

Chapter 9

Municipal Growth Element

SECTION 9.1: INTRODUCTION

A Municipal Growth element is required by the Land Use Article of the Annotated Code of Maryland. The primary goal of the Municipal Growth element is to present an analysis of land consumption and impacts on facilities and services. This analysis presented is based on projected growth of the Town's population from 2020 to 2045. Spatial data for this chapter is derived from Geographic Information Systems (GIS) based data from Cecil County's GIS Department, as well as the State agencies and Town Staff. The geographic scope of the analysis is both within the Town's corporate Boundary and within its Growth Area boundaries.

The Town Growth Area, as shown in figure 9.1.1 below has been adjusted since the 2012 Comprehensive Plan. These changes have come about because of the Town's negotiations with Artesian Water. These negotiations, recognized by Cecil County establish areas where the Town will provide retail water service and areas that shall be part of the Artesian Water service area. This Growth Area was incorporated as the primary geography used in the Town's 20-Year Water System Master Plan (WSMP) in 2020 and adjusted to accommodate areas which may be subject to annexation.

It is understood that population growth may have significant impact on development patterns in and around the Town of North East. Population growth has the potential to affect environmental areas, and the need for expanded public services and community facilities. The results of the municipal growth element shall be integrated into the Land Use element of the Comprehensive Plan.

A continually growing population will require analysis to evaluate expansion of nearby schools, community services, and upgrades to the Town's water supply facilities and the county's sewage treatment facilities.

Figure 9.1.1 shows the current municipal boundaries of North East, encompassing approximately 1, 280 acres based on annexations, and GIS data. The boundary area of the Town has increased by 1.1% (14.5 acres) since 2012.

Figure 9.1.2 also includes distribution of physical structures (Buildings) within the Town Boundary. The form of both traditional and contemporary neighborhoods can be discerned, and overall, the form of residential development continues to be compact and consistent with State smart growth principles.

Buildings are arranged in historic grid patterns of roads in the older part of Town. In the east and the north, modern subdivisions have been developed with curvilinear streets and cul-de-sacs. The developed portions of the Town show a compact neighborhood form of development.

Town of North East Comprehensive Plan

Growth Area

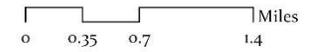
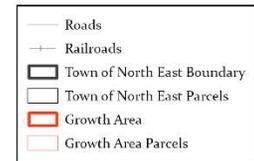


Fig. 9.1.1 - Growth Area with Town Boundary



Town of North East Comprehensive Plan

Buildings
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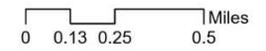
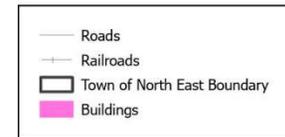


Figure 9.1.2 – Town of North East Boundary and Buildings 2026

SECTION 9.2: THE GROWTH OF THE TOWN OF NORTH EAST

9.2.1: Population Past Growth Trends and Patterns

The Town of North East was settled prior to 1700 and incorporated in 1850. The Northeast River was the primary focus of early settlement. Mills were constructed along the river banks, farming expanded, and fishermen plied their trade in the plentiful waters. Excerpts from the following historical maps show the early formation of the Town, its built environment, and its ties to the Northeast River.

Note the railroad tracks and early roads on the 1898 map below; no Town boundaries are indicated. Several short streets with homes and businesses head to the waterfront off the major north-south axis (future MD 272).

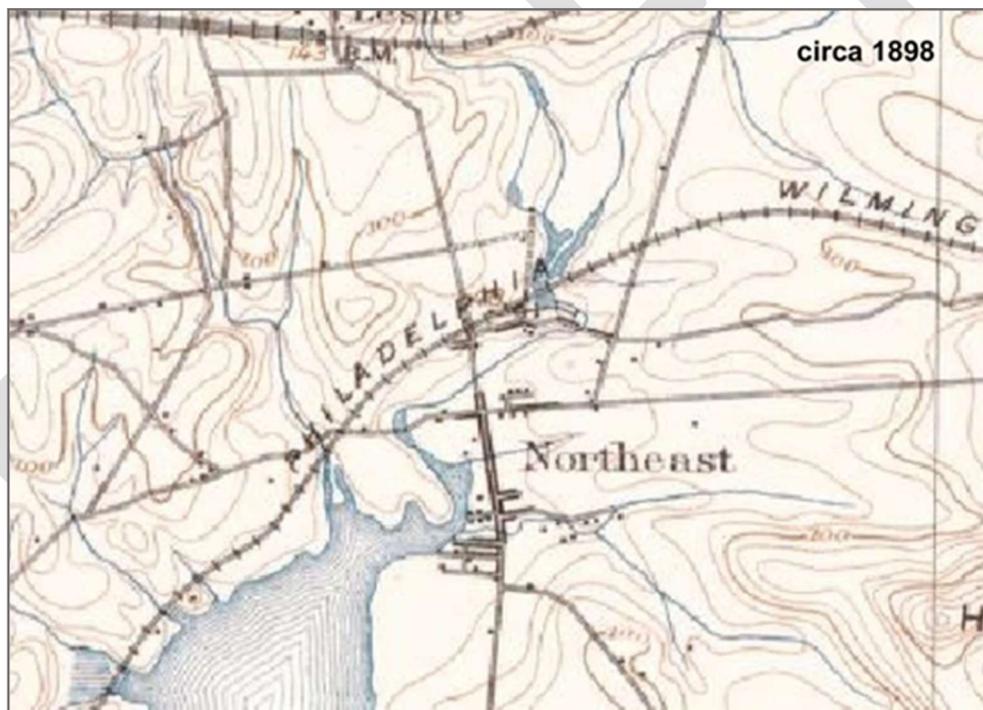


Fig 9.2.1 – 1898 Historic Quadrangle Map (USGS)

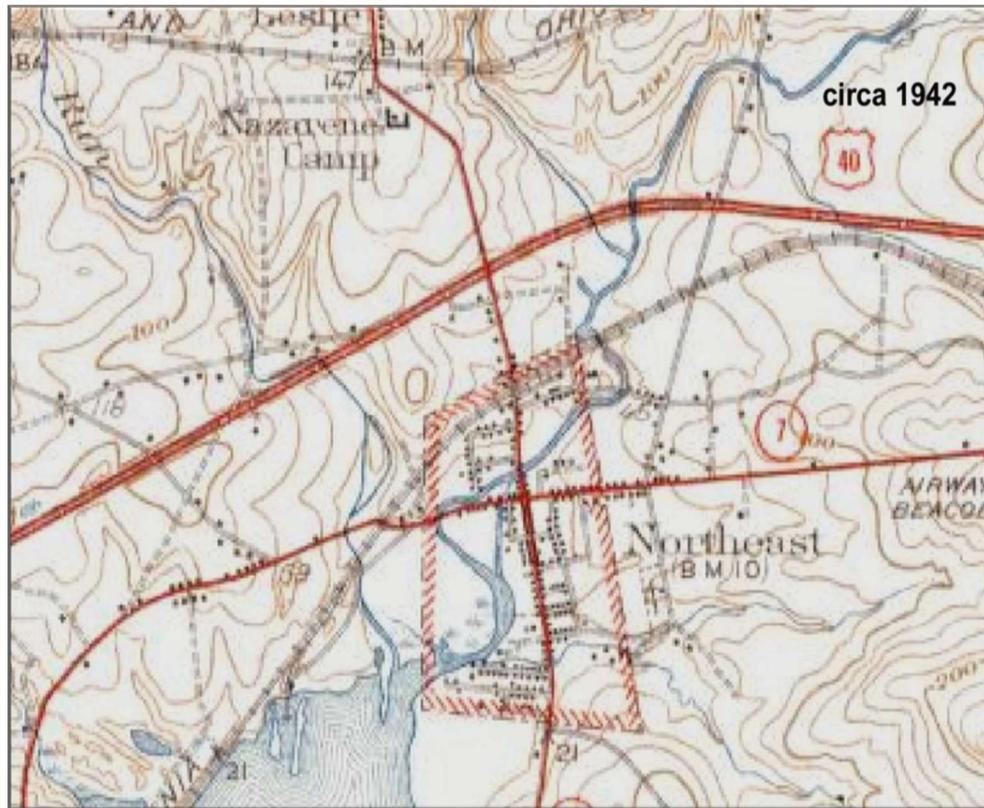


Fig 9.2.2 – USGS Quadrangle 1942

The USGS quadrangle map from 1942 (Fig. 9.2.2 above) is an early representation of corporate boundaries for the Town. At the time of its drafting about 179 homes and businesses were in the Town and more Town roads had been constructed. The number of buildings in Town grew 500% between 1898 and 1942.

Historically, North East has pursued annexation northwards, in a logical progression towards US Route 40, and thereafter, to Interstate 95, to capitalize on economic growth within the major US Rte. 40-I 95 corridor. In addition, there has been significant territorial growth to the east and west, all of which has remained south of US Rte. 40. The original Town boundaries are gone, except in the southeast corner of Town, where a few segments of the original boundary line still exist today.

North East has been successful in attracting new jobs and economic growth. For example, the North East Commerce Center, located directly off I-95, is the home of the Flying "J" Travel Plaza and regional headquarters for Delmarva Power Company. A short distance past the Commerce Center is the main campus of Cecil College. North East is also home to the Upper Bay Museum which displays one of the area's largest collections of hunting and fishing memorabilia. The Town is well positioned for continued growth, provided water and sewer service is available.

Historically, Cecil County Maryland has seen slow, steady population increases from 1790 to 1950. Growth percentage increased more rapidly in the second half of the 20th century with a significant boom between 1950 to 2005. As indicated in the 2012 Comprehensive Plan, from 1980 to 2007 the Town's share of total County population has historically averaged 3.1%.

Between 2000 and 2004, North East only gained an average of 5.5 people per year. However, between 2004 and 2007, the Town saw a steady average annual growth of 21 people per year (2004-2005: 14 people; 2005-2006: 31 people; and 2006-2007: 18 people). Cecil County population growth in the 2000's is an important consideration for the Growth Element. Between 2000 and 2007, Cecil County grew 16 %, which was the highest rate of growth for all Maryland Counties over the same period, except for counties in Southern Maryland. The Town's location near the US 40 & I-95 corridor made it a potential beneficiary of some of the population growth and economic development planned by the County. Older patterns of population growth in the Town were considered weak indicators of future potential, especially if water and sewer capacities can be increased to handle the planned growth.

From 2007 to 2014 population growth slowed to as much as 0.01% from 2010-2014. At the time of the drafting of this plan a population increase of .68% was anticipated continuing this trend. This final factor of data has been derived from review of Cecil County's Transportation Analysis Zone data for the North East Area.

9.2.2: Land Use and Land Use Land Cover Change

In 2020 the Town's Growth Area had been revised in coordination with Cecil County and Artesian water to complete the Town of North East Water Master Plan. Modification to the Growth Area is intended to reflect where public water is supplied by the Town and sewer by the county and areas which may be subject to annexation. The change to the Growth Area boundary resulted in a 646 acre (9%) decrease from the Growth Area presented in the 2012 Comprehensive Plan.

The Growth Area is predominately in the Northeast River Watershed and a small portion is in the Upper Elk Watershed. The revision to the Growth Area eliminated approximately 650 acres of the potential annexed land in the Furnace Bay Watershed as indicated in the 2012 Plan.

Land use data from the 2020 Land Use and Land Cover dataset from Maryland Department of Planning (MDP) was used for the Growth Area in this Growth Element. Land Use and Land Cover are used to identify the physical characteristics of growth and their change over time. Detailed information related to the development of the MDP dataset is found at the following website: <https://planning.maryland.gov/Pages/OurWork/landUse.aspx>, specifically: <https://planning.maryland.gov/Pages/OurWork/GDA/Land-Use/statewide-land-use-map.aspx>.

Analysis of more recent land use and land cover change was performed by merging the original dataset with roadway and road right-of-way data from Maryland's tax parcel dataset. These data were further refined using 2021 Environmental Systems Research Institute (ESRI) and Google Earth streaming aerial imagery. The current imagery helped confirm existing land use and land cover from the 2012 plan and to identify where development has occurred since. Table 9.2.1 and Figure 9.2.3 indicate current existing land use and land cover conditions in The Town, the land use land cover in the surrounding Growth Area and combined.

Table 9.2.1
Current Existing Land Use and Land Cover - Town of North East and Growth Area

Existing Land Use / Land Cover Category	North East Area (Ac) Existing Land Use	2040 Growth Area (Ac)	Total Area (Ac)
Very Low Density Residential		478.36	478.36
Low Density Residential	100.28	917.74	1018.02
Medium Density Residential	244.13	1.77	245.9
High Density Residential	135.48		135.48
Residential (Places of Assembly)	67.48		67.48
Mixed Use	2.04		2.04
Commercial	111.77	294.57	406.34
Commercial (Places of Assembly)	26.48		26.48
Industrial	206.75	174.78	381.53
Institutional		162.90	162.9
Public/Semi Public	115.60		115.6
School (Private)	11.73		11.73
Railroad Right of Way	17.86		17.86
Other Developed Land	28.08	174.95	203.03
Agricultural		381.48	381.48
Forested		2,870.21	2870.21
Water		8.64	8.64
Rights-of-Way and Road	108	420.14	528.14
Vacant/ Unimproved & Barren Land	104.43	37.68	142.11
Total*	1,280	5,923	7,203

**Rounded to the nearest acre*

Town of North East Comprehensive Plan

Existing Land Use
and Land Cover
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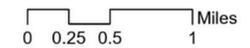
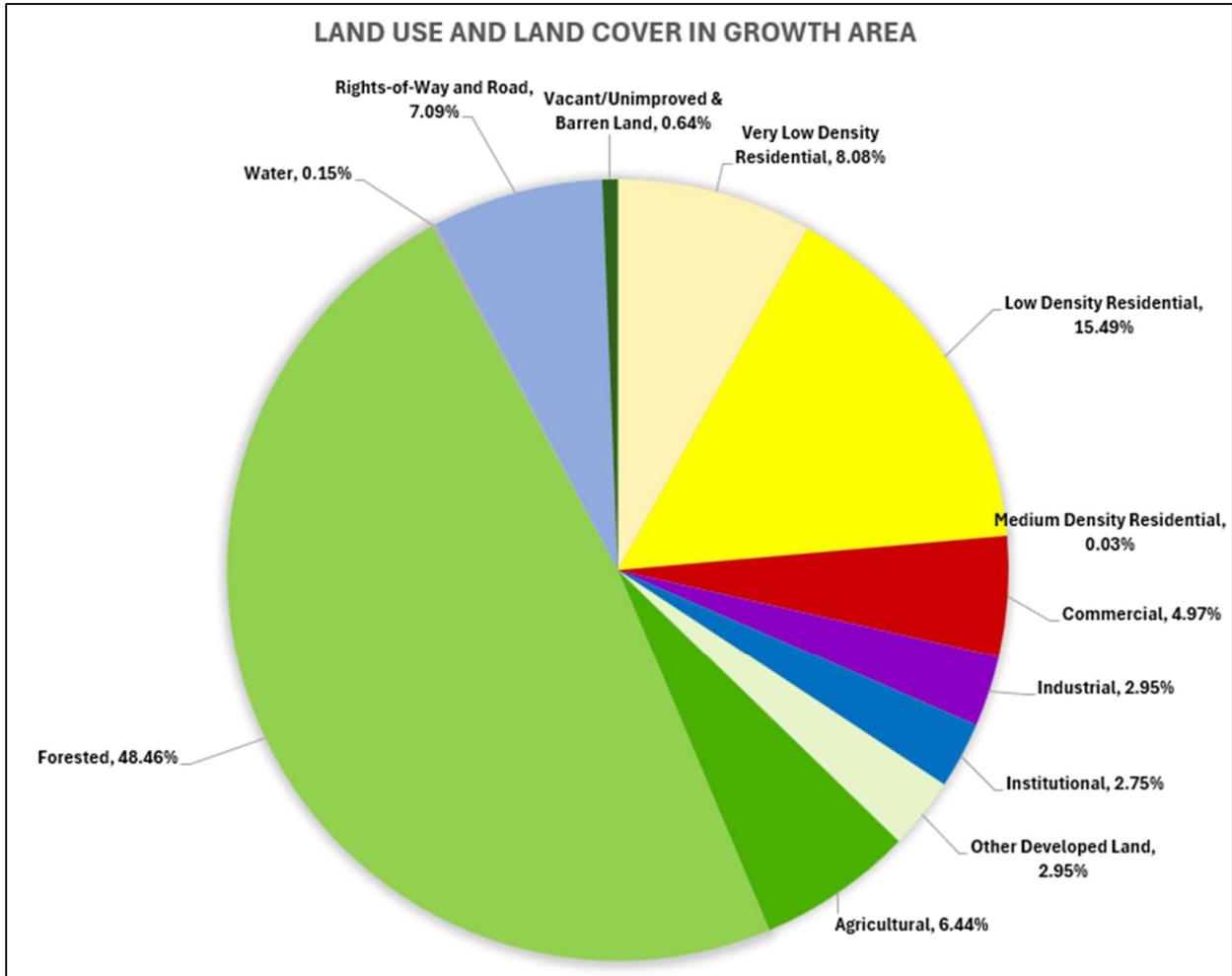


Figure 9.2.3 – Current North East Existing Land Use and Land Cover in Growth Area



Most of the land in the Growth Area consists of forest and residential uses. Agricultural and institutional (public) land use and land cover are found mainly north of I-95 as well. Large scale commercial uses continue to be located mainly along Route 40, while industrial uses are found more predominantly, immediately south of the Route 272 and I-95 Interchange.

Low Density Residential is the predominant residential land use. North of I-95, residential developments are less intensive, scattered along arterial roads in mid-size land developments. The largest concentrations of residential land uses are found between I-95 and Route 40 with larger developments encroaching upon forested lands along Bethel Church and Red Toad Roads. In the southern portion of the Growth Area, residential uses are found mainly along the bank of the North East River and appear mostly bounded by Route 272.

Town of North East Comprehensive Plan

2040 Existing Land Use
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Figure 9.2.4 – Town of North East Existing Land Use



EXISTING LAND USE

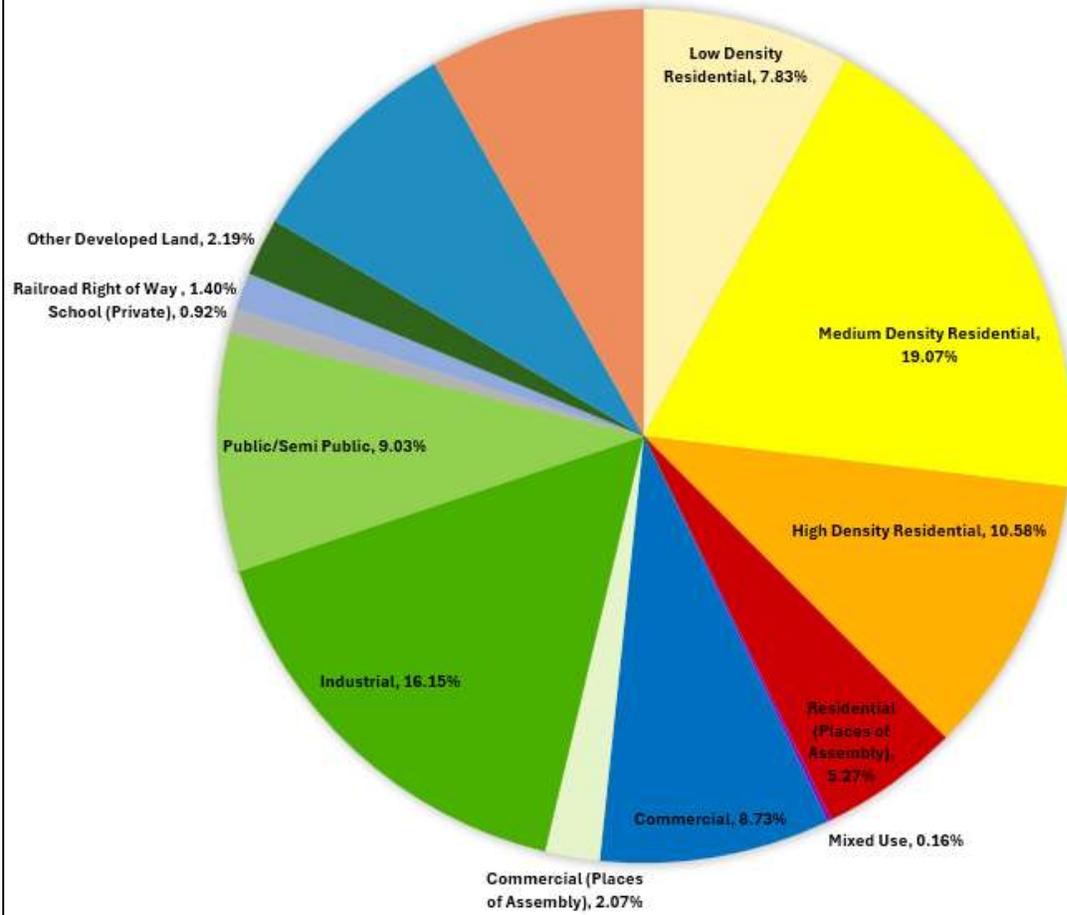


Table 9.2.2

Existing Land Use / Growth Area Land Cover Change from 2012 Comprehensive Plan**

Land Use / Land Cover Category	2012 North East Area (Ac) LULC	2026 North East Area (Ac)**	Percent Change North East**	2012 Growth Area (Ac)	2026 Growth Area (Ac)	Percent Change Growth Area***
Very Low Density Residential	4.1		-100%	336.5	478.36	42.16%
Low Density Residential	32.5	100.28	208.55%	510.1	917.74	79.91%
Medium Density Residential	105.1	244.13	132.28%	341.9	1.77	-99.48%
High Density Residential	67.8	135.48	99.82%	49.7		-100.00%
Mixed Use		67.48				
Residential (Places of Assembly)		2.04				
Commercial	25.8	111.77	333.22%	350.3	294.57	-15.91%
Commercial Places of Assembly		26.48				
Industrial	102	206.75	102.70%	232.6	174.78	-24.86%
Institutional	49.2			222.6	162.9	-26.82%
Public/Semi Public		115.6				
Schools (Private)		11.73				
Railroad Right of Way		17.86				
Other Developed Land	41.5	28.08	-32.34%	397.5	174.95	-55.99%
Agricultural	58.5			518.3	381.48	-26.40%
Forested	477.6			2594.5	2870.21	10.63%
Water	26.9			0	8.64	
Road & Rights-of-Way	257	108	-57.98%	1405.1	420.14	-70.10%
Barren Land & Vacant Unimproved	0	104.43		101.8	37.68	-62.99%
Total*	1,248	1,280	2.56%	7,061	5,923	-16.12%

*Rounded to the nearest acre

**Please Note 2012 Acreage is based on LULC, whereas 2026 is Existing Land Use, so not directly comparable (e.g. Forested Land and Institutional Land Uses are included in different Land Use Categories in 2026)

***Changes in individual Land Use/Land Cover in Growth Area attributable to reductions in Growth Area (2012-2026).

Table 9.2.2 indicates the changes in land use within the Town’s boundary and Growth Area since the 2012 comprehensive plan. Within the Town boundary, Commercial and Residential land uses have increased. Increases in Low and Medium Density development are primarily due to infill. Other growth comes from the expansion of high-density residential construction in larger land developments like the Ridgely Forest Master Planned Community.

Decreases were found in land classified as Agricultural, Other Developed (parks, golf courses, etc.) and Roads. While there is a small decrease in agricultural land that can be attributed to increases in Residential and Commercial land, most of the decrease in these uses are due to the updates and refinements of the 2011 land use land cover data through visual correction using aerial imagery.

SECTION 9.3: DETERMINING LAND NEEDS

9.3.1: Future Population Growth

Population projections for this plan are based on data provided by the Maryland Department of Planning (MDP). MDP utilizes a cohort-component model that is the most widely used deprojection method in the United States (See separate NE 2040 Comp Plan Data Appendix for more detail). The demographic model uses the Decennial Census, Annual Population and Housing Unit Estimates from the U.S. Census Bureau. MDP also utilizes the Maryland Department of Health's birth and death records at the jurisdictional level.

Population for the Town is projected to the year 2045. Three specific methods of projection were evaluated for use in this growth element. Constant Share and High Development Pressure Scenario methods were utilized in the 2012 Comprehensive Plan. Analysis of Wilmington Area Planning Council (WILMAPCO) Traffic Analysis Zones (TAZ) was used in the 20 Year Water System Master Plan. Residential Need Analysis for the Planning Period through 2040 is highlighted.

High Development Pressure Scenario

The High Development Pressure (HDP) Scenario used on the 2012 Comprehensive Plan was found to increase the population far beyond what was reported by MDP's projections. Figures presented from the 2012 high development scenario were further projected with a linear value of 15% from 2030 to 2045 for comparative analysis. It was found that the increased growth indicated by HDP between 2012 and 2020 does not follow MDP population trends. Linear projection of the HDP beyond 2020 yields highly exaggerated population growth. Therefore, this method was excluded from this growth element.

Growth Scenario Used in the 20 Year Water System Master Plan

Although the WILMAPCO TAZ data was useful in determining the potential amount of acreage used in generating water resource need in the Water Master Plan, this data did not specify physical population where TAZ Zones were split therefore making it comparative, yet incompatible with the purpose of this growth element.

Constant Share Method

The Constant Share Method was determined to be the most appropriate method for projecting population growth for this plan. The Constant Share Method uses a proportional

match to the population projections for Cecil County. The proportion is determined by comparing historical county population (issued by MDP in May 2021) and Town of North East historic population (issued by MDP in May 2021) These tables are provided in Appendices 1B and 1C. This method assumes that the Town population will grow at a rate similar to the County. Comparison of the historic population data supports this assumption and is shown in Table 9.3.1 below. This method utilizes MDP population projection adjustments and methodology for further consistency.

**Table 9.3.1
Constant Share Determination 2011-2020**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Cecil County *	101,583	101,780	101,940	102,252	102,453	102,609	102,509	102,816	103,092	103,419
North East**	3,549	3,556	3,562	3,568	3,577	3,583	3,576	3,587	3,597	3,620
Percent	3.49%	3.49%	3.49%	3.49%	3.49%	3.49%	3.49%	3.49%	3.49%	3.49%

*Table 1A – Total Resident population for Maryland Jurisdictions April 1, 2010 through July 1, 2020

** Population Estimates for Incorporated Places in Maryland: April 1, 2010 to July 1, 2010 (US Census May 27, 2021).

Analysis of MDP’s data from 2010 to 2020 shows a constant share factor of 3.49%. This was applied as the functional growth ratio in this growth element.

**Table 9.3.2
Constant Share Projections (2020-2045)**

	2020	2025	2030	2035	2040	2045
Cecil County (MDP December 2020)	103,725*	106,740	112,730	119,920	126,210	132,350
North East: Constant Share Method	3,620**	3,725	3,934	4,185	4,405	4,619

**Source: Maryland Department of Planning: - Preliminary Historical and Projected Total Population for Maryland’s Jurisdictions, December 2022 Release*

***Based on a 3.94 percent growth rate*

The projections shown in Table 9.3.2 incorporate MDP Preliminary Historical and Projected Total Population for Maryland's Jurisdictions table released in December of 2022 (See separate NE 2040 Comp Plan Data Appendix for more detail). The numbers for 2020 have however been updated to reflect the current US Census result for the Cecil County prior to adjustment by MDP. The Constant Share projection shows that North East’s

population is expected to grow by 785 persons 2020-2040. Additionally, estimates show that the population may increase by 214 persons in the 5 years (2040-2045) following the planning time frame. This projection is markedly lower than the 2012 Comprehensive Plan. This difference is due to MDP’s updated projections in December of 2022. These updated projections are significantly less for years 2020 through 2030 (than presented in the 2012 Comprehensive Plan).

9.3.2: Residential Zoning in North East

The distribution and capacity of residential zoning determines the capacity to which new households can be supported within the Town and surrounding Growth Area. Table 9.3.3 shows the development capacity (density yield) of each zoning district within the Town of North East.

**Table 9.3.3
Development Capacity North East (2025) Zoning Classification**

Zoning District	Description	Average Allowable Density (DU/AC)	Density Yield (DU/AC)
R-1: Single Family Residential	Single Family	4.4	3.3
R-2: Two Family Residential	Single Family	6.7	5.0
	Two Family (Per Family)		
R-3: Multi-Family Residential	Single Family	10.9	8.2
	Two Family and Over (Per Family)		
	Townhome		
RM-C: Multi-Family Residential	Detached Single Family	9.1	6.8
	Duplex (1300 Per Two Family Unit)		
	Semi Detached		
	Townhome		
	Apartments		
R-O: Residential Office	Single Family	10.9	8.2
	Two Family and Over (Per Family)		
	Townhome		
R-4: Mixed Use Residential	Single Family	6.7	5.0
	Two Family		
VC: Village Commercial	Single Family	8.9	6.7
	Two Family (Per Family)		
VM: Village Marine	Single Family	8.9	6.7
	Two Family (Per Family)		
GC: General Commercial	Structures as Provided in R-1, Commercial Apartments	6.7	5.0
HC: Highway Commercial	Only Use for Housing for Elderly/Handicapped	2.2	1.6

Maximum density is based on minimum lot sizes permitted in each district. Where zoning districts permit multiple residential use types, an average of the permitted lot sizes in each specific district was calculated. Density yield assumes 75% of any developable lot would be applicable for development after implementing anticipated setbacks, drives, sidewalks, and other environmentally sensitive features on site. (See separate NE 2040 Comp Plan Data Appendix for more detail).

9.3.3: Assumptions

The growth scenario presented in this plan involves GIS based analysis determining the amount of available dwelling units that can be supported by each zoning district based on the following assumptions.

- Most of the future residential development within the corporate boundaries (infill) of the Town will be in single family detached homes with the rest to be distributed where available between duplexes and two family homes.
- Apartment quantities calculated from the Town's Zoning allows a maximum of 16 units per acre. The minimum lot size for apartment development is 5 acres.
- The RM-C Multi-Family Residential District is completely comprised of townhome apartments and is nearly built out.
- Development potential shall occur on parcels that have been classified as residential in the Town's Water Master Plan.
- In the Growth Area new development could occur on land identified by Cecil County as developments currently in the planning process (proposed subdivisions noted in Table 9.3.6).
- Lands identified by Cecil County as non-residential, tax exempt, protected lands were excluded from the analysis.
- The average number of persons per household in Cecil County (Growth Area), per the 2019-2023 American Community Survey (ACS) is 2.60, North East's person per household estimate is 2.33. The Town's ACS estimate is used in order to provide the higher potential units that may be needed.
- All potential residential land in the Growth Area and within the Town's corporate boundary are or shall be served by the Town of North East water and Cecil County sewer during the period of this plan.

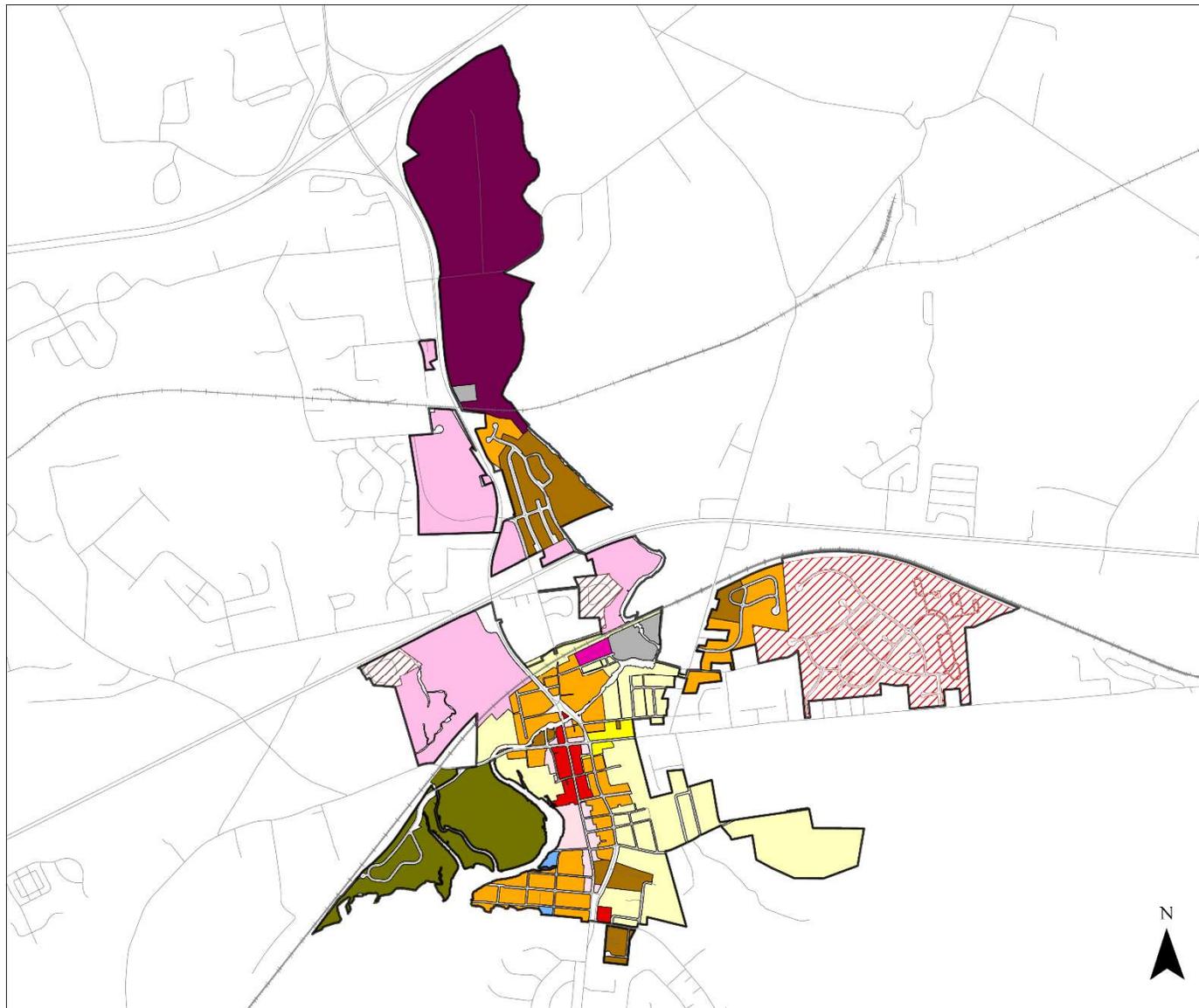
In accordance with these assumptions, this growth element establishes two components of future residential growth, along with the land demand and population that may be accommodated in each. One component is the land within the current Town of North East and the other is a model for the surrounding land in the Town's Growth Area.

These two patterns represent a development pattern that most efficiently uses the land and lends the most protection to natural features. The next two sections elaborate on this two-part development scenario and its impacts on the growth of North East.

9.3.4: Development Within the Existing Town

This growth element utilized Geographic Information Systems for analysis of available land for residential use. This methodology is based on a GIS analysis of potentially available land. (See separate NE 2040 Comp Plan Data Appendix for more detail).

Table 9.3.4 shows the development capacity of each zoning district within the Town of North East. Figure 9.3.1 provides a map of the current zoning districts within the Town. Acreage in the table represents an approximation of the remaining developable acreage in each zoning category within the present Town limits.



Town of North East Comprehensive Plan

Existing Zoning

- Roads
- Railroads
- Town of North East Boundary
- Existing Zoning**
- GC: General Commercial
- HI: Heavy Industrial, Highway Corridor Overlay District
- HC: Highway Commercial, Highway Corridor Overlay District
- LI: Light Industrial
- LC: Limited Commercial
- MPC: Master Planned Community District
- R-3: Multi-Family Residential
- RM-C: Multi-Family Residential Commercial District
- PRD: Planned Residential District
- RO: Residential Office
- R-1: Single Family Residential
- R-2: Two Family Residential
- VC: Village Commercial
- VM: Village Marine

0 0.15 0.3 0.6 Miles



Figure 9.3.1 – Town of North East Existing Zoning

Table 9.3.4

Town of North East Developable Acreage by Zoning Category

Zoning Classification	Zoning District	Area (AC)	Density Yield (DU/AC)	Estimated Dwelling Units	Population Served (DU X 2.33)
HC	Highway Commercial	0.1	1.6	0	1
R-2	Two Family Residential	10.5	5.0	52	121
R-3	Multi-Family Residential	0.5	8.2	4	9
RM-C	RM-C Multi Family Residential	2.9	6.8	19	44
VC	Village Commercial	0.3	6.7	2	5
PRD	Planned Residential District	1.2	3.3	4	9
R-1	Single Family Residential	13.4	3.3	45	105
MPC*	Master Planned Community (Ridgely Forest Development)	NA	NA	126	294

TOTAL 252 588

*Ridgely Forest has been completed and already accommodates some of the 2020-2040 population and dwelling unit need.

The areas in North East included in Table 9.3.4 were estimated in 2022 to be able to accommodate the development of approximately 252 dwelling units or 588 persons when fully developed. It should be noted that Ridgely Forest had been completed and already provides dwellings for approximately 38%, 294 persons of the 785 population increase 2020-2040 may be provided. Developable residential land has increased approximately 47% within North East since the 2012 Comprehensive Plan. As mentioned, this is due primarily to the change in the Town’s boundaries.

As noted in the Housing Element vacant parcels designated for future residential land use, 18 vacant parcels provided a conservative estimate of roughly 124 units. Since Ridgely Forest has been completed, it was not included in this analysis and is consistent with the more detailed zoning estimate of 126 units without Ridgely Forest included in Table 9.3.4.

Future expansion of residential land is not immediately anticipated within the Town over the period of this growth element. A minimal amount of opportunity currently exists for infill within the corporate boundary. The potential areas within the Town for residential infill are vacant parcels on the Existing Land Use Map that are primarily located in the R-1 and R-2 zoning districts and near the intersection of Philadelphia Road and Main Street (see Figure 9.3.1). Any significant future residential growth is anticipated to occur in the Growth Area outside the Town.

9.3.5: Development Beyond Present Town Limits

Land Needs

Analysis of available land for development in the Growth Area followed an identical method as the Town and is provided in detail in separate NE 2040 Comp Plan Data Appendix.

Although it is anticipated that approximately 75% of the projected 2040 population increase of 785 (table 9.3.2) can be accommodated within the present corporate limits, zoning updates and additional growth through annexation in the growth area may be necessary.

Utilizing North East persons per household estimate 2.33 (ACS 2019-2023), this creates a need for approximately 337 units, by 2040. As noted above, this need is reduced to 211 units with the completion of Ridgley Forest. As noted in the Housing Element, vacant units in the Town of North East may represent infill opportunities for some of the units needed. Zoning updates related to additional Village Commercial zoning areas consistent with the Future Land Use map updates as well as modifications to residential land area requirements (lot size) should provide additional residential opportunities in some of North East’s mixed use zoning districts.

The surrounding land in the growth area offers a significant quantity of land zoned for residential development. Table 9.3.3 shows the development capacity of each residential zoning district within the Growth Area surrounding the Town. Table 9.3.5 represents an approximation of the developable acreage and number of dwelling units and population that can be supported in each County zoning district.

Additional Land Needs

The capacity analysis in section 9.3.4 shows that it can accommodate some of the population increase within the Town’s corporate boundary. However, it is assumed that the future distribution of the anticipated population, especially beyond 2040 may spread south and west into the Growth Area where there is ample availability. Table 9.3.5 shows potential land for residential development in the Growth Area; it also shows the proposed land developments (table 9.3.6) where growth is anticipated to be directed in the future.

**Table 9.3.5
Growth Area Dwelling Units by Growth Area Zoning**

Zoning Classification	Zoning District	Area (AC)	Density Yield (DU/AC)	Estimated Dwelling Units	Population Served (DU X 2.33)
BG	Business General	5	5	26	61
BL	Business Local	2	5	10	23
LDR	Low Density Residential	374	3	1,159	2,700
MH	Manufactured Home	50	5	250	583
NAR	Northern Agricultural Residential	358	3	967	2,253
RM	High Density Residential	37	6	213	496
ST	Suburban Transition Residential	495	5	2,278	5,307
*UR	Urbanized Residential	217	5	1,172	2,731
VR	Village Residential	5	5	22	51
				6,097	14,206

**Adjusted Based on the addition of the Northwoods Development (removal of expired units) Section 5 (see Table 9.3.6).*

The land included in Table 9.3.5 can support the development of approximately 6,098 dwelling units or 16,100 persons if fully developed. In addition to this capacity, the Town Growth Area includes several proposed residential developments of varying status in the planning process. Table 9.3.6 below estimates that among the 15 potential developments, 2,306 dwelling units or population of 5,374 persons could be accommodated. It is assumed that most of the residential growth will occur in these proposed developments before major infill occurs in non-developed areas.

**Table 9.3.6
Growth Area Proposed Subdivisions**

Development Name	Zoning	Current Planning Stage	Dwelling Units	Population Served (DU X 2.33)
Bailiff -Subdivision	ST, LDR, & NAR	No Approvals	129	301
Baliff Woods	ST	Preliminary	7	16
Bedrock, Phase 4	RM	Preliminary	86	200
Chesapeake Bay Golf Club, LP	RM	Final	5	12
Chesapeake Club Apts and SF	RM	Concept Plan Review	700	1,631
Donna's Village	ST	Final	33	77
Elk Nest	LDR & MB	Final	24	56
Montgomery Oaks, Phase 4	ST	Under Construction	41	96
Montgomery Oaks, Phase 5	ST		63	147
North East Harbors	LDR	Final	12	28
Northwoods, Sec 5	UR	Expired	68	158
Parker Place Apartments	RM	Preliminary Approval	357	832
Stonebridge	ST	Concept	47	110
Villages of North East	ST	Final	707	1647
Turkey Point	LDR	Preliminary Approval Expired	27	63
			2,306	5,374

Town of North East Comprehensive Plan

Potential Residential Development Capacity, Proposed Developments

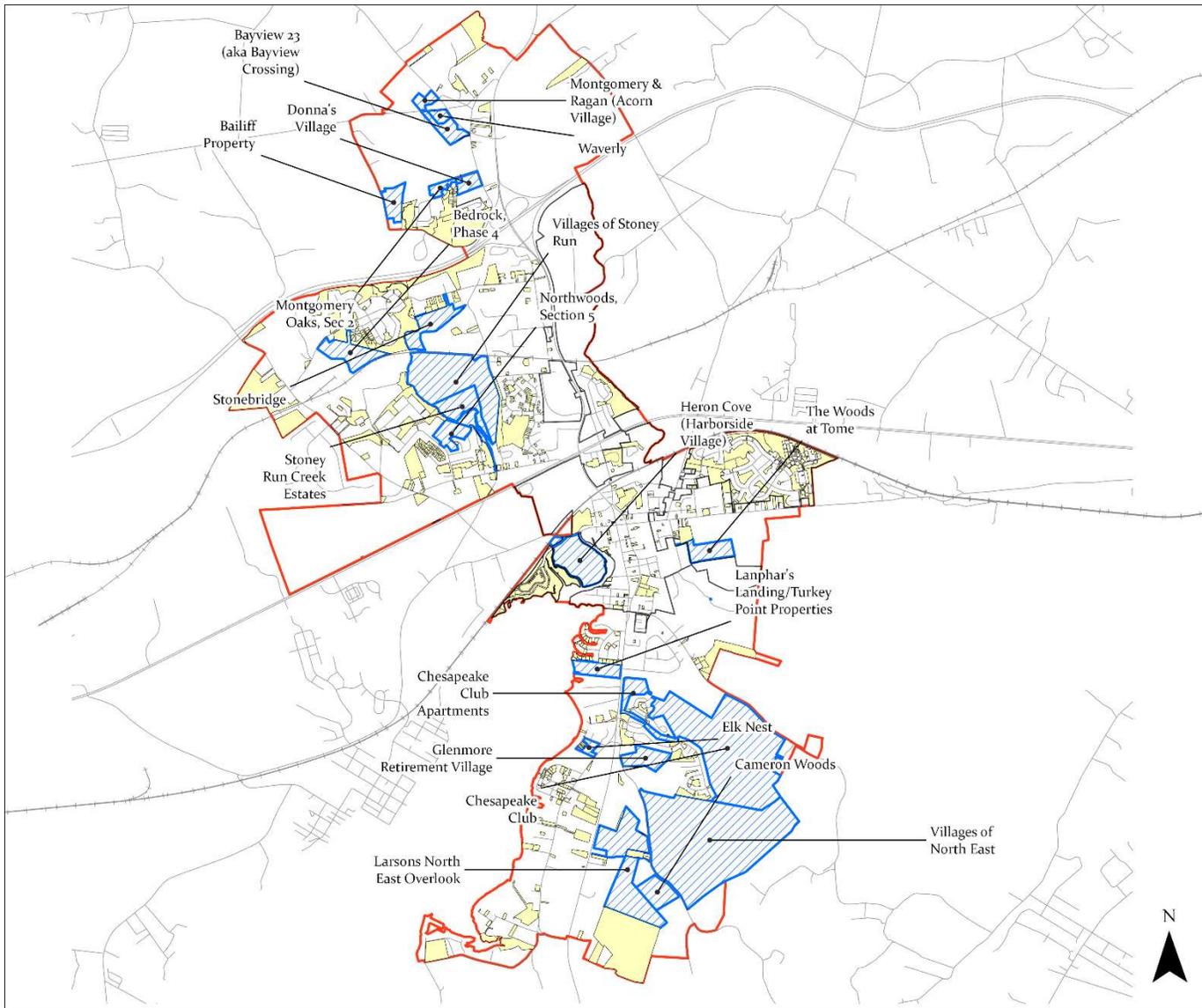
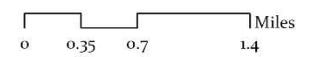
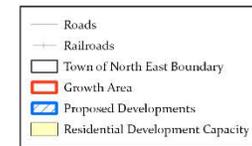


Figure 9.3.2 – Potential Residential Development Capacity, Proposed Developments

9.3.6: 2040 Future Growth Area - Annexation and Growth Management

The Growth Area had been developed to complete the Town of North East Water Master Plan and is intended to reflect where public water is supplied by the Town and sewer by the County and areas which may be subject to annexation. Little to no change in the Growth Area is anticipated within the 2040 Comprehensive Plan and planning period of the Town's Water System Master Plan (2040).

As a result of the Urban Growth Boundary Plan, the Town and County executed a Memorandum of Understanding in March 2002 in which both parties agreed to serve on a Water/ Sewer Infrastructure Implementation Council. The mission of the Council is to coordinate planning efforts to improve and/or effectuate water/wastewater services to areas defined in the Urban Growth Boundary Plan and the County's Comprehensive Plan.

The Town executed a water service agreement with the County in March 2002. This agreement addresses how water service would be provided within the North East portion of the Urban Growth area.

Not to be confused with a "Priority Funding Area," which is a short to mid-range capital improvements programming tool, the Potential Future Growth Areas shown encompass land that may become part of the Town in the future. Because of the uncertainty concerning how much of the planning area may be annexed and when annexation would occur, the planning designations for this area are generalized, indicating the most likely form of development for each area.

Annexation and Growth Management

Expansion of the corporate limits through the annexation process will be carefully planned to ensure that growth is contiguous to the existing boundaries and prevent scattered development. The cost-effective provision of roads, water facilities, and other public services cannot be assured without a clear plan for managing growth. Best practices for managing growth include directing growth to specific areas where development infrastructure already exists or is planned to be provided in the future and away from areas where it does not exist or is not planned in the future. In the case of existing settlements where development has already taken place, but public facilities are lacking, the Town will only consider annexation when it has been determined that it is cost-effective for the Town to do so.

When considering annexation, the Town will consider and select areas with sufficient land for development purposes to accommodate growth and consideration of sensitive areas to avoid adverse environmental impact. Furthermore, the Town will select areas readily serviceable with Town water and County sewer infrastructure. North East will also consider the interrelatedness of land uses and how these land uses collectively contribute to quality of life in the community.

The areas that North East officials have identified as potential future growth areas is identified on Figure 9.1.1. This general map encompasses areas that could be annexed by the Town of North East. When considering annexation, the Town will review each application on a case-by-case basis

to determine if the short-and long-term fiscal benefits of the proposed land use will offset any anticipated impacts.

Figure 9.2.3 identifies the Land Use and Land Cover for the Growth area; The Town will consider these land use characteristics regarding the future growth area in its future annexation considerations:

Existing Settlements: Existing settlements include areas where land use patterns have already been established. It includes existing residential enclaves of varying lot sizes and existing commercial uses.

Potential Future Growth Areas: This land use classification includes large undeveloped tracts as well as developed tracts that may be redeveloped in the future. These areas are further classified as follows:

- **Planned Neighborhoods:** The Planned Neighborhood category includes land that is potentially suitable for development as new residential neighborhoods following “smart neighborhood” principles discussed in the Land Use Recommendations section.
- **Marine Commercial:** The Marine Commercial category includes land that may be suitable for the development of new water-dependent facilities.
- **Mixed-Use (Business, Commercial and/or Industrial):** This category mostly encompasses land that is currently zoned for or in commercial and/or industrial use. These properties, located along major transportation corridors, lend themselves to industrial and employment uses.

The land use land cover classifications and inclusion of any parcels in the growth area shown on Map 9.3.2 does not imply that the Town will annex these areas or zone the property consistent with current land use land cover. The appropriate zoning for annexed properties will be determined in light of the results of a fiscal impact analysis and consideration of factors such as neighboring land uses, access, existing or planned capacity of community facilities and services, and highway capacity.

9.3.7: North East’s Long Term Development Policy

The Town of North East’s long term development policy is intended to support the eight planning principles that a planning commission implements through its Comprehensive Plan ~~comprise~~ provided in §1-201 of the Land Use Article of the Annotated Code of Maryland. Future development will be approved consistent with the principles of Smart/Sustainable Growth. Future residential development is expected to be consistent with the Towns Future Land Use Map, its Comprehensive Plan and density requirements set forth in the State’s Priority Funding Areas. Development will be planned to make the most efficient use of land and to sufficiently accommodate growth and minimize runoff and other negative impacts.

Sensitive Areas Town and Growth Area

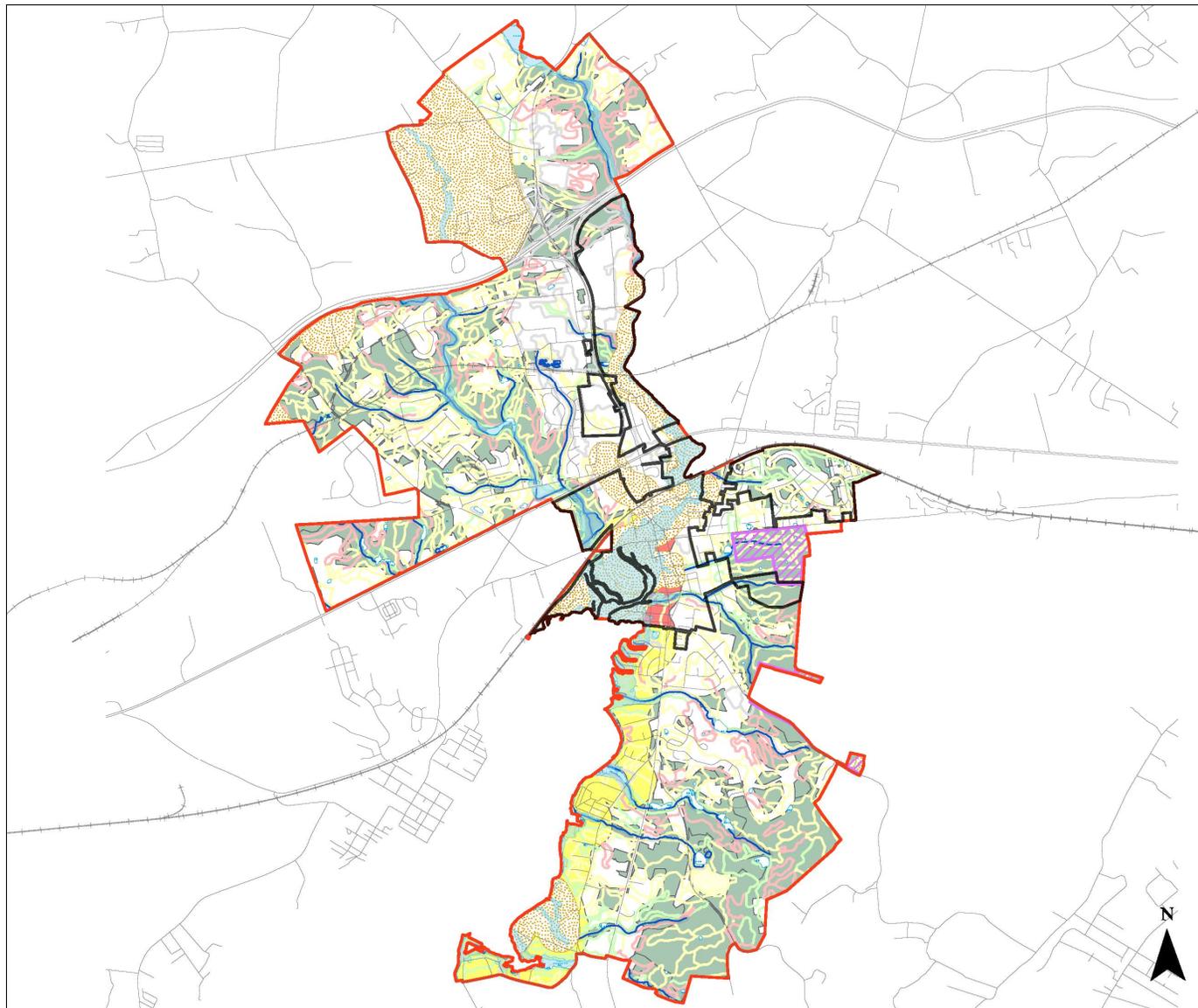
Sensitive Areas will be avoided and point and non-point sources of pollution will be reduced. There are tidal and non-tidal wetlands that fall within the Growth Area, and these areas should be avoided; development rights could be transferred to other parts of a parcel, or to other parcels within the Growth Area. Figure 9.3.3 Sensitive Areas for the Town and Growth Area is important to consider as part of the review of potential annexations and development of annexation plans. As noted and illustrated in the Sensitive Areas Element, steep slopes, habitat of threatened or endangered species, and wetlands will be avoided. Stream buffers will be protected from development and will be afforested where needed. Water quality impacts will be minimized. These areas include stream corridors. Especially important are the Northeast Creek and the Little Northeast Creek, which are used for the Town's water supply.

Septic Tier Growth Area

The Town of North East adopted the Tier Map shown below in 2013. Figure 9.3.4 identifies the tier designations required under the Sustainable Growth & Agricultural Preservation Act of 2012. The designations within North East include Tier 1 designations: areas currently served with public sewer; Tier 2 areas: future growth areas planned for sewer service. Tier 3 areas (Large Lot and Rural Villages on Septic and Tier 4 areas (preservation areas planned for conservation and no major subdivisions on septic) are located in the Growth Area.

Town of North East Comprehensive Plan

Sensitive Areas (Town and Growth Area)



- Roads
- Railroads
- ▭ Town of North East Boundary
- ▭ Growth Area
- ▭ Rivers and Streams (Buffer)
- ▭ Rivers and Streams
- ▭ DNR Owned Property
- ▭ Sensitive Species Project Review Areas (Habitats)
- ▭ FEMA Floodplain (A/AE)
- ▭ Critical Area Intensely Developed Area (IDA)
- ▭ Critical Area Limited Development Area (LDA)
- ▭ Critical Area Resource Conservation Area (RCA)
- ▭ Wetlands
- ▭ Open Space
- ▭ Woodlands
- Soil Erosion Hazard Level
- ▭ Moderate
- ▭ Not rated
- ▭ Severe
- ▭ Slight

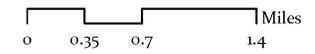


Figure 9.3.3-Sensitive Areas Town and Growth Area

Town of North East Comprehensive Plan

Septic Growth Tiers
(per Sustainable
Growth & Agricultural
Preservation Act of 2012, SB236)

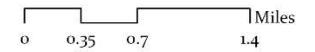
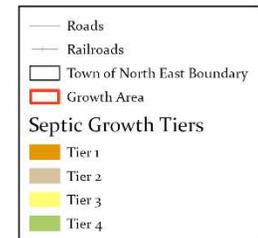
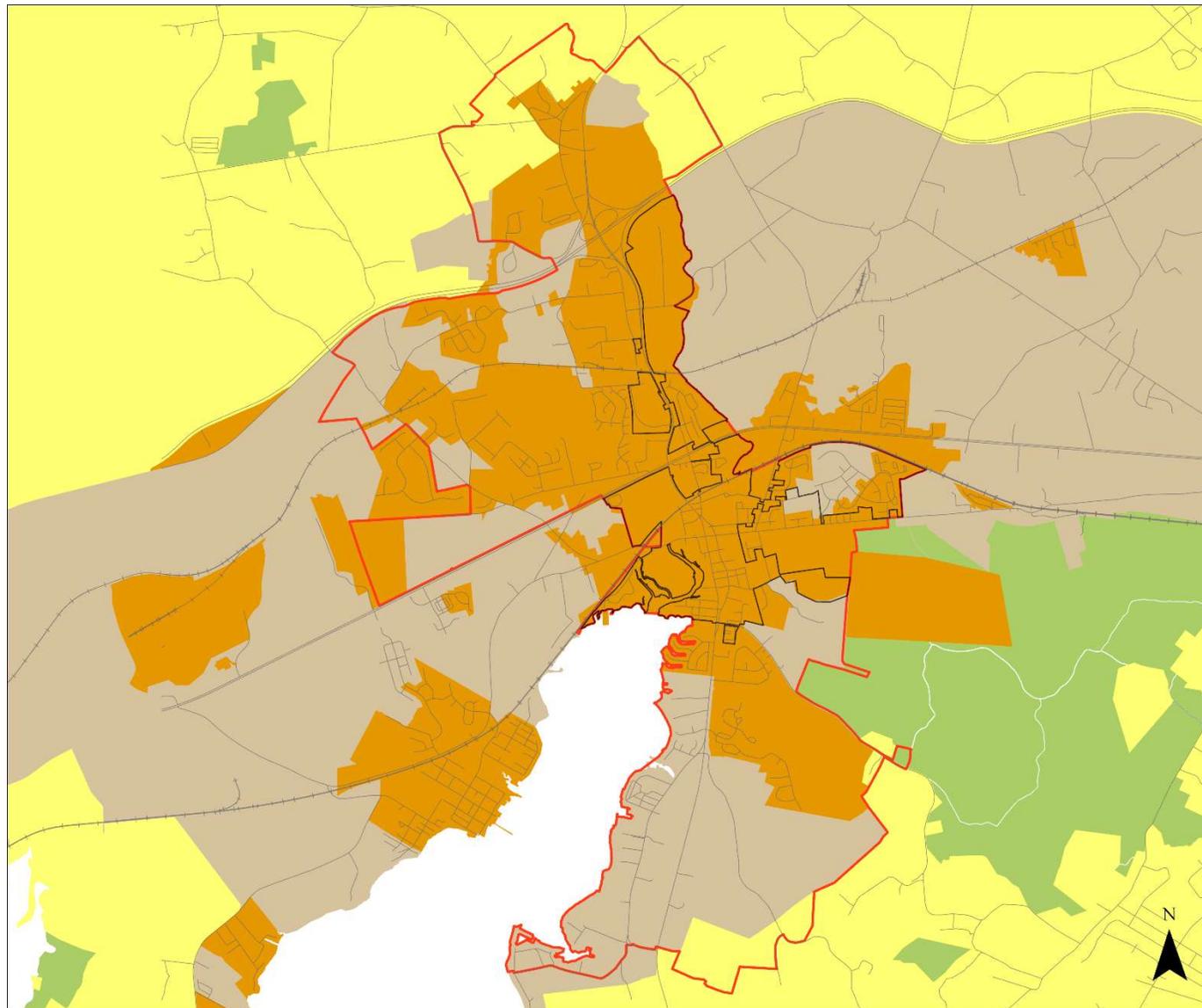


Figure 9.3.4 Septic Growth Tier Map

9.4: Growth's Impact on Public Services and Facilities

This section summarizes how population increases will be accommodated through public services and facilities in and around the Town of North East. It should be noted that important related material also appears in other elements of this comprehensive plan, and that the entire document works consistently through each of the elements to provide clear and complete picture. Summarized below is information related to Water, Sewer and Stormwater Management and Community Facilities (schools, libraries, public safety and Emergency Management Services (EMS), and recreation.)

Water, Sewer, and Stormwater Management:

Within the-2040 Growth Area, 90 percent of the area has either existing sewer service (which includes all of the Town of North East), or planned sewer. About 57 percent of the total area indicated for "planned neighborhoods" has sewer or planned sewer, and 43 percent has no planned sewer service. This is also illustrated on the Septic Growth Tier Map as Tiers 1 (Existing service) 2 (Planned Service). Areas in the Growth Area identified as Tier 3 on the Septic Growth Tier Map are Large Lot and Rural Villages, any annexation of these areas would relate to agreements about provision of water and sewer service.

The Town operates its own water distribution system and extends water service to nearby areas of the County under an agreement with Cecil County. Regarding any requests for water service outside of Town Boundaries, The Town's policy is to not extend water service in the future unless the property is annexed into the Town.

As a result of the Urban Growth Boundary Plan, the water service agreement with Cecil County, and the Comprehensive Plan adopted in October 2002, the Town commissioned a water supply study in March 2003 to update the February 1996 portion of the water system facilities study addressing population based on build-out calculations for the North East portion of the Urban Growth area. Because the Town already provides water service to a large portion of the planning area, it was logical to assume that further expansion of service within the planning area would occur in the future. Based on the results of the water supply study, the Town completed a number of water system improvements (at an estimated cost of over \$10 million) to upgrade the Town's water supply system. In addition, the Maryland Department of the Environment has approved the issuance of an appropriation and use permit from the tidal portion of the North East Creek. Renewal appropriation permits are submitted to the Maryland Department of the Environment as required.

The Town of North East's water supply system is positioned to accommodate future growth through strategic planning and investment in infrastructure upgrades, as outlined in both the 20-Year Water System Master Plan (WMP) and the Water Resource Element. The WMP projects significant increases in water demand due to both residential and commercial growth, estimating a 68% growth in demand by 2040, raising daily water needs to approximately 690,000 gallons per day (gpd).

To prepare for this growth, the Town has identified the need for an additional 340,000 gpd of water to support future developments. This projection includes both population growth within the Town and the surrounding Urban Growth Area (UGA). The demand for water from new residential and commercial developments could more than double the Town's current average production, which stood at 633,430 gpd between 2014 and 2018.

Recent agreements with Artesian Water (AW) have further impacted these projections. AW, the Town's largest customer, has agreed to purchase up to 350,000 gpd from the Town's system. As a result, the combined additional water needed from both residential growth and AW's purchase is projected to reach 690,000 gpd, effectively doubling current demand over the next 20 years.

Several key infrastructure improvements have been planned to meet these rising demands. The Town has proposed 38 projects aimed at expanding the capacity of its water system, most of which focus on upgrading the existing infrastructure to improve water distribution and increase storage. Unlike the major projects from the 1996 study, which were largely compliance-driven, the current recommendations are more focused on enhancing capacity and operational efficiency to support future growth.

The Town of North East has made substantial improvements to its water system in recent decades, with key projects including water main upgrades in 1999 (\$577,413), renovation of the Rolling Mill Water Treatment Plant's Finished Water Pump Station in 2001 (\$976,922), and prefiltration treatment at Leslie Water Treatment Plant in 2008 (\$2,467,594). A major replacement of the Rolling Mill Water Treatment Plant was completed in 2009 at a cost of \$17,700,854, and the Mauldin Avenue Water Storage Tank was replaced in 2010 (\$1,212,589). Additionally, the Bay Berry (2007) and Leslie Water Storage Tanks (2008) were added to improve storage. These projects, totaling approximately \$22.93 million, were essential for upgrading aging infrastructure and ensuring compliance with water quality regulations. Additionally, the Town of North East has invested \$636,668 in critical water control and telemetry updates to modernize water distribution operations, enhancing efficiency, effectiveness and safety. The Town will be removing sediment from its Leslie Water Treatment pond at a cost of \$800,000, a crucial step in maintaining the plant's capacity and functionality. The Town has invested \$562,500 in a new Powdered Activated Carbon system, advancing water treatment methods.

Community Facilities

The Comprehensive Plan includes a thorough report on services including schools, libraries, public safety and EMS, and recreation. Services are adequate at present. The Town continues to support additional improved recreation and open space opportunities through the development of additional parks, open space and recreational trails and greenways.

Major development projects are required to have common open space (the amount determined by zoning), and these open areas provide room for stormwater management on a case-by-case basis. The growth area also contains surface mines (or borrow pits) which could possibly provide areas for managing stormwater as part of future reclamation efforts.

Additional information on water, sewer, and stormwater management is included in the Water Resources Element of the Comprehensive Plan.

A determination of service adequacy will be required for new development and may result in deferral of project approvals. Annexation proposals will be referred to the County and State for input on the adequacy of services that fall under County or State jurisdiction.

Cecil County provides sewer service within the Town of North East, and North East provides water service to specified properties adjacent to the Town. Formal agreements between the two jurisdictions date back to the 1970's and several revisions have since occurred. The Town now requires annexation as a condition to receiving water service.

9.5: Financing of Infrastructure Expansions Needed

Paying for Infrastructure

The Town has both public and private sector sources for infrastructure financing. As an incorporated municipality, the Town has the authority to enact excise taxes and impact fees. These tools exact infrastructure funds from developers as a condition of project approval; excise taxes are by far the more flexible tool in terms of how the funds can be used. The Town can also enact a tax increment financing district to charge homeowners in a defined area to help pay for infrastructure.

Developer Rights and Responsibilities Agreements (DRRA) can be used to legally bind the Towns and a developer for specific development projects. Infrastructure responsibilities are often an important part of these agreements.

The Town will continue to compete for federal and State funds that support growth. The Town will review its Priority Funding Area (PFA) maps, and annexation proposals, and establish the necessary criteria, if possible, to achieve PFA status. Priority will be given to acreage within the Growth Areas that has municipal adjacency.

The Cecil County Growth Study submitted to the Cecil County Office of Economic Development and prepared by the Sage Policy Group, Inc. (January 2007), had the following information and observations about infrastructure financing:

Impact Fees

An impact fee is most commonly assessed on the construction of new structures to pay for the expansion of the service capacity of government, including by supporting the construction of fire stations, police stations, sewer/water supply systems, parks, libraries, etc. Impact fees are designated for specific uses and funds are not to be intermingled with the general fund.

In places lacking impact fees (e.g., municipalities, counties), jurisdictions must either generate funds for infrastructure expansion from the existing tax base or through the issuance of bonds. One can imagine a circumstance under which the existing community would see their taxes raised in order to finance new infrastructure and then eventually see their taxes dropped again once new taxpaying development formed around the infrastructure. The problem with this structure is that raising taxes is rarely politically convenient, and therefore communities end up in an equilibrium characterized by moderate taxes, permanently inadequate infrastructure and stunted development.

Impact fees would allow for projects to move forward within the growth corridor, thereby siphoning off much of the residential development pressure from the county's rural areas. Impact fees should be set considerably higher in the county's agricultural regions than within the growth corridor and presumably reinvested in water/sewer infrastructure, schools and other government controlled facilities.

Excise Taxes

Excise taxes represent another approach. These are sales taxes and can be levied on real estate transactions. Excise taxes are not as constitutionally limited as impact fees, which is typically viewed as an advantage from the perspective of local government, but funds generated from these taxes may be diverted for non-infrastructure purposes. If excise taxes are adopted, the study team recommends that the use of these funds be largely limited to infrastructure build-out within the county's growth corridor.

Tax Increment Financing for Redevelopment.

Tax increment financing (TIF) permits jurisdictions to create special districts and to make public improvements within those districts that will generate private sector development. During the development period, the tax base (assessed value) is frozen at the predevelopment level. Though property taxes continue to be collected, taxes derived from increases in assessed values (the tax increment) resulting from the new investment either head toward a special fund created to retire bonds issued to accommodate the development or to promote additional economic expansion in the district.

The study team envisions impact fees as the way to help accelerate new development within the growth corridor, while TIF districts could be defined to promote redevelopment of already developed areas that suffer from an unacceptably low average quality of development. Whichever financing mechanisms the County opts to pursue, it must be immediate... The County is already behind the infrastructure build-out curve and the impact of the latest round of Base Realignment and Closure (BRAC) will mean additional stress on the infrastructure base. Without a dramatic acceleration in infrastructure build-out, Cecil County will not be positioned to accommodate the opportunities BRAC will create for economic development later this decade and early into the next. The longer the community is forced to wait for the availability of these financing mechanisms, the greater the loss of productive farmland to development.

9.6 Interjurisdictional Cooperation and Support: 2040 Growth and Development and Town of North East Future Municipal Character

Implementation of North East Growth and Future Municipal Character will be achieved through Interjurisdictional Cooperation and Support. The following objectives will be used to enhance Town and County coordination and cooperation for municipal growth and North East's Future Character:

- Incorporation of the Growth Area Map into the County Comprehensive Plan
- Incorporation of the Growth Area Map into the County Master Water and Sewerage Plan
- County-Town Joint Planning Agreement on municipal growth and development

Growth Area Map Implementation

Following are a series of recommendations for the Growth Area Map implementation. Included are useful components for a Town-County Joint Planning Agreement.

1) Growth Areas

- These areas are the locations that the Town may annex in the future.
- The order of annexation will be determined by adjacency, landowner choices, and availability of services.
- North East's zoning continues to guide Forest conservation practices and 100 foot stream buffers for new development.
- Annexation plans must be consistent with the Land Use Element including the Growth Area Map.
- Developers will be required to estimate project impacts on water quality, water supply, and waste water treatment capacity.
- Project design will reflect traditional town or village character.
- The County, in cooperation with the Town, will develop two-tiered zoning (or an alternative) that permits higher density only if the subject property is successfully annexed and water supply and sewerage treatment capacity are adequate.

2) Green Infrastructure

The Town encourages and supports Cecil County's Green Infrastructure Plan (2019) for conservation and preservation to improve the capacity to manage intensified precipitation and its accompanying stormwater run-off and flooding. Defined as an interconnected network of forests, wetlands, waterways, and floodplains, which includes parks and other conservation lands, such as farms, these areas could be designated as sending areas for the voluntary transfer of development rights to the Town or to the Town's Growth Area.

- These areas may be planned for preservation or conservation by the County.
- The County and Town may explore the transfer of development rights Green Infrastructure areas to areas within the Town and within annexed areas, especially as they relate to sensitive areas.
- The County and Town will discourage growth and development, especially in sensitive areas.

3) Municipal Water and Sewer Plan:

The Cecil County Water and Sewer Master Plan and the Town's 20 Year Water System Master Plan guide and provide wastewater and water supply and capacity.

4) Annexation Plan:

An Annexation Plan for ~~specific~~ annexation petitions is required by §4-415 of Maryland's Local Government Article. The phasing of annexations, prioritizing of sites, site planning, and zoning coordination with the County should be addressed. Guidance should be developed for preparation of an Annexation Plan that is consistent with the Municipal Growth and Water Resources elements. This should include assessments by petitioners of wastewater treatment, water supply, and non-point source impacts on the watershed.

5) Transfer of Development Rights -TDRs:

The Town may evaluate the practical value of developing an inter-jurisdictional TDR program with the County, whereby development rights under County zoning can be voluntarily sold and transferred for use in the Town, including annexed Growth Areas. One important goal is the creation of long term protection on sensitive areas that also may be Green Infrastructure Plan sites.

6) Municipal Character Policy:

Under the Town's long term development policy, the character, visual cohesiveness, and bounded edges of the Town should stay intact. New edge development is permitted, but it must reflect traditional Town character in terms of scale, land use, and design. The Town should consider identifying patterns of housing styles, lot arrangements, setbacks, and other elements of design that can guide infill, redevelopment, and new growth in a manner that reinforces community character.

7) Development Review Policy:

Development projects and annexation proposals should include analyses of several key factors. Developers, landowners, and applicants should provide these analyses and the Town can refer these to the County and State Planning for review and comment (similar to the existing process for projects in the Critical Area). The key factors include:

- Preservation of Community Character
- Protection of water quality (stormwater runoff)
- Adequacy of sewer treatment capacity and potable water supply
- Consistency with smart growth principles and the Comprehensive Plan
- Coordinated development plans for the Area

8) Planning Contracts:

a) Joint Planning Agreements: The law enables counties and municipalities to enter into contractual agreements as a means to solidify the inter-jurisdictional aspects of the new Comprehensive Plan (e.g., the Growth Area Map). A Joint Planning Agreement between the Town and Cecil County should be developed.

b) Developer's Rights and Responsibilities Agreements: The DRRA is similar to the Joint Planning Agreement, but operates on a different level. The DRRA is a contract between the municipality and the developer that spells out rights and responsibilities of the parties. The tool was developed as a response to complaints from the development industry that Maryland's vesting law is too severe, and that developers need some assurance that their projects will not be abandoned under pressure to ignore the local Comprehensive Plan, zoning laws, and project approvals. The Town should consider development of a standardized DRRA that can be adapted to suit particular projects.