

# FINAL

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 4

Bill No. 17-22

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

and Mr. Pruski

By the County Council, February 7, 2022

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Introduced and first read on February 7, 2022  
Public Hearing set for and opened on March 7, 2022  
Public Hearing continued to and closed on March 21, 2022  
Bill Expires May 13, 2022

By Order: Laura Corby, Administrative Officer

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### A BILL ENTITLED

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

3  
4 FOR the purpose of amending the Master Plan for Water Supply and Sewerage Systems,  
5 2017 to alter certain maps; and generally relating to the Master Plan for Water Supply  
6 and Sewerage Systems.

7  
8 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
9 That the maps of the Anne Arundel County Master Plan for Water Supply and Sewerage  
10 Systems, 2017, as amended (the “Plan”) are hereby amended as follows:

11  
12 1. As shown on Exhibit A, attached hereto, on Sewer Map S-6, change the sewer  
13 service category on Tax Map 36, Parcels 29 and 30 from No Public Service to Planned  
14 Service; and in addition move the sewer service area boundary to include this parcel in the  
15 Patuxent Sewer Service Area.

16  
17 2. As shown on Exhibit B, attached hereto, on Water Map W-6, change the water  
18 service category on Tax Map 36, Parcels 29 and 30 from No Public Service to Planned  
19 Service; and in addition move the water service area boundary to include this parcel in the  
20 Kings Heights / Odenton Water Pressure Zone.


21  
22 SECTION 2. *And be it further enacted,* That a certified copy of the Plan as amended  
23 by this Ordinance shall be permanently kept on file with the Administrative Officer to the  
24 County Council and the Office of Planning and Zoning.

1 SECTION 3. *And be it further enacted*, That a certified copy of the map amendments  
2 to the Plan shall be permanently kept on file with the Administrative Officer to the County  
3 Council and the Office of Planning and Zoning.


4  
5 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days  
6 from the date it becomes law or upon approval of the Maryland Department of the  
7 Environment under the authority granted by § 9-507 of the Environment Article of the State  
8 Code, whichever is later. If approved, in whole or in part, after the 45 days the approved  
9 provisions of this Ordinance shall take effect on the date the notice is received by the Office  
10 of Planning and Zoning. If disapproved, in whole or in part, the disapproved portions of  
11 this Ordinance shall be null and void without further action by the County Council. The  
12 Office of Planning and Zoning, within 5 days after receiving any notice from the Maryland  
13 Department of the Environment, shall forward a copy to the Administrative Officer to the  
14 County Council.

READ AND PASSED this 21<sup>st</sup> day of March, 2022

By Order:

  
Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 22<sup>nd</sup> day of March, 2022

  
Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 31<sup>st</sup> day of March, 2022

  
Steuart Pittman  
County Executive

EFFECTIVE DATE: July 1, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 17-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

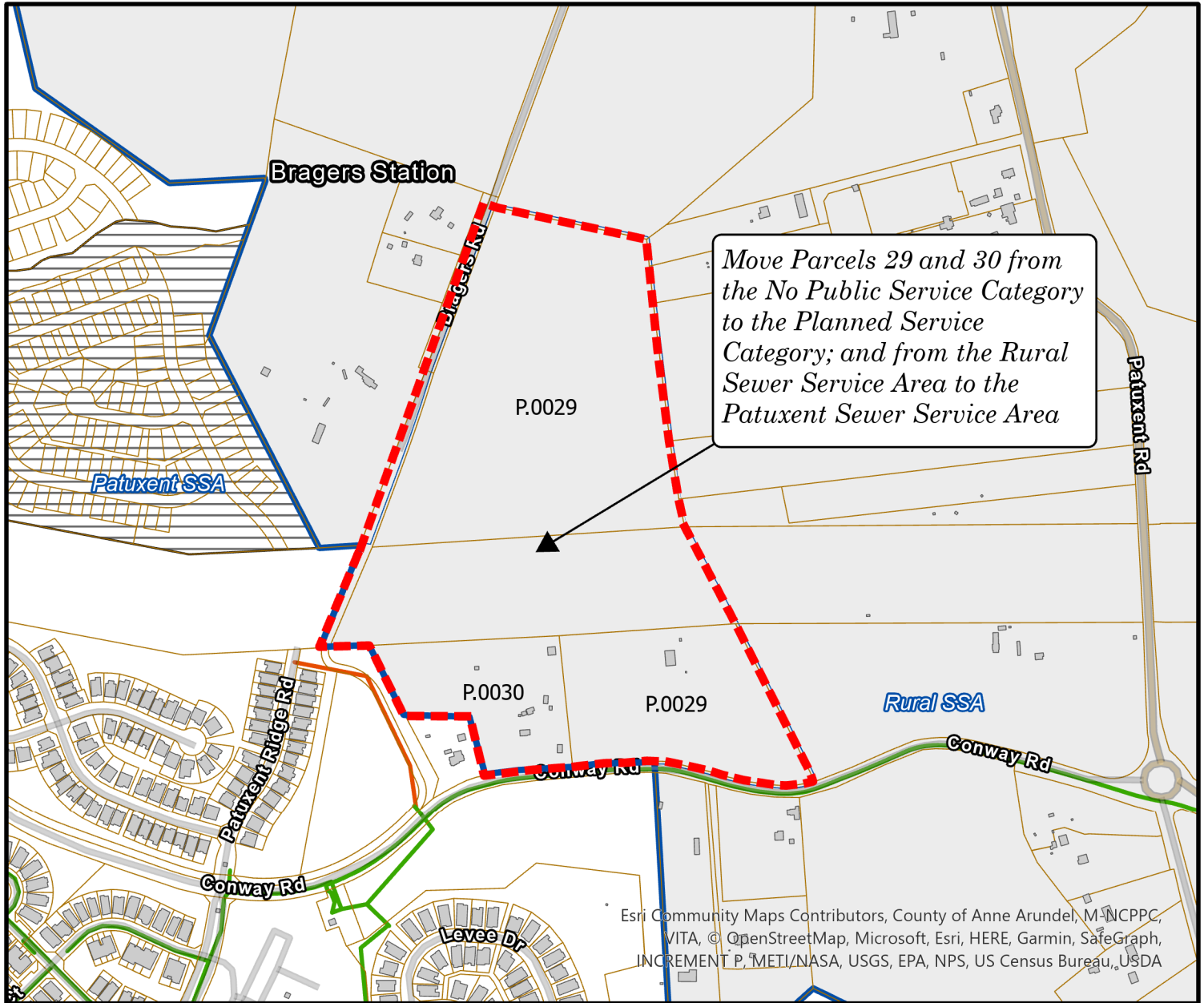
A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laura Corby  
Administrative Officer

# Sewer Map S-6

Bill No. 17-22

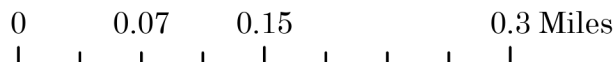
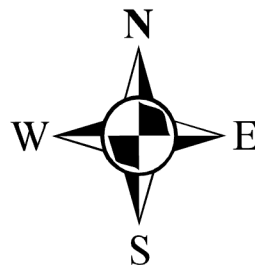
Exhibit A



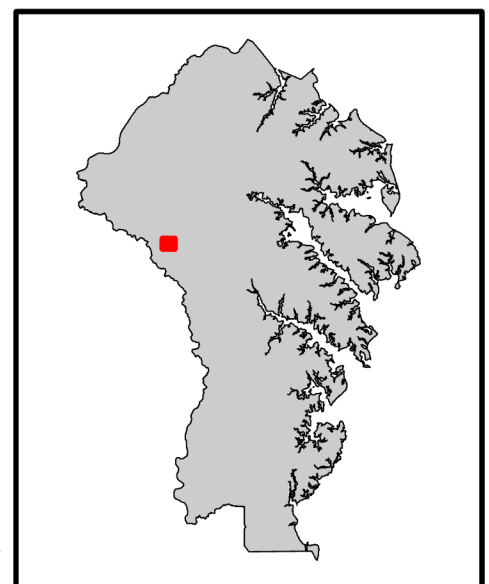
Esri Community Maps Contributors, County of Anne Arundel, M-NCPPC, VITA, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

## Legend

- Existing Service
- Planned Service
- Future Service
- No Public Service
- Other
- Sewer Service Areas
- Amendment Change
- Existing Gravity Sewer Pipes
- Planned Service Gravity Sewer Pipes



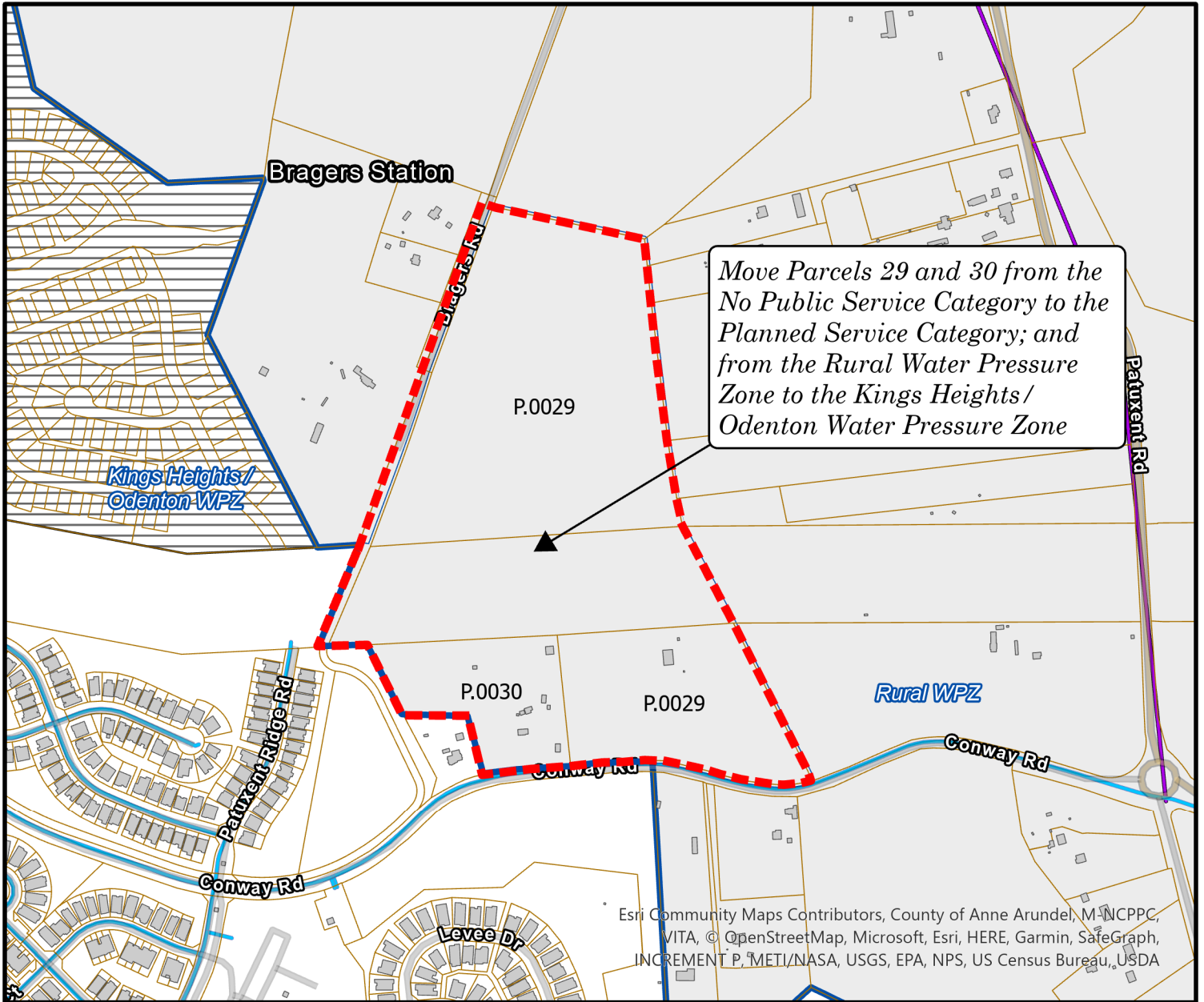
Date Revised: 01/10/2022



# Water Map W-6










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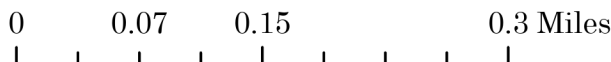
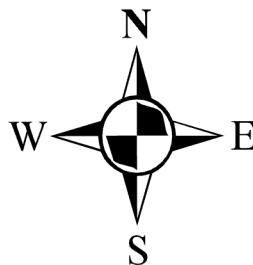
Exhibit B



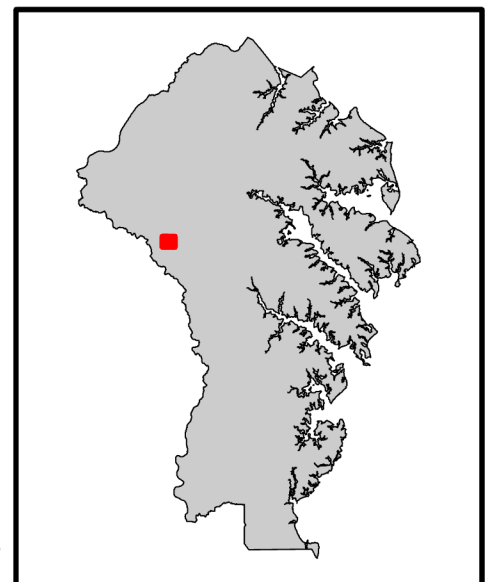
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## Legend

-  Existing Service
-  Planned Service
-  Future Service
-  No Public Service
-  Other
-  Water Pressure Zones
-  Amendment Change
-  Existing Water Pipes
-  Future Water Pipes



Date Revised: 01/10/2022





July 1, 2022

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

Dear Chairman Rodvien:

The Maryland Department of the Environment (MDE) has completed its review of **Bill 17-22 (Amendment)** to the 2017 Anne Arundel County Water Supply and Sewerage Systems Master Plan. This amendment proposes water and sewer category changes, as well as boundary revisions to the Rural Sewer Service Area and the Rural Water Pressure Zone. This Bill was introduced on February 7, 2022 by the County Council; read and passed on March 21, 2022 and approved and enacted by the County Executive on March 31, 2022, becoming effective on May 15, 2022.

**Bill 17-22:** Changes 57.22 acres from the “No Public Sewer and Water Service” category to the “Planned Sewer and Water Service” category for Tax Map 36, Block 15, Parcels 29 and 30 (1127 Bragers Road and 2754 Conway Road, Odenton). In addition, the amendment moves the Rural Sewer Service Area boundary to include this area in the Patuxent Sewer Service Area and moves the Rural Water Pressure Zone boundary to include this area in the Kings Heights/Odenton 330 Water Pressure Zone.

### **Maryland Department of Planning Findings**

The Maryland Department of Planning (MDP) advised MDE that the Amendment appears to be consistent with the County’s General Development Plan, “Planning for Healthy Communities”, as well as the “Neighborhood Preservation Policy Area”.

With respect to the Growth Tier Map, MDP recommends that Parcel 30 be re-designated from Tier IV to Tier II or Tier IIA.

MDE encourages the County to contact MDP for their guidance for any questions related to MDP’s consistency review. See enclosed MDP’s comments and contact information.

### **MDE Findings and Action**

1. **Wastewater Treatment Plant Capacity:** Wastewater treatment will be provided by the Patuxent Water Reclamation Facility (WRF), which has a design capacity of 7.5 MGD and a current existing demand of approximately 5.7 MGD. The category change will not significantly affect the demand to capacity ratio, since the projected

flows generated by the proposed school are estimated at 3,908 gallons/school day and a proposed adjacent park is 250 gallons per day.

2. Water Treatment Plant Capacity: Water treatment will be provided by the Crofton Meadows II Water Treatment Plant. It has a design capacity of 15.0 MGD and an average daily demand of approximately 4.0 MGD. Projected flows from the amendment are well within the water treatment plant's capacity.
3. Please be advised that based on MDE's Digital Flood Insurance Rate Maps, although the County's planned future service areas identified on the Bill 17-22, are not directly in a floodplain, they are in proximity to zone "A" and zone "X" (0.2 percent annual chance flood hazard) floodplains. The properties should follow local floodplain ordinances and Federal Emergency Management Agency's guidelines and standards. It is advised that the county consider climate resiliency for these properties, which could include but not limited to the following steps (<https://toolkit.climate.gov/>):
  - a. Explore Hazards: Identify climate and non-climate stressors, threats, and hazards and how they could affect assets (people and infrastructure).
  - b. Assess vulnerability and risks: Evaluate assets vulnerability and estimate the risk to each asset.
  - c. Investigate options: Consider possible solutions for your highest risks, check how others have responded to similar issues, and reduce your list to feasible actions.
  - d. Prioritize and plan: Evaluate costs, benefits, and capacity to accomplish each action integrating the highest value actions into a stepwise plan.
  - e. Take action: Move forward with your plan and check to see if your actions are increasing your resilience with monitoring.

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

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


In accordance with §9-507(a) of the Environmental Article, Annotated Code of Maryland, **MDE hereby approves Bill 17-22 (Amendment)** to the 2017 Anne Arundel County Water Supply and Sewerage Systems Master Plan. See enclosed water and sewer map changes below.

The Honorable Lisa D. B. Rodvien

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

Sincerely,



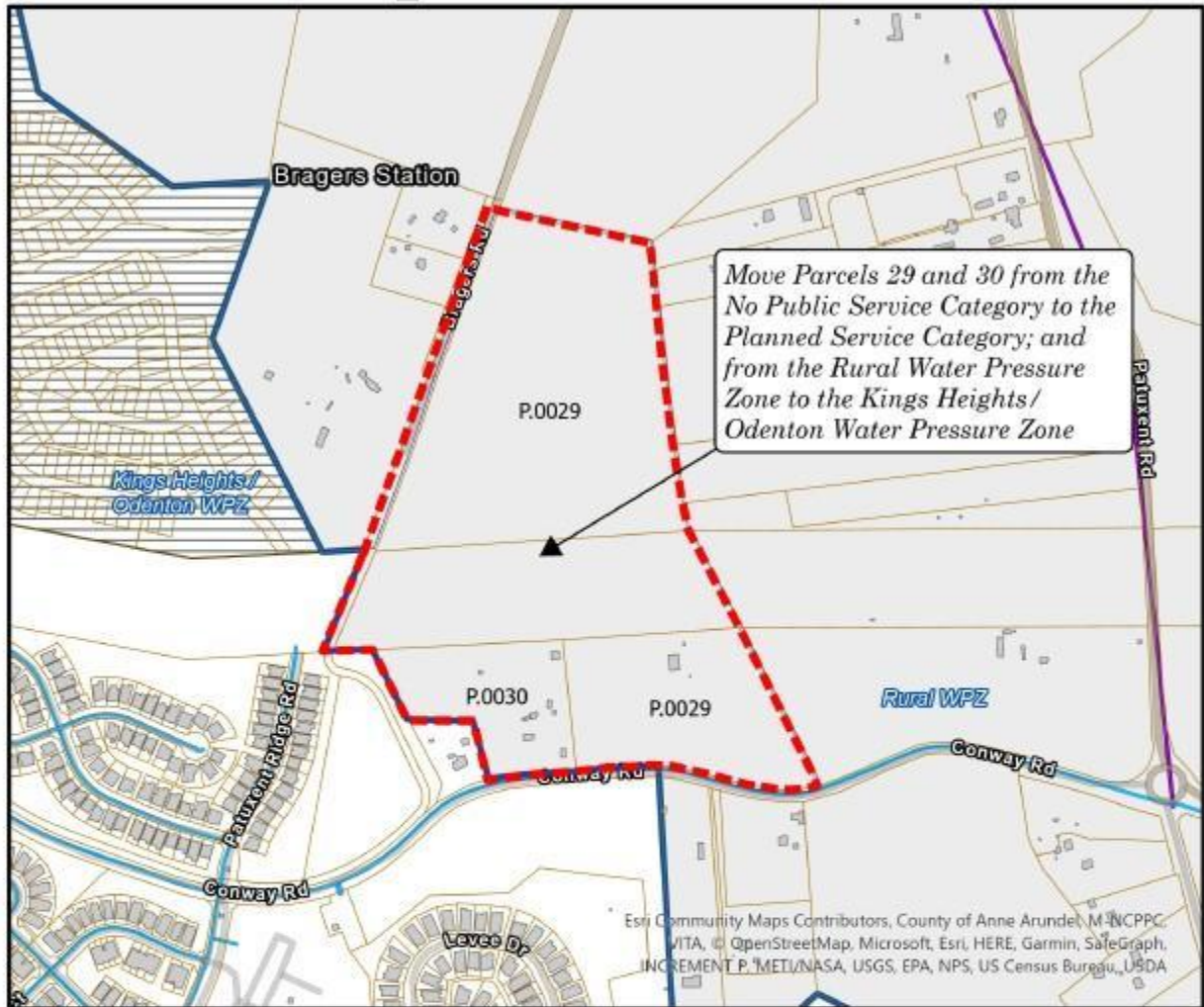
D. Lee Currey, Director  
Water and Science Administration

Enclosure










cc: Steve Kaii-Ziegler, AICP, Planning and Zoning Officer, OPZ  
Christopher Phipps, Director, Department of Public Works  
Cindy Carrier, Senior Planner, Long Range Planning Division, Anne Arundel County  
Charles Boyd, Director, Planning Coordination, MDP  
Heather Barthel, Deputy Director, WSA, MDE

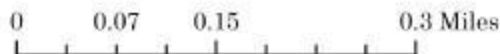


# Water Map W-6



## Legend

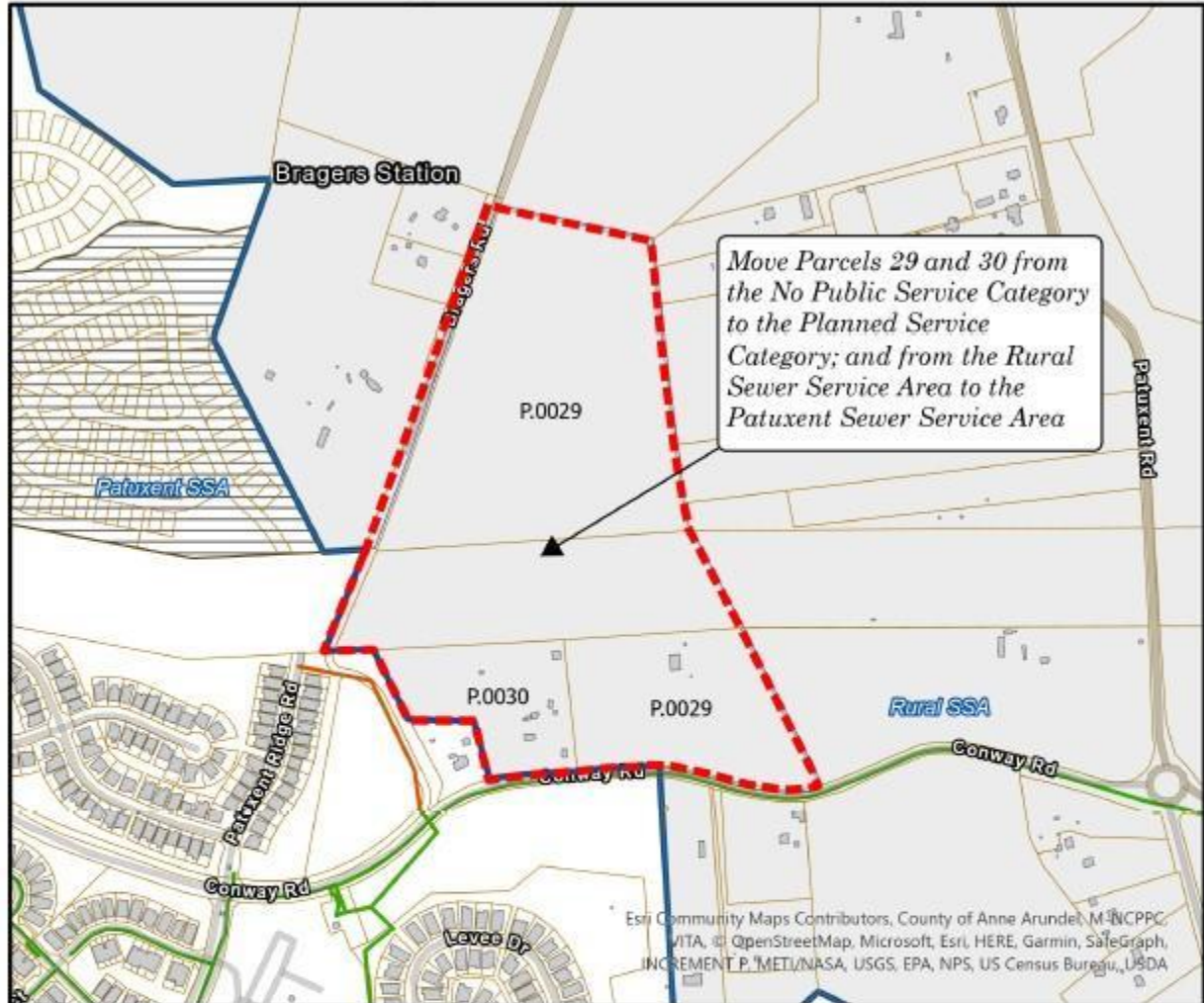
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-  No Public Service
-  Other
-  Water Pressure Zones
-  Amendment Change
-  Existing Water Pipes
-  Future Water Pipes











Date Revised: 01/10/2022

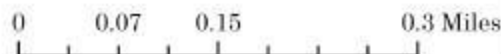


# Sewer Map S-6



## Legend

- |   |                     |   |                                     |
|---|---------------------|---|-------------------------------------|
|  | Existing Service    |  | Existing Gravity Sewer Pipes        |
|  | Planned Service     |  | Planned Service Gravity Sewer Pipes |
|  | Future Service      |   |                                     |
|  | No Public Service   |   |                                     |
|  | Other               |   |                                     |
|  | Sewer Service Areas |   |                                     |
|  | Amendment Change    |   |                                     |



Date Revised: 01/10/2022





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# Maryland

## DEPARTMENT OF PLANNING

June 24, 2022

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

RE: Adopted Amendment to Anne Arundel County's 2017 Water and Sewer Plan  
Bill 17-22  
Tax Map 36, Block 15, Parcels 29 & 30

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced adopted Anne Arundel County 2017 Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2). Planning previously reviewed the draft version of this amendment and provided comments in a letter dated March 21, 2022, as part of the WSP Semi-Annual Amendment 2022. Below is a summary of the WSP changes and our updated and corrected review comments regarding consistency with the Comprehensive Plan, Priority Funding Areas (PFA), and Growth Tiers. Changes were made in this review based on new information and corrected analysis as noted.

### **Summary of Amendments**

The purpose of Bill 17-22 is to review several amendments to the WSP that will apply to the future elementary school site. The amendment changes 57.22 acres from the "No Public Sewer and Water Service" category to the "Planned Sewer and Water Service" category for Tax Map 36, Block 15, Parcels 29 and 30 (1127 Bragers Road and 2754 Conway Road, Odenton). In addition, the amendment moves the Rural Sewer Service Area boundary to include this area in the Patuxent Sewer Service Area and moves the Rural Water Pressure Zone boundary to include this area in the Kings Heights/Odenton 330 Water Pressure Zone.

The amendment was originally initiated by Anne Arundel County Public Schools to reflect the intent to utilize public sewer and water for a new public elementary school that will serve the adjacent Two Rivers Development and the surrounding area.

### **Comprehensive Plan Consistency Findings**

1127 Bragers Road—Parcel 29—This property is shown as a public use in the Anne Arundel County Plan2040 General Development Plan (GDP).

2754 Conway Road—Parcel 30—This property is shown as a rural use in the GDP.  
(See the Land Use and Zoning Viewer—Plan2040 Planned Land Use.)

Chapter 4, Planning for Healthy Communities begins on page 56 of the GDP, and was adopted in May of 2021. This section addresses public education in goal HC2 listed on page 58, as follows:

- **“Goal HC2:** Provide the highest quality education for all County residents and strive for equity among all schools.
- **Policy HC2.1:** The capacity and utilization of school facilities will be adequate and equitable Countywide and will provide a state-of-the art program that produces the highest academic achievements.”

The corresponding Implementation Plan Matrix for Chapter 4 starts on page 124. Goal HC2. 1.C on page 126 states the following:

“Plan for and acquire new school sites in residential areas identified on the Planned Land Use Map and areas where residential is permitted by the Zoning Code.”

The subject site is adjacent to existing residential areas to the southwest. This strategy addresses the current challenges facing school facility supply and demand in the county. The addition of developing the subject properties into a school will directly support these measures in the GDP.

In addition to the policies advocating for the planning and acquiring of new school sites, the GDP’s definition of the Neighborhood Preservation Policy Area, in which the parcels are located, appears to support serving the site with public water and sewer. Page 39 of the GDP describes this policy area as:

“Existing residential communities and natural area (may include local commercial and industrial uses) that are not intended for substantial growth or land use change but may have specific areas targeted for revitalization. Development is limited to infill, the addition of accessory dwelling units, and redevelopment that must be compatible with the existing neighborhood character. Public infrastructure exists but may need capacity improvements”

While that definition does not clearly state that new public infrastructure, such as water and sewer, should be extended to a new school site in the Neighborhood Preservation Policy Area, the statement that such infrastructure exists in the area and may require capacity improvements would seem to support the provision of water and sewer as requested in this amendment. The GDP’s stated intent to develop new school sites also supports this assertion. Finally, while coordinating with Anne Arundel County on the Two Rivers PFA certification request in 2021, county staff stated in a November 9, 2021 email that they “would consider much of the Neighborhood Preservation Policy Area (NPPA) as a ‘growth area.’ These communities are served by public sewer, have infrastructure or need infrastructure improvements but are not intended for substantial growth like the targeted development, redevelopment and revitalization policy areas. Older communities within the NPPA will primarily have redevelopment, revitalization and infill development; and newer communities like Two Rivers will continue to build out in accordance with approved densities.”

Based on the GDP’s definition of the Neighborhood Preservation Policy Area, its commitment to new school development, and county staff’s assertion that the policy area is a growth area, Planning finds that the proposed water and sewer amendment **appears to be consistent** with the GDP.

**Priority Funding Area Review Comments:**

Pursuant to the State Finance and Procurement Article §5-7B-02, local jurisdictions are eligible to receive State financial assistance under certain programs if the project is in a PFA. Based on Planning's review of the WSP amendments, the properties are currently located outside of the locally certified PFA. However, the county submitted a PFA Certification request to include the subject properties on August 19, 2021. The area is currently listed as a PFA Comment Area, per a November 23, 2021 letter from Planning to the county. In the review letter of the PFA Certification dated November 23, 2021, Planning conveyed the following applicable statement:

"In addition, if the County anticipates providing water and sewer service for the proposed school site (Parcel 0029, Map 0036, Grid 0015) within the next ten years, Planning recommends that the County update its Water and Sewer Master Plan 2017. Please notify us once the school site has been designated for planned service and ownership of the property has transferred to the Board of Education, because, at that time, that portion of the designated area will qualify for designation as a PFA under of SFP § 5-7B-03(c) and therefore Planning will remove the 'comment' with [the] portion of the area."

**Growth Tier Map Review**

In comments provided March 21, 2021 on the draft version of this amendment, Planning incorrectly identified both parcels as designated Tier IV on the Growth Tier Map. This review has been corrected to identify the parcels as follows:

Parcel 29 is designated as Tier IIA. Parcel 30 is designated as Tier IV.

If the WSP amendment is adopted by the county and approved by MDE, Planning recommends that Parcel 30 be redesignated as Tier II or Tier IIA.

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

Sincerely,



Charles Boyd, AICP, Director  
Planning Coordination

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