



2015

Local Government Annual Reporting



Maryland Department of
Planning



Table of Contents

Measures and Indicators Report	
(Pursuant to Annotated Code of MD, Land Use Article, § 1-208 (e))	2
Adequate Public Facilities Report	
(Pursuant to Annotated Code of MD, Land Use Article, § 7-104 (c))	11

Measures and Indicators Report

Local Jurisdictions Reporting

Section 1-208(e) of the Land Use Article requires the Maryland Department of Planning (Planning) to report on smart growth goals, measures and indicators submitted by each jurisdiction with planning and zoning authority. The indicators provide an annual snapshot of growth-related changes and the amount of permit activity within the state’s identified investment areas – Priority Funding Areas (PFA) – along with remaining development potential and local farmland preservation. Jurisdictions that issue more than 50 new residential permits within the reporting year must also report on the amount, share, net density and location of new residential and intensity of commercial development.



Background

2015 marks the seventh year that the counties and municipalities meeting these criteria were to submit annual reports, which are required to be filed by July 1 and include data from the previous calendar year. In 2015, Planning received 56 annual reports reflecting activity in 15 of 23 counties (see map above) and 41 municipalities. The table below lists the reporting activity for the past three years. It shows a 25 percent decrease in the number of reports received in 2015 compared to 2014 despite continued efforts to streamline the annual reporting process.

Year	No. of Reports	Counties Reporting	Municipalities Reporting
2015	56	15	41
2014	70	16	54
2013	100	21	79

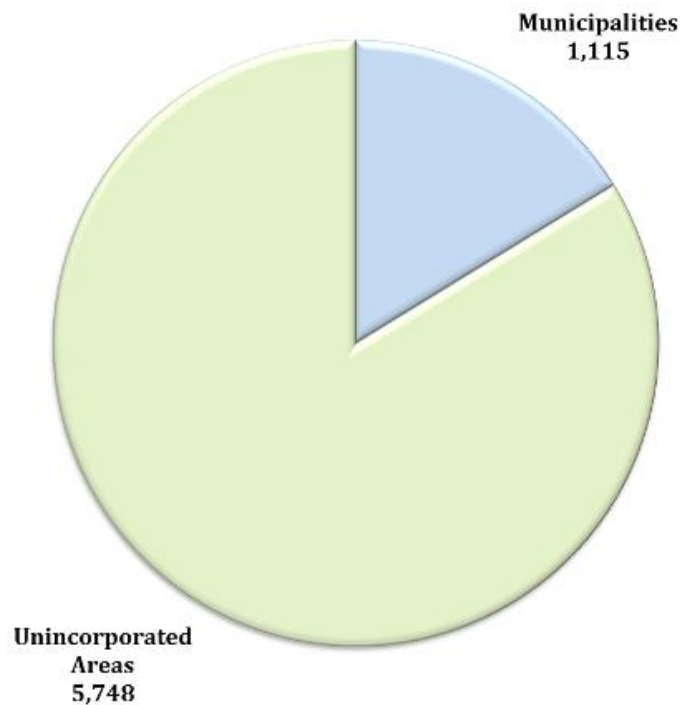
This requirement applies to the 23 counties, Baltimore City and 108 municipalities. In 2016, Planning staff will continue to work with local governments to improve the consistency of the data and increase the level of participation.

Residential building permits reported

Section 1-208(c)(3)(ii) requires all jurisdictions to provide documentation to Planning when fewer than 50 building permits for new residential units are issued in a calendar year. If more than 50 building permits for new residential units are issued, jurisdictions must also provide specified data to include the amount of residential and non-residential growth inside and outside of the PFA. Of the 15 counties reporting, ten issued 50 or more new residential building permits. Of the 41 municipalities reporting, only five reported 50 or more new residential building permits in the period.

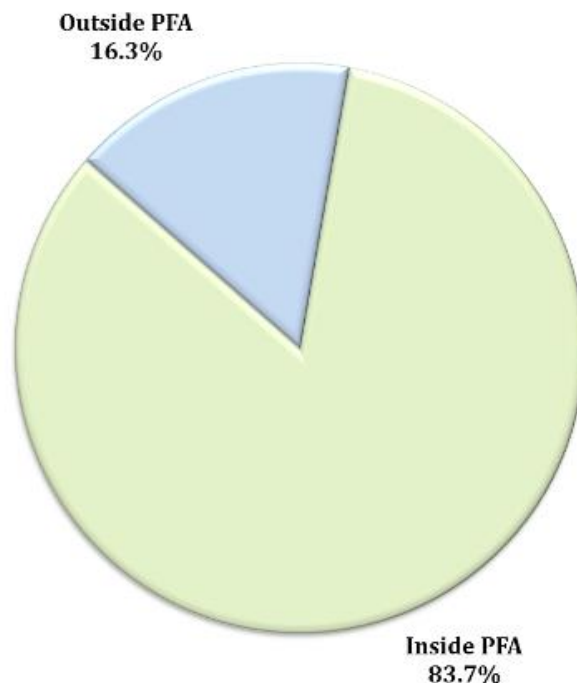
Based upon the data reported, 6,863 new residential permits were approved in 2014 by the 56 jurisdictions submitting annual reports, of which 5,748 were issued in unincorporated areas and 1,115 in municipal areas.

Total Reported Permits Issued in 2014



Of the jurisdictions reporting new residential permits in relation to PFAs, approximately 83.7 percent were approved within PFA areas in 2014.

New Residential Permits Reported Inside and Outside of Priority Funding Areas

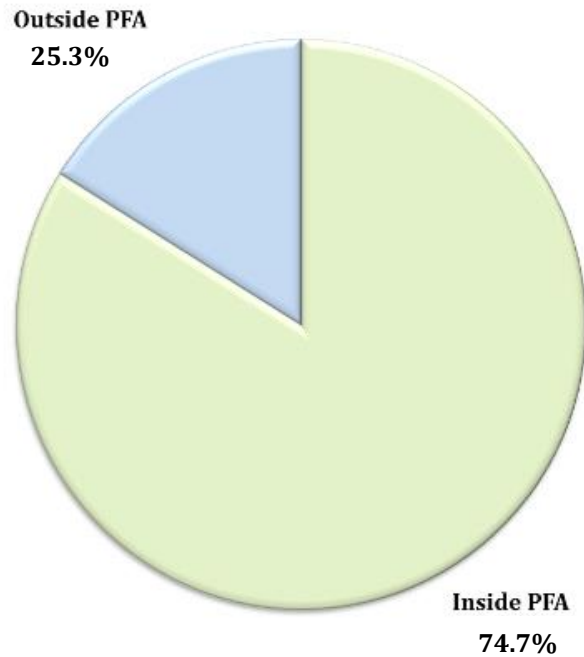


Counties reporting new residential building permits inside and outside of PFAs continue to demonstrate mixed results for the reporting year. Montgomery County reported the most new residential permits with 1,306 of which 90.6 percent were within the PFA. Baltimore County (1,255) was the only other county reporting 1,000 or more new residential building permits for 2014 with 86.9 percent of new residential permits within the PFA. Other counties with a high percentage of residential permitting inside PFAs include Harford (89.1 percent), Cecil (84.3), and Frederick (75.4). Allegany, Caroline and Talbot counties issued 23, 30 and 11 new residential permits, respectively, but only reported a combined total of 14 new residential permits inside PFA boundaries.

Residential building lots reported

Counties reporting their share of new residential lots created inside and outside PFAs also demonstrate mixed results. Frederick and Baltimore counties reported more than 5,502 new residential lots (3,359 and 2,143 lots, respectively) for the year; however, they did not expressly identify the number of lots within their PFAs. Of the remaining counties reporting, nearly 75 percent of newly approved lots were located within their PFAs.

New Residential Lots Reported (Counties)



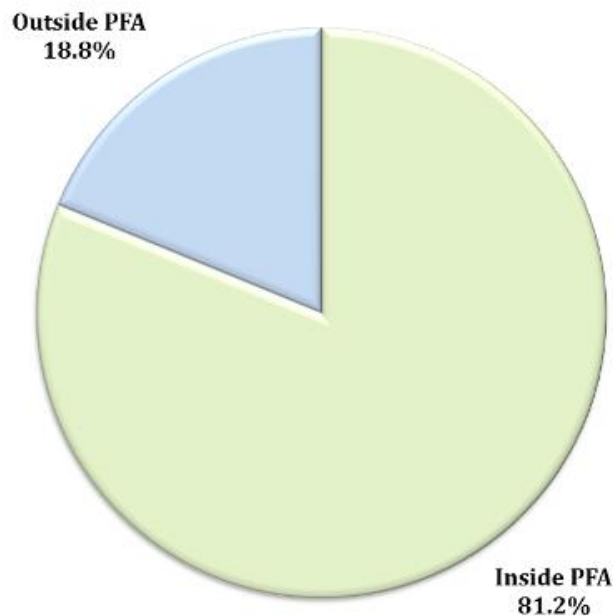
Commercial building permits reported

In addition to residential development, counties also report commercial development which includes, but is not limited to, commercial and industrial. Reporting counties had 3,960,011 square feet (SF) of new non-residential development in 2014, of which 3,215,945 SF was located in the PFA. This is significantly lower than the new non-residential development reported in 2013 and 33 percent less than the amount reported in 2012. (See table below)

Year	New Non-residential Square Footage reported
2014	3,960,011
2013	13,523,712
2012	5,865,247

Of the counties reporting, 81.2% of new non-residential development approved was within PFAs.

New Non-Residential Square Footage (Counties)



Locally Funded Agricultural Land Preservation

Jurisdictions are required to report the amount of acres that have been preserved using local resources. Local funding for agricultural preservation can come from a variety of local sources, including but not limited to, Transfer of Development Rights (TDRs), Building Lot Termination (BLT), Local Land Trusts, and Historic Resource Preservation and Easement programs. In 2014, over 6,874 acres of agricultural lands were preserved using local funding sources.

Jurisdiction	Locally Preserved Agricultural Acres
Counties	
Baltimore	224.00
Calvert	398.76
Carroll	1,613.00
Cecil	307.07
Charles	586.00
Frederick	1,837.00
Garrett	131.21
Montgomery	1,431.90
Prince George's	97.00
Saint Mary's	248.46
TOTAL	6,874.40 acres

Development Capacity Analysis

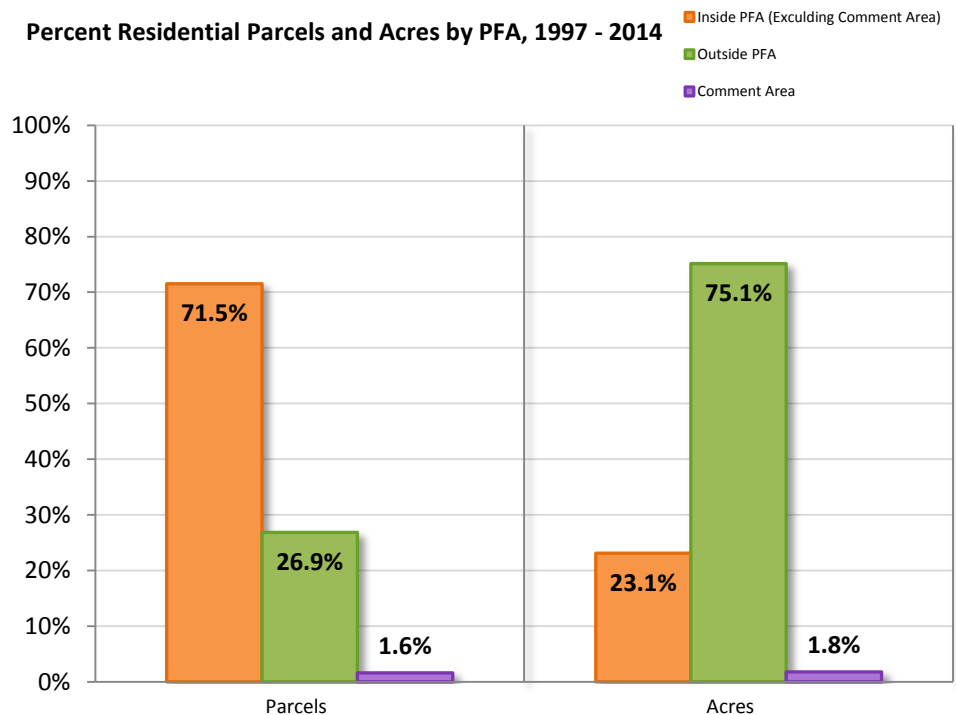
Each jurisdiction is required to prepare a Development Capacity Analysis every three-years or whenever there is a significant change in land use or zoning. In 2014, four counties indicated updates in the number of units or lots that could be accommodated through land use or zoning. Two counties indicated that their development capacity analysis would be prepared in 2016/2017.

Jurisdiction	Maximum Number of Residential Units
Counties	
Baltimore	42,500
Calvert	County report in progress
Carroll	14,003
Charles	County report in progress
Harford	21,535
Prince George's	101,062
TOTAL	179,100 units

Statewide Indicators

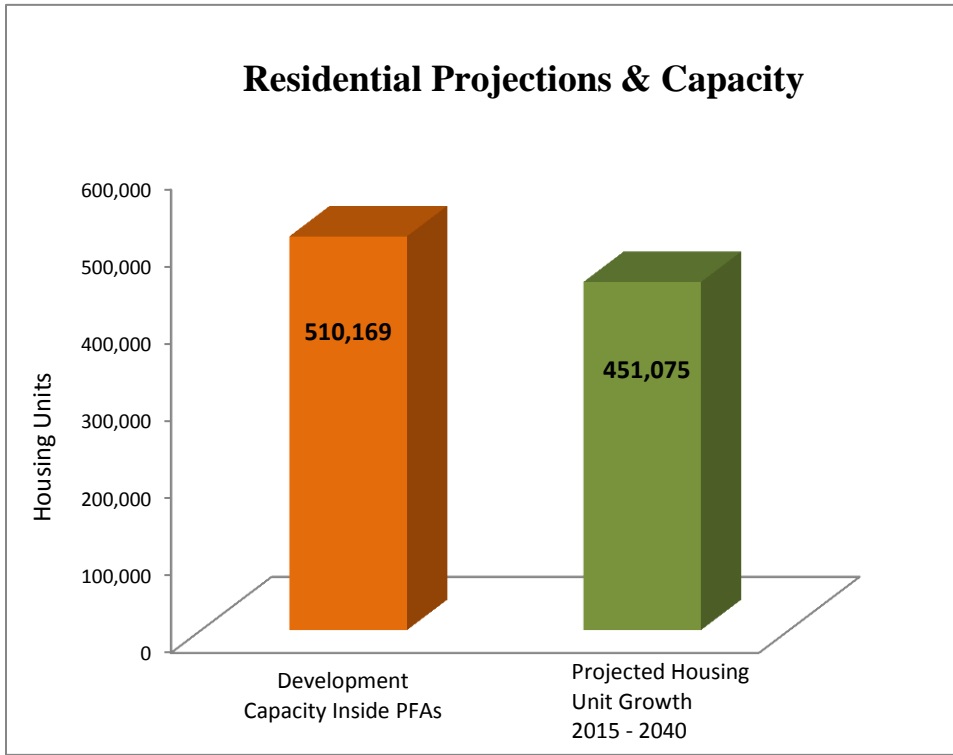
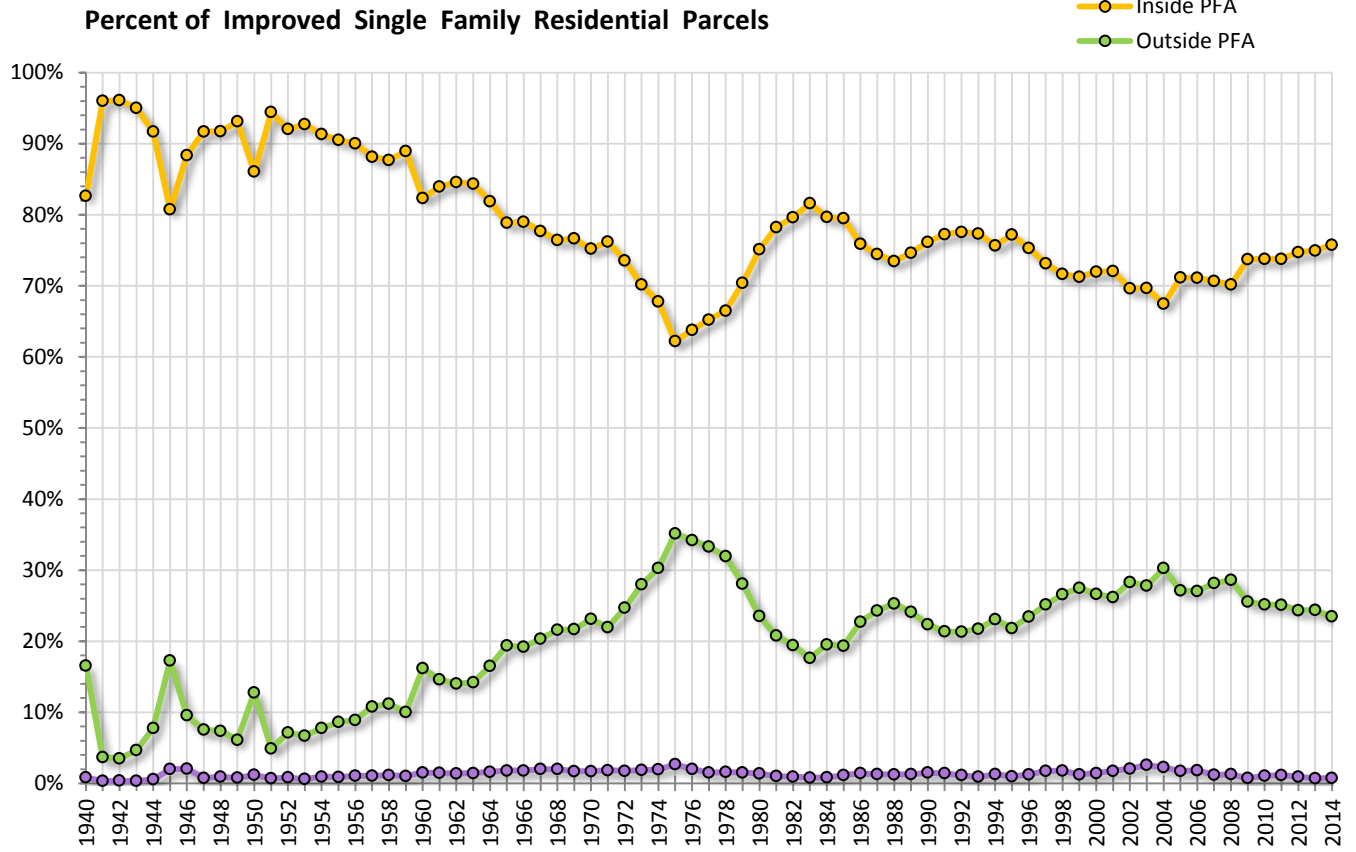
In addition to reporting on indicators from local jurisdictions, it is important to report several indicators statewide, since not all local jurisdictions are required to submit their own indicators. The following indicators are derived from Planning's parcel data and associated analysis, and represent all areas of Maryland.

Priority Funding Areas (PFAs) have been designated as existing communities and places where local governments want state investment to support future growth. Residential parcels depicted in orange are being created in these growth areas; parcels created outside PFAs are depicted in green.



Currently, there are approximately 1,236,867 acres of PFA within Maryland, covering approximately 20% of the land area in the state. Of these areas, approximately 68,222 acres of land are classified as PFA Comment Areas (areas designated as PFAs by jurisdictions that do not meet PFA criteria). Comment areas account for about 5.5% of the total area of the PFA.

Planning maintains statewide geo-referenced parcel data. The chart below shows the trend of where residential parcels have located with respect to PFAs between 1940 and 2014. The long-term trend shows a decline of residential parcels being built within PFAs, although, since 2008, the data show an uptick in new improved parcels being created in designated growth areas.



Planning also analyzes statewide development capacity, or land supply, with respect to PFAs. Current estimates show that all of the state's projected growth through 2040 could fit within designated growth areas.

Adequate Public Facilities Ordinance Report

Section 7-104 (b) requires Local jurisdictions with Adequate Public Facilities Ordinances (APFOs) to report to the Maryland Department of Planning every two years to detail whether a local APFO has halted development or redevelopment in a Priority Funding Area. Section 7-104 (c) of the Land Use Article requires MD Department of Planning to report on state wide impacts of adequate public facility laws as reported by each jurisdiction.

Local jurisdiction biennial reports on the impact of APFO restrictions in the PFA must include information about:

- the location of the restriction
- infrastructure affected by the restriction
- the proposed resolution of the restriction, if available
- estimated date for resolving the restriction, if available
- date a restriction was lifted, as applicable
- terms of the resolution that removed the restriction

Planning collected the first set of APFO biennial reports in 2010 reflecting APFO activity in calendar years 2008 and 2009. The next round of APFO biennial reports are due July 1, 2016 for calendar years 2014 and 2015.

Fourteen counties and 26 municipalities have enacted APFOs. Of those, Planning received reports of APFO restrictions within PFAs from six counties and one municipality for 2014. See a summary of the APFO data for 2012-2013 and partial for 2014 on the pages following.

Planning's report on the statewide impact of APFOs identifies: (1) the jurisdiction reporting the restriction within a PFA; (2) the facility type within the PFA that did not meet local adequate public facility standards; and (3) the scheduled or proposed improvements to the facility in local capital improvement programs to remedy the restriction.

Summary of Reported Restrictions for 2012 - 2014

Jurisdiction	Notes/Comments
Counties	
Baltimore	<p>2014: Baltimore County reports overcrowding – over 115 percent of the State Rated Capacity – at 30 of its 105 elementary schools.</p>
Charles	<p>2012: Restrictions were reported in 12 elementary school districts, three middle school districts and three high school districts. In 2008, the county amended the APFO for schools to phase in a capacity rating at each school from Local “Core” Capacity, which included re-locatable classrooms, to State-Rated Capacity, which only includes permanent building capacity. The phase-in was to occur over six years, but in 2011-2012 the county reduced this schedule. Additionally, the allocation formula was modified to require capacity at all three levels of schools. If development is restricted, developers may proffer mitigation and pay into a fund for school construction.</p> <p>One sewer restriction was reported at the Zekiah Sewer Pump Station, with capital improvements scheduled in the 2013 Capital Improvement Program to resolve the restriction. This includes over \$2.6 million for design and construction through FY 2018. The Zekiah Sewer Pump Station will be fully replaced and the capacity increased from 3 million gallons per day (MGD) to 10.5 MGD. There is no information provided to indicate how many projects in the PFA were impacted.</p> <p>In 2012, the Zekiah Sewer Pump Station reached its maximum functional capacity and serves development within the north-eastern quadrant of Waldorf between MD Rt. 5 (Mattawoman–Beantown Road) to the east, US Rt. 301 (Crain Highway) to the west, Acton Lane to the north, and MD Rt. 5 Business (Leonardtown Road) to the south. The Zekiah Sewer Pump Station was determined to be the most limiting factor in the Redevelopment Corridor of the Waldorf Urban Design Study (WUDS) area. It was also noted that this sewer infrastructure capacity restriction would prohibit even small-scale projects from moving forward.</p> <p>2013: The Zekiah Sewer Pump Station continues to be at capacity. The county indicates that a Capital Improvement Program has been approved but a timetable for completion is not reported.</p> <p>2014: The Zekiah Sewer Pump Station continues to be at capacity. The county indicates that a Capital Improvement Program has been approved but a timetable for completion is not reported.</p>

Jurisdiction

Notes/Comments

Frederick

2012: The City of Frederick and Frederick County reported restrictions in seven elementary school districts, two middle school districts and one high school district. All seven elementary schools and one of the middle schools were located in the City of Frederick. The Yellow Springs Elementary School boundary is identified as being mostly outside the PFA. The county does not indicate the number of projects within the PFA affected by these restrictions. The county identifies that an additional 4,475 new seats are scheduled in the 2012-2018 Educational Facilities Master Plan. In 2012, a renovation was completed at Lincoln Elementary School and a 240-seat addition completed at Oakdale Elementary School.

2013: Frederick County reports fourteen elementary schools and four middle schools at or over 100 percent of the State Rated Capacity. If capacity is between 100 and 120 percent, then projects in these districts may choose the School Construction Fee Option in addition to the normal school impact fee. Three elementary school districts and one middle school district are over 120 percent of the State Rated Capacity. Seven of the affected elementary schools and two middle charter schools are in the City of Frederick. Five new elementary schools and three elementary school renovations are included in the 2013 Educational Facilities Master Plan, with an estimated increase of over 3,800 seats. A middle school addition and a high school replacement are also planned. Four elementary school and one middle school addition are programmed in the 2014-2019 Capital Improvement Plan.

2014: Frederick County reports fifteen elementary schools and three middle schools at or over 100 percent of the State Rated Capacity. If capacity is between 100 and 120 percent, then projects in these districts may choose the optional School Construction Fee Option in addition to the normal school impact fee. Three elementary school districts are over 120 percent of the State Rated Capacity. Five of the affected elementary schools and two middle charter schools are in the City of Frederick. Seven elementary school renovations are included in the 2014 Educational Facilities Master Plan, with an estimated increase of over 3,200 seats. Two middle school renovations and a high school replacement are also planned. Additions at six elementary schools, one middle school, and one high school are programmed in the 2015-2020 Capital Improvement Plan.

Harford

2012: A restriction was reported in one elementary school district. Although major subdivisions will not be approved until these restrictions are resolved, the county did not indicate the number of projects within the PFA affected by this restriction.

The county identifies 12 sewer pump stations that do not have capacity. The county did not indicate the number of projects within the PFA affected by these capacity issues.

2014: Harford County reports that due to a deficit of water supply from Winters Run, the Maryland Department of the Environment and the Harford County Health Department has stopped approving building permits within Maryland American Water Company's (MAWC) service area. Harford County may provide an additional 40,000 gallons per day (GPD) to MAWC through the existing West MacPhail Road metering station, which could allow for up to 114 equivalent dwelling units (EDUs) to be developed within MAWC's service area. This amendment is in effect until 2018. It is only meant to provide MAWC time to construct the ultimate solution of an impoundment to provide a safe and reliable water supply sufficient for the entire approved service area.

Harford County also reports there are four sewage pumping stations that do not have additional reserve capacity and that may impact future development in the vicinity of these pumping stations. These pumping stations include, Brentwood Park Sewage Pumping Station (S.P.S.), Dembytowne/Hanson Road Petition S.P.S. (2), Forest Greens S.P.S., and Harford Square S.P.S.

Jurisdiction	Notes/Comments
Howard	<p>2012: Restrictions were reported in five elementary school districts and two middle school districts. The county reports that four plans and 12 units are affected within the Established Communities Allocation Area (as defined in Howard County's APFO) and five projects with 133 units are affected by the schools that exceed 115% of capacity (this threshold is defined in the Howard County APFO). The county did not provide a timetable for resolving these capacity issues.</p> <p>2013: Howard County reports that one out of 41 elementary schools exceeded 115% of capacity. Two plans and 22 residential units were immediately on hold. Two plans with 682 residential units are on future hold. Four out of 18 middle schools are reported as closed. A new middle school was anticipated to be opened for the fall 2014.</p>
Montgomery	<p>2012: Restrictions were reported at eight elementary school districts, six middle school districts and eight high school districts. The enrollment at one elementary and one middle school district has triggered a moratorium on new development in those areas. School Fee Payments are required for the 22 schools that exceed 105 percent of capacity. The county did not indicate the number of projects requiring School Fee Payments nor did the county identify the number of projects within the PFA that were affected by the moratorium.</p> <p>Montgomery County also reported inadequacies in two Roadway Policy Area districts and 16 Transit Policy Area districts. Projects can be mitigated through fees.</p> <p>2013: Montgomery County does not report any schools whose enrollment has triggered a moratorium on new development unless the enrollment exceeds 120 percent of the State Rated Capacity. However, 49 schools are reported to be within the 105 to 120 percent School Facility Payment range. The county reports that two of its 30 Transportation Policy Area Review districts are inadequate to meet the road test (Fairland/White Oak and Gaithersburg City). Sixteen Transportation Policy Area Review districts for transit are inadequate.</p> <p>2014: Montgomery County does not report any schools to be in moratorium (over 120 percent of the State Rated Capacity). However, sixteen schools are reported to be within the 105 to 120 percent School Facility Payment range restriction. The County reports that five of its thirty Transportation Policy Area Review districts are inadequate to meet the road test. This is up from the two areas, Fairland/White Oak and Gaithersburg City, which were reported last year and continue to remain on the inadequate list. Eighteen Transportation Policy Area Review districts for transit are inadequate, up from sixteen in 2013.</p>
Queen Anne's	<p>2012: One restriction was reported at the intersection of MD Rt. 18 and MD Rt. 552 but did not indicate the number of projects affected by this restriction or a timetable for remedy.</p>

Jurisdiction	Notes/Comments
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Municipalities	
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Frederick	
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2012: The City of Frederick and Frederick County reported restrictions in seven elementary schools, two middle schools and one high school district. All seven elementary schools and one of the middle schools were located in the City of Frederick. The Yellow Springs elementary school boundary is identified as being mostly outside the PFA.

2013: Restrictions were reported for seven elementary schools and two middle charter schools.

Rockville	
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2012: The City of Rockville reports the continuation of one elementary and one middle school moratorium – Twinbrook Elementary School and the Julius West Middle School. This moratorium has affected the 240-unit Avalon Bay Apartments at the Twinbrook Transit-Oriented Development site since 2009.

The Montgomery County Public Schools Capital Improvements Program includes recommended capital funds beginning in fiscal year 2014 for construction of the middle school addition, as well as recommended funds in fiscal year 2015 for construction of the new elementary school. The schools would be available for occupancy in fiscal years 2016 and 2017, respectively, which could allow a conditional approval to be granted by the City of Rockville.

2013: The City of Rockville reports that the moratorium at Twinbrook Elementary School continues. Montgomery County is studying the feasibility of capacity improvements at Twinbrook Elementary.

2014: The City of Rockville reports that a school restriction for the Avalon Twinbrook Station has been in place since 2009. A new high school is planned to be constructed in 2018-2019 but may not resolve the capacity issues in that cluster. The city also report thirteen sewer restrictions due to inadequate sewer capacity.



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