



# FREDERICK COUNTY GOVERNMENT

## DIVISION OF COMMUNITY DEVELOPMENT

Department of Planning & Development Review

Jan H. Gardner  
County Executive

Steven C. Horn, Division Director  
Jim Gugel, Director

March 3, 2015

TO Interested Parties

FROM Jim Gugel, Planning Director

RE Water and Sewer Plan Amendment Application Policy

Beginning with the Spring cycle application period in March 2015, the County will require that all criteria for a classification or infrastructure amendment be met at the time of application. The Community Development Division will no longer accept applications under the premise that any of the requirements not met at the time of application will be met by the time the amendment is presented to the County Council at the public hearing.

Since the primary issue with meeting the criteria has been with those amendments requesting the S-3/W-3 classification, listed below is the documentation (shown in ***bold italics***) that will be required at time of submission of a Water and Sewerage Plan amendment application.

- a. Criteria required for the S-4/W-4 classification have been complied with.
- b. Applicant shall provide a study of the components of the existing water and wastewater system and identify inadequacies that may result from the development of the property. This study may be performed in conjunction with the ***Adequate Public Facilities Ordinance (APFO)*** studies.
- c. A preliminary subdivision plan, site plan, Phase II Plan (in the case of PUDs and MXDs or other floating zoning districts), or equivalent plan in a municipality has been approved by the Planning Commission.

***A letter from the Community Development Division or the respective municipality that documents the conditional approval by the planning commission of the particular development plan is required.***

- d. A discharge permit, where appropriate, has been approved by all appropriate State agencies.
- e. A hydrogeologic study, where appropriate, supports the establishment of a community water system, which will not be detrimental to adjoining wells or surface waters. The hydrogeologic study is typically required to appropriate both ground (well) or surface waters. A Water Appropriation and Use Permit, where appropriate, have been approved by all appropriate State agencies.



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- f. If County funded CIP project(s) are needed to provide service, then construction funds for each project must be contained in the first or second year of the County's approved CIP.
- g. If service is to be provided by developer initiated and funded projects, the developer must have approved and signed water/sewer improvement plans and an approved cost proposal for all improvements required to bring adequate water and sewer service to the site. This "service to the site" requirement is considered "met" if adequate water and sewer lines abut the site and are located within a public right-of-way or a public water/sewer easement which abut the site.

***Provide confirmation (email is acceptable) that DUSWM staff have approved and signed any necessary water/sewer improvement plan mylars.***

- h. Satisfaction of Items f. and g. will create a rebuttable presumption in favor of the applicant that service will be available within 3 years.