



Maryland Department of Planning

Sustainable _____ Attainable

November 1, 2013

Mr. Jack Lenox, Director
Salisbury-Wicomico County Planning & Zoning
P.O. Box 870
Salisbury, Maryland 21803

Re: Review of 2010 Draft Wicomico County Comprehensive Plan

Dear Mr. ~~Lenox~~: *Jack*

Thank you for the opportunity to comment on the 2010 draft Comprehensive Plan for Wicomico County.

As Wicomico County has not updated its Comprehensive Plan since 1998, and as the County has recently embarked upon tier map facilitation meetings, the Maryland Department of Planning (MDP) feels the timing of this Plan update is especially critical. The County's unique blend of urban and rural landscapes is appealing to both residents and visitors alike, and therefore merits special attention for the future. Comprehensive planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, community character, and economic development. We recommend that the Comprehensive Plan and the Counties Tier Mapping be completed concurrently.

Given the importance of maintaining the present valued character of Wicomico County, coupled with the pending preparation of a County Growth Tiers Map, MDP performed a thorough review, and as such, has prepared a substantial number of comments (attached). In addition, MDP forwarded a copy of the draft Plan to a number of State agencies for review including, the Departments of Transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, and Agriculture. To date, comments have been received from the Departments of Natural Resources, Environment and Transportation. In addition, the Maryland Historical Trust submitted comments via separate letter dated October 10, 2013, and provided as an attachment herein. Additional comments received from State agencies will be forwarded upon receipt.

Please keep in mind that the attached comments reflect the State's thoughts on ways to strengthen the County's Plan, as well as to clearly depict the County's Future Land Use Plan. We hope Wicomico County considers our comments as revisions are made to the draft plan, and to any future plans, ordinances, and policy documents that are developed.

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Richard Eberhart Hall, AICP, Secretary
Amanda Stakem Conn, Esq., Deputy Secretary

Salisbury Multi-Servive Center - 201 Baptist Street - Room 24 - Salisbury - Maryland - 21801

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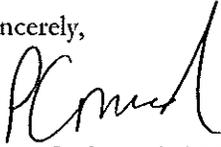
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Mr. Jack Lenox, Director

Re: Review of 2010 Draft Wicomico County Comprehensive Plan

Please contact me at (410) 767-4553 or Tracey Gordy, Director for the Lower Eastern Shore Office, at (410) 713-3460.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Conrad". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Peter G. Conrad, AICP
Director, Local Planning Assistance

Attachments

Cc: Keith Hall, Wicomico County
Rich Josephson, MDP
Tracey Gordy, MDP

**Maryland Department of Planning
Review Comments
Draft 2010 Wicomico County Comprehensive Plan**

General Comments:

- The Wicomico County Draft Comprehensive Plan was submitted for State Clearinghouse review with a publication date of July 18, 2013, but the plan is dated 2010. It was confusing to reviewers why the plan was three-years dated if the submission is for a current comprehensive plan update. In addition, many of the plan elements contain information that does not reflect the most recent available data. Specific examples follow in MDP’s comments for each element.
- Given the fact that Wicomico County is currently updating its Comprehensive Water and Sewerage Plan (WSP); has submitted over 800 parcels to MDP for Priority Funding Area certification; and has recently engaged in Tier Map Facilitation meetings to help inform the development of a Growth Tiers Map; MDP recommends the County complete the WSP update and the PFA certification process before moving forward with the adoption of a Growth Tiers Map and Comprehensive Plan update. From a planning perspective, the WSP and State concurrent PFAs will help guide the development of the Land Use Plan and related growth area boundaries, as well as the Growth Tiers Map. It is most beneficial if the comprehensive plan update runs concurrently with Tier Map development in order to create a Land Use plan that will guide preservation, growth, and development policies and objectives; as well as influence future county zoning.
- The terms “Metro Core” and “Metro Core boundary” are used repeatedly throughout the draft plan. Yet, the Land Use Element states that the Metro Core will no longer be shown as a land use category and the Land Use Plan Map no longer reflects a Metro Core boundary. Therefore, it seems inappropriate to continue to utilize the above-referenced terminology in this document if such areas are no longer part of the County’s Land Use Plan.
- The format of the plan elements is inconsistent throughout the document. Some of the elements have a “purpose” section, while others do not, and some have “policies” and “recommendations” sections, whereas others do not. It seems the plan elements should have a consistent format.

Chapter One: Introduction

- The community participation section on Page 1-1 references first round public sessions held 3 or more years ago, with a second round of public informational meetings held in 2010/2011. These public meetings appear dated, especially given the recent issue of Growth Tier mapping. This section also does not address if, or how, public comments may have been incorporated into the current draft plan.
- On page 1-5, the plan refers to “The Planning Act of 1997” instead of “The Priority Funding Areas Act of 1997”.

- Development Capacity Analysis (DCA): On page 1-5, the plan states that a major limitation of the DCA is its inability to look at site level soil constraints on septic system development. Historically, soil suitability does not seem to be an impediment to development in Wicomico County, given that more than 50% of countywide improved residential parcels (including municipalities) are on septic systems. It would perhaps be useful to look at some examples of where soil suitability prevented a subdivision from moving forward and try to account for this generally in the capacity analysis.
- As mentioned above, Wicomico County is currently updating its Comprehensive Water and Sewerage Plan (WSP); has submitted over 800 parcels to MDP for Priority Funding Area certification; and has recently engaged in Tier Map Facilitation meetings to help inform the development of a Growth Tiers Map. , MDP recommends that a development capacity analysis reflect these map and policy changes to the extent practicable. Wicomico County staff have requested MDP’s technical assistance on the DCA. MDP has followed-up with County staff to move forward on the DCA, however MDP feels a development capacity analysis at this time would be premature given the significant data updates and policy changes that are currently in progress (WSP, PFA changes, Growth Tiers map).
- On pages 1-5, 1-6, and 1-8, the draft plan makes the statement “until a Growth Tier Map is adopted, residential subdivisions are restricted to no more than seven lots in the unincorporated portion of the County not currently served by a community, public, or shared sewerage systems” and that “until a Growth Tier Map is adopted, the County is limited to approving only minor subdivisions in the unincorporated portion of the County not currently served by a public, community, or shared sewerage systems, as well as major subdivisions if currently served by a public, community, or shared sewerage systems”. To improve clarity, it is suggested that both statements be revised to the following: “until a Growth Tier Map is adopted, residential subdivisions are restricted to no more than seven lots (i.e., definition of minor subdivision in Wicomico County) in the unincorporated portion of the County if not served by a public sewerage system, but can be greater than seven lots if served by a public sewerage system.”
- The tier map definitions and discussion on page 1-8 should be revised to reflect the definitions of the growth tiers as specified in the law. For example, the discussion on page 1-8 should mention the statutory growth tier mapping criteria related to “lands that are dominated by agricultural and forest lands.”

Chapter Two: Development Goals & Objectives

- The plan mentions “a designated Urbanized Area” on page 2-1, however there is no explanation as to what this designation means for the County, and it is not mapped on any of the draft plan maps.
- One vision of the plan is for the community “to embrace our rich agricultural heritage” (page 2-1). This vision is supported by the importance the plan places on development and redevelopment of the municipalities. The protection of rural land is also central to the three goals of the comprehensive plan (quoted from page 2-2):
 - Concentrate development and infrastructure in designated growth areas, municipal jurisdictions, and Metro Centers with existing or planned services;
 - Preserve and protect environmentally sensitive and rural lands and resources from the impacts of development; and

- Cooperatively work with the eight municipalities and rural villages to ensure a sustainable and high quality of life in communities and rural areas.

The objectives also include preserving the agricultural land base on which rural businesses depend and encouraging growth that “does not negatively impact the agricultural industry” (page 2-2). MDP recommends that this objective – “Support policies and programs encouraging the expansion and diversification of the County’s economic base by supporting and recruiting businesses providing a wide variety of skilled jobs in small, select industries” - include wording about the value-added processing of agricultural products.

Chapter Three: Community Profile

- In general, the plan uses the latest demographic and socioeconomic data available from the 2010 decennial census and the 2007-2011 American Community Survey, as well as jobs data from the Department of Labor, Licensing and Regulation. In addition, the latest population projection totals from the Maryland Department of Planning are cited.
- The plan states on page 3-2, “By the year 2030 the total population of Wicomico County is projected to reach 119,200 persons, of which approximately 49 percent or 58,407 persons will reside within the incorporated cities and towns; whereas the remaining 51 percent or 60,793 persons live within the unincorporated portions of the County.” This should say that the remaining 51 percent or 60,793 persons will live within the unincorporated portions of the County.
- There does not appear to be a link between the countywide projections cited on page 3-2 and the Household Distribution by Watershed (Table 5-12). Table 5-12 on page 5-20 distributes total 2030 housing units (47,550) by watershed under three different scenarios. However, the source of this data is “KCI Technologies, 2009” and does not correspond to the population projections shown in Table 3-1 on page 3-2. MDP housing unit projections corresponding to the 2030 population projection of 119,200 is 49,171 while the household total is 45,847.
- There is confusion between housing units and households. Under the Housing section (page 3-3), it is stated, “Total housing units are typically larger than household figures because of the inclusion of group quarters to the total housing units.” This is not true. Groups quarters facilities are not considered housing units. The difference between housing units and households is that vacant units are part of the housing unit count but not the household count.
- The plan states on page 3-7, “The majority of County residents, 25 years of age or older, graduated from high school or had received a high school equivalency was 33.1 percent or 20,476 residents.” This sentence does not make sense as written. It could be changed to: The majority of County residents, 25 years of age or older graduated from high school or had received a high school equivalency (33.1 percent or 20,476 residents).
- There is confusion between labor force and population ages 16 and over. In the Labor Force and Employment section (page 3-8), it is stated that, “...the total labor force of Wicomico County residents 16 years of age and over was 79 percent or 78,295 of the total population of 98,733 persons. In comparison, the state-wide labor force was estimated to be 78 percent of the total population, which was almost identical to the County.” The 79 percent (and 78 percent for the state) represents the population ages 16 and over, and is *not* the labor force

share. The labor force participation rate; or the percent of the population ages 16 and over which is in the labor force, was 66.5 percent for Wicomico, below that of the State's 69.6 percent. In addition, the unemployment rate cited in the next paragraph on page 3-8 of 6.2 percent (and in Table 3-13 on page 3-8) does not represent the unemployment rate as it is traditionally defined, but rather the percent of the population ages 16 plus which are unemployed. The unemployment rate for Wicomico from the 2007-2011 ACS was 9.4 percent; significantly above the State unemployment rate of 7.3 percent for the same period (Table 3-13 should be corrected so that the first row is properly labeled "Population 16 and over." In addition, the correct labor force total should be added for row 2, and the unemployment rate added at the bottom).

Chapter Four: Sensitive Areas

- Chapter 4 does not include a discussion on steep slopes as required by the 1992 Planning Act.
- The "Objectives" section should include objectives for the Chesapeake Bay Critical Area, and on page 4-5, under Resource Conservation Areas, the second paragraph incorrectly states, "New commercial and industrial facilities are not prohibited in RCAs". This sentence should be corrected to state, "New commercial and industrial facilities are prohibited in RCAs".
- It is encouraging to see sections devoted to sea level rise and climate change included in the draft plan, especially given the impacts Maryland experienced last year from Sandy. However, it would prove beneficial to expand upon these sections, especially with respect to the recommendations/action items, such as "review of Local Hazard Mitigation Plans". What will this review of mitigation plans seek to achieve? What are the County's implementation strategies with respect to climate change and sea level rise?
- The text of the 100-year floodplain section on page 4-6 may need updating as to the status of the new floodplain maps, as well as revisions to the County's floodplain ordinance.
- The draft plan states on page 4-12 that "between 1973 and 2007, more than 14,000 acres of forest was lost in Wicomico County." This should be revised to "between 1973 – 2010" as MDP did not produce a 2007 land use/land cover map.
- The stormwater management section on page 4-16 indicates that the County's Stormwater ordinance is being revised. Have those ordinance revisions been completed and adopted?

Chapter Five: Water Resources Element (WRE)

- The public meetings cited in the "Citizen Concerns" section were held in 2008, which is over 5 years ago. It appears as if this element has not been updated since its adoption as an addendum to the plan in 2009. As such, much of the information and several of the tables included in this section do not reflect the most current available information (specific examples are included in following comments).
- The text on page 5-2 mentions the County's Comprehensive Water & Sewerage Plan (WSP) update in 2010. The text should also mention that the County is currently in the process of updating the WSP consistent with the 3-year requirement required by the Maryland

Department of the Environment. In addition, the WSP maps included in the draft plan will soon be obsolete with the update of the County WSP. MDP recommends that the County complete the update of the WSP and adopts that Plan prior to adopting an updated comprehensive plan.

- On page 5-2 there is a discussion about Urban Service Districts. Given recent well contamination issues in the Morris Mill area, the County should consider including specific language in the WRE that addresses these types of environmental, health, and safety hazards, so that any future WSP amendments necessary to address such issues are deemed to be clearly consistent with the goals, policies, and objectives of the County's Comprehensive Plan.
- The Nanticoke River Watershed sections on pages 5-6 and 5-12 speak to the water and sewer capabilities for the Towns of Hebron and Sharptown. The information contained in the 2010 County WSP regarding the needs of these two towns should be coordinated here. Hebron must increase the size of its WWTP and improve its treatment process to move forward with any new development. The statement in the draft plan concerning Hebron's Municipal Growth Element being inconsistent with the County's Comprehensive Land Use Plan, specifically Waller Landing which is now within the Town of Hebron, is a moot point: the State potentially could support Hebron's wastewater demands given the state law to incorporate town subsidiary plans in the County water and sewage plans.
- Sharptown's WWTP is at capacity during high demand and the facility needs to be expanded along with treatment upgrade, accordingly, and consistent with the forecast for growth. MDP recommends that the County coordinate statements to reflect both towns' growth goals and change the Land Use Plan Map to support Hebron's previously annexed lands as the County no longer has jurisdictional authority over such areas. (Note: On page 5-6 the Sharptown Plan is shown as being adopted in 2009. It was adopted in 2008.)
- Table 5-1 (dated 2010) should be updated to reflect the Morris Mill project, as well as any other current municipal projects. Tables 5-3 and 5-4 (dated 2009) should be updated to reflect more current data. The source information for Tables 5-5 and 5-6 incorrectly list the 2009 Willards Comprehensive Plan. The Willards Plan was adopted in 2008 with a WRE and MGE addendum in 2010. The source information also does not include the 2010 Salisbury Comprehensive Plan or the 1997 Pittsville Plan. Table 5-8 contains 2009 data and should be updated to reflect the current number of septic systems and estimated flow. Table 5-10 (page 5-18) needs to be corrected to reflect the maximum possible TN and TP loading for the minor WWTPs under the 2030 projected flows. The current minor WWTP nutrient caps may not be increased from the current levels with any increase to plant design or flow. In fact, any increase in size will reset TN caps at 6,090 lbs/yr. or less.
- On page 5-11 in the "Existing Conditions" section there is no mention of the 2010 adoption of the Town of Hebron and City of Salisbury comprehensive plans. The only municipal plans listed are those that were updated and adopted prior to 2010.
- The last full paragraph on page 5-17 contains text that refers to 2010 and 2012 "scheduled" WWTP improvements in both Delmar and Fruitland. This text should be updated to reflect the status of those improvements subsequent to 2010 and 2012.
- The Non-Point Source Assessment on page 5-19 examines three growth scenarios to evaluate non-point source pollution. All three scenarios reflect analysis done for the Metro

Core region, the former growth area for the County. Since this draft plan proposes the elimination of the Metro Core as a land use category and growth boundary, it would appear as if these growth scenarios are no longer pertinent, given the land use changes proposed in this draft plan. In addition, the land use/land cover referenced in this section is 2002. MDP has 2010 land use/land use data for the County to utilize.

- The WRE does not recommend the use of the Tier Map/Septics Law to guide development or minimize the use of septic systems. The non-point source pollution analysis could be informed by the impact a Tier Map (or no Tier Map) would have on future loads. Also, the point-source analysis (p. 5-18) and the non-point source pollution analysis (p. 5-23) should incorporate the future households planned for sewer within all of the adopted Municipal Growth Elements.
- The County does not own or operate any WWTPs, so it should report most heavily on its non-point pollution impacts (see above comment). The WRE should include a discussion that all new septic systems must be BAT systems and provide calculation information as to how they arrived at the TN and TP figures reported.
- The draft plan includes several statements on page 5-25 as to how Growth Scenario Three is consistent with the pattern of future growth shown in the Land Use Plan Element. This may have been the case when the WRE was originally developed and adopted in 2009 as an addendum to the 1997 County Comprehensive Plan, but this draft plan recommends the elimination of the Metro Core, upon which Growth Scenario Three was based. Furthermore, this draft plan does not clearly define, or delineate on a map, the proposed growth areas for Wicomico County. Therefore, it is unclear to reviewers if the growth scenarios previously developed are, in fact, consistent with this draft Land Use Element/Plan.
- On Page 5-28, MDP recommends adding the use of Growth Tiers, as they relate to the Septics Law, to minimize septic development and direct new growth to sewer areas.

Chapter Six: Agriculture

- The plan notes that Wicomico has the highest market value for agricultural products of any county in Maryland, according to the 2007 Census of Agriculture: \$197 million, which is \$389,000 per farm. In addition, the plan states that residents want Wicomico to retain its rural character. Yet, “[b]ecause of water table and drainage characteristics within the County, many of the soils described as prime agricultural soils are also those most suitable for residential or other development purposes. Therefore, much of the land suitable for agriculture is also the land that is desirable by developers for residential developments” (page 6-1). Because exurban development will not boost the county’s economy and quality of life nearly as much as a healthy agricultural sector and a revitalized Salisbury will, the plan should come down firmly in support of agriculture. However, it does not. The plan states, “Prohibiting land from being developed is not the solution to preserving agriculture. Overall, the County seeks to ensure that active farmland remains actively farmed, while encouraging a development pattern conducive to the rural areas”.
- The draft plan does not advocate “prohibiting” development, but farmland cannot remain actively farmed unless development is restricted. Wicomico’s 1:15 zoning - 1:3 with clustering - is among the least protective of farmland in the state. Clustering at such a high density is not a land preservation tool, but rather a development tool. Unless the development density is low, no development pattern can be “conducive to the rural areas,” if

the intention is to protect agriculture. The goal of encouraging “rural conservation subdivision BMPs” is not reassuring. On the other hand, one objective on page 6-2 is more supportive, speaking of reducing the rural growth rate by “provid[ing] opportunities for new development in the rural areas” while “encourage[ing] residential development in designated growth areas of the County in an effort to preserve agricultural resources”. It is one thing to acknowledge rural development, but quite another to promote it.

- The objectives on page 6-3 are good, especially the recommendation to “enhance the existing TDR program....” MDP is pleased to help the county with its TDR program.
- The draft plan says that the Agriculture Element will eventually convert to a Priority Preservation Area Element. MDP encourages Wicomico County in its efforts to delineate a Priority Preservation Area.
- MDP recommends the County focus on data over the last 10 years from the Ag Census. Data from the Agricultural Census is not comparable over the full timespan (1978-1987) shown in Table 6-1 (Page 6-3). According to the U.S. Department of Agriculture, data for 1997 and later are not directly comparable to earlier data; therefore it is probably not accurate to highlight changes from 1978 to 2012 as is done in Table 6-1.
- Along the same lines as above, the text notes the growth of 4,000 acres in farms between 2002 and 2007, but the total acres in 2007 are only about 800 more than 1997. A better conclusion would be that the number of acres in farmland in Wicomico County has been relatively stable over the last 10 years.
- MDP recommends that the County express the value of crops over time in constant dollars. The value of crops (Table 6-1) is shown in current dollars, and as such, has an increasing value over time. It would be more useful to have these figures converted to constant dollars to get a sense of the real change in crop value.
- The “Preservation Efforts” section on page 6-4 references the 2005 LPPRP. Wicomico County has submitted a revised 2013 LPPRP, and if adopted, should be referenced in this plan update. Additionally, in this same section, the “Metro Core boundary” is used in the description of the proposed eastern preservation area. As previously stated, it seems inappropriate to reference the “Metro Core” or “Metro Core boundary” throughout this draft plan when the Land Use Element states that the Metro Core has been eliminated as a land use category and the boundary is no longer shown on the Land Use Plan.
- The last sentence on page 6-4 says that MALPF certifies county land preservation programs. Actually, the certification statute is located in the State Planning title of the Maryland State Finance and Procurement Article of the Maryland Code. MALPF reviews and approves certification applications along with MDP, but the program is located in MDP. MDP would be happy to discuss recertification with Wicomico County and review a draft application before it is submitted for official county approval.
- On page 6-6, the first sentence begins with, “Through FY 2012”, but it is not clear what year is being used as the starting point to gauge this measurement of dollars retained - 2001? In addition, toward the bottom of this page, the text indicates that the Wicomico County land preservation program is currently not certified by the state, which is correct. However, referring back to the first sentence (mentioned above), it may give readers the false impression that the County is still certified. MDP recommends that the first sentence be

revised to reflect that the County's application for recertification was not approved in September of 2009.

- Page 6-5 notes that MALPF dissolved all of its districts. The County has retained its own districts as they are empowered to do. However, the discussion of agricultural districts and easements on page 6-6 makes it sound as if the state still requires the creation of districts before a landowner can sell an easement to the state. The second sentence under "Agricultural Easements" does refer to districts as part of the county's easement acquisition program, but this point needs to be made more obvious earlier on. Additionally, Table 6-2 indicates 78 MALPF Districts and is footnoted. Reviewers could not locate the footnote and it would appear that MALPF Districts on the chart should also be N/A since MALPF no longer requires districts. The chart should also be sourced as FY'12 as all of the previous text refers to fiscal year 2012.
- Under the "Agricultural Easement" section on page 6-6, there is a bulleted list that does not appear to have a description as to how this list relates to the rest of the text. Is the list the criteria considered for easement purchase? The paragraph following the above-referenced list refers to 2013 instead of FY'12, and lists county easements at "almost" 800 acres when Table 6-2 lists the total acreage as 800.
- The plan notes that county funds for local easement purchases come from the agricultural land transfer tax, which is paid when farmland converts to development. In the past 6 years, just 440 acres have been subject to the tax in Wicomico County. This level of funding is not sufficient for a successful easement acquisition program. Page 6-6 says that the preservation goal since 2001 has been 1,600 acres through the county program, and that half of it has been achieved by 2013. MDP offers that this goal is far too low, and the pace of easement acquisition too slow, to protect the agricultural land base in a county that is experiencing development pressure.
- Page 6-9 states that the MALPF program is funded through the agricultural land transfer tax. The text should note that MALPF is also funded by a 17.05% allocation of POS funds. Counties may provide matching funds as well. The paragraph on installment purchase agreements cites Howard County's program. MDP suggests that Carroll, Frederick, and Harford Counties also offer good examples.
- The Plan notes on page 6-10 the absence of a County Growth Tiers map and the restriction of residential subdivisions that will be on septic systems to no more than 7 new lots. If the County adopts a Growth Tiers Map, areas mapped as Tier IV (where no major subdivisions would be permitted) could be factored into the calculation of new housing units and overall land conversion. In addition, in the WRE and the Agriculture element, the County should list the Septics Law as an implementation tool to attain stated goals.
- Changes to the zoning code (page 6-10) expanded some home-based businesses in the A-1 district while eliminating incompatible industrial and commercial uses. Those changes are commendable.
- The TDR program (page 6-10) of 2004 has seen only one participant. The policies on page 6-12 recommend changes to the TDR program. Please know that MDP would be happy to provide assistance to the County in this effort. It may be that the high development density in the A-1 zone dampens interest in the program, or perhaps existing densities in receiving areas are sufficient to absorb demand without the use of TDRs (the text mentions the

sending rates for development rights, but does not state the densities on receiving parcels). In any event, MDP recommends that the TDR program eliminate the provisions for rural-to-rural transfers; one of the implementation strategies calls for “modify[ing] the existing TDR program by examining ways to create a market for development rights within the County designated growth areas” (page 6-12), but doesn’t call for an end to rural-to-rural transfers.

- The last bullet on page 6-12 indicates the prohibition of community sewerage systems in the Agriculture Resource areas, yet allows for the spray irrigation of treated wastewater. With consideration of the TDR program, the County should consider the required use of such systems instead of individual septic systems and require clustering of all new residential development outside of any sewer service area.
- The Maryland Nutrient Trading Program and County’s Right to Farm legislation mentioned in the draft plan are both positive implementation measures for agriculture.
- The policies and implementation strategies are good. It’s very encouraging to read the strategy for “the establishment of rural zoning density necessary to achieve State certification of County Agricultural Preservation Program.” The County should be careful that road improvements in rural areas “to allow for improved farm vehicle movement” (page 6-12) do not inadvertently make development more attractive.

Chapter Seven: Land Use

- The “Introduction” to the Land Use Element should mention the incorporation of the Growth Tiers map as a potential tool for implementing land use goals and objectives.
- The Land Use goals and objectives seem quite supportive of agricultural land and the businesses that depend on it. However, the County’s agricultural zoning is not supportive. Chapter 6 of the draft plan points out that it’s more protective than it used to be, but is still not good enough for long-term successful agricultural preservation.
- The terms “Metro Centers”, “Metro Core”, “county designated growth areas”, and “municipal growth areas”, among others, are referred to throughout the entire draft plan, yet these terms are not defined and it is not clear what land use categories these terms are referencing. It appears that the areas mapped in the “development” land use categories (residential, commercial, industrial, and mixed use) roughly match, or possibly even expand upon, the previous Metro Core designation. Many of these areas appear to be outside of the municipal growth areas. However, there are no growth areas, county or municipal, depicted on the Land Use Plan Map (Map 7-2) and the text of the draft plan does not clearly indicate what the county considers to be designated growth areas. County and municipal growth areas should be clearly articulated in the text of the plan and clearly depicted on the Land Use Plan Map. MDP sees this as a major issue that needs to be addressed in the final version of this document.
- On page 7-1, the plan states that the adoption of this county comprehensive plan will result in the incorporation of the municipal growth areas. This is an excellent coordinated approach to validating the municipal growth areas as future growth areas for the municipalities, as well as Wicomico County. It would, however, be beneficial to depict the municipal growth areas on the Land Use Plan Map to indicate that these are future

annexation areas for Wicomico County municipalities consistent with House Bill 1141, and the Septics Law.

- On page 7-2, the draft plan refers to 2007 land use/land cover. It should be noted that MDP did not produce a 2007 land use/land cover map.
- The plan highlights the change in MDP's land use mapping methodology between 2002 and 2010 and the difficulty in comparing the data over time (page 7-4). The major difference in MDP's methodology between the 2 years is the addition of a "Very Low Density Residential" land use category (represents residential development on 5-20 acre lots) and a "Transportation" category. There were other minor discrepancies (such as those highlighted on pg. 7-4 of the plan). MDP produced an adjusted 2002 dataset, available upon request, which resolves many of these issues and results in comparable numbers between 2002 and 2010. Please see <http://planning.maryland.gov/ourwork/landuse.shtml> for more information about the land use/land cover dataset. MDP is happy to provide specific technical assistance on this point.
- Table 7-2, "Wicomico County Existing Land Use (2010)", on page 7-5, appears to be incorrect. The total acreage by land use category does not match MDP's statistics and the table is missing the "Very Low Density Residential" land use category. Please see <http://planning.maryland.gov/ourwork/landuse.shtml> for MDP's official 2010 land use statistics for Wicomico County.
- The first paragraph on page 7-6 clearly states that the draft plan no longer shows a Metro Core land use designation as the former "Metro Core boundary" has been largely incorporated into the municipal growth areas of Delmar, Salisbury, and Fruitland. As such, MDP strongly recommends that any references to the "Metro Core" be entirely removed from all sections of the draft plan to prevent further confusion.
- The draft plan shows large areas of "Low Density Residential" around several municipalities that either overlap mapped municipal growth areas, or are larger and less dense than mapped municipal growth areas. In either case, the land use patterns are inconsistent. If areas are adopted municipal growth areas and are "incorporated" into this plan as such, then that should be reflected on the Land Use Plan Map and there should be no overlapping low density residential designation for these future annexation areas. If the low density residential areas are larger and less dense than the planned municipal growth areas, then the municipalities become surrounded by residential large-lot septic development. This type of land use pattern is not conducive to planning for future growth needs for public infrastructure.
- It appears that several of the Rural Villages in the County have been expanded, or their boundaries changed from the 1998 plan. Please keep in mind that any boundary revisions need to be reviewed in the context of the PFA law if the County would like to reflect these boundary changes on their PFA map. In general, the PFA law does not allow for significant changes in Rural Villages after 1997. Reference MDP's guidance document on "How to Revise and Update PFAs" for more information on Rural Villages. <http://www.flipsnack.com/flip-preview/fzcsoaa3>
- Table 7-3, "Wicomico County Future Land Use (2030)" says that the total area of Low Density Residential will be 18,827 acres. This is an approximate 8,200 acre decrease from the current low density residential total. While MDP understands that the 2030 land use statistics

represent the “planned” low density residential area versus the “actual” low density residential area (2010), it is misleading to label the categories as “2030” land use in this table. It would be more straightforward to label it “Planned Land Use Designations”. In calling it 2030 land use and describing it the way the plan does, it implies that the residential acreage countywide is going to shrink between now and 2030, which is an unlikely scenario.

- The plan states on page 7-7/7-8 “The density range of these residential areas, as identified on the County Land Use Plan, is two dwelling units per acre or less, without the provision of community water and sewer systems.” It seems that this sentence should reflect the Low Density Residential category, not all residential categories.
- The first full paragraph on page 7-8 states, “For that reason, areas designated for Low, Medium, and High Density Residential uses have not been proposed outside of the extent of the County designated growth areas.” This sentence implies that the growth areas are coterminous with the “development” land use categories. This would seem to mean that Wicomico County is *increasing* its growth area from the old Metro Core boundary, which is contrary to many of the goals, objectives and policies stated throughout the various elements of this draft plan, particularly the Agriculture, Sensitive Areas, and Community Facilities elements.
- The County should work with the City of Salisbury and the University to consider University expansions within the City of Salisbury, specifically within downtown Salisbury, rather than in areas outside of the City. The University could be a key component of the City’s ongoing revitalization efforts of Downtown Salisbury (Salisbury University land use classification – page 7-10). In addition, the following text on page 7-10 is an incomplete sentence - “In the absence of adequate residential facilities for the students, a majority of Salisbury University students reside in the neighborhoods around the campus, thereby impacting the character of the established neighborhoods adjacent to this academic institution, both inside the City and”.
- It is unclear why the County elected to establish a “County Comment Area” land use designation and apply it solely to the Waller Landing property located in the municipal limits of the Town of Hebron. Since the property is within the municipal limits, it is unclear how this property “diverges significantly from one or more element(s) of the adopted County Comprehensive Plan”. This section should contain more detail and provide a further explanation of the need for this land use category.
- It is encouraging to see that page 7-11 calls for “the establishment of rural zoning density necessary to achieve State certification of a County Agricultural Preservation Program.”

Chapter Eight: Transportation

- The proposed transportation goals, objectives, policies, and strategies are comprehensive and thoroughly address all applicable transportation modes in Wicomico County. In addition, the plan’s transportation goal and objectives are consistent with the Maryland Economic Growth, Resource Protection, and Planning Act, i.e., the 12 Planning Visions.
- The transportation policies and strategies encourage non-motorized transportation modes, support transit, call for access management and building roadway networks to protect major highway capacity and safety, and support planned development. The plan also calls for better coordination of transportation planning with land use.

- It appears that none of the transportation strategies address improving sidewalk connectivity or require the construction of sidewalks in development projects. MDP suggests strategies be developed for sidewalks and included in the plan.
- MDP recommends organizing strategies in groups, by transportation mode, to make the chapter easier to understand.
- It is suggested that on page 8-11 the draft plan point out that the recommended improvements for consideration in the CTP are also based on consistency with the State's transportation goals as well as smart growth policies as requested in MDOT's Project Questionnaire: Annual Request to Maryland DOT for Project Funding.
- In reference to the HNI projects on page 8-12, please note that the Priority Funding Area (PFA) law prohibits the State from funding major transportation projects that are outside PFAs except for a project whose purpose is primarily for improving safety or meets other exception conditions defined in the PFA law.
- If more current freight traffic information is available, it would be beneficial to update Table 8-8.

Chapter Nine: Community Facilities

Water and Sewer

- On page 9-2, the county may want to consider adding specific language that addresses environmental, health, and safety hazards given the recent well contamination issues in the Morris Mill area. This would prove beneficial for future WSP amendments to address such issues in representing clear consistency with the goals, policies, and objectives of the County's Comprehensive Plan.
- MDP suggests that the County's land use and development goals first promote the municipal growth areas for orderly annexation and connection to public water and sewer. The plan puts forth the concept of Urban Service Districts to gain public facilities, absent annexation, at an established increased user fee. MDP recommends that Urban Service Districts only be utilized in concert with a recognized environmental, health, or safety hazard.

Solid Waste Management & Recycling

- This section of the plan speaks to the need for future expansion of the Newland Park Landfill. It does not appear that the County has a solid waste management plan as required by State Law. However, if one exists, this section should highlight that document, discuss the broader scope of the county's waste stream, and include the goals and implementation tasks to ensure public safety and environmental protections. For a county of this size and its concern for groundwater protection, this section does not seem to sufficiently address solid waste issues.

Education

- The second paragraph of this section has a typo in reference to Table 9-1, 2012-2012 instead of 2012- 2013. In addition, this section should include the most recent enrollment number from the fall of 2012 instead of the fall of 2011.
- In the discussion of Seagull Square on page 9-7, it would be interesting and beneficial to highlight the public-private partnership of that development as it is a unique mixed use venture.

Library

- The last full paragraph in this section needs to be updated as it refers to new site acquisition “expected in 2010”. Furthermore, it would be good for the plan to expand upon the need for the library to remain downtown as a part of the ongoing downtown Salisbury revitalization efforts.

Ferries

- The first paragraph of this section does not end in a complete sentence, “[In] addition, the County operates the Upper Ferry on the Wicomico River approximately 5 miles upstream of the Whitehaven Ferry and”.

Parkland and Recreation

- It would be beneficial if the plan provided a brief analysis on the amount of parkland versus the population served. Does the County have enough neighborhood, community, and county parks for the number of citizens it serves?

Chapter Ten: Historic and Cultural Resources

- Comments were provided by the Maryland Historical Trust in a letter dated October 10, 2013 and provided as an attachment herein.

Chapter Eleven: Housing & Community Development

- In the “Housing Affordability” section on page 11-2, the number of renter-occupied units was transposed. It should be 11,917 instead of 11,197.
- Much of the data included in the tables is dated. The American Community Survey has 2012 data available which could be utilized to update the tables.
- The Plan rightfully recognizes the growing elderly population in Wicomico from both aging of the existing population and migration to the County from elsewhere in reference to housing for elderly and special needs population (pages 11-4 & 11-5). However, there is no quantification of this projected population either as a total number or as a share of the total county population. Thus, there is no sense of how much elderly housing will be necessary in the future.
- In the Salisbury University student housing section, 2012 enrollment numbers should be utilized. In addition, since this section indicates that off-campus student housing is a concern in area neighborhoods, public/private partnerships like the “The Orchard” apartment

complex should be highlighted as these types of developments concentrate housing needs and help to address the lack of on-campus housing.

Chapter Twelve: Economic Development & Financial Sustainability

- In the “Economic Profile” section beginning on page 12-3, it is stated that employment within Wicomico County, “...has increased by 6.7 percent or 2,771 jobs between 2002 and 2012...” It should have been noted that jobs last peaked in Wicomico County in 2007 and that 2012 job totals are 5.7 percent *below* what they were in 2007 (Job totals actually declined every year from 2008 to 2011 before rising again in 2012.) An analysis of this decline and how it may have differed from the State or other counties would be useful.
- There is no data on agriculture jobs for Wicomico County. Table 12-1 on page 12-4 uses jobs data from the Maryland Department of Labor, Licensing and Regulation (DLLR) which are non-agricultural wage & salary jobs. It would be good if this data were supplemented by the farm employment data (Table CA25N) from U.S. Bureau of Economic Analysis (BEA) which has a consistent set of data for the 2001 to 2011 period. In addition, farm earnings data (Table CA05N) would also add value to the relative vitality of the farm sector in Wicomico County.
- It would be good to update the information in Table 12-3, dated 2009, and Table 12-4, dated 2007-2011.
- The text on page 12-10 does not provide a description of the boundaries of the Arts and Entertainment District, nor is it shown on any of the plan maps. It would be beneficial for the reader to know the district boundaries.
- The Tri-County Council of the Lower Eastern Shore is not mentioned in this chapter, yet it seems appropriate given the Council works closely with the Economic Development Administration (EDA) of the United States Department of Commerce and United States Department of Agriculture (USDA) Rural Development and partners with the Maryland Department of Business and Economic Development.

Chapter Thirteen: Mineral Resources

- The MDP has no comments on the Mineral Resources Element.

Chapter Fourteen: Plan Implementation

- The first paragraph of the “Introduction” mentions Article 66B. This reference should be removed and replaced with the Land Use Article.
- This chapter seems to simply repeat all of the implementation strategies mentioned throughout the entire document, categorized by Plan Element. Rather than repeat the strategies of each chapter, this section should seek to further prioritize and develop those strategies. What are the County’s implementation priorities? How will these stated priorities be achieved? How does the updated comprehensive plan link with other implementation ordinances? Will the zoning ordinance be updated as a result of this plan update? These are the types of implementation questions that should be addressed in this section.

Plan Maps

- The water and sewerage plan service area maps may need to be replaced with more current maps if the County WSP is adopted ahead of the County Comprehensive Plan.
- Map 4-1 Critical Areas: The legend has an area listed as “CL”, but the pattern does not appear to be on the map and it is unclear what “CL” means.
- Map 4-4 Sensitive Species: It would be helpful if the “Other” category was defined.
- Map 6-1 County & State Agricultural Easements & Districts: Since Maryland Agricultural Districts no longer exist, it might be more accurate to label the districts as Wicomico County Districts in the map legend.
- Map 6-2 Quantico Creek Rural Legacy Area: The property boundary does not translate well on the map and “Other Easements” is not defined, nor shown on the map. As such, it seems it could be eliminated from the legend.
- Map 7-1 Existing Land Use: The scale of this map makes it very difficult to discern the various land use categories. It might help if the neighboring counties were scaled back to provide a larger scale view of Wicomico County.
- Map 7-2 Land Use Plan: Again, the scale of the map makes it difficult to view as mentioned above. In addition, the municipal growth areas should be delineated on this map, as well as any county designated growth areas mentioned throughout the draft plan. It is hard to distinguish waterbodies from public land use as the shades of blue at this scale are hard to differentiate. MDP feels that the County Comment Area land use category solely applied to lands within the Town of Hebron should be eliminated as the County has no jurisdiction over the zoning and/or land use of these municipal lands.
- Map 9-3 Parks and Recreation Facilities: This map appears to be blank and offers no information in the legend.
- Map 12-1 Enterprise Zones: The Fruitland - Wicomico County Enterprise Zone is not depicted on this map.