



St. Mary's County  
Department of Land Use and Growth Management  
**Customer Assistance Guide**

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**ANNUAL GROWTH POLICY PROCEDURES**

The Board of County Commissioners adopted an Annual Growth Policy on August 19, 2008, with an effective date of September 4, 2008. The following is an administrative process for assigning school capacity allocations per this policy.

The testing for the adequacy of public facilities will continue to be at the preliminary plan stage of subdivision, or at final site plan stage for multi-family projects. The preliminary plan or final site plan must address all other findings of adequacy (all agency approval letters) prior to requesting school allocation. Subsequent to the allocation of school capacity measured by dwelling units, the plan is deemed appropriate to proceed to the Planning Commission for approval. The Department of Land Use and Growth Management is responsible for administration of the annual growth policy and records associated with the allocation of available dwelling units.

1. The Board of County Commissioners adopted the annual growth policy allowing an annual growth rate of 1.9% for the twelve (12) month period from July 1, to June 30. Subsequent annual growth rate factors shall be determined annually for each July 1 to June 30 period.
2. The acceptable growth, measured in dwelling units, is calculated by an estimated total of dwelling units in St. Mary's County. Using the Maryland Department of Planning 2007 estimate of 41,816 dwelling units, multiplied by the growth factor of 1.9% as adopted by the Board of County Commissioners on August 19, 2008, the maximum number of dwelling units that may be approved for FY-09 is 805.
3. The total number of dwelling units that may receive preliminary plan approval or final site plan approval in the case of multi-family projects in each twelve (12) month period shall be allocated as follows:
  - A. A maximum of 30% in the Rural Preservation District (RPD)
  - B. A minimum of 70% in districts other than RPD
  - C. Of the above RPD allocation: 40% shall be reserved for Minor Subdivisions and 60% for Major Subdivisions.
  - D. Of the above allocation for other than RPD: 65% shall be reserved for single family projects and 35% for multi-family projects.
4. The maximum number of building lots or single family dwelling units that may receive approval at preliminary plan or final site plan stage for multi-family projects in a twelve (12) month Growth Policy period is as follows, per the size of the subdivision or project:

Project Size	Maximum Allocation
1 to 100 lots	25 lots
101 to 200 lots	30 lots
201 or more lots	40 lots
multi-family	100 units

**Procedure for Assigning Allocations**

5. The Planning Director in concert with preliminary plan approval (final site plan approval for multi-family projects) by the Planning Commission will allocate the available lots for the submitted subdivisions based on their position within the established queue of subdivisions. The Department of Land Use and Growth Management shall maintain a queue list. A specific subdivision’s place within the queue shall be determined by the date the subdivision has received all required approvals except school capacity allocations. Allocations shall be made by starting with the subdivision first in queue and allocate the appropriate amount of lots for the current year and sequentially proceeding through the list of subdivisions until the available allocations for the year are all assigned. New subdivisions will be added to the list by the Department of Land Use and Growth Management based on the filing date of the subdivision in conformance with the submissions requirements. A current printed queue list indicating the names of the subdivisions, their place therein and the date each subdivision qualified for placement within the queue shall be available upon request at the Department of Land Use and Growth Management.

6. All remaining subdivisions will retain their position in the queue for future assignment of allocations until build out of development. Allocations for each succeeding year will begin with the first subdivision in the queue assigning the increment of allocations per #4 above and proceeding through the queue. As subdivisions receive their full complement of allocations, the subdivision is then removed from the queue.

7. If a developer does not want an allocation or a full complement of allocations he/she may pass the opportunity and not lose their respective place in the queue. The developer of a subdivision listed in the queue as of July 1 of a given 12 month Growth Policy cycle shall indicate in writing to the Director no later than May 1 thereof whether or not he/she intends to proceed with an application for an allocation within the current 12 month cycle.

8. LUGM will proceed through the queue list until the allowable school capacity is assigned to as many eligible subdivisions as there is capacity to allocate. Unassigned allocations in the non-growth areas may be assigned to subdivisions in growth areas, if after April 30<sup>th</sup> it is determined that not all of the allocations can be used in the non-growth area.

9. Unassigned allocations in the growth area cannot be assigned to the non-growth area.

10. As of April 30<sup>th</sup> any unassigned allocation may be offered to subdivisions within the queue in accordance with Steps 4 and 5 above.

11. Available allocations that are not assigned within a twelve (12) month period are not carried over into the next year. The available allocations for each (12) month period shall be determined by applying the growth rate factor as adopted in the manner as discussed at #2 above.

12. If any given twelve (12) month complement of allocations results in school enrollments that exceed state-rated capacity as defined in the Saint Mary's County Zoning Ordinance Section 70.11.3 the allocation may be less than the full complement.

13. The following subdivisions are exempt from the annual growth policy and the adequate public facilities provisions effective September 4, 2008: subdivisions that receive a preliminary plan approval prior to September 4, 2008; minor subdivisions, with complete applications, that were submitted for TEC prior to September 4, 2008; grandfathered subdivisions that have chosen to pay mitigation fees to offset the lack of capacity; and approved Planned Unit Developments (PUDs) that have satisfied adequate public facilities requirements.

14. The annual growth policy and the adequate public facilities provisions of the Saint Mary's County Zoning Ordinance Section 70.11 do not serve as a basis for denying the approval and conveyance of a maximum of two residential lots between parents and children, or grandparents and grandchildren.