

Chapter 2

Land Use

Goals

- ◆ Produce a desirable residential environment with the ability to grow.
- ◆ Provide for affordable, but attractive housing.
- ◆ Increase the downtown retail base, while maintaining and preserving the existing Central Business District and its small town charm.
- ◆ Attract industry and jobs to North East to avoid becoming a bedroom community.
- ◆ Perpetuate the economic success of established commercial areas while encouraging new economic activity in the Town.
- ◆ Encourage development of industrial activity, including high tech industries, which can provide additional sources of jobs and also compliment the Town and its sensitive environmental areas.
- ◆ Develop, promote, and expand tourism activities and industry.

Objectives

- ◆ Maintain the integrity of existing residential areas.
- ◆ Protect residential neighborhoods from through traffic and encroachment by commercial and industrial activities.
- ◆ Encourage residential infill and redevelopment that is appropriate in the existing neighborhood context.
- ◆ Accommodate growth primarily through appropriate annexation of adjacent lands.
- ◆ Emphasize the safety, convenience, and attractiveness of all commercial development.
- ◆ Prevent strip development by encouraging clustering of commercial activity at optimal locations.
- ◆ Minimize the undesirable effects of all development to insure pollution does not adversely affect the North East River and, ultimately, the Chesapeake Bay.

- ◆ Maintain opportunities for a viable economic base, which encourages further economic investment, diversification, and expansion creating more employment and business opportunities to meet the needs of Town residents and tourists while enhancing the tax base of the Town.
- ◆ Encourage infill and redevelopment of existing vacant or underutilized commercial and industrial sites.

Existing Land Use

Town

The corporate limits of North East encompass a total land area of approximately 995 acres. According to 2002 data published by the Department of Assessment and Taxation approximately 25 percent of the Town’s land area was classified as residential use in 2002 and the predominant residential use was single family residential (See Table 1). Commercial and industrial classifications made up about 16 percent of the total land use. Land uses classified as “Other” consist of unclassified land within the corporate limits, including road right-of-ways and water courses.

**Table 1
Existing Land Use - 2002
North East Planning Area**

LAND USE	ACRES	PERCENT
Agriculture	12	1.2%
Single Family Residential	138	13.9%
Town House	89	8.9%
Multi-Family Residential	15	1.5%
Commercial/Residential	11	1.1%
Commercial	22	2.2%
Industrial	139	14.0%
Public/Semi-Public	149	15.0%
Park and Open Space	30	3.1%
Vacant	251	25.2%
Other	139	13.9%
TOTAL	995	100.0%

Source: MD Property View, RJA, Town Staff

The Planning Area

The comprehensive planning process considers the future of North East from several perspectives. The following section, entitled Land Use Recommendations, discusses a desired pattern of land use for areas within the corporate limits of North East. The land use pattern shown on Map 2 is greatly influenced by existing development, be it residential, commercial, industrial, institutional, etc. It will be further influenced by infill and redevelopment within the Town, new development in the County adjacent to existing developed areas, and by development of newly annexed areas. The incorporated area addressed in the Land Use Plan is the North East's Priority Funding Area (PFA), and as such, is the focus of short- and mid-range capital improvements programming for public facilities to serve existing neighborhoods, including infill and redevelopment within these areas. In addition, some of the existing and planned capacity of Town facilities may be used to serve new development in the existing Town limits and in newly annexed areas. The areas planned for water and sewer services as shown in the *Cecil County Master Water and Sewer Plan* reflect the Town's short and mid-range annexation priorities.

The area considered for planning purposes also includes a future growth area that lies beyond the Town limits (See Map 1) and the Town's short and mid-range annexation priorities. How and when these areas develop in the future is dependent on a number of variables. The purpose for including these future growth areas is to identify key areas where Town and County long range land use, transportation and capital facilities planning should be closely coordinated.

The Planning Area shown on Map 1 encompasses the area identified in the *Cecil County Urban Growth Boundary Plan* as North East's growth area. The purpose of the Urban Growth Boundary Plan, adopted in 2000, was to create areas around each Town whereby the provision of water and sewer infrastructure would be closely coordinated between the County and the Towns.

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 participate on a Water/ Sewer Infrastructure Implementation Council. The mission of the Council is to coordinate planning efforts to improve and/or effectuate water/ waste water 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.

In February 1996 a water system facilities study was performed in preparation and anticipation of the growth that would be occurring in and around North East. To date approximately two million dollars has been spent implementing improvements outlined in the study.

As a result of the Urban Growth Boundary Plan, water service agreement with Cecil County and the Comprehensive Plan adopted in October 2002 the Town had 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 has scheduled 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.

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 on Map 3 encompasses land that may become part of the Town at some unspecified time in the future. Land use designations shown on Map 3—include existing settlements, where the land use pattern has already been established under County zoning, and in the case of large tracts, anticipated land uses. 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 simply indicating the most likely form of development for each area.

Annexation is typically dependent on the application of individual property owners seeking to be included in the incorporated limits. Typically the annexation process involves a request for a specific land use designation. The Town then considers the merits of the application, including the costs and benefits of the proposed annexation and the Town's ability to provide adequate facilities and services. The proposed land use will be considered in the context of existing development in the vicinity of the property, the North East Comprehensive Plan and the results of the cost/benefit analysis.

Land Use Plan Recommendations

The Land Use Plan for North East divides the community into a variety of planning districts, including residential districts, commercial districts, industrial districts, mixed-use districts, public/semi-public areas and park and open space areas. These planning districts are shown on Map 2 the Land Use Plan.

Residential

Residential is a significant land use within the Town's boundaries, and is a major future development. This land use is particularly important since the level of community facilities that will be needed to serve the Town's residential population is dependent upon the recommendations regarding density, location and distribution. Several residential density categories apply to North East:

Low Density. Areas characterized as “Low Density” generally consist of established residential neighborhoods with an average prevailing net residential density of approximately three dwelling units per acre.

Medium Density. “Medium Density” areas are characterized by net residential densities between four and five dwelling units per acre. The area also includes a few larger tracts that are potential sites for infill and redevelopment.

High Density. “High Density” includes detached, attached and multi-family units in scattered locations throughout the Town. These areas are characterized by a net residential density of approximately ten dwelling units per acre.

Planned Residential. The Planned Residential Development category encompasses North East Isles, a successful water oriented multi-family (townhouses and quadraplexes) project located along the North East River. North East Isles was developed in accordance with PRD provisions contained in the North East Zoning Ordinance. The PRD zone classification permits greater flexibility in the design of larger scale, unified residential development projects. It permits a variety of residential unit types in a single development, gross densities of up to six dwelling units per acre, and requires that a substantial portion of the site be set aside as common open space for the benefit of neighborhood residents.

Planned Neighborhood. The Planned Neighborhood land use classification is a new district that is shown on the Land Use Plan. The purpose of the Planned Neighborhood district is to establish land use planning policies for the “smart neighborhoods.” Smart neighborhoods are well-planned, compact mixed-use neighborhoods 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.

Development codes should be revised to implement the planned neighborhood principles discussed herein. Compact mixed-use neighborhoods should be the preferred type of residential development, where feasible, as opposed to single dwelling unit type developments that are the norm in existing medium and high density residential areas of the Town.

Limited Residential. North East’s growth area includes land where existing residential development has already taken place or will have taken place prior to annexation. In

some cases, these residential development projects may have been approved by the County but have not yet commenced development. It is the Town's intent to consider annexing such areas and to minimize situations where the application of existing Town development standards would create extensive non-conforming situations.
[Added 03/26/2008 by Resolution 2008-03-02]

Employment

The Land Use Plan provides for a variety of employment uses, including commercial and industrial uses, at intensities consistent with their location.

Central Business District (CBD). The Central Business District (CBD) should remain the commercial center of the Town, and not be infringed upon by commercial and business uses of a type, scale or intensity which would not complement or fit with existing shops or businesses. The CBD will continue to cater to local residents and tourists. Gaining status as a "heritage area" could significantly enhance the role of the CBD. The heritage program will be discussed at greater length when addressing economic issues.

The role of the CBD should remain that of a small business town. Its goal should be to attract tourists through its pedestrian oriented setting and specialty retailing. Aesthetics will be essential; trees, regulated signage, and well-maintained storefronts will help draw customers. The CBD needs to differentiate itself from the strip commercial development located along major highway corridors in Town, rather than compete with it, by maintaining shops situated near the street edge, with on-street and rear parking. Streetscape improvements (sidewalks, lighting, street furniture) will help to create a unified visual image of a shopping district which caters equally to the motorist and pedestrian.

Highway Commercial. Highway Commercial refers to commercial activity dependent on the local market area and passing highway traffic for business. The land use is characterized by retail and service establishments located to take advantage of highway access, typically consisting of restaurants, service stations, grocery stores, mini-marts, super markets, department and discount stores, and supply stores intended to serve travelers as well as local trade. The recommended location for highway commercial activity for North East is centered on Route 40 and MD 272 north of the Amtrak railroad tracks. The area has previously been deemed for high density development and the infrastructure necessary to do so is already in place. It would also have direct access to the highway traffic necessary to support commercial activity of this kind.

New highway commercial development along highways should be permitted in a clustered fashion rather than the linear or strip configuration. Access to such areas should be limited with consolidated entrances. This should be required in the Zoning Ordinance and Subdivision Regulations and coordinated with the State Highway Administration.

Village Commercial. The Village Commercial District is located at the fringe of the Central Business District and would allow for limited expansion of certain business and office uses south along Main Street. The plan classification anticipates a mix of uses, including residential, small professional offices, including those located in existing residential buildings, e.g., doctors, lawyers, accountants, small specialty shops, and similar uses that primarily operate between 9 a.m. and 5 p.m. during the week. In all cases, the scale and intensity of the proposed use should be the limiting factor. New buildings and conversion of existing buildings should be done in a manner that is consistent with the existing character of the street. Uses should not be so intensive as to create congestion and/or parking problems along Main Street and in the adjacent residential neighborhoods. The scale and quality of signage should blend in with the existing visual character of the area. The impact of new commercial uses on nearby residential areas should be carefully considered, implying that most new permitted non-residential uses should be processed as a special exception.

Village Marine. Like the Village Commercial land use classification, the Village Marine land use is a limited commercial category that will permit the development of key waterfront properties with uses that serve recreational boaters and watermen. In addition to docking and tie-up facilities, these sites may also be appropriate for related services, such as restaurant, boating specialties and supplies, and sanitary facilities. The sites are not appropriate for more intense marina uses, such as dry dock facilities, major boat repair, and high and dry storage.

Residential Office. The Residential Office land use classification encompasses areas of the Town where a mixture of residential uses and limited business uses coexist. Permitted businesses are strictly limited to those uses that are not unduly disruptive of the surrounding residential neighborhood, e.g., professional offices that are open only during daylight hours, result in little additional traffic and do not need substantial parking.

Mixed Use Office/Business/Commercial. The Mixed Use/Office/Business/Commercial classification provides for appropriate areas wherein a mixture of compatible business, commercial and office uses may be co-located on same or adjacent sites. This classification envisions larger sites, developed as master planned, mixed-use parks wherein development standards for access control, parking, landscaping architecture, lighting and signage are tailored for the particular development project as part of the master plan concept.

Limited Commercial. The Limited Commercial land use classification includes properties located outside of the Central Business District and the Highway Commercial area (described earlier) where existing limited industrial, commercial and/or business activities are currently being conducted. These properties are historically recognized commercial or business destinations that have adequate land area for the existing and potential uses and adequate vehicle access, including for limited truck traffic. Considering surrounding land uses these existing businesses pose minimal threat of adversely affecting neighboring properties. The Town does not intend to substantially increase the land area in this land use category but does intend for the existing uses to

continue and to be allowed to expand in compliance with existing standards. In addition, appropriate infill and redevelopment will be permitted.

[Added 01/10/2007 by Resolution 2007-01-01]

Industrial

Industrial development includes activities such as processing, manufacturing, assembly, and storage of bulk commodities. This land use can be described in two broad classifications, heavy and light industrial activity. Future industrial land use may include mineral extraction.

Heavy Industry. The uses include activities characterized by the operation of heavy equipment, manufacturing or assembly of durable goods, and handling or storage of materials in bulk quantity. It is typically separated from other land uses in a community and has optimum access to major highways and other transportation routes.

It is recommended that heavy industrial activity and development remain in the area north of US Route 40. Future heavy industrial should be located at appropriate locations in the US Route 40 and MD 272 corridors where optimum access to major highway routes are available.

Heavy Industry - Mineral Extraction. Currently no mineral extraction uses are located within the corporate limits, nor does the Town zoning ordinance permit such uses in any zoning district. However, the potential exists for the Town to annex land underlain with mineral deposits. Some of this land may be suitable for mineral extraction operations. The potential for mineral extraction uses on land annexed by the Town will be considered at the time annexation is proposed. If the Town determines that it is in the best interest of the Town to permit such uses, the Comprehensive Plan and implementing ordinances will be amended to establish appropriate policy concerning mineral extraction and the zoning ordinance will be amended to provide for mineral extraction uses that comply with acceptable standards for operation and reclamation.

Light Industry. The uses include activities such as processing, manufacturing, or assembly of soft or non-durable goods. Light industrial uses may be located in the Route 40 corridor at those locations where there will be little or no adverse impacts on existing commercial and/or residential land uses.

Strict performance standards should be required for all industrial uses along major highway corridors. For example these uses should be heavily screened behind landscape buffers. To the maximum extent possible, existing trees and vegetation should be incorporated into these landscaped buffers. The Town must strive to protect the North East River and North East Creek from the undesirable effects of industrial development, as it is a major recreational and scenic asset to the Town and a source of drinking water. North East should work with the County to insure appropriate regulation of all industrial activity, particularly industrial uses located in the Chesapeake Bay Critical Area.

Public/Semi-Public

Public land uses cover a variety of uses for the health, education, safety, and general well-being of the public (e.g. Town offices, post offices). They affect both the living and working environment of all residents. Once the desired living and working activities are described in the other land use sections, the Town must determine what its responsibilities are in accommodating these land uses and determine how to meet these responsibilities. The utilization of lands for public use, then, supports the planning of residential, commercial, and industrial development.

For purposes of this report, public land uses are defined as those uses, which are owned and controlled by a public body for use of or service to the general public. Semi-public uses are those which are owned and controlled by a private or civic group for the purpose of aiding in the health, education, safety, or general well-being of the public or segment of the public.

It is recommended that North East ensure that public facilities and services are available to all portions of the Town. Semi-public services, which are owned privately yet considered as meeting a need of the general public, should be guaranteed to be accessible for reasonable public uses. Semi-public facilities which are not available to the general public should not be included in the inventory of public services.

Public services can only be provided according to the community's ability to support the service. Those services that are provided should be utilized to their fullest, including using public lands for multiple purposes.

Park and Open Space

Park and open space includes public-owned park land, school athletic fields, and common open space in residential subdivisions. Public park and recreation land and facilities are discussed in Chapter 4, Community Facilities.

Potential Future Growth Areas

Annexation and Growth Management

Expansion of the corporate limits through annexation process will be carefully planned to ensure that growth is contiguous to the existing boundaries as to prevent scattered development. The cost-effective provision of roads, water facilities and other public services cannot be assured without a clear means of managing growth. This means directing growth to specific areas where development infrastructure already exists or where it is planned to be provided in the future and away from areas where it does not exist and/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 select areas with sufficient land for development purposes in order to accommodate growth without adverse environmental repercussions. 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” are shown on Map 3. This is a general map that encompasses areas that may or may not 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.

Map 3 divides the planning area into several land use classifications which are described as follows:

Existing Settlements – Existing settlements includes areas where the land use has 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 development of new water-dependent facilities.
- **Mixed-Use (Business, Commercial and/or Industrial)** – For the most part, this category 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 classifications shown on Map 3 do not imply that the Town will annex these areas or zone the property according to the land scheme shown on Map 3 at the time of annexation. The appropriate zoning for annexed properties will be determined in light of the results of a fiscal impact analysis and in consideration of such factors as neighboring land uses, access, existing or planned capacity of community facilities and services and highway capacity.

COMPREHENSIVE PLAN NORTH EAST, MARYLAND 2004

Map 1 Existing Land Use

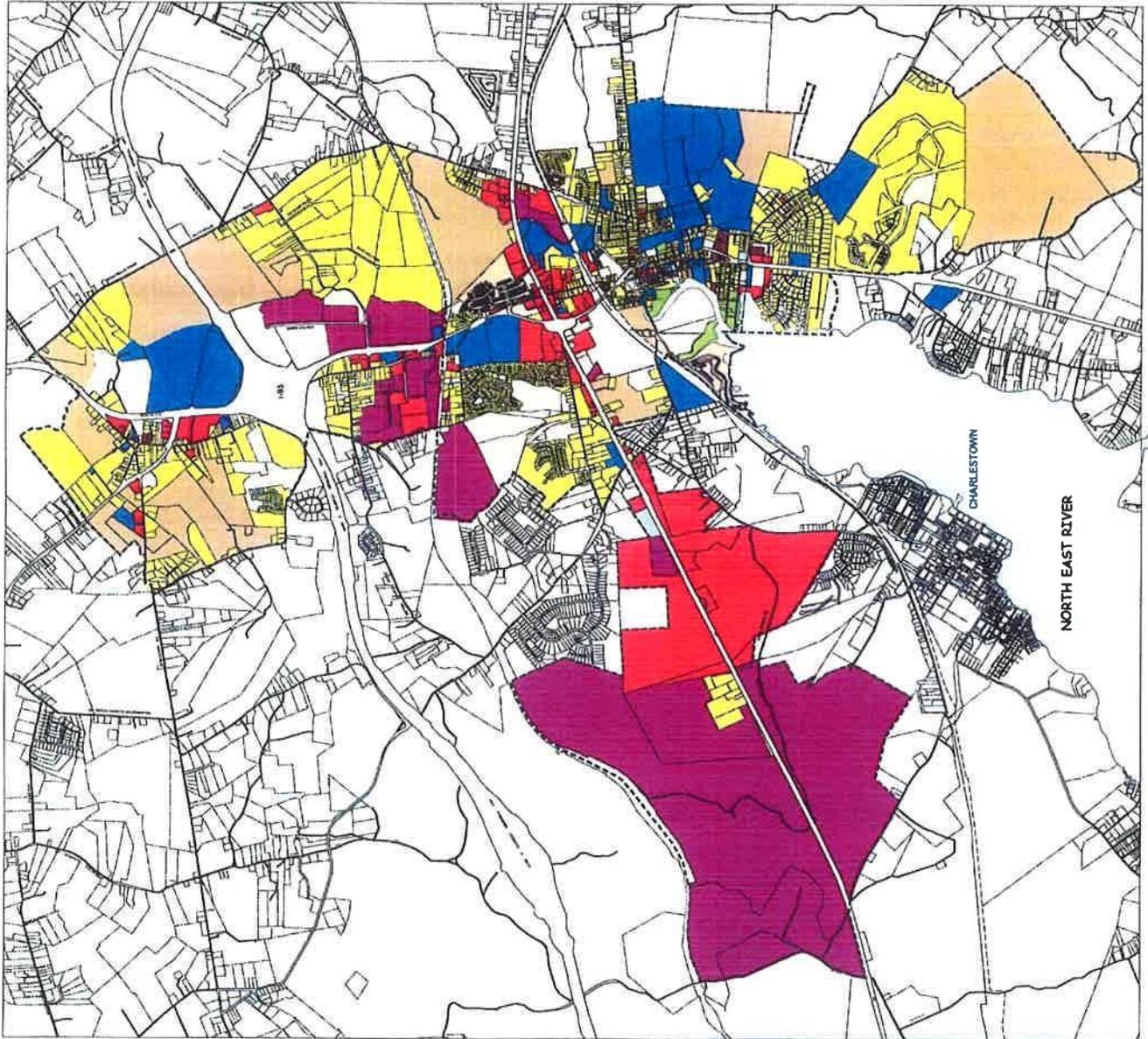
LAND USE CATEGORIES

- Residential
- Townhouse
- Apartments
- Commercial Residential
- Commercial
- Industrial
- Public/Semi Public
- Park and Open Space
- Agriculture
- Unimproved

PLANNING AREA BOUNDARY

CORPORATE LIMITS

Approved by Mayor and Commissioners, May 3, 2004



Version 03-17-04

Reserved.