

Chapter 11 IMPLEMENTATION

The purpose of the Implementation Element is to set forth methods and policies to bring into existence the desired goals and objectives of the Comprehensive Plan. The primary tools to be used to implement the growth and development of Hebron include the Zoning Ordinance, Subdivision Regulations, annexation policies, other development related codes, and the capital improvements programs (State, County, and Town).

LAND USE

The principal legal device available for implementation of the Comprehensive Plan is zoning. While zoning is primarily implementation of the 2030 Land Use Plan, it also supports other elements of the Comprehensive Plan, including the transportation, community facilities, and natural resource protection elements. It is required by state law that zoning, as well as other implementation tools, techniques, and policies be consistent with the Comprehensive Plan.

Standards contained in the Zoning Ordinance directly affect new development as well as infill and redevelopment. The recently adopted Planned Neighborhood Floating Zone District, with its emphasis on community design and building mixed-use neighborhoods with strong character and physical linkages with old Town Hebron, fills a significant void in the current zoning code related to new, large-scale development. However, in order to support all of the land use objectives of the Comprehensive Plan, the Zoning Ordinance will require substantial revision. The most important revisions include the following:

Town Center

The zoning for the Town Center should provide for a mix of medium density residential development and low intensity commercial uses in appropriate locations. The purpose of the medium density classification is to provide for single family and low intensity multi-family dwellings (e.g., townhouse and multiplex) that occur at such densities as to require public sewer and water service. The medium density classification is appropriate only for areas presently or proposed to be serviced by public sewer and water facilities. The standard for Town Center areas should fall in the medium density range (from 3.5 to 5 dwelling units per net acre) depending on the surrounding neighborhood character.

The Town Center is the appropriate location for new commercial activities such as a small shop, grocery store, drug store, variety store, service station, bank, or the like as well as institutional uses. The zoning for the Town Center should provide for these commercial uses. These uses may be permitted by Special Exception, a process that permits the Town to review each application on a case-by-case basis with built-in safeguards to ensure impacts to adjacent

residential areas are minimized, e.g., adequate parking requirements, limits on signage and lighting, landscape standards, and buffer yard requirements.

Much of the development potential in this district can be classified as infill or redevelopment. Infill and redevelopment standards and guidelines for the Town Center area could be established that permit the Planning Commission to approve new and expanded non-residential uses that are found to be compatible with surrounding land uses. Infill and redevelopment standards could also apply to residential development and redevelopment. Alternatively, the Town Center District could be divided into core and fringe districts, allowing commercial and business uses by-right in the core portion of the Town Center and as special exceptions in the fringe areas. In all cases, design standards appropriate to Town Center character should be included in the Zoning Ordinance.

Neighborhood Conservation

The Comprehensive Plan identifies existing neighborhoods as areas in need of protection. The primary objectives for these areas involve maintaining the existing residential character of the neighborhoods and allowing compatible infill and redevelopment. Particular concerns that should be addressed through appropriate zoning standards and guidelines include:

- Connectivity – appropriate vehicular and pedestrian connections between on-site and off-site transportation systems.
- Circulation – consistency with the area wide vehicular and pedestrian circulation concepts of the Comprehensive Plan.
- Parking – flexible parking requirements.
- Compatibility – essential elements of compatible project design, e.g., design, pattern, alignment, size, and shape.

The development policies proposed by this Comprehensive Plan, as suggested by the Neighborhood Conservation planning areas, are designed to address the objectives of maintaining stable residential neighborhoods while permitting appropriate infill and redevelopment. The following are recommended actions for residential development:

- The density of residential development should be based on the availability of community facilities and the prevailing character in the neighborhood.
- Adequate recreational facilities and open space should be required as part of large residential developments.
- Residential areas should be protected from incompatible land uses and be designed to ensure a desirable town living environment.

- Through traffic and heavy vehicles should be prevented, where possible.
- In-fill development and redevelopment should be encouraged where appropriate.
- Land development regulations should reflect proper design standards including landscaping and street tree requirements.

Planned Redevelopment

The Comprehensive Plan identifies the Planned Redevelopment area as an appropriate location for a planned residential community including multi-family housing or a planned manufactured or mobile home park. In order to enable this outcome, the Zoning Ordinance will need to include standards and guidelines for a planned community that include modern manufactured and modular homes meeting current building code standards. The review and approval process for such development could be a floating zone district that includes design standards that ensure the development of planned manufactured home parks results in a safe, sanitary, and attractive living environment for residents.

The Planned Redevelopment area offers opportunities to increase the supply of affordable or workforce housing in the Town. Multi-family construction at appropriate densities is one approach to reducing the cost of housing construction. Another is providing opportunities to site mobile homes or manufactured housing.

Mobile homes offer an inexpensive form of adequate sanitary shelter that is not beyond the means and meets the space requirements of many families and individuals. Allowing mobile or manufactured homes also can help meet the demand for affordable housing. However, permitting mobile homes in conventional residential areas would not be consistent with the public purpose of maintaining the existing character of these areas and minimizing incompatible uses. To balance these needs, the Town has adopted regulations and standards to control the location of new mobile homes and permit planned mobile home parks in designated areas.

The following polices are recommended:

- The Planned Redevelopment district will permit conventional detached single family residential subdivision as a by-right use.
- Development standards and procedures that encourage appropriate infill and redevelopment will be adopted.
- Design standards and guidelines that will ensure a quality mobile home park or multi-family development will be adopted.

Commercial

Small-scale, low-intensity neighborhood commercial uses should be allowed to continue at their present locations. New commercial uses serving neighborhood markets should be encouraged to locate in the Town Center or included in Planned Neighborhood Developments.

More intense highway and regional commercial uses should only be permitted in planned commercial centers that are integrated into a large-scale planned neighborhood development such as those that front on US 50 and MD 347. Other considerations are addressed in the following recommendations:

- Access onto US 50 from future compacted commercial development (if any) will be restricted to current roadways, i.e., MD 347, or Porter Mill Road, or MD 670. Other current minor access points along US 50 should be consolidated when opportunities occur.
- A network of internal roadways and streets should be built to provide direct access from residential areas to a commercial center and connect businesses to businesses. US 50 for local traffic should be avoided as much as possible.
- Commercial areas should be located where they can get safe and easy access from major thoroughfares.
- Scattered strip commercial development along the highways should not be allowed. Development standards should be adopted that require commercial development be clustered in planned centers.
- Individual entrances should be consolidated in as few access points as possible. This should be required in the Zoning Ordinance and Subdivision Regulations. Entrance locations should be coordinated with the State Highway Administration.
- Appropriate regulations should be developed to provide adequate off-street parking and buffering to protect nearby residential areas.
- Signage should be subject to approval of a coordinated master signage plan for all commercial centers.
- Suitable landscaping and buffering measures should be required along property lines and highway frontages.
- Uses should be regulated to ensure compatibility within the highway commercial cluster and with nearby non-commercial activities.

Employment

The 2030 Land Use Plan recognizes the currently existing industrial area comprising the former Marvel Package Company land currently owned by Hebron Industrial, LLC. However, future annexations may present the opportunity to create planned employment areas that permit business and light industrial uses. New industrial sites should be large enough to be designed as industrial parks that complement surrounding land uses by means of appropriate location of buildings and service areas, attractive architecture, effective buffering, and substantial site landscaping

The most appropriate location for new light industrial uses is in areas that are currently outside the corporate limits (in the Agriculture/Open Space area) but that can be economically served with Town services. In order to plan for the eventuality that a small business or industrial park may be developed in the future the Town should include provisions in the Zoning Ordinance for a Planned Business Park. Such a park could be designated a State Enterprise Zone which means that industries locating in these facilities are eligible for property and income tax credits.

Conservation

The Twelve Visions for Maryland encourage stewardship of the land as a universal ethic. The Planning Act of 1992 requires the Town to adopt policies for the protection of sensitive environmental areas. The Zoning Ordinance should be amended to include standards that address stream buffers, non-tidal wetlands, steep slopes, and the habitats of threatened and endangered species. In addition, the Town should encourage development design that maintains or enhances “green infrastructure,” incorporates low impact design stormwater management techniques for water quality and quantity management, and includes “green building” technology that conserves energy and improves indoor and outdoor air quality.

Park and Open Space

Protecting sensitive environmental areas, maintaining “green” corridors within and surrounding the Town, and providing places for healthy exercise are as important to ensuring a quality community as infrastructure planning and development regulations. For this reason the Town should adopt clear policies concerning these matters, including the following:

- Require that new development provide public active and passive recreation areas, greenways, and pedestrian trail links that contribute to the overall objectives of the 2030 Land Use Plan.
- Investigate the feasibility of a “rails-to-trails” link along the old railroad right-of-way. Seek County assistance on this project.

- Coordinate the development of a Town park system with the overall County park planning program.

Infill and Redevelopment

Infill refers to new development on vacant, bypassed, and underutilized land within built up areas of Hebron where infrastructure is already in place. Infill also includes redevelopment of lots in these areas.

Infill and redevelopment standards should be included in the Hebron Zoning Ordinance. The zoning standards should accommodate growth in the Town of Hebron by encouraging and facilitating new development on vacant, bypassed, and underutilized land where such development is found to be compatible with the existing neighborhood. Infill and redevelopment standards should encourage efficient use of land and public services and stimulate economic investment and development in older established neighborhoods. Zoning standards should be crafted so as to provide developers and property owners flexibility so that they can achieve high quality design and develop infill projects that strengthen or enhance existing neighborhoods. Design standards should promote compatible infill and redevelopment by, among other things, allowing development on sites that may not meet the minimum land area and dimension requirements of the underlying zoning district (see discussion of Development Design in this chapter).

Accessory Dwelling Units

As discussed elsewhere in this document, addressing the affordable housing issue will require a broad range of strategies and involve all levels of government. A zoning technique the Town may consider is permitting accessory dwelling units. An accessory dwelling unit is a residential living unit that provides complete independent living, sleeping, eating, cooking, and sanitation on the same parcel/lot as the owner-occupied single family dwelling in which it is contained but may have a separate entrance. The advantages of accessory dwelling units include the potential to:

- create additional housing stock while respecting the look and scale of single-family dwelling neighborhoods;
- increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- allow more efficient use of existing housing stock and infrastructure;
- provide a mix of housing that responds to changing family needs;

- provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services; and
- provide a broader range of affordable housing.

Design standards for the design and construction of accessory dwelling units should:

- Ensure that accessory dwelling units are compatible with the desired character and livability of residential districts;
- Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards; and
- Ensure that accessory dwelling units are smaller in size than the principal residential unit.

Landscape Standards

The Zoning Ordinance should include minimum street and site landscape standards for all development. On-site landscape requirements may be stated as performance standards, e.g., 15 percent of the site is landscaped. The Town may want to consider using Wicomico County's landscape standards as a guide for developing local standards to ensure consistency across jurisdictional boundaries. It is especially important to require appropriate landscaping for commercial sites, parking lots, and along public streets.

WATER RESOURCES

Drinking water supply and capacity of receiving waters to assimilate stormwater and wastewater discharge does not appear to be a significant constraint for future growth provided the Town implements strategies that hold source loadings at or below current levels. Managing land use in a way that benefits water resources requires assessing development regulations, policies and guidelines from a new perspective for the Town. Among other things, it requires minimizing the footprint of new development to the maximum extent possible, extensive use of water conservation measures, staging growth based on the availability and capacity of water resources, upgrading the WWTP, protecting forested areas and natural buffers, retrofitting existing developed areas with improved stormwater management techniques, encouraging best practices in the management of public drainage ditches and requiring best management practices in all new development. In addition the Town should:

- Make educational material available to Town residents regarding nutrient management to reduce fertilizer applications to grassed areas and lawns.
- Establish, maintain, or expand forest buffers in the form of linear wooded areas along streams to help filter nutrients, sediments and other pollutants in runoff.

- Work with developers, homeowners associations and individual homeowners to reduce the amount of impervious cover in the Town by implementing techniques narrow streets, reduced impervious surface in parking lot areas, shared driveways, and pervious paving materials.
- Require new development and infill and redevelopment projects to treat stormwater using nonstructural and micro-scale practices to the maximum extent feasible. Techniques such as submerged gravel wetlands, rain water harvesting (cisterns and rain barrels), landscape infiltration, infiltration berms, and dry wells should become common practices. Stormwater should be filtered using such techniques as rain gardens, landscape and tree planters (e.g., linear tree pits, sidewalk planters), grass swales and bio-swales, tree-swales, grass filter strips and vegetated buffers.
- Encourage development design that maintains or enhances green infrastructure, and incorporates low impact design through stormwater management techniques for water quality and quantity management. The Town also should encourage LEED (Leadership in Energy and Environmental Design) technology to promote sustainable building practices, conserve energy, and improve water and air quality.
- Require major new development projects address additional fire flow capacity. As these projects are planned, an assessment of additional capacity will be made. If the capacity available permits, approval will be given, If not, approval will be withheld until such time as the capacity is constructed.
- Take steps to protect source water supplies, including establishment of appropriate well-head protection zones around existing and future wells.

Specific actions the Town can take include the following:

- Establish Town policy that water supply capacity, treatment, and distribution systems shall be adequate to meet daily average, daily peak, hourly peak, and fire flow demands.
- Program necessary water system improvements to meet daily average, daily peak, hourly peak, and minimum fire flow demand requirements for the existing water system.
- Establish Town policy that the cost of providing adequate supply, treatment, and distribution capacity for the Town water system will be allocated based on an equitable benefit formula adopted by the Town.
- Require all new development sto install water meters.
- When feasible install meters for existing services.
- Adopt a resource protection overlay ordinance to regulate uses and practices that may adversely impact water quality in the drinking water source aquifers. This ordinance can be modeled off the Wicomico County or City of Salisbury Paleochannel Overlay District and should include well head protection requirements.

- Limit impervious surface areas to 10% in sensitive areas.
- Permit open section roadways in new developments where appropriate.
- Incorporate the use of nonstructural best management practices (BMPs) such as natural conservation areas, roof and non-roof top disconnection, vegetated swales, sheet flow to buffer, reduced impervious cover to the maximum extent practicable and promote environmentally sensitive design (ESD) or low impact development (LID) techniques.
- Maintain existing forest cover and promote the enhancement of contiguous forest areas along major drainage ways.
- Work with Wicomico County to address failing septic systems in areas that can be served by public water and sewer.
- Amend road standards to allow narrower, shorter streets, rights-of-way, and sidewalks. Streets may be as narrow as 22 ft. in neighborhoods serving low traffic volumes; rights-of-way can be reduced by minimizing sidewalk width, providing sidewalks on one side of the road, and reducing the border width between the street and sidewalks.
- Amend road standards to allow smaller radii for turn-arounds when allowed; use a landscaped island in the center of the cul-de-sac and design these areas to treat stormwater runoff.
- Require grass channels or biofilters for residential street drainage and stormwater treatment wherever feasible.
- Interpret parking ratios as maximum number of spaces; permit shared parking arrangements; minimum parking stall width should be less than 9 ft. and stall length less than 18 ft.
- Require parking lots be landscaped. Relax setbacks to allow for bioretention islands or other stormwater practices in landscaped areas.
- Adopt flexible design criteria.
- Reduce minimum lot sizes.
- Relax setbacks and allow narrower frontages to reduce total road length; eliminate long driveways.
- Allow for shared driveways and alternative impervious surfaces.
- Require rooftop runoff be directed to pervious surfaces.
- Designate a minimum buffer width and provide mechanisms for long- term protection.
- Limit clearing, grading, and earth disturbance to that required to develop the lot.
- Promote the use of native plantings.
- Provide incentives for conserving natural areas through density compensation, property tax reduction, and flexibility in the design process.
- Implement policies and educational programs that encourage the reduction of fertilizer applications to grassed areas and lawns in urban areas.

Hebron can achieve the Town's water resource conservation objectives and make a positive contribution to improving water quality in the watershed by implementing urban BMPs such as those described above. Through its stormwater management ordinance and programs and development standards the Town should require environmental site design (ESD) techniques

that optimize conservation of natural features (e.g., drainage patterns, soil, vegetation), minimize impervious surfaces (e.g., pavement, concrete channels, roofs), slow down runoff to maintain discharge timing and to increase infiltration and evapotranspiration and use other nonstructural practices or innovative technologies approved by MDE. Planning for water and wastewater facilities should reflect the need to conserve ground water resources and reduce nutrient and sediment loadings in the Nanticoke River watershed.

Point Source Cap

The Hebron WWTP is currently a “minor” WWTP and its current Tributary Strategy point source caps are 2,566 lbs/yr of nitrogen and 428 lbs/yr of phosphorus. Under the cap, at ENR levels of treatment (4 mg/L of nitrogen) the WWTP could only discharge 0.21 MGD of wastewater to surface waters, and at ENR at 3 mg/L of nitrogen the WWTP could discharge 0.28 MGD of wastewater to surface waters. This means that Hebron will need to begin considering alternatives to surface water discharge in the near future since by 2030 Hebron forecasts as much as 0.28 MGD of additional WWTP needs above current demand. The developer of a large planned unit development in Hebron has been directed to prepare studies to address future wastewater treatment options. These options will include:

- ENR treatment at the Hebron WWTP, with all effluent discharged to the Rewastico Creek;
- ENR treatment at the Hebron WWTP, with some effluent discharged to the Rewastico Creek and some discharged by land application; and
- ENR treatment at the Hebron WWTP, with all discharged by land application.
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In addition, the Town has suggested that discussion with Wicomico County concerning regional WWTP facilities.

Land application of wastewater as a solution to the WWTP Tributary Strategy point source cap will require additional and extensive study to address the following issues:

- Finding properties for land application that will not place source water at risk;
- Acquiring sufficient acreage needed to provide for capacity needs;
- Developing adequate wastewater storage when land application is not possible during certain times of the year; and
- Preservation of properties designated for land application until needed.

The Town should undertake preliminary discussions with MDE about the feasibility of land application in the area surrounding Hebron.

MINERAL RESOURCE EXTRACTION

Sand and gravel resources are abundant in Wicomico County. Some mineral extraction operations are already located in the Town’s growth area and others may be proposed in the

future. However, the Town does not currently permit mineral extraction within the corporate limits. The Town may consider adding appropriate zoning provisions to the Hebron code in the future if a property is annexed, and, as part of an annexation agreement, the Town may agree to allow mineral resource extraction. Such new zoning provisions would include appropriate provisions for permitting procedures and regulations to minimize impacts to adjacent properties and the environment. Final approval would be contingent on the applicant submitting acceptable reclamation and reuse plans.

STREAMLINING THE DEVELOPMENT REVIEW PROCESS

Because the Town will be dealing with some large-scale development projects, the development review process will likely take longer than was formerly the case as there is much to consider in these projects. The Town will execute cost recovery agreements with applicants and use developer-supplied funding under such agreements to retain whatever expertise the Town feels it needs to advise them in the consideration of development related issues. This should help ensure that the approval process proceeds at a reasonable pace.

Development review of infill and redevelopment projects within the old Town portions of Hebron will be streamlined by amending the Zoning Ordinance to give the Planning Commission greater authority to vary certain development standards for proposed projects that meet voluntary design guidelines.

INNOVATIVE DEVELOPMENT TECHNIQUES

Recent amendments to the Hebron Zoning Ordinance added special provisions for planned neighborhood developments (PND). The PND standards and guidelines establish a development and design framework for mixed-use projects, including commercial and business uses appropriate to a neighborhood context. The PND process includes a requirement that a Developer Rights and Responsibilities Agreement (DRRA) is executed as part of the zoning approval process. The DRRA gives the applicant the assurance that once given, approvals cannot be reversed for a specified period of time.

DEVELOPMENT DESIGN

Design Principles

The Town of Hebron is interested in having projects that are attractive, with good site planning, including structures, circulation, and landscaping, and well thought out in terms of how they relate to all surrounding properties. The views of the site and from the site should be clearly considered by the developer and addressed in development plans. Time spent on working out the details, both visual and functional, will speed approvals. The following general “rules” serve to clarify the Town’s intent and stimulate the submission of noteworthy projects:

- Natural features and site constraints should suggest “natural” common sense design solutions. Development needs to design with nature, not fight, control, or dominate natural and ecological processes.
- The automobile should not be the dominant force that dictates the layout and design of residential communities. New residential streets should be narrow, discourage through traffic, be well landscaped with shade trees, and recognized as the principal public spaces that they are. In view of their visual and functional importance, thought, deliberation, and investment in landscape and streetscape design should be evident.
- Substantial landscaping should be included in common open spaces that may be proposed. Landscaping should provide shade, shelter from wind, provide visual screens or buffers from unsightly elements on adjoining properties, or such on-site things as parking lots, loading areas, dumpsters, or utility structures. Landscaping also separates and buffers incompatible land uses such as the rear of commercial buildings and loading areas from adjoining residential lots. Landscaping can also provide wildlife habitat and linkages to forested and natural areas, greenways, and walking paths.
- Parking should not be a dominant site feature. Parking areas should be small scale, highly landscaped, attractive, and inviting. Many examples exist of highly successful shopping areas where paved parking spots were reduced in favor of shade trees, landscaped berms, shrubs, and flowers. Whenever possible, it is better to give preference to green space over asphalt and paved parking.
- Signage should be informative without being intrusive. Signs should not dominate the visual landscape. Signs should be compatible with their purpose, be clear, concise, and as small as reasonably possible. Small signs slow traffic, and low level pedestrian scale signage that is attached to its parent structure is preferred.
- The architecture and styles proposed should be in keeping with the building types and styles that have evolved in the region. The Town strongly encourages traditional designs and materials so that new developments blend seamlessly with the old. Modern materials and layouts need not conflict with the character of our Town if developers and builders are sensitive to the overall appearance of their creation.

Large-scale development projects can best address those issues that affect the Town’s guiding principal for this element by adhering to the following design parameters:

- Architectural harmony, including compatibility in styles, materials, colors, and building size and setbacks;
- Variety in housing types, density, and cost;
- Parks, squares, and other common open spaces for residents to interact and recreate, and to provide a setting for the architecture of the development;
- Neighborhood centers and civic spaces, which, depending on the scale of the development, can include places to shop, work, learn, or worship;
- An interconnected street system which is based on a modified grid system;
- Sidewalks, street trees, and substantial on-street parking, providing distinct separation between pedestrians and traffic;
- Streets and sidewalks that are spatially defined by buildings in a regular pattern, unbroken by parking lots;
- Traffic calming, including more narrow streets with shorter turning radii than suburban streets, and medians, circles, and related features along prominent streets;
- Lighting which is designed for safe walking and signage which has a pedestrian orientation;
- a system of land subdivision and development which links one neighborhood to another and can logically be extended.

Building Character

The appearance and architectural character of new construction and renovation is a subject that warrants some discussion and guidance. While the Town has no intention to legislate style or “taste,” it recognizes a responsibility to guide the overall appearance of our built environment. Toward that end the Town’s objective is to ensure that additions to the community complement, blend with, and improve the general attractiveness and appearance of Hebron.

The Town wants to maintain its rural Eastern Shore town character. That means new construction should take design inspiration from the simple forms and building masses that are prevalent in our area. Commercial buildings should retain as much of a residential “flavor” as is feasible. This can be accomplished in ways such as breaking up the façade of larger buildings to give the appearance of smaller structures that are grouped together, including generous roof pitches (and avoiding flat roofs), and using window, door, and siding details that are similar to styles commonly found in residential construction. Parking should be screened, landscaped, lit

with pedestrian scale lighting fixtures, and distributed around the sides and rear of commercial buildings. The Town does not want large parking lots that present a “sea of asphalt” appearance. Shade trees and flowering shrubs should be combined with berms and evergreens to soften both building edges and parking areas.

Access, Circulation, and Parking Design

The layout of access and circulation systems in new developments must balance the mobility, safety, and other needs of pedestrians, bicyclists, and vehicular traffic. Achieving this end requires more than simply complying with street standards and specifications. Successful design of access, circulation, and parking systems in new developments requires considerable effort.

Streets may be the most important public spaces in neighborhoods and must be thought of as an integral part of the overall design of communities. Interconnected streets encourage people to walk by providing a variety of route options. Small blocks encourage people to walk by maintaining a human scale environment. A fine-grained system of streets, pedestrian ways, and bicycle routes helps disperse traffic and reduce congestion. Multiple streets provide opportunities to connect new neighborhoods with old neighborhoods. Pedestrian walkways, bicycle lanes, and other amenities enhance the desirability of walking and bicycling.

New development design should be based on a modified grid system consisting of a simple and logical hierarchy of streets that contributes to the sense of place and helps orient people. Every lot should be afforded a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. No direct driveway access should be provided onto an existing or planned major collector street from a residential lot. Vehicles should be able to enter and exit without posing any substantial danger to themselves, pedestrians, or vehicles traveling on abutting streets, or interfere with the free and convenient flow of traffic on abutting or surrounding streets.

Alleys provide opportunities for parking in the rear of housing and contribute to the overall interconnectivity of the road network. Alleys should be considered for all residential neighborhoods and as access to rear parking areas in commercial and office areas.

The street layout should present an attractive streetscape. A streetscape that is interesting to pedestrians encourages more people to walk. Buildings should front on the street. Structures, whether residential, commercial, or office, should form a continuous street edge, a vertical wall that contains the street and encloses space. In this regard, most streets need to be designed so that they are usable and frontable.

The street layout should permit the safe, efficient, and orderly movement of traffic while meeting the multi-faceted needs of drivers, pedestrians, and bicyclists. Street rights-of-way should be adequate to serve all functions including carrying motor vehicle, bicycle, and pedestrian traffic, allow on-street parking, and serve as a link in the Town’s drainage system.

Streets should connect with surrounding streets to permit the convenient movement of traffic between neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons. The street layout should serve the needs of the neighborhood and discourage use by through traffic. At the same time, the layout should provide appropriate vehicular and pedestrian connections between residential neighborhood, shopping, and employment areas.

The design of circulation systems in all new developments should be consistent with the recommendations of this Comprehensive Plan. Proposed new streets should provide for the appropriate extension of existing streets and key links of planned collector roads. The street layout should respect natural features, should relate appropriately to the topography, and should be designed to facilitate the drainage and stormwater runoff.

The design of residential streets should discourage motorists from traveling above the intended speed and reflect their function in the system hierarchy. In particular, horizontal and vertical alignment should not be conducive to excess speed. Residential streets will be designed to manage the speed and volume of traffic in residential neighborhoods using “traffic calming” methods that encourage speeds of 20 mph or less. Lower order streets should be less than 1/3 mile in length, so that motorists will have no incentive to speed. The majority of roadways should utilize “T” intersections or controlled 4-way intersections with roundabouts.

When required, parking lots should consist of heavily landscaped small lot segments that are unobtrusive. In commercial areas, parking should consist of ample on-street parking and small lots located to the side or rear of buildings and screened from the main commercial street. Access to parking should be provided from rear driveways where possible. All parking lots should be screened from adjacent residential uses.

Appropriate facilities for bicycles should be provided at key commercial, civic, and recreation locations. To ensure this, the Town Zoning and Subdivision codes should be amended to require non-residential uses to provide bicycle storage/parking facilities to encourage and support this alternative mode of travel.

Parks and Open Space

A variety of parks and open space should be provided for enjoyment by people of all ages. Parks and open space should be purposeful components of design and should be prominently displayed. Special views and vistas should be framed or enhanced. Greens or commons should be located in each neighborhood to function as community gathering areas. Formal parks should be designed to complement civic architecture. Parks should serve the active and passive recreation needs of residents. Parks should be located within walking distance of every residence. Parks and open space should be linked together by walking paths to the maximum extent possible. In all cases parks should be easily accessible and highly visible. Ideally, neighborhood parks or greens should be fronted on at least two sides by residential units so that residents can clearly see park activities.

The design of parks should respond to user needs. As a general rule, park design should adhere to the following principles:

- Everything should have an identified purpose;
- Design should be for people not a simple application of standards;
- Both function and aesthetics should be satisfied;
- Nothing should be randomly placed;
- Satisfy the technical requirements, e.g., for play fields, ball courts, etc.;
- Use the most cost efficient design; and
- Provide for ease of use and supervision.

Current park facilities are adequate to serve the needs of the existing population. New developments should be required to provide a variety of park and open space facilities to address the needs of the new neighborhoods. Parks should range from small, vest-pocket parks located within the neighborhoods to larger, community parks serving all Town residents, as deemed appropriate.

SUBDIVISION REGULATIONS

A second major implementation tool available to the Town is Subdivision Regulations. Under Maryland law, the Town has the authority to regulate the subdivision of land within the corporate limits. Subdivision regulations provide the local legislative body with regulatory powers to ensure that land is developed in a manner which will best promote the public health, welfare, and safety, consistent with the Comprehensive Plan. Subdivision regulations control land development practices, establish uniform standards of development and recording, establish erosion control measures, guide the arrangement of streets, and establish the relationship between subdivision access routes and the existing transportation routes of the community.

The primary purpose of subdivision regulation is to coordinate private development practices with public policy. To this end, subdivision regulations establish basic standards and design principles for constructing community facilities. Although these facilities are normally paid for and installed by the private developer, such facilities may be dedicated and accepted for maintenance and ownership by the Town. Therefore, it is necessary to establish standards in advance of installation by the developer so that the Town is ensured of developing a uniform system of public facilities built to appropriate specifications.

Subdivision regulations govern the process of converting or dividing land into building sites and are concerned with the platting of lots, street layout, open space location, and the provision of storm drainage and public utilities. Subdivision regulations coordinate private development practices with public policy and they form an important component of the implementation element. Controlling land subdivision is important as it ensures that:

- Building sites are of adequate size to accommodate the proposed uses, as well as have sufficient areas for open space and accessory uses;
- Streets, curb, gutter, and sidewalks are designed and constructed in accordance with established standards and the developer pays the full expense for these improvements and deeds them to the Town;
- Public sewer and water are provided to each subdivision with the developer paying the cost. Prior to serving areas outside the corporate limits, the Town should study the need and cost-effectiveness of annexation.

Hebron has subdivision standards in its Town Code, but needs to adopt more comprehensive subdivision standards and specifications. Considering the potential for new, large-scale development projects in the Town and the Town's growth area, the Town Commissioners should update the subdivision regulations and development review procedures. Among other things, the subdivision provisions should give the Planning Commission the authority to require that development design include provisions and/or dedication of land for such things as street extensions and improvements, pedestrian facilities, e.g., greenways, trails, sidewalks, and parks and open space as recommended in the Comprehensive Plan. In addition the Town should require that development review fees are adequate to cover the cost of and ensure adequate technical review.

The Town also should establish development standards and specification, development review procedures, and adopt a schedule of application fees.

The Town should consider requesting that the County provide technical assistance in the administration of the Subdivision Regulations. If so, the Town's Subdivision Regulations should be consistent with the County's to the extent possible.

ADEQUATE PUBLIC FACILITIES

The Town should ensure that there is adequate water and sewer capacity for the development and for all existing lots of record. It should also ensure that there are sufficient roads and other infrastructure needs available for the new development. If the Town determines that it does not have adequate facilities for new development, it should explore methods to acquire the needed facilities. Chief among the options available to the Town is to require that the owners of the proposed development provide sufficient funds to build the required facilities. When the capacity of public facilities is not adequate to support a proposed development, and additional

capacity is not planned, applications for development should be denied unless the applicant agrees to provide funding to upgrade facilities and add capacity sufficient to serve the proposed development. To formalize this policy, the Town should consider working with the County and other municipalities to undertake appropriate studies and adopt an Adequate Public Facilities Ordinance (APFO).

AFFORDABLE HOUSING

Housing affordability for low and moderate income families has become a national issue. Recognizing that addressing this issue will require engaging all levels of government in solutions and with the understanding that the Town of Hebron has limited resources and capability to directly address affordable housing, the Town should consider the following strategies:

- Work with State and County agencies to develop coordinated strategies and eliminate impediments to the production of affordable market and rental housing.
- Discuss adopting joint county/municipal inclusionary zoning requirements.
- Provide suitable locations for planned manufactured and mobile home parks.
- Amend the Zoning Ordinance to permit accessory dwelling units.

BUILDING CODES

Building, housing, plumbing, and fire codes are among the laws a community may use to improve the health, safety, and well being of its residents. Codes are designed to provide better living and working conditions, an objective which the Plan seeks to achieve.

The Town of Hebron can seek to design its own set of codes or it may decide to implement the codes used by Wicomico County. The Town has already adopted the Southern Standard Building Code. Given the cost of enforcing many codes, which usually requires hiring additional personnel, the Town should try to shift enforcement authority to county officials whenever possible.

CAPITAL IMPROVEMENTS

A capital improvement is usually defined as a major, nonrecurring expenditure for physical facilities of government, such as costs for acquisition of land or interests in land, construction of buildings or other structures, including additions or major alterations, construction of highways or utility lines, fixed equipment, landscaping, and similar expenditures.

With the growing complexity of municipal finance, even small communities such as Hebron need to carefully analyze the funding of various improvements to ensure that money is spent wisely. The basic reason for a Capital Improvements Program is to allocate a limited supply of

money wisely, so that each such regulation is in accordance with the Town's development policies and the Comprehensive Plan.

Each proposed project is approached individually with careful consideration of anticipated expenditures, source of revenue, and priority of need. The schedule of projects usually ranges from a period of five to ten years, with five years the most common time frame. It is customary to prepare a Capital Improvement Program annually. The program includes proposals for capital improvement appropriations to be adopted in the next annual budget and proposals for the next five years.

The typical process of capital improvement programming follows these steps:

- An inventory of potential projects, including cost estimates and an initial evaluation of their relative priority;
- Analysis of project requests;
- Investigation of the financing capabilities of the community and the various state and federal programs available to help finance improvements;
- A schedule of project execution in a long range program list which considers the relationships of projects to each other and to financial requirements;
- Selection from this schedule of a slate of projects for early action;
- Formal adoption of the Capital Budget against the background of the long range recommended program, usually after some form of public review.

ANNEXATION

Hebron's Annexation Plan (see discussion in the Chapter 6, Municipal Growth) represents the Town's plan for future annexation. Ideally, there will be consensus among State and County agencies concerning the Town's growth plan and future annexations within the growth boundary will not be contested.

Hebron's annexation policies are intended to ensure the extension of corporate boundaries permits the most efficient use of public utilities and services and that cost associated with capacity expansion and extension of service is fairly allocated among those benefitting. These policies are as follows:

- Annexed areas must be contiguous to the corporate limits and create a natural extension of the Town's boundaries.

- Annexation is a condition of Town services. Property owners who desire the Town's services must be annexed prior to servicing.
- Proposed annexation areas will be economically self-sufficient and will not result in larger municipal expenditures than anticipated revenues, which could indirectly burden existing Town residents with the costs of services or facilities to support the area annexed.
- The costs of providing roads, utilities, parks, other community services will be borne by those people gaining the most value from such facilities through income, profits, or participation.
- Specific conditions of annexation will be made legally binding in an executed annexation agreement. Such agreements will address, among other things, consistency with the goals, objectives and recommendations contained in the *Hebron Comprehensive Plan*, zoning and development expectations, responsibility for appropriate studies, and preliminary agreements concerning responsibilities for the cost of facilities and services provided by the Town. These preliminary agreements may be further revised in a Developer Rights and Responsibility Agreement (DRRA).
- For annexations involving larger parcels of land, the Town Commissioners and/or Planning Commission may require appropriate impact studies, including a fiscal impact study and an environmental impact assessment that addresses the potential impact of the proposed annexation on the environment of the site and surrounding area.
- If necessary, applicants for annexation shall pay the cost of completing all studies related to expanding capacity in existing public facilities and/or services.

Prior to annexing any land area not included in the current growth plan, the Town will first consider appropriate amendments to this Comprehensive Plan and will follow the procedural requirements for Comprehensive Plan updates and annexation established in State law, including those of House Bill 1141. This will ensure that the proposed annexation is consistent with the goals and objectives of the Comprehensive Plan, that appropriate consideration has been given to the adequacy of public facilities and services, and that the County and State agencies are afforded an opportunity to comment on the proceedings.

Depending on the size of the proposed annexation and as appropriate, the Town may require the applicant to complete studies addressing the potential impacts of development on such things as Town staffing and finances, traffic, and the provision of County facilities and services. In addition, applicants proposing annexation will be required to prepare an environmental impact assessment that includes a discussion of proposed strategies to address the environmental protection needs for the growth area and surrounding environs. All terms of annexations will be recorded in an annexation agreement, and if appropriate reflected in a Developer Rights and Responsibility Agreement (DRRA) at the time of final development

approval. If deemed necessary by the Town, the County may be included as a party in annexation negotiations.

INTERJURISDICTIONAL COORDINATION

The Economic Development, Planning and Resource Protection Act of 1992 directs local governments and the State to coordinate their planning and development efforts to achieve the “Twelve Visions.” Under the Act, local governments must adopt comprehensive plans which include the Visions. Zoning and other planning implementation mechanisms must be consistent with these plans. Under the Planning Act, local comprehensive plans must include recommendations for improving planning and development processes to encourage economic expansion, and to direct future growth to appropriate areas. Such development and economic growth often have interjurisdictional impacts on transportation, infrastructure, environment, and other areas of concern. For this reason, it is necessary for planning, growth strategies, and policies to promote and encourage cooperation among adjacent jurisdictions.

House Bill 1141 (Land Use – Local Government Planning) requires the Town to include in the comprehensive plan a growth element that specifies where the municipality intends to grow outside its existing corporate limits. The Town must discuss how it intends to address service, infrastructure, and environmental protection needs for identified growth areas and surrounding environs. A plan for the growth of Hebron is included in this Comprehensive Plan. The Plan also includes a water resources element that identifies Town strategies for addressing drinking water and other water resources to meet current and future needs and identifies suitable areas to receive stormwater and wastewater derived from development. Preparation of the growth element included a complete analysis of land capacity available for development, including infill and redevelopment and an analysis of the land area needed to satisfy demand for development at densities consistent with the Hebron Comprehensive Plan.

House Bill 1141 requires the Town to consult with Wicomico County concerning its growth element. Prior to approving the Town’s growth element, the Town must provide a copy of the growth element to the County, accept comments from the County on the growth element, meet and confer with the County regarding the growth element, and on request of either party engage in mediation to facilitate agreement on a growth element. The bill encourages municipalities and counties to participate in joint planning processes and agreements. Coordination with County officials is important to ensure that newly annexed territory qualifies for state assistance as a priority funding area if annexed after September 30, 2006.

In Hebron’s case, it is imperative that the Town coordinate its planning and development activities with the County. This is especially true for large-scale development in the Town’s planned growth area. Important coordination topics include current County zoning to discourage premature subdivision within Hebron’s planned growth area, transportation system improvements, natural resource protection, water and sewer service policies, schools, libraries, public safety and emergency services, economic development opportunities, and fiscal impacts.

It is apparent that there is a critical need for the Town and County to work together. Future growth will depend on sound strategies to address such issues as water quality and quantity, school capacity, demand on emergency services, public infrastructure, and transportation facilities. The 2009 *Hebron Comprehensive Plan* highlights the need for increased interjurisdictional coordination with Wicomico County. From Hebron's perspective, substantive issues include the following:

- Priority Funding Areas (PFAs). Hebron's municipal PFA does not include all of the existing incorporated area of the Town.
- Master Water and Sewer Plan. Planned expansions of Hebron's water and sewer facilities are not reflected in the Master Water and Sewer Plan maintained by Wicomico County.
- Low-density suburban development surrounding the Town (in the "Conservation" area) such as has been allowed by the County may cut-off future avenues for Town expansion.
- Discuss cooperative Town and County growth management concepts the Town may support including regional water and sewer strategies and interjurisdictional Transfer of Development Rights (TDR).

Like public infrastructure, water quality and quantity issues cannot be addressed by the Town alone. Going forward, effective management of nonpoint source pollution must be based on watershed-wide land use strategies and coordinated administration and enforcement of sediment and erosion control and stormwater management regulations. Protection of vulnerable drinking water supplies requires the participation of all jurisdictions affected. The planning requirements from Maryland House Bill 1141 direct the Town and County Planning Commissions to meet and discuss this Comprehensive Plan prior to adoption. At a minimum, an agenda for such a joint County/Town meeting should include how best to coordinate the following:

- Cooperative watershed planning initiatives including discussions of failing septic system areas in the County and the role of public water and wastewater;
- Coordinated policies concerning County land uses and PFA designations adjacent to the Town;
- Coordinated policies concerning conservation of green infrastructure;
- Funding for public facilities and services, i.e., Adequate Public Facilities Ordinance, impact fees, tax differential and excise taxes.

- Protective measures for the drinking water sources.

Effective mechanisms for County/Town dialogue, coordination, and agreement are needed. Acceptable coordinated strategies should be formalized in ways that bind each participant to a policy process. Forums for ongoing coordination and cooperation include a Council of Governments (COG), joint committees (for example for watershed planning initiatives), and others. Examples of potential formal mechanisms for recording joint policies include Memorandums of Understanding (MOU) and/or an Inter-Governmental Agreement (IGA).

IMPLEMENTATION PRIORITIES

The Comprehensive Plan includes recommendations of numerous strategies and actions to implement the Town's goals and objectives. Some of these strategies and/or actions will take time to implement and will require the cooperation of others. For example, addressing affordable housing is beyond the power of the Town alone to successfully remedy in a short period of time and will require the cooperation and resources of County and State officials and agencies to achieve. Other recommendations can and should be undertaken immediately. The following is a recommended priority listing of actions by the Town:

1. Undertake a comprehensive rezoning. (Year 1)

Many of the key recommendations contained in this Comprehensive Plan will be implemented by the Zoning Ordinance and Zoning Maps. The current Zoning Ordinance is not sufficient and does not support the "vision" outlined in this Plan. Upon adoption of the Comprehensive Plan, the Town Commissioners should immediately enable the Planning Commission to undertake a comprehensive update of the Zoning Code.

2. Update the Hebron Subdivision Regulations and development review procedures. (Year 1)

The Subdivision Regulations follow closely the importance of the Zoning Ordinance as a tool to manage the impacts and quality of new development. Revised Subdivision Regulations, reflecting the design recommendations contained herein and more rigorous review procedures should be adopted.

3. Initiate formal and informal steps to improve coordination and cooperation between the County and Hebron. (Ongoing)

Achieving appropriate degrees of coordination and cooperation is an ongoing challenge and will require recognition by all parties of areas in mutual interest. Hebron, working with the County and other municipalities, should seek formal and informal means of coordinating policies and engendering cooperative working relations.

4. Request the Wicomico County amend the Master Water and Sewer Plan maps to reflect the recommended growth area shown on the Land Use element of the Comprehensive Plan. (Years 1 and 2)

Utilizing results of water and sewer facilities planning efforts that are currently underway and making additional efforts or studies as necessary, prepare revised master water and sewer service area maps that reflect the best thinking on providing water and sewer service throughout the planned growth area.

5. Prepare a capital improvements program that addresses programmed improvements to Town streets, sidewalks, water and sewer facilities, and other Town capital facilities. (Years 1 and 2)

6. In conjunction with adoption of a Capital Improvements Program and approval of the capital budget, establish transportation Level of Service (LOS) policies. (Year 2)

7. Undertake a study of converting the existing railroad right-of-way into an urban recreation trail. (Year 2)

8. Adopt an Adequate Public Facilities Ordinance (APFO). (Year 2)

Work with the County and other municipalities to complete appropriate studies and adopt an Adequate Public Facilities Ordinance (APFO).

9. Work with State and County agencies to develop coordinated strategies and eliminate impediments to the production of affordable market and rental housing. (Ongoing)

10. Revise and update other building and development codes as necessary. (Year 3)