

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 11/19/2001

Reference No.: CR-62-2001

Proposer: County Executive

Draft No.: 2

Sponsors: Russell and Wilson

Item Title: A Resolution adopting the 2001 Water and Sewerage Plan and the 2001 Water and Sewer Category Maps, and approving a fee schedule for administering Water and Sewer Plan amendments, and the purchase of maps and related materials

Drafter: Karen T. Zvakos
Law

Resource Shirley A. Branch
Personnel: DER

LEGISLATIVE HISTORY:

Date Presented: __/__/__

Executive Action: __/__/__

Committee Referral: 10/2/2001 THE

Effective Date: 12/11/2001

Committee Action: 11/15/2001 FAV(A)

Date Introduced: 10/2/2001

Public Hearing: 11/6/2001 1:30 P.M.

Council Action: 11/19/2001 ADOPTED

Council Votes: RVR:A, DB:A, JE:A, IG:-, TH:A, AS:A, PS:A, MW:A

Pass/Fail: P

Remarks: _____

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 11/15/01

Committee Vote: Favorable as amended, 4-0, (In favor: Council Members Estepp, Gourdine, Hendershot and Shapiro)

Staff gave an overview of the legislation and informed the Committee of referral comments. CR-62-2001 updates the Water and Sewer Plan. This plan will replace the 1994 Comprehensive Water and Sewerage Plan. The 2001 Water and Sewer Plan transfers most parcels within the Sewer Envelope now in Category 6 to Category 5; expands the Category Change Policies and Criteria and requires they be met before any change can be considered by the County Executive and Council; streamlines the amendment process by eliminating Category 4C; henceforth a Category Change request from 4 to 3 will go through an enhanced Administrative Amendment

process; establishes a Fee Schedule for services related to the processing of category change applications as well as fees for specialized maps and other materials; adopts the revised 2001 Category Maps; and reaffirms the Sewer Envelope as defined in the County's Biennial Growth Policy Plan.

The Committee members were provided written copies of testimony presented at the Public Hearing held on November 6, 2001.

The Department of Environmental Resources (DER) provided an overview of the Proposed 2001 Plan as well as a section by section synopsis of modifications to the proposed 2001 Water and Sewer Plan. DER staff indicates that with the exemption of category 4C, an approved preliminary plan will be one of the criteria for Category 4.

The Committee considered the County Executive proposed amendments to the Proposed 2001 Plan in correspondence dated November 2, 2001 to Mr. David Goode. The amendments reflect currently existing conditions. Prior to the development of the Proposed 2001 Plan, certain properties outside the envelope were granted category changes ranging from 5 to 3 for development proposals. These category approvals must be "grandfathered" into the Proposed 2001 Plan and its accompanying maps. The proposed amendments to the August 2001 Water and Sewer Cycle, when adopted, will be a part of the Proposed 2001 Plan.

Council staff recommended amendments to the proposed plan, after review of the Proposed 2001 Plan with the Department of Environmental Resources and Maryland-National Capital Park and Planning Commission staff.

1. Section 2.1.4 "D," third bullet, delete "in conformance" and insert "consistent"; place a period after the words "Biennial Growth Policy Plan" and delete "and Smart Growth Policies".
2. Appendix 6-2 "Fee Schedule", add the following language: "Fees in the developed tier shall be reduced by 50% in compliance with the Biennial Growth Policy Plan."

After further discussion and consideration of the written comments provided at the public hearing, additional amendments were proposed.

1. Section 2.1.4 "B," delete third bullet "No water and sewer category change request shall be approved for development that would significantly increase the real estate vacancy rates."
2. Section 2.1.4 "D," Public water and sewer service extensions ~~are not maybe generally~~ made in rural areas of the County or in areas where low-density development is planned, ~~except when provided~~ these areas are specifically identified in an approved Area Master Plan, or Sectional Map Amendment as appropriate for public water and sewer service, "or if the project is deemed to be compatible with other County growth policies after an analysis of the impact of the impact of the project related to its location, community needs, services, and infrastructure and other appropriate policies."
3. Section 2.1.4 "D," delete fifth bullet "An Adequate Public Facilities test may not be more

than six years old.”

4. Section 2.1.4 “E,” first bullet, delete the period and insert “unless the project is deemed to be compatible with other County growth policies after an analysis of the impact of the project related to its location, community needs, services, infrastructure and other appropriate policies.”
5. Section 2.1.4 “E,” second bullet; replace language with “Any proposed use of grinder pumps shall be in accordance with WSSC policy and standards.”
6. Section 5.2.1, first paragraph reference to COMAR should be 26.04.03; second reference to COMAR should be 26.04.02.

The Washington Suburban Sanitary Commission provided written comments regarding the language pertaining to grinder pumps and suggested revised language.

A Council Member indicated that previously the Council took action to remove properties from the Priority Funding Area. Based upon this information, it was recommended that the sewer envelope boundary and water and sewer maps be revised to exclude these properties that have been removed from the Priority Funding Area. It was the Committee’s desire to legislatively consider this action at another time.

The Legislative Officer and the Office of Law find it to be in proper legislative form. The Office of Audits and Investigations determined that there should not be any negative fiscal impact on the County as a result of adopting CR-62-2001.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation will adopt the 2001 Water and Sewer Plan and the 2001 Water and Sewer Category Maps, and approve a fee schedule for administering Water and Sewer Plan amendments and the purchase of maps and related materials.

CODE INDEX TOPICS: