

# Friends of Harford

Citizens' Voice for Responsible Land Use

## Join Us at Our Annual Meeting Sunday, May 4<sup>th</sup> 4:30 p.m. Liriodendron Mansion 502 West Gordon Street, Bel Air

### Education Fund Established

The Friends of Harford Education Fund, Inc., is now a reality! Its tax exempt status was granted by the IRS on December 26, 2007, which allows all contributions to be deductible under section 170 of the Code. FOHEF is classified as a public charity. Its corporate papers charge it with the task of informing the public about basic social, economic, and planning issues important to all citizens. Friends of Harford Education Fund, under a board separate from Friends of Harford, will continue to work with FOH on educational issues. Our mission is daunting, and we embark on it at a crucial time. During the on-going rewriting of the Harford County Zoning Code, our task will be huge: to tell you plainly what the new zoning code means to us and how it will change the landscape of our county. We will also give you the information you need to write, call or email your representatives about your concerns.

### Your Donation Is Important!

We invite the public to support this effort by contributions to:

Friends of Harford Education Fund  
1009 Morrison Blvd.  
Havre de Grace, MD 21078

Your tax deductible donation will help our county prosper while preserving our heritage and quality of life.

### Zoning Code News

The Department of Planning & Zoning (P&Z) internally created a document called the Draft Zoning Code for Harford County, dated May 2007. It streamlined the current code and removed repetitions. It added some new code, changed code and deleted code. Friends of Harford believes some changes are good, some are not. On our FOH website, we show you by section the changes the department has made from the old code and our recommendations for those sections ( go to <http://www.friendsofharford.com/zone2.html> ).

As a next step, the County Executive and Council President appointed the Zoning Code Update (ZCU) Workgroup to review and comment on the draft Code. "Members of the Workgroup represent various citizen groups and industries within Harford County"<sup>1</sup>. It is

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comprised of individuals chosen by organizations to represent them. In a perfect world, there would be one-third pro-development, one-third pro-environment and one-third mediating and compromising between the groups. This is not the case with the ZCU. Of the 23 organization representatives, the great majority are members of the development community or their affiliates. Voting on almost every issue breaks down along these lines - lopsided.

The county hired a contractor to serve as the Workgroup's independent facilitator and to assist the Workgroup in developing consensus positions. However, neither promise has been fulfilled. All meetings are run by the head of the Department of Planning and Zoning, the same organization that wrote the draft Code. Furthermore, reaching consensus on every issue-meaning "unanimous agreement" - as promised in the first session of the ZCU, is almost never achieved and rarely even attempted. The Housing Industry majority now dictates what changes will be made in spite of often-strenuous objections of citizen representatives.

As a result, not only is Friends of Harford trying to correct the Draft Code misdirections from P&Z, but is also faced with the revised draft Code resulting from the ZCU recommendations. We are gathering all that data and will come up with a specific list for you to read. Important sections of the Draft Zoning Code have been left out of the ZCU Workgroup process. Friends of Harford intends to look at them for you as well.

Essentially there will be three draft Codes competing for attention: the less flawed P&Z Draft Code, the ZCU revised draft Code (aka the Developer's Zoning Code) and lastly FOH's recommended Code.

As we understand it, this summer the County Council and the people of Harford County will be presented with the Developer's Code to enact or change. There will be very limited time for the public review and comment or subsequently for the Council to make amendments to the Developer's Code before it is planned to be enacted as legislation. The problem is that we must work from the worst starting point, the Developer's Code, to correct its added flaws as well as those in Planning & Zoning's underlying Draft Code.

### Recommendation

Friends of Harford proposes another approach for the County. Present the Department of Planning & Zoning Draft Zoning Code for public review and comment and subsequent legislative enactment to everyone. One should not have a biased piece of legislation to start with - neither Friends Of Harford's Code nor the Developers' Code. Otherwise, we will have to prepare a massive number of amendments against the Developer's Code, to correct both it and the underlying Planning & Zoning draft Code, including the parts of the draft code not reviewed in the

Workgroup sessions.

We believe the intent to establish a Zoning Code Update workgroup was good. The result was not. The Zoning Code Update Workgroup is moving away from Smart Growth principles and environmental stewardship.

*The article below is a letter FOH wrote to the County Council in response to just one "vote" at one ZCU meeting. We have many more concerns. See ScoreCard on page 5.*

## **Transfer of Development Rights**

Friends of Harford, Inc. strongly supports a Transfer of Development Rights (TDR) Program for Harford County. Traditionally, such programs are created not only to preserve agricultural land, but also historical areas, forests, sensitive areas, and areas where water quality must be protected. With that in mind, we would like to express our concerns regarding the TDR program which is being proposed in the draft Zoning Code.

Of most concern to us is the intent to designate rural areas, Rural Residential and Village Residential, as "receiving areas" for the development rights. This is contradictory to the intent of TDR programs which have been most successful across our country, namely, that the development rights be sent to areas designed for growth in the land use plans, areas which already have the infrastructure to accommodate that growth, public water and sewer, schools, an adequate road system, police and fire protection, etc. If development rights are sent to our rural and agricultural districts, instead of our designated development envelope, all of this infrastructure will have to be provided at extra cost. And of even greater concern, the agricultural and rural portions of our county will be destroyed. Our organization has gathered TDR programs from jurisdictions of many other states, and it is clear that the most successful programs are those where the development rights are sent to areas which already have the infrastructure.

Also, the plan, as drafted, does not conform to the visions of the 1992 Smart Growth Act. The visions require, among other things, that development be concentrated in suitable areas; that in rural areas growth must be directed to existing population centers; resource areas are to be protected, and development is to be directed away from sensitive and resource areas.

Our organization is fearful, judging from the reaction of the majority of the Zoning Code Workgroup following Mr. Canavan's presentation at the October 8<sup>th</sup> meeting, and the followup discussion at the October 22<sup>nd</sup> meeting, that there is an obvious intent to ignore the type of program which has had the most success in other jurisdictions. At this week's meeting it was even suggested that the AG District be named as a receiving area, indicating that there is an obvious plan to open up both the rural and agricultural communities to

development. Most notably, the development-oriented members of the Work Group named the Fallston, Route 152, Jarrettsville, and Joppa areas, as their focus.

We believe that this is such an important part of the future of our County that we cannot sit by, week after week, watching the development-heavy Zoning Code Update Workgroup vote systematically to do away with our County's most valuable asset – its rural legacy. We believe that our County Council should be biased in favor of doing what is best for the County rather than what is best for one single industry. From the County Council's approval of all the properties placed in AG preservation this year alone, we know the Council shares our abiding concern for the viability of agriculture and the preservation of Harford County's rural legacy. Once it is gone, it is gone forever. And, if we do not learn from other's mistakes, we are bound to repeat them.

## **Sometimes It Takes a Problem to Activate a Community**

Homeowners in Fallston Crossing watch in alarm as grass was left uncut and trash accumulated on a vacant lot at the entrance to their Milton Avenue community, while county agencies told them “nothing can be done”. Neighbors near Route 152 and Oakmont worry about dangerous traffic patterns and overflowing parking resulting from the poor layout of the proposed Fallston Activity Center.

What can a community do to get its voice heard?

One good answer is to get involved with your Community Council. In both cases above, that was the Fallston Community Council. The Fallston Council was not well attended or known about in the community prior to these issues surfacing, but interest and membership has increased as a result. Fallston Community Council provided a way for local community groups to discuss their problems in a forum that has the ear of the County Executive and other government representatives, which led to better outcomes.

Ideally, each of Harford's designated “Community Areas” would have a Community Council to represent its own interests and assist its residents. The currently active Councils are Fallston, Joppa-Joppatowne, Edgewood, Darlington-Dublin, Jarrettsville-Norrisville, and Whiteford-Cardiff-Pylesville-Street. These Councils meet one evening a month and welcome participation by the public. You can find their meeting information on <http://www.harfordcountymd.gov/CommunityPlans/Council/>.

Unfortunately, there are no Councils for Greater Aberdeen-Havre de Grace, Greater Bel Air, Churchville-Creswell, and Abingdon-Emmorton-Riverside because these areas have not shown enough interest in a Council to support one. (The A-R-E area has some people who want a council, but there's not enough yet.)

Community Councils are composed of local citizens who live or work in the community and volunteer to be appointed by the County Executive. Their mission is to strengthen communities, increase citizen involvement in their community and identify community issues for the County Executive's consideration. Two of these Councils, Edgewood and Joppa/Joppatowne, have been very active in the past and have provided the leadership to write the only two Community Plans which were then enacted as a part of the Harford County Master Plan. The rest of the communities relied solely on county government planners.

FOH strongly believes in Community Councils and urges you to contact County Executive Craig's office to volunteer. Call Jane Walker of Government & Community Relations Office 410-638-3355 for more information about your area. Help and encouragement are available from the Executive's excellent staff and from other Councils' volunteers. Not only will you be working with your neighbors, you'll also have an opportunity to influence what happens around you. Wouldn't your Community be better off planning ITS OWN future?

The Community Councils are intended for your benefit. They are your voice to the county government, but they are only as good as you make them. Get involved now. **Don't wait for a crisis; it will be too late!**

## **Transportation - Are They Listening To Us?**

During the past year, we have attended numerous meetings, briefings, open houses and discussions with Maryland transportation officials, and read various plans and reports dealing with the future of Maryland's highways and the I-95 interstate.

We find ourselves quite frustrated by what's happening. Although we compliment Mr. Pocari's staff on their unfailing politeness, it is clear that the public's comments have little or no effect on actual decisions. We wonder why money is spent gathering “input” when that input is then ignored.

Here are a few examples:

- I-95 Section 200. The alternative of adding additional General Purpose (no-toll) lanes was never really considered. Maryland Transportation Authority (MdTA) officials are totally focused on maximizing revenue. Unlike the rest of Maryland Department of Transportation, the entire focus and purpose of MdTA is to make money on roads. They are pushing an overly-expensive design which consumes much more land than needed, and which deliberately makes it very difficult for drivers to switch between toll and non-toll lanes in response to accidents or other changes in traffic

conditions. Every other idea was totally rejected, including HOV/bus lanes, light-rail, and concepts for more flexible toll lanes. The public has also voiced concern about the safety of MdTA's proposed toll road design, including a reluctance to be "pinned in" between continuous concrete walls on both sides along with 18-wheelers going 70 mph. Such an arrangement causes high tension driving and has scant room for error.

- BRAC support. The main road into Aberdeen Proving Ground (APG) is a short section of Route 22 that goes from Exit 85 of I-95 to Route 40 and then into APG. This piece of road already operates at or near capacity during rush hours. Yet it will have to handle an additional fifteen to twenty thousand commuters after BRAC (approximately eight thousand Army civilians plus between five and ten thousand workers in the new Enhanced Use Lease area of APG). So why is widening this section of road not planned until the year 2030, nearly two decades after BRAC? (Please note that widening of Route 22 between Route 543 and I-95 is NOT desired, because this traverses a rural area outside of Harford County's development envelope.)

- Public transportation. A reliable, effective and convenient public transportation system benefits everyone. Although the public has repeatedly asked for this, their requests are ignored in favor of more and more road-building. Even carpool and bus lanes are not planned. In fact, Harford County's most heavily-used (and recently expanded) commuter parking lot will be destroyed by MdTA's I-95 Section 200 toll lanes and may or may not ever be replaced.

- Transportation and Land Use Plans. Transportation planning is an important part of land use planning, because wherever roads are widened, development accelerates. Thus it is important that only

roads within Harford's Development Envelope be widened. Widened roads should be used to encourage and support development inside the Envelope, and not onto the farmland outside. Roads like Route 152 which are entirely outside the Envelope should be left as is, and the money spent on improving Routes 24, 40 and 7, as well as the aforementioned section of Route 22 at APG.

It is our belief that Maryland's proposed transportation plans are unacceptable. The cycle where increased car traffic leads to more roads which attracts even more cars (and from even greater distances) has become untenable. It causes increased destruction of land, more air and water pollution, ever-increasing financial costs, and an increasingly dangerous vulnerability to the whims and politics of foreign oil producers.

Current transportation plans must be discarded and redone. Better planning is needed in Maryland to develop and coordinate an actual transportation system, one which encompasses bus, rail, HOV, bike and auto transportation modes. One size does NOT fit all, so integrating county-wide and regional transportation plans is essential. Start by paying attention to what citizens are demanding, including public transportation.

## Web News

For the very latest news about Zoning Code happenings, reports, transportation, legislation, meetings, be sure to check the FOH website frequently.

**[www.FriendsofHarford.com](http://www.FriendsofHarford.com)**

Email us at:  
**[comments@FriendsofHarford.com](mailto:comments@FriendsofHarford.com)**

## Score Card - How Did the Zoning Code Update Workgroup Vote?

<b>Reduced buffers for wetlands and streams to 25 feet from 75 feet inside the Development Envelope's Natural Resource Districts where the land is especially fragile and erosion easily occurs.</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Electronic signs of any color may be used in all business zonings from neighborhood B1 through B3 and commercial zoning.</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Inside the Development Envelope, there will be no more Forest Conservation to preserve and keep trees.</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Project development signs increase to 48 square feet from 32 square feet.</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Put Transfer of Development Rights* Receiving Areas on existing AG zoned land in the Rural Infill areas of Jarrettsville, Fallston and Forest Hill.</b> * Typically throughout the US, receiving areas which are successful have existing public water and sewer. These areas do not. (See page 2)	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Director of Planning &amp; Zoning can allow development in Critical areas with erosion problems, severe septic problems, etc., if he feels "adequate" measures are taken to avoid "significant effects."</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Wells, septic reserve areas, stormwater management ponds and buffers may be put anywhere on any land other than the one required to have them. The zoning does not have to be the same. The owner does not have to be the one developing the use. The land does not have to touch.</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>
<b>Allows motor vehicle repair shops, filling stations and service stations to be next to properties using private wells if they are within a Rural Village.</b>	
<b>Friends of Harford</b>	<b>Majority ZCU</b>
<b>NO</b>	<b>YES</b>

