

December 18, 2015

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Commissioners of St. Mary's County  
PO Box 653  
Leonardtown, MD 20650

Subject: Testimony on the Lexington Park Development District Master Plan

Dear Commissioners,

The St. Mary's River Watershed Association appreciates the opportunity to provide the following comments and recommendations to the new Lexington Park Development District Master Plan. (Hereafter referred to as "Plan") In line with the importance of this Plan to the future of our community, we have invested considerable time and effort to review and to make these observations of and recommendations to the planning commission's recommended draft of the Plan. We trust that you will take our recommendations seriously and that you will incorporate them into the Plan prior to adoption. We firmly believe that these minor improvements will greatly enhance what is already a good *vision* of what the Lexington Park Development District may become by 2045.

### Observations

The Plan contains very strong wording that places the responsibility for financing infrastructure, including public sewer and water, roads, etc., on the county government (tax payer) in areas earmarked for growth and revitalization. This is likely the biggest incentive within the Plan for development to occur as desired. We strongly urge you to retain this language. [Sec. 1.1.2]

The Plan addresses the St. Mary's River watershed in Section 3.1. and 3.1.1. This section provides excellent information about watershed streams and the potential for negative impacts to them caused by development and should be retained. Additional text should be added to inform readers and planners about the Tier II stream catchment designation and requirements for anti-degradation policies and treatments under the Clean Water Act Section 303 and promulgated in Maryland's regulations. [COMAR 26.08.02.04 and 26.08.02.04-1] These areas are mapped in the Plan on Figure EC-8 in the maps section on page 11-9, and should also be retained.



The Plan states that population is expected to grow tremendously over the next fifteen years (2015 through 2030) from the 2010 census figure of 35,582 people, to 60,000 in 2030. The Plan does not cite a date when the source, the Maryland Department of Planning, formulated these projections and we question their relevance in the current local economy. Residential growth rates have dropped significantly from recent historic growth in the late 1990s and early 2000s. Likewise the Plan projects an increase of 14,700 jobs over the next fifteen years—a 23% increase. But the jobs outlook for the U.S. Navy, our county’s largest employer, is not optimistic, and the county is experiencing a fairly flat economic growth outlook for the foreseeable future. Therefore, up to date population and jobs projections are vital in order to align the Plan with need. [Sec.1.2.1]

We recommend that the Plan include a build out projection. Substantial changes are proposed in the density and intensity of development for many areas within the development district. The Plan’s increased growth opportunities should align with the *need* for employment centers (industrial and commercial) and residential housing. Is it possible that the scope of the current Plan is adequate to accommodate growth through 2045? The Maryland Department of Planning (source of population projections cited) has indicated in their analysis of the current Plan that the development district is geographically too big and will accommodate more growth than projected under their outdated 2010 projections which are questionable given the current local economic climate.

We recommend that the Plan include a schedule for phased, prioritized, and sequential development in the growth and revitalization areas. Without such phasing, the county will have no way to focus, direct, and incentivize development into targeted areas such as the Great Mills corridor. As a result, developers would then be free to choose the area where they believe they can achieve the greatest net profits, regardless of community welfare and infrastructure availability. It’s unlikely that the development industry will build and market new housing in already depressed neighborhoods, when housing can be built in new neighborhoods where the aesthetics are nicer and there is currently no crime (and no jobs, no schools, inadequate roads, etc.). One can envision a scenario where the county is forced to upgrade roads and build schools to accommodate residential growth in areas currently underserved by public infrastructure, thereby taking vital public funding away from the Plan’s areas that are targeted for revitalization and growth. A phasing and review process should be included into the Plan so that the county can incentivize and direct development where it is most wanted, and reserve future development areas for such time that there is a *need*. The development district should be planned so that growth is focused in the central areas (Great Mills Road, Three Notch Road, Chancellor’s Run Road) until those areas are revitalized and sustainable. Three Notch Road is already sustainable but lacks cohesion and would benefit from infill and some revitalization especially in older commercial centers. Once the county has achieved these goals—revitalized and sustainable central areas—then a gradual expansion outward is in order to accommodate *need as it arises*.

We also recommend that the Plan include a cause, effect, and response aspect. Then, if something expected or unexpected occurs, the county could accommodate or adjust to it quickly. For example, if the Navy continues to incur a declining budget - and projections indicate that their budget may well be reduced by up to 30% over the next several years - and if a mature diversification of the county's economic base doesn't occur, we could be unable to attract new employers and businesses. How then will we be able to maintain a focus on older neighborhoods, community well-being, education achievement, and low crime? Another scenario might be that several medium-size industries move into the industrial park near the airport— the Plan should provide for adequate residential growth areas in the northern part of the development district enabling workers to live where they work, and not have to commute from the district's southern residential growth areas. The inclusion of a review and phasing element to the Plan will set the stage for a timely response to the *actual need* as it arises. We recommend a five year review timeline for the Plan so the county can stay ahead of needed revisions Plan reviews could be delayed to ten years if development continues at the present slow rate.

A proposal to expand the development district south to Park Hall Road (Comprehensive Plan) was considered by the 1994-1998 Board of County Commissioners. Public meetings on this proposal were very well attended by residents of the south county who protested this option. Many objected to the Hermanville Road boundary and also wanted the boundary moved northward to the Pembroke Run stream. The Board received tremendous community input and decided not to approve this proposal for expansion. (Note that just a few residents favored this option so they could benefit from the opportunity to develop their land.) A subsequent Board of County Commissioners passed a St. Mary's County Comprehensive Plan (2005) that designated the southern boundary area a "residential transitional zone," thereby directing growth into the core of the development district and limiting the impact to the south county residents, agricultural community, and St. Mary's College of Maryland, who has long favored maintaining rural corridors leading to the college campus. In regards to similar cases, courts have upheld plaintiff motions that a mistake in zoning occurs when a property is zoned differently than neighboring properties. The courts consistently find that a roadway does not define a boundary for a neighborhood. Therefore, this transitional zone was not only supported by an overwhelming majority of the public, it also served to limit any legal action that might expand the development district westward across Point Lookout Road and southward across Hermanville Road—areas where agriculture dominates land use. Protecting residential neighborhoods from agricultural industries' impacts (noise, dust, odors, and roadway usage) is essential to maintain community quality of life. Therefore, it is wise to keep residential density low where residential and agricultural land uses are adjacent or nearby. Additionally, the Plan as written includes few regulatory or incentive based reasons to encourage residential redevelopment in prioritized target areas along Great Mills Road, but instead it opens new areas for development. We strongly encourage you to retain this lower residential density as currently mapped along Point Lookout Road and Hermanville Road as a "residential transitional zone", as dictated in intensity and area in the current Lexington Park Plan. (Lexington Park Development District Master Plan Adopted April 6, 2010)

We recommend that the Lexington Park Development District Master Plan should also include a specific focus area in the industrial park and the undeveloped area surrounding the county airport. You have stressed an urgent need for economic diversification and the priority for the recruitment of light industrial businesses and jobs to offset the expected downturn in local Navy and Defense spending. While new Department of Defense industries and businesses might be located near the Base, technology transfer or non-DOD related industry supporting economic diversification should be encouraged and incentivized to locate in areas where zoning, air freight, and transportation corridors are currently adequate or scheduled for enhancement.

Recommendations for specific line item changes and insertions that we feel will make this Plan serve our community in a much richer and realistic way are provided in the attached pages. The observations provided above support the justification for each of the recommended edits or text additions. It is our firm belief in, and our commitment to achieving a holistic, systems based approach to planning for our environmental welfare, community well-being, and quality of life that leads us to provide you with these observations and recommendations that identify what we are convinced are the most important edits to the draft Lexington Park Development District Master Plan. We look forward to working with you on its successful implementation.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Anderson". The signature is fluid and cursive, written over the printed name below.

Joe Anderson

President

St. Mary's River Watershed Association

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## Recommendations

<u>Page</u>	<u>SectionTitle</u>	<u>Additions or Changes (in red)</u>
1-2	1.1.3 Vision	<p>AFTER LINE 25, INSERT THIS SECTION ABOUT REVIEW/PHASING/ECONOMIC PLAN/GAP ANALYSIS</p> <ul style="list-style-type: none"><li>I. A periodic review every five years to ensure that the goals and objectives of the plan are being met and that development projections are based on current data from a community needs assessment/gap analysis. This analysis should also provide data to ascertain the carrying capacity of the Lexington Park Development District as it pertains to schools, roadways, housing, potable water, ecology, health and social services, public safety and law enforcement, waste treatment, and waste disposal, etc.</li><li>J. The incorporation of the county-wide economic plan once it has been approved by the county commissioners.</li><li>k. The inclusion of an area based phasing and a sequencing plan to assure that areas targeted for redevelopment are not overlooked while development happens in non-targeted areas.</li></ul>
1-2	1.2.1 Planning context	<p>REPLACE LINES 28-44 - QUALIFY POPULATION PROJECTIONS; ADD BUILDOUT CORRELATION; ADD SEQUENCED GROWTH; ADD LINK TO ECONOMIC DEVELOPMENT PLANNING</p>

The 2010 census found that 35,582 people, or 33.8% of the county's population, lived within the Lexington Park Development District. The Maryland Department of Planning's population projections anticipate the District is expected to grow by 31% from 2010 to 2020 to a population of 46,800 and by 69% from 2010 to 2030 to a population of 60,000. These projections are well advanced from current growth trends and in light of the current economic forecast for slow job growth in the county, new projections are necessary to determine future development needs.

As of 2010 there were 15,075 dwelling units in the District, of which 13,900 were occupied leaving a vacancy rate of 8% or about 1,175 units. Questionable population projections from the Maryland Department of Planning make the determination of projected growth in dwelling units also unreliable, necessitating a periodic review of this Plan and

future needs. Based on the current growth rate, we can expect approximately 6,000 to 8,000 additional dwelling units to come online in the next 15 years, or a projection of 22,000 by 2030.

Between 2010 and 2030, the Maryland Department of Planning projects a growth of 14,700 jobs from 63,200 to 77,900 or by 23%, including professional and technical services, health care, construction, accommodations and food service, and other business and personal services. The combined job growth in these sectors comprises two-thirds of total projected employment growth in the Development District. The Maryland Department of Planning may be overestimating economic growth at a time when the county's largest employer is experiencing budget cutbacks and downsizing, and at a time when the county's economy has not yet diversified.

1-5 1.3.1.B. Northern Subarea AFTER LINE 32, ADD AIRPORT

The industrial-zoned and office business park-zoned areas adjacent to the airport are targeted for recruitment of new light industry and services sector businesses under the county's developing Economic Plan. Located near major transportation corridors and air freight services, this area is ideal for infrastructure improvements that will incentivize development in this area. The construction of the USM Southern Maryland Academic & Research Center on the campus of the Southern Maryland Higher Education Center will also provide an anchor for increased economic development.

1-5 1.3.1.D. Southern Subarea REPLACE LINES 54-69 - RETAIN ZONING ALONG RTE. 5 AND HERMANVILLE ROAD

The Southern Subarea (shown in orange) encompasses the southern and eastern portion of the Development district, and is comprised of the areas on either side of Willows Road south of Bradley Boulevard, northwest of Hermanville Road and on each side of Forest Park Road. The Southern Subarea forms the southern border of the NAS. Development must comply with standards to minimize encroachment threats. The eastern area north of the powerline ROW, with easy access to the NAS via Gates 2 and 3, is predominantly an area of higher density residential with opportunities for office business parks. Infrastructure investment should be a low priority except for vertically mixed-use pedestrian-oriented development. Residential developments outside the AICUZ, and within this eastern area, should achieve density greater than 3.5 units per acre as required in a Priority Funding Area (PFA). Development in the area along Hermanville Road south of the powerline ROW should remain residential low-intensity transitional with clustering to minimize impacts to

sensitive streams, nearby agriculture, and the goals and objectives of the Rural Preservation District, which is located on the south side of Hermanville Road.

3-2 3.1 AFTER LINE 26, INSERT THIS PARAGRAPH ABOUT TIER II STREAMS

The Anti-degradation policy (ADP) of the Clean Water Act (section 303) mandates that streams be identified and classified under a tiered program so that high quality streams, Tier II, will be protected from future negative impacts. Tier II streams are protected under Maryland regulation, COMAR 26.08.02.04 and 26.08.02.04-1, and may require burdensome stream studies beyond the current criteria being imposed in the review process for development within those watersheds or catchment basins. Within the Development District, watersheds that have been classified as Tier II are all the upper tributaries to, and the main stem of, the St. Mary's River, as well as the Hilton Run tributary. These are mapped in Figure EC-8.

10-27 Table 8 CORRECT THE HEADING TO INDICATE YEARS

2005-2014

11-5 Figure EC-4 ADD THE NUMERIC LABEL FOR THE PEMBROOK RUN/EASTERN BRANCH SUBWATERSHED (missing on map)

0716

11-25 Figure PC-2 ADJUST THE MAP TO REFLECT PRIOR ZONING "residential low-density transitional" AS INDICATED IN FIGURE PC-1 ON THE PRIOR PAGE