaison (i.e. notifying the Town of all future developments within one mile of its boundaries) to full staffing for most planning and zoning matters. The latter includes reviewing development plans and advising the appropriate municipal boards and commissions on the best course of action as well as preparing comprehensive plans and zoning and subdivision ordinances. The agreement provides for cooperative referral by each jurisdiction to the other for review of subdivision plans, comprehensive plans or comprehensive plan amendments, annexation petitions, and rezoning petitions. This cooperative relationship has worked well. It ensures the open exchange of information regarding plans and development proposals. As a result, many issues are resolved at the staff level, reducing the possibility of problems later in the process. The County Commissioners also distribute funds annually to the Town of Hampstead, as well as to all the other municipalities, upon execution of the Agreement.

2 *Joint Comprehensive Plan*

The County and municipalities have a history of adopting joint comprehensive plans for the municipalities. The towns and the County work together to develop a plan which identifies land use designations and makes planning decisions for the areas within the corporate limits. However, the general surrounding area to which the Town plans to expand its corporate limits at some point in the future is also included. Land use designations and planning decisions for these areas are included in the Town's plan so that they are consistent and compatible to the Town's plans for its future. The entire area for which a plan is developed is called the Community Planning Area. The area within corporate limits becomes the officially adopted plan for the Town (and the only area over which the Town actually has control), and the area of the plan outside of the corporate limits becomes a part of the County's overall master plan.

3 *County Provides Staff Assistance*

As a provision of the Town/County Agreement, the County provides staff assistance to the towns on planning-related issues. The county planner acts as a liaison to the Town's Planning Commission, assists in obtaining grants, develops the comprehensive plan, researches various general information, reviews development plans, conducts citizen participation activities, and handles annexations and rezonings among other things. This arrangement not only fosters an amenable relationship between the jurisdictions but aids in conflict prevention and development of compatible goals and regulations.

4 *Mutual Referral of Development Proposals and other Planning Activities*

Because the Town lacks the ability to hire staff to provide detailed review of development plans, the County makes its development review staff available to the Town to review and comment on plans. The County also has staff that are trained to review stormwater management, grading and sediment control, forest conservation, water resources, and other technical issues and shares these duties with the Town's hired consultant. The staff of the Bureau of Development Review check plans for their conformance with town regulations and for practicality of design. The staff of the Department of Planning review for conformance with the comprehensive plan, the adopted Capital Improvements Program, the Major Street Plan, and





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other planning-related guidelines and plans. The comments made by County staff are provided to the Town Planning Commission. While the Town has given the County enforcement authority on many regulations, the Planning Commission has authority to accept or reject the comments which are provided directly to them.

In addition, the Town and the County provide the courtesy to each other of notifying the other jurisdiction of any major activity that will occur within a mile of its borders. This allows the jurisdiction to make comment or to act accordingly. Both of these activities are provided for under the Town/County Agreement.

5 *Quarterly Mayors' Meeting with the County Commissioners*

On a quarterly basis, the County Commissioners host a meeting with the mayors of all of the jurisdictions within the County. The purpose of these meetings is to bring up issues of concern among the towns as well as to update the towns on the status of certain activities in which the Commissioners are participating. The meetings are open to staff, public, and the media.

6 *Subdivision Advisory Committee*

The County provides review services to the municipalities, including the services of the County's Bureau of Development Review. Plans are submitted to this Bureau and circulated among reviewing agencies. Once each month, the reviewing agencies meet to discuss comments they may have on each Preliminary Subdivision Plan. This meeting, called the Subdivision Advisory Committee (SAC) meeting, is open to the public, and town and applicants' representatives are encouraged to attend. The Bureau of Development Review then compiles and offers their official comments to the respective local jurisdiction's Planning Commission. The SAC enables applicants to hear all of the comments collectively and provides additional service to the Town Planning Commission.

7 *Adoption of Same or Similar Ordinances*

The County has adopted all of the ordinances and regulations that are required by state law. Since the County reviews the towns' plans, many of the towns, including Hampstead, have adopted ordinances similar to that which the County adopted. Others have simply adopted the County's ordinances by reference. As a result, review and enforcement of these regulations is streamlined, and the process runs more smoothly. The towns and the County then have fairly consistent regulations, making it easier for all county residents to understand.

8 *Membership and Participation in Carroll County Chapter of Maryland Municipal League (MML)*

Located at the Phipps Municipal Center in the state capital of Annapolis, MML was founded in 1936 and represents 154 municipal governments and 2 special taxing districts throughout the State of Maryland. A voluntary, nonprofit, nonpartisan association controlled and maintained by city and town governments, MML works to strengthen the role and capacity of





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municipal government through research, legislation, technical assistance, training, and the dissemination of information for its members. Through its membership in the National League of Cities, MML offers legislative representation in Washington, urban research programs, and a national municipal government information exchange.

The municipalities in Carroll County meet together on a regular basis as the Carroll County Chapter of the MML.

9 *Membership and Participation on Baltimore Regional Transportation Board*

Carroll County is a member jurisdiction of the Baltimore Regional Transportation Board (BRTB). The BRTB, which is the metropolitan planning organization (MPO) for the Baltimore region, is an organization of the region's elected officials that serves as a forum for identifying regional interests and developing collaborative strategies, plans, and programs that will improve the quality of life and economic vitality throughout the region. The Council's Board of Directors consists of the Mayor of Baltimore, the elected executives of Anne Arundel, Baltimore, Carroll, Harford, and Howard Counties, and the City of Annapolis. The Baltimore Metropolitan Council (BMC) provides staff support to the BRTB.

The BRTB's mission is to provide a forum for cooperative regional planning; provide an opportunity to discuss differences among its members in attaining regional goals, collect, analyze, and disseminate regional data; cooperate and communicate with neighboring regions; ensure cost-effective delivery of services through cooperation with all levels of government; and participate with citizens and others interested in solving regional problems.

To achieve these objectives, the Board provides the following activities or programs: long-range regional transportation planning; development of demographic, economic, and geographic data; cooperative purchasing to provide cost-saving opportunities to member jurisdictions; assistance in environmental programs such as air and water quality; computerized mapping services; and acting as a regional information center.

Through its involvement on the Baltimore Regional Transportation Board, the County is able to participate in regional planning efforts and ensure that the other member jurisdictions take into consideration issues that are important to Carroll County, including the towns. The County can also gain important information and services provided by the Council and share more fully in the benefits that accrue to the Baltimore region as a whole.

What is an MPO?

In 1975, MPO's were created by federal regulations to firmly place in one single agency the responsibility for preparing a comprehensive transportation plan for both highway and transit modes. MPO responsibilities included three areas: coordinating the planning efforts of transportation and land use agencies in the region; conducting certain types of planning studies; and making decisions about highway and transit resource allocation when there were conflicts among agencies or when funds were not sufficient to cover all projects.





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❖ Analysis of Community Needs

The analysis of interjurisdictional cooperation for the Hampstead area identifies several areas in need of improvement between the local governments with communication. The town and county government officials indicate a need for better cooperation and communication between the officials in decision making. A breakdown in communication has occurred on several occasions. These breakdowns result in a lack of cooperation that could have made the process or project more effective and favorable.

In theory, if the Town and County both adopt the plan, annexation of areas within the Community Planning Area should occur smoothly and according to the plan designations. However, often the County Commissioners do not grant a waiver of zoning to coincide with the land use designation, or the Town tries to annex land outside the CPA or rezone to a use not consistent with the plan. Decision making that is inconsistent with the adopted plan causes deterioration in communication between jurisdictions.

Although each municipality is given an opportunity to speak at the Quarterly Mayors' Meeting, time for the meetings is very limited and opportunity is not available to actually work out solutions to problems during the meeting. Additional opportunities for the Mayor and Commissioners to discuss and coordinate on mutually important issues would be beneficial.

While things are on the right track regarding consistency between ordinances that the Town has adopted the same or similar to Carroll County, the towns and the County have still encountered some problems with the process. A major drawback has been the need to clarify 1) exactly which ordinances have been adopted with the same language as the County and 2) who has been given the responsibility for enforcement. In addition, it should be clear whether or not the County will review plans and enforce ordinances adopted by the Town which are different from what was adopted by the County.

❖ Recommended Actions

◆ *Encourage regular communication between the Town and County Planning Commissions*

The Town and County Planning Commissions are facing a greater number of issues that must be jointly addressed. The primary issue of joint concern and cooperation is the adoption of the Comprehensive Plan for the Town and its Community Planning Area. The Town and County need to be working toward the same goals. The Town and County Planning Commissions, or smaller subgroups of each, should schedule at least one annual joint meeting to discuss issues of common concern and develop joint solutions.

◆ *Include in Town/County Agreement language to show that the County will agree to a waiver of zoning for annexations that are consistent with the adopted plan*

The intention of this plan is to provide agreement between the County and the Town that adoption of this plan by both jurisdictions indicates that the land use designation assigned on the Comprehensive Plan Map identifies the zoning that will be placed on a property upon annexation





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to the Town. Therefore, upon annexation, the County, which has already agreed to the land use designation through adoption of the plan, will agree to grant a waiver of zoning for the property. To ensure that both jurisdictions agree to this concept and make decisions consistent with the plan in this regard, it should be included as part of the Town/County Agreement.

- ◆ *Encourage the County and Town to coordinate on a review of the impacts to the other jurisdiction of any proposed major actions*

The current Town/County Agreement provides for joint review by the Town and the County of any land areas lying within one mile of the town limits. This enables the Town and County to both evaluate any impacts that might result due to a major project proposed in the area. Each jurisdiction has found, however, that although this policy is followed for the majority of cases, there are instances where it may be overlooked or where the comments of the other jurisdiction are ignored. Each jurisdiction should be encouraged to give greater weight and consideration to the comments and concerns of the other jurisdiction regarding impacts of proposed major actions or projects as well as involving the other jurisdiction sooner in the process.

- ◆ *Identify ways to increase and improve communication between the Town and the County*

Communication on issues and projects that impact both the Town and the County is critical to ensuring that the best interests of both jurisdictions is maintained. Poor communication leads to a breakdown in the relationship between the two. Additional measures need to be identified and implemented to build the lines of communication and provide additional opportunities to means and times to discuss common issues, concerns, and impacts.

- ◆ *Clarify and enforce review and enforcement responsibilities for various regulations for which the Town and County have the same language or are jointly adopted*

The Town has adopted many of the County's ordinances, either by reference or by using the same language. Other ordinances apply within the Town because the Town has chosen not to exempt itself from these ordinances. Several questions have arisen regarding review and enforcement authorities and responsibilities of each jurisdiction. Due to the potential conflicts that can result from one body or the other crossing its jurisdictional boundaries and responsibilities, these authorities and responsibilities need to be clarified. Review and/or enforcement authority is specified in different manners, whether it is outlined in the ordinance, included in the Town/County Agreement, or some other way. To ensure that one jurisdiction or the other takes responsibility for review and enforcement of each of the jointly adopted ordinances, the results should be incorporated into those ordinances, the Town/County Agreement, or some other legal document.

- ◆ *Coordinate with Baltimore County on issues that affect the areas along the jurisdictional boundaries*

While improvements can always be made, Carroll County and its municipalities are known for their coordination efforts. However, the Hampstead community also shares borders





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with Baltimore County. Many of the activities in which each participates impact the other, just as they do between Hampstead and Carroll County. However, efforts to communicate and coordinate efforts with Baltimore County to bring about results that benefit both and protect the interests of both have been lacking, as well as improve the relationship with Baltimore County.

◆ *Invite participation of State agencies in community comprehensive plan update process*

The State's primary participation in the process of updating the community comprehensive plan has been through the review of the draft plan document during the 60-day review process and subsequent submission of comments to the Town and County. By inviting State agencies to attend community workshops, representatives of those agencies could have a better understanding of the issues important to members of the community from the start of the process. Coordination during the phase where recommendations are developed may help to bring new ideas to the table and reduce negative comments from the State during 60-day review. In addition, some technical services may be available from the State to provide more detail in the plan on certain areas or projects.

❖ **Anticipated CIP Projects**

No CIP projects are anticipated as a result of the recommendations in this chapter.

