

FINAL REPORT – MARCH 18, 2021

REPORT OF THE FOREST DRIVE / EASTPORT SECTOR STUDY TASK FORCE TO THE ANNAPOLIS CITY COUNCIL

I. The History and Mandate of the Forest Drive Task Force

The Forest Drive / Eastport Sector Study Task Force was formed *by vote of the Annapolis City Council through Resolution R-27-19: Eastport and Forest Drive Communities and Governmental Agencies Task Force (the Task Force). The purpose of the Resolution included the establishment of a temporary advisory Task Force commissioned “to provide the Mayor and City Council with a public forum for continuing to study and prepare reports about the Forest Drive/Eastport Sector Study as requested by concerned and impacted residents; if they wish, to allow residents the opportunity to provide related input regarding the 2020 Comprehensive Plan; to collaborate with and receive input, assistance, and support from various Anne Arundel County and State of Maryland agencies; and generally relating to the Task Force”.*

Citizen participants on the Task Force were appointed by members of the Annapolis City Council as representatives of each of the Wards within the City. Other citizen participants were designated by officials in Anne Arundel County. The jurisdictions of Annapolis City, Anne Arundel County and the State of Maryland each had representatives from the respective offices of Planning and Zoning and the County Office of Transportation sitting as consulting members of the Task Force. It is noteworthy that this Task Force apparently was the very first effort to have citizens and government agency representatives work together to address the issues raised by the Forest Drive/Eastport Sector Study. The importance and value of this Government-Citizen collaboration cannot be overstated as a future model for joint information and problem solving.

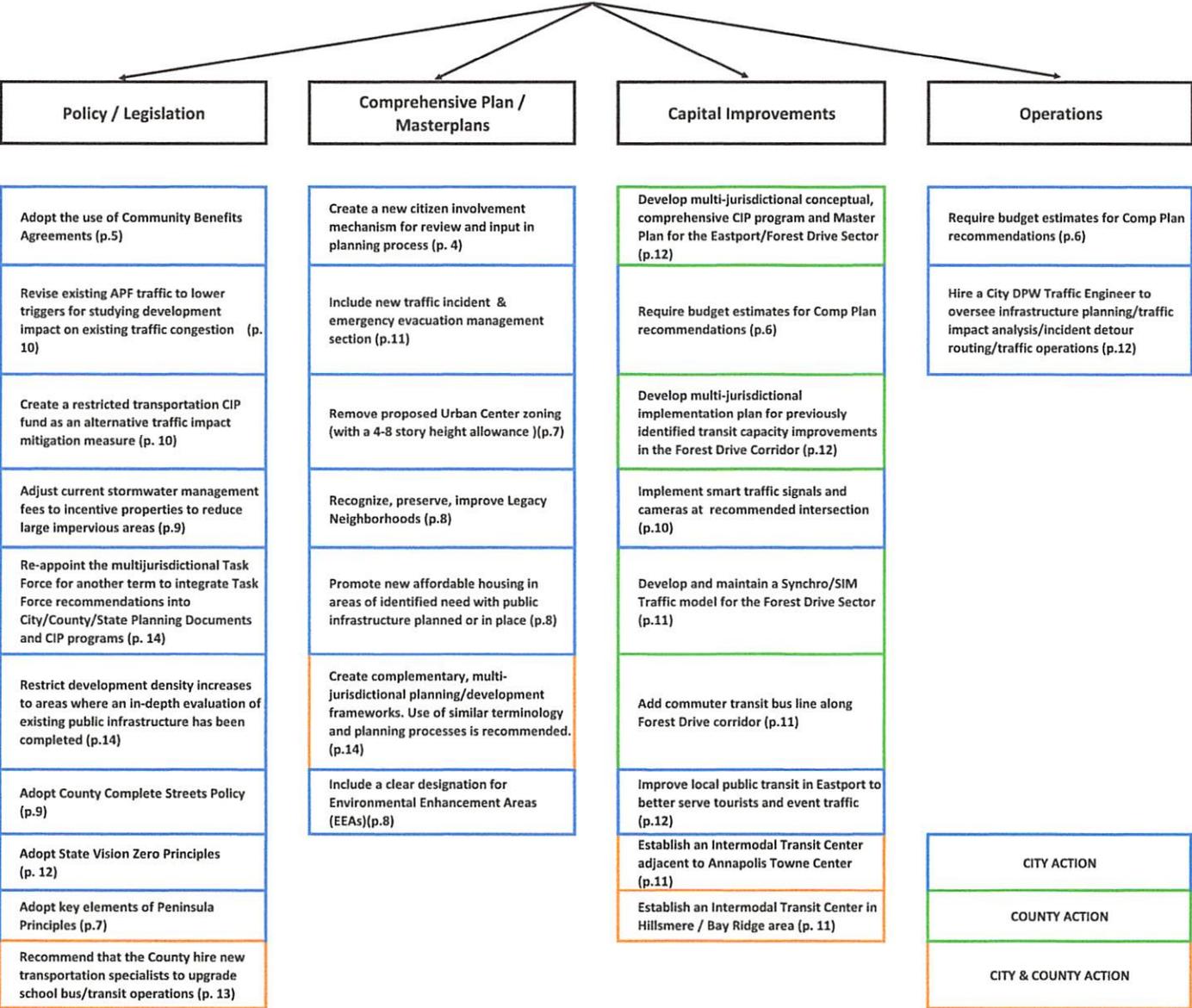
A complete list of members of the Task Force is included as Attachment 1.

What is the Forest Drive / Eastport Sector Study?

A sector study represents an effort to chart a direction for future planning policy in the identified sector study area. This document includes goals, policies, and strategies for planning elements in order to improve conditions in the sector study area in the coming years.

The Forest Drive / Eastport Sector Study (hereafter referred to as “the Study”) serves as a supplement to the City’s Comprehensive Plan. The Study’s purpose is to define a more specific vision for this part of the City and to identify more detailed plans and recommendations to achieve this vision. The Study proposes new strategies *for the better utilization of existing assets, refines development opportunities and zoning scenario models, and strengthens design guidance to achieve the City’s vision. As importantly, the Study provides the foundation for the development of a capital plan that considers the requisite transit, environmental protection, and community facility needs to support the sustainability of the strategies outlined in the Comprehensive Plan.* If adopted by the City Council, *the Study* will serve as the collective

EXECUTIVE SUMMARY
Task Force Recommendations



and the process underway for development of the Anne Arundel County General Development Plan and procedures followed by the emergency operations office for the City of Annapolis. Additional sources of information provided to members of the Task Force included material explaining the Peninsula Principles, the City Evacuation response procedures and presentations from the City Department of Planning and Zoning about the planning process.

Once members of the Task Force identified the main issues and problems relevant to the Study, an interactive matrix was developed to allow Task Force members to indicate their agreement, disagreement, or abstention *regarding* specific recommendations relevant to each issue. In addition, each member-participant could write an explanation or qualification for their agreement, disagreement, or abstention. Requests for additional information were also noted on the matrix. The Task Force *then* constructed a Google Drive Folder to allow each member *to* access *and* review collected information, research, the matrix, and drafts of this report.

Because of the pandemic restrictions prohibiting public meetings of the Task Force, *all* meetings after March 2020 were conducted by videoconference and the interactive matrix was a tool developed to report specific input from each member.

The specific recommendations in this report are grouped into four relevant categories: The Planning Process, Zoning and Master Planning, Adequate Public Facilities & Services-Traffic/Transit and Adequate Public Facilities & Services-Environment/Utilities/Emergency Services/Schools. *In addition, this Executive Summary includes the following chart with an overall picture of the recommendations of the Task Force with page references to this Report. (Exhibit 1)*

The representatives from the City, County and State agencies *recognized* that there could be limitations to their involvement regarding the final Task Force recommendations, especially those involving policy changes. To clarify *their* role *and avoid any perceived conflicts of interest for agency participants*, they prepared a statement of purpose which is included as *Attachment 2* to this document. Their role was critical to the success of this Task Force effort and, as noted earlier, their continued involvement in the Task Force is vital.

III. The Primary Issues and Recommendations Addressed by the Task Force

The Task Force identified the following items that should be included and addressed in more detail as part of the Forest Drive/Eastport Sector Study.

A. THE PLANNING PROCESS

Early in the Task Force meetings, representatives from the City, County, and State presented information about how the jurisdictions currently work together. The presentation can be seen online on the City's

webpage(<https://www.annapolis.gov/DocumentCenter/View/14201/PZ-FDESS-Task-Force-Dec-17-2019>). The Task Force Work Groups focused on the need to improve transparency, community input and intergovernmental cooperation for the planning process regarding any future development along the Forest Drive corridor. One early group recommendation has already been implemented. At the quarterly meetings held in Anne Arundel County with the State and the City planners, the Forest Drive corridor is now a recurring agenda item.

The Task Force identified *several* additional areas of improvement to the draft Sector Study. These include:

1. Identify specific mechanisms for meaningful citizen involvement in the decision making and study processes.

Meaningful citizen participation at the earliest stages of the planning processes is critical for accurate needs assessments and community buy-in to ensure successful management of resources and growth. Citizen involvement for *the draft* sector study included input received from interviews, surveys, and over 40 public meetings. It included engagement with City residents and businesses and because Forest Drive is owned and managed by Anne Arundel County and serves both the City and County areas, the County government and residents of the Annapolis Neck also participated in the process. These efforts yielded a list of over 300 issues that were grouped into six themes. After the list was grouped by theme, the public was asked to evaluate a series of proposed strategies that would address the issues.

The County, City and State should use similar techniques and mechanisms to inform citizens at the earliest stages of *all major* planning considerations. This can be accomplished through direct outreach to communities, updating websites and providing specific documentation regarding all applications, studies and development concepts. There should be multiple mechanisms which allow citizens to provide input, both in writing and in person, regarding the potential impact of development in their communities.

2. The Task Force Recommends use of Community Benefit Agreements (CBAs) for major development projects.

The governmental jurisdictions should immediately encourage the use of Community Benefit Agreements and develop procedures to memorialize specific areas of agreement/disagreement between community members and developers regarding a major development project. All jurisdictions should require developers to participate in a structured community benefit analysis which takes into consideration the unique aspects of the total Forest Drive Corridor.

For many years, concerned citizens of Annapolis and adjoining communities in Anne Arundel County have worked for meaningful and inclusive input for decision-making regarding future development in their communities. To achieve this goal, citizens must have opportunities beyond taking surveys and receiving periodic briefings about proposed projects by City planners

and developers. They must be able to directly affect the impact of development in their neighborhoods by having a seat at the table.

Current Annapolis City and County Code Requirements

City Code Chapter 21.10 (via Ordinance O-14-18) requires community meetings before developers apply for a project that “requires a certification of Adequate Public Facilities under Title 22 and for a proposed subdivision that will contain a new street.” The process of when and how community meetings are to be held is defined in the Code and has been applied to all projects submitted after Ordinance O-14-18 took effect on November 19, 2018. The written feedback from these community meetings must be filed with a developer’s application for a project.

Anne Arundel County, per County Code Section 17-2-107, requires community meetings for any subdivision or preliminary plan submittals to the County six months before submittal and within 45 days following submission of a final plan or site development plan. Community meetings are required for a modification to permit direct impact on environmentally sensitive areas, a subdivision of property that adjoins a residentially zoned and developed lot, development of a commercial, industrial or institutional use, or an active recreational use as defined in Section 18-1-101, that adjoins a residentially zoned and developed lot; or any revision to the previous items accepted under the original project number followed by a hyphenated numerical suffix.

The use of CBAs is a *logical* next step beyond the general feedback sessions required by the current community meetings ordinance. Through the CBA, the community and the developer can identify and agree to specific community benefits that will be provided by the developer and produce a written agreed statement of intent for implementation assuming project approval by the City. *A more detailed description of the purpose and implementation of the recommended use of the CBAs is found in Attachment 3 of this report.*

This process will do much to empower citizens and allow developers to understand the needs and values of the community in which they hope to be working. The CBA also provides the City with a mutually agreed list of community benefits that both the community representatives and the developer expect to be included by the City as conditions of approval of a project.

As the jurisdictions bordering the Forest Drive/Eastport corridor improve the mechanisms to include meaningful citizen participation through pre-application community meetings and procedures for Community Benefit Agreements, the Task Force recommends that more formal and City-wide frameworks be considered. Members of the Task Force researched such additional mechanisms. These suggestions are included in Attachment 4.

3. Funding budget estimates from governmental and private sources should be required elements of any published implementation plan including the Forest Drive/Eastport Sector Study

Within the Sector Study, recommendations of future growth plans for specific types of development should be characterized by potential cost. Currently in the Study, the recommendations are sorted into near-, mid-, or long-term. Cost characterizations should *also* be made such as low, medium, or high. Further, each type of initiative can be described in terms of public and/or private sources of funding. When there will be a need for ongoing maintenance for any improvements in a development, the responsible party should be identified in the original certification.

This recommendation by the Task Force follows the observation of citizen members that projected planning studies often fail to clearly clarify potential costs and sources of funding to implement specific goals. In short, without cost perspectives and realistic descriptions of potential funding sources, planning goals can become elaborate wish lists. For each of the goals or recommendations cited in the Sector Study there should be a correlation to estimates of range such as low, medium, or high designations for costs.

Recommended project goals cited in The Forest Drive/Eastport Sector Study should include budget estimates and recommended sources of funding as well as a timetable for implementation.

B. ZONING AND MASTER PLANNING

1. The City of Annapolis and Anne Arundel County should *recognize and apply key elements of the Peninsula Principles.*

The Sector Study projects significant changes to the current zoning designations along the Forest Drive-Eastport corridor. A move away from traditional Euclidean zoning and proposals for a more Form-Based type of zoning and a preference for mixed-use development is cited in the Study. The Task Force considered the “Peninsula Principles,” that have been *endorsed by over 200 community organizations* along the western shore of the Chesapeake Bay. **(Attachment 5)** These nine communities have formed what is known as The Peninsula Coalition. *Although it may be unrealistic for the City of Annapolis or Anne Arundel County to formally adopt the principles articulated by this Coalition, it is realistic to expect that future planning and development along the Forest Drive-Eastport corridor recognize and apply key elements of the Principles.*

Specifically, this Task Force recommends the following:

- *In the implementation of any future form-based zoning for the City of Annapolis and Anne Arundel County jurisdiction along the Forest Drive corridor, the rules, criteria, and zoning/ building codes should be tailored to the unique environment and infrastructure limitations present in a peninsular geographic environment.*
- *The City of Annapolis and Anne Arundel County should conduct detailed citizen-driven land use planning to support the quality of the environment and quality of life in the peninsular geographic environments within these jurisdictions.*

Furthermore, the City should undertake a comprehensive review of current laws and procedures for zoning variances, planned development, special exceptions and waiver legislation to ensure that these measures do not negatively impact the character of the existing communities.

2. The proposed zoning designation of “Urban Center” should be removed from possible designations in the corridor and replace that designation with “Urban Center Low”.

As described in the Study, the term “Urban Center” is a carry-over designation from the 2009 Comprehensive Plan. It refers to a higher density form of development and is recommended as a character type for parts of the Bay Ridge Road area, Eastport, and Old Solomon’s Island Road. *One of the primary objections to the term “Urban Center” is the range of building height which is prescribed within this designation. To the extent that the designation permits building height up to eight stories, members of the Task Force believe that such a designation is inconsistent with the goal of managing reasonable development density in the corridor.* The Study should be amended to replace this designation with a more appropriate term such as “Urban Center Low” or “Urban Village Center.” Also, it is recommended that all zoning designations be required to meet *specified criteria* for adequate public facilities regulations and clear height restrictions.

The City should undertake a comprehensive review of current laws and procedures for zoning variances, planned development, special exceptions and waiver legislation to ensure that these measures do not negatively impact the character of the existing communities, or result in unwanted loss of community identity through gentrification.

3. The City should Promote affordable housing while preserving community character in existing neighborhoods.

Prior to any re-zoning of the Forest Drive-Eastport corridor, the City should examine and mitigate the impact of up zoning on housing affordability and potential displacement of current City residents.

The protection of affordable housing options within the City of Annapolis can be supported through legislative requirements, economic incentives, and public/private partnerships.

6. The City should adopt the County’s Complete Streets Policy

The Forest Drive/Eastport Sector Study should coordinate development of the Greenway Map of Environmental Enhancement Areas with a Complete Streets policy. Since the City may be subject to the County’s Complete Streets program design guidance along the Forest Drive Corridor, the City should consider use of the County policy and design details.

The Complete Streets program is nationally recognized in urban planning and has a demonstrated track record in improving safety, public health benefits by encouraging physical activity, improved air quality and safe alternatives to automobile travel. These programs create walkable communities that foster revitalization and redevelopment of neighborhoods and commercial districts. By incorporating the Complete Streets Policy throughout the planning, design, building, retrofitting, maintenance, and operation of all elements of the transportation system, Anne Arundel County has made a long-term commitment to addressing ever changing mobility needs while improving transportation options along roadways throughout the region.

The County adopted the Complete Streets Guiding Principles as part of Resolution No. 45-14 and, effective August 24, 2020, updated roadway design cross-sections that incorporate the Complete Streets policy have replaced Standard Details P-1 through P-9 of the County Design Manual (Notice # DPW-20-03. All projects in the public right of way, both new and retrofit, are to be designed and constructed in accordance with the County’s new Complete Streets Guiding Principles.

C. ADEQUATE PUBLIC FACILITIES & SERVICES-TRAFFIC/TRANSIT

In almost every study involving the needs of the Forest Drive corridor, concerns regarding traffic management and impact are always in the top three community priorities for attention. The Task Force took information generated by all members and consolidated groupings of issues and priorities that addressed traffic and transit issues as follows:

- 1. Evaluate, *update*, and modify existing Traffic Adequate Public Facility regulations and mitigation requirements. Evaluate and modify traffic study procedures to ensure that the guidelines are adequate as well as consistent with the County and State regulations.**

Traffic and mobility issues are particularly important to the Task Force members. We encourage the City to evaluate and incorporate new methodologies and approaches about how mobility is addressed along the corridor. The methodologies for assessing impact should look not only at the immediate geography around the proposed development, but also consider wider impact radiating out from the development throughout the Forest Drive corridor. Planning

should identify the associated financial contribution to mitigate the traffic impact. The Task Force noted that Anne Arundel County has adopted development impact fees levied for addressing mobility and that the City may benefit from a similar structure.

2. The City should establish a fund to collect APF contributions that can be assigned to City CIP projects and joint County-City CIP projects that improve transportation network capacity in areas impacted by the specific projects.

As discussed previously, Planning should identify the associated financial contribution necessary to mitigate the traffic impact. The Task Force noted that Anne Arundel County has adopted this type of development impact fees levied for addressing mobility and that the City may benefit from a similar structure.

3. The City should implement smart traffic signals and cameras on City streets and link the City signals with the already linked County and State signals in the corridor.

The Task Force supports the Sector Study’s mobility strategy discussed in section 3.3.14 (E4) that recommends that the City implement smart traffic signals and cameras on City streets and link the City signals with the already linked county and state signals in the corridor.

Using smart system technology will improve congestion along Forest Drive in both directions during the peak hours. This recommendation is consistent with those established in Anne Arundel County’s Transportation Functional Master Plan, (*Move Anne Arundel!*) *The following is the list of the city signals that should be upgraded:*

- a. *Spa Road and Hilltop Lane*
- b. *Primrose Road and Hilltop Lane*
- c. *Tyler Avenue and Bay Ridge Avenue*
- d. *Madison Street and Bay Ridge Avenue*
- e. *Chesapeake Avenue and Sixth Street*
- f. *Severn Ave. and Sixth Street*
- g. *Forest Drive and Bywater Road*
- h. *The general area and intersections of Chinquapin Round, Forest Drive and Aris T. Allen Blvd. including the Fairfax Drive crossing.*

4. The City, County and State should develop and maintain a Synchro/SIM Traffic model for the Forest Drive sector study area.

The creation and maintenance of the Synchro/Sim-Traffic model will assist in evaluating the traffic impact for the Forest Drive/Eastport area for all planned and projected development. Like recommendation number 2, the following signal locations should be part of this traffic model.

- a. Spa Road and Hilltop Lane
- b. Primrose Road and Hilltop Lane
- c. Tyler Avenue and Bay Ridge Avenue
- d. Madison Street and Bay Ridge Avenue
- e. Chesapeake Avenue and Sixth Street

f. Severn Ave and Sixth Street

5. The City should work with the State and County to establish a commuter transit bus line that can tie to existing and future regional routes. There should be stops at, or near, the intersections of Forest Drive and South Cherry Grove, and the intersection of Bay Ridge Avenue and Hillsmere Drive.

The Sector Study provides recommendations to enhance the regional, local, and paratransit services and mechanisms that require jurisdictional cooperation and funding for public transportation. As stated in the Sector Study, specifically as part of the mobility strategy discussed in Section 3.3.15 (E6), current services should be reviewed to determine areas of potential increased efficiency, shared responsibility between the County and the City and ease-of-use by the public.

6. The Sector Study should include a section that addresses emergency evacuation and incident management along the corridor.

A goal of the Study should be to identify ways to improve and increase traffic safety infrastructure in order to reduce collisions on Forest Drive. To the extent possible given security concerns, the Study should reference the emergency evacuation plans for the County, City and State. These plans should be reviewed at any time there is a ten percent (10%) growth in residential and commercial density along the corridor, but no later than every three (3) years.

7. With assistance from the State Highway Administration, the City and the County should cooperate to develop a Traffic Incident Management Plan for the Forest Drive corridor.

This plan should be completed and operational by December 31, 2021. In addition, the City should:

- Improve local public transit in the Eastport area to better serve residents and tourists, particularly during event traffic influx. Consider water shuttle transportation as part of overall strategy.
- Work with the State and County to establish intermodal transit centers near the city line adjacent to Parole and in the Hillsmere/Bay Ridge area that can tie into other regional services.
- Recommend the development of an implementation plan for identified capacity improvements in the Forest Drive Sector area. There are various studies, done by public and private entities, along the Forest Drive Sector area that have identified roadway capacity improvements. There should be an assessment and

prioritization of these improvements in the Implementation Plan that will be utilized to plan out future projects.

- The City should hire a Traffic Engineer.

8. The City should implement Vision Zero principles to address fatalities and injuries along the Forest Drive corridor.

The 2019 County Transportation Master Plan has identified the MD 665 and Forest Drive Corridor as a Safety Focus Area because it has high rates of traffic crashes, including crashes involving bicyclists and pedestrians. This area has received the highest priority for safety improvements as part of the County's "Vision Zero Plan" and demands a special focus on traffic, bicycle, and pedestrian safety." (TDMP 2019, p. 57)

Vision Zero is a national road traffic safety program, now in its 23rd year, that aims to achieve a highway system with no fatalities or serious injuries. It started in Sweden and is based on the premise that humans are fallible and therefore, the roadways ought to be constructed to accommodate those failures so that when they happen, death or serious injury does not occur.

Vision Zero creates an action plan to lay out a roadmap for the strategies, roles and responsibilities to achieve the goal of zero traffic deaths and serious injuries, moving from a focus on individual behavior to more of a focus on policies and built-in environment that influences behavior.

An increasing number of jurisdictions, including the State of Maryland, have adopted resolutions to achieve zero deaths on roadways due to crashes, both vehicle to vehicle, and vehicle to pedestrians and cyclists.

Guided by House Bill 855, the State of Maryland now utilizes its Strategic Highway Safety Plan (SHSP) to carry out the program which is a five-year data-driven plan grounded in "the four E's": Enforcement, Education, Engineering, and Emergency Medical Response.

In 2017, the State Secretary of Transportation asked local jurisdictions to adopt their own Strategic Highway Safety Plan. The Anne Arundel County Department of Public Works had begun working on an engineering piece and when the Office of Transportation was created and hired the Bicycle and Pedestrian Transportation Planner, they began spearheading the activities for a County Vision Zero Plan Initiative. The Baltimore Regional Metropolitan Council (BMC) has also been pushing local governments to create their own plans, tailored to their needs, and has offered to assist with the creation of a local SHSP.

The County has served on the State Pedestrian and Bicycle Emphasis Area Team, and recently established a working team of County stakeholders to discuss local options and focus—modeling it after the State's but tailoring it to County specific needs and goals. In recognition that eliminating traffic fatalities requires significant coordination among multiple

stakeholders and levels of government, this new task force includes participants from the City of Annapolis, Department of Public Works, Transportation, Police, and Fire, as well as the Board of Education.

As a major arterial roadway that experiences a significant number of roadway accidents, Forest Drive will benefit from the increased safety measures and coordination proposed by Vision Zero.

9. The City should formally recommend to the County Executive that the Board of Education act on the recommendation from their most recent Transportation Study and hire three transportation specialists.

Inefficient school bus routing is one of the major contributing factors to of traffic congestion within the Eastport/Forest Drive corridor during peak commute hours and the failing grade intersections along Forest Drive. In 2019, the Anne Arundel County Board of Education conducted a Transportation Services Comprehensive Evaluation and determined that, due to lack of personnel and training, the AACPS Transportation Department was not using their new bus routing software to its full capabilities. The new routing software is an ESRI-based GIS routing system that uses geospatial computing and the associated GIS software. The flexibility in routing and real time decision making that the software could provide has the potential to alleviate corridor congestion at certain times of the day and during certain events. As Recommendation 3 (p. 3-14), the Evaluation Team recommended that the County improve the organizational structure of the Department by increasing the number of GIS/routing/technical staff by three and creating a GIS Administrator position.

The Forest Drive Sector Study should consider the impact that County School bus routing has on the traffic congestion problem and recommend that the County Executive work with the School Superintendent to fund and fill these recommended transportation positions.

D. Conclusions and Next Immediate Steps

Many of the recommendations from the Task Force work groups should be carried forward to the next Comprehensive Plan and applied city-wide. This especially concerns the following recommendations:

1. The Comprehensive Plan should include funding estimates and sources of funding for recommended projects as well as a timetable for implementation.
2. The City of Annapolis should hire a Traffic Engineer. This position has been funded since fiscal year 2020. The City should make another push to fill this position immediately.

3. Additional Major Development should not begin until there is adequate existing infrastructure and adequate public facilities.
4. The City should implement Vision Zero principles to address fatalities and injuries on the Forest Drive corridor.
5. The City of Annapolis and Anne Arundel County should recognize and apply key elements of the Peninsula Principles.
6. Re-appoint the multi-jurisdictional Task Force for another term to integrate Task Force recommendations into City/County/State planning documents and Capital Improvement Project (CIP) programs.

A larger recommendation concerns intergovernmental cooperation. The City and County should have a proposed development framework that each jurisdiction could align with and use individually or as a joint action. This framework would require a full business case analysis, which typically identifies benefits, pros, cons, risks, and most importantly, total life cycle costs. Many times the biggest costs are all the modifications and changes required to sustain the life of the project. The County and State will need to be involved to a large degree and be consistent and engaged parties to all relevant conversations.

Within the required items to address, such as pros or cons, this will or can take in all the other concerns being addressed by the Task Force. Whether it be completion of a Community Benefit Agreement, complying with the Peninsula recommendations, or even the established statutes, all of which can be incorporated into the framework. Over time, this framework would act like a checklist of items that the developer must address before proceeding to the next gate or even to acquire approval for their plan.

In order to have a check and balance capability, it is recommended that there be at least three approval gates along the development process with community inputs. Each of these gates can be managed by the most appropriate agency or as a group review, but these gate reviews would entail deeper analysis or clarity to the last analysis to ensure that the project is tracking according to the plans submitted. As these gate reviews should allow for public access, comment, and inputs, this provides assurance of sticking to the plan and public awareness.

To achieve this will require the three jurisdictions (State, County, and City) to agree to a standardized process for adopting and using this framework. While the intent is an overarching means for tracking a development action, this does not take anything away from each entity's current business practices. Rather, it allows for the application of their unique requirements into an agreed collaborative project management construct that has minimal demands of developers while assuring consistency, transparency, and public awareness of their proposed plans.

**FOREST DRIVE/EASTPORT SECTOR STUDY
TASK FORCE REPORT**

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ATTACHMENT 1

Members of the Forest Drive/ Eastport Sector Study Task Force as of April 2020.

Sponsoring Alderpersons

Rhonda Pindell-Charles, Alderwoman Ward 3

Ross Arnett, Alderman, Ward 8

Task Force Members

Kate Hopkins, Ward 1

Col. Christopher Aiken USA (Ret), Ward 2 (Wardour)

Lon L. Powell, Ward 3 (Greater Parole Community Association, Inc.)

Camille Cimino, Ward 3 (Fairfax Road Community Association)

Adam "AJ" Eckert, Ward 3 (and the Annapolis Design District)

Kim Golder, Ward 4 (Kingsport)

Raynaldo Brown, Ward 4 (Oxford Landing)

Brooks Schandelmeier, Ward 5

Juwann Smith, Ward 6 (Local Entrepreneur)

Guy Shafer, Ward 7 (Bay Woods)

Claire Miller, Ward 7 (King James Landing)

Debra Dillon, Ward 8 (Eastport Civic Association)

Bill Reichhardt, Ward 8 (Eastport Civic Association), Task Force Chairman

Lily Openshaw, Bay Ridge (County), (BRCA), Task Force Vice Chairman

Sally Nash, Ph.D., AICP, Director, Annapolis Department of Planning & Zoning

Ben Sale, P.E., Annapolis Planning Commission

Martha Arzu-McIntosh, County Office of Transportation

Ramond Robinson, County Transportation Director

Michelle Vrikkis, P.E., Assistant District Engineer, Traffic and Access Management, MDOT, SHA (Annapolis).

Kimberly M. Tran, P.E., Deputy District Engineer, MDOT, SHA (Annapolis)

Nestor A. Flores, Chief, Traffic Engineering Division, County Public Works

Patrick Hughes, Long Range Planner, County Planning and Zoning

ATTACHMENT 2

Forest Drive/Eastport Sector Study Task Force The Role of the Governmental Agencies October 14, 2020

The City of Annapolis Council Resolution R-27-19 establishing the Forest Drive/Eastport Sector Study Task Force requested Anne Arundel County and the State of Maryland provide support staff to assist the Task Force. In response to this request, Anne Arundel County provided staff from the Office of Transportation, Department of Public Works, and Office of Planning and Zoning. The Maryland Department of Transportation State Highway Administration (MDOT SHA) provided staff from the District 5 Traffic Office to assist the Task Force.

The Anne Arundel County and the State of Maryland staff attended Task Force meetings to consult with Task Force members and provide input and comments related to land use planning and mobility issues. Anne Arundel County and the State of Maryland served/participated as support staff and take no official position on the recommendations of the Task Force. Official comments from Anne Arundel County and the State of Maryland on the Forest Drive/Eastport Sector Study were provided to the City of Annapolis by the appropriate County and State offices during the regular City review process of the sector study.

The resolution designated the City of Annapolis Director of Planning and Zoning, or a designee, as a member of the Task Force. In that role, the Director of Planning and Zoning participated in Task Force meetings, made presentations to the Task Force on requested and relevant subject matter, and advised on the scope and purpose of various planning studies. The Chair of the Planning Commission, Ben Sale, also attended and provided input to the Task Force.

Primarily, the representatives from governmental agencies did the following work with the task force:

- Attended all meetings
- Assisted with scheduling
- Presented information on current interaction between agencies
- Presented information on current planning and projects affecting the corridor
- Provided technical advice and responded to questions
- Participated in the workgroups
- Contributed to the draft plan
- Listened, considered, and implemented ideas of the task force

As the Task Force was created to “maximize community input,” the final report of the Task Force should represent the citizens’ voices on input for the Sector Study. The role of the governmental agencies (the City of Annapolis, Anne Arundel County, and State Highway Administration) was to participate and provide technical support and data to assist the appointed members in the Forest Drive/Eastport Sector Study Task Force. Government agency representatives shall abstain from voting and/or taking a position on recommendations in the final report.

Sally Nash
City of Annapolis
Planning and Zoning

Ben Sale
City of Annapolis
Planning Commission

Ramond Robinson
Anne Arundel County
Transportation

Nestor Flores
Anne Arundel County
Public Works

Martha Arzu-McIntosh
Anne Arundel County
Transportation

Patrick Hughes
Anne Arundel County
Office of Planning

Michelle Vrikkis
MDOT State Highway Administration
District 5

ATTACHMENT 3

NATURE AND USE OF COMMUNITY BENEFIT AGREEMENTS

What is a CBA and why use one?

- **Definition.** A written agreement negotiated between a developer/applicant and a group of designated community representatives. The community representatives are residents, and businesspersons in the neighborhoods affected by the development. A CBA specifies the public benefits and amenities that the developer will provide to the impacted community in exchange for the community representatives' support (or non-opposition) for the proposed project. The CBA process clarifies "offers" and positions taken by developers and the community representatives regarding details and benefits of projects and identifies any specific points of disagreement. The final executed CBA is filed with the developer's application and becomes part of the City's project review process, with the expectation that the CBA's list of community benefits will be included by the City as conditions of its approval.
- **Benefits Analysis.** The heart of the CBA process is a joint analysis by the community representatives and developer of specific community needs and concerns, and the benefits to be provided by the developer to address them. CBAs allow this dialogue to be more constructive, structured and collaborative than other approaches dealing with community interests. The CBA process should begin early -- after the required community meeting(s), and before the developer files the project's application with the City. The goal is a written agreement specifying the intent of the community representatives and developer regarding the nature and scope of benefits to be provided to the community when a development project is approved.
- **Potential participants and signatories.** Signatories to a CBA are the developer, and the community representatives negotiating for stakeholders affected by the potential project. The community representatives should be comprised of a reasonable number (suggest no more than 8) of citizens that could be nominated by Civic Associations, Business Associations and other sources, and who live/work in the area impacted by the development. Ideally, the community representatives are drawn from a broad base of informed citizens in the community, and they will in turn provide information to, and seek input from, the broader community affected by the project. The community representatives cannot legally represent or mitigate the rights of any individual citizen(s), but they can serve as a high-level, knowledgeable and representative group from the community whose members have been designated by community groups to formulate a comprehensive needs and benefits analysis with a developer. Elected officials, City employees, and lawyers representing various parties should not participate directly in the creation of a CBA, but they may be utilized during the negotiation process as a reference resource to the parties.
- **How are CBAs enforced?** The CBA is not intended to be binding legal contract between community representatives and the developer. Rather, its utility and value is that it provides a clear and thoughtful statement of intent for the developer and the community

representatives to address and remedy community needs identified in the negotiation. The final written agreement is endorsed by the parties, published to the community, and filed by the developer with the project application submitted to the City. By its terms, the CBA is to be given significant weight by all City agencies involved in the project approval process and is to be incorporated by the City as conditions of approval of the project. The City will notify the community representatives and developer in writing of any of a CBA's benefits that are not included as conditions of approval. If the terms of the CBA that were incorporated in the City's approval conditions are not met by the developer, the CBA and the City's conditions of approval are enforced by the City. The CBA and the City's conditions of approval can also be introduced as evidence of the intent of the community representatives, developers, and the City, for any administrative or judicial hearings involving the project.

Topics that might be addressed by CBAs

The nature and scope of benefits that could be identified in a CBA will depend on the type of development project and the unique character and needs of the affected community. The topics listed below are examples drawn from the experiences of other municipalities along with items that are known to be of interest in Annapolis.

- Available Community Amenities (e.g., affordable housing [beyond the Code-required moderately priced dwelling unit requirements]; public water access; grocery stores and other retail/service needs; parks/recreation [contribution to or full payment of cost of new or improved facilities]; public art; space for public meetings, storage, and youth, family and senior services [health and day care, recreation, etc.]; naming [the development, and its streets];
- Jobs, Job Training and Education (e.g., hiring local contractors; minority participation in architectural design, engineering and construction contracts in all phases of the project; support for local schools; internships; career fairs);
- Traffic/Mobility/Safety Improvements (e.g., streetscape improvements; widening streets; curbs and gutters; sidewalks; bike lanes; public transportation; bus stops; signage; signal lights and stop signs; parking);
- Environmental Matters (e.g., green buildings; water runoff; forest conservation; bay/creek water quality); and
- Design Compatibility (e.g., building mass, scale and density; architectural compatibility)

The use of Community Benefits Agreements is the next logical step towards the goal of attaining meaningful citizen involvement in decision-making about future development. The CBA process causes developers and citizen representatives to sit at the same table and collaboratively identify and address specific community problems and concerns. Working in this manner, the parties will produce a written agreement which memorializes their specific intent regarding the proposed development and its associated community benefits.

ATTACHMENT 4

POTENTIAL CITY-WIDE PROCESS FOR CONTINUING CITIZEN PARTICIPATION IN THE PLANNING PROCESS THROUGH THE USE OF ORGANIZED CITIZEN GROUPS

The Task Force places great emphasis on creating sustainable mechanisms whereby citizens can work collaboratively with government planners, developers and elected officials to have ongoing meaningful input about any future changes in their communities. In addition to the creation of the Community Benefit agreement process described in this report, members of the Task Force researched other mechanisms that could also be considered in Annapolis for the future. The use of continuing Organized Citizen Groups is one such mechanism as described in two different case studies.

Two Case Studies Using the Organized Citizen Group Model

An example of where the County has already played a key role in this endeavor is with the planning process in Odenton, MD and the Odenton Town Center Master Plan. Here we have an example of a citizens committee engaged with the Planning Commission for improving their development process. The Odenton Town Center Oversight Committee comprises nine (9) County Executive appointed citizen volunteers and additional ex-officio members for a three-year tenure and includes representation and support by the Office of Planning and Zoning staff. The Committee must maintain a balanced representation of the community, business, and developer interests. A Chairperson is appointed by the County Executive from among the nine committee members who serves for a two-year term and may be reappointed by the County Executive for more than one term. The Committee meets on a regular basis as necessary to fulfill its duties. All committee meetings are open to the public and are advertised in the County's public meetings calendar. The Committee reviews and comments on applications for Sketch Plans, Preliminary Plans, and Modifications to the Master Plan as part of the development review process. Sketch and/or Preliminary Plans and Modification applications are presented to the Committee by the development applicant prior to submittal to the Office of Planning and Zoning or at the meeting of the Committee immediately following submittal. While all comments are advisory, the Committee is responsible for providing written comments to the Office of Planning and Zoning regarding the consistency of the proposed development plans with the goals and objectives of the Odenton Town Center Master Plan, as well as any specific recommendations or concerns related to the development plans.

Annapolis has a Planning Commission that arguably could fulfill this same role. However, this still does not provide a broad-based citizen engagement to the desired objective of a meaningful citizen involvement in the decision making and study processes.

An interesting method that drives a more meaningful citizen involvement in the decision making and study processes is the use of “Organized Citizen Groups”, which the Adams County Planning and Development in Denver, CO used successfully and to a much more in-depth capability with numerous additional benefits. They began the process of identifying stakeholders, plan participants and partners, and identifying community needs. The Adams County Office of Community Development (OCD) also undertook an intensive Community Needs Assessment at that time. They hired Corona Research as the Assessment consultant in August 2003 and worked closely with the Adams County Planning and OCD staff to undertake the assessment. The Assessment was undertaken countywide in 2004, with special emphasis given to the southwest part of the county. The Community Needs Assessment involved an extensive citizen survey and a series of meetings with the public, civic groups, and non-profit organizations in the area. The results from the Assessment were published in May 2004, and are summarized in the Community Needs section of their Southwest Adams County Framework Plan. Planning Meetings consisted of Neighborhood Meetings held by the Adams County staff as part of the survey process for the needs assessment during 2004. One of the purposes of the public meetings was to allow residents to give input and self-identify their neighborhoods, business nodes or corridors, and other unique identifying features. This aided in defining what constitutes a neighborhood in this part of the County, rather than the imposition of artificial borders by the government. It also gave residents more up-front input into the planning process and, thereby, a vested interest in the success of future planning efforts. Results from these meetings were integrated into the information gathered during the Community Needs Assessment process. These meetings were also the initial step for residents to create “Organized Citizen Groups”. One of the purposes of the public meetings was to allow residents to self-identify their neighborhoods. These Organized Citizen Groups became a key element in fostering neighborhood growth with the involvement of residents. Probably the most important aspect of cooperation between local government and residents was this establishment of Organized Citizen Groups. Adams County, through the creation of the Southwest Adams County Framework Plan, established a process for county residents to create their own Organized Citizen Groups to represent them in official business with the County. Organized Citizen Groups organized under these provisions receive notice of proposed development projects and policy changes and have the right to represent residents in land-use cases. These Organized Citizen Groups are also the point of contact for the Adams County staff when creating neighborhood plans, particularly in the southwest portion of the County. Other Organized Citizen Group activities are included for expressing neighborhood views on land-use issues, provide input on County policies and programs, establish neighborhood watch programs, coordinate with the Sheriff’s Office on crime and safety projects, neighborhood clean-up and beautification, and organizing social or cultural functions such as neighborhood picnics and block parties. Also, these Organized Citizen Groups may apply for funds through the Community Development Block Grant program, if their project meets HUD criteria and is in an area eligible to receive funds. Adams County worked with each of the recognized Organized Citizen Groups that were made up of established associations with formal self-governing functions. Each was given a geographic boundary so that no two organizations crossed over

thereby resolving potential conflicts. This framework achieved the most desired result of citizen engagement.

A review of various Annapolis city plans disclosed a few sporadic focused plans and a few “general” comprehensive plans. There have been a number of sector studies; Eastport, West Annapolis, City Dock; and a Bicycle Plan. Our City is faced with a patch-quilt development process instead of citizens leading the development of their neighborhoods.

Based on the case studies, there could be different mechanisms for meaningful citizen involvement in the decision making and study processes for Annapolis development programs.

Establish Annapolis Ward(s) Civic Associations

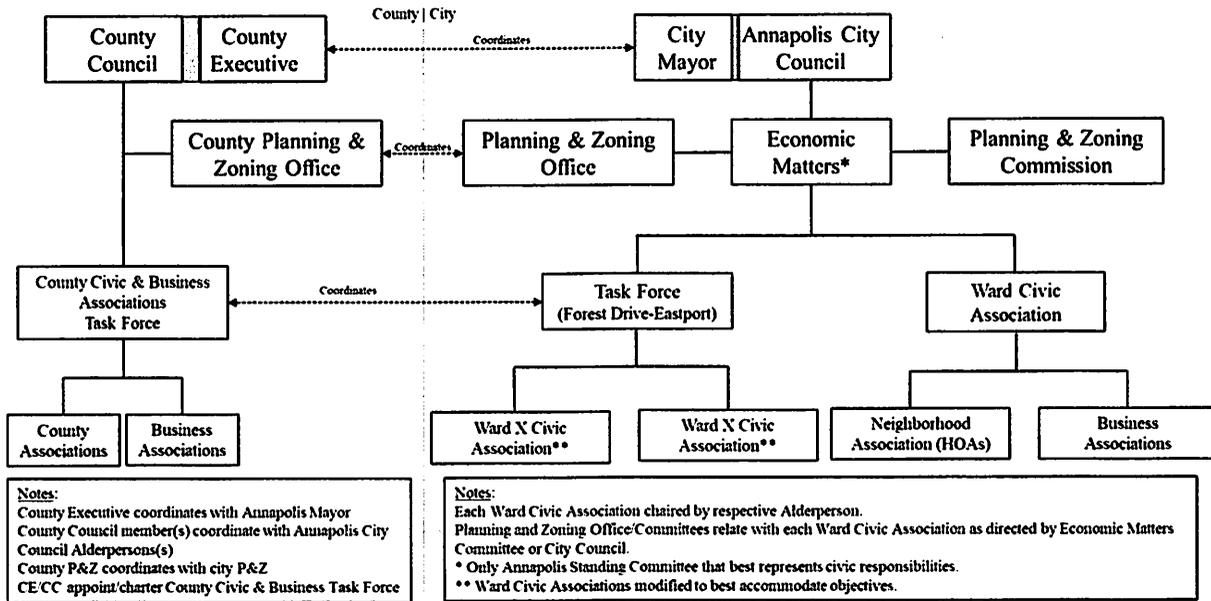
In 1910, the American Civic Association (ACA) was established as a United States organization for making better living conditions in America, with an emphasis on improving the physical and structural growth of communities. Its purpose was briefly stated as "the cultivation of higher ideals of civic life and beauty in America, the promotion of city, town and neighborhood improvement, the preservation and development of landscape and the advancement of outdoor art." ¹

Each Ward could establish a Ward Civic Association modelled like the Adams County “Organized Citizen Groups”. Each Alderperson could canvass their Ward of the recognized neighborhood and business associations and form a Ward Civic Association based upon one member per group. Some Wards will have larger groups than others, but the key is offering citizens a meaningful voice concerning development plans affecting their neighborhoods (Wards). Each Ward Civic Association can be chaired by their Alderperson with a proxy chair voted by the group.

For those development plans that cross over to other Wards, the formation of a joint Task Force such as the Forest Drive – Eastport Task Force. These types of task forces would be jointly developed by the affect Ward Alderpersons with one of them being the chair. Below is a diagram for how the Ward Civic Associations and Task Forces would be aligned.

¹ William Sulzer (1912) Preservation of Niagara Falls. United States Government Printing Office, p. 373, American Civic Association.

Civic & Business Associations and Task Forces Framework



Establish Task Forces for Multiple Ward Impacts

Where development plans affect more than one Ward area(s), a Task Force could be established for that purpose. The chairing of this group can be determined by the affected Alderpersons. The Forest Drive – Eastport Sector Study Task Force represents an example of how citizens and agency planners can share in-depth information and work together to articulate priorities to address common issues related to planning and development along the Forest Drive-Eastport corridor.

When necessary, the City Mayor coordinates with the County Executive and County Council for appointment of a County Task Force made up of the County Civic and/or Business Associations to work (interface) with the city Task Force as depicted above. The two corresponding Departments of Planning and Zoning work together to assist the joint task forces with subject matter expertise and where appropriate.

The Ward Civic Associations and Task Force(s) could meet routinely or as needed by their Alderperson’s guidance, but as a minimum meet at least on a quarterly basis. The Annapolis Ward Civic Associations should also meet on a quarterly basis with the City’s County and State partners, e.g., County Planning and Zoning, County Department of Public Works, County Department of Transportation, State Highway Administration, etc. These government agencies are necessary partners in the planning and development of our communities. Reports, observations or recommendations should be published to the community and to respective governmental leaders for the State, Anne Arundel County and for the City of Annapolis.

Peninsula Principles

In May 2019, a coalition of representatives from the major peninsulas in Anne Arundel County created the Peninsula Principles to improve the quality of the environment and quality of life on peninsulas in Anne Arundel County.

Purpose

The purpose of the Peninsula Principles is to effect change in the development review and building process in ways that support of the quality of the environment and quality of life on peninsulas in Anne Arundel County, including but not necessarily limited to Annapolis Neck, Broadneck, Hog Neck/Mountain Road, Mayo, Marley Neck, and Shadyside.

This document has been created by a coalition of organizations on Anne Arundel County's peninsulas. The aim is to advance a three-point request to the County Executive and County Council, as follows:

- 1. To establish a zoning overlay for peninsulas** consisting of rules, criteria, zoning and building codes tailored to the unique environment and infrastructure limitations on peninsulas
- 2. To conduct detailed, citizen-driven land use planning** to support the quality of the environment and quality of life on the county's peninsulas
- 3. To define and enforce interim criteria for development on peninsulas** to ensure that the pace of development does not outstrip our ability to achieve the first two goals

We would like to work with the county to outline a time-frame and specific actions to work toward these goals.

Summary

Peninsulas are fundamentally defined by their topography: nearly surrounded by waterbodies, they are wrapped by sensitive shorelines and are confined by limited road access to most neighborhoods, parks, and businesses. We want to work with the county to develop a "peninsula overlay" — concepts, criteria, zoning, building codes, etc., that are specific to peninsulas, given their unique nature and geography and the outsized impact that development on peninsulas has on traffic and infrastructure, the surrounding rivers, and the Chesapeake Bay.

The rules and criteria for peninsula development should:

- Prioritize comprehensive planning focused on

Endorsed by the following organizations

Among the approximately 200 community organizations are:

Admiral Heights Improvements Association	Kensington Community Association
Annapolis Neck Federation	Kilmarnock Homeowners Association
Annapolis Roads Property Owners Association	Linstead Community Association
Arden Civic Association	Loch Haven Civic Association
Arnold Preservation Council	Magothy River Association
Arundel on the Bay Property Owners Association	Maynadier Homeowners Association
Arundel Rivers Federation	Mayo Civic Association
Bayberry Hills Property Owners Association	Neighbors of the Mayo Peninsula
Beehood Hill Homeowners Association	Olde Severna Park Imp. Association
Belvoir Farms Homeowners Association	Oyster Harbor Citizens Association
Ben Oaks Civic Association	Parker Creek Coalition
Bluff Point Community Association	Pines Community Improvement Association
Broadneck Council of Communities	Providence Club
Browns Pond Improvement Association	River Club Estates Homeowners Association
Carrollton Manor Improvement Association	Saefern Saddle & Yacht Club
Civic Association of Palisades	Saltworks on Severn Citizens Association
Colchester-on-Severn	Selby on the Bay Community Association
Downs Property Owners Association	Severn Heights Improvement Association
Dreams Landing	Severn River Association
Eastport Civic Association	Severn River Garden Club
Epping Forest, Inc.	Severn View Homeowners Association
Fairwinds Beach Club	Severna Forest Community Association
Ferry Farms Improvement Association	Sherwood Forest Club, Inc.
Generals Highway Council of Civic Associations	Shipleys Choice Community Association
Glen Oban Association	Shoreham Beac Citizens Association
Greater Severna Park Council	South Arundel Citizens for Responsible Development (SACReD)
Herald Harbor Citizens Association	Spa Creek Conservancy
Holly Hill Harbour Community Association	Truxton Heights Residents Assoc.
Holly Point Community Association	West Annapolis Civic Association
Hollywood On Severn Improvement Association	West Severna Park Community Association
Indian Landing Community Association	Whitehall Bay Conservancy
Indian Landing Community Association	Whitneys Landing Community Association
	Winchester On Severn Assoc.

2 Peninsula Principles / Anne Arundel Peninsula Coalition

the cumulative impacts of current and potential development.

- Provide a more inclusive, transparent, and proactive process for meaningful public outreach and input.
- Contain criteria that are more appropriate for peninsulas than the existing Adequate Public Facilities Ordinances (APFOs), which have failed to adequately protect peninsulas from the impact of development on roads, schools, emergency services, and wastewater treatment capacity.
- Better address concerns for the impact of development on water quality, shoreline forest buffers, forest conservation, land preservation, wetlands and stream health, impact fees, aquifer health (quantity and quality of the water supply) than the APFOs and other county rules and guidance currently achieve.
- Better ensure that the full impacts of new development on existing residents are accounted for in the impact fees charged to developers.

The maintenance of forested buffer areas, wetlands, seasonal streams, and the natural topography of our peninsulas is essential to the long-term health and welfare of the surrounding waterways and residents. In addition, there is a large body of science demonstrating that the maintenance and restoration of natural bio-retention areas could save county taxpayers millions of dollars annually.

Also, the county has a legal obligation to meet pollution reduction goals for the regional Bay clean-up effort known as the Total Maximum Daily Load (TMDL) or the Bay's "pollution diet." Actions to achieve the goals must be in place by 2025, and then the county (and region as a whole) will be tasked with holding the line — which means capping and offsetting the impacts of new growth. Among Maryland counties, Anne Arundel has one of the greatest amounts of shoreline on the Bay and its rivers, and the peninsulas are on the front line. We must live sustainably on our peninsulas. Establishing appropriate and effective policies makes sense for our neighborhoods now and for these long-term goals and federal requirements.

Background

The six major peninsulas in Anne Arundel County are defined by sensitive three-sided shoreline environment, confined by limited road access, and confronted with significant potential for environmental and quality of life degradation from development. Peninsula and community organizations are increasingly vigilant on these issues due to observance of the degradation of our waterways and neighborhoods by development, additional impervious surface, overly strained infrastructure, the removal of trees and forests, and disturbance of wetlands.

Our greatest concern is the lack of a vision for how to live sustainably on the county's peninsulas, backed by proactive land use planning and enforced by meaningful rules, ordinances, and building codes that are vigilantly enforced, to effectively manage the combined impact of commercial and residential development on traffic, essential services, groundwater supplies, and our environment. Citizens are calling on the county to address these concerns countywide. However, solving these problems on peninsulas requires consideration of their unique geography. Much of the existing code for guiding development is designed for larger projects, while our peninsulas — already well developed — have less land for development and are increasingly impacted by the cumulative effects of smaller projects, which often escapes attention and control.

The impact of development on peninsulas is substantially amplified because it is concentrated in settings with less physical space for offsets and other solutions. For example, development that could be considered small at inland locations combine for greater impact on peninsulas: the associated effects of mass clearing of forest, adding septic and/or sewer capacity, increasing traffic, and adding impervious surface that generates stormwater runoff often impacts a peninsula to a much greater degree than on inland areas. The environmental impacts are greater partly because the shorelines of streams, rivers and the Bay are closer to the developed land. And while these areas are usually within the state-designated Critical Area, exemptions to the protections usually afforded to the Critical Area have permitted continued growth with detrimental effects on peninsulas. Inland areas have more capacity to filter the runoff, manage the traffic through alternate routes, and they can rely on county water and sewer to handle the increased capacity.

Most of the recommendations here echo concerns raised in the 2002 Small Area Plans — and reaffirmed by County Executive Stuart Pittman's recent listening sessions — thus the problems are well-documented. The solutions we propose are also advanced by various smart growth/environmental organizations.

PRINCIPLE 1 - Comprehensive Land Use Planning

Ensure long-term comprehensive land use planning on peninsulas is a priority in order to set and achieve sustainable goals, action plans, and procedures. Piecemeal development and its unintended consequences is no longer an option for geographically constrained peninsulas facing ever greater demands to support both human communities and ecosystem services. Long-range planning that considers cumulative impacts from multiple uses is critical. Action areas would include:

- Providing a public outreach process that is inclusive, transparent, pro-active, and meaningful.
- Identifying/mapping high priority resources (woods, wetlands, shoreline buffers, etc.).
- Consulting, updating and acting on the Small Area Plans. Citizens contributed an enormous amount of time and insight to help create these plans; many of the recommendations are still relevant but have not been acted on, and residents throughout the county have called for a renewed effort.
- Creating a framework through which multiple projects and related APFOs could be considered at a single point in time to accurately represent the peninsula's capability to absorb the cumulative impacts.
- Consider vulnerability to sea-level rise and large storms and salt-water intrusion into wells and aquifers.
- Evaluate soils for their ability to support proposed development.
- Eliminate the grandfathering of subdivisions (and, thusly, building construction codes).

Why the concern? "Death by a thousand cuts" continues to take its toll on all aspects of peninsula communities, from traffic congestion and emergency response times to polluted stormwater runoff and shoreline erosion. Many changes that might appear relatively small in other settings often escape close scrutiny and have an exponential combined impact on peninsulas because of reliance on one or few main roads and a proximity to the Bay and rivers that intensifies water pollution for human contact and aquatic life. We must avoid stovepiping the planning process, which masks the cumulative impacts.

PRINCIPLE 2 - Road Capacity

Require that existing access road capacity is a fundamental criterion for authorizing and approving any proposed development and density changes on the county's peninsulas. This is critical for quality of life as well as the health and safety of peninsula residents and visitors. This should be a priority for the state and county, and be completed in advance of anticipated development with community input to improve vehicle and pedestrian safety and alleviate traffic congestion. Appropriate upgrades should be addressed in advance of anticipated development. Action areas would include:

- A public outreach process that is inclusive, transparent, pro-active, and meaningful.
- Regular, accurate traffic studies
- Methods for considering the cumulative impact of multiple proposed development projects
- Consideration of single points of failure in the road system due to limited rights of way, flooding, lack of shoulders, inadequate access for fire and EMS, power lines, emergency evacuation plans
- Consideration of safety for cyclists and pedestrians

Why the concern? Most peninsulas are served by one main access road. The smaller peninsulas are served by just one two-lane road, areas of which have no shoulders, leaving thousands of residents vulnerable to isolation and without access to fire and EMS services when there are accidents, emergencies, fallen trees, or flooding. In addition, power outages and the heavy rains of 2018 have left access roads closed for several hours at a time. Emergency response times on several peninsulas are longer than the recommended national average and in some cases (such as a barricade situation) have blocked inbound and outbound access for hours. By contrast, Broadneck Peninsula is served by a series of highways that are heavily traveled and over capacity most summer weekends, making access by and for residents increasingly difficult.

PRINCIPLE 3 - Environmental Stewardship

Rigorously enforce federal, state, and county natural resource laws; strengthen county requirements for protecting the environment on peninsulas, including the management and regulation of stormwater; improve other county standards as needed; and increase resources to vigorously enforce them. The protection of trees, forests, headwater streams, wetlands, and shoreline buffers is critical on peninsulas. The county should create zoning, runoff, and remediation rules that protect the natural topography of peninsulas. It should also increase its capacity to enforce existing rules and regulations and enhance protections on peninsulas; develop new tools to help homeowners and developers protect sensitive lands and resources; and capitalize on existing federal and state incentive programs for land conservation. (One example is the transfer of development rights to encourage development in less environmentally sensitive areas). Action areas would include:

- Ensure adequate inspection capacity for county offices (see the 2018 South River Federation report on enforcement gaps and opportunities.)
- Reduce the number of approved variances in the Critical Area on peninsulas. (See the 2017 University of Maryland report that found Anne Arundel County granting 89% of the variance requests for the Critical Area.)
- Review adequacy of environmental protections during the development process.
- Require comprehensive land use planning on peninsulas to set and enforce appropriate density.
- Enforce state regulations for forest conservation and reforestation, and increase protections found to be appropriate for peninsulas. The county needs to strengthen its protection of existing forests which are currently reducing runoff and pollution. Again, the effect must be local. Reforestation lost on the peninsula must be replanted on that same peninsula if there is to be a balance in environmental and life qualities.
- Deforestation of multiple acres in a single operation should not be permitted on peninsulas or under a single grading permit. Trees should be removed only to accommodate the building footprint and a reasonable work area surrounding it.
- Strengthen and rigorously enforce the management of stormwater. While this is a problem across the county, the inherent nature of peninsulas, especially near the Critical Area, makes them even more susceptible to the ravages of stormwater, greatly increasing the negative impact on rivers and the Bay, especially from new construction.
- Builders need to remediate against greater rainfalls in a 24-hour period. The county needs to step up its inspection and oversight of construction sites when heavy rains are forecast. Extend the length of the Adequate Storm Drain Facilities test (17-5-701) from the subdivision's year of completion to three to five years after completion to allow for testing under several climate cycles.
- The county should implement and enforce a no net stormwater runoff provision in the code during subdivision design review and inspection. In older non-compliant communities DPW has a responsibility to remediate as these stormwater systems or lack thereof were tacitly accepted by the county at the time of subdivision.

Why the concern? With every development and building permit issued, the natural environment loses trees and undisturbed ground cover, which causes immediate adverse environmental impact. Development accelerates the loss of forests and wetlands and often provides inadequate mitigation. Trees absorb carbon dioxide and release oxygen into the atmosphere. They stabilize the ground, screen unwanted pollutants, regulate the flow of water by intercepting rain, and release it slowly to the ground where it can gradually run off into rivers or enter the groundwater. Currently, builders are required to mitigate against rains of 2" per 24-hour period. By the end of 2018, there had been 7 rain events exceeding 2", including three in July, 2018.

The number of large rain events experienced this year indicates the 24-hour rainfall expectation ceiling needs to be increased. At the same time, efforts to accelerate development and increase density on peninsulas are detrimental to environmental quality and quality of life. Several developments on peninsulas that are under discussion with county officials — some in or adjacent to critical areas — will ultimately increase the density of development, reduce the tree canopy, increase runoff, add oxygen-depleting nutrients to waterways, tax strained aquifer and septic capacity, and increase traffic beyond levels that already exceed the state definition of roadway capacity.

Even with recent laws increasing the notice areas, communities are still poorly informed about plans, often gaining

information only after county staff have approved sketch plans and issued permits. Even when a parcel's zoning is correctly applied, variances are routinely granted allowing for larger and more dense development. Individual decisions about upzoning are made by a simple majority of the County Council, often without debate or contest.

PRINCIPLE 4 - Cost of Impact

Determine the real cost of development to infrastructure, services and natural resources and set impact fees at 100%. Consider adding bio-retention/environmental costs to APFOs. Where impact fees and fees-in-lieu are collected, require the use of those fees on the peninsula where the related development occurs. Factor into reforestation fees the probable cost of purchasing the land for reforestation. The county should require that impact fees cover 100% of the potential costs that taxpayers would otherwise assume to account for the developments' impact on roads, schools, and the environment. The county should require that all remediation begin before subdivision construction begins and be completed before occupancy permits are issued. Impact fees collected in a particular district should be used in that district; otherwise, the impact to a peninsula could be completely unmitigated. Action areas would include:

- The county should rescind the sunset clause on bill 92-17, which allows builders to build a development of any size if the school district is at 95% capacity starting on January 1st, 2020 or at the adoption of the General Development Plan whichever comes first. The 95% capacity ceiling should be maintained into the future.
- Given the long lead times for site planning and construction, the county should begin the school expansion planning process when any school reaches 90% of capacity.
- New residential development should not be allowed in any school district that is closed, even for single lots. Sketch plans could be reviewed in closed school districts, but no building should be allowed until the school overcrowding is addressed either by the county or the developer and the school district is then open. This should occur before additional permits are issued or variances granted and be done with full transparency and with the participation of interested parties, including citizen groups.

Why the concern? For the past decade, the county has charged impact fees to developers that are only 60-80% of the actual costs to the county of bringing roads, schools, and other public facilities up to par; county tax payers have been subsidizing the remaining fees. Impact fees are collected by the county into a general development fund, with no obligation to provide mitigation to the communities or schools directly impacted by the development. Building codes fail to account for the environmental fragility and limited emergency ingress/egress on peninsulas. The county revised its impact fee structure in the summer of 2018, but without comment about whether or how well these new fees might or might not cover the full costs of development.

The interpretation of the county's School Utilization Chart, which determines whether a school's capacity makes it "closed" is ambiguous, leaves too much discretion to county staff, and we frequently find that school staff is not fully informed of proposed or approved developments. Developers are absolved from building restrictions if a school is still closed after 6 years of the approval of the development, regardless of the size of the development or the number of children affecting the still un-expanded schools that remain closed.

Peninsula Principles • Priority Actions

In May 2019, a coalition of representatives from the major peninsulas in Anne Arundel County created the Peninsula Principles to improve the quality of the environment and quality of life on peninsulas in Anne Arundel County.

The Peninsula Principles represent three requests to the County Executive and County Council:

1. **To establish a zoning overlay for peninsulas** consisting of rules, criteria, zoning and building codes tailored to the unique environment and infrastructure limitations on peninsulas
2. **To conduct detailed, citizen-driven land use planning** to support the quality of the environment and quality of life on the county's peninsulas
3. **To define and enforce interim criteria for development on peninsulas** to ensure that the pace of development does not outstrip our ability to achieve the first two goals

Note that existing county code also supports and encompasses these efforts (§ 17-2-102, appended below).

Near Term Priorities

1. **Begin a citizen-involved effort to create a baseline map** of existing land features on each peninsula to include forests and tree canopy, the critical area, streams, wetlands, migratory species locations, forest interior species (FIDS), storm-water runoff sources, and impervious surface. Use resources such as the Resilient Design and Form Based Codes Institute to help establish maximum and minimum requirements for these land features with the intent of reducing runoff and minimizing flooding.
2. **Limit the size of subdivisions (3 or more?)** until the zoning mapping and Regional Area Plans are completed and are fully integrated into the new GDP.
3. **Pause all development on peninsulas where the main arterial road into the peninsula has intersections with a "D" rating or less** based on the most recent traffic studies.
4. **Ensure that citizens in peninsula communities are fully engaged in local Small Area Planning** that is fully funded and supported to address current peninsula-specific needs around infrastructure, emergency services, forestation, stream and water quality, development, and transportation (roads/bikes/pedestrians). Further, ensure that the GDP and zoning maps are amended to reflect each of the Small Area Plans on peninsulas once they are completed.

Medium Term Priorities

1. Establish an overlay for peninsulas – rules, criteria, zoning, and building codes tailored to peninsula environment and infrastructure limitations.
2. Set impact fees at 100% and ensure spent where impacted.
3. Use cumulative impact of development on the surrounding communities.
4. Require community involvement and consultation on zoning maps before they are finalized and sent to the council.
5. Create APFOs specifically designed for peninsulas.
6. Increase substantially the size of critical area buffers around first order streams.
7. Increase standards for forest preservation on peninsulas.