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## Maryland DEPARTMENT OF PLANNING

December 19, 2019

The Honorable Lawrence J. Hogan, Jr.  
Governor  
State House  
100 State Circle  
Annapolis, MD 21401

The Honorable Thomas V. "Mike" Miller, Jr.  
President  
Senate of Maryland  
State House, H-107  
Annapolis, MD 21401

The Honorable Adrienne Jones  
Speaker  
Maryland House of Delegates  
State House, H-101  
Annapolis, MD 21401

RE: Maryland Department of Planning Local Government Annual Report (MSAR #9080 and 9082)

Governor Hogan, Senate President Miller, and Speaker Jones:

I am enclosing a copy of the FY19 Local Government Annual Report (MSAR #9080 and 9082) from the Maryland Department of Planning (Planning). This report highlights the important work of Planning that helps each area of our state plan for a prosperous future, preserve resources, and support communities.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Robert S. McCord, Esq.  
Secretary

CC: Sarah Albert, Department of Legislative Services (5 copies)

**2019**

**Local  
Government  
Annual  
Reporting**



**Maryland**

DEPARTMENT OF PLANNING

# 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 the 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 (PFAs), 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 development, and the intensity of commercial development. An interactive map of all locally designated PFAs can be accessed at [mdpgis.mdp.state.md.us/PFA/publicinfotemplate/index.html](http://mdpgis.mdp.state.md.us/PFA/publicinfotemplate/index.html).



## Background

2019 marks the 11th year that counties and municipalities meeting the criteria submit annual reports, which are required to be filed by July 1, and include data from the previous calendar year. For the CY18 reporting period, Planning received 56 annual reports reflecting activity in 17 of 23 counties (see map above) and 39 municipalities. The table below lists the reporting activity for the past several years.

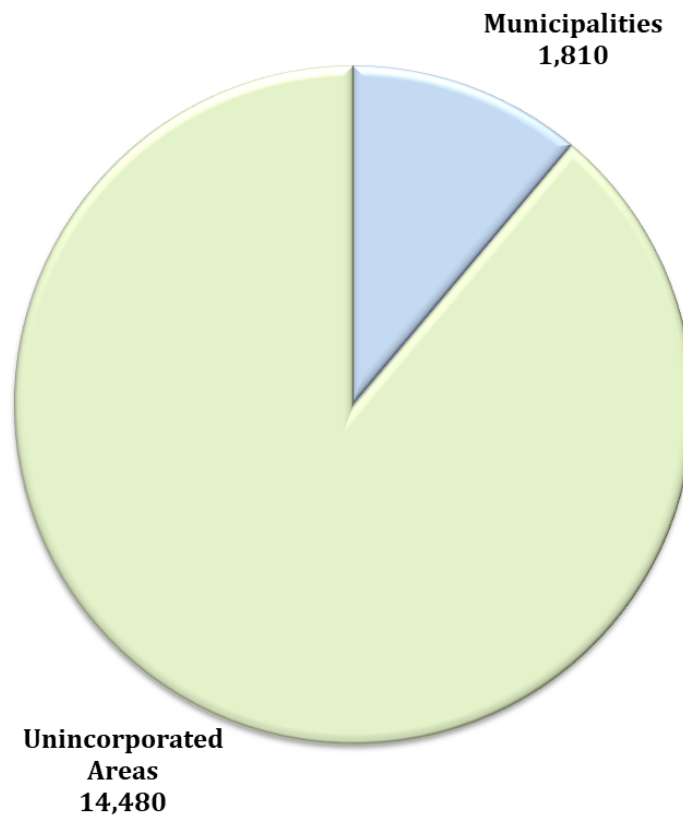
Year	No. of Reports	Counties Reporting	Municipalities Reporting
2019	56	17	39
2018	51	17	34
2017	70	18	52
2016	97	20	77
2015	56	15	41
2014	70	16	54
2013	100	21	79

The reporting requirement applies only to jurisdictions with planning and zoning authority, which includes 23 counties, Baltimore City and 108 municipalities. In 2020, staff will continue working with local governments to maintain the consistency of the data and increase the level of participation.

### Residential building permits reported

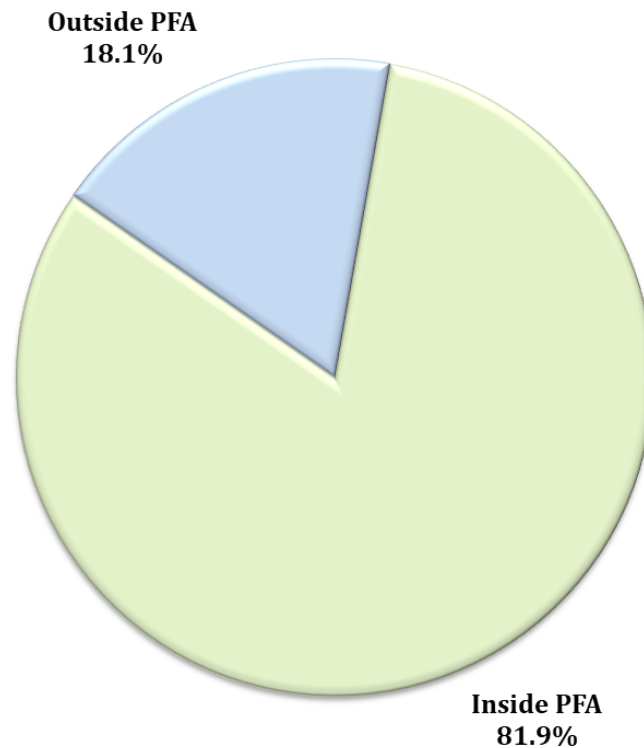
Section 1-208(c)(3)(ii) states that all jurisdictions provide documentation to Planning when fewer than 50 building permits for new residential units are issued in a calendar year. If more than 50 building permits for new residential units are issued, jurisdictions must also provide specified data to include the amount of residential and non-residential growth inside and outside the PFA. Of the 17 counties reporting, 15 issued 50 or more new residential building permits. Of the 39 municipalities reporting, only six reported 50 or more new residential building permits.

### Total Reported Permits Issued in 2018



Based upon the data reported, 16,290 new residential permits were approved in 2018 by the 56 jurisdictions submitting annual reports, of which 14,480 were issued in unincorporated areas, and 1,810 in municipal areas.

## New Residential Permits Reported Inside and Outside of Priority Funding Areas 2018



Of the jurisdictions reporting new residential permits in relation to PFAs, 81.9% (13,335) were approved within PFAs in 2018.

Howard, Prince George's and Anne Arundel counties reported the most new residential permits with 2,114, 2,055 and 2,038, respectively. Nearly 83% were within the PFA. Baltimore (1,817), Frederick (1,467), and Montgomery (1,303) were the only other counties reporting 1,000 or more new residential building permits for calendar 2018, with 89.4% of new residential permits located within the PFA. Other counties reporting more than 500 new residential building permits included Harford (706), and Charles (570). Counties with a high percentage of residential permitting inside PFAs

include Howard (99.3%), Baltimore (94.3%), Montgomery (86.5%), Harford (84.7%), and Frederick (82.5%). Allegany and Kent counties issued less than 50 new residential permits, with a combined total of 24 new residential permits inside PFA boundaries.

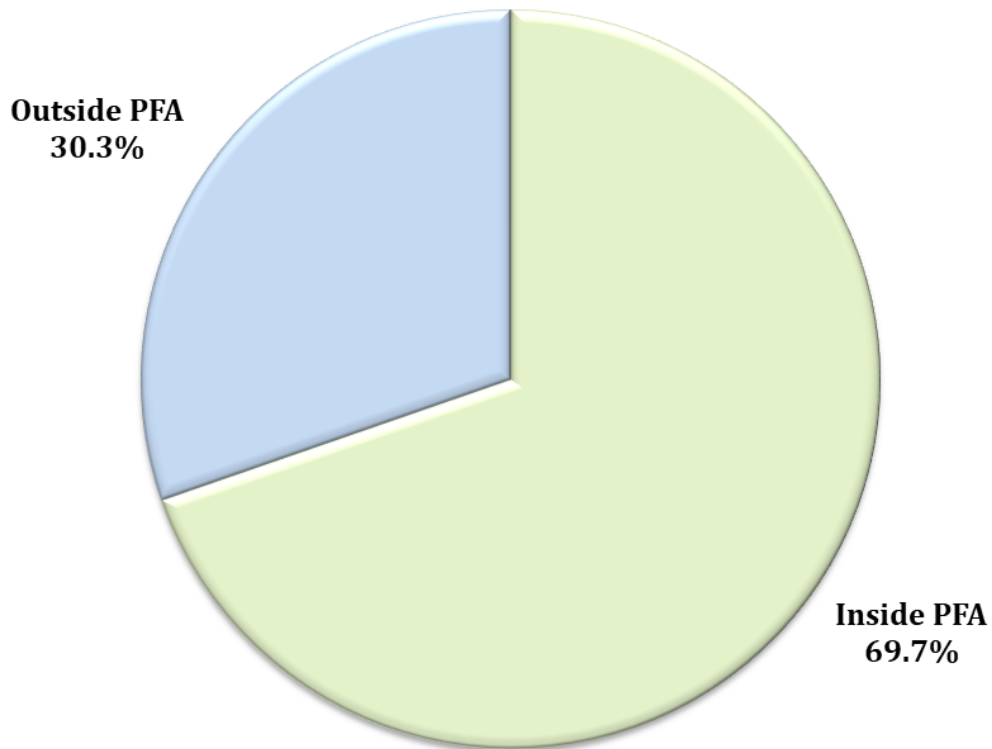


*All jurisdictions track and report how many residential permits are issued in a calendar year.*

## Residential building lots reported

Anne Arundel and Frederick counties reported more than 500 new residential lots (1,654 and 876 lots, respectively) in 2018, and identified that 54.2% (569) were located within the Anne Arundel County PFA and 97% (850) were located within the Frederick County PFA. Of the 10 counties reporting, 69.7% (2,977) of newly approved lots (4,269) were located within their PFAs.

### New Residential Lots Reported (Counties) 2018

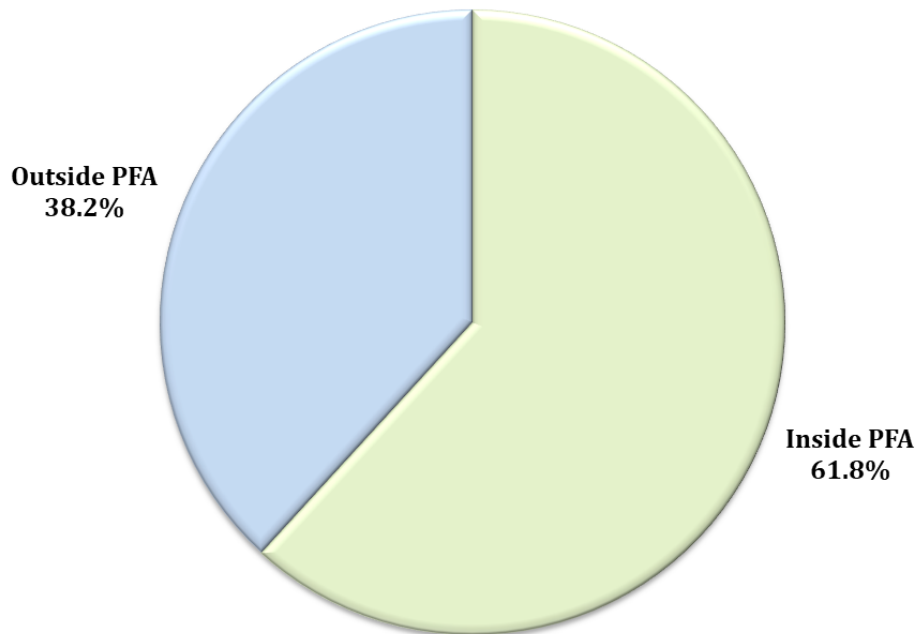


## Commercial building permits reported

In addition to residential development, counties also report commercial development. This includes both commercial and industrial use. Reporting counties had 9,282,535 square feet of new non-residential development in 2018, 25.9% less than the amount of new non-residential development reported in 2017. (See table below)

Year	New Non-residential Square Footage reported
2018	9,282,535
2017	12,526,099
2016	13,634,563
2015	7,303,056
2014	3,960,011
2013	13,523,712
2012	5,865,247

### New Non-Residential Square Footage (Counties) 2018



Of the 10 counties reporting, 61.8% (5,732,267 square feet) of new non-residential development approved was located within PFAs, a 24.6% decrease.

## Locally Funded Agricultural Land Preservation

Jurisdictions are required to report the number of agricultural acres that have been preserved using local resources. Local funding for agricultural preservation can come from a variety of local sources, such as transfer of development rights, building lot termination, local land trusts, and historic resource preservation and easement programs. In 2018, more than 2,196 acres of agricultural lands were preserved using local funding in the seven counties that reported. This total does not include lands preserved for open space or other preservation programs. This brings the four year total (2015-2018) to more than 24,361 acres of agricultural lands preserved using local funding.

County	Locally Preserved Agricultural Acres
Baltimore	85.12
Calvert	58.00
Frederick	780.00
Garrett	206.30
Harford	53.00
Montgomery	991.00
Prince George's	23.54
<b>TOTAL</b>	<b>2,169.96 acres</b>



## 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 2018, 15 counties provided updates in the number of units or lots that could be accommodated through land use or zoning, totaling a potential for 279,935 new residential units. Three counties indicated that their development capacity analysis would be prepared in 2019/2020.

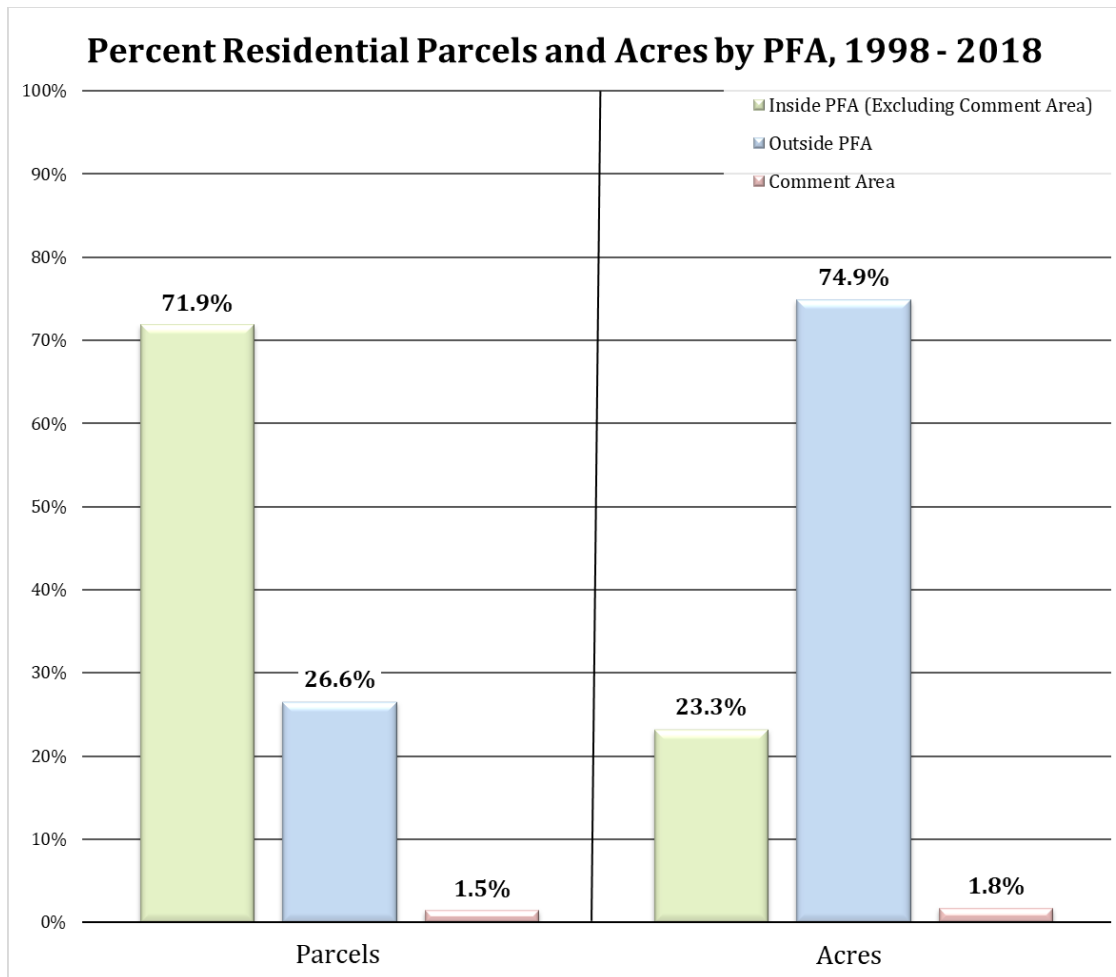
Jurisdiction	Maximum Number of Residential Units
County	
Allegany	County report in progress
Anne Arundel	(2018) 11,846
Baltimore City	City report in progress
Baltimore	(2016) 14,427
Calvert	(2018) 5,620
Carroll	(2017) 26,036
Charles	County report in progress
Frederick	(2017) 16,544
Harford	(2017) 15,375
Howard	(2017) 26,750
Montgomery	(2017) 7,963
Prince George's	(2018) 111,501
Queen Anne's	(2017) 18,407
Saint Mary's	(2016) 25,466
<b>TOTAL</b>	<b>279,935 units</b>



*The planned community of Westview South, on Buckeystown Pike in south Frederick County, is a Work-Live-Play development incorporating open space.*

# Statewide Indicators

In addition to reporting from local jurisdictions, several indicators are reported statewide since not all local jurisdictions are required to submit their own indicators. The following data is derived from Planning’s parcel data and associated analysis, representing all areas of Maryland.



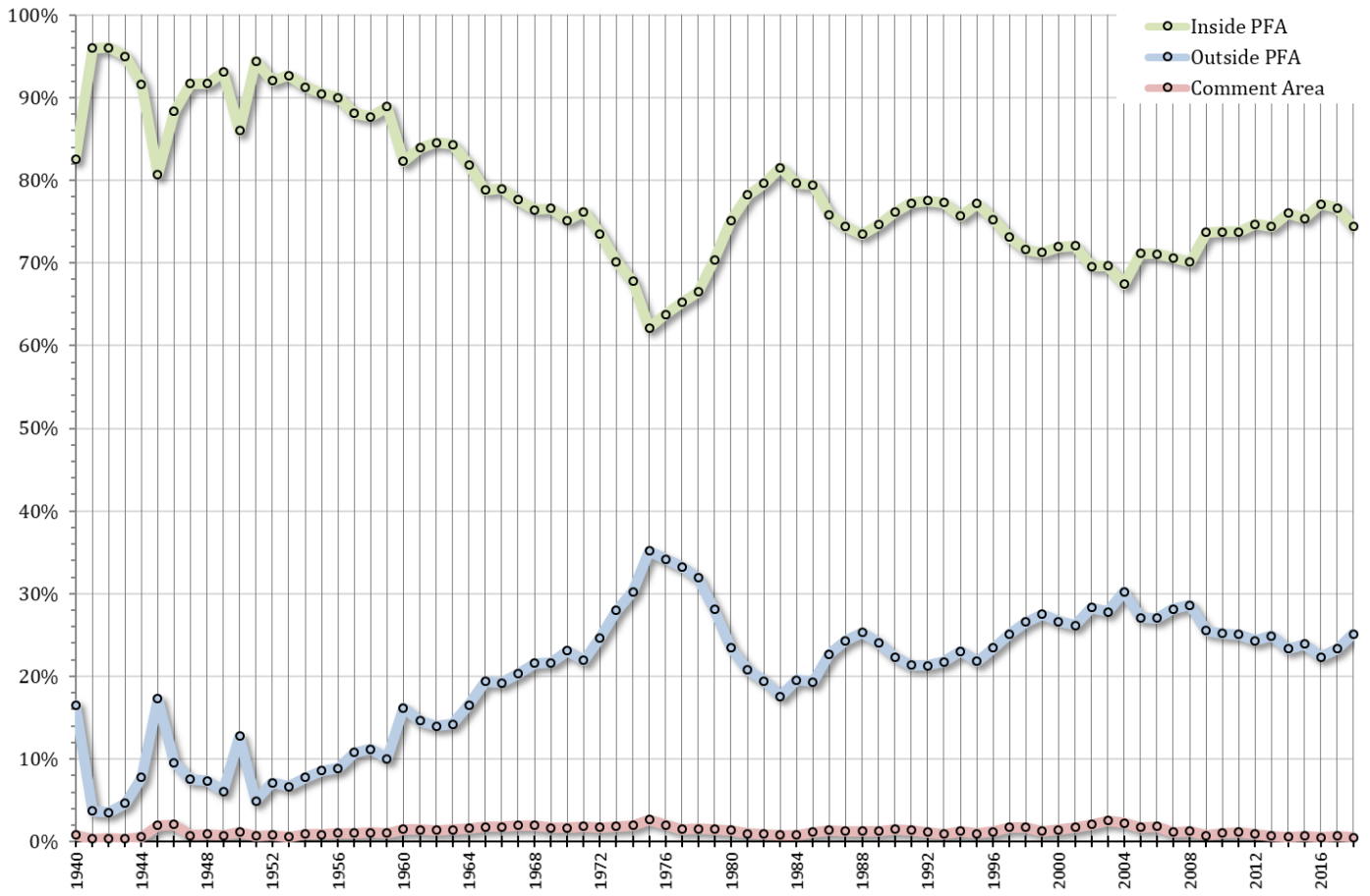
PFAs are existing communities and places designated by local governments that indicate where state investments should be made to support future growth. Residential parcels created within PFAs are depicted in green, and parcels created outside PFAs are depicted in blue.

Since 1940 there has been approximately 299,859 acres of residential, single-family development within Maryland’s PFAs, covering approximately 33.6% of the developed residential land area in the state.

In 2018, approximately 23% (by acreage) of all single-family residential land development occurred in PFAs with one percent in PFA Comment Areas (areas designated as PFAs by jurisdictions that do not meet all the PFA criteria, indicated in pink in the chart above).

Planning maintains statewide geo-referenced parcel data. The following chart shows the trend of the location of residential parcels with respect to PFAs between 1940 and 2018.

### Percent of Improved Single Family Residential Parcels



# Adequate Public Facilities Ordinance Report

Local jurisdictions with Adequate Public Facilities Ordinances (APFOs) are required to submit a report to Planning every two years to detail whether a local APFO has halted development or redevelopment in a PFA. The reporting requirement was approved by the Maryland General Assembly in 2009.

Local jurisdiction biennial reports on the impact of APFO restrictions in the PFA must contain information including:

- The location of the restriction
- Infrastructure affected by the restriction
- The proposed resolution of the restriction, if available
- An estimated date for resolving the restriction, if available
- The 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 CY10, reflecting activity in CY08 and CY09. The last round of APFO reports reflected activity in CY16 and CY17. The next round of APFO biennial reports are due July 1, 2020, for CY18 and CY19.

APFOs have been enacted by 14 counties and 25 municipalities. Of those, Planning received reports of APFO restrictions within PFAs from eight counties and one municipality for 2016-2017. However, four counties and one municipality submitted limited APFO information for CY18. A summary of this APFO data information is submitted in this report for CY16, CY17, and partial information received for CY18.

Planning's report on the statewide impact of APFOs identifies:

- The jurisdiction reporting the restriction within a PFA
- The facility type within the PFA that did not meet local adequate public facility standards
- The scheduled or proposed improvements to the facility in local capital improvement programs to remedy the restriction.

*Capacity for water, sewers, roadways, and schools are standard components of a local APFO.*



## Summary of Reported Restrictions for 2016–2018

Jurisdiction	Notes/Comments
<b>Counties</b>	
Anne Arundel	<p><b>2016–2017:</b> The county reported several restrictions for schools. As of April 24, 2017, four high schools were closed to additional development for the 2018 school year including: Annapolis; Arundel; North County; and South River high schools. Arundel and Crofton middle schools were closed for the 2018 school year. Twenty-six elementary schools were closed, six of which are in the Meade feeder district, four in the Old Mill feeder district, three in South River and North County feeder districts, two in Annapolis, Arundel, Broadneck, Glen Burnie, and Northeast feeder districts, and one in the Southern feeder district. For the restricted schools, projects remain on a waiting list until capacity is available or 6 years have elapsed, whichever comes first. In addition, the county reports unspecified upcoming Capital Improvement Plan (CIP) projects to relieve capacity constraints.</p>
Baltimore	<p><b>2016–2017:</b> The county reported restrictions at one high school, one middle school, and 30 elementary schools operating over the 115% State-Rated Capacity standard.</p> <p>The county closed Sanitary Sewer Overflows (SSO) #103 (Montbel Avenue) and removed the area of concern upstream of SSO #103 from the Basic Services Map.</p> <p>The county made the following additions to the Transportation Map:</p> <ul style="list-style-type: none"> <li>• The location of the restriction</li> <li>• Infrastructure affected by the restriction</li> <li>• The proposed resolution of the restriction, if available</li> <li>• An estimated date for resolving the restriction, if available</li> <li>• The date a restriction was lifted, as applicable</li> <li>• Terms of the resolution that removed the restriction</li> </ul> <p>The 2016 Basic Services Transportation Map identified the E and F level intersections throughout the county, including seven failing roadway intersections (Level of Service F) and two intersections at LOS E.</p> <p><b>2018:</b> The county reports restrictions at one high school, and twenty-three elementary schools, operating over the 115% State Rated Capacity standard.</p> <p>The county reports nine failing roadway intersections (Level of Service, F), and one intersections at LOS E.</p>
Calvert	<p><b>2016–2017:</b> The county reported restrictions for the Northern High School, Northern Middle School and Beach Elementary School districts. These restrictions were anticipated to be resolved. The construction to replace Northern High School began in 2017. A new building was planned to be open in the fall of 2018, and was expected to provide some additional capacity for Northern Middle School. A feasibility study to replace Northern Middle School is scheduled for 2021. The restriction for the Beach Elementary School district is anticipated to be resolved when the school is renovated/expanded or replaced. Acquisition and design was anticipated to begin in FY18-19, with construction possible by 2020-2021. The restrictions will be lifted only when the capacity is reduced to below 100% of capacity, or when the proposed residential development has been restricted from recording final subdivision plats or obtaining final site plan approval for a period of seven years.</p>
Charles	<p><b>2016–2017:</b> One sewer pump station was identified in 2012 as a limiting factor for growth. A CIP improvement was approved in 2013, but a timetable for completing the programmed improvements was not provided. No restrictions were reported in 2017.</p>

Jurisdiction	Notes/Comments
Frederick	<p><b>2016:</b> The county reported that 14 elementary, one middle and one high school are more than 100% of State-Rated Capacity. Three elementary school districts were more than 120% of the State Rated Capacity. Four of the affected elementary schools were in the City of Frederick. Seven elementary school renovations were included in the 2014 Educational Facilities Master Plan, with an estimated increase of more than 3,498 new seats. Two middle school renovations and two high school replacements are also planned, but would not add capacity. Six elementary schools, one middle school and one high school addition were programmed in the 2017-2022 CIP.</p> <p><b>2017:</b> The county reported that 13 elementary, four middle and one high schools are more than 100% of the State-Rated Capacity. Seven elementary school renovations were included in the 2017 Educational Facilities Master Plan, with an estimated increase of over 3,817 new seats. One middle school modernization and one addition project would add 300 seats. Two high school projects for modernization and one addition project would add 400 seats.</p> <p><b>Programmed School Projects – Frederick County CIP FY 2018-2023</b></p> <ul style="list-style-type: none"> <li>• The location of the restriction</li> <li>• Infrastructure affected by the restriction</li> <li>• The proposed resolution of the restriction, if available</li> <li>• An estimated date for resolving the restriction, if available</li> <li>• The date a restriction was lifted, as applicable</li> <li>• Terms of the resolution that removed the restriction</li> </ul> <p><b>2018:</b> The county reports 12 elementary, six middle schools and one high school are more than 100% of the State-Rated Capacity. Seven elementary school renovations are included in the 2017 Educational Facilities Master Plan, with an estimated increase of 3,817 new seats. One middle school modernization and one addition project would add 300 seats. Two high school projects for modernization and one addition project would add 400 seats.</p> <p><b>Programmed School Projects – Frederick County CIP FY19-FY24</b></p> <ul style="list-style-type: none"> <li>• Frederick High – new replacement school opened fall 2017</li> <li>• Sugarloaf Elementary – new 725 seat opened fall 2018</li> <li>• Urbana Elementary – replacement/addition to open fall 2020</li> <li>• Waverly Elementary –200 seat addition to open fall 2021</li> <li>• East County Area Elementary – new school to open in 2023</li> <li>• Middle School (location TBD) - addition in 2023</li> <li>• North Frederick City are Elementary – new school after 2024</li> <li>• Middletown Middle – renovation after 2023</li> <li>• Liberty Elementary – modernization after 2023</li> <li>• Brunswick High – modernization and addition after 2024</li> </ul>



Jurisdiction	Notes/Comments
Harford	<p><b>2016:</b> The county reported that due to a deficit of supply from Winters Run, the Maryland Department of the Environment (MDE) and the Harford County Health Department stopped approving building permits within Maryland American Water Company's (MAWC) service area. The 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 through 2018. It provides 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. The proposed improvements are currently in the design phase.</p> <p>The county reported that five pumping stations do not have any additional reserve capacity and that may impact future development near these pumping stations, including Brentwood Park Sewage Pumping Station (S.P.S.), Dembytown/Hanson Road Petition S.P.S. (2), Dembytown/Hanson Road Petition S.P.S. (3), Forest Greens S.P.S. and Harford Square S.P.S. Sanitary sewers in the Bynum Ridge subdivision were also at capacity.</p> <p><b>2017:</b> Harford County and MDE reached agreement with the MAWC to supply an additional 40,000 GPD to the service area. The county may approve up to 114 new EDUs within the service area. This increase provides time to construct the ultimate solution of an impoundment to provide a safe and reliable water supply, sufficient for the entire approved service area. This improvement is expected to be complete by 2019-2020.</p> <p>The county continued to report that five pumping stations did not have any additional reserve capacity and may impact future development in the vicinity of these pumping stations. These pumping stations include: Brentwood Park Sewage Pumping Station (S.P.S.); Dembytown/Hanson Road Petition S.P.S.; (2), Dembytown/Hanson Road Petition S.P.S. (3); Forest Greens S.P.S.; and Harford Square S.P.S. Sanitary sewer improvements have been completed in the Bynum Run Collector service area and new permits in this area may now be approved.</p> <p>The county reported two out of 31 elementary school districts did not meet adequacy standards. No new major subdivisions would be approved in the Emmorton or Magnolia Elementary School attendance districts until capacity is available. No timetable or list of scheduled improvements were identified. All middle and high schools meet adequacy standards.</p> <p>The county reported that six roadway intersections are operating at LOS F and two intersections are operating at LOS E. New development impacting those intersections will be required to mitigate their impacts at these intersections.</p> <p><b>2018:</b> The proposed increase and construction of an impoundment was completed in 2019.</p> <p>The county continues to report that Brentwood Park S.P.S., as being over capacity. Improvements are expected to be completed in 2020.</p> <p>The county reports their standard for schools is 110% of capacity. Currently, 29 out of 33 elementary school districts meet adequacy standards. No new major subdivisions will be approved in the Emmorton, Homestead/Wakefield, Red Pump or Magnolia Elementary School attendance districts until capacity is available. No timetable or list of scheduled improvements were identified. All middle and high schools meet adequacy standards.</p> <p>The county reports that six roadway intersections are operating at LOS F and two intersections are operating at LOS E. New development impacting those intersections will be required to mitigate their impacts at these intersections.</p>

Jurisdiction	Notes/Comments
Howard	<p><b>2016-2017:</b> The county reported that nine elementary school districts are closed, including: Talbott Springs; Centennial Lane; Hollifield Station; Manor Woods; Northfield; St. Johns Lane; Waverly; Forest Ridge; and Fulton elementary schools. There are also six closed middle school districts, including: Harpers Choice; Ellicott Mills; Thomas Viaduct; Burleigh Manor; Dunloggin; and Murray Hill middle schools. This resulted in a total of 804 housing units in 30 subdivision plans on hold due to closed school districts.</p> <p>A new elementary school, named Hanover Hills, was under construction in ElkrIDGE near the Oxford Square development. It opened in fall 2018, and helped to increase elementary school capacity. Planned additions to Dunloggin and Ellicott Mills middle schools would add additional middle school capacity. A new high school is planned to open in 2023. The school capital budget includes other new schools and school additions in later years.</p> <p>The county has also reported that a 26-member APFO task force was created and developed a series of recommendations that the County Council adopted in 2018. The major changes include: exempting moderate income housing units from the allocations requirement; exempting certain low income housing tax credit projects from the schools test on a case-by-case basis by County Council resolution; eliminating the shared Growth and Revitalization and Established Communities allocation area; decreasing the Growth and Revitalization area from 1,200 to 1,000 allocations per year; and increasing the Established Communities area allocations to 600 per year from 400 per year; limiting the wait time for projects that are on hold due to the allocations test and schools test to a combined seven years; lowering the capacity utilization percentage when elementary districts and regions are closed to development from 115 to 105%, and lowering middle school districts from 115 to 110 % ; and adding a high school district test at a 115% threshold. The last two items are not effective until 2019, and will likely have a major impact on development. Unless the Howard County Public School System undergoes a comprehensive redistricting to utilize available system-wide capacity in the near term, it is estimated by the county that as much as 90% of all new residential development will be delayed for up to four years due to closed schools.</p>
Montgomery	<p><b>2016:</b> The county does not have any school districts in moratorium over 120% of the State-Rated capacity. However, four elementary, eight middle and 12 high schools are reported to be within the 105 to 120% School Facility Payment range restriction. Six of the 30 Transportation Policy Area Review districts are inadequate to meet the road test.</p> <p><b>2017:</b> The county reported six elementary school districts to be in moratorium in the spring of 2017, and seven elementary school districts to be in moratorium in the fall of 2017, more than 120% of the State-Rated Capacity. In 2017, the school adequacy standard was changed to project a cluster-wide enrollment of elementary and middle schools.</p> <p>The county reported that the test to determine adequate transportation capacity was revised to only include the Local Area Transportation Review. The Transportation Area Review test was dropped. The threshold needed to conduct a transportation study was also revised. Projects that exceed the new threshold will be required to mitigate any increase in transportation demand.</p> <p><b>2018:</b> The county reports six elementary school districts to be in moratorium in the spring of 2018, and seven elementary school districts to be in moratorium in the fall of 2018, over 120% of the State-Rated Capacity.</p>



Jurisdiction	Notes/Comments
<b>Municipality</b>	
Rockville	<p><b>2016:</b> The city reports one school restriction for Rosemont Elementary School, but provided no indication of when this restriction would be resolved. The city also reports seven sewer restriction areas with three of the areas programmed for improvements in FY18-22.</p> <p><b>2017:</b> The city reported one school restriction for Rosemont Elementary School and indicated that a replacement school was scheduled to come online in August 2018. The city also reported four sewer restriction areas with one programmed improvement in FY20, one by FY23, and two beyond 2023.</p> <p><b>2018:</b> The city reports one school restriction for Rosemont Elementary School continues. No timetable for improvement or replaced was provided.</p> <p>The city reports four wastewater deficient areas, including Lakewood, Atlantic Avenue, Lorraine Drive and Glenora. These deficiencies are expected to be mitigated in 2020 for the Lakewood area; 2023 for Atlantic Avenue; and 2024 for Lorraine and Glenora.</p>





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