

## CLUA Policies

### *Positions CLUA Has Taken on Various Issues*

**Public Meetings:** CLUA supports requiring the county to provide 15-day public notice of county meetings and hearings, with detailed agendas; and requiring developers to submit all proposals and required documents at least 30 days before Planning Commission meetings at which their developments are reviewed. CLUA supports televising County Commissioner and Planning Commission meetings over the public-access cable channels in the county. CLUA also urges the county to install a modern public address system for all public meetings and hearings. [2007 Jan. 17 CLUA meeting; Feb. 1 letter to Commissioners]

**Open Space Calculation:** CLUA opposes allowing stormwater collection ponds and other unusable lands (such as cul-de-sacs) to be counted as open space in the housing development approval process. [2007 Jan. 17 CLUA meeting; Feb. 1 letter to Commissioners]

**Architectural Design Standards:** CLUA supports the adoption by the county of architectural design standards for county developments and urges the incorporated towns to do likewise. [2007 Jan. 17 CLUA meeting; Feb. 1 letter to Commissioners]

**Support for TDR Plan:** CLUA urges the Board of County Commissioners to publicly reaffirm the county's commitment to the plan for transfer of development rights (TDR) from the agricultural zones to the development zones, and to create a structure for reviewing and strengthening the plan. CLUA believes that immediate attention should be given to better defining the TDR receiving areas. [2007 Jan. 17 CLUA meeting; Feb. 1 letter to Commissioners]

**Stormwater Management Act of 2007:** CLUA endorses the "Consensus Proposal / Core Environmental Site Design Principles for the Implementation of the Maryland Stormwater Management Act of 2007" (dated 2007 July 27) that was crafted and endorsed by a consortium of watershed, environmental, and advocacy groups in Maryland.

Summary of Consensus Proposal: The consortium of endorsing groups includes the Alliance for Sustainable Communities, Audubon Naturalist Society, Chesapeake Bay Foundation, Clean Water Action, Environment Maryland, League of Conservation Voters, Natural Resources Defense Council, Maryland Chapter of the Sierra Club, and other organizations. The environmental site design (ESD) principles in the Consensus Proposal challenge state and local officials and regulators to (1) Develop an ESD ordinance that truly changes local codes and culture; (2) Establish increased onsite recharge requirements and define runoff reduction volumes; (3) Require a unified ESD map and plan early in the development process; (4) Devise an enforceable design process to require ESD; (5) Establish nutrient-based stormwater loading criteria; (6) Strengthen performance standards for ESD stormwater practices; (7) Establish the primacy of a non-structural approach to erosion and sediment control and post-construction stormwater management; (8) Establish turbidity standards for construction sites; (9) Define special criteria for sensitive and impaired waters of the State; (10) Establish mandatory ESD training and certification; and (11) Ensure that the stormwater fee system fully finances implementation of the Act.

Complete Consensus Proposal: Available at  
<http://cecillanduse.org/resources/SWMAActCorePrinciples072707.pdf> .

Stormwater Management Act of 2007: Text and information from MDE at  
<http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/swm2007.asp> .

[2007 Aug. 14 CLUA meeting]

**BRAC Action Plan:** CLUA endorses the Cecil County BRAC Action Plan as a coherent whole, and urges that its recommendations be implemented in their entirety. [2007 Aug. 14 CLUA meeting]

**Comprehensive Plan Committee:** CLUA urges the County Commissioners to take the lead in determining which interest groups are to be represented on the committee to revise the Comprehensive Plan, to ensure a balanced representation of all views. CLUA believes the committee should include representatives of the county's school and health care systems, an environmental professional, and an expert on water resources. [\[2007 July 17 public comment to Commissioners; Aug. 14 CLUA meeting; Aug. 15 letter to Commissioners\]](#)

**Shared Septic Facilities in Agricultural Areas:** CLUA opposes the building of shared septic facilities (community sewerage systems at the subdivision level) for housing developments in the Northern Agricultural-Residential (NAR) and Southern Agricultural-Residential (SAR) zones. Shared septic facilities allow housing to be built on land that would otherwise not support it; thus, their use would tend to increase residential development in the agricultural areas of the county, contrary to state policy. A letter from the Maryland Department of Planning to the County Commissioners, dated 1/31/06, states: "Shared facilities may be a fine way to encourage creative and flexible designs in areas planned for residential development. However, shared facilities have no place in areas where preservation of farms and farming is the objective. Like bonus density, shared facilities simply increase residential presence and reduce the viability of farmland for farming: outcomes that are inconsistent with preservation objectives."

Unfortunately, the Cecil County Zoning Ordinance (section 175) allows bonus density for housing developments in the NAR and SAR with shared septic facilities, and is thus counterproductive to stimulating the county's transfer of development rights (TDR) plan, defined in the same document (section 246). Although the clustering of houses that shared facilities encourages may provide more open space within a given development parcel, the open space is often unusable land, and the ultimate result of more development in the NAR and SAR is the fragmentation of active farming areas. It is well established that such fragmentation is the beginning of the end of an agriculture-based economy.

Shared septic facilities must be maintained by homeowners' associations that are often ill-equipped to do so; failing shared systems may become, and have become, a liability assumed by county taxpayers.

[\[2007 Oct. 10 CLUA meeting\]](#)

**Annexations by Towns:** Smart growth seeks to place new residential growth in centers of existing population and infrastructure, rather than scattering new housing developments through rural areas. Responsible expansion of existing cities and towns, through annexation, can be compatible with the Cecil County Comprehensive Plan. On the other hand, an annexation can also be an incompatible appendage to a town, adversely affecting its character and functioning. CLUA believes that annexation of contiguous areas by cities and towns for new residential or commercial development can be a part of smart growth, but such annexations enhance their communities and should be supported only if:

- (a) the annexation is part of the town's growth plan;
- (b) the design of the development is a joint venture between town officials and the developer;
- (c) the size of the annexation, in terms of area and new residents, is proportionate to the town's existing size and can be accommodated by existing and planned infrastructure;
- (d) the new development extends the town's existing street grid; and
- (e) houses, stores, and other buildings in the new development conform architecturally to the town's existing structures, providing a more functional and visually aesthetic community.

[\[2007 Oct. 10 CLUA meeting\]](#)

**Agribusiness Zoning:** CLUA supports broadening the permitted uses in the county Rural Conservation District and Resource Protection District to include agribusiness, agritainment, and agritourism (as defined in the Davie County, NC, agribusiness use ordinance), in order to provide more commercial opportunities for farmers while retaining the rural character of the zone. CLUA also supports, for the incorporated towns, a new zoning category called “Agribusiness”, to provide the same uses within incorporated town limits in areas where standard commercial zoning would allow inappropriately intense development. CLUA specifically supports changing the zoning of the Priapi property in Cecilton from Highway Commercial to Agribusiness, in accordance with the stated intent of the owners of that property for its future development.

[2007 Dec. 19 CLUA meeting]

**Form of County Government (2007):** CLUA believes that our current commissioner form of government, dependent as it is on action by the Maryland General Assembly for much local legislation, is not sufficiently responsive to local needs or accountable to Cecil County voters. Like our neighboring counties, we need home rule in order to be more pro-active in responding to increasing development pressures as well as in dealing with the consequences of growth. CLUA believes that Code Home Rule provides a governmental option that would be simple to implement and is most likely to be accepted by voters. We urge the Board of County Commissioners to place a referendum on Code Home Rule on the general election ballot in November; if approved by the voters, it will be in place before the end of 2008.

[2007 Dec. 19 CLUA meeting]

**Studies of Conowingo Dam Sediment:** CLUA is a signatory to a letter from the Lower Susquehanna RIVERKEEPER ® to the elected officials of the Chesapeake Bay watershed, dated November 20, 2007, requesting funding for two USGS studies of the sediment deposits behind Conowingo Dam: one to determine the current amount and location of the sediments and the other to determine the upstream sources of the sediments. The letter states that “Sediment behind Conowingo Dam and the loss of its sediment retaining capacity represent imminent and substantial threats to the Chesapeake Bay.” The full text of the letter is at [http://www.lowerSusquehannaRiverkeeper.org/publications/ConSed\\_SignOnLtr.pdf](http://www.lowerSusquehannaRiverkeeper.org/publications/ConSed_SignOnLtr.pdf).

[2007 Dec. 19 CLUA meeting]

**Support for Chesapeake Bay Environmental Protections:** CLUA supported state legislation in 2008 to strengthen Maryland’s Chesapeake Bay Critical Area Law (enacted 1984), which limits development on land within 1000 feet of Maryland tidal waters; and supported full funding for the Chesapeake Bay 2010 Trust Fund, which is dedicated to cleaning up the Chesapeake Bay and its rivers and streams..

[2008 Feb. 25 and Mar. 13 CLUA Board actions]

**Rail Transit:** CLUA supports the extension of commuter rail service from Perryville to Newark.

[2008 Oct. 1 CLUA meeting]

**Suburban Residential Zoning:** CLUA supports the concept of a subset of Suburban Residential zoning, lying beyond the growth corridor, that remains at a density of one dwelling unit per acre.

Rural Suburban Summary Statement:

Suburban Residential (SR) is a zoning category that is designed as a “transitional” category between Development Residential (DR), relatively high density, and Northern Agricultural Residential (NAR), Southern Agricultural Residential (SAR) or Rural Residential (RR), low density. However, the category has been stretched to allow relatively high density in some circumstances out of character with the surroundings. In the development corridor, this might be appropriate. But in a rural setting it is contrary to the intent of the Comprehensive Plan, which seeks to preserve the agricultural character of the landscape.

We propose splitting the Suburban Residential category into two categories. The existing category (SR) and a new one called Rural Suburban (RS). Suburban Residential would remain unchanged within the development corridor bounded by I-95 and the Route 40, where public water and sewer are available, and within the state priority funding areas.

Rural Suburban (RS) would apply outside in lightly populated rural areas outside the growth corridor and the towns. This category would limit density to one dwelling unit per acre, even with water and sewer services. This would permit development on rural lands that presently do not “perk”. It would also serve as an incentive to direct TDR use to the Growth Corridor as a receiver instead of the RS areas.

A new zoning category would give planners and elected officials a more refined tool that would meet the needs of the citizens through the Comprehensive Plan. It more closely matches the reality and character of what exists today, and the ability to grow in a way that is consistent with the community desires for their future.

[\[2008 Oct. 30 CLUA meeting; Nov. 24 CLUA meeting\]](#)

**Form of County Government (2010):** CLUA supports a vote for Charter Home Rule in the referendum question that will appear on the 2010 November General Election Ballot in Cecil County.

[\[2010 September 23 CLUA meeting\]](#)