

APPENDICES

Appendix 1

From: Maryland Department of Planning: <http://www.mdp.state.md.us/smartintro.htm>

Smart Growth Background

Smart Growth has four straightforward goals:

- Support existing communities by targeting resources to support development in areas where infrastructure exists;
- Save our most valuable natural resources before they are forever lost;
- Save taxpayers from the high cost of building infrastructure to serve development that has spread far from our traditional population centers; and
- Provide Marylanders with a high quality of life, whether they choose to live in a rural community, suburb, small town, or city.

The 1997 General Assembly passed five pieces of legislation and budget initiatives: Priority Funding Areas, Brownfields, Live Near Your Work, Job Creation Tax Credits, and Rural Legacy.

These are known collectively as "Smart Growth."

Smart Growth directs the State to target programs and funding to support established communities and locally designated growth areas, and to protect rural areas. The Priority Funding Areas Act provides a geographic focus for the State's investment in growth-related infrastructure. The remaining four components complement this geographic focus by targeting specific State resources to preserve land outside of Priority Funding Areas, to encourage growth inside Priority Funding Areas, and to ensure that existing communities continue to provide a high quality of life for their residents.

Maryland has adopted the following principles of Smart Growth, which provide guidance for new development, infill development, and redevelopment:

- Mix land uses;
- Take advantage of compact building design;
- Create housing opportunities and choices;
- Create walkable communities;
- Foster distinctive, attractive communities with a strong sense of plan;
- Preserve open space, farmland, natural beauty, and critical environmental areas;
- Provide a variety of transportation options;
- Strengthen and direct development to existing communities;
- Make development decisions predictable, fair, and cost effective; and
- Encourage community and stakeholder collaboration in development decisions.

Although the 1997 Smart Growth initiative was significant in the State's refusal to fund wasteful sprawl development, it is also only one component in the continuum of Maryland's growth policy development. Several important developments in growth policy occurred prior to 1997.

In 1974, the State adopted its intervention policy, which allows the Maryland Department of Planning to participate in any local, state, or land use proceeding to inform the decision-maker of the State's views and to prompt the decision-maker to take action consistent with the general welfare of the State and its citizens.

The State's 1992 Economic Growth, Resource Protection, and Planning Act articulated the State's growth policy through seven visions centered on concentrating development in suitable areas, protecting

sensitive areas, and establishing funding mechanisms to achieve the visions. The 1992 act also required local jurisdictions to address these same visions in their comprehensive plans.

The State has over 80 programs that help to further Smart Growth. Many programs were established prior to 1997 and either was already consistent with the Smart Growth philosophy or redirected to be more supportive of the Smart Growth philosophy.

Making Smart Growth Smarter

An overused but insightful phrase, "Making Smart Growth Smarter" refers to Maryland's continuing efforts to ensure that we make efficient use of land inside Priority Funding Areas and curb sprawl outside of Priority Funding Areas.

One only has to travel briefly in Maryland to understand that sprawl is still occurring. Development projects approved prior to 1997 account for some of the continued sprawl but at the same time, nothing in the 1997 Act prevents sprawl, either inside or outside the Priority Funding areas.

Many zoning codes still contain permissive agricultural and rural zoning outside of Priority Funding Areas and still prohibit dense, mixed-use development inside Priority Funding Areas. Local governments throughout Maryland have either updated their zoning codes or expressed interest in doing so, and the State is working to provide assistance when requested.

Appendix 2

By Russett Community Association, Inc.
February 24, 2009

At the February 17, 2009 Russett Community Association (RCA) Board of Directors meeting, the Board voted unanimously to send a letter expressing the Board's concerns regarding new development in West Anne Arundel County.

A week earlier on February 9, 2009, the RCA New Development Committee (NDC) met with, Mr. Robert Leib, County Executive's Special Assistant for BRAC, Mr. Andrew Zois, and Mr. James Polm. Mr. Zois and Mr. Polm, of Polm Companies Ltd., presented information about the proposed River Wood development on the 54-acre Suburban Airport site in Maryland City. [Note: In 2004 the County Council voted no to the River Wood development.] After listening to both presentations, the NDC recommended a letter be sent expressing these three primary concerns.

The County must keep the Board of Education Property located adjacent to the Russett Community Association designated for a future school. This property must not be designated as surplus or swapped for another piece of property. The taxpayers in the Russett Community have been promised a school on this site since 1988 when the planned unit development was approved by the county. The need for a school in this area is acute. Brock Bridge Elementary is 38 years old and Maryland City Elementary is 40 years old [useful life of an elementary school is forty years]. It is not in the County's best interest to build additions on these aged facilities. The permitted and approved new developments in this area will cause severe overcrowding to an already overcrowded classroom situation. Therefore, a new school in this area is a must and those land resources must be preserved.

The proposed River Wood development is simply too densely populated. 1000 homes on 54 acres of land is a density of development that could set a very dangerous precedent in this area. If it were to gain approval, then every piece of property in Western-most Anne Arundel County would be pushed to these unreasonable levels. This would put stresses on the existing infrastructure of roads, sewer/water, schools, and produce environmental concerns that could not be properly mitigated.

Another issue that has arisen recently is the release of the draft Anne Arundel County General Development Plan [GDP]. Every 10 years the GDP is revised to map out the future direction for county-wide development. The Board has concerns with spot zoning designations in our area within the plan, which give tacit approval of zoning changes to landowners without going through the regular county comprehensive zoning process. These proposed changes place responsibility for paying for infrastructure improvements needed to accommodate these developments with the county and ultimately the taxpayers. The county should remove all spot rezoning designations from the GDP and ensure all zoning request are processed through the already comprehensive zoning process.

Anne Arundel County must start looking at the western-most part of West Anne Arundel County as a populated area with a dense tax base of homeowners that are underserved due to overly burdened and outdated infrastructure. This area of the county must be fully supported through the expenditure of new construction impact fees that are actually spent in the area experiencing growth. It is the only way to maintain and support the quality of life existing residents expect.

The perception that this area of the county is underserved is further reinforced due to infrastructure that is already behind in regards to where it should be now. This is seen in road capacity, road maintenance, no county services provided locally, no regional county park, and no modern energy efficient schools. While Maryland City Elementary and Brock Bridge Elementary have excellent principals, teachers, and staff, the buildings are over capacity, have antiquated open classrooms, and the structures are at the end of their lifecycles. A new elementary school is both supported and needed within the Russett Community.

New construction impact fees should be spent by the county in specific areas experiencing growth. The western-most part of West Anne Arundel County is targeted for exponential growth due to BRAC. Without appropriate spending to improve infrastructure in this area, the existing infrastructure can not continue to support growth. Smart growth must be funded, managed, overseen, and performed. The Board asks that you support smart growth for Anne Arundel County and consider our concerns in your future decisions.

Thank you in advance for your time, consideration and continuing support.

Sincerely,

Tim Reyburn, President
Board of Directors
RCA, Inc.
3500 Russett Common
Laurel, MD 20724

Timothy Mical, Chair
RCA, Inc.
New Development Committee

Marylin Schactman, Secretary
RCA, Inc.
New Development Committee

Proposals endorsed without opposition by members present at April 27, 2009, SAC Meeting.

I. At Page 14:

While these facilities address some of the increased needs of County citizens, meeting the demand for public facilities and services is an increasing challenge for the County as the cost of providing these facilities and services continues to rise. The County will need to place an increased focus on growth management and concurrency planning in the future. This will be further addressed in Chapter 11 of this Plan.

ADD:

[In addition to the developments in planning described above, further progress was made in the County's planning process in response to events that occurred since the 1997 Greater Development Plan (GDP). Anne Arundel County is faced with many threats in addition to natural disasters, such as terrorism, given its close proximity to Washington DC, Baltimore and Calvert Cliffs Nuclear Power Plant in Calvert County. Furthermore, Federal entities such as Fort Meade, the National Security Agency and the United States Naval Academy are located within Anne Arundel County and increase the risk for awareness. These targets necessitate that emergency management planning take place at the earliest stage possible. It is essential that Anne Arundel County agencies and departments are aware of the threats and coordinate their future plans with the Office of Emergency Management (OEM) so as to maximize the availability and usability of county infrastructure in case of emergency. All agencies and departments should also be aware of their role in emergency management plans, participate in emergency management training and exercises, remain aware of their responsibilities if there is Emergency Operations Center (EOC) activation, and generally coordinate with the Anne Arundel County Office of Emergency Management (OEM) to ensure they are familiar with emergency management plans.]

II. On Page 101, add the following language:

*OEM is responsible for the overall coordination of County resources during manmade or natural disasters. ~~This is accomplished by the development of a countywide Emergency Operation Plan for all hazards.~~ [**utilizing the Emergency Operations Center (EOC) as the centralized location to coordinate resource requests and deployments. Additionally, OEM facilitates the development, update, and training of emergency management with the departments and agencies of Anne Arundel County. In the planning stages, OEM is responsible for maintaining its EOP and consulting with County agencies to ensure that it reflects the current situation in the County. It is essential that County agencies and departments report changes or updates in their emergency operations processes to OEM as outlined in the EOP.**]*

III. On Page 150, add the following language:

Design and redesign of roadways is governed by the County's Design Manual. This manual must be updated to reflect changes in design standards, compatibility with adjacent land use activities, standards for designated evacuation routes **[and emergency utilization]**, inclusion of pedestrian/bicycle use within the right-of-way and, where appropriate, transit use. In seeing transportation facilities as part of the community rather than a divider of neighborhoods, greater emphasis on context sensitive solutions (or design) should be incorporated into the design and redesign of roadways whether by governments or by the private sector.

IV. On Page 172, add the following language:

The ~~embodiment~~ **[sum]** of the recommendations found in this Plan will be evaluated in greater detail through the preparation of a Transportation Functional Master Plan (TFMP). ~~Amongst~~ **[T]** he issues to be addressed in greater detail in the TFMP ~~are~~ **[include]** the following:

* * *

1. Priority Highway Improvement Corridors Program (PHIC): The TFMP will initiate studies by highway corridor preparing detailed recommendations using the known tool box of potential improvements ranging from additional travel lanes, access control and/or management, system signalization, transit, pedestrian/bicycle connections, and potentially zoning and land use design overlays. **[The Anne Arundel County OEM is responsible for coordinating emergency transportation resources and facilitating evacuations within the County. The placement of road shoulders, median cross-overs, and other emergency road usage options should be addressed with OEM in the planning stages.]**

V. On Page 177, add the following language:

Actions:

- Prepare and adopt a Transportation Functional Master Plan (TFMP) that addresses roadway, bicycle, pedestrian and public transportation modes, and that includes a financial plan to implement proposed improvements over the next ten years. The TFMP should include the following components: relationship to land use and activity centers in the county and the region, linkages between transportation modes, a priority highways investment corridors program, transit investment corridors, transit services, facility design, timing of highway dedication/reservation, **[a design to accommodate emergency usage such as adequate road shoulder space, median cross-overs, and staging of transportation resources]** context sensitive design, transit and highway corridor overlays, motorist and pedestrian safety, parking structures and park and ride facilities, capital improvement program, funding sources, consolidation of transit operations, connections to public facilities, and intergovernmental coordination.

Environmental Stewardship, Forest Cover and Stormwater: Our comments have been focused on the Severn River watershed but all of the subestuaries of the western shore of Chesapeake Bay share similar problems and concerns. As is stated several times in the GDP Draft, AA County residents place preservation and protection of our natural resources as a top priority and they trust in the County government to act as a ‘true steward’ of these precious resources. Development over the past thirty years has taken a heavy toll on our resources and has led to the current poor condition of our waterways. All four of our major tributaries are impaired due to excess nutrients, sediments and bacteria associated with fecal waste. Thus we are challenged with not only protecting the resources that remain but also to repair damage that has resulted from widespread loss of forest cover and replacement with impervious surfaces. In addition, there is the continuing pressure to develop more land and convert more forest to pavement.

Currently, 33% of the Severn River watershed is forested. If we continue to develop the watershed under the current zoning regulations, we will be left with 6% of forest under the fully built-out conditions. When members of the SRC and residents hear these numbers, they are appalled, and rightly so. Loss of forests is probably the single greatest threat to our watersheds because this loss is followed by more and more impervious surface and subsequent stormwater. If the Scenic Severn River is slated for such deforestation, what will be the fate of other watersheds?

We strongly request that the Watershed Management Tool (WMT) be employed whenever possible to calculate the loss of forest cover and the increase in impervious surface every time a new development is proposed in the County. And we request that these estimates are made available to the public and to everyone who is involved in land use decisions, including the County Council and Board of Appeals. Use of the WMT is mentioned numerous times in the GDP but nowhere is there the inclusion of public dissemination of these data. We feel that it is critical to make clear to all concerned with land use decisions the cumulative impact of numerous subdivisions not as a tool to monitor the loss of forest but as a tool to enhance the preservation of forest cover.

On p. 75 of the GDP there is a stated goal to preserve, protect and enhance forest cover countywide but there really are no actions that will result in enhancing forest cover other than forest mitigation banks. If mitigation is called for, then forest has already been lost and we are just trying to minimize the loss. In truth we need to follow a no net loss of forest cover policy if we ever hope to protect and restore our water resources. On p. 73, there is an action listed under the policy of protecting sensitive areas “to consider revisions to development regulations that would disallow modifications to forest conservation requirements ... in high priority subwatersheds”. This language is not protective of forest cover. Especially in sensitive areas, forest conservation requirements must be fully enforced.

The SRC is very pleased to see that the Jabez Overlay Zone is supported in the GDP and we appreciate the cooperation from the County over the last two years to work with the SRC to spell out explicitly steps that will be followed to minimize impacts to this unique and sensitive ecosystem. We hope that this document will serve as a model to protect other sensitive watersheds.

We strongly support the protection of non-tidal streams by establishing at least a 100’ buffer on either side of a stream. Wider stream buffers are required in areas with steep slopes and highly erodible soils. On p. 73, there is an action to “evaluate stream buffer requirements ... and expand buffer requirements either Countywide or in select subwatersheds”. The SRC would like to see this action re-written to expand stream buffers Countywide to at least 100’.

We request that the definition of steep slopes be revised to 15% slope from 25% slope.

We also request that treatment of impervious surfaces be increased from 20% to 50% in areas being

redeveloped.

We recognize that pollutants brought to our tidal rivers by stormwater represent the single greatest source of excess nutrients, sediments and bacteria associated with fecal waste. Our water resources will not be reclaimed as swimmable and fishable waters until we effectively prevent stormwater from rushing into surface waters after every rain storm. It is a disgrace that our recreational waters are closed to human contact for 48 hours after every rainstorm. We know that stormwater retrofits will be very expensive and we support the implementation of a stormwater utility fee to help pay for this work. Not only is stormwater a source of pollution for our creeks and rivers, but it contributes to a public health threat.

We applaud the County's efforts in implementing innovative stormwater treatments that are aesthetically pleasing and that infiltrate stormwater and we encourage the County to continue to invest in this type of retrofit.

Water Resources: We strongly encourage the County to develop more reliable back-up power supplies for pumping stations. Too often we have seen power failures result in discharge of raw sewage into our creeks.

We strongly support the conversion whenever possible of septic to sewer service. In areas where this is not feasible, we support the installation of cluster systems but we recognize the importance of including a revenue stream to maintain these systems. Asking community associations to maintain such systems seems to be a recipe for failure. In areas where neither of these options will work, we support new installation or upgrading of failing septic systems with enhanced nitrogen removal systems.

In the calculation of Assimilative Capacity for nutrient loading, we see that an endpoint for "fair" biological conditions is the goal. Considering that County residents have placed protection of the environment at the top of their priorities, it seems that a goal of "good" would be more acceptable to the public.

In conclusion, we are pleased to see that the County government has taken so many steps to preserve and protect our natural resources and that future steps will be even more protective. We are concerned, however, that the drive to increase revenue by development will be incompatible with future preservation and restoration. We understand that right now there is a billion dollar backlog in restoration projects to repair stormwater problems. Considering this deficit and considering the rate at which this County has grown in the last 30 years, we find it unbelievable that development will result in a positive revenue stream. Despite the conclusions of the Fiscal Impact Analysis that development brings more income than it costs in the long term, this statement seems to fly in the face of common sense. Many subwatersheds of the Severn River are populated with older communities that were built before we knew the detrimental effects of rapidly transporting stormwater to our creeks. We now understand the importance of stormwater treatment and of infiltration of rain water but we have little funding to correct the errors of the past. Even if future growth is able to pay for itself, which seems unlikely, where will we find the funding to repair the infrastructure and stormwater conveyance devices?

SRC Members:
Lina Vlavianos, Chair
Sally Hornor, Vice Chair
Debra Smith
Scott Hymes
Charlotte Lubbert
Jeffrey Schomig
David Hanson
Joseph Rubino
Michael Shultz
Robert Whitcomb

Appendix 3

1940	1950	1960	1970	1980	1990	2000
68,000	117,000	206,000	297,000	370,000	427,000	489,000



