



## Washington-Baltimore, DC-MD-VA-WV CMSA

*Regulatory Order/Family:* Traditional/Middle America (Virginia portion)  
Reform/Containment-Lite (Maryland portion)<sup>1</sup>

### *Summary*

Relative to many others metropolitan areas—especially those in the south—the Washington-Baltimore CMSA can be considered a moderately strong growth management region. It has 18 populous counties and six large cities that—at least on the north side of the Potomac River—make widespread use of growth boundaries, impact fees, and APFOs to control the extent of development and to assure infrastructure adequacy. These local governments almost all allow high-density development in at least some locations. Maryland jurisdictions are responsible for most of these reforms partly because Maryland’s legal framework accommodates local growth management much more than Virginia’s. Growth has been most rapid, however, in Virginia and has extended into West Virginia as new employment centers have been established in the westernmost counties.

### *Governance Framework and Growth Trends*

The Washington-Baltimore CMSA is the nation’s fourth largest, with over 7.6 million residents spread across three states—Maryland, Virginia, and West Virginia—and the District of Columbia. The CMSA’s population rose 13.1 percent in the 1990s after a 16 percent increase in the 1980s; overall, it added 1.8 million people between 1980 and 2000. Within the CMSA there were three PMSAs in 2000: Washington, with 4.9 million residents; Baltimore, with 2.6 million; and Hagerstown (MD), with 130,000. Recent growth has been strongly focused in the Washington, DC, PMSA, especially the Virginia cities and counties, which accounted in 1980 for just 22 percent of the CMSA’s population but captured 48 percent of the new residents between 1980 and 2000. The population of the District of Columbia itself declined from 638,000 to 572,000 between 1980 and 1990, and that of Baltimore dropped from 787,000 to 651,000. The most populous jurisdictions are three counties: Fairfax (VA), with over 900,000 residents; Baltimore (MD), with 750,000, and Montgomery (MD), with 740,000. Three other counties have populations exceeding 250,000, and one of these, Prince George’s (MD), is more populous than neighboring DC. Four other counties have over 100,000 residents in unincorporated areas. In all, 18 counties and 6 cities have over 50,000 residents, accounting together for 89 percent of the population and 75 percent of the land area. There are 100 small jurisdictions but they account for very little population and, in the Maryland municipalities at least, have little or no land use decision making power.

Statistics on density for metropolitan Washington are skewed downward by the absence of the District of Columbia and Arlington, VA from the National Resources Inventory. Yet even missing two of the most urbanized jurisdictions, the CMSA is among the nation’s densest. It urbanized nearly 490,000 acres of land between 1982 and 1997, a 45 percent increase when the population (again excluding DC and Arlington) grew 27 percent. But because development outpaced population growth, the CMSA’s density dropped 13 percent, and its rank dropped from 15th to 16th densest in

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<sup>1</sup> Since the District of Columbia represents only one jurisdiction, it was not part of the cluster analysis and not assigned a regulatory order.



the nation. The Maryland counties are markedly denser than those in Virginia (4.7 vs. 4.0 persons per urban acre), but Maryland lost more density between 1982 and 1997 (12 percent vs. 6.5 percent), with much of the loss being attributable to population decline in Baltimore City. The two West Virginia counties are much less dense and lost density faster than the Maryland and Virginia counties did. An estimated 12 percent of the land (outside Washington, DC and Arlington) was owned by government in 1992, with about 4.5 percent federally owned and the balance split between county and state governments.

### *Regulatory Environment*

We received responses from the District of Columbia, 11 Maryland counties, 8 Virginia counties, and one West Virginia county. Aside from the District, 18 cities responded to the survey, 9 of them in Maryland, 9 in Virginia, and 1 in West Virginia. These jurisdictions account for 92 percent of the population and 82 percent of the land area. Because we lacked information about planning practices in the smallest Virginia municipalities, we did not estimate land use practices for these 23 jurisdictions, which account for about 42,000 residents (2000) and 24 square miles of land area.

Almost all the jurisdictions in the CMSA have zoning; the only exception is one of the West Virginia counties. Exclusionary zoning is rare, exercised by only 3 percent of the jurisdictions accounting for 2 percent of the population and 4 percent of the land area. Only 4 percent of the jurisdictions would exclude our prototype apartment development; these tend to be thinly populated counties in Virginia and Maryland. Two thirds of the jurisdictions have a residential density category allowing density to exceed 15 dwellings per acre, with slightly higher shares in Maryland than in Virginia; these jurisdictions account for 84 percent of the population and 56 percent of the land area.

All the jurisdictions in all three states and the District of Columbia have comprehensive plans. Here, however, the states diverge. Despite recent changes, Maryland has one of the nation's most notable traditions of growth management. Maryland's Smart Growth Act requires county level plans that include "priority funding areas" (PFAs); the state reviews these plans and agrees to direct infrastructure expenditures only to PFAs designated either by state legislation or by approved county plans.<sup>2</sup> The other jurisdictions do not have a state growth management system in which the state reviews local plans.

Four of five Maryland counties have an urban containment program of some kind; presumably these systems often correspond with their PFA designations. All have APFOs, and about half impose impact fees.<sup>3</sup> One in five Maryland counties uses a permit cap, and 45 percent have imposed a development moratorium in recent years. Maryland cities are somewhat less likely to impose growth management measures; half have containment, half have an APFO, and 20 percent impact fees. About 20 percent have imposed moratoria, and a small number (less than 5 percent) have a permit cap.

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<sup>2</sup> James R. Cohen, "Maryland's 'Smart Growth': Using Incentives to Combat Sprawl," in *Urban Sprawl: Causes, Consequences & Policy Responses*, G. Squires, ed. (Washington: Urban Institute Press, 2002).

<sup>3</sup> A recent study highlights the importance of explicitly connecting APFOs to overall state growth management policies. See: National Center for Smart Growth Research and Education, "Adequate Public Facilities Ordinances in Maryland" (College Park: University of Maryland, 2006).



Virginia's laws permit its local jurisdictions much less access to other land use tools, barring APFOs and permit caps and imposing stronger limits on moratoria and impact fees. An estimated 40 percent of the counties have urban containment programs of some kind, but only 16 percent have impact fees. Cities are more empowered, and more active; about 35 percent have a containment program, and three quarters impose impact fees. None reported moratoria.

Jurisdictions in Maryland and Virginia resemble one another somewhat more in their use of regulatory incentives to promote affordable housing; a third of the jurisdictions in Maryland and 40 percent of those in Virginia have some such program. Maryland's programs tend to follow the inclusionary zoning model, which Virginia does not allow, but in both places local jurisdictions use density bonuses (all the Maryland jurisdictions with programs, a little more than half the Virginia jurisdictions with programs).<sup>4</sup>

The jurisdictions in West Virginia report none of these land use tools.

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<sup>4</sup> Karen Destorel Brown, "Expanding Affordable Housing Through Inclusionary Zoning: Lessons From the Washington Metropolitan Area" (Washington: Brookings, 2001). Available at <http://www.brookings.edu/metro/publications/inclusionary.htm>.