

Amendment 19 to Council Bill No. 28 -2023

BY: David Yungmann

Legislative Day 11

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Amendment No. 19

(This Amendment makes the following change to HoCo By Design Chapter 2:

Chapter 2: Growth and Conservation Framework - Removes the reference to opportunities for additional housing in the Rural West and the consideration of piecemeal PSA expansions for low- and moderate-income housing in the subsection titled “Planned Service Areas and Tiers” in the section titled “Strategy for Growth and Conservation”.)

1 In the *HoCo By Design* General Plan, attached to this Act as Exhibit A, amend the following
2 pages as indicated in this Amendment:

- 3 • Chapter 2, Growth and Conservation Framework:18.

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5 Correct all page numbers, numbering, and formatting within this Act to accommodate this
6 amendment.

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Expansions to the PSA for water and sewer service since 1990 have been very limited. In 1993, the County Council voted to extend water service to include the area around the Alpha Ridge Landfill. This extension was done solely out of concern for potential future groundwater contamination that might originate from the landfill; therefore, only water service is provided in this area. No sewer service is allowed and no change from rural land uses or zoning was authorized in this location.

Throughout the planning process, many community members expressed a desire to expand housing opportunities, especially for affordable housing, west of the PSA. The Housing Opportunities Master Plan recommends the County explore strategic locations in the Rural West (and other undeveloped, non-preserved areas of the County), where it may be feasible to accommodate increased development for more affordable housing opportunities while balancing other priorities such as water and sewer capacity, historical context, and agricultural preservation goals. HoCo By Design used CommunityViz to evaluate parcels outside the PSA that could accommodate higher-density residential development if zoning changes were made¹. County agencies explored a wholesale expansion that moved the PSA to the western edge of the Rural Residential zone, since most of the land immediately adjacent to the PSA is already either preserved by easements or subdivided into smaller lots accommodating homes under separate ownership. Additionally, the scenario planning process looked at an expansion west of Maple Lawn, where there are fewer acres of permanently preserved land west of the PSA, so there is land that could accommodate residential development requiring water and sewer infrastructure.²

In both expansion cases, moving the PSA presented several challenges, including:

¹ More information on the CommunityViz model methodology can be found in the CommunityViz Methodology for Scenario Planning document, which is available from the Department of Planning & Zoning.

² More information about the PSA wholesale expansion can be found in the Planned Service Area Expansion Report: Growth Choices Workshop, March 2021; more information about the Maple Lawn expansion can be found in Scenario D in the Scenario Planning Guide, a copy of which is available from the Department of Planning and Zoning.

- **Delivery of public services** – Given that most of the available parcels are not adjacent to the PSA line, additional development at higher-densities would take on a scattered geographical pattern, which would not allow for efficient delivery of public services. Schools, fire, police, recreation and aging services, transportation, and public utilities would need to accommodate a larger and more dispersed population. This type of service delivery is counter to Smart Growth efforts where such services have been planned for in a more efficient and economical manner within the existing PSA.
- **Environmental impacts** – Significant development, especially that which would require new roadway construction, would have detrimental impacts to water quality and stream health in the Rocky Gorge Dam watershed in the southeastern portion of the County. This would run counter to the County’s participation in an interjurisdictional agreement designed to protect WSSC drinking water supply reservoirs. More information on the interjurisdictional agreement can be found in Technical Appendix A: Environment.
- **Limited multi-modal transportation options** – Disbursed development patterns would be difficult to serve with transit, which generally requires housing developments to be clustered in nodes or hubs accessible to transit riders. Additionally, due to rights-of-way (ROW) acquisition challenges, there are limited opportunities for bike and pedestrian infrastructure.

Fiscal impact – The cost of expanding the PSA is significant. The estimated cost of new water/sewer infrastructure is approximately \$2 million per mile. This cost estimate does not include the cost of ROW acquisitions or the cost of new treatment plants and other water/sewer infrastructure that would be required to accommodate the significant new growth in this area.

- **Land preservation in the Rural West** – The County has a 50-year history of preserving agricultural and environmental land in the Rural West through the Agricultural Land Preservation Program (ALPP) and the Zoning Regulations. Much of the land west of the PSA is now permanently preserved or already developed in a low-density residential subdivision context. Throughout the Rural West, residential and agricultural land abut or are within proximity to each other. A wholesale expansion of the PSA could fundamentally change the rural character of the West and exacerbate land use conflicts between farms and nearby residences.

Given these implications, the County will maintain the public water/sewer boundary in its existing location and small incremental changes can be assessed on a case-by-case basis if supported by General Plan policies. ~~However, there are opportunities for additional housing in the Rural West that may achieve affordable housing goals, as outlined in this Plan, such as missing middle housing, detached accessory dwelling units, and rural crossroads development. Additionally, in the policy below, piecemeal PSA expansions can be considered for low- and moderate-income housing, such as missing middle or older adult housing.~~

HoCo By Design proposes one minor expansion of the PSA—adjoining the Board of Education property on Route 108. Because of its location at the interface of the Rural Residential zone and the Planned Service Area, this property should be designed to establish a transition that is compatible with and enhances surrounding communities. Additionally, one property proposes an expansion to the water service only area of the PSA, located at the intersection of Frederick Road and Triadelphia Road.

Map 2-2 outlines HoCo By Design’s proposed Growth Tiers and PSA boundary, including a minor expansion for a future school site adjoining the Board of Education property along Route 108.