

Sayers, Margery

From: Melissa Metz <melissametz725@gmail.com>
Sent: Friday, March 15, 2019 8:03 PM
To: CouncilMail
Subject: Inquiries Regarding Development and Flooding - Follow up to CB 56-2018

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Dear members of the County Council,

I am writing to inquire about two areas that I believe the County Council, in its roles as Council and as Zoning Board, should address.

The development moratorium that was enacted in the Tiber-Hudson and Plumtree/Little Plumtree watersheds will expire in July 2019. The moratorium is nearly useless if it is not accompanied by changes that will impact how stormwater quantity is managed and how development is regulated and managed over the long term. I would like to: (1) inquire as to the status of various analyses required by the bill that enacted the moratorium (CB 56-2018), and (2) suggest a priority matter for the County Council/Zoning Board to consider, if it has not already.

1. CB 56-2018 mandated that the County Government "study, as expeditiously as practicable without compromising quality, the extent to which existing, planned, and future land use, storm water management, drainage infrastructure, and flood mitigation for property that drains in whole or in part to the Tiber Branch Watershed or the Plumtree Branch Watershed, and any other relevant factor, may contribute to flooding in the each Watershed, share findings as they become available with the public, and on or before May 31, 2019, submit to the County Council a report of such study or studies and any recommendations about changes in law and procedures that may help protect the Watershed from the effects of future flood events." The Bill specified areas of inquiry to include (but not be limited to). These are listed below my signature.

I would like to ask you, as the County Council, to enquire with the County Government what the status of the analyses in the eight points below my signature is, and when they will be presented to the public and the County Council. It is extremely important that the public presentations of the findings be advertised widely – through appropriate media channels, the County Executive's and County Council members' newsletters to constituents, and social media groups. The public must have an opportunity to be informed of these findings, and time to arrange to be able to attend. It is also extremely important that these presentations inform the public of next steps, including recommendations that will come before the County Council and on which there will be opportunities to testify.

2. Changes to development regulations (defined broadly, including also zoning regulations) must be made to protect our communities from flooding. I respectfully request that if it is not in progress already, you consider ways to appropriately limit development in the sensitive watershed areas covered by CB 56-2018, including by adopting a "sensitive watershed overlay" that would be applied to the existing zoning map and reduce the density of development that is permitted in these sensitive watersheds. As I am not an expert, other solutions may be appropriate (in addition or instead of this). We need to have more certainty that our communities, lives, livelihoods, homes, are protected from flooding. CB 56-2018 acknowledged the role that development has in flooding.

Given the timeline of enacting changes to development/zoning regulations, I understand that even if a process to introduce these were initiated now, it would not be finalized before the current moratorium ends. Therefore, please also be prepared to extend the moratorium if such regulations have not been adopted before the moratorium's expiration date. The moratorium put approximately 600 housing units on hold. It would further endanger lives and property if these units were allowed to proceed based on a loophole of the moratorium expiring before appropriate safeguards are put in place for our future.

I would like to respectfully ask you to consider this and inform me and the broader public as to if and when such changes to development/zoning regulations will be pursued.

Thank you very much. I look forward to your response.

Sincerely,
Melissa Metz
Ellicott City, Maryland 21042

From CB56-2018:

"Areas of inquiry are to include, but not be limited to, the following:

- (1) An analysis of the May 27, 2018, flood based on the models and findings of the 2016 Ellicott City Hydrology/Hydraulic Study and Concept Mitigation Analysis and Valley Mede Hydrology/Hydraulic Study and Concept Mitigation Analysis for Plumtree Branch and Little Plumtree Branch; and
- (2) Designs or plans for construction of stormwater storage facilities combined with stormwater conveyance infrastructure improvements, and drainage infrastructure and flood mitigation for property that drains in whole or in part to the Tiber Branch Watershed or the Plumtree Branch Watershed; and
- (3) An analysis of how any existing or proposed development or redevelopment of property that drains in whole or in part to the Tiber Branch Watershed or the Plumtree Branch Watershed may impact flooding in the Watersheds; and
- (4) Proposed changes to the County 's Stormwater Management regulations as they apply to property that drains in whole or in part to the Tiber Branch Watershed or the Plumtree Branch Watershed; and
- (5) An analysis of public and private options for retrofitting existing public and private property that drains in whole or in part to the Tiber Branch Watershed or the Plumtree Branch Watershed that was developed with no or superseded storm-water management requirements; and
- (6) An analysis of potential general plan and density and open space zoning regulations changes with respect to future development and redevelopment of property that drains in whole or in part to the Tiber Branch Watershed or the Plumtree Branch Watershed; and
- (7) An analysis of creating a special benefits district for the Tiber Branch Water shed and analysis of creating a special benefits district for the Plumtree Branch Watershed, respectively, or other funding mechanisms to finance stormwater and drainage infrastructure, and flood mitigation, and retrofitting improvements for property that drains in whole or in part to the Watershed Watersheds; and
- (8) Any other matter that may assist the County in identifying and clarifying the various complex factors contributing to flooding in the Tiber Branch Watershed or the Plumtree Branch Watershed and in establishing a comprehensive plan for managing and controlling such factors to the maximum extent practicable to protect public safety, health, and welfare in the Watersheds."