

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 10

Bill No. 53-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, May 2, 2022

Introduced and first read on May 2, 2022
Public Hearing set for and held on June 6, 2022
Bill AMENDED and VOTED on June 6, 2022
Bill Expires August 5, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Planning and Development – Master Plan for Water Supply
2 and Sewerage Systems

3
4 FOR the purpose of repealing the Master Plan for Water Supply and Sewerage Systems,
5 2017; adopting the Master Plan for Water Supply and Sewerage Systems, 2022; making
6 this Ordinance subject to approval of the Maryland Department of the Environment;
7 and generally relating to the Master Plan for Water Supply and Sewerage Systems.
8

9 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
10 That the Master Plan for Water Supply and Sewerage Systems, 2017, as amended, is hereby
11 repealed.
12

13 SECTION 2. And be it further enacted, That the “Anne Arundel County Master Plan
14 for Water Supply and Sewerage Systems, 2022” is hereby amended as follows:

15
16 1. On page IV, in line “1.3”, after “Site” insert “Development.”

17
18 2. On page XV, in last paragraph, under the heading “Introduction”, strike “2021
19 update” and substitute “2022 update”.

20
21 3. On page 1-1, in the first paragraph, under the heading “1.1 Goals and Policies”
22 and in the paragraph “U.”, under the heading “1.1.2 Goals and Policies of the Water and
23 Sewer Master Plan”, and on page B-1, in the paragraph under the heading “Allocation of
24 Wastewater and Water Capacity”, in each instance, strike “Environmental” and substitute
25 “Environment”.

EXPLANATION: Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment.

1 4. On page 1-5, in the second sentence of the first paragraph, under the heading
2 “1.1 Goals and Policies, strike “9-1110” and substitute “9-110”.

3
4 5. On page 3-4, in the chart “Figure 3-2 Average Day Demand Projection (Historic
5 System Production, Demands and Future Growth)”, in the text box beginning with “Build
6 Out Demand”, strike “Atrategic” and substitute “Strategic”.

7
8 6. On pages 4-9 through 4-11, in the Table titled “Table 4.4 Non-County Facilities
9 with Discharges Greater than 5,000 GPD”, in the Column titled “Master Plan Map, (Grid)”,
10 in the row titled “Patuxent”, “Regency Park Assisted Living Facility”, strike “(J15” and
11 substitute “(J15”; in the row titled “Rural”, “Boone’s Mobile Estates, WWTP”, strike “(
12 J32” and substitute “(J32”; in the row titled “Rural”, “Lyons Creek Mobile Home Estates”,
13 strike “(J36)” and substitute “(J36)”; in the row titled “Rural”, “Maryland Manor Mobile
14 Home”, strike “(J29)” and substitute “(J29); in the row titled “Rural”, “Millersville
15 Elementary”, strike “(L15L14), and insert “(L15, L14)”; in the row titled “Rural”,
16 “Renditions Golf Course”, strike “(J25)” and substitute “(J25)”; and in the row titled
17 “Rural”, “Southern Hills”, strike “(J24)” and substitute “(J24)”.

18
19 SECTION 2: 3. And be it further enacted, That the “Anne Arundel County Master Plan
20 for Water Supply and Sewerage Systems, 2022”, prepared by the Office of Planning and
21 Zoning, which includes the Master Plan Document and Official 2,000 Scale Maps (Sheets
22 W-1 to W-12 and S-1 to S-12 at the scale of 1 inch equals 2,000 square feet), as amended
23 by this Ordinance, collectively the “Plan”, is hereby adopted.

24
25 SECTION 3: 4. And be it further enacted, That a certified copy of the Plan as adopted
26 by this Ordinance, and any amendments, shall be permanently kept on file with the
27 Administrative Officer to the County Council and the Office of Planning and Zoning.

28
29 SECTION 4: 5. And be it further enacted, That this Ordinance shall take effect 45 days
30 from the date it becomes law or upon approval of the Maryland Department of the
31 Environment under the authority granted by § 9-507 of the Environment Article of the State
32 Code, whichever is later. If approved, in whole or in part, after the 45 days the approved
33 provisions of this Ordinance shall take effect on the date the notice is received by the Office
34 of Planning and Zoning. If disapproved, in whole or in part, the disapproved portions of
35 this Ordinance shall be null and void without further action by the County Council. The
36 Office of Planning and Zoning, within 5 days after receiving any notice from the Maryland
37 Department of the Environment, shall forward a copy to the Administrative Officer to the
38 County Council.

READ AND PASSED this 6th day of June, 2022

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 8th day of June, 2022



Laura Corby
Administrative Officer

APPROVED AND ENACTED this 9th day of June, 2022

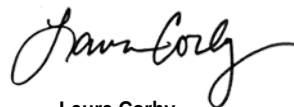


Steuart Pittman
County Executive

EFFECTIVE DATE: September 28, 2022*

*See Section 5 of this bill.

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 53-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Laura Corby
Administrative Officer



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Horacio Tablada, Secretary
Suzanne E. Dorsey, Deputy Secretary

September 28, 2022

The Honorable Lisa D. B. Rodvien
Chairman, Anne Arundel County Council
Arundel Center
44 Calvert Street
Annapolis, MD 21401

Dear Chairman:

The Maryland Department of the Environment (MDE) has completed its review of **Bill 53-22**, which includes adoption of the **Anne Arundel County's 2022 Water Supply and Sewerage Systems Master Plan (WSMP)**. The Anne Arundel County Council adopted the Plan on June 6, 2022. The Plan was approved and enacted by the County Executive on June 9, 2022, with an effective date of July 24, 2022. The Plan update contained multiple text and table updates, including updates due to the County's new 2040 General Development Plan, projections for water demand and sewer flows, and capital improvement projects.

Maryland Department of Planning Findings

The Maryland Department of Planning (MDP) has reviewed the WSMP update and found it generally consistent with Plan 2040. Plan 2040 is the County's most recently updated General Development Plan adopted in May 2021. However, while MDP did find most map changes to mostly be consistent with Plan 2040 General Development Plan, one category change(s) from No Public Service to Existing Service on map W-7 appears to be inconsistent with Plan 2040.

MDE encourages the County to contact MDP for their guidance for any questions related to MDP's consistency review and to address any inconsistencies with the Plan update. See enclosed MDP's comments and contact information.

MDE Findings and Action

1. The Department notes that the watersheds of Patuxent River 1, Lyons Creek 3, Wilson Owens Branch 1 are identified as a Tier II streams pursuant to COMAR 26.08.02.04-1. Tier II streams are high-quality waters that require, under regulation, additional consideration to protect their water quality. Any new or expanded discharge to these Tier II watersheds would require a Tier II Anti-degradation Review. All possible considerations should be implemented to protect high-quality waters from water quality degradation. This primarily consists of rigorous watershed planning, with consideration of the extra provisions necessary to protect high-quality waters.

The Department recommends that the County consider the following measures in an

effort to maintain these high-quality waters when approving new growth in the watersheds of these stream segments:

- a) Implement restrictive zoning or ordinances to protect environmental features.
- b) Re-direct planned growth out of the watersheds of these stream segments.
- c) Retrofit existing stormwater infrastructure.
- d) Incorporate environmental site design (ESD) and other low-impact development (LID) practices into new development.
- e) Maintain and expand existing forest cover.
- f) Provide riparian buffers of 100-230 feet (depending upon soil types and slopes).

The County is advised to contact Matthew Stover, Standards, Assessment and Antidegradation Section, Watershed Protection, Restoration, and Planning Program, WSA/MDE, at (410) 537-3611 for additional information regarding the regulatory requirements for Tier II waters.

2. Please be advised that based on MDE's Digital Flood Insurance Rate Maps, portions of the County's planned service areas identified on the Water and Sewer Maps are located in the floodplains. The properties should follow local floodplain ordinances and Federal Emergency Management Agency's guidelines and standards. It is advised that the county consider climate resiliency for these properties, which could include but not limited to the following steps (<https://toolkit.climate.gov/>):
 - a) Explore Hazards: Identify climate and non-climate stressors, threats, and hazards and how they could affect assets (people and infrastructure).
 - b) Assess vulnerability and risks: Evaluate assets vulnerability and estimate the risk to each asset.
 - c) Investigate options: Consider possible solutions for your highest risks, check how others have responded to similar issues, and reduce your list to feasible actions.
 - d) Prioritize and plan: Evaluate costs, benefits, and capacity to accomplish each action integrating the highest value actions into a stepwise plan.
 - e) Take action: Move forward with your plan and check to see if your actions are increasing your resilience with monitoring.

The County is advised to contact Dave Guignet, State National Flood Insurance Program Coordinator, of MDE's Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The County is advised to contact Matthew C. Rowe, CC-P, Assistant Director of MDE's Water and Science Administration, at (410) 537-3578 for additional information regarding Climate Change and Resiliency.

- 3) MDE's Wetland and Waterways Program noted that the plan mentions new extensions for water and sewer lines, storage facilities, and/or treatment plants. Where practicable, locations of the utility lines and facilities should support protection

measures from future development in wetlands, waterways, or floodplains, as well as avoiding and minimizing impacts from the line, treatment facility, and supporting utility infrastructure. Suggested for consideration include:

- a) a prohibition on new subdivision lots in wetlands;
- b) avoidance and minimization requirements;
- c) site plan considerations over multiple parcels that provide for contiguous wetland and stream corridors to be maintained, with minimum fragmentation from roads, buildings, or other structures; and
- d) location of new or replacement lines in existing utility or road rights-of-way.

See enclosed comments for more information and contact information.

MDE has reviewed the proposed changes and in accordance with §9-507(a) of the Environmental Article, Annotated Code of Maryland, MDE hereby approves the Anne Arundel County's 2022 Water and Sewer Master Plan (WSMP) as adopted by the Anne Arundel County Council.

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance, please contact Heather Barthel, Deputy Director, at (410) 537-3512, toll-free at (800) 633-6101, or by e-mail at heather.barthel@maryland.gov.

Sincerely,



D. Lee Currey, Director
Water and Science Administration

Enclosures

cc: Steve Kaii-Ziegler, AICP, Planning and Zoning Officer, OPZ
Christina Pompa, Deputy Planning and Zoning Officer, Office of Planning and Zoning
Christopher Phipps, Director, Department of Public Works
Cindy Carrier, Senior Planner, Long Range Planning Division, Anne Arundel County
Desirae Williams, Planner III, Long Range Planning, Office of Planning and Zoning
Christopher Murphy, Engineer Administrator, Utility Engineering, Department of Public Works
Charles Boyd, Director, Planning Coordination, MDP
Heather Barthel, Deputy Director, WSA, MDE



September 9, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program
Maryland Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, Maryland 21230

RE: Anne Arundel County Adopted 2022 Water and Sewer Master Plan (WSMP)
Bill No. 53-22

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Anne Arundel County Water and Sewer Plan Update pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2). Planning first reviewed the draft 2021 Water and Sewer Master Plan (WSMP) and transmitted preliminary comments to MDE in a letter dated March 9, 2021 (appears to have been an error in the date, should have been 2022). The WSMP was adopted by County Council Bill No. 53-22 on June 6, 2022 and approved and enacted by the County Executive on June 9, 2022, with an effective date of July 24, 2022. Below is Planning's review of the adopted plan, including responses to the exceptions and clarifications provided by Anne Arundel County in a letter dated July 22, 2022 from Planning and Zoning Officer Steve Kaii-Ziegler to D. Lee Currey, Director of the Water and Science Administration, in regard to Planning's preliminary comments on the draft plan. Planning has provided relevant comments from our review of the draft plan, as applicable, and has indicated in bold the county's responses to our preliminary comments on the draft plan. In addition, Planning has provided comments regarding consistency with the General Plan 2040 relating to changes found in the revised mapping.

Summary of Amendments

The WSMP amends the 2017 Comprehensive Water and Sewerage Plan. The following statement provides an overall summary of the changes to the Plan:

"This 2021 update to the WSMP reflects the land use policies of Plan2040, the County's most recently updated General Development Plan that was adopted in May 2021. It updates population, land use, flow projections, non-County water systems, water quality problem areas, financial data and other data. As planning policies increasingly focus on protection of water resources, the focus of public utility planning will continue to shift toward enhanced treatment, established TMDL [total maximum daily load] requirements, and watershed planning." (Page XIV).

Planning previously suggested that the plan clarify which census data has been used in this update and recommended the update include the most recently available Census data.

The county responded with the following comment: “The final WSMP has been updated to include population estimates using 2020 Census data, and population projections through 2050, using Draft Round 10 Projections for the Baltimore Metropolitan Council Cooperative Forecasting Group.” Planning finds this response satisfactory.

Planning did not identify any new category changes to land areas not previously reviewed and approved by MDE. If reclassifications to land areas not previously approved by MDE are included in this update, Planning previously asked the county to provide GIS data or maps with the adopted version of the WSMP that show which water and sewer planning areas are new since the 2017 update.

The county responded with the following comment: “We do not currently have the staff capacity to provide maps that depict specific changes since the 2017 update. However, we can provide the GIS layers for the 2017 adopted maps, the amendments made to the 2017 maps and the 2022 maps. We will note this request for the next triennial update, so we can adequately build in time to develop a changes layer.”

Comprehensive Plan Consistency Findings and Other Comments

1. The 2040 Plan Policies and Goals NE1–NE5 listed on page 28-29 of Plan 2040 Vol. 1 are described and set as goals on pages 1-1 through 1-11 of the Master Plan for Water Supply and Sewage Systems (MPWSSS).
2. WSMP page 1-1, in section “1.1 Goals, Policies, and Procedures,” the percentage of PFA designated land area that is categorized as existing sewer service, planned for sewer service, and other categories was reduced from 99 to 95% and water service from 97 to 92% (p.1). Planning suggests that PFA land be prioritized for water and sewer infrastructure development and implementation over non-PFA lands. This includes future residential and school sites, which would better support and help achieve goal NE5 (p. 29) and address challenges of “Focusing development, redevelopment and revitalization in the County’s Town Centers, Critical Economic and Transit-Oriented policy areas.” (p. 33).
3. Page 1-19, section “1.6 Interim Master Plan Requests”—Planning commends the language regarding timed mid-cycle amendment requests. This could be model language for other jurisdictions to use when re-writing water and sewer plans.
4. Page 1-21, section “1.7 Master Plan Revision” Step 8 states that mapping updates are not required to be reviewed and approved by MDE for existing service connections since the adoption of the most recent master plans. This may result in confusion. Additional clarity is needed to indicate when the W/S-1 connections will be provided for informational purposes. Planning requests that the last sentence in this section include language that will prompt the county to inform MDE and Planning of the annual updates which have occurred. This will allow the state agencies to review county submissions properly and efficiently.

Since the original observation and suggestion, **the county provided revised language. Below is the original compared to the revised language:**

Original: “Step 8. State Approval – The State of Maryland, Department of the Environment shall, within sixty (60) days after the date of being received, approve or disapprove in part, the final submitted County Master Plan, its amendments or revisions.

The Office of Planning and Zoning and Department of Public Works may annually update the Water and Sewer Master Plan Maps, without County Council or State agency approval, for the purpose of including in the Existing Service Area any additional developed areas that have connected to public water or sewer since adoption of the current Master Plan.”

Revised: “Step 8. State Approval - The State of Maryland, Department of the Environment shall, within sixty (60) days after the date of being received, approve or disapprove in part, the final submitted County Master Plan, its amendments or revisions.

“The Office of Planning and Zoning and Department of Public Works may annually update the Water and Sewer Master Plan Maps, without County Council or State agency approval, for the purpose of *updating Planned Service or Capital Facilities areas* [emphasis added] that have connected to public water or sewer since adoption of the current Master Plan *and including such areas in the Existing Service Category* [emphasis added].”

Planning suggests that the MDE determine if this language is consistent with state law.

5. WSMP page 2-1, section 2.1.1, demonstrates the abundance of the natural features and characteristics effectively for the reader through the mapping of the landscape. Plan 2040 focuses on enhancing and restoring water systems in goal NE1 on p. 28.
6. Planning recommends creating an overlaid map of areas mentioned in the WSMP section 2.1.2 Land Cover, as to more clearly identify the special priority retention areas added in 2019 forest conservation ordinance modifications alongside or in coordination with the other sensitive lands mentioned in this section. This will demonstrate whether the county is currently planning public water and sewer to support higher-intensity development in these areas, which can point to the need for an amendment to the WSMP.

The county responded with the following comment: The county directed Planning to the [Resource Sensitive Policy Area Overlay web map](#) that was created during the update to Plan2040. Although this is a helpful resource, Planning notes that calling it out in the actual WSMP would be more beneficial to the reader.

7. WSMP page 2-2, when comparing Figure 2-1 Topography and Wetlands to Figure 1-5 Growth Tiers on page 1-9, it appears that most of the growth is directed away from any steep slopes and wetland areas. However, the county may want to pay particular attention to the area on the Shady Side peninsula which is designated as growth Tier 1A and has a large amount of wetland area, and the shoreline area of Arnold, which is designated for Tier 2A growth and contains a large amount of steep sloped land. This comparative visualization might result in more sensitive development to help implement Goal NE1, policies NE1.1-NE1.5 in the Natural Environment Chapter of Plan 2040.
8. WSMP page 2-14, Planning appreciates the included wellhead protection studies and found value in better understanding the results and major findings. In Plan 2040 page 81, the

Implementation Matrix talks about watershed studies, but does not include the findings from the wellhead protection study.

9. As stated in the WSMP p. 2-19:
 - a. “The Development Policy Areas provide a logical and predictable framework for implementing the goals, policies, and implementing strategies in Plan 2040 and provide a mechanism for making cost-effective investments in public facilities and services. Plan 2040 has adopted goals and policies that directs growth to areas that are served by public sewer and water and are located within the Peninsula, Neighborhood Preservation, Critical Economic, Critical Corridor and Town Center Policy Areas. The Critical Economic Town Center as well as Transit-Oriented and Village Center Overlay Policy Areas are the County’s Targeted Development, Redevelopment and Revitalization areas where development and redevelopment are focused and encouraged to relieve growth pressure from other areas of the County, and to utilize existing infrastructure (sewer, water, roads, transit) while aiming to minimize distances between services, work and home.”

This statement makes a consistent connection between Plan 2040 and the WSMP.

10. WSMP section 3.1, page 3-1—Planning suggests adding information of potential funding sources if Anne Arundel County plans to purchase water from Baltimore City in an emergency. Would these funds be in an emergency fund or included in the county budget elsewhere? Plan 2040 does not include funding specifics for this action either. Planning found the county’s response to be satisfactory.
11. WSMP section 3.3.2, page 3-9—Is there a time frame in which the county plans to evaluate new well fields and other potential supply options in case of deficiencies?

The county responded with the following comment: “Recent MGS studies show sufficient groundwater is available to supply the projected buildout demands. Anne Arundel County is currently evaluating locations for the future Millersville (New Cut) WTP site (Project# W804301) which may include new well field locations including the Crownsville Area. There is currently a project under design to develop redundant well capacity at Crofton Meadows II WTP in two phases, wells 12 and 13 (W778603), then wells 14 and 15 (W801400) as needed. Other new redundant wells include Arnold 11 (W801803) and Broad Creek 6, 7, and 8 (W804003). Anne Arundel County is also currently evaluating ASR [aquifer storage and recovery] to reduce peak demands.” Planning is satisfied with this response.
12. WSMP section 3.6.2.2, page 3-32—Population growth is consistent with areas (town centers) for incentivized growth in Plan 2040, page 7.
13. WSMP section 3.9, page 3-61—Mentions very specific water quality problem areas that are also identified in Plan 2040’s existing conditions.
14. WSMP figure 4-1, page 4-3—Could benefit from the addition of a school site icon added to the map and legend to better represent future school sites which may reside in the “No Public Service” area, which will support Policy BE1.3 in Plan 2040 and create consistency in future school site applications for state-aided infrastructure investment.

The county responded with the following comment: “This comment will be noted for future submissions. We have a capital projects layer which includes approved FY22, proposed FY23, and school sites currently under construction. None appear to be in the No Public Service area.” Planning is satisfied with this response.

Based on comments #5, #9, #12 and #13 above, Planning finds this WSMP Update generally **consistent** with Plan 2040, the County’s most recently updated General Development Plan adopted May 2021. This finding of consistency does not include an analysis associated with any new category changes included for land areas not previously reviewed by Planning since the 2017 update.

Appendix G of the WSMP summarizes the adopted map changes. In addition to the water and sewer service designation amendments detailed below, Appendix G states the following about the overall map changes.

1. All parcels that have been developed or are assessed with the extension of public water or sewer are appropriately updated to reflect Existing Service.
2. Water and Sewer Service category boundaries have been aligned with subdivision or parcel boundaries.
3. Sewer Service Areas and Water Pressure Zones boundaries have been adjusted to match parcel and subdivision boundaries where possible.
4. Water and Sewer Service Category boundaries have been aligned with Sewer Service Areas and Water Pressure Zones boundaries where possible.
5. Water and Sewer Service Category boundaries have been aligned with updated City of Annapolis data to more accurately represent areas that are currently served by the City.

Planning’s analysis of the consistency of water and sewer map changes with Plan 2040 only addresses service category changes which are not informed by number 1 above. The 2022 WSMP service maps include many category changes from Planned or Future Service to Existing Service resulting from the development process that are not reflected in Appendix G. The analysis below also does not analyze changes in sewer service area boundaries, water pressure zones, capital facilities, or infrastructure alterations such as pipe upgrades.

Water Service Map

- W-1: No category changes
- W-2: No category changes
- W-3: Service categories for Tax Map 17, Block 22, Parcel 395 and Tax Map 24, Block 4, Parcels 34, 38, 39, 42, 537, and 714 changed from No Public Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public water. The properties are in Plan 2040’s Neighborhood Preservation Development Policy Area.
- W-4: No category changes
- W-5: No category changes
- W-6: No category changes

- W-7: Service categories for Tax Map 44, Block 21, Parcel 99 and Block 22, Parcels 87, 234, and 235 changed from No Public Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public water. Appendix G does not indicate the Development Policy Area designation for these properties, but they appear to be in Plan 2040's Rural and Agricultural Development Policy Area.
- W-8: No category changes
- W-9: No category changes
- W-10: No category changes
- W-11: No category changes
- W-12: No category changes

Sewer Service Maps

- S-1: No category changes
- S-2: Service categories for Tax Map 22, Block 1, Parcels 28, 500, and 498 changed from No Public Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public sewer. The properties are in Plan 2040's Neighborhood Preservation Development Policy Area.
- S-3: No category changes
- S-4:
 - Service category for Tax Map 30 Block 1, Parcel 43 changed from No Public Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public sewer. The property is in Plan 2040's Neighborhood Preservation Development Policy Area.
 - Service category for Tax Map 20 Block 15, Parcel 96 changed from Planned Service to Other Sewer to reflect the status of this site within the Fort Meade non-county system. Appendix G does not indicate the Development Policy Area designation for the property, but it appears that it is in either Plan 2040's Neighborhood Preservation or Critical Economic Development Policy Area.
- S-5:
 - Service categories for Tax Map 23, Block 18, Parcels 252, 344, and 819 changed from Future Service to Planned Service. Appendix G states that the change is "in accordance with an amendment request that has been recommended for approval". Appendix G does not indicate the Development Policy Area designation for these properties, but it appears that the properties are in Plan 2040's Neighborhood Preservation Development Policy Area.
 - Service categories for Tax Map 32, Block 22, Parcels 180 and 181 and Tax Map 39, Block 04, Parcels 56, 57, and 58 changed from Future Service to Planned Service. Appendix G states that the change is "in accordance with an amendment request that has been recommended for approval". Appendix G does not indicate the Development Policy Area designation for these properties. Appendix G also does not provide enough property identification information for Planning to identify which Plan 2040 Development Policy area these parcels are located in.

- S-6: Service category for Tax Map 36, Block 21, Parcel 107 changed from Planned Service to No Public Service to correct previous mapping areas and to reflect that the site is developed on a septic system. The property is in Plan 2040’s Agricultural Development Policy Area.
- S-7:
 - Service category for Tax Map 50, Block 18, Parcel 47 changed from Future Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public sewer. The property is in Plan 2040’s Neighborhood Preservation Development Policy Area.
 - Service category for Tax Map 41, Block 20, Parcel 93 changed from Future Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public sewer. The property is in Plan 2040’s Peninsula Development Policy Area.
- S-8: No category changes
- S-9: No category changes
- S-10: No category changes
- S-11: No category changes
- S-12: Service category for Tax Map 82, Block 8, Parcel 8 changed from Future Service to Existing Service to correct previous mapping areas and to reflect that the area is currently served by public sewer. The property is in Plan 2040’s Neighborhood Preservation Development Policy Area.

Category Change Plan 2040 Consistency Findings

- All category changes which accelerate service for properties within the *Neighborhood Preservation Development Policy Area* **appear to be consistent** with Plan 2040, as page 38 of Plan 2040 includes in the definition of Neighborhood Preservation that “[p]ublic infrastructure exists but may need capacity improvements.” This includes changes on maps W-3, S-2, S-4, S-5, S-7, and S-12
- All category changes which accelerate service for properties within the *Peninsula Development Policy Area* **may or may not be consistent** with Plan 2040, as page 38 of Plan 2040 describes the Peninsula Development Policy Area as being located “both within and outside of the PFA and the public sewer service area.” Plan 2040 does not include a spatial description of the public sewer service area. This includes the changes to map S-7.
- The category change(s) from No Public Service to Existing Service on map W-7 **appears to be inconsistent** with Plan 2040, which when describing the Rural and Agricultural Development Policy Area on page 38 states that development should be limited “to protect rural and agricultural heritage and economy and limit the costly extension of public facilities and services”. However, the WSMP states that this category change reflects already existing connections to the subject parcels, and therefore the changes appear appropriate.
- If the property located at Tax Map 20 Block 15, Parcel 96 (map S-4 changes) is within Plan 2040’s Critical Economic Development Policy Area as opposed to the Neighborhood Preservation Development Policy Area, then the change **appears to be consistent** with Plan 2040, which on page 38 states that Critical Economic Areas include “industrial, commercial, and mixed land uses” that support the county’s “major economic drivers”. While the definition does not mention public water and sewer service, the description and intention of Critical Economic Areas would necessitate such service.

- The category change(s) from Planned Service to No Public Service on map S-6 **appears to be consistent** with Plan 2040, which when describing the Rural and Agricultural Development Policy Area on page 38 states that development should be limited “to protect rural and agricultural heritage and economy and limit the costly extension of public facilities and services”.

Priority Funding Area Review Comments:

Pursuant to the State Finance and Procurement Article §5-7B-02, local jurisdictions are eligible to receive State financial assistance under certain programs if the project is in a PFA. Planning suggests that the county consider the requirements of §5-7B-03, by identifying and including in the description the estimated timeframe of the various water and sewer categories. Identification of the categories of water and sewer service planned within 10 years is required for subsections 5-7B-03(c) and (e). By doing so, the county will be able to earn Planning’s concurrence more readily on PFA designations, as the water and sewer planning requirements for PFA certification will be clearly noted in the WSMP.

The county responded with the following comment: “Anne Arundel County removed timing from its category definitions in the late 1980’s to better reflect how public water and sewer is extended in the County, which is led through the petition process and private development. The County will be revising its PFA’s after comprehensive rezoning occurs with each Region Plan.”

Growth Tier Map Review

The original Growth Tiers Map was officially certified in July 2013 by the Anne Arundel County Planning and Zoning Office.

If you have any questions or concerns regarding these comments, please email Sarah Diehl at sarah.diehl@maryland.gov.

Sincerely,



Charles Boyd, AICP, Director
Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE
Tony Redman, DNR
Dwight Dotterer, MDA
Jason Dubow; Joseph Griffiths; Susan Llareus; Sarah Diehl; Sylvia Mosser; and Cassandra Malloy, Planning