

Chapter 8

Implementation

The Town Comprehensive Plan is intended to capture a vision of the future of North East. As such, it provides a basis for a wide variety of public and private actions and development decisions which are to be undertaken in the Town. It provides general guidelines to the local community in order that piecemeal improvements or day-to-day decisions can be properly evaluated against their long-range impact upon the community and their relationship to existing settlement patterns. The Plan, and in particular the Land Use Element indicates the proposed general or conceptual development pattern of the community expected through 2020. It is not a detailed blueprint. It is, however, a guide which delineates and encourages patterns of development which permit orderly and economical growth of the community in a manner which can be more efficiently served with a variety of governmental services and facilities.

Sections which follow identify methods to implement plan proposals. Implementation involves the concerted actions of both Town elected officials and certain appointed boards. The responsibilities of these parties and their respective roles in the implementation of the plan are summarized.

Roles of the Participants

Implementing the recommendations of this Comprehensive Plan will require development of a coherent broad-based planning process involving numerous participants. The roles of these participants are briefly described below.

Citizens

Planning in the form of comprehensive plans, topical plans, area plans, and special studies, establishes general development philosophies influencing the lives of the citizens of the Town in many ways. Meaningful citizen participation in planning, as in all government processes, should be encouraged in order to insure that plans, programs, and policies reflect the attitude and wishes of the general public. The Town and its agencies should establish effective means of disseminating information to the public and generating interest in Town planning to the point that any interested person feels that he has an opportunity to provide input in developing plans and policies.

Elected Officials – Mayor and Commissioners

The Mayor and Town Commissioners are the final authority concerning decisions to adopt or revise and amend the Comprehensive Plan for North East. They are also involved in implementing Plan proposals. As chief elected officials of the community, they are responsible for directing public concern into a public policy and addressing community needs through public action. The Plan is designed to assist the community in improving both the environmental atmosphere of the area and the quality of life for people. To accomplish these goals, the Mayor and Town Commissioners will be

primarily responsible for undertaking the following actions to make the Plan adopted public policy.

The Mayor and Town Commissioners must, under Maryland law, review and adopt the Comprehensive Plan. This procedure is necessary for the community to have a foundation for adopted Zoning and Subdivision regulatory controls, or to serve as a basis for their revision.

The Mayor and Town Commissioners must review specific Town policies, programs and improvement projects in accordance with the Comprehensive Plan. They will coordinate with the County government as well as various State and Federal agencies to alert them to the Town planning objectives.

The Mayor and Town Commissioners will provide advice, coordination, and direction on development activities and proposed programs.

Recommendations

Officially adopt the North East Comprehensive Plan after appropriate public review and discussion.

Subsequently revise North East Zoning Ordinance and Subdivision Regulations to implement the land use policies of the Comprehensive Plan.

Establish and maintain appointments to the Town's Planning Commission, Board of Zoning Appeals, and other committees which may be required from time to time in Plan-related actions or activities.

Planning Commission

Appointed by the Mayor and Town Commissioners, the Planning Commission is instrumental in directing the Comprehensive Planning efforts of the Town of North East. One of the most significant roles for the Planning Commission in the Town development process is to serve as a coordinating body. Article 66B of the Annotated Code of Maryland provides the Planning Commission with broad authority to review, study, and recommend solutions to various local development issues.

Recommendations

The Planning Commission shall approve the Plan and recommend its adoption by the Mayor and Town Commissioners. The Plan shall conform to the basic elements required by State law.

The Commission should promote public understanding of the Plan and what it seeks to accomplish and to incorporate citizen participation in the planning process.

The Commission should recommend appropriate public officials programs for construction of public structures and improvements which are necessary to implement the Plan.

The Commission should prepare and file an Annual Report with the Mayor and Town Commissioners. The report is the method through which the Planning Commission identifies changing conditions within the Town and brings these Conditions to the attention of the Mayor and Town Commissioners.

In addition to the duties generally identified by Article 66B, the Planning Commission is charged with a variety of specific administrative functions which are more directly related to day to day decisions which cumulatively effect implementation of the Plan. These functions include:

- Review and approval of all major subdivision proposals consistent with the Comprehensive Plan, Zoning Ordinance and requirements and authority established by the Town Subdivision Regulations.
- Review, report and recommend to the Mayor and Town Commissioners on all rezoning requests brought before the Town. The Commission reviews each proposal for consistency with the Town Comprehensive Plan as per standards for review contained in the Town Zoning Ordinance.
- Review and comment upon various requests for special exceptions which are ultimately decided by the Town Board of Appeals.
- Review and approve site plans and design sketches for substantial new development and redevelopment proposals.

Board of Appeals

The Board of Appeals members are appointed by the Mayor and Town Commissioners of North East in accordance with Article 66B. The Board of Appeals has the following powers and duties:

- Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the ordinance.
- Hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.
- Authorize upon appeal in specific cases a variance from the terms of the ordinance.

In addition, the Town may assign other responsibilities to the Board of Appeals. For example, when a use is proposed that is not listed in the Table of Permitted Uses in the Zoning Ordinance, the Board may be authorized to determine in what zoning district, if any, the use should be permitted.

Administrative Variance

In order to streamline the development review process, to the extent possible, the Town has already established administrative review procedures for minor subdivisions. The concept of the administrative level review and approval may also be applied to other actions, including critical area and non-critical area variances of a minor nature. The Town should consider adding administrative variance provisions to the Zoning Ordinance.

Plan Implementation Tools

Many of the recommendations for land use and sensitive areas protection are best implemented through the land development regulations of the Town. The primary methods to be used to give direction to the growth and development of North East include zoning, subdivision regulations, annexation, codes, and a Capital Improvements Program.

Zoning Ordinance

A most important concern of North East is the control of land use. To avoid, erratic, untimely and incompatible development practices which have seriously jeopardized the environment of other communities, the Town has adopted land use controls which are consistent with the Town's development character. The Plan's Land Use Element identifies land use policies which will govern the zoning ordinance preparation.

The Zoning Ordinance is the regulatory device adopted by the Mayor and Commissioners which implements the Comprehensive Plan. The Zoning Ordinance involves the establishment of specific regulations governing the development and use of a particular parcel or parcels of land. The ordinance defines and describes various zones which can be applied and specifies detailed procedures governing a change of zoning.

Conventional zoning is the most commonly used device for guiding development at the local level in Maryland and many other parts of the country. It is usually employed to control the use of land and structures thereon, as well as to establish more detailed regulation concerning the area of the lot that may be developed (setbacks and separation of structures), the density of the development (minimum lot sizes, etc.) and the height and bulk of buildings and other structures. The general purpose of zoning is to avoid undesirable side effects of development by segregating incompatible uses and by maintaining adequate standards for individual uses.

The Town of North East should revise the existing zoning ordinance to reflect the types of land use and community character that the Town wants to achieve for each of the Planning Districts established in the Land Use Plan element. Existing and stable residential neighborhoods of low, medium, and high density should be protected through the use of neighborhood conservation zoning classifications that recognize the pattern of land use already established and provides for infill and redevelopment where appropriate. In addition, the Zoning Ordinance should permit commercial and business uses, a Highway-Oriented Commercial District, a Village Commercial District, and an Industrial District. Other provisions that should be included in the Zoning Ordinance are discussed below.

In addition, the Town should amend the Zoning Ordinance to incorporate a new zoning classification that implements the Planned Neighborhood District recommended in the Land Use section. The intent of this district is to encourage the development of compact mixed-used development (“smart neighborhoods”) in appropriate areas that exhibit the following characteristics:

- integrated mix of uses, including residential, commercial, employment/office, civic, and open space;
- a range of housing types and densities;
- compact design;
- interconnected streets designed to balance the needs of all users, with sidewalks and on-street parking;
- open spaces integral to the community and
- location adjacent to and extended fabric of existing development.

Performance Standards

The Town of North East should consider performance standards as a means to achieve sound, quantifiable planning standards. The term performance standard implies the existence of a firm standard that can quantitatively be determined. Instead of seeking to protect the environment to the maximum extent possible, it sets a standard for protection (floodplains 100 percent, woodlands 70 percent). There is no room to debate the achievement of a standard. If 32 percent of a woodland is to be disturbed, then the standard has not been met. It is clear that this type of planning means more work in developing the ordinance. The standards have to be tested, and the equity issues over the impact of the standard have to be carefully weighed before the standards are adopted. Once in place, however, there is a much lower demand on staff, since each review is a question of checking to see if the plan conforms to measurable standards. Time consuming debates, position papers, and reports that characterize ad hoc reviews dependent on arm twisting can be eliminated. The major difficulty with adopting performance standards is that it requires solving problems up front rather than postponing them to a later date and not every potential issue can be anticipated and resolved with quantitative standards. However, a better effort to quantify standards than is presently in place is clearly possible.

Community Design and Appearance Standards

Community design and appearance are important public concerns, whether proposed development involves infill and redevelopment in existing neighborhoods or “greenfield” development in newly annexed areas. In the first instance, emphasis should be on conserving the positive visual and functional qualities of established neighborhoods (neighborhood conservation). In the latter instance, emphasis should be on insuring “smart development” that enhances the community.

Establishing community expectations concerning the quality of new development, including infill and redevelopment, is an important aspect of the Comprehensive Plan policies for land use. North East expects new development and redevelopment to contribute positively to the overall visual and functional qualities of the Town.

The Town has the ability to regulate appearance, including establishing appropriate standards and design review processes for new developments to insure that whatever is built does not adversely affect adjacent properties or detract from the quality of life of existing residents. The U.S. Supreme Court in *Berman v. Parker*, 348 U.S. 26, 33 (1954) wrote, “The concept of the public welfare is broad and inconclusive.... The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled.”

The Town should adopt standards and guidelines that help insure that development projects are attractive, with good site planning, including structures, circulation, and landscaping, and well thought out in terms of how they relate to all surrounding properties.

The design of all development should adhere to the following general "rules" that express the Town's intent concerning community design:

- Natural features and site constraints should suggest "natural" common sense design solutions. Development design should accommodate nature, not fight, control, or dominate natural and ecological processes.
- The automobile should not be the dominant force that dictates the layout and design of residential communities. New residential streets should be narrow, discourage through traffic, be well landscaped with shade trees, and recognized as the principal public spaces that they are. In view of their visual and functional importance, thought, deliberation, and investment in landscape and streetscape design should be evident.
- Substantial landscaping should be included in common open spaces that may be proposed. Landscaping should provide shade, shelter from wind, provide visual screens or buffers from unsightly elements on adjoining properties or such on-site things as parking lots, loading areas, dumpsters, or utility

structures. Landscaping also separates and buffers incompatible land uses such as the rear of commercial buildings and loading areas from adjoining residential lots. Landscaping can also provide wildlife habitat and linkages to forested and natural areas, greenways, and walking paths.

- Parking should not be a dominant site feature. Parking areas should be small scale, highly landscaped, attractive and inviting. Many examples exist of highly successful shopping areas where paved parking spots were reduced in favor of shade trees, landscaped berms, shrubs and flowers. Whenever possible, it is better to give preference to green space over asphalt and paved parking.
- Signage should be informative without being intrusive. Signs should not dominate the visual landscape. Signs should be compatible with their purpose, be clear, concise, and as small as reasonably possible. Small signs slow traffic, and low level pedestrian scale signage that is attached to its parent structure is preferred.
- The architecture and styles proposed should be in keeping with the best examples of building types and styles that have evolved in our region. We strongly encourage traditional designs and materials so that new developments blend seamlessly with the old. Modern materials and layouts need not conflict with the character of our Town if developers and builders are sensitive to the overall appearance of their creation.

Neighborhood conservation is often a matter maintaining the quality of existing structures and sites and controlling the quality of new development and redevelopment. The Town may want to consider applying appearance standards or guidelines to new development in residential, commercial, office and industrial areas. The purpose of appearance standards or guidelines is the enhancement or preservation of property values through the application of sound design principles. Design standards or guidelines would address such topics as:

- Relationship of buildings to site;
- Relationship of buildings and site to adjoining area;
- Landscape and site treatment;
- Building design;
- Signs;
- Miscellaneous structures and street hardware; and
- Maintenance - planning and design factors.

Appearance standards may be included as part of the Zoning Ordinance, established as separate code administered by a Design Review Authority or Appearance Committee and/or included in a design guidance manual that supplements other development codes.

Strategies for addressing development design and appearance of infill and redevelopment is especially important along highway corridors (e.g., US Rte 40), in the central business district and at town gateways. In the case of highway corridors, the Town should consider adopting a special highway corridor overlay zone. This would be a mapped zone that imposes a set of requirements in addition to those of the underlying zoning district. A highway corridor overlay zone would establish appropriate supplemental design standards and guidelines for new development and redevelopment and should be considered for commercial areas along the US Rte. 40 and MD 272 corridors. The objectives of the highway corridor zone would be to improve traffic operations and safety and enhance the visual qualities of the corridor.

Large-scale development projects should be required to adhere to the following additional design parameters:

- Architectural harmony, including compatibility in styles, materials, colors, and building size and setbacks;
- Variety in housing types, density, and cost;
- Parks, squares, and other common open spaces for residents to interact and recreate, and to provide a setting for the architecture of the development;
- Neighborhood centers and civic spaces, which, depending on the scale of the development, can include places to shop, work, learn, or worship;
- An interconnected street system which is based on a modified grid system;
- Sidewalks, street trees, and substantial on-street parking, providing distinct separation between pedestrians and traffic;
- Streets and sidewalks that are spatially defined by buildings in a regular pattern, unbroken by parking lots;
- Traffic calming, including more narrow streets with shorter turning radii than suburban streets, and medians, circles and related features along prominent streets;
- Lighting which is designed for safe walking and signage which has a pedestrian orientation; and
- A system of land subdivision and development which links one neighborhood to another and can logically be extended.

Infill and Redevelopment

Making the most efficient use of existing community infrastructure is in the best interest of all residents of the Town. Encouraging appropriate infill and redevelopment is one way the Town can take advantage of existing public investment in infrastructure. A good example is the redevelopment of an existing Western Auto store into the Town Hall. This building, which is located in the Central Business District, provides administrative office and public meeting space at a central location in the community adjacent to an existing municipal parking lot.

Infill refers to new development on vacant, bypassed and underutilized land within Town, where infrastructure is already in place. Infill includes redevelopment of lots in these areas.

There is opportunity for infill and redevelopment in North East. As shown in Table 1 there are approximately 251 acres of vacant land within the Town limits and an additional 12 acres of agriculture land that could be developed. Any one of a number of reasons may account for the fact that these properties are currently undeveloped, including physical constraints, economic reasons or regulatory constraints. In order to encourage infill and redevelopment, the Town should identify which, if any, of these constraints may be impeding development of these sites and initiate actions to address identified issues.

In addition, the Town should consider adopting special infill provisions (ordinance and/guidelines) that encourage and facilitate infill and redevelopment and at the same time insure that such development is done in a context sensitive manner. Infill projects should enhance the design and function of the neighborhood. This includes insuring that proposed infill and redevelopment projects are designed to address:

Connectivity – Infill should achieve connectivity between on-site and off-site transportation systems and open space networks.

Circulation – Each project should be judged on how it impacts traffic circulation. Infill development should make a positive contribution to community-wide circulation, including non-motorized travel modes.

Parking – Parking requirements should be adequate, but not excessive. The Town should work with prospective developers to address parking demand where possible.

Compatibility – Infill development should be designed and built with consideration for the local context. Design guidelines and a design review process can be used to address this aspect of infill development.

Bufferyard Performance Standards

One of zoning's most important functions is the division of land uses into districts that have similar character and contain compatible uses. All uses permitted in any district have generally similar nuisance characteristics. In theory, the location of districts is supposed to provide protection, but in North East this is not always the case because uses as diverse as residential and commercial can occasionally be found adjacent to one another. Bufferyards will operate to minimize the negative impact of any redevelopment or future use of vacant land on neighboring uses.

The bufferyard is a combination of setback and a visual buffer or barrier and is a yard or area together with the planting required thereon. Both the amount of land and the type

and amount of planting specified for each bufferyard requirement of this Plan are designed to minimize nuisances between adjacent zoning districts to ensure the desired character along public streets and roads. The planting units required of bufferyards can be calculated to ensure that they do, in fact, function as "buffers".

Bufferyards are required to separate different zoning districts from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions. Bufferyards are also required along the perimeter of commercial and industrial uses that abut major highway corridors, scenic routes, and less intense land uses.

Street Trees

A new awareness of the importance of streets to the quality of life in our growth centers is needed. We must plan for streets that are pleasant to walk along. Development can and should create an exciting, attractive and vibrant community. New concepts using the successful communities of our past should be permitted, encouraged and preferred. As part of this philosophy, street tree planting should be required and specimen trees should be saved where possible. The Town should continue to require that street trees be planted or retained along both sides of all newly created streets. All plantings should be done in conformance with the Forest Conservation Ordinance. At a minimum developers should be required to either plant or retain sufficient trees so that for every 35 feet of street frontage there is at least an average of one deciduous tree that has or will have when fully mature a trunk at least 12 inches in diameter.

Open Spaces

A minimum common open space (spaces designed and intended for the use and enjoyment of all residents of the development) should be set aside in residential developments and improved with such complimentary structures, improvements as are necessary and appropriate for the use, benefit and enjoyment of residents of the development. Common open space areas should be exclusive of tidal wetlands, road right-of-ways, parking areas, stormwater management areas, forest retention areas, and only a limited amount of those areas designated as non-tidal wetlands.

Common open space may serve recreational purposes, preserve significant site features, and preserve open space. The uses authorized should be appropriate to the purposes intended to be served. Open space designed to serve recreational purposes should be appropriate to the scale and character of the cluster development, considering its size, density, expected population, and the number and type of dwelling units proposed.

At least 20 percent of any residential site should be set aside as permanent open space. Where possible, this open space should encompass streams and stream buffers. Stream buffers that are part of the pedestrian trails and/or bikeway system shown in this Plan should be dedicated to public use. The Planning Commission may allow payment in-lieu

of open space in whole or in part. Planned and cluster communities should be required to set aside 25% to 35% of the site in permanent open space. In addition, at least 20 percent of a development site should be landscaped with tree species native to Cecil County. Stormwater management areas should not be considered as open space areas.

Landscaping

The Town should continue to require all minor and major subdivisions, planned residential developments (PRD), and commercial and industrial development to provide minimal levels of landscaping on the site. Landscaping of parking facilities should be required to reduce the visual and environmental impacts of large expanses of parking areas. Landscaping in parking lots breaks up paved parking areas with plantings and provides improved aesthetics and micro-climatic benefits by reducing heat and glare. These provisions should apply to new sites and parking areas that are to be expanded, moved, or removed and/or reconstructed. Property line landscape buffers between adjacent land uses and buffers along adjacent roads or public rights-of-way should be required as well.

For any parking lot containing more than 6,000 square feet of area or 15 or more spaces, interior landscaping should also be provided in addition to required perimeter landscaping. Interior landscaping should be contained in peninsulas or planting islands.

Town Entryways

The visual identity and character of the Town is a collection of images, most often seen from a moving vehicle. For most people, the Town portrays a distinct identity and is differentiated from its non-incorporated edges by the predominantly rural land uses which abuts the community or by the apparent entrance into the “Old Town” section. An opportunity exists to strengthen the image of the community by using the major vehicular entry points as gateways to the Town and/or its neighborhoods. A “gateway” is much the same as a front door to a home. It serves as the symbolic entry and provides an introduction to what is within the areas. Gateways should receive special design attention including:

- Improving the appearance and prominence of the Town gateway through the use of appropriate signage, landscaping, setbacks, and building design to signal transition into the town and its core areas.
- Requiring sites located at gateways to provide additional landscape treatments and possible special design amenities, such as public art.
- Requiring Town designed projects to create a sense of entry by the use of improvements such as landscaping, building corner setbacks, special lighting, public art, or other design amenities. The placement of traffic controls

- (transformers, traffic lights, etc.) and other utility equipment should be carefully considered. Utility installations should be underground where possible or located in well-screened or non-prominent locations.
- Requiring that rear service yards, product storage areas and parking lots adjacent to the highway be totally screened to improve the appearance of sites at the gateway from the highway.
- Requiring buildings be designed with a continuous architectural finish on all sides of the structure when they are visible and/or prominent from a number of street vantage points.

The Town has identified its gateways and is participating in the State Highway Administration's Neighborhood Conservation Program to develop and implement these design standards for these locations. In addition, the Town should plan public projects that will enhance (e.g., public signage, landscaping and public art) these areas. Special planting projects could be included in an Urban Forestry Plan and financed through forest conservation, critical area and other appropriate fee in-lieu payments.

Neighborhood Parks

In order to implement the Open Space and Recreation objectives for the Town, all residential subdivisions should be required to provide recreation opportunities. The Town shall require that all residential developments in the Town shall provide, at a minimum, (through dedication or reservation) recreational areas in the form of neighborhood parks at the rate of 0.005 acres per residential unit, with a minimum area of not less than 5,000 square feet.

Although the first priority is to achieve compliance on the actual site, the Planning Commission may permit payment of a fee in-lieu, dedication, reservation or a combination when appropriate. The fee in-lieu should be on a per-dwelling-unit basis as established by the Town. Fees collected should be deposited only in a designated account with funds expended only for planned park and recreation facilities.

The purpose of the neighborhood park is to provide adequate active recreational facilities to serve the residents of the immediately surrounding neighborhood within the development. The following are illustrative of the types of facilities that should be deemed to serve active recreational needs and count toward satisfaction of the neighborhood park requirements of this article: tennis courts, racquetball courts, swimming pools, sauna and exercise rooms, meeting or activity rooms within clubhouses, basketball courts, swings, slides, and play apparatus.

Each development should satisfy its neighborhood park requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development. However, unless it appears that less than 5 percent of the residents of any development are likely to be children under 12,

then at least 15 percent of the neighborhood park must be satisfied by the construction of "tot lots" (i.e. areas equipped with imaginative play apparatus oriented to younger children as well as seating accommodations for parents).

Neighborhood parks should be attractively landscaped and shall be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences. Each neighborhood park should be centrally located and easily accessible so that it can be conveniently and safely reached and used by those persons in the surrounding neighborhood it is designed to serve. Each neighborhood park should be constructed on land that is relatively flat, dry, free of non-tidal wetlands, and capable of serving the purposes intended.

As a concluding policy statement relative to the Town's proposed Open Space and Recreation System, it should be recognized that such a system can make a significant contribution toward improving the quality of life.

Subdivision Controls

The second major implementation tool available to the Town is a Subdivision Regulations. Under Maryland law, the Town has the authority to regulate the subdivision of land within North East. After local adoption, subdivision regulations provide the local legislative body with regulatory powers to assure that land is developed in a manner which will best promote the public health, welfare, and safety, consistent with the Comprehensive Plan. Local regulations provide for the control of land development practices, establish uniform standards of development and recording, establish erosion control measures, guide the arrangement of streets, and establish the relationship between subdivision access routes and the existing transportation routes of the community. Local subdivision regulations provide a regulatory tool for coordinating the private division of land into lots or parcels consistent with public policy established by the Plan.

The primary purpose of the subdivision regulation is to coordinate private development practices with public policy. To this end, the regulation establishes basic standards and design principles for constructing community facilities. Although these facilities are normally paid for and installed by the private developer, the ultimate goal is to dedicate these facilities to the public body for maintenance and ownership. Therefore, it is necessary to establish standards in advance of installation by the developer in order that the Town is assured of developing a uniform system of public facilities.

The subdivision regulations will provide a valuable tool to accomplish the following objectives:

- Assure that building sites are of suitable size to support human habitation and accommodate residential, commercial, or industrial activities with sufficient land area for normal operations and accessory uses.

- Coordinate planned streets with existing public street pattern and capabilities.
- Insure adequate on-site space for parking and recreation and the free movement of light and air, in addition to providing ample room to serve as a natural buffer against fire and other disasters.
- To provide methods for coordinating and facilitating the provisions of public facilities necessary to protect the health, safety, and welfare of existing and future residents of the area.

Capital Improvements Program

The Planning Act of 1992 provides that the State and local funding decisions, e.g., capital improvements, must be consistent with the Plan and the eight visions contained in the Act. This means that local government construction projects in the Capital Improvements Program that include State funds must be consistent with the comprehensive plan.

As a result of recent and anticipated growth, the town of North East will ultimately have to provide additional public facilities and services to its residents. This will create a substantial public expenditure for the maintenance of streets, sidewalks and water service. The primary role of the capital improvements program is to provide a framework for evaluating these projects in accordance with local needs and for programming them in an efficient manner. Also, as various community needs are identified and cost data are accumulated for these projects, fiscal impacts can be ascertained.

As a growth management tool, capital improvements programming also must be taken into account Priority Funding Areas (PFAs) requirements. The “Smart Growth” Areas Act of 1997, Chapter 759 of the Laws of Maryland, requires the State to target funding for “growth related” projects to PFAs beginning October 1, 1998. Growth related projects are defined in the legislation and include most State programs which encourage or support growth and development such as highways, sewer and water construction, economic development assistance, and State leases and construction of new office related facilities. Currently, the North East Priority Funding Area (PFA) is limited to the incorporated area of North East. Approved annexations may be included in the PFA if they meet the following criteria for designation:

Mixed Use and Marine Commercial Area (Industrial and Employment Areas):

- The area was zoned for industrial use as of January 1, 1997;
- The area was zoned for industrial use after January 1, 1997 and is served by existing public or community sewer and water;

- The area is designated for employment uses and is served by existing sewer and water or is included in a planned area for water and sewer service.

Planned Neighborhood Area (newly annexed areas) proposed for the North East PFA must have a permitted net residential density of 3.5 dwelling units per net acre.

Existing Settlement Areas must be within the County designated PFA and have an average net density of 2.0 units per acre.