

Recommended Model Development Principles for Cecil County, MD

A Consensus of the Cecil County
Site Planning Roundtable

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Commissioners
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Site Planning Roundtable
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Cecil
County

Executive Summary

Communities have long struggled to achieve the goal of sustainable development: economic growth that also protects the local environment. However, many communities have found that their development codes and standards give developers little or no incentive to conserve the natural areas that are so important for watershed protection and, in some cases, actually work against sustainable development. Consequently, some communities are choosing to re-evaluate their local codes and ordinances to ensure that they produce more ecologically sound sustainable development.

The rapid pace of development in recent years made Cecil County an ideal candidate for reevaluation of current development rules. Towards this end, a diverse group of development, environmental, local government, civic, non-profit, business, and other community professionals convened as the Cecil County Site Planning Roundtable. The Roundtable analyzed Cecil County's existing subdivision codes over the course of five months. Through a consensus process, the Roundtable determined that several of Cecil County's codes and ordinances will require revision in order to better protect the area's water resources and aquatic communities. The group recommended 13 model development principles designed to guide future development towards the goals of measurably reducing impervious cover, conserving natural areas, and minimizing stormwater pollution. Specifically, these model development principles address the issues of parking lots, lot development, and conservation of natural areas. The 13 principles recommended by the Roundtable have been detailed in a document entitled *Recommended Model Development Principles for Cecil County, MD* for presentation to the Cecil County Commissioners and eventual incorporation into County practices. The following are just a few of the types of code modifications suggested by the Roundtable:

- Smaller parking lots
- Increased stormwater treatment practices
- Preservation of agricultural and natural resources
- Increased vegetated buffers
- Enhanced native vegetation
- Limited clearing and grading

Copies of the Roundtable's recommendations can be acquired from the Center for Watershed Protection,
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Introduction

Every year, hundreds of thousands of acres of land are altered as part of the development process. The development radius around many cities and smaller municipalities continues to widen at a rapid rate, far outpacing the rise in population (Leinberger, 1995). If we are to have any hope of retaining the quality of our water resources and the character of our landscape, the preservation of large, contiguous areas of wetlands, forests, meadows and other diverse natural areas is essential.

In order to achieve widespread implementation of development strategies that preserve open space and minimize impervious cover, local governments and developers alike must fundamentally change the way that land is developed. Towards this end, in 1996 the Center for Watershed Protection (Center) began the “Site Planning Roundtable” project to encourage better site design at the site level. In the first phase of this project, a roundtable membership consisting of planners, engineers, developers, attorneys, fire officials, environmentalists, transportation, and public works officials from nationally recognized organizations developed and endorsed a set of site planning techniques. The products of this phase of the Site Planning Roundtable project include the creation of a Consensus Agreement (CWP, 1998b) and a supporting technical document: Better Site Design: A Handbook for Changing Development Rules in Your Community (CWP, 1998a).

A primary goal of the Site Planning Roundtable project was to provide communities with a technical and economic framework to rethink their zoning and subdivision processes as well as individual site development decisions. Since that time, a Roundtable was completed in Frederick County, Maryland, resulting in changes to the codes and ordinances in that county. The roundtable process has also been completed in Central Rappahannock, VA. In addition, several other communities around the country have evaluated their existing programs using the Codes and Ordinances Worksheet (COW) developed as a part of the Site Planning Roundtable. These experiences have revealed that almost every community can alter some part of their codes to foster development that better protects environmental resources.



A Locally Adapted Roundtable for Cecil County, MD

The Cecil County Site Planning Roundtable project is intended to adapt the principles developed at the national level for local application. In short, the purpose of the project is to identify, through a consensus building process, local codes and ordinances that act to prohibit or impede better site designs. This document presents the resulting recommendations on how these codes might be amended to foster more environmentally friendly and economically viable development.

Audit of Cecil County

As part of the Site Planning Roundtable process, the Center staff first conducted an “audit” of Cecil County’s local subdivision codes to document the actual development rules in effect and quantify how these rules compare with the nationally developed model development principles. The Center reviewed the County’s subdivision and zoning ordinances and forest conservation regulations. Review of the County’s codes and ordinances using the COW indicated that Cecil County’s current development rules are insufficient to protect the County’s water resources and aquatic communities.

Why Do a Roundtable in Cecil County?

Over the next 25 years, the population of Maryland is expected to grow by 1 million people (U.S Bureau of the Census, 2000). Bisected by I-95 and within commuting distance to Wilmington, DE, Philadelphia, PA and Baltimore, MD, Cecil County shoulders a significant burden of the region’s growth pressures. At the same time, the preservation of it’s rural character is a primary concern for many of the residents of Cecil County. With this in mind, the goal of the Cecil County Site

Planning Roundtable was to encourage discussion and understanding between stakeholders about the existing codes and ordinances, while promoting changes to help the codes be more environmentally friendly and economically viable.

Overarching Issues

A few overarching issues were discussed by the Roundtable during the course of the project. While the group attempted to confine the discussions to those that impacted the site design strategies, there were three issues that require further investigation:

The Model Development Principles only address site planning issues. To maximize the environmental benefits of these principles, the location of development, agricultural uses, and open space need to be applied and addressed in the context of Zoning Regulations and the Comprehensive Plan.

Many communities are realizing that septic standards are driving how we design low density residential subdivisions. State and local regulations guiding the usage of on-site septic systems should not be a barrier to implementing shared facilities or new designs that promote environmental sensitive development.

The County should appoint a separate group to investigate the potential to implement a tax incentive program to reward property owners who establish and maintain aquatic buffers and/or preserve natural areas in permanent conservation easements.

The 13 model development principles represent the first step towards change in the way that site development impacts water quality, agricultural preservation, and natural resources. The next steps should also address the issue of where development happens. Land preservation tools and effective rural zoning are equally important, as sprawl development directly conflicts with the goal of safeguarding Cecil County’s natural and agricultural resources.

The Roundtable Process

At the request of the County and through grants from the Chesapeake Bay Program and the Chesapeake Bay Trust, the Center for Watershed Protection initiated a local site planning roundtable in Cecil County, Maryland. The Roundtable members assembled in a five-month review process to examine only the existing codes and regulations that fall



under the jurisdiction of the Office of Planning and Zoning. The Roundtable consisted of 21 members representing a wide range of professional backgrounds that have a relation to development issues, all of whom reviewed the model development principles to identify what modifications could be made for application to Cecil County. The process included the following steps:

1. A Roundtable kick-off meeting was held in March 2001 to comment on the national model development principles and participate in an innovative site design exercise.
2. In April 2001, a review of the codes and ordinances falling under the jurisdiction of the Cecil County Office of Planning and Zoning was completed in the context of the model development principles.
3. In a series of meetings throughout May and June, the full Roundtable split up into three subcommittees: Residential Streets and Parking Lots (Habitat for Cars), Lot Development (Habitat for People), or Conservation of Natural Areas (Habitat for Nature). The purpose of the subcommittee meetings was to align the model development principles to reflect Roundtable goals.
4. The Roundtable held a final meeting in July 2001 to review recommendations of subcommittees and achieve full consensus.

Benefits of Applying the Model Development Principles

The model land development principles have been documented to benefit both the natural environment and the community. Communities that have implemented the model principles have realized the following benefits:

- Protected the quality of local streams, lakes, and estuaries
- Generated smaller loads of stormwater pollutants
- Helped to reduce soil erosion during construction
- Reduced development costs
- Increased property values
- Created more pedestrian-friendly neighborhoods
- Provided open space for recreation
- Protected sensitive forests, wetlands, and habitats from clearing
- Resulted in a more attractive landscape
- Reduced car speeds on residential streets
- Allowed for more sensible locations for stormwater facilities
- Increased local property tax revenues
- Facilitated compliance with wetland and other regulations
- Promoted neighborhood designs that provide a sense of community
- Preserved urban wildlife habitat

Model Development Principles

Recommended by the Cecil County Site Planning Roundtable

- 1.** The required parking ratio governing a particular land use or activity should be enforced as both a maximum and a minimum in order to curb excess parking space construction. Existing parking ratios should be reviewed for conformance taking into account local and national experience to see if lower ratios are warranted and feasible.

The Membership endorses the principle with the following recommendations:

- Developers should be required to build to the minimum parking lot requirement with a set-aside of pervious and undeveloped land up to the maximum requirement. The developer or owner should report back after one year of full occupancy in review of actual parking demand/needs. If more parking is needed, the set-aside may be paved as needed. The governing body should have the ability to step in and require more parking as they deem necessary.
- Stormwater treatment practices should be designed to treat the maximum possible impervious area.
- If exceeding the maximum parking ratio, the new area must be composed of a pervious material.

- 2.** Parking codes should be revised to lower parking requirements to permit enforceable shared parking arrangements or when mass transit becomes available.

The Membership endorses the principle with the following recommendations:

- Incorporate language encouraging and permitting shared parking into ordinances.
- Examine options to allow for shared parking when a new development adjoins an existing development.



3. Reduce the overall imperviousness associated with parking lots by providing compact car spaces and using pervious materials in the spillover parking areas where possible.

The Membership endorses the principle with the following recommendations:

- A minimum of 10% of the total parking spaces should be required as compact spaces for lots of 20 spaces or more.
- If exceeding the maximum parking ratio, this area must be composed of a pervious material.



4. Wherever possible, provide stormwater treatment for parking lot runoff using bioretention areas, filter strips, and/or other practices that can be integrated into required landscaping areas and traffic islands.

The Membership endorses the principle with the following recommendations:

- Encourage the integration of stormwater treatment practices such as bioretention areas in landscaping areas.

5. Advocate open space development that incorporates smaller lot sizes to minimize total impervious area, reduce total construction costs, conserve natural areas, encourage continued agricultural uses, and promote watershed protection.

The Membership endorses the principle with the following recommendations:

- Change open space requirements to maximize agricultural and forest uses, particularly in the Agricultural and Rural Residential Zoning Districts (NAR, SAR, RR).
- Provide incentives to encourage cluster design and preserve as much open and agricultural space as possible.
- Assure that cluster development is “by right.”
- Amend clustering provision (Section 6.1) to define “cluster” and specify minimum design standards.



6.

Relax side yard setbacks and allow narrower frontages to reduce total road length in the community and overall site imperviousness. Relax front setback requirements to minimize driveway lengths and reduce overall lot imperviousness.

The Membership endorses the principle with the following recommendations:

- Side, front, and rear yard setbacks should be reduced to minimum distance required for clustering. These standards should be based on fire safety, emergency access, and utility requirements.
- If multiple standards for setback and frontages are to exist, then cluster development, like conventional development, should have a defined set of minimum lot standards to avoid additional review.

7.

Promote clustering and efficient open space design by allowing the use of shared facilities and allowing common drain fields to be used for open space.

The Membership endorses the principle with the following recommendations:

- The County should establish a fee-based operational structure and oversight authority for implementing shared facilities.
- The County should increase enforcement and educational efforts for required maintenance, repair, and installation procedures for septic systems.

8.

Clearly specify how community open space will be managed and designate a sustainable legal entity responsible for managing both natural and recreational open space.

The Membership endorses the principle with the following recommendations:

- Encourage a sustainable, county-designated entity to manage and monitor community open space. The Home Owner Associations can petition the Entity to provide an alternative management and implementation plan.
- Encourage the consolidation of these community open spaces as part of a larger County master planning process.
- The County should aggressively promote an open space leasing program for areas under their authority. The County should strategically encourage agricultural or passive recreational use of open space and integrate maintenance plans, vegetative target, and location with these potential uses.
- In cases of cluster development, allow open space to double as a common drain field.
- Through incentives or regulatory guidelines, open space areas need to be consolidated, accessible, and designated for various uses. Maintenance plans for these open space areas can be specifically designed based on approved uses and vegetative targets.





9.

Integrate agricultural preservation goals with residential and open space planning to encourage the use of consolidated open space as productive cropland and minimize the conversion of marginal buffer lands to agricultural use.

10.

Maintain a minimum 110 foot width, naturally vegetated buffer system along all streams that also encompasses critical environmental features such as the 100-year floodplain, steep slopes and freshwater wetlands.

The Membership endorses the principle with the following recommendations:

- The same buffer width applies to all streams located in the Piedmont Region with a drainage area of 50 acres or more.
- The same buffer width applies to all streams located in the Coastal Plain with a drainage area of 100 acres or more.
- The buffer requirement would also apply to “perennial” streams with less than a 50 acre drainage area (i.e., streams that always have flowing water). For hydrologically connected wetlands, a minimum 50' buffer is required. The buffer requirements may be increased for any hydrologically connected wetland based on a scientific review of the specific wetlands in question.
- The septic system setback from a water body of 100' should be equal to the County’s buffer setback of 110'.
- If no practical alternative exists, the 110' buffer should allow for the placement of utility easements and swales. In such cases, the buffer should be kept as natural as possible. These areas should not be impervious if possible, and native vegetation should be encouraged.

11.

The stream buffer should be preserved or restored with native vegetation that can be maintained throughout the delineation, plan review, construction, and occupancy stages of development.

The Membership endorses the principle with the following recommendations:



- Where buffers are delineated on private lots, the buffer should be included in a covenant document that is recorded in the County land records (with appropriate specific restrictions).
- The buffer line shall be delineated and marked with permanent signage.
- The monuments should be placed on the site both during construction & after occupancy.
- The vegetative target for buffers should be in accordance with the County's Forest Conservation Ordinance.
- Education is a critical component of the buffer program and merits further investigation and research into strategies and potential funding sources for implementation.

12.

Clearing and grading of forests and native vegetation at a site should be limited to the minimum amount needed to build lots, allow access, and provide fire protection. As much community open space should be managed as contiguous forest as possible.

The Membership endorses the principle with the following recommendations:

- An exception should be made where the open space is specifically set aside as agricultural preservation.
- This Principle is applied with the assumption that stream buffers will be planted in accordance with the County's Forest Conservation Ordinance as discussed in Principle #10.

13.

Provide trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native plants. Wherever practical, vegetate community open space, street rights-of-way, parking lot islands, and other landscaped areas to promote natural vegetation.



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Statement of Support

The document of recommended development principles was crafted in conjunction with the diverse cross-section of development, local government, civic, non-profit, environmental, commercial, and other community professionals that participated in the Cecil County Site Planning Roundtable. Members of the Roundtable provided the technical experience needed to craft and refine the model development principles for Cecil County. The recommendations of the Cecil County Site Planning Roundtable reflect our professional and personal experience with land development and do not necessarily carry the endorsement of the organizations and agencies represented by their members.

Acknowledgment

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- Bud Felty: Residential Streets and Parking Lots
- Lindsay Tulloch: Lot Development
- Pete Reich: Conservation of Natural Areas

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About the Center for Watershed Protection

Founded in 1992, the Center for Watershed Protection works with local, state, and federal governmental agencies, environmental consulting firms, watershed organizations, and the general public to provide objective and scientifically sound information on effective techniques to protect and restore urban watersheds. The Center also acts as a technical resource for local and state governments around the country to develop more effective urban stormwater and watershed protection programs.

The Center for Watershed Protection is a non-membership, nonprofit 501(c)3 corporation. Since its inception, the Center has provided technical assistance to local governments in thirty states and the District of Columbia. Oversight of the Center is provided by a Board of Directors and a national watershed advisory council, whose members are leaders in the watershed protection arena. Our mission is to do the following:

- Understand and define the relationship between urban growth and the degradation of watersheds
- Link specific land uses to water quality
- Educate public and private sectors about the need for greater protection of our waters through watershed protection
- Advise communities on the most reliable and effective ways to protect and restore watersheds over the entire development cycle
- Bring together new approaches to watershed management by promoting technology-transfer and professional dialog

The Center does not expend funds for fund-raising purposes, nor does it participate in lobbying activities or political advocacy. For more information on the Center for Watershed Protection, visit our website at www.cwp.org.

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