



Maryland DEPARTMENT OF PLANNING

November 13, 2020

Jerry L. Pesterfield
Chair, Anne Arundel County Planning Advisory Board
Office of Planning & Zoning
2664 Riva Road
Annapolis, MD 21401

Re: Anne Arundel Comprehensive Plan 2040 - Preliminary Draft Plan (Volume II) and
Implementation Guide (Volume I)

Dear Mr. Pesterfield:

Thank you for reaching out to Maryland Department of Planning (Planning) to provide comments on the Anne Arundel County Draft 2040 Plan (Plan 2040). It is our understanding that Plan 2040 will be discussed during the county's Planning Advisory Board meeting on November 18, 2020.

As a charter county, a formal 60-day review is not required. However, the Maryland Department of Planning (Planning) appreciates the county including us in the review of Plan 2040, and the department facilitated the reception of comments from relevant state agencies. The plan was circulated to the Maryland Department of Transportation (MDOT); Maryland Department of the Environment (MDE); Maryland Department of Natural Resources (DNR); Maryland Department of Commerce (Commerce); Maryland Department of Housing and Community Development (DHCD); Planning's Local Technical Assistance and Training, Resource Conservation and Infrastructure and Development Units; and the Maryland Historical Trust (MHT). Please see comments below from Planning separated by sections and the attached letters or e-mails that were received by the responding agencies. Any plan review comments received after the date of this letter will be forwarded upon receipt.

If you have any questions or concerns regarding these comments, please email the Southern Maryland Regional Planner, Sarah Lipkin Sularz at Sarah.LipkinSularz@Maryland.gov.

Sincerely,

Charles Boyd, AICP, Director
Planning Coordination

cc: Steve Kaii-Ziegler, Planning and Zoning Officer, Anne Arundel County
Cindy Carrier, Long Range Planning Administrator, Anne Arundel County
Joseph Griffiths, Local Assistance and Training Manager, Maryland Department of Planning
Sarah Lipkin Sularz, Regional Planner Southern Maryland, Maryland Department of Planning



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Maryland Department of Planning Review Comments November 13, 2020 Draft 2020 Anne Arundel Plan 2040

The Maryland Department of Planning (Planning) has reviewed the Draft 2020 Anne Arundel Plan 2040 (Plan 2040) and offers the following comments for your consideration. These comments are offered as suggestions to improve the draft comprehensive plan and better address the statutory requirements of the Land Use Article. Other state agencies as noted have contributed comments. Still others may have comments submitted under separate contribution. If comments from other agencies are subsequently received by Planning, they will be forwarded to the county in a timely manner.

Summary of the Draft Comprehensive Plan

This is a complete update to the 2009 Anne Arundel General Development Plan. The county is completing Plan 2040, in part, to meet its 10-year Comprehensive Plan cycle update requirement.

Plan 2040 follows a new approach from the 2009 Plan. The county included a plethora of information on the process of how to use the updated Plan 2040. This includes what to expect, table of contents, goals and visions, and background research conducted by the county. Plan 2040 approaches the Anne Arundel community in a more modern way. Although Plan 2040 builds off the accomplishments and future goals of the 2009 general development plan, Plan 2040 successfully approaches the visions of the county in a holistic manner. Plan 2040 is based on a vision and five themes that are integrated into a comprehensive set of goals and policies. Plan 2040 integrates the county's approach to sustainable development that considers the interaction of the environment, economy, and social equity. To emphasize those connections, Plan 2040 is organized in thematically titled chapters. Plan 2040 is a policy framework to guide future decisions through 2040 about "land use, environmental protection, transportation, open space, agriculture, community facilities, historic preservation, housing, economic development, and quality of life" Page 5, Vol. I). The Plan 2040 document is split into Volumes I and II; as described on page 7 of Volume II:

"The Plan is organized into two volumes. Volume I is the core of Plan 2040; it establishes the vision and the overall goals, policies, and strategies to implement the vision. It also establishes the process for Region Planning, which will provide more detailed long-term planning at a local, community level. Volume I includes an implementation plan to help achieve the Vision, and performance measures to track progress.

"Volume II provides background for Volume I. It begins by outlining the State regulatory context for Plan 2040 and continues with a description of the range of input derived from the various public engagement activities throughout the Plan 2040 development. Volume II also provides much of the background information for the Plan, describing the existing conditions

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and key challenges that are addressed by the goals, policies, and strategies in each of the main Plan 2040 topic areas.

“Finally, Volume II outlines the next steps in comprehensive planning in Anne Arundel County, namely the process for detailed Region Planning, and the relationship of these Region Plans to the Countywide Plan 2040.”

Planning recommends clarity on the titling of the two volumes. An idea for consideration might be to present the background piece first, so that Volume II becomes Volume I, with the implementation piece to follow. The actual names printed on the cover pages should be clear and concise. One should be the county’s comprehensive Plan 2040, the other is background or an appendix, and should be titled as such to avoid future confusion. Another directive which Planning finds missing is how the county sees these two documents interacting. A small addition to the Plan 2040 introduction could assist residents and other stakeholders in using and better understanding the large breadth of work presented in Plan 2040.

For the purposes of this review, Planning has formatted all agency reviews into a layout which follows the table of contents of Volume II and will specifically note when the comments address Volume I or II.

Minimum State Law Requirements for Charter Counties

Maryland’s Land Use Article sets forth the required components of a local comprehensive plan but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process. The following checklist summarizes an assessment as to whether each required local plan element is addressed in Plan 2040.

TABLE 1: Checklist of Maryland Code (Land Use Article) requirements for local comprehensive plans in Maryland

State Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Draft Anne Arundel Plan 2040 Page References
(1) A comprehensive plan for a charter county MUST include:	L.U. § 1-406 (a)		
(a) a development regulations element	L.U. § 1-406 (a) (1) (i)	L.U. § 1-407 -- Development Regulations Element	Vol. I: p. 30 Vol. II: p. 95
(b) a housing element	L.U. § 1-406 (a) (1) (ii)	L.U. § 1-407.1 -- Housing Element	Vol. I: p. 42 Vol. II: p. 115
(c) a sensitive areas element	L.U. § 1-406 (a) (1) (iii)	L.U. § 1-408 -- Sensitive Areas Element	Vol. I: p. 22 Vol. II: p. 37
(d) a transportation element	L.U. § 1-406 (a) (1) (iv)	L.U. § 1-409 -- Transportation Element	Vol. I: p. 46 Vol. II: p. 138

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State Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Draft Anne Arundel Plan 2040 Page References
(e) a water resources element	L.U. § 1-406 (a) (1) (v)	L.U. § 1-410 -- Water Resources Element	Vol. I: p. 22-23 Vol. II: p. 63
(f) a mineral resources element, IF current geological information is available	L.U. § 1-406 (a) (2)	L.U. § 1-411 -- Mineral Resources Element	Vol. I: p. 57 Vol. II: p. 208
(2) A comprehensive plan for a charter county MAY include a priority preservation area (PPA) element	L.U. § 1-406 (b)	For PPA Requirements, see § 2-518 of the Agriculture Article	Vol. I: p. 20 Vol. II: p. 55, Figure 10 p.59
(3) A designation of areas for fisheries use, but ONLY IF the charter county was required prior to adoption of home rule to include a fisheries element in accordance with L.U. § 3-113	L.U. § 1-412		Vol. I: p. 66 Vol. II: p. 235
(4) Visions -- A county SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	L.U. § 1-414	L.U. § 1-201 -- Visions	Vol. I: p. 15 Vol. II: p. 07
(5) Growth Tiers -- If a county has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the county's comprehensive plan	L.U. § 1-509		Vol. I: p. 36 Vol. II: p. 114

As shown in the above checklist, the Draft 2020 Anne Arundel Plan 2040 includes the required elements as identified in §1-406 (a) of the Land Use Article of the Maryland Annotated Code.

General Comments

Planning appreciates the consistent verbiage used throughout both Volume I and II of Plan 2040, making it a very user-friendly document. Given the alignment of state and local revitalization strategies, the county is well positioned to advance transit-oriented development, community revitalization efforts, and mixed use/mixed income development that advances goals outlined in the Plan. Staff at the Maryland Department of Housing and Community Development are available to discuss potential opportunities and to identify resources to advance goals outlined in Plan 2040. Planning is excited to see the contemporary comprehensive plan style come through so effectively in Plan 2040 and hopes that this format can be a model for jurisdictions throughout the state. For

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instance, The Volume II, Planning for the Natural Environment chapter includes a Water Resources Plan (WRP), while the Volume I, Planning for the Natural Environment chapter includes Water Resource Goals and Policies; this cross-volume alignment is true of all topics.

Planning commends the county's commitment to sustainability across a multitude of focus areas. Plan 2040 uses a holistic, all sectors, approach to the inclusion of sustainable and resilient planning practices. A great example of this is the expansion of Priority Preservation Area (PPA) acres. The county has also witnessed great accomplishment in this area; recently being recognized for national accreditation through the National Recreation and Park Association. This accreditation is a mark of distinction that an agency has met rigorous standards related to the management and administration of lands, facilities, resources, programs, safety, and services.

Plan 2040 provides callout links to the Green Infrastructure Plan and the Water and Sewer Master Plan, which is useful, forward-thinking, and integrates essential county planning documents. Planning is pleased to see that Plan 2040 includes goals, policies, and strategies to promote multimodal transportation and emphasize safety, system preservation, transit, walkability, and other non-single-occupancy-vehicle (SOV) travel choices. Planning also notes that the county integrates land use and transportation policies to support development in the county's designated growth areas and help protect natural resources, agricultural land, and environmentally sensitive areas.

Planning and conferring agencies are pleased by the county's stated policy efforts to attain Certified Local Government status and the intention to produce a countywide Cultural and Historical Preservation Master Plan (Policy BE14.1). Such a functional plan would consolidate policies, programs, and organizational capacity into one document that would be benefit understanding among citizens, staff, and other stakeholders about how the preservation process works in the county. Updating the Cultural Resources Code, along with establishing historic overlay zoning to better protect historic resources, are also stated efforts to be applauded.

Planning understands the land use designations in the comprehensive plan may be updated or detailed further through the county's Region Plans and would be happy to learn more about the county's plans or timing for future growth tier map amendments. If the county is not ready to comprehensively update the tier map based on new designations, one option would be to host the tier map on the county webpage and link to it rather than including the tier map in the plan. This would allow the county to modify the tier map after Plan 2040 has been adopted. The plan text could say, "the county adopted a tier map in 2013. Once the comprehensive plan update is complete, the tier map will be updated to reflect the plan."

Plan 2040 provides a well-balanced strategic framework for the future growth of Anne Arundel County, including many recommendations that enhance neighborhoods with improved infrastructure such as multi-modal transportation facilities that offer more choices to consumers, such as transit, walking, and biking. Plan 2040 also recommends new economic strategies that encourage more transit-oriented development opportunities. If implemented, these efforts will help the county manage the projected increase of daily trips taken within, to, and from Anne Arundel County by 2040. The MDOT is complimentary of the plan's emphasis on improved and equitable transportation options and transportation enhancements that encourage healthy communities for all users. Plan 2040 emphasizes that these improvements will be encouraged in areas with existing infrastructure and where redevelopment is directed to older commercial corridors for improved mobility and cleaner

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transportation choices such as transit, walking, and biking, with improved accessibility and safety. These efforts will support the goals outlined in the Maryland Transportation Plan (MTP).

The MDOT recommends that Plan 2040 reference the alignment of its goals with the Maryland Bicycle and Pedestrian Master Plan. Resources are available from the Maryland Department of Transportation State Highway Administration (MDOT SHA) to assist in the development of bicycle and pedestrian infrastructure within designated areas of the State. Please coordinate with Mr. Stephen Miller, MDOT SHA Regional Planner, at 410-545-5673, or via email at SMiller2@mdot.state.md.us. Commuter Choice Maryland is MDOT's Travel Demand Management (TDM) program, and it could be incorporated into Plan 2040 as a supporting strategy. The program offers an extensive menu of commuter transportation services, such as ridesharing. Please visit <http://www.CommuterChoiceMaryland.com> for more information.

It is recommended that any proposed transportation projects on State roads be considered for inclusion in future updates to Anne Arundel County's annual Transportation Priority Letter, which is submitted annually to the Transportation Secretary.

The passage of HB 1045 in 2019 requires a housing element in all comprehensive plans adopted after June 1, 2020. It should be noted the new law requires a comprehensive plan to address the need for low-income and workforce housing, using the definitions contained in §3-114 of the Land Use Article and §4-1801 of the Housing and Community Development Article. Since Plan 2040 will be adopted after June 1, 2020, Planning recommends that the county evaluate Goals BE11 and BE12 (page 40, Volume I) for conformance to the requirements of HB-1045. Planning notes that Volume I, page 42 uses the definitions of low-income (< 60% Area Median Income) and workforce ownership (60% - 120% AMI) housing as defined by HB 1045. However, HB 1045 defines workforce rental housing between 50% and 120% AMI, while page 42 of Plan 2040 defines it as 50% to 100% AMI.

Planning has developed Housing Element Models & Guidelines to address the recent legislation (HB-1045 [2019]), which is contained within the Maryland Department of Planning website as a tool for local jurisdictions. (Here is the link: <https://planning.maryland.gov/Pages/OurWork/housing-element-mg/housing-element-home.aspx>)

Suggested Technical Edits / Suggestions

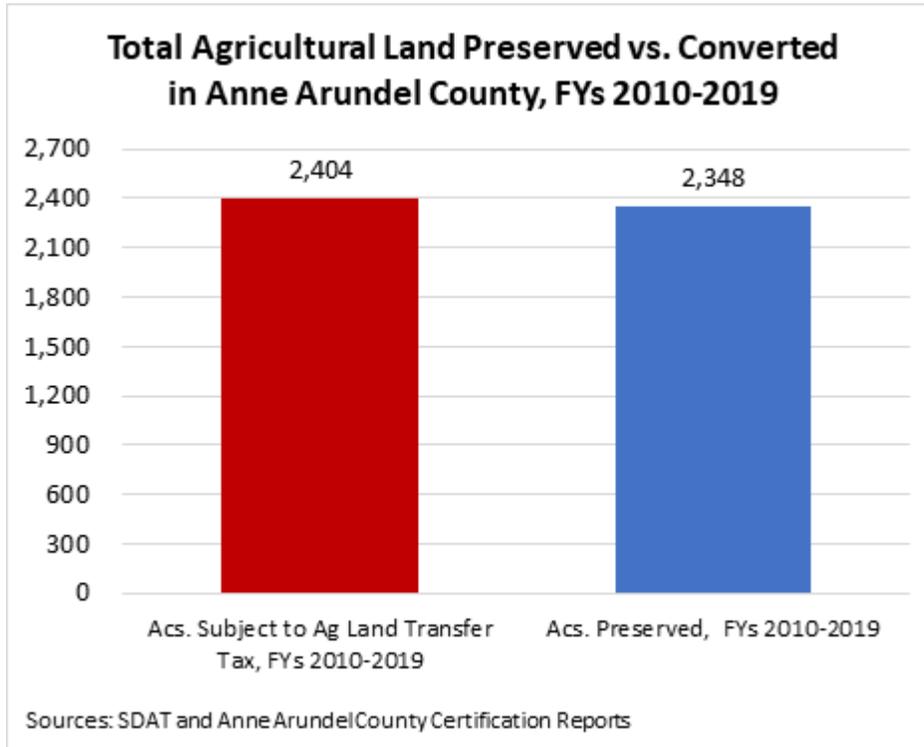
- On Page 115 of Volume II, Plan 2040 discusses how Priority Funding Areas (PFA's) will be reviewed and updated after the comprehensive rezoning processes that follow the development of each Region Plan. Planning looks forward to working with the county on this process. It may generally be advisable for purposes of review, verification, and validation, to maintain a consistent set of sources and data vintage when presenting demographic and socio-economic statistics. In addition, the county should clearly cite the appropriate source and footnote any adjustments to data.
- The Targeted Growth Areas and Managed Growth Areas from the 2009 Comprehensive Plan have been replaced with various "Targeted Development, Redevelopment, and Revitalization Policy Areas", i.e., areas with existing or planned sewer service where development, redevelopment and revitalization (Page 96-97, Volume II). These areas are discussed in the Development Policy Area Definitions and shown in the Development Policy Areas map in Volume I, pages 30-31 and in the same map in Volume II, page 97. While the glossary in Volume II defines "Targeted Development, Redevelopment, and Revitalization Policy Areas"

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(page 246), it does not specifically state that these areas are designated or targeted growth areas. Other than giving a history of planning in the county, “Targeted Growth Areas” are mentioned in Volume II, pages 105 and 123, but they are not clearly defined. Please clarify if “Targeted Development, Redevelopment, and Revitalization Policy Areas” are considered Targeted Growth Areas from a policy or prioritization perspective.

- Volume I and II show slightly different household projection numbers. Volume I, page 24: Baltimore Metropolitan Council (BMC) projects the population to grow by approximately 50,000 people (29,000 households) by 2040. Whereas Volume II, page 104 states BMC projects 27,000 new households. Please make consistent.
- Page 30 Volume I - The Development Policy Area Definitions table shows Critical Corridor above the heading of “Targeted Development, Redevelopment, and Revitalization Policy Areas”, whereas the Development Policy Areas map on page 31 shows it under the heading. Volume II, page 96 describes the Critical Corridor Policy Area and then the “Targeted Development, Redevelopment, and Revitalization Policy Areas”, which include the critical economic area, town center, and overlays. Please make the text, table, and map consistent.
- Page 87 Volume I Policy BE7.1 - Refers to a Town Center Plan for Glen Burnie but is not mapped on the Development Policy Areas Map (page 31). Should the map include a town center designation for Glen Burnie?
- Page 141 Volume II - The Transit Network Map should include the MARC - Camden Line and its stations near the boundaries between Anne Arundel and Howard counties.
- Page 80 Volume II - Map 15, Septic System Density shows the sewer service area as a thick black line, but the line is obscured by the hatching for the septic system density depictions. Planning recommends moving the hatching below the sewer service area line to clarify the map.
- Page 82 Volume II - Planning recommends that the “Stormwater Management” heading be revised to “Stormwater Management and Overall Pollution Forecasts” or something similar, to convey that the section addresses both stormwater and Water Reclamation Facility pollutant loading.
- Planning recommends that Plan 2040 include a couple of sentences about increasing the pace of easement acquisition and the role that funding, outreach, and other tools might play in the PPA section.
- Page 56 - Volume II says that the PPA will be expanded by 837 acres, to 40,267 acres. This is a notable effort; 432 acres of the expansion lie in five existing easement properties and 405 acres are currently unreserved. The acreage listed in Plan 2040 for both the PPA (before expansion) and Rural Legacy Area match the figures that Planning has been using. The county has not applied for a Rural Legacy grant since FY 2018 but is securing easements using funds from previous years.
- Anne Arundel’s agricultural land preservation program has been certified by Planning and the Maryland Agricultural Land Preservation Foundation (MALPF). Planning’s reviews of the county’s certification reports note that the rates of farmland preservation and conversion are both modest. Page 56 of Plan 2040, Volume II says that “from fiscal year 2014 to fiscal year 2017, less than 50 acres of RA-zoned land in the PPA were lost to development.” Using another measure of farmland conversion, however, 591 acres were subject to ag land transfer tax countywide during those three years. For the past ten fiscal years, FYs 2010-2019, according to data derived from the county’s certification reports, Anne Arundel preserved 2,348 acres, or just 234.8 per year. Over that same period, 2,404 acres were subject to

agricultural land transfer tax, or 240.4 acres per year. If the county desires to preserve and maintain agricultural land, this ratio is concerning, as the graph below illustrates:



- Page 58 Volume II - The land preservation data table includes as “Protected Land” 2,330 acres in preservation districts and 10,000 in floodplains, open space, or covered by restrictive zoning. Planning considers land to be permanently protected only if it is publicly owned or under permanent easement. Therefore, Planning would consider the PPA to be only about 44% protected instead of 75%.
- Page 26 Volume I - Chart Residential Building Permits Since 2000: the title of the chart should be corrected as it shows bar graphs from 1971 forward.
- Page 24 Volume I column 2 - It appears that a reference point is missing in the sentence “...the population of the County is projected to grow by approximately 50,000 people (29,000 households) by 2040. Countywide employment is projected to grow by more than 68,000 jobs.”
- The Four Rivers Heritage Area Management Plan is not referenced until page 137 of Volume II. It should probably be included among the plans described starting on or about page 19. Planning recommends adding the following italicized language to meet the statutory requirement that jurisdictions must include, by reference, the approved Heritage Area Management Plan in comprehensive or master plans (Financial Institutions Article, Title 13, Subtitle 11, Annotated Code of Maryland, § 13-1111(e)).
 - *The Four Rivers Heritage Area Management Plan was adopted and made a part of the comprehensive plan of Anne Arundel County in 2001. This update of the General Development Plan, when adopted by the county, incorporates by reference all portions of the Four Rivers Heritage Area Management Plan, as part of the comprehensive plan.*

- When referring to matters related to state-owned streets, roads and highways, the phrase "Maryland Department of Transportation State Highway Administration (MDOT SHA)" should be incorporated into the Plan.

Detailed Element Review Comments

The following are detailed comments on each section of Plan 2040:

Planning for the Natural Environment

Climate change has been integrated throughout Volume I of Plan 2040— identified in the goals, policies, and strategies. The issue is not new to the county as they have been addressing climate change in several of their previous plans. The challenges and opportunities are clearly laid out in the introduction of Volume I on page 14.

- Page 73 Volume I- Policy NE4.5: Consider changes to the stormwater management design standards to store greater storm volumes on site to protect downstream properties and water resources in a changing climate.
 - Planning recommends the county update the Stormwater Management Practices and Procedures Manual with the latest science, rainfall data, water quality, and peak-flow requirements including projected precipitation changes related to climate change.

The Planning for the Natural Environment chapter includes the goals and policies of protecting natural resources, including water quality issues. One important aspect of environmental sustainability the county may want to consider is the retention of forest tree canopy and emphasizing forest conservation. This also speaks to the issue of non-forested tree planting for an increase in tree canopy, such as in urban areas. This section relates to many aspects of sustainability including urban tree canopy coverage. The following goal is found on page 22 and relates to the planting of shade trees within the urban areas of the county:

Goal NE2: Retain existing forest cover, increase forest replanting efforts, and increase urban tree canopy. (emphasis added)

Planning commends the county for promoting an increase to its urban tree canopy and recognizes the adoption of the 2010 Landscape Manual. The county may want to consider adopting a tree canopy ordinance that promotes tree canopy be added to areas where low levels of tree canopy exist, or high impervious areas exist. This is also an issue of equity in older neighborhoods, particularly areas that may have been the subject of redlining practices of the past. Abundant tree canopy in urban areas reinforces the concept of healthy living, as trees provide for better air quality, reduce water run-off, and promote greening of urban areas.

Areas devoid of tree canopy could be designated as the county's highest priority for introducing tree canopy into urban neighborhoods. Additionally, redevelopment in areas where tree canopy is low or non-existent could be checked at the time of permit applications, requiring a certain amount of shade tree planting with any permit that disturbs more than 5,000 square feet. This practice has been used in both Prince George's County and Montgomery County and has led to favorable outcomes in urban areas. The links to the current requirements for those jurisdictional regulations are provided below.

https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_com_cor/0-0-0-67737

https://library.municode.com/md/prince_george's_county/codes/code_of_ordinances?nodeId=PTIITH17PULOLAPRGECOMA_SUBTITLE_25TRVE_DIV3TRCACOOR

Planning would be happy to work with the county to explore ideas for greening the county through the promotion of a tree canopy ordinance to be applied in urban areas.

Recommendations to support Plan 2040's approach to the county's Priority Preservation Area (PPA).
Page 55, Volume II:

- Plan 2040 should include a short synopsis regarding increasing the pace of easement acquisition and the role that funding, outreach, and other tools might play.
- Work with local land trusts and nonprofit organizations to increase their role in preserving land in the PPA and disseminating information about associated tax credits.
- Conduct a detailed development capacity analysis to determine the number of individual properties within the PPA that have remaining development rights to sell and that are eligible to participate in an existing agricultural preservation program.
- Update program regulations to correct outdated code references and to revise the permitted uses within the Agricultural and Woodland Preservation Program to include accessory uses on minimal acreage that will not interfere with farming operations, as well as other rural economy uses.
- Revise the county's easement ranking system to grant extra points to properties located in the PPA.
- Research the possibility of revising the County District program to allow for the tax credit to continue on easement properties without landowners having to reapply for it every ten years.

Water Resources Plan - Page 63, Volume II:

- Two of the challenges discussed in the Volume I Natural Environment chapter are that 2,775 acres of trees were lost from the county between 2010 and 2017, and there are increasing development pressures on rural land. In response, the county strengthened their Forest Conservation Ordinance in 2019 to mitigate development-related tree loss. The county also has long-established land preservation goals for agricultural and wooded lands. Goals NE4 and NE5 in Volume I, and the policies under them, address water resources, as follows: "Improve and protect water quality by reducing impacts from stormwater runoff, wastewater discharge, and septic systems"; and "Ensure the safe and adequate supply of groundwater resources and wastewater treatment services for current and future generations." Planning asks the county to consider better affiliation between the Volume I and II documents on this subject.

Water Supply and Demand Assessment:

- As reported in Plan 2040, the No Public Service area includes approximately 47,500 private domestic wells, sourced mostly from the Aquia aquifer. Page 68, Volume II indicates that private wells are mostly from the Aquia aquifer, but page 69 indicates that the wells are primarily sourced from the Patuxent, Patapsco, Magothy and Aquia aquifers. Planning recommends clarifying this information where needed.
- Plan 2040 indicates there is sufficient groundwater in the Patapsco and Patuxent aquifers to meet projected Anne Arundel County demand through 2040, at 73 MGD, as well as supplying other county users and permitted levels in surrounding counties. However, potential increases in regional demand could result in water levels falling below the regulatory management

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levels in certain areas as well as other operational issues. In some southern portions of the county, water levels are nearing or have already exceeded the 80% management level.

- Does meeting water demand in other surrounding counties “at permitted levels” include future projected demand for those areas or just currently permitted levels?
- Did the county analyze any studies by the Maryland Geological Survey or seek their guidance on whether there is sufficient capacity in the Patapsco and Patuxent aquifers to meet all (Anne Arundel County and surrounding counties) future projected water demand? Planning recommends that the county include this information.
- The approximately 47,500 private domestic wells are mostly sourced from the Patuxent, Patapsco, Magothy, and Aquia aquifers (Page 68 indicates that private wells are mostly from the Aquia aquifer, but page 69 indicates that the wells are primarily sourced from the Patuxent, Patapsco, Magothy and Aquia aquifers. Planning recommends clarifying this information where needed), with a few wells being sourced from the Piney Point aquifer.

Wastewater Supply and Demand Assessment:

- The county established 11 sewage service areas; eight of the service areas are served by facilities owned and operated by the county; two of the service areas have county-owned conveyance systems, but inter-jurisdictional agreements that enable sewage treatment by facilities in Baltimore City (Patapsco Sewage Treatment Plant) and Calvert County (Chesapeake Beach Water Reclamation Facility).
 - Page 76 should be updated to indicate that since the 2017 CWSP (note that other portions of the WRP indicate the CWSP is dated 2016), the number of service areas served by county-owned and -operated public sewage treatment facilities has increased from eight to nine since the Piney Orchard WRF was recently taken over by the county.

Stormwater Management:

- Tables 9 and 10 show the total nitrogen (TN) and total phosphorus (TP) capacity for each of the water reclamation facilities (WRFs) (and all of them combined) compared to their respective buildout demand estimates. Although the future design capacity can handle considerably more treatment capacity than the current system, the combined WRFs (and most of the individual WRFs) still fall short of meeting the total buildout demand by a combined total of 156,759 TN pounds per year and by 10,322 TP pounds per year.
 - What would the impact to the TN and TP at the WRFs described in Tables 9 and 10 be if the septic systems were connected to the public sewer system, as proposed on pages 77 and 85. Planning recommends that this outcome be evaluated and summarized on page 85.
 - For each WRF where future design capacity falls short of buildout nutrient discharge levels (as shown in Tables 9 and 10), Planning recommends that the WRP should indicate how the deficit will be addressed. If the county is unable to identify a feasible method for addressing expected deficits at individual WRFs, then the county may need to revise its land use plan accordingly.
- The county anticipates that more stringent TMDL requirements will affect permit limits, resulting in expensive WRF upgrades, and further resulting in decreases in available WRF acreage (since the acreage will be needed to accommodate additional WRF machinery and buildings). Therefore, the county is investigating alternatives at the WRFs with restricted acreage to redirect flows to service areas where the WRFs can support future upgrades and meet loading requirements. Plan 2040 also recommends changes to the Zoning and Subdivision and Development Codes to require a consistency finding with the General Development Plan before allowing any text amendments to the codes (since zoning changes in

the county have historically had significant impact on buildout capacities and pollutant loadings at WRFs). In addition, the county will continue to analyze ways to reduce built density; if alternatives are not identified or treatment technology lags, then the county may need to restrict future land use due to TMDL regulations.

- For each WRF where future design capacity falls short of buildout nutrient discharge levels (as shown in Tables 9 and 10), Planning recommends that the WRP should indicate how the deficit will be addressed. If the county is unable to identify a feasible method for addressing expected deficits at individual WRFs, then the county may need to revise its land use plan accordingly.
- The WRP concludes with TN and TP charts that show the combined pollutant loads (and separately from WRFs, septic systems, and nonpoint source load) in the three major tributary watersheds for existing conditions, buildout conditions without treatment, and buildout conditions with treatment. The county commits to continuing to find ways to reduce pollutant loads, redirect wastewater flows, and limit impervious surface in each zoning district during the Region Plan process.
 - Planning recommends that the county analyze more than one land use plan option to evaluate whether the buildout conditions in one plan option might be less impactful to receiving waters than another plan option. The analysis should investigate impervious surface change and forest cover change.

Planning for the Built Environment

Planning is excited by the county's decision to include an equitable and accurate historical understanding of the region's loans and housing practices within the "Equity in the Built Environment" section of page 28 Volume II. To help the reader best understand what work needs to be done moving forward in the county, a rich context is given in this section to portray much necessary information, often removed from housing discussions. Planning is encouraged that Plan 2040 recognizes the unique challenges that we currently face and considers the response to those challenges as an opportunity for better planning.

Regarding specific goals policies and strategies, these following comments all refer to Volume I of Plan 2040. Planning encourages the county to consider transit supportive (or oriented) land use in the Targeted Development, Redevelopment, and Revitalization Policy Areas. The county may want to modify the following policies or strategies to consider transit supportive land use.

- Page 26 – Planning commends the county for acknowledging the challenges in development previously encountered by approving "Modifications". Recognizing this awareness, Planning suggests enforcement take higher precedent in the county to ensure better development practices moving forward.
- Page 26 – Planning commends the commitment to up-zoning in residential areas. This is a best practice model in the housing element models and guidelines created to satisfy HB1045 (2019), effective June 2020.
- Page 79 - Policy BE1.1, Strategy 18: Add "transit supportive design guidelines" as one of the tools.
- Page 84 - Goal BE5: Add "transit supportive" before "high quality development..." to encourage transit supportive development in designated growth areas.
- Page 86 - Policy BE6.2 Strategy a.: The county should revise development regulations to support transit-friendly business/employment center development. Perhaps, add "transit-friendly" before "high-quality development..."
- Page 95 - Policy BE13.2 Strategy e.: Add "transit-friendly design" in the strategy statement.

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- Page 84 - Policy BE4.3 Strategy a.: The county should carefully evaluate any highway capacity improvements in Peninsula Policy Areas to limit the potential of facilitating low-density development outside priority funding areas.
- Page 85 - Policy BE5.2 Strategy b: To support multimodal transportation, the county may want to explore a comprehensive transportation review approach for development and redevelopment to include transit, pedestrian, and bicycle facility requirements in the Adequate Public Facility Ordinance (APFO). There are some Maryland examples the county may want to review. The City of Rockville is one of early local jurisdictions that addresses the multimodal transportation measures in the APFO. Rockville established a “Comprehensive Transportation Review” as part of the APFO concurrence process. The Frederick County’s APFO also includes transit measures and adequate pedestrian and bicycle facility evaluation requirements. Planning offers its assistance in this area if further investigation is desired.
- Page 88 - Policy BE 10.1 should include an access management strategy to help achieve Goal BE10 for the Critical Corridor Policy Areas. The county may consider actions such as access consolidation, building a well-connected local road network and/or parallel local roadways, connected-commercial properties, etc.
- Page 94 – Policy BE 13.1 recommends taking advantage of state funding and technical assistance programs that are available for revitalization projects in Sustainable Communities, such as the Community Legacy, Strategic Demolition Fund, Operating Assistance Grant, Community Safety and Enhancement, and Sidewalk Retrofit programs. Additional grant programs are available to assist with sustainable initiatives. While some are listed, include “and other grant programs as appropriate” to encourage utilization of additional resources.
- Page 98 - Plan 2040 emphasizes pedestrian safety and multimodal access over traffic speed and vehicle access points during transportation-land use planning and development review. Performance measures should include access to low-stress walking and biking networks and buffering pedestrian facilities in relation to adjacent motor vehicle traffic lanes.
- Page 100 - Plan 2040 recommends developing a low-stress bicycle network. Performance measures to be considered include the percentage of network connected through low-stress network protected bicycle lanes, shared-use paths, and other conditions. Consider primary low-stress network expansion in short-trip opportunity areas to encourage more permanent mode shifts in these areas. The county should consider including Level of Traffic Stress (LTS) and Bicycle Network Analysis (BNA) to evaluate and plan for a low-stress bicycle network. Please coordinate with Mr. Stephen Miller, MDOT SHA Regional Planner, at 410-545-5673, or via email at SMiller2@mdot.state.md.us.
- Page 101 - Plan 2040 encourages transportation policies that support consistently well-maintained transportation facilities and networks, including developing and maintaining a sidewalk and shared use path condition database. Consider coordination with MDOT asset management practices and integration with established geodatabases. Please coordinate with Mr. Nate Evans, MDOT TSO Planner, at 410-865-1304, or via email at nevans1@mdot.maryland.gov.
- Page 102 - Policy BE 16.2: Local governments play a critical role in promoting the deployment of zero GHG emissions vehicles such as electric vehicles (EV). The county may consider a strategy to support the EV and EV infrastructure deployment. The county could develop an EV infrastructure implementation plan or consider a pilot program or development regulation to require EV charge-ready for development projects. Frederick City, the first jurisdiction in the State, developed and adopted “Plug-In Electric Vehicle (EV) Charging Infrastructure Implementation Plan” to help guide Frederick City’s efforts in accommodating electric vehicles. Howard County is the first local jurisdiction in Maryland to adopt an EV-Ready ordinance for new residential constructions.

Re: Draft 2020 Anne Arundel Plan 2040
Maryland Department of Planning Comments

- Page 108 - Plan 2040 envisions enhanced transit options for older adults and individuals with disabilities. Continue to coordinate with the MDOT Maryland Transit Administration (MDOT MTA) for the expansion of demand response, paratransit, medical, and senior center transportation options. For local transit service planning, please contact Jennifer Vickery, MDOT MTA Program Manager. Ms. Vickery can be reached at 410-767-4598, or via email at JVickery@mdot.maryland.gov.
- Page 111 – The county may want to reduce possibility for documentation redundancy, or inconsistencies, by utilizing “Move Anne Arundel” rather than creating a new comprehensive countywide trails plan, especially with the pending Bicycle and Pedestrian Master Plan update.
- Page 120 - The county may add a strategy for encouraging transit-friendly commercial/business/employment developments rather than continuing to build auto-oriented campus-like business parks which is hard to be served by transit. The county should also consider transit supportive land use in the Fort George G. Meade area (page 123, Policy HE 3.1).
- Page 125 - Plan 2040 recommends making specific community infrastructure commitments such as streetscape improvements or parking. MDOT recommends considering streetscape and community improvements that emphasize multimodal access to businesses.
- Page 25 - Chart Housing Type Anne Arundel County 2019: What is the source of the chart? Is it from the county’s building permit records or data from a Census Bureau report? Might prove helpful to include a table showing actual number of permits by housing type—if not in this document, then on page 115 of Volume II.
- Page 52 - Chart Household Income, Race and Ethnicity: The median household income values shown for race (White and Black) and ethnicity (Hispanic) do not align with what is reported in the ACS 2018 one-year estimates [Table S1903 or Tables B19013A-I] According to ACS estimates, White Alone Not Hispanic Households in Anne Arundel County reported a median \$103,360 while households White Alone (\$102,468), Black Alone (\$78,888), and Hispanic Alone (\$72,304).
- Page 52 - Equity in Economy: This document suggests that the county’s 2018 median household income is “...19 percent higher than the State median and 62 percent higher than the National median.” However, the American Community Survey (ACS) 2018 One-year Estimates show Anne Arundel County’s median household income at \$97,814 about 58 percent higher than the nation’s \$61,937 and 17.6 percent higher than the State’s \$83,242.
- Page 53 - Summary Employment Statistics: Recommend revisiting the figures reported for labor force, employment, and unemployment rate. According to the U.S. Bureau of Labor Statistics and the Maryland Department of Labor, in January 2020, Anne Arundel County had a labor force of 319,375 persons not 329,940; the county had an employed workforce of 309,895 not 268,342; and its January 2020 unemployment rate was 3.0 percent.
- Page 11, map Percent Non-White by Census Tract 2017: See note on the lower right-hand corner, should the definition refer to “specific ethnic groups” or just to specific groups?

The Following Comments refer to Volume II:

- Page 104 - The Land Use Market Analysis report makes a projection of growth by 94,000 persons and 28,000 households by 2035 with much of the growth happening in the north and Annapolis area. It may be helpful to reviewers to make a statement about the discrepancy in the projection of people.
- It would be useful to see a discussion about the proposed land use and the updated holding capacity and how it relates to the development policy areas. For example, consider a table like Table 15 on page 105 that shows the proposed land use and development policy areas.

Re: Draft 2020 Anne Arundel Plan 2040
Maryland Department of Planning Comments

Relevant maps showing the holding capacity within each development policy area would be helpful as well.

- Page 103 - The county notes in Plan 2040 that environmental constraints were not factored into the non-residential zoning district analysis of the holding capacity (Volume II, page 104). However, it is stated that “Approximately 13,736 acres of developable land (land zoned for development without environmental constraints) remains in the county.” Please clarify if this number includes non-residential zoning districts.
- Page 31 Volume I and page 111 of Volume II - A planned land use map is provided. However, there is no existing land use map. Although changes from the 2009 planned land use map are discussed on Table 14 of page 102, and again on page 107 of Volume II, it would be helpful to see an existing land use map.
- Page 92 - Chart Race and Ethnicity (2017): There is a disconnect between the chart and the discussion above in column 1, i.e., the text refers to 2018 data and the chart references 2017. The figures presented could not be verified using the cited source.
- Page 93 - Chart Household Income Distribution: Planning is curious as to the reasoning behind using work by the private sector vendor Woods & Poole and not the Census Bureau’s American Community Survey. Similarly, for Table 13: Employment Trends on page 94, what is the reason behind using Woods & Poole as opposed to the Baltimore Metropolitan Council Cooperative Forecasts— of which Anne Arundel County is a member.
- Page 134 - The county’s efforts to increase awareness of historic, cultural and archaeological resources (Policy BE14.3) has been celebrated by two Maryland Preservation Awards, most recently in 2019 and 2020, recognizing the diligent work of the Cultural Resources Section within the Office of Planning and Zoning.
- Page 14 - Indicates “Per State requirements, counties are required to include a Growth Tiers Map in their comprehensive plans”. It is recommended you clarify that counties can decide not to adopt a growth tier map by revising the sentence as follows or with something similar: “Per State requirements, counties that have adopted a growth tier map must incorporate it into the comprehensive plan for the Growth Tier Map to remain adopted for purposes of § 9–206 of the Environment Article.”
- Page 112 - The charts (also located on page 36 of Vol. I) describe the growth tier criteria. Consider using “and” or “or” between the governing criteria or otherwise clarifying how each of the bulleted criteria relate to the growth tiers. For example, are areas with existing sewer service outside growth areas part of Tier I? Additionally, please define “growth areas”, since the term is no longer used to describe the Development Policy Areas (Page 31, Volume I). It would also be helpful to understand how “areas planned or zoned for land, agricultural, or resource protection or preservation” relate to features in Resource Sensitive Policy Area Overlay, Planned Land Use, and/or Development Policy Areas Maps (pages 30-34, Vol. I).
- Page 112-113 - Planning appreciates the detailed list of growth tier map changes the county has provided.

Planning for Healthy Communities

The Following Comments refer to Volume I, unless otherwise specified:

- The Maryland Department of Planning acknowledges the county’s intent to amend its Tier Map initially adopted in 2013 and incorporate it into the comprehensive plan as described on page 112 of Volume II. Planning encourages the county to update its tier map to also reflect the latest growth areas; areas planned for land, agricultural, or resource protection or preservation; and other criteria that would be updated by the Plan. Additionally, the county may wish to annotate properties that are planned for sewer service and located outside growth areas as “Tier IIA, planned for sewer but not within a growth area.”

Re: Draft 2020 Anne Arundel Plan 2040
Maryland Department of Planning Comments

- Page 117 - Utilize found goals and implantation strategies from the Natural Hazard Mitigation Plan recommendations including actions to address future risks of extended heat waves, flooding, and drought. The addition of a Nuisance Flood Plan could be an added benefit.
- Page 117 - Work with the local community network to assist vulnerable communities in developing action plans and improving emergency preparedness at the community level. In addition to planning for catastrophic events, promote awareness and preparedness for the longer term or more permanent impacts of sea-level rise.
- The elements of climate resilience as it relates to historic preservation, for example, is not addressed comprehensively until the Healthy Communities chapter of Volume II. The three policies that apply to preservation under Goal BE-14 in Volume I are only understood after referencing the Historic Preservation and Cultural Resources section in Volume II.
- The Climate Resiliency section of Volume II is an excellent discussion of the impacts of climate change, especially regarding flooding and sea level rise. However, the stated number of threatened archaeological and historic resources mentioned on page 155 may be considerably underrepresented considering the possibility that many eligible structures have not been surveyed.
- Once the Comprehensive Plan is adopted Planning will complete a detailed review of the amended tier map under Section 1-505 of the Land Use Article, considering updated sewer service areas, areas planned or zoned for conservation or preservation, county, and municipal growth areas, preserved lands, and other criteria detailed in the law and Planning's Septics Law Implementation Guidance. If requested Planning can complete a detailed review of the proposed tier map amendment before Plan 2040 is adopted. If interested, please contact Deborah Sward at deborah.sward@maryland.gov to discuss the GIS requirements for this effort.

Planning for a Healthy Economy

The Following Comments refer to Volume II:

- Page 152 - Climate Resiliency, the county notes that climate change has been addressed in three previous initiatives:
 - The Sea Level Rise Strategic Plan (2011)
 - Energy Efficiency and Conservation Plans (2009 and 2013)
 - Climate Resilience Action Strategy (2019- ongoing – scheduled to be completed by end of 2020).
- Page 152 - provides in depth information on the existing plans that address climate issues:
 - Climate Resiliency, the recommendations of the 2011 Sea Level Rise Plan, the 2013 Energy Efficiency and Conservation Plan, and the preliminary draft recommendations of the Climate Resilience Action Strategy are incorporated in the Plan 2040 goals, policies, and implementation strategies.

END MARYLAND DEPARTMENT OF PLANNING COMMENTS

Maryland Department of Planning Review Comments
November 13, 2020
Draft 2020 Anne Arundel Plan 2040

STATE AGENCY COMMENTS

The following pages contain comments from other State agencies in support of the Maryland Department of Planning (Planning) review of the Draft 2020 Anne Arundel Plan 2040 as part of the 45-day review period as requested by the charter county. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by Planning, they will be forwarded to the County in a timely manner.

Attachments:

Page 18	Maryland Department of Transportation
Page 22	Maryland Historical Trust
Page 24	Department of Housing and Community Development
Page 30	Maryland Department of the Environment

October 23, 2020

Sarah Lipkin Sularz
c/o Rita Pritchett
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore MD 21201

Dear Ms. Lipkin Sularz:

Thank you for coordinating the State of Maryland's comments on Plan 2040, the Anne Arundel County Preliminary Draft General Development Plan (“the Plan”). The Maryland Department of Transportation (MDOT) offers the following comments on the Plan for consistency with MDOT’s goals and objectives:

General Comments

- The Plan provides a well-balanced strategic framework for the future growth of Anne Arundel County. The Plan includes many recommendations that enhance neighborhoods with improved infrastructure containing more multi-modal transportation facilities that offer more choices to consumers, such as transit, walking, and biking. The Plan also recommends new economic strategies that encourage more transit-oriented development opportunities. If implemented, these efforts will help the county manage the projected increase of daily trips taken within, to, and from Anne Arundel County by 2040, as noted in the plan on page 27.
- The MDOT is complimentary of the Plan’s emphasis on improved and equitable transportation options and transportation enhancements that encourage healthy communities for all users. The Plan emphasizes that these improvements will be encouraged in areas with existing infrastructure and where redevelopment is directed to older commercial corridors for improved mobility and cleaner transportation choices such as transit, walking, and biking, with improved accessibility and safety. These efforts will support the goals outlined in the Maryland Transportation Plan (MTP).

- The MDOT recommends that the Plan should reference the alignment of the Plan's goals with the Maryland Bicycle and Pedestrian Master Plan. Resources are available from the Maryland Department of Transportation State Highway Administration (MDOT SHA) to assist in the development of bicycle and pedestrian infrastructure within designated areas of the State. Please coordinate with Mr. Stephen Miller, MDOT SHA Regional Planner, at 410-545-5673, or via email at SMiller2@mdot.state.md.us.
- Commuter Choice Maryland is MDOT's Travel Demand Management (TDM) program, and it could be incorporated into the Plan as a strategy to support the Plan. The program offers an extensive menu of commuter transportation services, such as ridesharing. Please visit www.CommuterChoiceMaryland.com for more information.
- When referring to matters related to State-owned streets, roads and highways, the phrase "Maryland Department of Transportation State Highway Administration (MDOT SHA)" should be incorporated into the Plan.
- It is recommended that any proposed transportation projects on State roads be considered for inclusion in future updates to Anne Arundel County's annual Transportation Priority Letter, which is submitted annually to the Transportation Secretary.

Specific Comments

Chapter: "Implementation and Accountability"

- Page 86 - The Plan recommends relieving traffic congestion and improving mobility options and enhancing safety in the Critical Corridor Policy Areas. The MDOT recommends proactively coordinating with MDOT SHA on transportation improvements related to State highways. Please coordinate with Mr. Stephen Miller, MDOT SHA Regional Planner, at 410-545-5673, or via email at SMiller2@mdot.state.md.us.
- Page 94 - The Plan recommends taking advantage of State funding and technical assistance programs that are available for revitalization projects in Sustainable Communities, such as the Community Legacy, Strategic Demolition Fund, Operating Assistance Grant, Community Safety and Enhancement, and Sidewalk Retrofit programs. Additional grant programs are available to assist with sustainable initiatives. While some are listed, include "and other grant programs as appropriate" to encourage utilization of additional resources

- Page 98 - The Plan puts an emphasis on pedestrian safety and multimodal access over traffic speed and vehicle access points during transportation-land use planning and development review. Performance measures should include access to low-stress walking and biking networks and buffering pedestrian facilities in relation to adjacent motor vehicle traffic lanes.
- Page 100 - The Plan recommends developing a low-stress bicycle network. Performance measures to be considered include the percentage of network connected through low-stress network protected bicycle lanes, shared-use paths, and other conditions. Consider primary low-stress network expansion in short-trip opportunity areas to encourage more permanent mode shifts in these areas. The county should consider including Level of Traffic Stress (LTS) and Bicycle Network Analysis (BNA) to evaluate and plan for a low-stress bicycle network. Please coordinate with Mr. Stephen Miller, MDOT SHA Regional Planner, at 410-545-5673, or via email at SMiller2@mdot.state.md.us.
- Page 101 - The Plan encourages transportation policies that support consistently well-maintained transportation facilities and networks, including developing and maintaining a sidewalk and shared use path condition database. Consider coordination with MDOT asset management practices and integration with established geodatabases. Please coordinate with Mr. Nate Evans, MDOT TSO Planner, at 410-865-1304, or via email at nevans1@mdot.maryland.gov.
- Page 108 - The Plan envisions enhanced transit options for older adults and individuals with disabilities. Continue to coordinate with the MDOT Maryland Transit Administration (MDOT MTA) for the expansion of demand response, paratransit, medical, and senior center transportation options. For local transit service planning, please contact Jennifer Vickery, MDOT MTA Program Manager. Ms. Vickery can be reached at 410-767-4598, or via email at JVickery@mdot.maryland.gov.
- Page 111 - The Plan recommends the development of a comprehensive Countywide Trails Plan that analyzes where there are deficiencies in the current existing and planned network with the intent of linking existing and future neighborhoods to community facilities and major activity centers. Because “Move Anne Arundel” addressed low-stress network connectivity by focusing on shared-use path development, a comprehensive countywide trails plan may be redundant, especially with the pending Bicycle and Pedestrian Master Plan update.
- Page 125 - The Plan recommends making specific community infrastructure commitments such as streetscape improvements or parking. MDOT recommends considering streetscape and community improvements that emphasize multimodal access to businesses.

Ms. Sarah Lipkin Sularz
Page Four

Thank you again for the opportunity to review the Plan. If you have any questions or concerns, please do not hesitate to contact Mr. Dan Janousek, Regional Planner, Office of Planning and Capital Programming (OPCP), MDOT at 410-865-1098, toll free at 888-713-1414, or via email at djanousek@mdot.maryland.gov.

Sincerely,



Heather Murphy
Director, OPCP, MDOT

cc: Mr. Nate Evans, Planner, OPCP, MDOT
Mr. Dan Janousek, Regional Planner, OPCP, MDOT
Ms. Corren Johnson, District 5 Engineer, MDOT SHA
Mr. Stephen Miller, Regional Planner, MDOT SHA
Ms. Tara Penders, Assistant Chief, Regional and Intermodal Planning Division, MDOT
SHA
Mr. Jennifer Vickery, Program Manager, MDOT MTA



Maryland
DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

October 30, 2020

Ms. Sarah Lipkin Sularz
Southern Maryland Regional Planner
Maryland Department of Planning
301 West Preston Street, 11th Floor
Baltimore, MD 21201

Dear Ms. Lipkin Sularz:

Thank you for the opportunity to review the Anne Arundel County Preliminary Draft General Development Plan and submit comments on behalf of the Maryland Historical Trust.

We are pleased by the County's stated policy efforts to attain Certified Local Government status and the intention to produce a countywide Cultural and Historical Preservation Master Plan (Policy BE14.1). Such a functional plan would consolidate policies, programs and organizational capacity into one document that would be beneficial toward better understanding among citizens, staff and other stakeholders about how the preservation process works in the County. Updating the Cultural Resources Code along with establishing historic overlay zoning to better protect historic resources are also stated efforts to be applauded.

The County's efforts to increase awareness of historic, cultural and archaeological resources (Policy BE14.3) has been celebrated by two Maryland Preservation Awards, most recently in 2019 and 2020, recognizing the diligent work of the Cultural Resources Section within the Office of Planning and Zoning, as discussed on page 134 of Volume 2.

Overall, the draft plan is a voluminous effort, rich in breadth and scope befitting a jurisdiction as historic, large and geographically diverse as Anne Arundel County. More of an observation than a criticism, it may appear to the reader that Volume 1 reads more like a complex executive summary of goals and policies, while Volume 2 contains the vital regulatory framework and background elements that might warrant consolidation into one guiding document, or perhaps changing the order of appearance. There is much information to process, but the elements of climate resilience as it relates to historic preservation, for example, is not addressed comprehensively until the Healthy Communities part of Volume 2. The three policies that apply to preservation under Goal BE-14 in Volume 1 are only understood after referencing the Historic Preservation and Cultural Resources section in Volume 2. An idea for consideration might be to

present the background piece first, so that Volume 2 becomes Volume 1, with the implementation piece to follow.

The Four Rivers Heritage Area Management Plan is not referenced until page 137 of Volume 2. It should probably be included among the plans described starting on or about page 19. We recommend adding the following language to meet the statutory requirement that local Jurisdictions must include, by reference, the approved Heritage Area Management Plan in comprehensive or master plans (Financial Institutions Article, Title 13, Subtitle 11, Annotated Code of Maryland, § 13-1111 (e)):

“The Four Rivers Heritage Area Management Plan was adopted and made a part of the comprehensive plan of Arundel County in 2001. This update of the General Development Plan, when adopted by the County, incorporates by reference all portions of the Four Rivers Heritage Area Management Plan, as part of the comprehensive plan.”

The Climate Resiliency section of Volume 2 is an excellent discussion of the impacts of climate change, especially with regard to flooding and sea level rise. However, the stated number of threatened archaeological and historic resources mentioned on page 155 may be considerably underrepresented considering the possibility that many eligible structures have not been surveyed.

Thank you again for the opportunity to comment on the plan. If you have any questions, please contact me at (410) 697-9561 or by email at steven.allan@maryland.gov

Sincerely,



Steven H. Allan, AICP
Local Assistance and Training Planner
Office of Planning, Education and Outreach

Cc Nell Ziehl, Chief, Office of Planning, Education and Outreach
Joseph Griffiths, MDP
Rita Pritchett, MDP

Draft for discussion only 10/26/20

October 26, 2020

Mr. Joseph Griffiths
Manager of Local Assistance and Training
Maryland Department of Planning
301 West Preston Street, 11th floor
Baltimore, MD 21201

Dear Mr. Griffiths:

Thank you for the opportunity to review the Anne Arundel County Preliminary Draft General Development Plan (the Plan). The comments below are based on a review of the Plan by staff in the Maryland Department of Housing and Community Development (DHCD) Division of Neighborhood Revitalization.

Plan authors note that the Plan is a policy document, not a regulatory instrument. However, the Plan provides a detailed assessment of past development patterns and recommendations that can guide future development. The Plan distinguishes itself from many local plans in acknowledging the social impacts of land use. In particular, the plan acknowledges the past impacts of racial segregation on land use and economic opportunity for residents. The Plan goes into considerable detail, in two volumes and more than 300 pages to describe local conditions and recommendations. Having said that, the Plan is more an aspirational document, and does not make specific development recommendations.

The Plan highlights the regulatory framework for future development, including the Priority Funding Areas law of 1997 and the Sustainable Communities Act of 2010. In particular, the Plan references commercial revitalization areas, primarily in the north county that are targeted for reinvestment and revitalization and coincide with designated Sustainable Communities. Transportation and transit are areas that can further support equity goals. However, the plan is much more specific in recommending road improvements than transit. Achieving goals of equity planning will be further complicated by the fact that acquisition costs are high and that a principal land use in the county remains low density residential development.

Given the alignment of state and local revitalization strategies, the County is well positioned to advance transit-oriented development, community revitalization efforts and mixed use, mixed income development that advances goals outlined in the Plan. Staff at the Maryland Department of Housing and Community Development are available to discuss potential opportunities and to identify resources to advance goals outlined in the Plan.

DHC comments – Climate Change – as addressed in the Draft Anne Arundel Plan 2040
October 26, 2020

Climate change has been integrated throughout Volume 1 of the plan – identified in the goals, policies, and strategies. The issue is not new to the county as they have been addressing climate change in several of their previous plans – 2011 Sea Level Rise Plan, 2013 Energy Efficiency and Conservation Plan and the preliminary draft recommendations of the Climate Resilience Action Strategy.

In Volume 2 (Plan 2040: Background) the Planning for the Built Environment chapter takes a deeper look at how the county has been addressing climate change, actions they have taken as well as how it correlates with state plans and actions. The Climate Resiliency Action Strategy is anticipated to be completed by the end of 2020 and this plan notes the recommendations for innovative solutions and financing options to support climate resilience will be incorporated into the 2040 plan.

VOLUME 1

PLANNING FOR THE NATURAL ENVIRONMENT

(p. 17) Opportunities – design and construct infrastructure to be resilient to impacts of climate change.

(p. 23) Climate Resilience policies are integrated throughout the plan and are highlighted in Built Environment Goal 16.

(p. 72) Policy NE4.3: Reduce total nutrient loads from onsite septic systems and small community-based systems (also known as “minor systems”)

(p. 72) c. Evaluate the impact of increasing precipitation events and sea-level rise on septic system function and develop strategies to ensure adequate percolation and functionality. (*strategy*) Performance measure: Study of climate change and septic systems.

(p. 72) Policy NE4.4: Reduce sediment pollution from active construction sites.

(p. 73) c. Increase the treatment requirement for active construction sites to account for precipitation changes as a result of climate change. (*strategy*)

(p. 73) Policy NE4.5: Implement efficient and effective stormwater management best management practice (BMP) design and maintenance review and improve BMP education and awareness.

(p. 73) b. Update the Anne Arundel County Stormwater Management Practices and Procedures Manual with the latest science, rainfall data, water quality, and

peak-flow requirements including projected precipitation changes related to climate change. (*strategy*)

(p. 73) c. Consider changes to the stormwater management design standards to store greater storm volumes on site to protect downstream properties and water resources in a changing climate. (*strategy*)

(p. 75) Policy NE5.3: Develop a long-term public water and sewer infrastructure replacement program.

(p. 75) b. Evaluate and address the impacts of sea-level rise and climate variability on the County's water and sewer infrastructure and future needs. (*strategy*)

(p. 75) Policy NE6.1: Improve interdepartmental coordination to establish consistent environmental data in order to maximize the success of sustainable and resilient policies.

(p. 75) d. Institutionalize climate change resiliency planning and implementation across County agencies. (*strategy*) – Performance measure – status of climate plans and implementation

PLANNING FOR THE BUILT ENVIRONMENT

(p. 27) Challenge – Resilience to emergencies including pandemics and climate change.

(p. 27) Opportunity – Planning, designing, and building to become more resilient to changes in transportation, the economy, and the climate.

(p. 101) Policy BE51.3: Provide a transportation network that is environmentally sensitive and resilient.

(p. 101) a. design infrastructure that is more to resilient impacts of climate change, such as flooding along coastal areas and the inundation of low-lying areas. (*strategy*)

(p. 43, p. 102) GOAL BE16: Increase the County's resilience to future changes in climate and reduce emissions of greenhouse gases.

(p. 43, p. 102) Policy BE16.1: Establish systems in the County government to integrate climate change considerations across County functions.

(p. 102) a. Develop and implement a Climate Action Plan for Anne Arundel County that will provide detailed recommended actions to address adaptation and mitigation actions. (*strategy*)

(p. 102) b. Establish a cross department project team to manage implementation of recommended strategies and actions related to climate change. (strategy)

(p. 102) c. Incorporate considerations of climate change, including sea-level rise, into the County's adopted plans as necessary to ensure implementation. These plans could include the Water and Sewer Master Plan; Hazard Mitigation Plan; Land Preservation, Parks and Recreation Plan; and other plans as appropriate. (strategy)

PLANNING FOR HEALTHY COMMUNITIES

(p. 48, p. 105) Policy HC1.2: Apply sustainable design principles in rehabilitation of existing facilities and creation of new community facilities.

(p. 105) a. Use green building principles and resilient design strategies in the design, construction, and operation of new and existing community facilities. (strategy)

(p. 105) b. The design, location and timing of community facilities will be consistent with the County's Land Use Plan, support multimodal accessibility, and maximize the potential use for other purposes such as community meeting space and green infrastructure. (strategy)

(p. 50, p. 117) Policy HC 10.4: Increase preparedness for weather-related emergencies including extended heat waves, urban and coastal flooding, and drought. *Links to "Natural Hazard Mitigation Plan" for details.*

(p. 117) a. Implement Natural Hazard Mitigation Plan recommendations including actions to address future risks of extended heat waves, flooding, and drought. (strategy)

(p. 117) b. Partner with State agencies and non-profit organizations to increase public education on risks of climate change, response, and resilience to weather related emergencies. (strategy)

(p. 117) c. Work with the local community network to assist vulnerable communities in developing action plans and improving emergency preparedness at the community level. In addition to planning for catastrophic events, promote awareness and preparedness for the longer term or more permanent impacts of sea-level rise. (strategy)

PLANNING FOR A HEALTHY ECONOMY

Volume 2 – Background

(p. 152) Climate Resiliency – The County notes that climate change has been addressed in three previous initiatives:

- The Sea Level Rise Strategic Plan (2011)
- Energy Efficiency and Conservation Plans (2009 and 2013)
- Climate Resilience Action Strategy (2019-ongoing – scheduled to be completed by end of 2020)

Volume 2 provides in depth information on the existing plans that address climate issues

(p. 152 – Volume 2) The recommendations of the 2011 Sea Level Rise Plan, the 2013 Energy Efficiency and Conservation Plan, and the preliminary draft recommendations of the Climate Resilience Action Strategy are incorporated in the Plan2040 goals, policies, and implementation strategies.



LARRY HOGAN
Governor
BOYD K. RUTHERFORD
Lt. Governor
KENNETH C. HOLT
Secretary

Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding our comments or would like to discuss, please email me at john.papagni@maryland.gov or call 410-209-5807.

Sincerely,

John Papagni
Program Officer
Division of Neighborhood Revitalization

Cc: Sarah Lipkin Sularz, MDP
Rita Pritchett, MDP
Olivia Ceccarelli, DHCD





Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

November 4, 2020

Sarah Lipkin Sularz
Maryland Department of Planning
301 West Preston Street
Suite 1101
Baltimore, MD 21201

RE: **Anne Arundel County Preliminary Draft General Development Plan**
MD20201001-0863

Dear Ms. Lipkin Sularz,

The comments prepared by the Maryland Department of the Environment are listed below regarding the above referenced project. Our response code is R1.

1. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land and Materials Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.
2. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.
3. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.
4. The Resource Management Program should be contacted directly at (410) 537-3314 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.
5. Any contract specifying “lead paint abatement” must comply with Code of Maryland Regulations

(COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1978 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.

6. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please Land Restoration Program at (410) 537-3437.

7. Borrow areas used to provide clean earth back fill material may require a surface mine permit. Disposal of excess cut material at a surface mine may requires site approval. Contact the Mining Program at (410) 537-3557 for further details.

8. The project may cause contaminated runoff from an animal feeding operation (AFO). Please contact the AFO Division at (410) 537-4423 to determine if this AFO will require registration under the General Discharge Permit for Animal Feeding Operations.

9. The project will result in increased numbers of confined animals at this animal feeding operation (AFO) and therefore necessitate registration under the General Discharge Permit for Animal Feeding Operations. Please contact the AFO Division at (410) 537-4423 to determine if this AFO will require registration under this permit.

10. Antidegradation and Tier II High Quality Waters - The County is encouraged to explore MDE's website on Tier II High Quality Waters and the Antidegradation of Tier II Waters. The information also includes new forms for permit applicants to assist the permit applicants with the avoidance analysis, help the applicant to comprehensively identify water quality impacts to minimize, mitigate, and justifications, and a Construction Stormwater Antidegradation Checklist which includes BMP considerations for erosion and sediment controls. The County could incorporate references to the website or reference the forms in its Comprehensive Plan related to building permits and requirements.

https://mde.maryland.gov/programs/Water/TMDL/WaterQualityStandards/Pages/Antidegradation_Policy.aspx

11. Water/Sewer - The County could explore including statements in the GDP to allow for public water/sewer connection outside of Growth Tiers I and II to the existing development if a public health issue is identified. (Vol 1 pg. 36, Vol 2 pg. 112) The County is encouraged to update its Master Plan for Water Supply and Sewerage System with the updated information regarding new buildout water demand/supply and with sewer demands/capacities at the Water Reclamation Facilities.

Sarah Lipkin Sularz
MD20201001-0863
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Please let me know if you have any questions or concerns.

Sincerely,

Amanda R. Redmiles

Amanda R. Redmiles
Clearinghouse Coordinator
Maryland Department of the Environment