

Decision Matrix for Local Designation of Priority Funding Areas

Defined as Priority Funding Areas by Statute

State Finance & Procurement Article	Applicable Jurisdictions	DEFINED BY STATUTE AS PFA
§5-7B-02 (1)	Municipalities	Baltimore City and all Municipal Corporations. For municipalities incorporated as of Jan. 1, 1997, the municipal boundaries as they existed on Jan. 1, 1997.
§5-7B-02 (2) to (5)	Counties and Municipalities	Enterprise zones, certified heritage areas, areas located inside the beltways (I-495 and I-695).

Summary of Criteria for Local Designation of PFA -- Post 2006 County and Municipality

State Finance & Procurement Article	Applicable Jurisdictions	TYPES OF AREAS ELIGIBLE FOR PFA DESIGNATION		PFA Designation Criteria ¹				
				Comprehensive Plan Criteria	Density Criteria ^{2,3}	Service by Water & Sewer ⁴	Analysis of Supply & Demand ⁵	Additional Restriction or Tests
§5-7B-02(1)(i)-(ii)	Municipalities	Areas Annexed by a Municipal Corporation	Annexed after Jan. 1, 1997 and before Oct. 1, 2006	N/A	Must satisfy density & water/sewer service requirements of §5-7B-03 for either Industrial, Employment or Other Than Existing Communities ⁶	N/A	N/A	
			Annexed after Sept. 30, 2006	Must satisfy All PFA Designation Criteria requirements of §5-7B-03 for either Industrial, Employment or Other Than Existing Communities ⁶				
§5-7B-03 (b); §5-7B-03 (c)(2); and §5-7B-03 (g)	Counties and Municipalities	Areas zoned or designated for Industrial Use (for Garrett County, Areas Classified in the Comprehensive Plan as Industrial)	If zoned or designated by Jan. 1, 1997	N/A	N/A	N/A	Yes	N/A
			If zoned or designated after Jan. 1, 1997	Within a locally designated Growth Area	N/A	Existing Sewer		
§5-7B-03 (c) §5-7B-03 (g)	Counties and Municipalities	Areas Principally Used for Employment	If principal use established as of Jan. 1, 1997	N/A	N/A	Existing sewer or planned in 10-year sewer plan	Yes	N/A
			If established after Jan. 1, 1997	Within a locally designated Growth Area				
§5-7B-03 (d) and §5-7B-03 (g)	Counties	Existing Communities , identified as of January 1, 1997, including vacant land within the Community	If Sewered	Within a locally designated Growth Area	2.0 units per acre	Existing Sewer	Yes	Funded project must maintain community character and may not increase growth capacity except for infill or "limited periphery development" ⁸
			If Served by Public Water Only			Existing Water		
			For expansion of PFA beyond the periphery of the developed portion of the Existing Community			The original "existing community" must be in a locally designated Growth Area		
§5-7B-03 (e) and §5-7B-03 (g)	Counties and Municipalities	Areas Other Than Existing Communities ⁶	Established after Jan. 1, 1997	Within a locally designated Growth Area	3.5 units per acre	Planned for Service in 10-year Water & Sewer Plan	Yes	PFA designation must represent a long term policy of orderly development and efficient use of land and public services
§5-7B-03 (f)	Counties	Rural Villages PFA limited to the periphery of the developed portion of the village as of July 1, 1998.		Rural Village must be designated in the comprehensive plan by July 1, 1998	N/A	N/A	Yes	Funded project must maintain community character and may not increase growth capacity except for infill and "limited periphery development" ⁸

¹ These PFA Designation Criteria apply to all new requests for PFA designation. Assessment of prior PFA designations may require examination of whether the request was made before October 1, 2006, when analysis of supply and demand was not required.

² Density refers to the portion of the area designated by local government for residential use or development.

³ For developed areas, density means average "actual" density. For vacant land, density means average "permitted" density, as defined by zoning.

⁴ All sewer service requirements may be satisfied by either public or community/multi-use system.

⁵ The supply/demand analysis is for PFA designations made after Oct. 1, 2006, and requires an analysis of the capacity of land available for development versus land area needed to satisfy demand.

⁶ "Other Than Existing Communities" includes municipal expansions and unincorporated county areas not identified as "Existing Communities" as of Jan. 1, 1997.

⁷ State funding may be provided for sewer to expand existing community if expansion has permitted density of at least 3.5 units per acre.

⁸ The law defines "limited peripheral development" as development contiguous to an existing community or village that does not increase the number of dwelling units by more than 10 percent.