



City of Rockville

MEMORANDUM

June 15, 2010

TO: Members of the Planning Commission

FROM: ^{for MC} Mark Charles, Chief of Environmental Management

VIA: ^{DB} David B. Levy, Chief of Long Range Planning

SUBJECT: June 23, 2010 Planning Commission Work Session for the
Water Resources Element (WRE)
City of Rockville Comprehensive Master Plan

This memorandum provides the Planning Commission key information for use at the June 23, 2010 work session on the Public Hearing draft of new State-required *Water Resources Element* of the City of Rockville's *Comprehensive Master Plan* (CMP).

The *Water Resources Element* identifies water resources for drinking and other purposes that are needed to meet the needs that arise from projected growth. Receiving waters and wastewater treatments are identified. This element is also concerned with water resources protection, ground water resources, water quality standards and Total Maximum Daily Loads (TMDL).

The Public Hearing Draft of the WRE was released April 9-12, 2010. A presentation of the document was made to the Planning Commission on May 12, 2010. The Planning Commission held a Public Hearing on June 9, 2010 and determined that Public Hearing record would be open until June 16, 2010.

Publicity Related to the Release of the Documents

The opportunity to provide testimony has been publicized through multiple means. The following is a chronology of how the public was notified of the release of the document, and of the opportunity to provide testimony. The publicity attachments are the same as those provided in the Municipal Growth Element memo, and are not included in this document to avoid duplication.

April 12, 2010: Press Release issued regarding the release of the document and how to provide testimony. The Planning Commission and the Mayor Council were notified by email about the release of the document and the schedule. (MGE Attachment 1)

April 12, 2010: Posting the draft documents on the Web page, including highlighting the June 9 Public Hearing as a central feature of the City's Home Page as the Public Hearing date approached. (Print out from Web site enclosed as MGE Attachment 2)

April 13, 2010: email to the citywide LISTSERV, providing information on the schedule for the Planning Commission and Mayor and Council Public Hearings and review/approval of the documents. (MGE Attachment 3)

An article in the May/June Rockville Reports, providing information on the documents, on the June 9 Planning Commission Public Hearing and a link to the City's web page for access to the documents and the schedule. (MGE Attachment 4)

May 11, 2010: Copies of WRE's were handed out to Rockville's Environment Commission.

May 12, 2010: Televised presentation of the document to the Planning Commission, including information on how to provide testimony.

May 26, 2010: The Planning Commission Public Hearing was advertised in the May 26, 2010 edition of The Gazette. (MGE Attachment 5)

A flyer was available at the City booth at Hometown Holidays during Memorial Day weekend, providing information on how to give testimony. (MGE Attachment 6)

In addition, on its own, Rockville Central posted information about the MGE on its blog, and suggested that the public provide comments.

The Draft MGE and WRE are available at the Twinbrook and Rockville library reference section for review by the public.

June 9, 2010: The Planning Commission held Public Hearings on both elements, where the public was invited to give testimony. It was determined that the Public Hearing record be held open until July 16, 2010.

June 11, 2010: The City issued another news release about Public Comment Period Remaining Open for Master Plan Elements through June 16. It also informed the public that any comments received after June 16, would be held for the Mayor and Council Public Hearing. (MGE Attachment 7)

Public Testimony Received during the June 9 Public Hearing

There was no oral testimony on the Water Resources Element.

Written Public Testimony

Since the release of the draft documents, the public has also had the opportunity to provide written testimony. The means available include:

- Online through the Web page, at <http://www.rockvillemd.gov/masterplan/elements>
- Email to masterplan@rockvillemd.gov, giving full name and address
- Mail to Long Range Planning Division, 111 Maryland Avenue, Rockville, MD 20850

Staff has received written testimony on the WRE from:

1. Chair David Hill of the Planning Commission
2. Julie Palakovich-Carr of the Environment Commission

This testimony is included as attachments.

Agency Comments

On April 9 and 10, staff sent draft documents to the following people:

- Maryland State Clearinghouse for Intergovernmental Assistance, Maryland Department of Planning
- Richard Hall, Secretary, Maryland Department of Planning
- John R Griffin, Secretary, Maryland Department of Natural Resources
- Shari Wilson, Secretary, Maryland Department of Environment
- The Honorable Isiah Leggett, County Executive, Montgomery County
- Rollin Stanley, Planning Director, Maryland National Capital Parks and Planning Commission
- Paul DesJardin, Chief of Housing and Planning, Department of Human Services, Planning and Public Safety, Metropolitan Washington Council of Governments
- Mary Bradford, Director Montgomery County Department of Parks
- Jerry N Johnson, General Manager, Washington Suburban Sanitary Commission
- Richard Josephson, Director, Planning Services, Maryland Department of Planning
- Peter Conrad, Assistant Manager, Planning Services, Maryland Department of Planning
- Greg Ossont, Director, Planning and Code Administration, City of Gaithersburg

The following agencies provided comments:

1. The Maryland Department of Planning
2. The Maryland Department of Transportation

These comments are also included as attachments.

Staff Response to the Testimony and Comments

See the responses included in the table of comments attached to this memo

Next Steps

Staff recommends that the Planning Commission provide direction to staff on changes to the Public Hearing draft at its meeting on June 23. Staff will then incorporate these changes into a revised draft, showing the changes that have been made, and resubmit the document for Planning Commission review and potential approval on July 14, 2010.

Approval Schedule

The approval schedule has been revised from that which has been presented in prior Planning Commission staff memoranda and has been posted on City publicity material, based on Mayor and Council direction during their June 14, 2010 meeting. In that meeting, a decision was made to reschedule the Mayor and Council Public Hearing from August 2 to September 13. This change was made in order to increase the likelihood that the public will have an opportunity to testify. Staff has made additional changes as a result, and recommends the following revised schedule.

Formerly Publicized Schedule	Proposed Revised Schedule	Actions
June 9, 2010	June 9, 2010	Planning Commission Public Hearing
June 16, 2010	June 16, 2010	Close Planning Commission Public Record
June 23, 2010	June 23, 2010	Planning Commission Work Session and Instructions to Staff
July 14, 2010	July 14, 2010	Planning Commission Decision and Recommendation to Mayor and Council
July 19, 2010	<i>July 26, 2010</i>	Presentation of Planning Commission Draft to Mayor and Council
August 2, 2010	<i>September 13, 2010</i>	Mayor and Council Public Hearing
August 16, 2010	<i>September 22, 2010</i>	Recommended Close of Mayor and Council Public Record
September 13, 2010	<i>October 11, 2010</i>	Mayor and Council Work Session
September 20, 2010	<i>October 18, 2010</i>	Mayor and Council Direction and Instructions
	<i>November 8, 2010</i>	Mayor and Council Adoption
September 28, 2010	<i>November 12, 2010</i>	Convey MGE and WRE to Maryland Department of Planning

Under the Proposed Revised Schedule, the City will not meet the State deadline of October 1, 2010 for adopting the Municipal Growth Element and the Water Resources Element. Staff has reviewed the legislative language and consulted directly with the Maryland Department of Planning. The language of Article 66B, as amended by HB1141, is as follows with respect to the implications of not meeting the deadline:

- (f) (1) Subject to paragraph (2) of this subsection, a county or a municipal corporation must include any plan element required under this section in its comprehensive plan on or before October 1, 2009.
- (2) On a request by a county or municipal corporation that shows good cause for extending the time limit to comply with paragraph (1) of this subsection, the Department of Planning may grant up to two 6-month extensions to that county or municipal corporation.
- (3) A county or municipal corporation that is not in compliance with paragraph (1) of this subsection after October 1, 2009, or after the expiration of any extensions granted under paragraph (2) of this subsection, may not change the zoning classification of a property until that county or municipal corporation complies with the requirements of this subsection.

The Maryland Department of Planning's interpretation of this language is that a municipality will not be permitted to rezone property until it has submitted these new elements. MDP has clarified that this provision does not apply to zoning appeals, variances and historic designations; it only applies to changes in zoning classifications or comprehensive rezoning. As the City has no current plans to rezone property, staff judges it very unlikely that there will be a negative consequence of missing the October 1, 2010 deadline.

**PUBLIC COMMENTS ON THE
DRAFT WATER RESOURCES ELEMENT
April 2010 Draft**

Comment Number	Comment	Response
1	Pg.12, first paragraph, for historical context, it is worth mentioning the <i>typhus outbreak</i> in City in 1914 was motivating event for public water and waste system in Rockville (see <i>Rockville, Portrait of a City</i> , pp 92-93 for detail) (PC)	Agree We will add this provision in the next draft.
2	Pg.14, <i>Land Use Table</i> , same comment for second row as for Table 2 third row from Municipal Growth Element comments (PC)	Agree The land use map (Figure 2, Page 9) has been developed and labeled by the State. To be consistent with the State terminology of land use categories, staff recommends retaining the “Undeveloped” label, but adding “(forest, wetland, parkland, etc.)” as suggested.
3	P. 18, last paragraph, last sentence: Water uses list for “denser portions of the City” seems too simplistic. Suggest using “watering greenery, washing surfaces, cleaning vehicles, water amenities (pools or fountains), and other uses that may be significant in urbanized lifestyle (PC)	Agree These are helpful examples that will be added to the next draft
4	Pg. 50, last paragraph: Discuss the need for public education on disposal of Fats, Oils and Grease in household settings (PC)	Agree Rockville is already investing in such outreach activities. We will discuss in the next draft.
5	Pg. 54, under <i>Other Stormwater Improvement Practices</i> : We should say more about the choices the City is making in winter storm treatment of streets that benefits water run-off quality (PC)	Agree We will add a brief discussion of ways we are minimizing salt releases into the City waterways

Comment Number	Comment	Response
6	The WRE projects that the City will reach its water allocation around 2040. How likely is it that Rockville will be able to draw more water from the river? (EC)	We think a modest increase is possible if not likely. WSSC has already secured an allocation intended to satisfy future demands
7	Has the City surveyed the amount of groundwater available? (EC)	We will address this question in the next draft. Groundwater is insufficient to provide more than a supplemental supply source
8	The WRE should provide a greater discussion of potential climate impacts and climate change (EC)	We will provide more details to the extent they are available. We will also address drought impacts though construction of more river impoundments is likely to require regional action
9	Should we plan for the installation of new stormwater treatment infrastructure in the older parts of the city? (EC)	We will address in more detail in the next draft. Many older neighborhoods may not have the room for infrastructure improvements. Low impact development and environmental site design solutions may be best effort in these locations.
10	Pg 18, WRE states that the City's development review process ensures that growth cannot occur if the water, sewer, and stormwater needs cannot be assured. How far out does this planning look? 5 years? 10 years? 50 years? (EC)	We will provide more detail in next draft. The system looks at the current situation and ensures that there is adequate capacity today. Should capacity be limited, future development that places greater pressure on the system will be denied.
11	Can we quantify the amount of water that should be conserved by the measures set out in the new green building ordinance? (EC)	We can make preliminary calculations on the amount of water that can theoretically be saved. However, redevelopment and fixture replacement must actually occur to realize these savings.

12	Pg. 5 WRE says percent of City-supplied water is 74%, but Pg 15 it says 78% (EC)	Agree This will be corrected in the next draft
13	Pg. 16, second paragraph: last sentence is missing a period (EC)	Agree This will be corrected in the next draft
14	Pg 17, third paragraph: "discharges" should be "discharged" (EC)	Agree This will be corrected in the next draft
15	Pg. 17, fifth paragraph: "lo" should be "low" (EC)	Agree This will be corrected in the next draft
16	Pg. 18, last paragraph, last sentence: add a comma between "drinking" and "washing" (EC)	Agree This will be corrected in the next draft
17	Pg. 21, line 8: delete "during the winter" (EC)	Agree This will be corrected in the next draft
18	Pg. 24, fifth paragraph: change "flee" to "fell" (EC)	Agree This will be corrected in the next draft
19	Pg. 39, sixth paragraph: delete "bring groundwater into the system" (EC)	Agree This will be corrected in the next draft
20	Pg. 43, second to last line: extra space "to erosion" (EC)	Agree This will be corrected in the next draft
21	Pg. 51, under "Forest and Tree Preservation Ordinance": there is an extra space "expanding the tree" (EC)	Agree This will be corrected in the next draft
22	Pg. 43: should be chapter <i>five</i> , not chapter <i>four</i> (EC)	Agree This will be corrected in the next draft
23	Does the WRE estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand (MDP M&G 26, p. 27)? (DOP)	This analysis has been included. It will be emphasized and highlighted in the next draft
24	Does the WRE estimate the approximate number or range of additional households and associated commercial and industrial wastewater demand that could potentially be supported in the planning area (MDP M&G 26, p. 33)? (DOP)	This analysis has been included. It will be emphasized and highlighted in the next draft

Comment Number	Comment	Response
25	The WRE should forecast the point source (WWTP) and nonpoint source (septic tanks and stormwater) pollution for each land use plan alternative to allow for comparison between land use plan options (MDP M&G 26, p. 13). (DOP)	Rockville recently enacted a comprehensive update to its zoning code. Future land use is not expected to change beyond increasing residential densities of some neighborhoods
26	Does the WRE describe the alternate future development options for which nonpoint source and point source loading estimates were performed (MDP M&G 26, pp. 39-40)? (DOP)	The WRE includes assumptions about LEL boundaries. However, any expansion of City boundaries will not affect water and sewer service to properties brought inside the City. They will continue to be serviced by WSSC.
27	Rockville should provide an estimate of future water and sewer demand (both residential and non-residential) by 2030. If non-residential demand is not expected, the WRE should state this. (DOP)	Agree The next draft will include these numbers.
28	The WRE notes that there are 32.2 miles of surface streams within Rockville (p. 15). The chart on the same page identifies only 13 miles of surface streams in the City. (DOP)	Agree The next draft will correct this discrepancy
29	The WRE includes a chart noting Rockville's Projected Additional 2030 Water Demand (p. 23), however, the accompanying text refers to this as a 2040 projection. (DOP)	Agree The next draft will correct this discrepancy
30	Text in Chapter 3 of the WRE refers to both 2030 and 2040 projections (p. 25 and p. 26). Please make sure it is clear whether water demand projections are for 2030 or 2040. (DOP)	Agree The next draft will correct this discrepancy

Comment Number	Comment	Response
31	<p>Does the WRE estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand? The WRE forecasts future residential demand (p. 23) and states that there is no agricultural land in the city (p. 13). The WRE does not forecast future water demand from industrial or commercial uses. (DOP)</p>	<p>Agree</p> <p>The next draft will include future demand projections for industrial and commercial sources</p>
32	<p>Does the WRE estimate the approximate number or range of additional households and associated commercial and industrial wastewater demand that could potentially be supported in the planning area? The WRE forecasts future wastewater for residential demand only (p. 33). The WRE does not forecast future wastewater demand from commercial and industrial uses. (DOP)</p>	<p>Agree</p> <p>The next draft will include future demand projections for industrial and commercial sources</p>
33	<p>The WRE should forecast point source (WWTP) and nonpoint source (septic tanks and stormwater) pollution for each land use plan alternative to allow for comparison between land use plan options. The WRE states that impervious land cover is 35% and will increase by 1.25% each year for the next ten years (p. 45). The WRE should state whether an alternative land use pattern could reduce or further slow the increase of impermeable surfaces. (DOP)</p>	<p>Agree</p> <p>The next draft will include this analysis</p>

Comment Number	Comment	Response
34	We recognize that Rockville does not have a significant amount of land left for development (p. 45). We also recognize that Montgomery County completed a nutrient loading analysis using two different land cover scenarios. Did these scenarios include different land use alternatives for Rockville? If so, did the nonpoint source loading forecasts differ? (DOP)	Agree We will check with Montgomery County and revise the WRE accordingly
35	SHA requests appropriate coordination with Rockville when utility or facility upgrades/expansions related to storm sewers, sanitary sewers or water supply lines may impact State highways or rights of way. (DOT)	Agree The next version of the WRE will include the need for this coordination
36	SHA requests coordination as necessary and appropriate with Rockville should its stormwater management activities potentially impact SHA's ability to implement roadway improvements, acquire right-of-way, or otherwise act to maintain a safe and efficient multi-modal transportation system. (DOT)	Agree The next version of the WRE will include the need for this coordination

PC – Planning Commission
 EC – Environment Commission
 DOP – Maryland Department of Planning
 DOT – Maryland Department of Transportation

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PC – Planning Commission
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FYI

----- Forwarded by Mark Charles/RKV on 06/08/2010 04:56 PM -----

From: Julie Palakovich <jpalakovich@yahoo.com>
To: Mark Charles <mcharles@rockvillemd.gov>
Date: 06/05/2010 11:54 AM
Subject: Water Resources Elements Master Plan

Hi Mark

I have a few comments on the Water Resources Elements Master Plan.

1) The plan projects that the City will reach it's allotment from the Potomac River around 2040. Given that the City will probably also grow at a substantial rate over the next 30 years, how likely is it that Rockville will be able to draw water from the Potomac River? It doesn't seem prudent to assume that WSSC will be able to provide water to our residents if we cannot draw water from the Potomac River. WSSC would also be struggling to meet the water needs of the areas it currently serves by 2040. Has the City considered alternative sources of groundwater that would be available to us?

2) I think that the plan needs to have greater discussion of potential climate impacts, as it currently barely addresses them. A reference appears to be on page 16: "Therefore, the leading threat to the continued use of the Potomac River is the remote possibility that climate change could lead to a temporary low-flow based disruption in service. There is a high likelihood of this occurring during the 2010 to 2040 time horizon."

Given the lack of climate models that make predictions on a regional and decadal basis, I do not think that we should assume that climate change will not impact the region's precipitation. According to the Maryland climate action plan: "Projections of precipitation show modest increases in the winter and spring. Because of more intermittent rain and warmer temperatures, droughts lasting several weeks are projected to be more likely during the summer."

3) The City is pursuing a policy of encouraging low-impact development in older neighborhoods that lack stormwater infrastructure. Will this be enough to adequately curtail stormwater, or do we need to plan for the installation of new treatment facilities in the city?

4) On page 18, it states that the City's development review process ensures that growth cannot occur if the water supply cannot be assured. How far out does this planning look? 5 years? 10 years? 50 years?

5) The plan assumes that per capita water usage will decrease over time as Rockville becomes more developed with more parks and gardens. Have we quantified how much water could be conserved through the measures included in the plan?

I also noticed a few typos.

-What percentage of the city's population drinks water supplied by the city? On page 5 it says 74%, but on page 16 it says 70%.

-Page 16, second paragraph: last sentence is missing a period

-Page 17, third paragraph: "discharges" should be "discharged"

-Page 17, fifth paragraph: "lo" should be "low"

-Page 18, last paragraph, last sentence: add a comma between "drinking" and "washing"

-Page 21, line 8: delete "during the winter"

-Page 24, fifth paragraph: change "flee" to "fell"

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-Page 43, second to last line: extra space "to erosion"

-Page 51, under "Forest and Tree Preservation Ordinance": extra space "expanding the tree"

-Page 43: should be chapter five, not chapter four
-Julie Palakovich Carr



Maryland Department of Planning

Martin O'Malley
Governor
Anthony G. Brown
Lt. Governor

Richard Eberhart Hall
Secretary
Matthew J. Power
Deputy Secretary

Mr. David B. Levy
Chief of Long Range Planning and Redevelopment
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850-2364

June 9, 2010

Dear Mr. ~~Levy~~ David

The Maryland Department of Planning has completed the coordinated review of the draft Water Resources Element and the Municipal Growth Element of the Comprehensive Master Plan for the City of Rockville. The draft elements were sent to the Maryland Departments of Transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, and Agriculture. Comments received after the date of this letter will be forwarded to you upon receipt. Comments from the Department of Transportation are attached.

In addition to the requirements of HB 1141, our planning staff has reviewed the elements for consistency with the Planning Act of 1992, the Smart Growth Areas Act of 1997 and other State growth management principles and policies. Our review comments are attached for your consideration.

If you have any questions please feel free to contact me at (410) 767- 4500 or Steve Allan at (410) 767-4572 with any questions or concerns.

The Maryland Department of Planning looks forward to continued planning coordination with the City of Rockville.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Conrad'.

Peter Conrad, AICP
Director, Local Government Assistance

Enclosure: Review comments

cc: Jason Dubow, Planner, WRE Coordinator
Steve Allan, Regional Planner
Rich Josephson, Director, Planning Services
Rita Elliot, MDP Clearinghouse



**Review Comments from the Maryland Department of Planning
Draft 2010 Water Resources & Municipal Growth Element
City of Rockville
June 9, 2010**

WATER RESOURCES ELEMENT

During the 2006 legislative session House Bill 1141 was passed requiring Counties and Municipalities address several new elements within their Comprehensive Plans. Under the provisions of this law all new elements will need to be included into comprehensive plans by October 1, 2009, unless the Municipality has requested an extension and the Maryland Department of Planning has granted a maximum of 2, 6-month extensions. Guidance documents for the Water Resources Element are available at the Maryland Department of Planning website (<http://www.mdp.state.md.us/>). MDP has reviewed Rockville's Draft Water Resources Element (WRE) for compliance and offers the following comments:

The WRE is incomplete. However, the WRE will meet the requirements of HB1141 with recommended comments added. The most important comments to include are in **bold**. The WRE does not yet effectively address the following purposes of the law and/or State guidance, as follows:

- Does the WRE estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand (MDP M&G 26, p. 27)?
- Does the WRE estimate the approximate number or range of additional households and associated commercial and industrial wastewater demand that could potentially be supported in the planning area (MDP M&G 26, p. 33)?
- The WRE should forecast the point source (WWTP) and nonpoint source (septic tanks and stormwater) pollution for each land use plan alternative to allow for comparison between land use plan options (MDP M&G 26, p. 13).
- Does the WRE describe the alternate future development options for which nonpoint source and point source loading estimates were performed (MDP M&G 26, pp. 39-40)?

Overall Comments

- **The Town should provide an estimate of future water and sewer demand (both residential and non-residential) by 2030. If non-residential demand is not expected, the WRE should state this.**
- Please consider the following edits or resolve the following discrepancies:
 - The WRE notes that there are 32.2 miles of surface streams within Rockville (p. 15). The chart on the same page identifies only 13 miles of surface streams in the city.
 - The WRE includes a chart noting Rockville’s Projected Additional 2030 Water Demand (p. 23), however, the accompanying text refers to this as a 2040 projection.
 - Text in Chapter 3 of the WRE refers to both 2030 and 2040 projections (p. 25 and p. 26). Please make sure it is clear whether water demand projections are for 2030 or 2040.

Water Demand Analysis

- The WRE outlines source water protection measures (p. 16).
- **Does the WRE estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand?** The WRE forecasts future residential demand (p. 23) and states that there is no agricultural land in the city (p. 13). The WRE does not forecast future water demand from industrial or commercial uses.

Sewer Demand Analysis

- **Does the WRE estimate the approximate number or range of additional households and associated commercial and industrial wastewater demand that could potentially be supported in the planning area?** The WRE forecasts future wastewater for residential demand only (p. 33). The WRE does not forecast future wastewater demand from commercial and industrial uses.

Identification Of Suitable Receiving Waters

- The WRE identifies the streams affected by land use impacts (p. 15) and identifies the WWTP discharge point location for its municipal system (Blue Plains Regional Wastewater Treatment Plant) (p. 18).
- **The WRE should forecast point source (WWTP) and nonpoint source (septic tanks and stormwater) pollution for each land use plan alternative to allow for comparison between land use plan options.**
 - The WRE states that impervious land cover is 35% and will increase by 1.25% each year for the next ten years (p. 45). The WRE should state whether an alternative land use pattern could reduce or further slow the increase of impermeable surfaces.
 - We recognize that Rockville does not have a significant amount of land left for development (p. 45). We also recognize that Montgomery County completed a

nutrient loading analysis using two different land cover scenarios. Did these scenarios include different land use alternatives for Rockville? If so, did the nonpoint source loading forecasts differ?

MUNICIPAL GROWTH ELEMENT

MDP has reviewed Rockville’s Draft Municipal Growth Element (MGE) for compliance and offers the following comments.

Population Projections

The City has done a good job incorporating population projections developed in cooperation with the Metropolitan Washington Council of Governments. It is recommended that historical population projections be included in the plan, providing a more comprehensive look at Rockville’s growth over a longer period of time (i.e. – 1980-2040).

Build Out Analysis

A requirement of House Bill 1141 and the MGE is a build-out analysis or development capacity analysis, which is designed to examine where growth has occurred and will be encouraged, the amount of growth involved and land to be consumed and the rate of growth and its past and future impacts on community facilities. The MGE states on page 36 that the combined growth in residential, commercial and other development projected can be accommodated through infill development within city limits. The methodology used to arrive at this conclusion is not clear. It may be beneficial to include a summary table with development capacity-related information such as: zoning classification, developable units per acre, acreage, number of dwelling units and persons per household to help summarize the data and draw a stronger link between housing supply and demand.

MDP appreciates the discussion on Rockville’s Maximum Expansion Limit (MEL) including the residential forecasts provided on page 41. Although the City does not have an annexation plan, being that it is included as a potential, distant future growth area in the MGE, a requirement of House Bill 1141 mandates that such areas be studied for impacts on Rockville’s infrastructure and public services.

FINANCE MECHANISMS

The City should be commended for including information on various funding sources which Rockville can use to help pay for infrastructure improvements. This section may benefit from a detailed discussion on how the City plans on financing future facility needs. Specifically, if it is the City’s intent that developer(s) absorb infrastructure expenses associated with major development, what portion of the costs should developer(s) absorb? Should the developer(s) donate land for a

school site or Public Park, pay for the update of a treatment plan or increase capacity for public water? Under what conditions should the developer(s) provide such assistance?

TRANSPORTATION

Although 2006 HB 1141 does not specifically require a municipal growth element to address the impact of growth on transportation, we recognize that adequate transportation infrastructure should be in place to support existing and planned growth. When a municipality develops its growth element, we encourage the jurisdiction to evaluate the transportation goals, policies, and recommendations in the transportation element of the current comprehensive plan, and determine if those transportation goals, policies, and recommendations adequately address the municipal growth element's transportation related concerns. The City recognizes that growth will place a significant impact on transportation facilities and services, but is concerned that the transportation impact may be too broad and complicated for the growth element to cover. Therefore, the City decided that the adequacy of transportation infrastructure will be addressed through its 2011 Comprehensive Plan update process. MDP supports the approach and encourages the City to update the transportation element/chapter of the comprehensive plan to reflect the overall transportation visions including those for the future growth areas.

GENERAL COMMENTS

- The MGE is clearly written and well organized, which makes the document inviting to the public, not just policymakers and planners.
- A map illustrating both zoning and development capacity is encouraged.
- MDP appreciates the zoom-in maps of MEL - Area A and B, illustrating what is currently located in each area and provides justification for potential future annexation.
- You may want to re-word the statement on page 36 "The City does not, at present, have an annexation plan" with something like: "Property owners may engage the City for their desire to be annexed into the municipality, however the City of Rockville does not seek out individual properties to be annexed."



Maryland Department of Transportation
The Secretary's Office

May 14, 2010

Martin O'Malley Attach 12
Governor

Anthony G. Brown
Lt. Governor

Beverley K. Swalm-Staley
Secretary

Harold M. Bartlett
Deputy Secretary

Mr. Steve Allan
Maryland Department of Planning
301 West Preston Street
Suite 1101
Baltimore MD 21201-2305

Dear Mr. Paone:

Thank you for the opportunity to review the City of Rockville's Water Resources Element and Municipal Growth Element. In summary, Maryland Department of Transportation (MDOT) comments constitute an R1 determination (Generally Consistent with Qualifying Comments), with the following comments provided:

Generally, in order for MDOT to provide a thorough review of plans such as these, it is requested that we be afforded a 60 day review period. This enables us to coordinate with our various modal administrations (e.g. SHA, MTA) in order to provide comprehensive, multi-modal comments.

Water Resources Element

1. Our State Highway Administration (SHA) requests appropriate coordination with the City of Rockville when utility or facility upgrades/expansions related to storm sewers, sanitary sewers, or water supply line may impact State highways or rights-of-way.
2. SHA requests coordination as necessary and appropriate with the City of Rockville should its stormwater management activities potentially impact SHA's ability to implement roadway improvements, acquire right-of-way, or otherwise act to maintain a safe and efficient multi-modal transportation system.
3. We support the interagency coordination efforts cited within the Water Resources Element of the Comprehensive Master Plan for joint responses to hazardous materials spills.

Municipal Growth Element

1. Overall, the draft Municipal Growth Element (MGE) of the City of Rockville's Comprehensive Plan addresses the needs of the City and incorporates the MGE elements contained in the Maryland Department of Planning's guidance document entitled *Models and Guidelines, Volume 25, Writing the Municipal Growth Element to the Comprehensive Plan*. The explanation concerning the methodology and rationale for certain assumptions in the Development Capacity Analysis is detailed and clear.
2. The MGE focuses on land use and community facilities (schools, libraries, etc.) and does not include a discussion of transportation or other public facilities. Therefore, these comments do not address specific transportation or other public facility issues. The MGE acknowledges that transportation and public facilities are important elements in a Comprehensive Master Plan and that growth has a major impact on

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the demand for these resources. The MGE continues to state that the “*type of expected growth, multi-family and commercial development in a mixed-use redevelopment context, is likely to require a changing emphasis for transportation than was the case when residential growth was predominantly in single-family, single-use neighborhoods. In particular, this type of growth will offer opportunities to expand multi-modal transportation opportunities.*” The MGE states that the scope and complexity of transportation and public facilities is beyond its scope, but indicates that the appropriate section(s) of the updated Comprehensive Master Plan will discuss these topics in greater detail. MDOT looks forward to reviewing these sections when they become available.

3. Although the MGE contains an *Introduction* section, it (appropriately) focuses on the policy requirements of Article 66B of the Annotated Code of Maryland, as amended by House Bill 1141 (HB 1141). It would be helpful if the MGE also contained an *Executive Summary*, to provide an overall context for the analyses and resulting recommendations and conclusions that are presented, in detail, later in the MGE.
4. Some of the graphics use a symbol for a road and others use the name of the road. Also, the graphics do not label the same roadways. In some cases, the text (“MD Route 355”) does not match the graphic (“MD 355”). Consistency in labeling the roadways both in text and graphics would be helpful.
5. The Maryland Department of Planning’s guidance on MGE states that HB 1141 (which added the requirements for the MGE) “also contains provisions requiring face-to-face meetings and coordination between municipal and county representatives before the municipality can adopt the growth element.” We suggest adding a section mentioning this provision and summarizing ongoing or anticipated future coordination (e.g. meetings between the City of Rockville and Montgomery County), and possibly incorporating this text into the “Process for Developing and Approving the MGE” section.
6. Page 15, Figure 4, “Location of Future Rockville Growth:” shows the current Maximum Expansion Limits (MELs) (shown in “red” outlines) and the proposed expansion MELs (shown in “yellow” outlines) but does not discuss them until Page 36. We suggest deleting the MELs on Figure 4 or moving the discussion of MELs forward in the document for clarity. As an aside, what is the total land area of the MELs and the amount which is developable (not mentioned in the general description of the MELs on pages 36-42)?
7. General Comment (related to comment above): If the MELs are retained on Figure 4 to Figure 9, include the facilities (existing or proposed) that are in the MELs. Understandably, the MELs may not contain some of the facilities (schools, libraries, etc.), but are there no parks or open space in the MELs either?
8. Pages 18-31, “Impact of Projected Growth:” As mentioned previously, the MGE discusses community facilities but does not specifically address transportation, water and sewer facilities, stormwater and other public infrastructure. A brief discussion which generally summarizes infrastructure issues such as management principles, demand, capacity and whether anticipated growth may create issues that require specific facilities or strategies in the future would be helpful. This section would reference the more detailed analyses contained in the appropriate sections of the Comprehensive Master Plan. This section could be called “Other Resources” and appear prior to the “Financial Mechanisms to Accommodate Growth” section.
9. Page 41: States “*Population growth in Rockville’s MEL...is projected to double from 2010 to 2040.*” (However, Table 13 indicates population increasing 10,514 in 2010 to 34,709 in 2040 = 230%). It may

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be clearer to rephrase as: "Population in Rockville's MEL in 2040 is projected to increase more than 230 percent over 2010."

10. Page 42: States *"To repeat, however, there is no expectation that Rockville will annex the entire extent of the MEL. As a result, as discussed in Section 6 of this document, measuring the impacts on Rockville's infrastructure and public services at this point is not a useful exercise."* Suggest rephrasing and adding a general statement such as "A detailed analysis would be conducted if a property owner petitions the City to be annexed."
11. SHA requests that the City coordinate with the State to address access management issues along State roadways as development is planned/approved. This coordination will allow SHA to assess the safety and congestion issues likely to accompany the density increases anticipated in the Municipal Growth Element of the Comprehensive Master Plan.
12. We support the City's efforts to require developers to provide the necessary infrastructure to support proposed development, especially as it relates to road and intersection improvements along State roadways.
13. Likewise, planned improvements, expansions, and new construction of schools and emergency services should be closely coordinated with SHA to address potential access management, congestion, and safety issues. The State of Maryland, along with various local, federal and private stakeholders, has developed a Maryland State Highway Safety Plan. The purpose of the plan is to decrease the number of fatalities and injuries on all roads in Maryland. Montgomery County's Community Traffic Safety Program (CTSP) Coordinator, Dana Gigliotti, works with local jurisdictions to implement the strategies set out in the safety plan. Ms. Gigliotti can be reached at 301-513-7472.
14. We recognize the value of parks and open spaces for the residents of Rockville and support the establishment of bike routes and trails which function to provide access to those facilities. Additionally, these multi-modal facilities should be described as being ADA compliant to maximize opportunities for all members of the City of Rockville. For additional coordination or more information, please contact Ms. Mary Davidson, SHA's Bicycle and Pedestrian Coordinator, at 410-545-5652 or via email at mdavidson@sha.state.md.us.

I hope these comments are helpful.

Sincerely,



Keith Bounds, Regional Planner
Office of Planning and Capital Programming

cc: Ms. Rita Elliott, Clearinghouse, Maryland Department of Planning
Mr. Donald Halligan, Director, Office of Planning and Capital Programming, Maryland Department of Transportation
Mr. Greg Slater, Director, Office of Planning and Preliminary Engineering, State Highway Administration
Mr. Brian Young, District Engineer, State Highway Administration

