

INTRODUCTION

Article 66B of the Annotated Code of Maryland is the Zoning and Planning enabling legislation from which Rising Sun derives its authority to regulate land use. Section 3.05, entitled *Plan Preparation, Elements, Adoption; Periodic Review; Miscellaneous Powers and Duties; Initial Zoning District Boundaries and Regulations; Schedule for Compliance* states that:

"It shall be the function and duty of the Commission (added - Planning Commission) to make and approve a plan which shall be recommended to the local legislative body for adoption and which shall serve as a guide to public and private actions and decisions to insure the development of public and private property in appropriate relationships and which shall include any areas outside of its boundaries which, in the commission's judgement, bear relation to the planning responsibilities of the commission. The elements of the Plan may be exercised in words, graphics, or other appropriate form. They shall be interrelated and each element shall describe how it relates to each of the other elements and the statement of objectives, principles, policies and standards."

Article 66B also states that the plan shall contain, at a minimum, the following elements:

- A statement of goals and objectives, principles, policies, and standards;
- A land use plan element;
- A transportation plan element;
- A community facilities plan element;
- A mineral resources plan element, if current geological information is available;
- An element which shall contain the planning commission's recommendations for land development regulations to implement the plan; and
- Other elements, such as a community renewal, housing, conservation, natural resources, at the discretion of the commission.

The Comprehensive Plan has been created and adopted in response to these requirements of State law. The Comprehensive Plan contains the required sections as well as a housing plan and a plan for business and industry. The Comprehensive Plan for Rising Sun is made with the general purpose of guiding and accomplishing the coordinated, adjusted, and harmonious development of the Town, and best promoting health, safety, morals, order, convenience, prosperity, and general welfare. This Comprehensive Plan was prepared with the guidance of the Rising Sun Planning and Zoning Commission. Its deliberations and review, including information gathering through a locally distributed public questionnaire played a central role in the formation of plan goals and recommended policies.

HISTORY

It might be interesting to know that the Town of Rising Sun has a unique distinction of having been located in two different states, originally in Chester County, Pennsylvania and finally in Cecil County Maryland. In 1674, when Governor George Calvert, son of Cecilious in England, proclaimed Cecil County to be a county of the Maryland Colony, Rising Sun was not included because it was claimed by William Penn to be part of his grant of the Province of Pennsylvania. For many years, the citizens of Rising sun voted in Pennsylvania elections, paid taxes in Chester County and land records were kept in West Chester, Pennsylvania. The undefined boundary of Cecil County, Maryland and Chester County, Pennsylvania, remained in bitter dispute until 1765, when the Mason & Dixon Line was established and Rising sun became part of Cecil County.

Rising Sun had its crossroads beginning in the early part of the 18th century, around 1710 to 1720. Being an inland town, the livelihood here was quite different from the developing neighboring towns, who had access to river transportation and its related business of commercial fishing, boat building and shipping. Rising Sun became an agriculture center with many grain and flour mills and related machinery manufacturing. Wagons to move products to the shipping points were built in Rising Sun. Oxen, horses, harness, cattle and leather tanning kept the tradesmen busy.

In 1730 five different wagon trails from the produce markets of Wilmington, Delaware, and Lancaster, Pennsylvania, as well as the shipping points of Port Deposit, North East and Elkton crossed here when the location was identified as "Summer Hill". To accommodate travellers and drovers who passed through, a substantial stone tavern was built at the intersection where presently stands the National Bank of Rising Sun. A swing sign over the entrance depicted the rays of the sun at dawn at the establishment known as "The Rising Sun." This first building became very popular as a stopping place for travelers and drivers and many business deals were consummated there. It was the general meeting place for political and social activities and the voting place for the sixth, eighth and ninth election districts. A huge weighing scale was erected in center square to weigh animals, wagons, crops, etc. For many business appointments and social life the often repeated phrase was, "we will meet you at the Rising Sun." Thus the name overshadowed the original Summer Hill, and when the first post office was established in 1802, David Cumings was appointed Postmaster for the Town of Rising Sun, Maryland. It is generally conceded that is how Rising Sun got its name.

Presently, Rising Sun is a progressive small town of about 1,500 population but more importantly it is the business hub of a thriving business community. The majority of the inhabitants are single family home owners who are natives or have chosen to settle here. Rising Sun enjoys the reputation of being a friendly town, whose residents are deeply involved in improvements and making it a great place to live. (Supplied by: William W. McNamnee Town Historian 1/1/92)

Chapter 1

GOALS

INTRODUCTION

The following goals present Rising Sun's vision for the future. They describe desired future characteristics of Rising Sun as they relate to land use, economic development, the physical environment and social environment, and public facilities. Where appropriate, measurable standards, criteria and recommendations for implementing the goals that follow are provided in the following sections that include a Land Use Plan, Transportation Plan, Housing Plan, Plan for Business and Industry, and Community Facilities and Public Services Plan.

Goals were developed by the Rising Sun Planning and Zoning Commission at the beginning of the planning process, and refined during the development of the Comprehensive Plan. Initially, goals were developed by based on a identification and understanding of current issues and opportunities. Later, as land use and resource protection policies were formulated, additional goals were developed, or existing goals were modified to express policy decisions made by the Rising Sun Planning and Zoning Commission. Finally, as the Comprehensive Plan was assembled, plan elements were reviewed to ensure that goals were consistently and adequately addressed by the Plan.

The Town of Rising Sun has also been designated as a “Growth Area” in the Cecil County Comprehensive Plan. Recognizing this growth management role, the Town adopted the following "Seven Visions," as outlined in the State of Maryland Planning Act of 1992, as guiding principals for the development of this Comprehensive Plan:

1. Development is concentrated in suitable areas;
2. Sensitive areas are protected;
3. In rural areas, growth is directed to existing population centers and resource areas are protected;
4. Stewardship of the Chesapeake Bay and the land is a universal ethic;
5. Conservation of resources, including a reduction in resource consumption, is practiced;
6. To assure the achievement of 1 through 5 above, economic growth is encouraged and regulatory mechanisms are streamlined; and
7. Funding mechanisms are addressed to achieve these visions.

SUMMARY OF GOALS

Land Use

Residential

- To assure orderly and diversified residential development in selected areas of the town and adjoining vicinity.
- To develop residential density patterns which relate to natural and man-made assets of the Town and surrounding area and to insure that no residential areas are developed without adequate sewage disposal, water supply and other utilities.
- To provide for varied housing needs as evidenced by the Town's population composition, existing and projected, and to provide for a living environment that is healthy, safe and attractive.

Commercial

- To develop a viable, efficient system of commercial areas by strengthening the existing town center and by providing for needed new centers in accordance with contemporary standards.
- To provide community shopping facilities serving neighborhood areas.
- To develop a system of special service districts for certain highway-oriented business activities where unique factors of location make such district particularly appropriate.
- To encourage the revitalization of the central business area as the commercial center of the Town, so that it may better serve its citizens in addition to capitalizing on its regional location.
- To combine commercial facilities with other types of uses such as industrial uses or other community facilities.

Industrial

- To stimulate the availability of land for light manufacturing and research-office activities and to locate such lands adjacent to proposed highway-oriented commercial centers and other major commercial centers and high density areas.
- Strictly control industrial uses in order to insure high standards of development compatible with the residential nature of the area.

- To develop an attractive physical environment for industrial development through the creation of a system of linear or corridor like districts or parks, easily accessible to transportation facilities and adjacent or combined with commercial or high density areas.

Agricultural and Open Space

- Promote and maintain a well-planned pattern of compatible and efficient utilization of land and water resources which concentrates development in suitable areas.
- Minimize adverse impacts on water quality that result from high nutrient loadings or pollutants in runoff from surrounding lands or from pollutants that are discharged from structures and to conserve fish, wildlife, and plant habitats in the Town.

Natural Resource Conservation and Sensitive Areas Protection

- Conserve the environmental quality of the planning area through measures which protect natural resources and environmentally sensitive lands.

Transportation

- Provide a public transportation program that meets the needs of the population for safety, mobility and access to facilities and opportunities.
- To integrate an efficient transportation system consistent with an overall area-wide development pattern.
- To assure the effective and economical movement of people and goods within and through the Rising Sun area.
- To complete the development of a coordinated system of major roadways and local-streets that will best serve the Town and its immediate environs in accordance with the Department of Transportation Growth and Development Plan.
- Develop a transportation system that is safe, attractive and gives careful consideration to its relationship to the land and the developed areas.

Community Facilities

General

- To insure that human needs for physical refreshment and outdoor recreation is accommodated.

- To give some semblance of order and identity to the arrangement of residential areas through the creation of local centers of activity.
- To protect against the monotony of suburban sprawl by creating vistas of greenery, parks and open spaces.
- To insure orderly and progressive growth and the provisions of vital municipal services through the encouragement of staging and guiding development, particularly in vacant lands adjacent to the Town.

Open Space and Recreation

- To establish local parks within easy access of Rising Sun's present and future residents.
- Provide for an open space system of sufficient size and location qualities in order to meet the complete range of recreation activities.

Police & Fire Protection

- Police Facilities- To accomplish its basic mission by providing service to all areas of the Town with appropriate facilities, manpower and equipment distribution according to need.
- Fire Facilities-To cooperate in the provision of adequate protection of its citizens and those in the surrounding area.

Health Facilities

- To cooperate with the County and State in the improvement and provision of public health facilities and services within the Rising Sun area.
- To cooperate with the County and State in the development of local health centers in those areas where the gap between health needs and available facilities and services is the greatest.
- Endorse through land use plan and zoning map, area or areas that could be developed as professional medical facilities.

Utilities

- To maintain and ensure the continued improvement of the Town's water and sewer facilities.

- To ensure that all future development within and outside the Town is adequately served with water, sewer, storm drainage and other utility systems in an economic and coordinated manner.
- To control future development patterns by phasing areas to be serviced by water and sewer.
- To cooperate with respective county and state agencies in the development of adequate and coordinated utility systems in the land areas adjacent to the Rising Sun Planning area.

Library Facilities

- To help insure the availability of public library facilities to the whole population of the Rising Sun area.
- To stress the relationship of libraries to other programs aimed at achieving the Town's objectives of improving the environment and broadening cultural opportunities.

Chapter 2

LAND USE PLAN

INTRODUCTION

The Land Use Plan Element is the most important element of the Rising Sun Comprehensive Plan in that it establishes the relationship between the town's existing pattern of development and the location, distribution and scale of future development. It also influences the location and timing of public facilities and transportation system improvements. The enhancement of specific township qualities, preservation of rural character, and protection of natural resources is achieved by all elements of the Comprehensive Plan with the land use element serving as the cornerstone. The cost-effective provision of roads, water and sewer facilities and other public services cannot be assured without a clear means of managing growth by directing it to specific areas where development infrastructure already exists and away from rural areas of the township where it does not exist. The Land Use Plan provides that means.

The Land Use Plan element of the Comprehensive Plan is where the various planning goals and objectives and chapters on specific topics must be integrated into a comprehensive whole. The way in which land use districts are mapped, their infrastructure requirements, the objectives established for resource protection, definition of community character, and provision of public facilities and transportation improvements must all be integrated into the Comprehensive Plan through the land use plan. In short, more than any other single plan element, the land use plan captures a future vision of the Town's development pattern. Finally, the land use plan is a fundamental extension of town growth management philosophy and illustrates the spatial land development implications of growth management policy.

The purpose of this section is to advance recommendations concerning land use development guidelines within the Town of Rising Sun. It is a guide to the proper direction of future development as well as maintaining and improving the existing environment. Included in subsequent sections of this report are proposals for circulation and community facilities, which although presented separately are closely related elements of the Land Use Plan.

The Rising Sun area maintains a rural character. Agricultural use and forests comprise a large percent of the area outside the incorporated limits. Based on information gathered for a recent water study, the land use in the watershed was categorized as shown in the following figure.

The location and form of recent growth within the Town has been influenced by growth pressure originating in the Wilmington-Newark, Delaware area, and to a lesser extent, from Baltimore. Nearby highways such as I-95, US 40, and US 1 provide relatively easy access to employment in these urban areas.

Figure 1
**Estimated Land Use Acreage
in the Watershed Study Area**

	Acres
Water Study Area	2,470
Rising Sun	495
Uses (proposed and existing) - Outside the Town Limits	
Residential	910
Commercial/Industrial	51
Prime Agriculture	574
Open Space and Road	882
Total	2,417*

* Includes portions outside the Watershed Area for Planned Unit Development (approximately 77 acres)

The land use plan for the Town defines six (6) land use districts (See Map 1). These districts recognize existing land use patterns and are responsive to the Goals and Objectives of the Comprehensive Plan. Each district emphasizes a particular intensity of land use or resource and allows an appropriate mix of development consistent with the principle goals of the district. The six districts and the guidelines attached to them are intended to serve as a guide to the comprehensive rezoning of the Town.

The land use proposals that follow refer to lands both within the Town limits and surrounding areas outside the limits. The recommended area land use plan (Map 2) recommends residential density levels are in harmony with present County planning objectives and the location of commercial and industrial land uses consistent with the planning objectives of the Town.

COMPREHENSIVE PLAN
RISING SUN, MARYLAND

PROPOSED
LAND USE PLAN

RESIDENTIAL

Single Family



Multi-Family



COMMERCIAL CENTERS

Town



Neighborhood



Highway Oriented



LIGHT INDUSTRIAL



PUBLIC



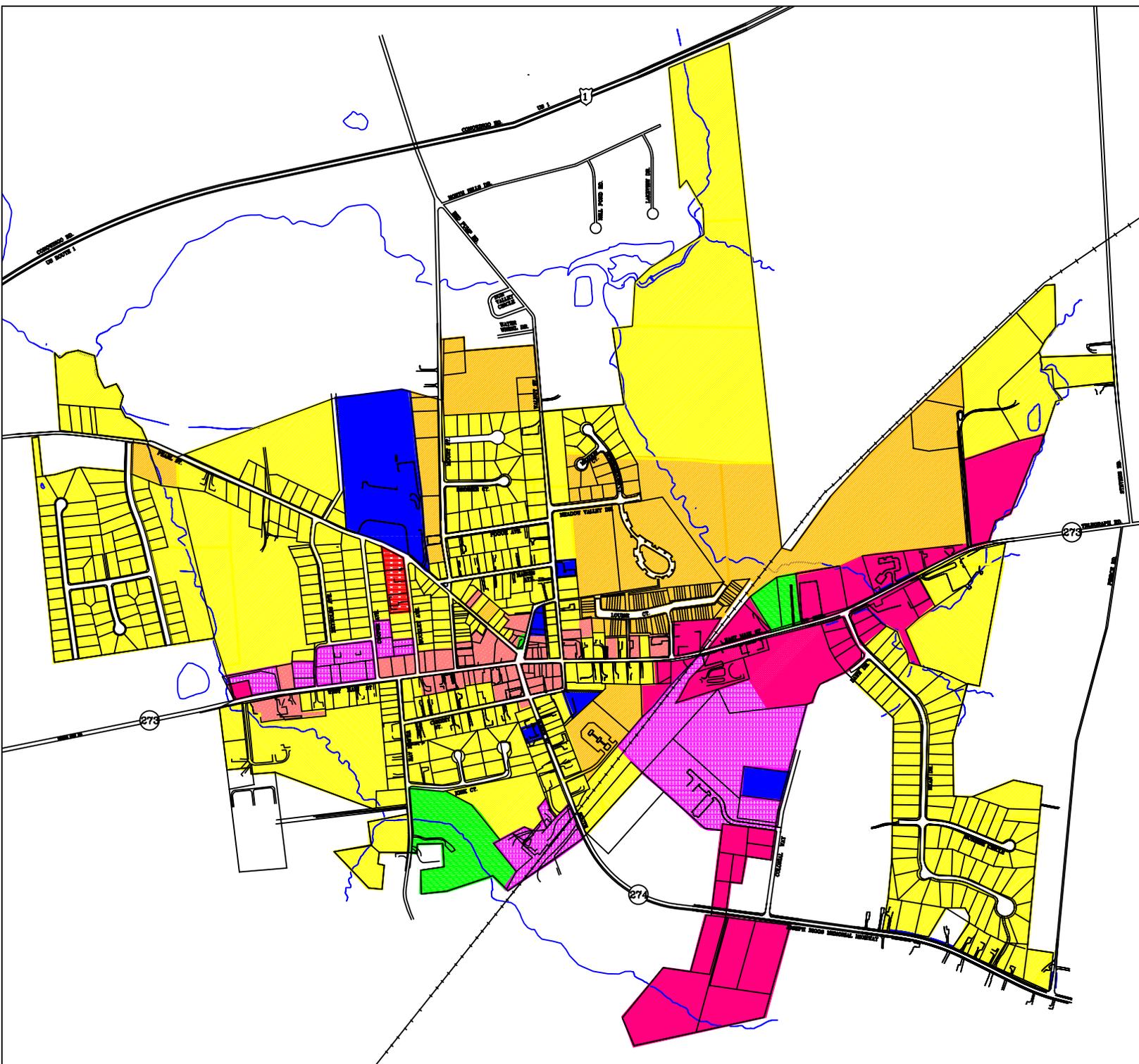
PARK



AG/OPEN SPACE



CORPORATE LIMITS



MAP 1 April 1997



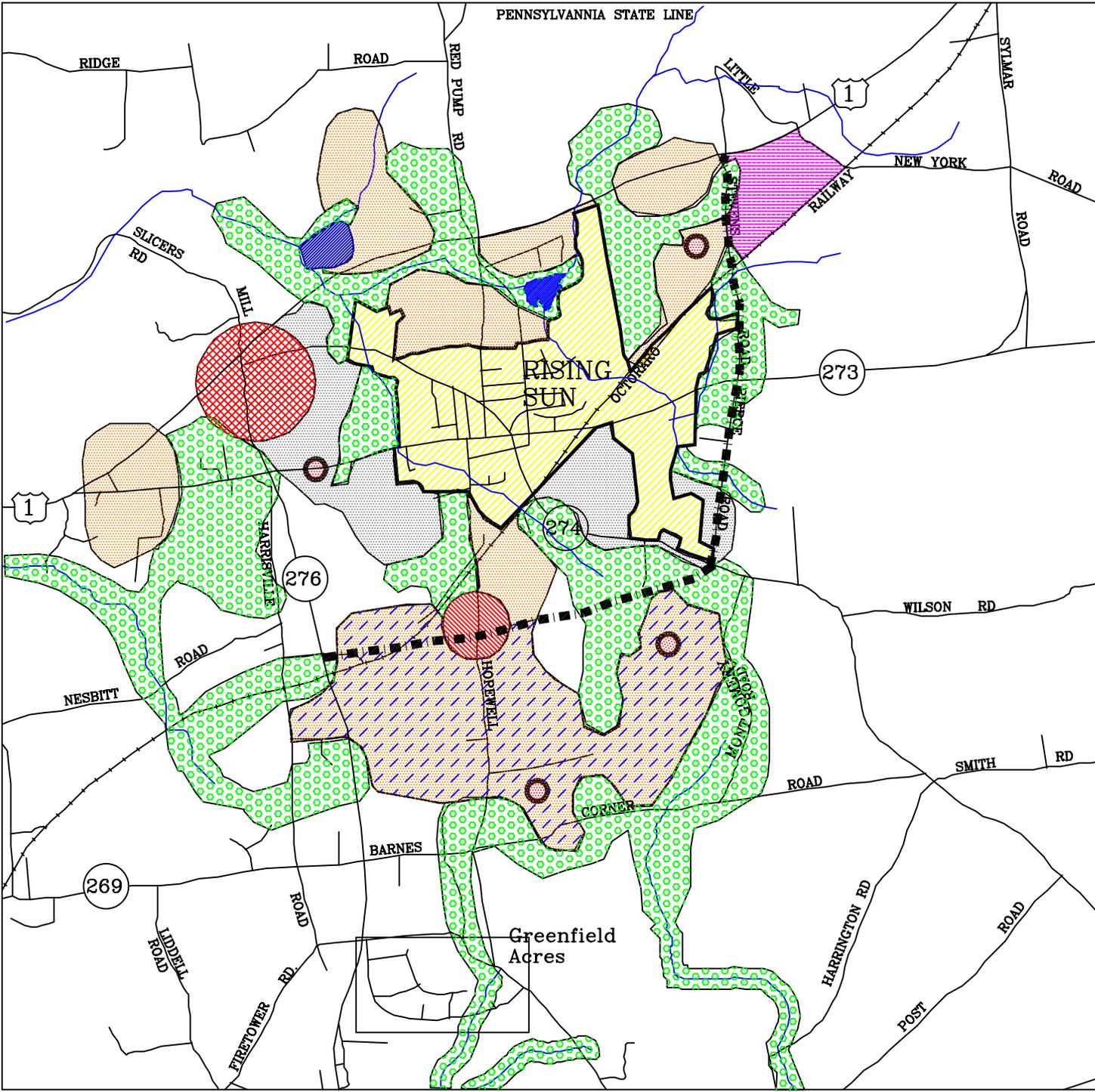
Redman/Schmets Associates, Ltd.
Baltimore, Maryland

COMPREHENSIVE PLAN RISING SUN, MARYLAND

PROPOSED AREA PLAN

- Predominantly Single Family 
 - Predominantly Multi-Family 
 - Planned Residential (PRD) 
 - Highway Oriented Commercial 
 - Mixed-Use Employment 
 - Planned Light Industrial 
 - Neighborhood Commercial (General Locations) 
 - Open Space 
 - Agriculture 
 - Town (See large scale map for detailed land use plan) 
- BYPASS ROUTE (Collector Street/Road) 

March 1997



LAND USE OBJECTIVES

The following overall objectives should be pursued by the Town for the achievement of a balanced land use plan consistent with sound planning principles, local need and in harmony with regional influences:

- To encourage greater recognition by all citizens that land is a finite resource and its wise use and effective conservation is essential for the survival of existing and future generations (*Note: This objective is consistent with Vision 4 of the Planning Act, "stewardship of the Chesapeake Bay and the land is a universal ethic"*).
- To encourage the continued growth of Rising Sun in a manner that will preserve its significant natural features by requiring proper planning and design techniques for future development in order to be more sensitive to environmental concerns (*Note: This objective is consistent with Vision 2 of the Planning Act, "sensitive areas are protected"*).
- To establish strong protective measures to help stabilize, protect and enhance the substantial residential development and neighborhoods in the town.
- To integrate land use and the street and highway network to provide for the logical continuation and improvement of existing streets and highways in proper coordination with State and municipal facilities currently in existence.
- To provide for a variety of open space areas, recreational facilities and the protection of undevelopable natural areas of the town for the enjoyment and betterment of all existing and future residents.

RESIDENTIAL LAND USE PLAN

The residential land use plan indicates areas that should be maintained in, or reserved for, residential use. This is particularly important since the level of community facilities that will be needed to serve the Town's residential population is dependent upon the recommendations regarding density, location and distribution of dwellings.

Residential Land Use Objectives

In order to insure safe, livable residential neighborhoods (new and old) the following residential objectives are established:

- To prevent development on land that is not suitable for residential development because of soil characteristics, water table, or other faults from being developed.
- To locate residential development convenient to services and amenities.

- To encourage residential development reflecting good design practices that will make efficient use of available land and produce attractive subdivisions and other development.
- To protect residential areas from encroachment by incompatible land uses.
- To encourage energy conservation in residential development, to establish subdivision and zoning regulations to accommodate techniques that achieve greater energy efficiency (*Note: This objective is consistent with Vision 5 of the Planning Act, "conservation of resources, including a reduction in resource consumption, is practiced"*).

Policies

The development policies proposed by this Comprehensive Plan are designed to address the above objectives. The following are recommended policies for residential development.

1. The density of residential development should be based on the availability of community facilities.
2. Developments should be evaluated with regard to the availability of, and impact on, public facilities and town services.
3. Adequate recreational facilities and open space should be required as part of new residential developments where applicable.
4. Residential areas should be protected from incompatible land uses.
 - A. Through traffic and heavy vehicles should be prevented, where possible.
 - B. In-fill development and redevelopment should be encouraged where appropriate.
 - C. Land development regulations should reflect proper design standards including landscaping and street tree requirements.

The main characteristics of the land use districts are summarized below.

Predominantly Single Family District (PSF)

The intent of this district is to provide for low-density single-family detached residences and supporting uses. This zone is located in areas of the Town where low-density single-family development patterns are generally established or where services and facilities will be adequate to serve the anticipated population. This zone is designed to secure for residents a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts. The PSF District is also intended to provide for minor in-filling of existing neighborhoods consistent with the existing

character. Density in the PSF District should be maintained in the 2 - 4 dwelling units per acre. Once annexed to the Town, areas of the County to the southwest, southeast and east of the town limits are also suggested for residential development in a similar density range.

Encouragement of cluster development in the PSF District and adjoining county areas should be evaluated in an attempt to obtain a varied landscape and balanced community. Cluster development is an innovative technique that protects the environment and fosters economic development. The PSF District should be designated for cluster development under the town zoning scheme, where appropriate. Since there is sufficiently large vacant areas suitable for residential development in those areas of the County planned for this land use classification, it is suggested that the cluster development form be utilized to the maximum extent possible to preserve and effectively use each site's natural amenities.

Cluster development can be utilized as a development option in appropriate instances where the preservation of flood plains, steep slopes, forests, wooded areas, etc., is to the benefit of the area. Basically, clustering is a pattern of development wherein housing sites are grouped somewhat close together around access courts with the remainder of the residential subdivision tract left in its natural state. Lot sizes may be reduced, permitting the housing sites to be clustered. However, the number of lots and the overall density of development remains in agreement with the overall intent of basic zoning classifications for area. For example, under conventional zoning practices, a ten-acre area zoned for ten similar sized one-acre building lots would, under cluster development, retain the same development density of ten units, but these units would be more compactly arranged to provide for more common open space. * Appendix 2 (A-2) illustrates the difference between cluster and conventional development on the same sized site.

Predominantly Multi-Family District (PMF)

The PMF district primarily for multi-family dwellings and supporting uses. Within this District, a variety of housing-types -- including single-family, two-family, duplexes, townhouses, and apartments -- are encouraged in order to provide for a mix in housing prices, household size, age groups, and lifestyles. Residential cluster is encouraged for development on minimum lot areas to provide for additional open space for common use by local residents as well as by the adjacent community. Recreation, health, and social service facilities for the elderly and handicapped are also encouraged in this zone.

PMF District also includes certain vacant lands abutting the southeastern portion of the town's business district, and lands adjacent to the intersection of the U.S. 1 Bypass and MD 276. It is suggested that maximum flexibility be encouraged in achieving dwelling unit variety and distinguished site design within these designated medium-high density areas.

In addition, it is proposed that the vacant lands south of the town be encouraged to develop diversified housing types through "Planned Unit Development" (PUD) techniques or other applicable planned residential development options which allow flexibility in site design (capitalizing on natural amenities of an area) and housing type (permitting varied housing units

in a suitable site relationship). The PUD areas are suggested at a low-medium and a medium-high density range (1-6 dwelling units/acre).

In order to meet varied housing needs as evidenced by the town's population composition, (existing and projected) the predominant concerns appear to be:

- A large segment of the present and future population in the family bearing age group.
- An increasing segment in the future will be in the over 60 age bracket.

It is suggested that within the town limits and immediate adjacent areas residential land use plans cater primarily to the bulk of its population needs (25-44 age bracket) with consideration for accommodation to the over 60 age bracket. This item suggests a policy that allows, in a limited and controlled fashion, the introduction of the following housing types:

- Semi-detached
- Patio Townhouses
- Garden Apartments

COMMERCIAL LAND USE PLAN

The basic concept of the commercial land use plan is to meet the needs of the whole community through the provision of adequate commercial facilities. Commercial activities, by their very nature, take on varied forms and characteristics with differing land, locational and trade area requirements. As an overall concept of development, a hierarchical system of commercial facilities is recommended. That is, commercial facilities are geared to specific trade areas, providing essential services which do not compete with one another.

Commercial Land Use Objectives

Recognizing the existing commercial development, within the Town and in its area of influence, other land use patterns and the circulation system, the following commercial land use objectives are recommended in order to support the basic development concept:

- Emphasize safety, convenience, and attractiveness in all commercial developments.
- Prevent strip commercial development by encouraging clustering of commercial activities at optimal locations.
- Protect existing and future residential development from the close proximity of intense commercial activity.
- Provide convenient neighborhood scale commercial development in residential areas.

- Improve the quality and appearance of new commercial development within the Town.
- Establish a cooperative public/private partnership for the benefit of the Central Business District.
- Maintain a clear distinction between the CBD and adjacent residential areas.

Commercial Land Use Policies

- Minimum standards for commercial entrance locations, traffic site lines, landscaping, bufferyards, and other site improvements should be strictly adhered to in site design.
- Where feasible, new commercial development should be located in parks of a campus-like form (with access provided from internal access streets) that combine commercial facilities with other types of uses such as light industrial uses or additional community facilities in order to create community focal points.
- When a commercial use abuts a residential property or residential street, landscaping plantings that protect adjacent residential uses will be required.
- The Town will adopt development provisions that permit neighborhood scale commercial establishments at appropriate locations, in large scale, planned residential developments.
- The Town will adopt commercial design standards that improve the quality and appearance of new commercial development including minimum site landscaping, street tree planting, parking lots layout, and signage standards.
- The Town will work with merchant and/or landlord organizations in the CBD to coordinate public improvements with private investments in buildings and building sites.
- The Town will avoid commercial intrusion into established residential neighborhoods by strictly limiting conversion of residential structures to non-residential uses adjacent to the CBD.

A system of commercial areas or business centers implies a concentration and categorization of business activities. It is recommended that the size and character of each center, containing retail stores and consumer services, be closely related to the needs of its market and surrounding development. It is further suggested that the strip form of commercial development be discouraged in favor of planned clustering of business activities.

In planning for a diverse system of complimentary business centers some consideration will need to be given toward developing appropriate commercial development standards which are in harmony with established community planning principles. As a general background for this section of the plan report, it is important to note the difference between various types of

commercial facilities proposed for Rising Sun and vicinity. To reduce the possibility of confusion, a general classification has been made of four distinct shopping center types: the Town Center, the Neighborhood Center, the Highway-Oriented Center, and Mixed-Use Center.

Town Center (TC)

This is the existing main business area of Rising Sun which services the Town as well as the surrounding area. The purpose of this district is to provide appropriate locations for select commercial activities. Provision should be made for accommodation of a wide range of business pursuits, retail sales and office and service activities which serve the needs of citizens of the area. The district is designed to preserve, and to encourage the continued development, as well as redevelopment, of the Central Business area consistent with the unique land use mix which currently exists. Generally this district covers the historic commercial center of the Town and as such is intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than associated by incidental light and noise of congregation of people and passenger vehicles. This district also provides for some residential uses.

The Town's central business area needs to be revitalized. The Town's center presently is adequate to serve the existing population. However, with the influx of more families into the area, certain aspects of the Town need to be strengthened. In particular the following are suggested for the Town Center's revitalization:

- The principle of concentration of uses in the center of Town is recommended. Scattering commercial areas along the principle streets in Town is rejected as a planning alternative. Concentrating uses closely together provides ease of access for shoppers, convenience of parking and shorter distances for carrying packages for the consumer.
- Providing an attractive and pleasing environment by rehabilitating existing stores, to make them physically attractive, establishing attractive landscaped areas, walkways, and street furniture.
- Providing accessible off-street parking areas and minimizing traffic on streets adjacent to stores to allow safe street crossings for the pedestrian.
- Orienting the town center to the pedestrian and not to the automobile in that the center is made easy to reach by auto and made safe, efficient and attractive for the shopper with minimum intrusion possible by the ubiquitous automobile.

Neighborhood Center (NC)

The Neighborhood Center features primarily convenience goods, and personal services, (food, drugs, sundries for everyday needs and possible gasoline or auto service station). The

characteristics of a neighborhood center is that it is within a few minutes walk or drive from the residential area. Usually there are anywhere from two to six stores in such a center.

Neighborhood centers serve residential areas. It is proposed that residential areas of sufficient population and documented need contain individual neighborhood centers that include other facilities such as day care centers and playgrounds.

Highway-Oriented Center (HO)

This center is located on a major road. This type of center provides space for quality auto-oriented uses such as a drive-in bank, cleaners, Seven-Eleven Store and other similar types of establishments. The intent of this District is to provide for the local and regional oriented business with a variety of office and commercial uses that are not suitable for location in other zones. This zone is primarily automobile accessible and allows for more intensive uses than the TC or NC District. The HO District should be located adjacent to major transportation routes in locations where new development can be grouped with existing compatible development.

Highway-oriented centers should be designed so as to cluster the commercial uses as a unit, with special access drives and well-planned parking areas to avoid congestion on adjacent streets. In addition, landscaped buffers, as well as imaginative site and architectural design, should be encouraged within these areas.

Mixed-Use Center (MU)

The MU Center is not mapped, but provisions should be made in the zoning ordinance for such uses at appropriate locations and under appropriate conditions. The MU Center would combine shopping facilities with business and light industrial uses as well as community facilities such as a library branch and meeting areas to compliment the planned residential area surrounding it. The MU Center should provide convenience shopping facilities as well as some light industrial and research facility buildings for those residents living within a planned development. Basically, it would be a larger neighborhood center. Also, such facilities as a branch library could be located in this center.

INDUSTRIAL LAND USE PLAN

The purpose of the Industrial District is to establish appropriate areas that will be held out for light and necessary supporting accessory uses and facilities. Business and 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. Also, locating industrial uses adjacent or near commercial areas will tend to stimulate the activities within the commercial areas.

The basic industrial land use plan concept is derived mainly from the likely demand for light industrial facilities. The purpose of this District is to provide areas in which the principal use of

land and buildings is for business services, light manufacturing and assembly plants, processing storage, warehousing, wholesaling and distribution. It is the intent that permitted uses be conducted so that noise, odor, dust, and glare of each operation is confined within an enclosed building.

Industrial Land Use Objectives

- Minimize undesirable effects of industry such as smoke, odor, noise, etc., in efforts to reduce hazards to public health and safety.
- Have a variety of attractive, safe, and convenient sites suitable in terms of size, location, physical characteristics of the land, and accessibility to transportation available for desirable new industry.

Industrial Land Use Policies

- Special consideration should be given to the potential negative impacts of existing and proposed industrial facilities on health, safety and welfare of employees and residents of the neighborhood.
- Special consideration should be given to the potential negative impacts of existing and proposed industrial uses on existing and planned public facilities.
- Special consideration should be given to impact of the operation of industrial facilities on the surrounding area.
- New industries will be directed into areas that have access to major transportation routes that provide rapid and safe movement within the County and to sources of supply and distribution of raw materials to points outside the County. This should be achieved within the limits of the existing or planned transportation system.
- The Town should do all it can to insure that adequate community facilities, particularly water and sewerage infrastructure, are available for desirable new industrial uses.
- Where feasible, the Town should encourage new industrial development to locate in industrial parks of a campus-like form as opposed to a linear form that maximizes road frontage exposure.
- The Town will protect land with unique potential for economic and industrial development from encroachment by other land use activities.

Light Industrial (LI)

The LI district encompasses area currently zoned for light industrial uses within the corporate limits. In addition, land located in the County on the northeast side of Town has been included in the Light Industrial land use category. It is the intent of the Town to this area develop as a planned light industrial/employment park when served by adequate public facilities.

OPEN SPACE (OS) AND AGRICULTURAL (AG) LAND USE

The Rising Sun area is rich in agricultural land and much of this should be preserved for this use and protected from encroaching development pressures. Also, the area has a multitude of waterways and lands that are subject to periodic flooding.

The purpose of the Agriculture and Open Space District is to identify areas in need of special regulatory protection for the land and water resources and to recognize general areas, where sensitive natural features and other development constraints limit uses. Most of this land is presently farmed and it is suggested that this type of use should continue on this land in the future. Included in this classification are areas best suited for agriculture, open space or low intensity recreation uses. Permitted development in these areas should be strictly regulated, to ensure minimum adverse environmental impacts, with special attention given to maintaining natural conditions.

Over eight hundred acres in the planning area are suggested to be preserved as water ways and open space. This land, because of its soil condition and water ways, should be preserved as open through the use of special flood plain control ordinances.

Agriculture and Open Space Objectives

- Reserve through zoning, tax policy and other appropriate means, productive agricultural soils for continued agricultural use where appropriate.
- Plan and locate development to avoid destruction of the area's natural features or interference with access to them.
- Protection, preservation and enhancement of major physical and environmental features such as hills, forests, waterways and water bodies.
- Prohibit development on all flood plain areas by creating food plain control ordinances.
- Reserve land that is subject to flooding and drainage channels for appropriate open space uses.
- Retain non-permanent open space in predominantly low intensity use until it is necessary and desirable to develop it.

- Where desirable, reserve land in advance in the form of open space for reservoirs and major utility right-of ways as well as land for other basic facilities.

Open Space

A minimum common open space (spaces designed and intended for the use and enjoyment of all residents of the development) should be set aside in residential developments and improved with such complimentary structures, improvements as are necessary and appropriate for the use, benefit and enjoyment of residents of the development. Common open space areas should be exclusive of tidal wetlands and road rights-of-ways/parking areas and only a limited amount of those areas designated as nontidal wetlands.

Common open space may serve recreational purposes, preserve significant site features, and preserve open space. The uses authorized should be appropriate to the purposes intended to be served. Open space designed to serve recreational purposes should be appropriate to the scale and character of the cluster development, considering its size, density, expected population, and the number and type of dwelling units proposed.

At least 15 percent of any site should be set aside as permanent open space. Where possible, this open space should encompass streams and stream buffers. Stream buffers that are part of the pedestrian trails and/or bikeway system shown in this Plan should be dedicated to public use. The Planning Commission may allow payment in-lieu of open space in whole or in part. Planned and cluster communities should be required to set aside at least 30 percent of the site in permanent open space. In addition, at least 20 percent of a development site should be landscaped with tree species native to Cecil County. Stormwater management areas should not be considered as open space areas.

Agriculture

The Agriculture areas shown on Map 2 form a greenbelt surrounding the Rising Sun planning area. They contain low intensity and resource utilization land uses that lend a rural character to the surrounding countryside and help form the definition of a planned rural/urban demarcation.

GROWTH MANAGEMENT

Annexation

In order to effectuate the Land Use Plans, Transportation Plan, Community Facility Plans and Implementation Recommendations the Town of Rising Sun must expand its influence over and beyond its boundary limits in order to control the development of lands in areas that will have an impact on the Town.

It is proposed that Rising Sun employ the following methods in controlling development outside its limits:

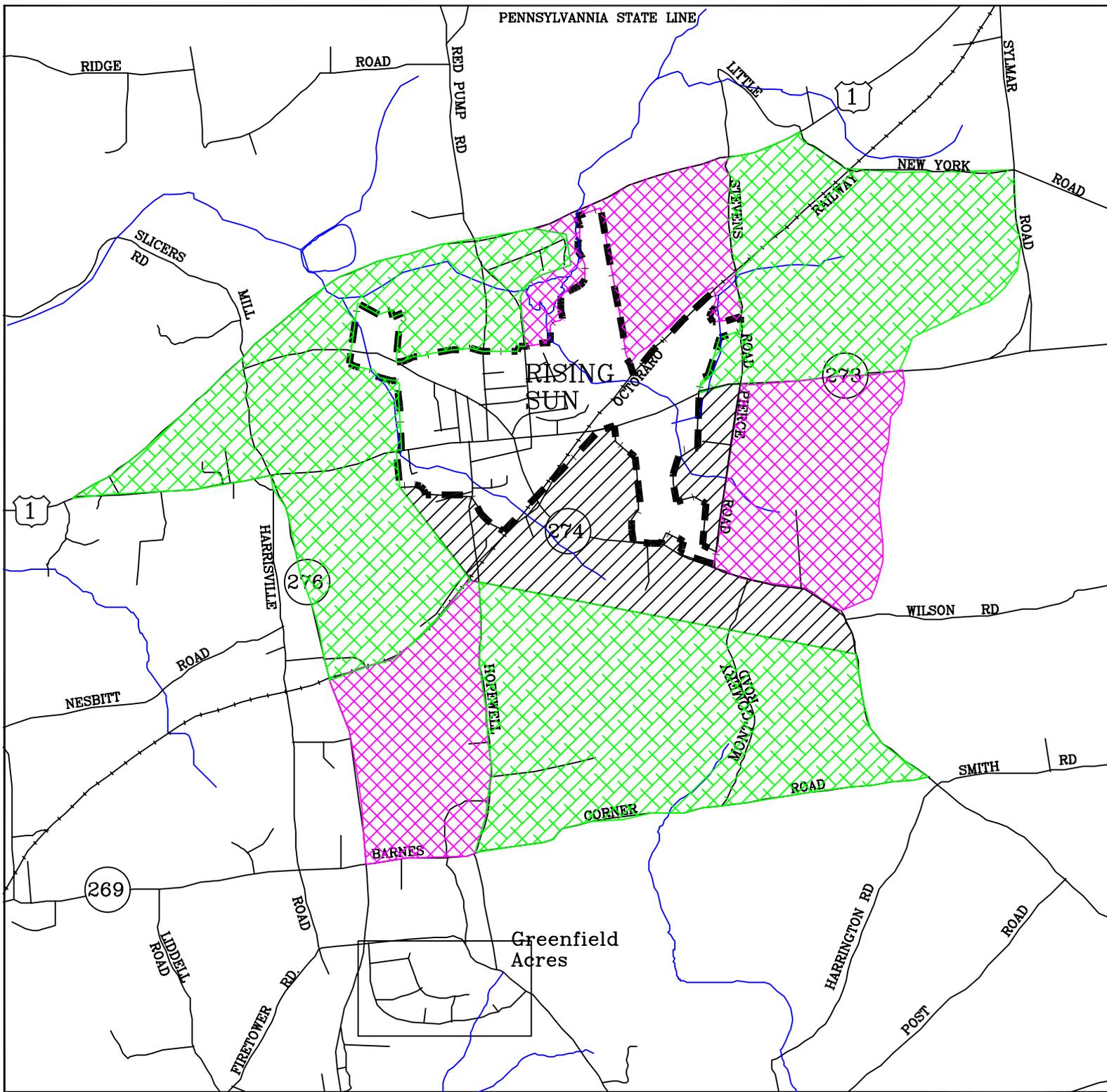
1. Work closely with the County Planning Commission in developing new zoning uses outside the Town limits.
2. Permit water and sewer extension only in those areas where development is planned or desired and require annexation before allowing connection to Town system.
3. Annex Land outside Town limits in a phased manner.
4. Undertake a phased annexation program with the cooperation of the County.

The Town will coordinate the areas it will annex with those areas where water and sewer extensions are proposed. The phasing of the lands outside the Town boundaries should be in line with the water and sewer proposals made in the Cecil County Comprehensive Plan. Close coordination must be established and maintained between the Town and County for future annexations. The County's Town Districts presents an opportunity and challenge to County and Town officials and to the development community. The County comprehensive Plan presents recommendations in the Town District section concerning coordination of land use and infrastructure planning and annexation of land by the town. The County's Town District surrounds the Town of Rising Sun and accommodates expansion consistent with the essential character.

The Map 3 indicate the areas which should have precedence in annexation, and the priority for annexation of these areas.

Interjurisdictional Coordination

Rising Sun has indicated land areas adjacent to the Town limits of interest to the community and a preferred land use for these areas. The County and Town should work together to determine coordination procedures for these areas wherein the Town is informed of impending development projects and is afforded an opportunity to comment of these projects. These procedures can be formalized in a memorandum of understanding. In addition, the Cecil County and Rising Sun Planning Commissions should meet periodically to discuss planning issues of mutual interest.



PHASING PROPOSAL FOR ANNEXATION

Phase 1 

Phase 2 

Phase 3 

MAP 3

COMPREHENSIVE PLAN
RISING SUN, MARYLAND

Chapter 3

NATURAL RESOURCE CONSERVATION AND SENSITIVE AREAS PROTECTION

INTRODUCTION

The impact of growth and development on the natural resources and environmental quality of the area an issue of increasing public concern. Cecil County is blessed with an abundance of valuable natural resources which contribute to the County's pleasant quality of life. The effects of increased population and physical development can manifest themselves on the natural environment in many ways including:

- Clearing of trees and natural vegetation;
- Loss of plant and wildlife habitats and populations;
- Loss of limited farmlands;
- Loss of important wetlands and aquatic habitats;
- Contamination of groundwater for drinking supplies;
- Reduced surface water quality in streams, rivers and the Bay;
- Disruption of natural water drainage systems;
- Increased air pollution;
- Increased amounts of solid wastes and litter; and
- Loss of scenic natural views.

Environmental deterioration does not have to be an inevitable consequence of growth and development. The construction of the new homes, businesses, industries, schools and roads necessary to accommodate growth can occur without unduly threatening the area's environmental quality if steps are taken to ensure that new development is designed and implemented in an environmentally-sensitive manner.

Throughout the Town there are areas that are much more susceptible to environmental degradation than others due to the presence or proximity of sensitive natural features. Future development should be directed away from sensitive areas and guided towards areas where environmental impacts would be less severe. Regardless of location, all future development

should be subject to minimum performance standards for environmental protection and natural resource conservation.

OBJECTIVES

To help insure the protection of natural resources, the Town has established the following objectives:

- To protect water quality and wildlife and to conserve those natural features that make a significant contribution to the character of each zone and the Town in general.
- To limited development in floodplains, steep slopes, and other sensitive natural areas to protect natural resources.
- To protect water quality by reducing pollution and its effects, whatever the sources;
- To conserve fish, wildlife and plant habitats;
- To establish new protection measures for sensitive areas including streams and their buffers, 100-year floodplains, steep slopes adjacent to streams, and habitats of threatened and endangered species to reinforce existing regulatory protection programs.
- To conserve forest and woodland resources and, wherever possible, replenished them through tree conservation measures and replanting programs and compliance with the Maryland Forest Conservation Act.
- To limit development within the 100-year floodplain so as to minimize disturbance and protect life and property.
- To coordinate with the Maryland Department of Natural Resources and the U. S. Department of Interior in the protection of rare, threatened, and endangered species habitat.
- To require evidence of Federal and State environmental permits as a condition of local development approval.
- To develop local regulations which ensure that the landscape be preserved in its natural state, insofar as practical, by minimizing tree and soil removal.
- To insure that all new development and redevelopment minimizes pollutant loadings and runoff from the site through the implementation of sediment, stormwater and erosion control plans.

- To encourage property owners to place environmentally sensitive lands under conservation easements through national, regional, State and local land trust organizations.
- To assure that proper stormwater management and sediment and erosion controls are enforced in accordance with the Stormwater Management Ordinance.
- Reduce conflicts between incompatible uses.

SENSITIVE AREAS

The Maryland Economic Growth, Resource Protection and Planning Act of 1992 added provisions to Article 66 B of the Annotated Code for the State of Maryland that require this Comprehensive Plan to contain a Sensitive Areas Element which describes how the Town will protect the following sensitive areas:

- Streams and stream buffers;
- 100-year floodplains;
- Habitats of threatened and endangered species; and
- Steep slopes.

Performance standards that protect sensitive resource areas should be included in the Zoning Ordinance and Subdivision Regulations. These standards should establish minimum protection levels for stream valleys, wetlands, forests, wildlife habitats, and sensitive soils.

Streams and Stream Buffers

Streams and their buffers are important resources. Streams support recreational fishing and serve as spawning areas for commercial fish stock. Development near stream areas subject to flooding can result in the loss of life and property. Streams and their adjacent buffers are home to countless species of animals and plants and transport valuable nutrients, minerals and vitamins to rivers and creeks and, in turn, the Chesapeake Bay. The floodplains, wetlands, and wooded slopes along streams are important parts of the stream ecosystem.

As development activity consumes large amounts of land, forest cover and natural vegetation along streams are diminished. The cumulative loss of open space and natural growth reduces the ability of remaining land along streams to buffer the effects of greater stormwater runoff, sedimentation, and higher levels of nutrient pollution. Buffers serve as protection zones when located adjacent to streams and reduce sediment, nitrogen, phosphorous, and other runoff pollutants by acting as a filter, thus minimizing stream damage. The effectiveness of buffers to protect stream water quality is influenced by their width (which should take into account such

factors as contiguous or nearby slopes, soil erodibility, and adjacent wetlands or floodplains), the type of vegetation within the buffer (some plants are more effective at nutrient uptake than others), and maintenance of the buffer.

Buffers also provide habitat for wetland and upland plants which form the basis of healthy biological communities. A wide variety of animals use the natural vegetation as a corridor for food and cover. A natural buffer system provides connections between remaining patches of forest in the area to support wildlife movement.

100-Year Floodplains

Some areas are subject to periodic flooding which pose risks to public health and safety, and potential loss of property. Flood losses and flood-related losses are created by inappropriately located structures which are inadequately elevated or otherwise unprotected and vulnerable to floods or by development which increases flood damage to other lands or development. While protection of life and property provided the initial basis for protection of floodplains, there has been a growing recognition in recent years that limiting disturbances within floodplains can serve a variety of additional functions with important public purposes and benefits.

Floodplains moderate and store floodwaters, absorb wave energies, and reduce erosion and sedimentation. Wetlands found within floodplains help maintain water quality, recharge groundwater supplies, protect fisheries, and provide habitat and natural corridors for wildlife. The minimum requirements of the National Flood Insurance Program do not prohibit development within the 100-year floodplain from development. However, to adhere to the minimum Federal requirements the Town requires development and new structures in the floodplain to meet certain flood protection measures including elevating the first floor of structures a minimum of one foot above 100-year flood elevations and utilizing specified flood proof construction techniques.

Moreover, where alternative building sites on a parcel are available for construction outside the 100-year floodplain, then construction in the floodplain is prohibited. These requirements are established in the Town's Floodplain Management Ordinance.

Habitats of Threatened and Endangered Species

Materials and chemicals produced by plants and animals are a largely unresearched storehouse for products beneficial to people. More than half of all medicines in use today can be traced to wild organisms. Plant chemicals are the sole or major ingredient in 25 percent of all prescriptions written in the United States each year. Likewise, agriculture depends on the development of new varieties of crops, often created by cross-breeding strains with wild relatives of crop species, in efforts to develop pest, disease, or drought resistant crops. Maintenance of biological diversity today sustains future opportunities to advance health care and provide a number of other societal benefits.

Habitat destruction and degradation is currently estimated to threaten some 400 native Maryland species with extinction. The key to protecting threatened and endangered species is protecting the habitat in which they exist.

The Maryland Nongame and Endangered Species Conservation Act (Natural Resources Article, 10-2A-01 through 06) provides definitions of threatened and endangered species. Maryland law and regulations do not currently provide a definition of habitat. As a basis for establishing protection measures for habitats of threatened and endangered species, habitat is defined in this Plan as “areas which, due to their physical or biological features, provide important elements for the maintenance, expansion and long-term survival of threatened and endangered species listed in COMAR 08.03.08. Such areas may include breeding, feeding, resting, migratory, or overwintering areas”.

Steep Slopes

Slopes provide an environment that facilitates movement of soil and pollutants when land disturbances occur. Control of erosion potential is usually achieved through regulation of development on steep slopes because such areas represent the greatest opportunity for accelerated soil loss and resultant sedimentation and pollution to streams.

Forest Conservation Act

The Forest Conservation Act of 1991 (Natural Resources Article Sections 5-1601-5-1613) was enacted to protect the forests of Maryland by making forest conditions and character an integral part of the site planning process. It is regulated by the Maryland Department of Natural Resources, but implemented and administered by local governments. The Forest Conservation Act seeks to maximize the benefits of forests and slow the loss of forest land in Maryland, while allowing development to take place.

IMPLEMENTATION RECOMMENDATIONS

This section of the Plan recommends performance standards that implement three important goals of the Comprehensive Plan dealing with protection of natural resources management of stormwater quality, and avoiding conflicts between adjacent land uses. These performance standards should apply to all new development in the town. Additional performance standards should be required for new development adjacent to publicly owned sensitive natural resource areas and private conservation areas.

Sensitive Areas Protection

Perennial Streams - A 110 foot minimum setback from all perennial streams, as shown on U.S.G.S. 7.5 minute quadrangle maps, shall be required for any disturbance except road crossing and recreational access to the stream.

Ephemeral Streams - A 25 foot minimum setback from all ephemeral streams as identified on the U.S.G.S. 7,5 minute quadrangle maps is recommended for any disturbance except road crossing.

Sensitive Soil Setback - There should be no disturbance of sensitive soils adjacent to the 110 foot perennial stream setback to a maximum distance of 160 feet. Sensitive areas should include hydric soils, floodplains, steep slopes, highly erodible soils, and highly permeable soils.

Nontidal Wetlands - There should be at least a 25 foot setback from nontidal wetlands. No direct or indirect disturbance to nontidal wetlands should be permitted except as allowed by State and Federal nontidal wetland regulations.

Vegetated Buffer in Stream and Nontidal Wetland Setbacks - Vegetation in the perennial stream and nontidal wetlands setbacks should be preserved and maintained in a natural state, or if not present, created through planting of native species appropriate to the site.

Steep Slopes (Outside stream valleys) - There should be no structures or impervious surfaces placed on slopes greater than 25 percent. On slopes between 15 and 25 percent good engineering practices should be used for sediment and erosion control during construction, and slopes should be stabilized as soon after disturbance as possible.

Habitats of Rare, Threatened and Endangered Species - Rare, threatened and endangered species and their habitats should be protected as prescribed by Maryland DNR, Natural Heritage *Program. Where an appropriate situation presents itself for passive recreation, the Planning Commission may require that open space on an applicant site, or on another site purchased for open space, be afforested to improve wildlife habitat and to provide passive recreational opportunities.

Forest Cover Protection - All land development should be required to limit clearing of natural vegetation and retain specimen trees to the extent possible, as determined by a forest stand delineation study and in accordance with the Forest Conservation Ordinance of the Town of Rising Sun.

Floodplain Protection - All areas within a designated Floodplain or zoned F-1, shall be subject to the Town of Rising Sun Floodplain Ordinance as approved by F.E.M.A.

Stormwater Management

Creation of Impervious Surfaces - All land development should be encouraged to minimize impervious surfaces through good site design, use of impervious surfaces where use by people or vehicles is infrequent, and full utilization of height limits on structures.

Bufferyards

Bufferyards are meant to minimize the negative impacts of adjacent incompatible uses. Buffering can be achieved by a combination of setbacks and vegetative plantings. Such vegetative plantings shall be of a type that remains thick with foliage all year such as evergreens, pines, etc.

Guidelines - Bufferyards should be required along property boundaries between all zones of disparate intensities. Road buffers should be wide enough to screen residential areas from the road. Road buffers should be wider along with more traffic. Finally, bufferyards should be required along property boundaries between agricultural and residential uses. Street trees along the road satisfy bufferyard guidelines along internal roads.

Bufferyards are a design technique that can be employed to achieve some of the objective of the Comprehensive Plan. The following discusses two types of bufferyards that can be considered by the Planning Commission. The first is the bufferyard between zoning districts and the second is the bufferyard between development and roads.

Bufferyards are a combination of setback together with the planting required thereon. Both the amount of land (setback) and the type and amount of planting for each bufferyard are specified and are designed to ameliorate nuisances between adjacent zoning districts and to insure a desired character along public streets and roads.

One of zoning's most important functions is the division of land uses into districts which have similar character and contain compatible uses. All uses permitted in any zoning district have generally similar nuisance characteristics. Bufferyards between zoning districts act to minimize the negative impact of any future use on neighboring uses. They separate different zoning districts from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

Bufferyard can also be required along roads to maintain and enhance visual character area. Public perception of community character is most commonly experienced moving along public roads. Where appropriate, the Planning Commission may agree that it is more desirable to leave openings in bufferyards to permit views of scenic areas or over open space areas.

Street Trees

A new awareness of the importance of streets to the quality of life in our growth centers is needed. We must plan for streets that are pleasant to walk along. Development can and should create an exciting, attractive and vibrant community. New concepts — using the successful communities of our past — should be permitted, encouraged and preferred. As part of this philosophy, street tree planting should be required and specimen trees should be saved where possible. The Town should require that street trees be planted or retained along both sides of all

newly created streets. All plantings should be done in conformance with the Forest Conservation Ordinance. At a minimum developers should be required either plant or retain sufficient trees so that for every 35 feet of street frontage there is at least an average of one deciduous tree that has or will have when fully mature a trunk at least 12 inches in diameter.

Chapter 4

COMMUNITY FACILITIES

INTRODUCTION

The quality and location of recreation areas, governmental services schools and libraries in the Rising Sun area are as important to the town's continued well being as its places of employment, homes and circulation system. They contribute to the health and vitality of its citizens and have a significant effect on the quality of life in Rising Sun.

For these reasons, it is important that the Town's facilities and services keep pace with its growth and patterns of local need. The goals, policies and recommendations in this section have been developed as interrelated parts of the proposed land use and circulation plans presented in the previous sections. The various elements of the Towns Community Facilities Plan are presented below under separate subheadings for ease in presentation.

OPEN SPACE AND RECREATION

Open Space and Recreation Objectives

- To establish local parks within easy access of Rising Sun 's present and future residents.
- To link centers of community activity through park system.
- Provide for an Open Space system of sufficient size and locational qualities in order to meet the complete range of recreation activities.

To establish and improve the quantity and quality of local parks within easy access of all present and future residents implies a recommended policy approach to park and recreational development programs. A first step in developing a coordinated approach to development is the establishment of desired open space and recreation standards. The application of these standards will aid in determining future open adequacy. Figure 2 indicates the open space planning standards recommended.

Within this suggested framework, a balanced park and recreational system can be developed. Future park land acquisition can be evaluated as to their ultimate benefits as well as to their immediate effectiveness. Based on the standards presented above, Figure 3 indicates the number of needed facilities based on the present and future population.

Figure 2
General Recreation Standards

Facility	Equipment	Age Groups Served	Optimum Size	Acres per 1,000 Pop.	Population	Service Area
Play Lot Tot Lot	Swings, Slides, Structures, Sand Boxes, Fences and Benches	2-6 yrs.	1,500 - 5,000 sq. ft	----	200 (at 4 persons per household)	1/8 - 1/4 mile (dependent on density)
Neighborhood Playground/ Park	Swings, Slides, Baseball Fields, Basketball Courts, Play Lots, Equipment	5-15 yrs.	2 - 7 acres	1.5 - 2.0	500 - 2,500	½ mile
Community Recreation Area	Playground Equipment, Sport Field, Areas for Passive Recreation, Toilets, Indoor Recreation, Pools, Tennis	All	15 - 20 acres or larger depending on facilities	1.5 - 2.0	6,000 - 15,000	1 1/2 to 3 miles

Figure 3
Present and Future Needs by Type of Recreation Facility

Time Frame/ Area	Population	Tot Lots 1/200 Persons	Acres Needed	Neighborhood Parks 1/500 - 2,500 persons	Acres Needed	Community Parks 1/6,000 - 15,000 persons	Acres Needed
Present/Town	956	4	---	0 - 1	1.5 - 2.0		
Future/Town	1,786	8	---	1 - 3	1.5 - 4.5		
Future/Area	9,400	47	---	4 - 18	6.0 - 27	1	20 acres or more

The figures indicated that at present the Town is deficient in the number of tot lots, neighborhood playgrounds and other types of recreational facilities available to its population. With the growth expected in the area, it would be to the benefit of the Town to start acquiring areas suitable for each recreational need. The construction of multi-purpose recreation center just south of Rising Sun will aid in meeting the recreational deficiency which presently exists.

Unlike many municipalities, the Town has ample vacant land on which proposed recreational facilities could be located. The abundant number of streams and valleys can serve dual purposes both for preservation as well as providing areas for recreational activity. The area in the northeast quadrant of Town should be consider for park area and may also serve as a stormwater management area and reservoir.

Map 4 illustrates the major proposed Open Space and Recreational Plan for the Town. As is indicated on Map 4, all proposed residential areas are within ½ - 1 mile distance to the proposed steam valley lands which gives residents easy access to recreational facilities and pedestrian paths which may be planned along these water courses thus meeting the plan objectives. Listed below are the major open space and recreational recommendations:

1. Encourage stream valleys be preserved for open space and recreational use.
2. Provide tot lots throughout the Town in strategically located vacant areas.
3. Acquire land for additional neighborhood playgrounds to supplement the Little League Field as well as to serve future populations in the Town.
4. Develop the existing abandoned railroad right-of-way as pedestrian and bicycle path to link major open spaces.

In order to implement the Open Space and Recreation objectives for the Town, all residential subdivisions should be required to provide recreation opportunities. The Town may require that all residential developments in the Town shall provide, at a minimum, (through dedication or reservation) recreational areas in the form of neighborhood parks at the rate of 0.005 acres per residential unit, with a minimum area of not be less than 5,000 square feet.

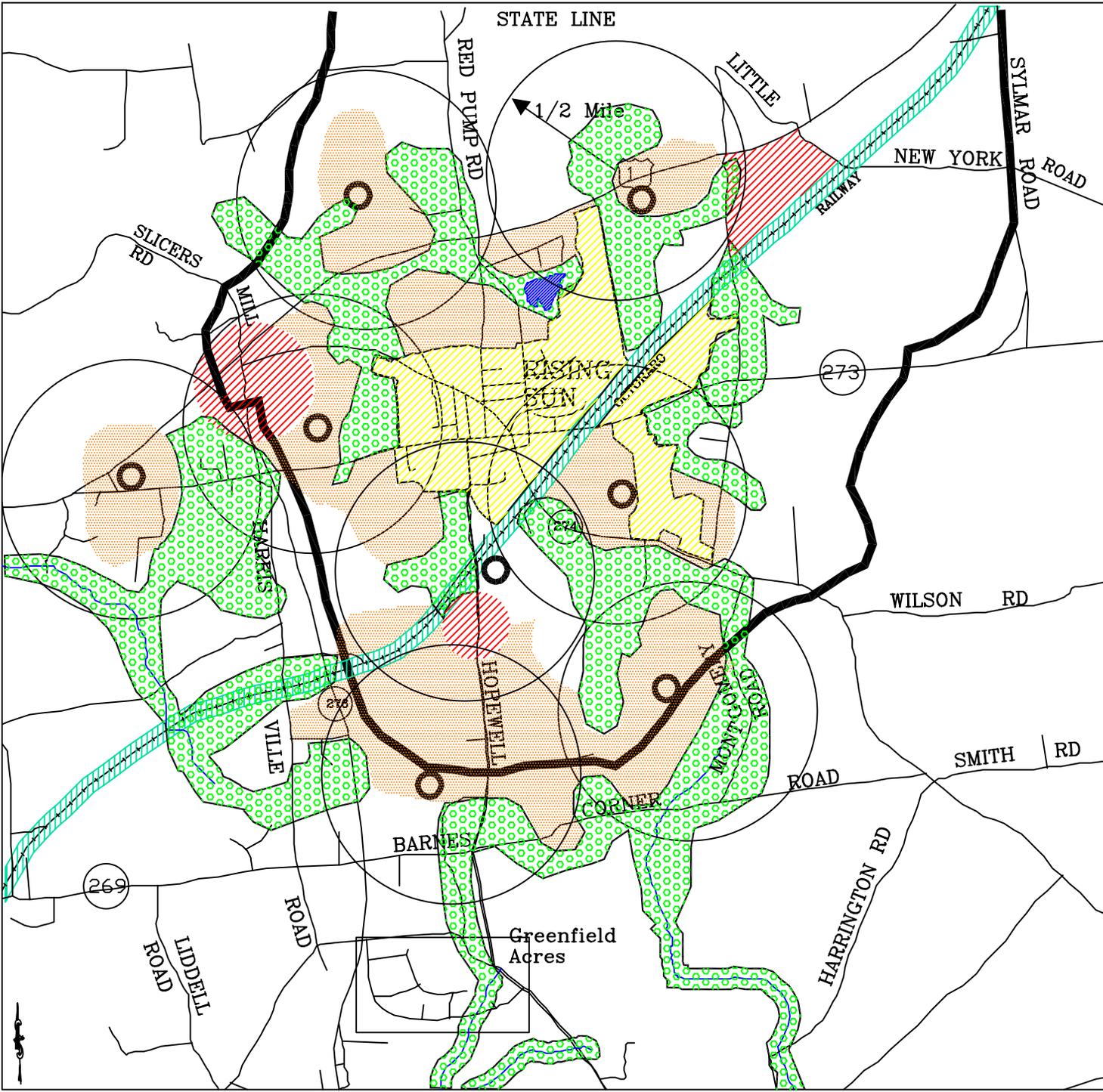
The Town Commissioners may permit payment of a fee in-lieu, dedication, reservation or a combination whenever these open space requirements cannot adequately meet the open space and recreation responsibilities of the development or if the development is less than 30 homes or within 1,500 feet from another park or playground. The fee in-lieu should be on a per-dwelling-unit basis as established by the Town. Fees collected should be deposited only in a designated account with funds expended only for planned park and recreation facilities.

In the case of large proposed developments (over 100 dwelling units) the Planning Commission may require a combination of improved park and recreational property and playgrounds, at the

COMPREHENSIVE PLAN RISING SUN, MARYLAND

OPEN SPACE AND RECREATION FACILITIES PLAN

- Community Park Locations
(1/2 mile radius) 
- Secondary Parks (See large scale map)
- Octoraro Greenway 
- Pedestrian Trail Corridors 
- Residential Areas 
- Activity/Employment Centers 
- Activity Centers (Town) 



March 1997

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Easton, Maryland

minimum rate of 0.015 acre per dwelling unit, and an impact fee in order to meet the planned Town open space and recreation objectives.

The purpose of the neighborhood park is to provide adequate active recreational facilities to serve the residents of the immediately surrounding neighborhood within the development. The following are illustrative of the types of facilities that should be deemed to serve active recreational needs and count toward satisfaction of the neighborhood park requirements of this article: tennis courts, racquetball courts, swimming pools, sauna and exercise rooms, meeting or activity rooms within clubhouses, basketball courts, swings, slides, and play apparatus.

Each development should satisfy its neighborhood park requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development. However, unless it appears that less than 5 percent of the residents of any development are likely to be children under 12, then at least 15 percent of the neighborhood park must be satisfied by the construction of "tot lots" (i.e., areas equipped with imaginative play apparatus oriented to younger children as well as seating accommodations for parents).

Neighborhood parks should be attractively landscaped and shall be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences. Each neighborhood park should be centrally located and easily accessible so that it can be conveniently and safely reached and used by those persons in the surrounding neighborhood it is designed to serve. Each neighborhood park should be constructed on land that is relatively flat, dry, free of nontidal wetlands, and capable of serving the purposes intended.

As a concluding policy statement relative to the Town's proposed Open Space and Recreation System, it should be recognized that such a system can make a significant contribution toward improving the quality of life.

PUBLIC EDUCATION FACILITIES

The planning of educational facilities is the direct responsibility of the Cecil County Board of Education. Although the Town of Rising Sun has no direct authority in the planning for the location of educational facilities, it is important to realize the effect schools have upon surrounding land usage and the influence schools have in attracting families to a vicinity.

Based on the population projections in the Basic Studies portion of this Plan, the population will almost double both in the town and in the surrounding area. Furthermore, the character of the population will be in the family bearing age bracket, thus increasing the number of school children in the area (See Figure 4).

Table 4
Population Growth and Children

Location	Projected Population	Addition Children
Rising Sun	1,786	572
Rising Sun Area	9,400	3,008.

The Cecil County Board of Education is presently undertaking a study of future needs and possible re-districting in the County and in the Rising Sun area. The County Board of Education should take into consideration the population increase that will occur in the Rising Sun area. The recent expansion of the Rising Sun Elementary, the new Rising Sun High School and the current Rising Sun Middle School is sufficient to handle today's population, but plans should be considered to plan for the future influx of people into the Rising Sun vicinity.

OTHER PUBLIC FACILITIES AND SERVICES

Town Office Building

Completed in 1952, the building is located on South Queen Street, and contains the police department, the library and various municipal office. The building is inadequate for the present level of service necessary in the Town and needs to be replaced or enlarged.

Looking at the future needs of the Town should consider acquiring new or additional property to accommodate the Town Offices. There should be adequate room for expansion of the proposed Town Offices as the population of the Town continues to grow.

Public Safety

For the purposes of this report, public safety shall concern itself with the provision of adequate police protection within the town limits and fire protection with the Rising Sun area. Within the scope of this report only general guidelines and qualifications of need can be advanced concerning these facilities.

Police Facilities

The following is a recommended objectives concerning the Town's police force:

- To accomplish its basic mission by providing service to all areas of the Town with appropriate facilities, manpower, and equipment distributed according to need.

At present, the police department is adequate to meet the needs of the current population. It is suggested that as undeveloped portions of the Rising Sun area become inhabited, additional police protection will be necessary. It is further suggested that since there are no generally accepted standards for placing that the following basic guidelines be considered in evaluating future policing needs with the Town and its environs:

1. The size and nature of the population;
2. Density of population- whether it is scattered or concentrated;
3. Economic composition of the population;
4. Past and projected crime rates.

Considering general guidelines that exist in terms of the number of police officers per 1,000 population in other municipalities a range of one per 1,000 in rural areas to one per 300 in New York City is noted. The average for municipalities in Maryland of the current population of Rising Sun is 3.8 police officers. Considering an absolute minimum goal of two per 1,000 population in the Rising Sun area, there should be eighteen to twenty police officers to ultimately handle the projected future population. In order to provide twenty-four hour police coverage, seven days a week, a minimum of six officers is required at the current population level.

In addition to manpower, consideration must also be given to provide adequate police facilities. To meet future needs of the Town, the police department must be provided with an adequate base of operations. Such facilities should be designed to meet present and future needs. It should be separate from the other Town Offices so that easy access is not available to the general public. It should supply office space for police and civilian employees, at least two holding cells, a booking area for processing prisoners, a locked evidence room and a locked records room. There should also be an area for citizens to enter that is secure and separate from the rest of the building.

The police department should also be provided with sufficient vehicles, based on manpower. In addition to vehicles needed to maintain daily patrols, vehicles will also be required for court, investigation, transportation of prisoners, and other routine daily operations. To meet the future needs of the Town, a minimum of six vehicles will be required.

Fire Facilities

The following objective is recommended as a basic guideline for Town commitment to the adequate protection of its citizens:

- To provide adequate fire protection of its citizens, fire facilities are generally planned according to set standards established by the National board of Fire Underwriters. Standards are developed in terms of optimum service area radii for certain types of fire fighting equipment.

Accordingly, the standards applicable to Rising Sun area:

1. Engine and ladder company is recommended to service a radius of 3/4 to 1 mile for high value commercial, industrial and high density residential areas.
2. For lower density residential areas, the service radius is extended to 2-3 miles.
3. To encourage the availability of adequate Emergency Medical Services and work with the County to increase their Emergency Medical Service.

Accordingly, the volunteer fire company that services the Rising Sun area presently satisfies the above requirements. However, with the future growth of population, additional fire substations and or companies should be distributed based on population densities, service areas and need.

The Town should work with appropriate department and developers to identify and coordinate the implementation of specific measures designed to facilitate response times and service provisions. Examples of techniques the Town may incorporate into ordinances and Town programs are:

1. Include dry hydrant hook-ups at available water supply sources and looping of water mains for fire fighting as subdivision and site plan requirements.
2. Encourage creation of water impoundments in developments as water sources for fire fighting; and
3. Target priorities for improvement of traffic flow to allow the safe and expedient passage of emergency apparatus.

Health Facilities

Since the provisions of adequate health facilities is a function and responsibility to be considered at the broader county and regional levels for efficient coordination of services, the following objectives are suggested as guidelines for health planning agencies which should be supported by Town officials:

- To cooperate in the improvement and provisions of public health facilities and services within the County area.
- To encourage the development of local health centers.

Water and Sewer

The water and sewer extension for the Town and vicinity should be based on the proposals in the Cecil County Comprehensive Water and Sewer Plan of 1987 (as amended from time to time). Proposed extensions, are indicated on the attached maps. Also, the phasing for future development and annexations should be coordinated with timing for the proposed water and sewer extensions.

In order to insure that new development within and outside the Town are adequately served with utility systems, a recommended policy would require that development be only considered if it is proposed with adequate utilities appropriate to the type and intensity of development. Further it should be recognized that the Town, as indicated in the Basic Studies section of this report, has an effective utility base upon which extensions can ensue. However, care should be exercised in avoiding an overburdened to the existing system and at all times a reserve of 50,000 gallons per day must be maintained in both the water and sewer system.

The recommendations of the Cecil County Comprehensive Water and Sewer Plan report are worthy of endorsement. As the areas adjacent to the Town begin to develop, increased attention to proper drainage is paramount.

Also, the designation of Controlled Areas is of particular importance in insuring proper development patterns. Cecil County has set a policy that certain areas in the County should be designated as "Controlled Areas". Areas designated as such would have the following restrictions:

1. That the minimum lot size shall be two acres and the minimum road frontage two hundred feet when public sewers are not utilized; and
2. No building shall be allowed within five hundred feet of an existing sewer unless the sewer is utilized for service. This policy should be adopted to control all areas which are not serviced by water and sewer but which in the future would be subject to development pressures.

One method of controlling growth outside the Town limits which either are not annexed by the Town or are planned to be annexed at a future time, is by controlling the availability of water and sewer services to these areas. This will discourage development in areas without these facilities.

In order to properly coordinate the planning for utility systems in areas outside the Rising Sun Planning Area, suggested policy guidelines for the Town can be summarized as follows:

1. Consideration should be given to the relationship of the County based network of utility systems and their future expansion.
2. Emphasis should be placed on insuring adequate utility easements either through the County/Town subdivision process or other forms of easement preservation.

Sanitation--Recycling Solid Wastes

The State of Maryland has mandated that Cecil County reduce, through recycling, at least 15 percent of the County's solid waste stream by 1994. Since the Town of Rising Sun is an incorporated town in Cecil County such mandate applies to the Town of Rising Sun. "Recycling" means any process in which materials that would otherwise become solid waste are collected, separated, or processed and returned to the marketplace in the form of raw materials will substantially reduce the required capacity of proposed refuse disposal systems thereby resulting in significant cost savings in their operations and keeping the cost to the residents at a minimum. Recycling relieves pressures on landfill capacity, conserves energy and natural resources and can even stimulate local economic development and job creation. The following components of the solid waste stream are those that can be successfully recycled with a high degree of commercial acceptance:

- Aluminum By far the most valuable recycled product by weight, even though it account for less than two percent of the solid waste stream.
- Glass Can either be reused to made new glass bottles or as a raw material in the production of fiberglass and construction materials.
- Ferrous Metal Tin and bimetal cans are used in steel manufacturing and in the de-tinning industry while "white goods" (household appliances such as refrigerators and air-conditioners) can be recycled as low grade scrap metal.
- Paper Represents the largest percentage of the solid waste stream. Newspapers can be made into insulation, packing and roofing materials. High grade paper can be remade into bond paper, printing paper, tissue or wrapping. Corrugated cardboard can be made into corrugated and cardboard boxes.
- Plastic bottles Have recently received publicity as a growing environmental problem, but they can be reused as raw material feedstock, fiberfill, carpet construction, furniture, flooring and other products, but not for beverage containers.
- Yard debris Can be used to produce a compost which might be used by the public.

Library Facilities

The following objectives are noted as cooperative measures to be emphasized between the Town and appropriate County agencies:

1. To stress the availability of public library facilities to the whole population in the Rising Sun area;
2. To stress the relationship of libraries to other programs aimed at achieving the Town's objectives of improving the environment and broadening cultural opportunities.

In terms of the first objective, library facilities will need to be expanded as the population increases in the Rising Sun area. General site requirements for libraries may include: 1) easily accessible preferable on main thoroughfare; 2) located in a shopping area; or 3) located near a neighborhood center.

FINANCIAL TECHNIQUES FOR PROVIDING PUBLIC FACILITIES

None of the techniques for providing public facilities will work unless a method is found to finance the provision. The following financing techniques are among the range of possibilities:

Pay-As-You-Go--The financing of capital projects from annual appropriations through the Capital Improvements Program.

Reserve Fund Financing--Is a variation of the pay-as-you-go method whereby payment is made in advance by deposits in a capital reserve fund until the amount required has been accumulated.

Borrowing--The Town can issue long-term debt through the sale of tax exempt obligations, or revenue bonds to finance a revenue producing enterprise. A general obligation bond can be sold to finance permanent types of improvements, and it obligates the Town to pay interest and return the debt of the issue.

Grants-In-Aid--Source for these include the Farmer Home Administration, United States Environmental Protection Agency, United States Department of Commerce and United States Department of Housing and Urban Development.

Lease Purchase--With this technique local governments prepare specifications for a needed public works project that is constructed by a private company or authority through lease back to the jurisdiction.

Authorities and Special Districts-- These may be created, usually to provide a single service e.g., a sanitary district for provisions of sewer and/or water service. They may be financed through revenue bonds retired by user charges or in some cases by taxes if the authority has that power.

Tax Increment Financing-- this method may be used to provide front end funds in an area where large scale redevelopment is feasible. A district is created around the proposed development. The tax base of this district is equivalent to the values of all the property in the area. The tax revenues paid to taxing units are computed on the initially established tax base during the redevelopment period, which is usually the expected life of the project. The area is then redeveloped. This redevelopment is financed with funds from the sale of tax increment bonds which are sold by the Town. When the property is redeveloped, the values rise, thus generating more tax revenue. This tax "increment" above the initially established level goes into a fund to retire the bonds.

Rising Sun's public facilities cannot rely on only one technique. Rather, a combination of methods should be employed pursuant to appropriate ordinances being adopted by the Mayor and Commissioners. However, in the case of new development, the developer should be made responsible for any and all upgrades to public facilities to accommodate the new development.

Chapter 5

TRANSPORTATION PLAN

INTRODUCTION

The future vision for Rising Sun is of streets that are pleasant to walk along, safe and efficient bike routes, effective incentives for carpools and vanpools, and a network of roads that moves people and goods efficiently throughout the Town. The goal must be to shift from moving vehicles, to strategies that will result in balancing the need for cars and trucks, transit riders, bike riders, and walkers.

Effective transportation planning and facility programming is an integral part of growth management. The quality of access to land and activities effects the form, intensity and location of all land uses. This is especially true for intense land uses such as industrial, commercial, and high density residential, as well as for less intense activities such as rural residential and agricultural land uses. Intense uses tend to locate where accessibility is the highest. Conversely, where access is limited, development is naturally limited to low traffic generators such as agriculture and rural residences.

In order to accommodate and assure the achievement of the goals and policies recommended in the Land Use Plan, consideration must be given to the traffic movement patterns within and adjacent to the Town. The Transportation Plan should be so designed to accommodate the free flow of vehicular and pedestrian traffic, to the maximum extent possible.

Rising Sun's transportation system will continue to be heavily dependent on automobile use throughout the planning period. The existing system of roads and streets will serve as the primary means of access to present and future land uses. Therefore, making efficient use of existing highways will be critical if Rising Sun hopes to maintain an adequate level of transportation service.

Transportation planning often begins in reaction to a problem. The Maryland Planning Act of 1992 suggests that a proactive approach to mobility issues is needed. Municipalities need to plan in a manner that defines a coordinated, evolutionary approach toward achieving less reliance on driving alone in the future, in order to enhance the choice, mobility and quality of life for all citizens.

The Comprehensive Plan attempts to balance public concern for efficiency, mobility, and safety with economic development and growth management objectives in the Transportation Plan. With population and employment growth, increases in travel will also likely increase congestion on some roads. Where congestion results, improvements will have to be made to insure that public concerns area addressed.

The following Transportation Plan has been developed within and outside the Town limits. In arriving at the plan a set of goals and policies are recommended, which compliment those employed in developing the proposed Land Use and Community Facilities Plans of this report.

EXISTING SYSTEM

The Highway System

Rising Sun's transportation system includes highways and streets, and railroads. The Town's highways are traveled by autos, trucks and farm equipment. Its railways are abandoned and owned by the County.

The highway system consists of secondary highways with interconnecting County and feeder roads. The major east/west highway in Rising Sun is MD 273. The major north/south route serving Rising Sun is MD 274 and US 1.

Major truck traffic passes through the Town on MD 273 and MD 274 creating numerous traffic problems. Current plans are being explored to eliminate truck traffic on MD Route 274 through Town.

POLICIES AND OBJECTIVES

Objectives

- To allow the Town center to function as well as possible unimpeded by traffic congestion by providing by-passes and peripheral roads for through traffic and working in conjunction with the State Highway Administration to control truck traffic on MD 274 thereby controlling congestion in the center of Town.
- To improve the quality of the environment through coordinated transportation development such as landscaping and special street furniture.
- Maintain and enhance the quality of the existing road system.
- Plan improvements to the Town's street network to correspond to and support the overall Land Use Plan.
- Coordinate transportation planning and programming with all appropriate state and regional agencies.
- Set level of service policies that reflect the community character objectives for the planning district.

- Encourage use of existing and planned transit and other ridesharing services to reduce travel on the highway system.

Policies

- Land developers should pay for any alteration, improvements or additions to public streets and other transportation facilities that will be needed to support the proposed development and will not be provided through normal Town capital improvement programming, including but not limited to streets, entrances, deceleration and turning lanes, and "park and ride" lots.
- The Town will give priority to upgrading those streets that have weight restricted bridges or streets that are of inadequate width for fire equipment to safely transverse at higher speeds, to a condition that permits adequate emergency response times.
- The Town should not permit development that would create a traffic or safety hazard on roads serving the development unless the developer agrees to make or fund necessary improvements to the off-site access roadway.
- Where possible and appropriate, existing roads and highways should be improved and new linkages built to support the Town and Area Land Use Plans. Responsibility for these improvements should be proportionally and equitably shared by the public and private sectors.
- Roadway capacity on County and State roads should be conserved by limiting and controlling future access points.
- Strip forms of development should be discouraged. Access onto major public roads should be reduced whenever possible.
- When new roads are built by the public or private sector, the roads should be constructed with an appropriate design which is suited to the road's primary function.
- New roadway construction and major improvement projects for existing Town streets should be scheduled as part of an overall Capital Improvements Program.
- The Town should coordinate with the State Highway Administration during the planning and design of State Highway improvements in planning area.
- The Town should work with the State Highway Administration to ensure that improvements to major State Highways in the area will still allow for these routes to function as important components of the local transportation system.

- The Town should promote alternatives to driving alone and encourage the State to inform citizens of the public and private monetary and environmental costs of continued dependence on autos.
- The Town should support providing bicyclists and pedestrians safe, convenient, and inviting routes and walkways between activity centers.
- The Town should promote safe and convenient access for people to transportation systems and ensure that there is adequate access from individual properties.
- The Town will plan for adequate rights-of-way taking into account existing and future development and proposed alternative transportation support facilities and programs.
- All developments will have adequate access and circulation for public service vehicles, but actual paved street sections should be as narrow as possible to maintain a human scale.
- The Town encourages the use of recycled materials (recycled/crushed concrete, bricks and blocks) whenever possible when making right-of-way improvements.
- The Town encourages the use of alternative fuels (re-refined oil, electric, and compressed natural gas powered cars) to save energy resources.
- The Town will work with the State and adjacent jurisdictions to coordinate the land use and transportation elements of the Comprehensive Plan in order to achieve the reduction in drive alone rates.
- Traffic and roadway planning initiatives should be coordinated with emergency management agencies including development and maintenance of an emergency evacuation plan for use in the event of severe weather or catastrophic event.
- The County and towns should coordinate with each other during the planning and design of roadway improvements in or near a town which would impact both the County's and town's road system.
- At the appropriate time, the Town should explore the feasibility of improved transit service for area residents and encourage such services when needed and economically feasible.
- The Town may require that the configuration of new street and road connections in undeveloped areas assure connectivity to the overall street and highway system.

- New local access streets serving commercial land uses should provide safe and convenient access and be designed in a way that preserves or contributes to the land use they are serving.
- New residential streets serving residential neighborhoods should be designed to ensure that the streets:
 - provide safe and convenient access for motorists, pedestrians, cyclists, and emergency vehicles;
 - maintain the integrity of the land uses and streetscapes they are serving;
 - provide access within new neighborhoods and to adjacent neighborhoods, shopping areas, and schools; and
 - manage vehicular traffic volumes, and minimize speed, required local travel distances, and congestion.

CIRCULATION PLAN

From the primary goals noted previously, more specific circulation policies are recommended. As an integral part of Cecil County, Rising Sun historically has had its circulation system influenced by its location. In order to effectively develop a circulation plan for the Town and immediate area it should logically be developed within the context of the County Road systems.

The town should develop and adopt a functional hierarchy of street systems. What such a system does is to categorize streets according to their uses and ability to carry certain traffic volumes. It also allows separation of through traffic from local traffic. Briefly, it is a categorization from generally high volume, long distance to low volume, short distance roadways. For example, limited access highways (I-95) are designed primarily for long distance regional travel, major (US 1 Bypass) and minor (MD 276) arterials for relatively shorter sub-regional travel, major collectors (MD 274 and 273) to receive traffic from local streets and channel it to arterial, and local streets (Mount Street) to provide access to individual properties.

In the Rising Sun area, it is suggested that the following system or categories be established:

Principal Arterial--Carries a high volume of traffic for interstate and intro-state travel. Flow is usually uninterrupted from origin to destination.

Intermediate Arterial--Carries a high volume of traffic from inter-county and inter-town travel. Traffic on this type of road normally has the right-of-way except in areas of high hazard, then traffic controls are used.

Minor Arterial--Carries a high volume of traffic for intracounty and inter-community travel. These roads normally serve the higher classification roads providing access to and from the arterial.

Major Collector--Serves intra-county and inter-community travel, but at a lower volume and usually connects to an arterial to provide access to the surrounding land. Access is normally not taken directly from this road but from a sub-road connected to the collector. They may also serve large community shopping areas, schools, parks, and cluster developments.

Minor Collector--Serves intra-community travel at a volume below the major collector. Provides access to the land using lower order roads and sometimes direct access from itself.

Arterial Street--This is a refinement of the Local classification under the Federal Functional Classification System used above. These streets in the Town serve intra-area travel, provide access to higher level road and to the land using lower order streets. They also include direct access from itself.

Collector Street---This is also a refinement of the Local classification under the Federal Functional Classification System used above. These streets in the Town primarily serve intra-town travel and provide access to higher level roads.

Local--Provides direct access to land

In an attempt to reduce conflicts between vehicular and pedestrian activity in the Town and advance the pedestrian way network suggested for the Town's central business area, a conscious effort to separate through from local traffic in the Town is necessary. Proposals in this vein are concerned primarily with providing alternate travel routes for traffic heading in a general east-west direction. It is proposed that an alternate route be used to divert traffic for MD 274 to U.S. Rt. 1 Bypass. This proposal is indicated on Map 5.

It is proposed that within the commercial core area a realignment of streets to eliminate hazardous intersections will aid in improving traffic flow and improve circulation around the commercial core. The Map 6 illustrates the proposed street realignments.

A coordinated effort on the part of the Town and business establishments is required to achieve an overall beautification scheme concentrating on the central core of the Town. Special landscaping and paving treatment is recommended as well as coordinated and well designed street furniture such as street lighting, street signs, benches, trash receptacles, pedestrian crossings, underground utility placement, designated loading zones for service vehicles, etc.

It is further proposed that a major outer loop system be developed in the future. Thus traffic either east or west on MD 273 would be diverted to use the loop system proposed. The loop

system would use existing major roads as well as a new constructed road which would bisect the proposed planned residential developments.

COMPREHENSIVE PLAN RISING SUN, MARYLAND

AREA TRANSPORTATION PLAN

HIGHWAY FUNCTIONAL CLASSIFICATION SYSTEM

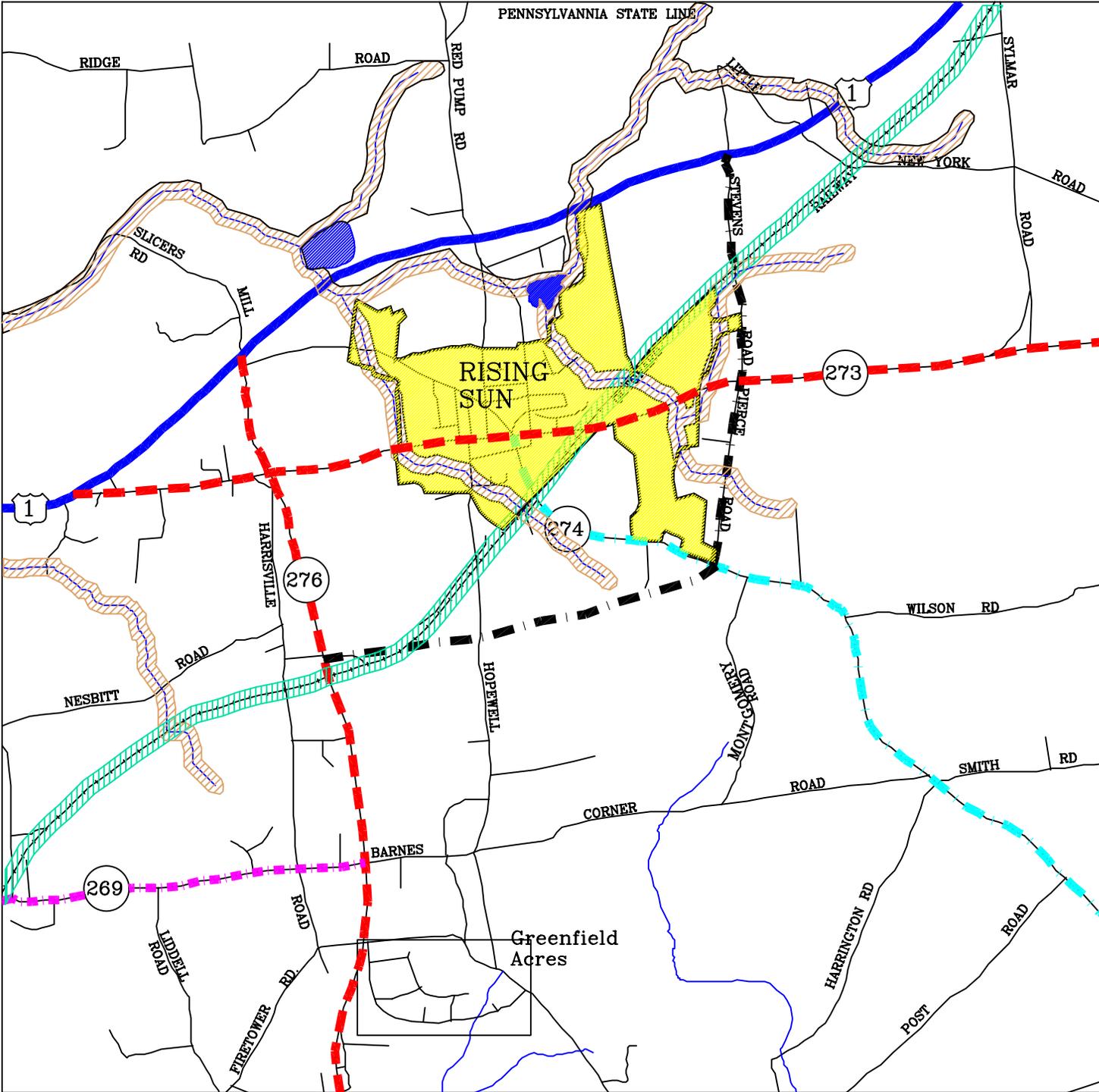
INTERSTATE	
OTHER PRINCIPAL ARTERIAL	
MINOR ARTERIAL	
MAJOR COLLECTOR	
MINOR COLLECTOR	
LOCAL	

PLANNED PEDESTRIAN SYSTEM

Octoraro Greenway	
Pedestrian Trail Corridors	

PLANNED IMPROVEMENTS

BYPASS ROUTE (Collector Street/Road)	
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COMPREHENSIVE PLAN RISING SUN, MARYLAND

PROPOSED TRANSPORTATION PLAN

FUNCTIONAL CLASSIFICATION (Federal)

Principal Arterial	
Minor Arterial	
Major Collector	
Minor Collector	
Local	

FUNCTIONAL CLASSIFICATION (Town)

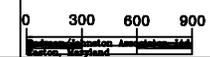
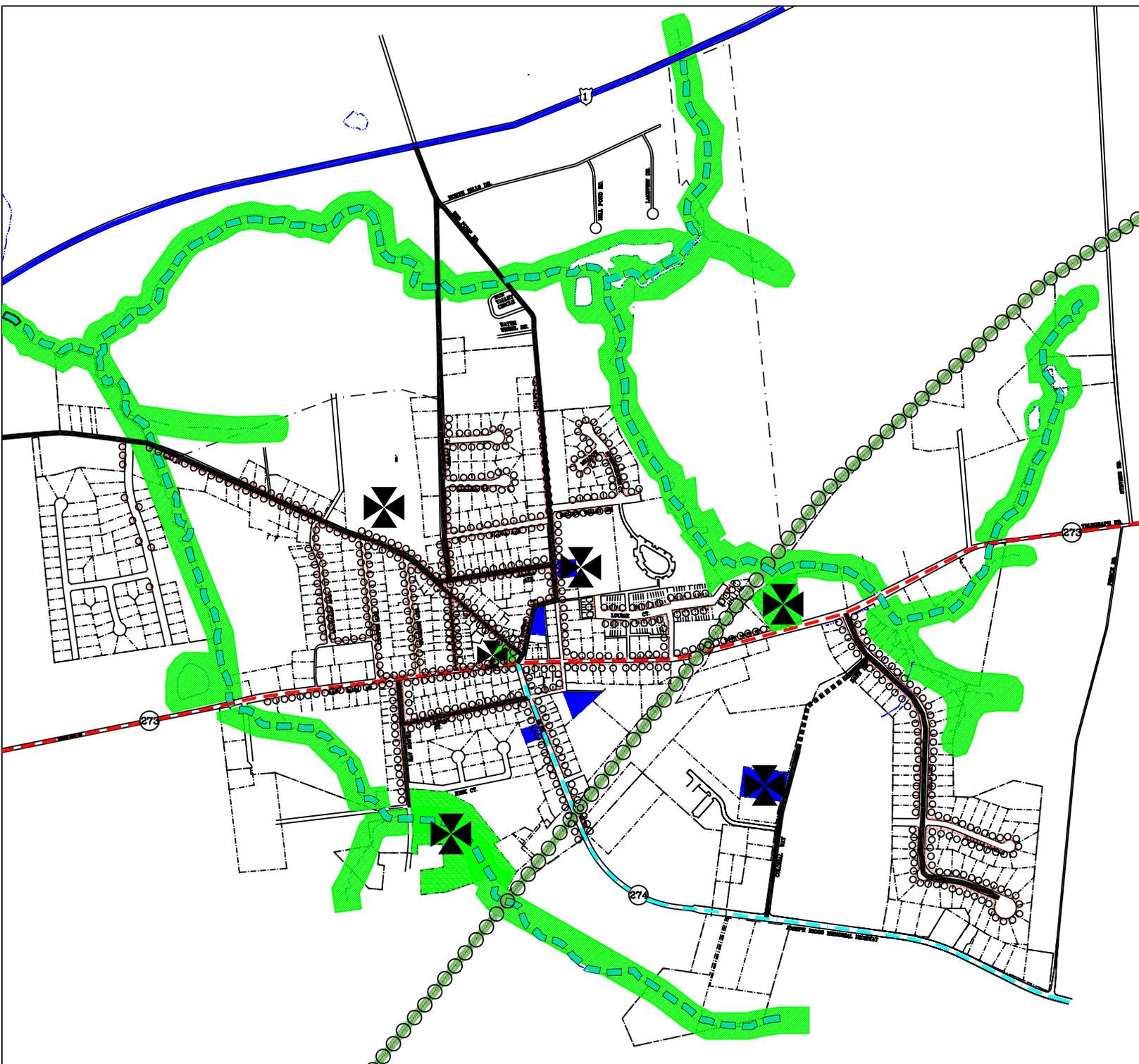
Collector, existing	
Collector, proposed	

PEDESTRIAN SYSTEM

Sidewalks	
Proposed Trails	
Greenway	
Activity Centers	

CORPORATE LIMITS

GREENWAY	
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IMPLEMENTATION RECOMMENDATIONS

Functional Classification System

The Town should officially adopt the functional hierarchy of street systems shown on Map 6. This insures that streets are categorized (and evaluated) according to their uses and ability to carry certain traffic volumes. It also indicates which routes should be used for separation of through traffic from local traffic.

Highway Improvements

Existing conditions indicate that portions of MD 273 and the intersection of MD 273 and MD 274 are currently operating below an acceptable level of service. The MDDOT should evaluate each of these highway corridors and identify long range improvements to address existing and/or future capacity and operational issues.

Increased Coordination of the Land Use/Transportation Planning Process

The State, County and Town should work very closely together to evaluate the transportation system implications of the Town's new growth plans. Elected officials should be major participants in this process.

More emphasis should be placed on coordination between the Town, the Maryland State Highway Administration and WILMAPCO staff on matters related to planning and programming improvements and transportation systems management.

A coordinated transportation management policy should recognize the need to expand upon the current level of commuter ride-sharing to aid in the reduction of single-occupant vehicles. WILMAPCO and the State Highway Administration should be requested to assist the Town in preparing a transportation systems management (TSM) program to ensure that transportation planning and traffic operations are coordinated to enable the overall street system to function efficiently and effectively. A TSM program should include a Town street inventory and assessment, site traffic impact analysis, street planning, construction and maintenance, as well as traffic signs, signal and coordination, and pavement markings.

Access Management

An access management program should be created and initiated, supported by appropriate ordinances to ensure that access is not unnecessarily violated along key street links or near major intersection in the Transportation Plan.

Service streets, reverse frontage and commercial park concepts should be applied by the Town as part of all future nonresidential development. These techniques will help prevent the

proliferation of driveways and individual access points which would intensify traffic hazards and adversely affect the function of arterial highways.

In the case of new commercial and other nonresidential developments, the Town should protect the capacity of the intersections of major streets (arterial and collectors) by requiring minimum setbacks for access drives. In general the town should encourage major commercial and industrial developments to locate in planned parks of large enough size to be served with a minimum of curb cuts and where traffic management can be internalized. This approach will help minimize strip commercial development. New development should be subject to the overall transportation plan for the area, with each news subdivision required to lay out its major circulation in accord with the circulation plan for that area. The same sort of practice should be extended to commercial development. The careful design of circulation so as to afford adequate access and yet maintain smooth traffic flows is one of the few thing that can positively address the conflict between access and traffic flow.

The following type of techniques should be considered to manage access to principal corridor roadways:

- Limit the number of conflict points, by installing physical barriers, modifying driveways, installing signal sat driveway to intense land uses, etc.
- Adopt guidelines for access type of minimum spacing of intersections, such as those show below:

Figure 5
Recommended Minimum Intersection Spacing

Streets Intersection With Street Classification	Minimum Intersection Spacing (Centerline to Centerline)
Principal Arterial	In accordance with MD SHA standards and specifications
Intermediate Arterial (Divided and Undivided)	750 feet
Minor Arterial (Divided and Undivided)	750 feet
Major Collector	750 feet
Minor Collector	500 feet
Local Street	150 feet

Zoning and Subdivision provisions should require development project design minimize left turn movement or conflicts on the site and in the street. Driveways should be designed to achieve clear sight lines based on design speeds as outlines below. Site access and circulation should conform to the following standards:

Figure 6
Recommended Stopping Sight Distance

Design Speed (mph)	Distance (feet)
30	200
40	275
50	400
55	450
60	525

Parking

It is proposed that additional areas on the periphery of the center of Town be set aside as off-street parking areas for the future. Two such areas are identified on the Circulation Plan. At present, there are structures on these sites, however, these structures are beginning to show signs of blight and at a future time should be considered as possible off-street parking sites.

Transit Development

Transit service for the general public in Cecil County is not feasible at this time without substantial subsidy and would not likely prove to be cost effective under any circumstances given the existing settlement pattern. At such time as settlement patterns, demand, or other circumstances warrant, the Town and County should explore the feasibility of providing public or private bus service between major residential, commercial and employment centers within the County. In the immediate future, the Town can be most effective in reducing drive alone auto trips by cooperating with the State in the planning and provision of “park and ride” facilities to encourage ride-sharing and commuting.

Highway Corridors and Scenic Roadways

Roadways where access and aesthetics should be controlled in order to either avoid unappealing forms of commercial strip-development and resultant traffic congestion, or to preserve scenic rural views should be designated in the Plan as important corridors. Both of these objectives have great merit for the maintenance and improvement of rural character.

Along designated highway buffers should be required, development should be limited and buffered from roadway view. Signage should also be limited to avoid detracting from rural vistas. Along major town highways limiting access is vital to preserving roadway capacity, decreasing congestion, and improving safety. Commercial development should not be stripped along these corridors, but rather, it should be concentrated into defined commercial nodes.

The large-scale and permanent loss of scenic views, characteristic landscapes, and open space is perhaps the most devastating visual result of conventionally regulated commercial highway development in suburban areas. The tendency has been for zoning to encourage new development to line both sides of major roadways, eventually obscuring fields, pastures, or woodlands behind commercial frontage lots. This kind of homogenous development contributes greatly to the loss of rural character and community identity.

Bicycle Facilities

The Town should amend the Zoning Ordinance to require space be provided for parking of bicycles in non-residential developments and permit an appropriate reduction in parking based on the availability of space for parking bicycles.

In addition, the Town should plan for bikeways along appropriate Town streets and pedestrian trails as opportunities present themselves.

Ridesharing

The Town should encourage business and industry to provide reserved parking spaces for carpools, vanpools, and bicycle racks at office and industrial sites to accommodate and encourage high occupancy vehicle (HOV) commuting.

Regulations

The following additional policies should be incorporated into the Subdivision Regulations and apply to street design in major and minor subdivisions:

- Proposed roads shall be continuations of existing roads wherever appropriate, including undeveloped but platted roads; and provision shall be made for road connections at suitable points with future adjoining subdivisions. Such connections shall be free of any reserved strips and shall be provided with temporary turnarounds by means of easements, where a dead-end would otherwise exist.
- Land adjoining major roads or highways (as shown on the Transportation Plan maps) shall be served by a separate service road or by an interior street system. Such land shall have no direct access to major roads or highways. The arrangement shall be designed to minimize the impact of through traffic on residential lots and reduce accident hazards. Along the designated collector roads and streets access points shall be limited to no more

than one per property unless otherwise required by safety and/or other compelling conditions.

- Building setbacks, and orientation, curbcut locations, connections to streets, and internal vehicular circulation patterns should be designed with full consideration for future rights-of-way, future right-of-way widening, interchanges and intersections in accordance with the Comprehensive Plan and as specified by the Maryland State Highway Administration.
- Strip development of all types should be avoided, as it leads to undesirable consequences relative to future development of interior land parcels, compromise of the traffic integrity of the roads involved, and uneconomical extension of public and private services, and inefficient public transit.
- All streets and circulation patterns will provide for the safe, efficient and convenient movement of vehicular and pedestrian traffic, which shall be functionally separate, whenever possible, and for adequate parking, as applicable. Patterns should be designed so as to limit the use of a street or circulation path to that use for which it is designated, also insofar as possible. Within the context of overall community development the internal circulation system should promote increased use of pedestrian and bicycle movement among residential, local shopping, schools, and other areas, as well as avoidance of external automobile trips, through the employment of connecting open-space, pedestrian-bicycle ways, and other design techniques.
- Where not otherwise provided by interior pedestrian ways or similar means, sidewalks shall be provided by the subdivider when, in the opinion of the Planning Commission, sidewalks will promote and facilitate pedestrian access to existing and/or planned institutional, recreational or commercial uses. Where a development fronts on an existing Town Street and where a sidewalk terminates at the property line of the proposed development the sidewalk shall be extended along the entire road frontage of the proposed development. In the above cases, alternative means of pedestrian access, besides a sidewalk built to specification within the Town right-of-way (e.g., macadam trails), can be considered, provided that such pedestrian access renders the same or better access as sidewalks and provided that, if the pedestrian access is located outside a County right-of-way the developer provide proof of future maintenance.
- Where appropriate, the design of major subdivisions and commercial and industrial site plans shall:
 - Support bicyclists and pedestrians by providing safe, convenient and inviting routes and walkways between activity centers and in areas where the use of alternatives to driving alone for commuters is encouraged.
 - Incorporate bike routes for commuters into street plans.

- Provide covered bike racks, lockers and showers at employment sites.

The Zoning Ordinance should be amended to encourage business and industry to provide reserved parking spaces for carpools, vanpools, and bicycle racks at office and industrial sites to accommodate and encourage high occupancy vehicles (HOV) commuting and require spaces for parking of bicycles in non-residential developments. The Zoning Ordinance should also be amended to permit the Planning Commission to allow an appropriate reduction in parking based on the availability of space for parking bicycles.

Bicycle Planning

Existing roads, together with new bikeways can serve as the system to provide bicyclist's travel needs, including recreation biking and commuter biking. Planning for bicycles should be conducted in conjunction with planning for other transportation modes. A bikeway is any road, path or way which is designed to be open to bicycle travel, regardless of whether it is for the exclusive use of bicycles or shared with other transportation modes. A bike path is physically separated from motorized vehicular traffic by an open space or barrier either within the highway right-of-way or within an independent right-of-way. A bicycle lane is a portion of a roadway which has been designated for preferential use by bicycles and bicycle route is roadway designated for bicycles by signing only.

These bike facilities are divided into three bicycle route classifications, namely:

Class I - routes are totally separated

Class II - routes are lanes along side roads but separated by curbs or painted lines

Class III - routes share the roadway with cars

Source: Federal Highway Administration's "Guide for Bicycle Facilities", 1981.

The following design guidelines are typical criteria for determining the appropriate type of bike facility for a given county road corridor.

Figure 7
Bikeway Design Guidelines

Design	Auto Travel Speeds	Vehicle Per Day	Percent of Trucks
Share roadway	<25 mph	2,000	
Stripped lane	<40 mph	1,000	<5%
Separated route	>40 mph	>1,000	>5%

Source: *Accommodating the Pedestrian*, Richard K. Untermaun, 1984.

Future widening plans for planned bicycle routes should include right-of-way for bicycle lanes to provide for a paved lane of six (minimum) to eight (desirable) feet in width separated by a minimum six foot shoulder wherever possible. Potential bike corridors that should be considered by the County are shown on Map 5.

Greenways and Pedestrian Trails

Greenways or pedestrian trails are protected corridors of open space, maintained in a largely natural state for a variety of purposes, including water quality protection, wildlife habitat enhancement, aesthetic relief, recreation, non-motorized transportation and environmental education. All greenways serve at least one of these primary functions, and most offer some combination. Greenways are often associated with a linear natural feature like a stream, a coast or the ridge of a mountain. Ideally, they incorporate or link large open space. (Maryland Greenway Atlas, Introduction).

The Town should recognize the benefit and importance of Greenways and Pedestrian Trails by adopting the Greenways and Pedestrian Trails shown on Map 6 as part of the Transportation element of the Comprehensive Plan. Where these paths are located along streams, the Town should investigate the implications of public dedication of the 110-foot perennial stream buffer during the subdivision process. If it is determined that fee-simple dedication to the Town is not in the best interest of the Town, public access easements should be investigated as an alternative. At a minimum, the 110-foot perennial stream buffers should be targeted as common open space areas during the subdivision process.

Chapter 6 ***HOUSING***

INTRODUCTION

The quality of Rising Sun's neighborhoods is determined by the cumulative impact of the Town's housing supply and living environment. Since major community goals are to improve the quality of life and to promote the availability and affordability of decent, safe, and sanitary housing for all Town residents, housing ranks as an important local concern. Important factors to be considered in forming Town policy toward the public function of housing in the Comprehensive Plan are:

- Housing is a durable, physical product in a neighborhood setting.
- Housing is a major user of the Town's land.
- Housing is a generator of local public facilities and services.
- Housing is the object of local real estate taxes.
- Housing is a major influence on the Town's physical and social environment.
- Housing is an essential requirement for continued economic development.
- Housing construction is a major source of employment.
- Housing is a major investment or expenditure for individual families.
- Housing is a major investment for the private financial community.
- Housing is a major ingredient in family satisfaction or dissatisfaction and in a community's sense of well-being.

POLICIES

The following are the Town's policies for housing planning.

- A variety of housing types should be provided for within the Town's land use controls.
- The Town will encourage the use of innovative programs to provide a suitable mix of housing types in affordable price ranges.
- The purpose of Town housing and building codes is to insure high standards of quality in new construction, but with sensitivity to housing affordability.

- The Town will continue to encourage, through both private and public actions, the renovation or removal of substandard housing.
- Continue to encourage, through both private and public actions, an opportunity for families to live in adequate homes in price ranges that are affordable.

OBJECTIVES

- Preserve housing in good condition from replacement by other uses or public facilities unless a greater public need would be served by such action.
- Encourage continued maintenance and upkeep of existing housing and stimulate the replacement of housing that becomes unfit for human habitation.
- Protect residential zones from incompatible activities and land uses to create comfortable and safe living environments.
- Provide a balanced housing stock with housing opportunities for all Town residents.
- Improve housing conditions for all the Town's residents, especially the disadvantaged population.

HOUSING PROGRAMS

As federal housing and other related programs have disappeared, cities and counties have sought to aid the would-be homeowner. Maryland has mounted an ambitious housing program in 1986 in response to federal cutbacks. Most of the state housing programs are administered by the State of Maryland's Community Development Administration which offers a variety of housing programs that fall under the general categories of home ownership, rental housing, special loans and housing subsidy programs. The current programs are briefly described below:

Home Ownership Programs

Maryland Mortgage Program (MMP) - The purpose of the MMP is to enable low- and moderate-income households to purchase homes by providing below-market interest rate mortgage financing through private lending institutions. The MMP, which targets first-time home buyers, is available to individuals and households with incomes at or below 85 percent of the State median income.

Maryland Home Financing Program - Home Purchase (MNFP- PIRL) - The purpose of MNFP is to provide low-interest rate mortgages for lower-income households. The MMFP, which targets first-time home buyers, is available to individuals and households with incomes at or below 55 percent of the State median income.

Maryland Home Financing Program - Reverse Equity (MHFP-REMP) - The purpose of the MHFP-REMP is to enable elderly families of limited income to access part of their accumulated equity in order to pay for housing and other personal expenses to continue to occupy the home. For eligible applicants and properties, the Community Development Administration (CDA) will establish a line of credit up to a program maximum of \$50,000 from which funds may be requested on a monthly basis. No repayment of loans is required until the death of the last surviving borrower, after the borrower voluntarily moves out, or after the sale or transfer of the property.

Settlement Expenses Loan Program (SELP) - SELP provides financial assistance in the form of low interest loans to pay settlement expenses.

Rental Housing Programs

Multi-Family Bond Program (MBP) - This program is designed to increase the construction and rehabilitation of multi-family rental housing for families with limited incomes. Tax exempt bonds and notes provide below-market rate construction and permanent financing to profit and nonprofit developers. A certain percentage of units in the project must be made available to low-income persons and households.

Rental Housing Production Program (RHPP) - The purpose of the RHPP is to increase the supply of rental housing for low-income families by providing below-market rate and deferred payment loans to developers. The program is designed to be used in conjunction with tax-exempt, private, local and federal loans.

Elderly Rental Housing Program (ERHP) - The purpose of the ERHP is to increase the supply of rental housing for low-income elderly households by providing below-market rate and deferred payment loans to developers. The program is designed to be used in conjunction with tax-exempt, private, local and federal loans.

Nonprofit Rehabilitation Program (NRP) - The purpose of the NRP is to provide low-interest mortgage loans to nonprofit organizations and local governments to rehabilitate housing for low-income households.

Partnership Rental Housing Program (PRHP) - The PRHP is intended to expand the supply of affordable housing for poor families through State and local government partnerships. Eligible projects include new construction and acquisition or rehabilitation of rental housing.

Maryland Housing Rehabilitation Program - Multi-Family (MHRP-MF) - The purpose of the Multi-Family Program is to provide loans to assist owners in bringing their multi-family units up to applicable building codes and standards.

Multi-family Home and Energy Loan Program (HELP-MF) - The purpose of the HELP is to finance rehabilitation and energy conservation of existing multi-family properties using the proceeds of tax-exempt bonds.

Construction Loan Program (CLP) - The CLP provides low-interest, construction financing loans to nonprofit and local governments to acquire, rehabilitate, or construct certain types of housing and for bridge loans to profit motivated developers.

Transitional Housing and Emergency Shelter Program - The THESP provides grants to improve or create transitional housing and emergency shelters for the purpose of reducing homelessness in the State.

Special Loan Programs

Maryland Housing Rehabilitation Program - Single Family (MHRP SF) - The purpose of the program is to preserve and improve existing small residential properties by bringing the properties up to applicable codes and standards. In 1990 this program was merged with the Liveability Code Rehabilitation Program.

Accessory, Shared and Sheltered Housing Program (ACCESS) - The purpose of ACCESS is to expand low cost housing opportunities for low-income households and low-income elderly, handicapped or disabled persons by financing the creation of accessory, shared, and sheltered housing facilities.

Indoor Plumbing Program (IPP) - The purpose of the IIP is to provide indoor plumbing in residential properties. Loans are made to income eligible households in owner-occupied single family units.

Residential Lead Paint Abatement Program (RELAP) - Loans are provided through the RELAP to reduce instances of lead poisoning of children by financing the abatement of lead paint in residential buildings.

Group Home Financing Program (GHFP) - The purpose of this loan program is to assist individuals and nonprofit organizations to construct or acquire and modify existing housing to serve as group homes or temporary and emergency shelter for income-eligible persons and households with special housing needs.

Special Housing Opportunities Program (SHOP) - The purpose of the Special Housing Opportunities Program (SHOP) is to assist non-profit organizations and local development agencies construct and acquire and modify existing housing to provide shelter and service individuals with special housing needs.

Special Targeted Area Rehabilitation Program (STAR) - The purpose of the STAR program is to preserve and improve single family properties. STAR was designed to bring properties up to applicable building codes and standards or a minimum housing quality standard.

Housing Subsidy Programs

Rental Allowance Program (RAP) - This program provides grants to local governments to provide flat rent subsidies to low-income families who are homeless or have emergency housing needs. The purpose of the program is to help these families to move from temporary housing to permanent housing and self sufficiency.

Section 8 Existing Certificate/Voucher Program - A U.S. Department of Housing and Urban Development Program (HUD), Section 8 Existing is a rental assistance program which subsidizes the rent of low income families through the use of federal grants. This program is administered through the Maryland CDA.

Low Income Housing Tax Credit Program

The Federal Low-Income Housing Tax Credit, created by the Tax Reform Act of 1986 and extended by the Revenue Reconciliation Act of 1989, is designed to encourage private sector investment in the construction and rehabilitation of housing for low- and moderate-income families. The law gives states annual tax credit allocation based on population. CDA is the agency which allocates the state's tax credits on a competitive basis.

Infrastructure Program

The purpose of this program is to provide an efficient and economical means of access to capital markets in order to finance infrastructure projects to local governments. This program is administered through the Maryland CDA.

IMPLEMENTATION STRATEGIES

There are several implementation alternatives available to local governments for the provision of affordable housing. The extent to which these alternatives are used, either singularly or in combination, depends on the particular needs of the community. Each approach to providing affordable housing has varying degrees of success.

Accessory Apartments

Accessory apartments may be permitted under certain conditions with adequate safeguards to protect the character of the existing residential neighborhoods. Both the homeowner and the community can benefit from the presence of accessory apartments, if they are carefully managed. The most obvious public benefit of accessory apartments is that they offer a source of inexpensive housing units in the community with virtually no conversion of land use to produce

them. Accessory apartments are moderate-cost housing and can reduce the need for some new development.

The following guidelines should be used to address some of the concerns about the impacts that single family housing conversion to accessory apartments may have on the character of a neighborhood:

1. Require Owner Occupancy—require that the owner of the home continue to reside in one of the units to ensure that the appearance of the structure will be maintained.
2. Restrict the Age of Homes to Be Converted—These provisions will discourage builders from taking advantage of an accessory apartment provision as a backdoor route to two-family development and limit conversion to existing structures.
3. Provide for Parking and Traffic — These provisions will mandate that the existing parking pattern not be altered and that off street parking be provided.
4. Guarding Against Visual Change in the Neighborhood—These provisions will generally restrict the owner from making external alterations to the structure such as adding a second entrance on the front of the house.
5. Specifying Minimum Apartment Sizes—These provisions should limit the size of the accessory apartment as it relates to the main unit to ensure that the accessory unit is clearly secondary. Minimum size of apartments will be designated in the Housing Code ordinance.
6. Providing Opportunities to Control the Scale of Change—These provisions should allow conversions under a special exception rather than as a “by right” in any zone thereby allowing neighborhood residents a chance to respond.

Chapter 7

HISTORIC AND CULTURAL RESOURCES

INTRODUCTION

History can be kept alive through education and preservation, both of which can take many forms and vary in intensity. History is something one lives in daily and is not only a “do not touch” museum. Old homes can be restored such that they are comfortable homes of today or they could be refurbished as an office. Historic sites can honor the past while providing a place for leisure activities. An old church can still hold worship services similar to those held one hundred years ago. A number of programs exist to help individuals and groups temporarily or permanently protect sites and structures considered of significance. The past is a building block for the future and, if a plan is to be comprehensive, it must incorporate that past as a key element of planning for the future.

Historic preservation is a program which involves the inventorying, researching, restoration, and ongoing protection of sites and structures having a significant local or national historic interest. Continued historic and cultural resource preservation and enhancement through sensitive land use planning and other administrative means would provide Rising Sun with a number of benefits including:

- Promotion of a strong sense of community pride for Town residents;
- Community revitalization through the renovation or adaptive reuse of older structures;
- Increased property values and tax revenues as a result of renovation and restoration; and
- Increased revenues from tourism generated.

POLICIES

The following are the Town’s policies for cultural and historic preservation:

- The Town supports promotion of historic sites through tourism efforts and business services that are complementary to historic areas.
- The Town Commissioners support efforts of preservation and cultural organizations in the Town and encourage open communications between those same organizations.
- The Town encourages school and community participation in historical resource management programs through education and public awareness.
- The Town government and local citizens should work jointly to develop mutually acceptable mechanisms for protecting places of historic interest.

OBJECTIVES

The Town's objectives for cultural and historic preservation are:

- To encourage identification, preservation, and restoration of historic buildings within the Town, regardless of location.
- To seek out federal and state funding programs which might be used to assist restoration and upkeep of the buildings.

IMPLEMENTATION RECOMMENDATIONS

The following programs and strategies are designed to facilitate achieving this Plan's goal of preserving and enhancing the Town's rich cultural and historic heritage.

Protection and Preservation Programs

A number of existing programs provide assistance in protection or preservation, offer tax benefits, provide professional historical/architectural consulting, and so forth. More detailed information on programs including the National Historic Landmark, National Register of Historic Places, Conservation and Preservation Easements, and Historic Overlay Districts can be found from various historic preservation organizations such as the Historical Society of Cecil County or the Maryland Historical Trust.

National Register of Historic Places

In 1966, Congress established the National Register of Historic Places as the Federal Government's official list of properties, including districts, significant in American history and culture. In Maryland, the Register is administered by the Maryland Historical Trust. Some benefits resulting from a listing in the National Register include the following:

- National recognition of the value of historic properties individually and collectively to the Nation.
- Eligibility for Federal tax incentives and other preservation assistance.
- Eligibility for a Maryland income tax benefit for the approved rehabilitation of owner-occupied residential buildings.
- Consideration in the planning for federally and state assisted projects.

Listing does not interfere with a private property owner's right to alter, manage or dispose of property.

Maryland Historical Trust

The Maryland Historical Trust (MHT) surveys historic buildings, structures and archaeological sites to determine eligibility of being listed on the state register. As with being on the National Register of Historic Places, listing does not limit or regulate the property owner in what can or cannot be done with the property. In order to be considered for listing on the National Register or having an easement on the property to be accepted by the MHT, the site usually must first be listed on the Maryland Historical Trust Register.

Maryland Historic Preservation Easement

A state-held historic preservation easement monitored by the MHT is an excellent means of perpetually preserving a historical structure and property for future generations. Regulations state that easements may be assignable to other parties or run with the land. The benefits for a property owner to donate his land to the MHT include income, estate, inheritance, gift and property tax benefits. In exchange, the owner gives the MHT the final word regarding proposed alterations. However, for properties whose fair market value is largely based on the value of development rights, this method of preservation may not be the most financially expedient for the property owner or for the MHT.

Local Historic Overlay Zone

A third, but separate, type of designation is the locally-zoned historic district which is an overlay on the existing zoning ordinance of a specified area. This district, legally allowed by Section 8.01 of Article 66B in the Annotated Code of Maryland is designed in order to maintain the visual character of the community. It may allow an appointed Commission to monitor changes, alterations and demolition of buildings and structures of architectural or historic significance. The main purposes of such zoning are:

- to safeguard the heritage ... by preserving the District therein which reflect elements of its cultural, social, economic, political or architectural history;
- to stabilize or improve property values in such a District;
- to foster civic beauty;
- to strengthen the local economy; and
- use and preservation of Historic Districts for the education, welfare and pleasure of the residents of the county or municipal corporation.

Inventory

The Town should establish and maintain a comprehensive listing of historical districts and sites in Rising Sun which includes discussion of significant sites. Such a listing with an accompanying map should be readily accessible in the Town's Planning Commission to alert them of historic sites in or near proposed developments.

Adaptive Re-Use

The Town should adopt zoning provisions that promote the adaptive reuse of historic structures for public and private uses including, but not limited to, Bed and Breakfast establishments, craft/gift shops, museums, and studio space for artisans, when such uses minimize exterior structural alteration.

Support Owners

The Town should encourage, through the use of various incentives, the preservation of historic structures. Include tax incentives for major structural or exterior renovation or the donation of protective historic easements.

Local Historic Districts

The Town may, through the use of various incentives, encourage the establishment of local historic districts in the Town. Incentives may include tax incentives and recognition through the awarding of plaques.

Development Proposal Review

The Zoning and Subdivision regulations of the Town should require developers to identify cemeteries/burial grounds/archaeological sites/historical structures on a property prior to any disturbance of the site and support archaeological and historical research through preservation of significant sites.

Chapter 8

IMPLEMENTATION

The Comprehensive Plan is intended to capture a vision of the future Rising Sun. As such it provides a basis for a wide variety of public and private actions and development decisions which will be undertaken in the town over time. It is not a static document because a community is not static, but one which provides general guidelines to the local community in order that piecemeal improvements or day to day decisions can be properly evaluated against their long-range impact upon the community and their relationship to existing settlement patterns.

The Plan and, in particular, the Land Use element indicates the proposed general or conceptual development pattern of the town projected to the year 2010. However it is not a detailed blueprint. Local conditions, values, and philosophies change as a result of economic and political pressures and realities and regulatory changes at the county, state, and federal level and the Plan must subsequently be responsive to these changes. The Plan is not a document which encourages regimentation. It is, however, a guide which encourages patterns of development which permit orderly and economical growth of the community in a manner which can be more efficiently served with a variety of governmental services and facilities.

Sections which follow identify methods to implement plan proposals. Implementation involves the concerted actions of both town elected officials and certain appointed boards.

DEVELOPMENT FORM

The following discussion outlines the context in which the Town should review the zoning ordinance and other techniques that will be employed to implement the Plan. This context is particularly important in that the goals, objectives and recommendations of the Town's plan encompass areas beyond the corporate limits. The way in which the Rising Sun area grows is important to the future of the Town and planning for the manner in which it will develop now is also important, jurisdictional issues notwithstanding.

Although it may be appropriate for the zoning ordinance to provide for open space development forms (cluster and planned) of development that are useful for protecting sensitive natural resources and providing open space, it is also important to provide for traditional neighborhood design. There are areas within the corporate limits and immediately adjacent to the Town where traditional development may be more appropriate.

Important concepts that should be kept in mind as the Town develops their zoning ordinance, subdivision regulations, street standards, and other related implementation techniques are discussed below. Quality considerations and creating pedestrian friendly streets should be a universal vision that bridge all development types. Traditional neighborhood development concepts are particularly relevant to vacant in-town parcels and areas immediately adjacent to the Town.

Quality

The Rising Sun Comprehensive Plan and its implementation should set the basis for development of a “quality community”. This will not only benefit the residents of the Town, but will also help make Rising Sun a desirable growth center within the overall Growth Management scheme of the County, a preferred living environment.

A quality community is one that offers a unique sense of place. Having clearly defined boundaries (a town center, connected neighborhoods, surrounded by open space) is a major part of this objective giving one a sense of arrival upon entering the community.

Maintaining human scale when planning for new neighborhoods, civic improvements, employment and shopping centers will help insure a community for people. The elements of the Plan should place emphasis on people not the automobile. This includes providing for pedestrians (with sidewalks and trails), ensuring lots of trees grow in the community, and encouraging human interaction by allowing houses and stores to locate close together and within walking distance (See Illustration 1). In addition, the Town should take the long view and plan for transportation alternatives. This means encouraging development design that will not preclude transit in the future.

New and old neighborhoods should be self-contained to the extent possible. Offices, stores, restaurants, schools and even light manufacturing can be compatible with residential neighborhoods. Offices, homes, stores, schools and parks should be permitted close together. This way the zoning helps provide for pedestrian communities.

Quality communities are places of diversity and home for people of all ages, incomes, race and ethnic background. Neighborhoods offering a wide range and mix of housing types, including small apartment buildings, row houses, accessory living quarters and small homes on small lots situated among large homes can help achieve this objective.

Quality communities include trees; lots of shade trees. Trees offer many positive environmental benefits. This is particularly true along sidewalks and in parking lots where there should be at least one tree for every five parking spaces

In the developing street standards for new development the Town should not ignore the benefits of alleys and requiring parking lots be located to the rear of buildings. Alleys and rear parking lots maintain attractive streets and sidewalks and move things not particularly attractive, e.g., trash, utility poles, parking spaces, compost piles, and parking to the rear of buildings, thus allowing the buildings and structures to provide a greater sense of enclosure and security.

The Town should also be cognizant of the role of architecture in creating quality. People enjoy living among buildings that are beautiful and hospitable and that harmonize with the surroundings. Builders and developers should be encouraged to use materials and designs people have found attractive for decades. Historic building and structures can serve as architectural models for new buildings and structures. At the same time, preserving historic buildings preserves our sense of history and reflects our roots.

All our citizens, young and old, should be able to see the reminders of our community's heritage, and take pride in it. Preserving historic buildings preserves our sense of history and reflects our roots. Historic resources should be valued and preserved and worthy historic buildings should be adapted to new uses, rather than destroyed. New developments should be designed to complement historic buildings, rather than clash with them.

Design, both site and architecture should strive to create pleasant outdoor spaces. It is a basic human desire to feel a sense of enclosure. Outdoor spaces convey a sense of enclosure as well. By contrast we note that in suburban areas the design is wide open, with houses plunked in the middle of large lots. These settings provide little or no outside privacy and lack sense of community. Outdoor spaces, such as public squares and small parks, act as centers of communities. As an example, places like Annapolis create outdoor space by setting houses close together to make streets outdoor rooms. Buildings form the walls, street trees form ceiling, and private spaces are located in the rear yards

Although we are planning for concentrated growth in the area, we need to respect nature. Not every corner of the area can support development. Places with critical environmental limitations and sensitive areas — such as wetlands, floodplain and steep slopes — should be off-limits to development. All development should be required to incorporate appropriate measures to minimize environmental impacts.

The most important wildlife habitat areas should be preserved to maintain a biologically healthy diversity of species. Children should be able to find quiet places to hear frogs around a pond at dusk, the rustle of the leaves of fall, and the humming of insects' wings.

Providing parks in neighborhoods will help to awaken a new neighborhood spirit in the town. These parks should provide for both active and passive recreational pursuits, with playground equipment, basketball hoops, tennis courts, play areas, horseshoe pits, picnic tables, and shelters. There should be places for children and adults to play, and quiet places to just relax on a sunny day. Parks can become the focal point of the neighborhoods. Community parks should also be enhanced to meet the recreational needs of a growing population and the County and town must work together to develop new ballfields, soccer fields and athletic practice fields.

Finally, quality communities are well maintained and safe. Maintenance is often the chief difference that distinguishes communities of character from slums. Rigorous attention to maintenance is necessary. Policing that emphasizes public order helps maintain the social environment in quality communities.

The Plan and implementing ordinances and regulations must be developed with these quality considerations in mind and each new project (public or private) must be rooted in the vision they connote. Each new development should be viewed as a part of an incremental growth process, creating an identity of its own, but at the same time fulfilling a role as a piece of the Town. Development projects must reflect a unity and positive relationship to the overall plan for the Town. In this way new developments can enhance the order and richness of the community.

Transportation Concepts

Among other things, new development (and minimum development standards) should reflect an awareness of the importance of streets to the quality of life. The Rising Sun Comprehensive Plan calls for streets and pedestrian trails that are pleasant to walk along.

Since building and especially maintaining roads is one of the most costly responsibilities of the government, it is important to fully use the transportation system that we have in place. In some areas, Town-owned and maintained unconnected streets do not contribute to increased route options and the shorter trips for pedestrians, bike riders, or autos. New streets must be designed so as to provide for the logical extension the Town's existing grid pattern and reflect the areas functional hierarchy.

A road system with many two lane roads works more efficiently than one with a few four and six lane roads. The system with more, but smaller roads, provides more options for getting around for all travelers. The ability of pedestrians to cross lanes or vehicles to make left hand turns is also less complicated and takes less time on roads with fewer lanes. More road connections allow fewer miles to be traveled saving fuel and reducing pollution. It is in all of the citizen's best interest to add to the road system as needed to maintain straightforward connections for all travelers. These means that the street should be laid-out with consideration for extending the Town's grid system to the throughout the planning area, as appropriate (See Illustration 2).

Bike riders need to be encouraged with good bike routes, bike racks at destinations, and showers and lockers at work and school. To encourage people to walk, streets, homes and businesses need to be built in a way that makes streets inviting. The network of pedestrian trails and greenway shown on the Plan specifically for the use of pedestrians and bicyclists should be implemented. This way people will be able to travel safely throughout the town and adjoining areas without relying on the automobile. These trails should link the neighborhoods with key destinations such as schools, parks, commercial areas, and centers of employment. This will contribute to reducing our dependence on the automobile.

Traditional Development Forms

In all cases, development can and should help create an exciting, attractive and vibrant community in the Rising Sun area. New concepts — using the historic development forms of the Town, e.g., grid streets, alley, narrow lots, and shallow front yard setbacks — should be permitted, encouraged and, in some areas, preferred. Traditional neighborhood design exhibits characteristics that are compatible with the vision of a quality community discussed above. These characteristics are:

- Neighborhood size is limited to an area that can be physically articulated with clear edges and a focused center;
- Shops, workplaces and residences for all income groups are in close proximity;

- Streets are sized and detailed to serve the equitable needs of the automobile and the pedestrian;
- Buildings are controlled in size and sited to define streets and squares;
- Squares and parks are distributed throughout as special places for social activity and recreation;
- Well-placed civic buildings are included to act as symbols of identity and provide place of purposeful assembly; and
- Physical conventions pursue social objectives, namely:
 - infrastructure is minimized, auto use and pollution decreased, and public transit made viable;
 - a full range of housing types and workplaces integrates age and economic classes;
 - public places provide citizens an opportunity to know each other and watch over the collective security;
 - activities are located in walking distance (10 minutes average) so that the elderly and youth gain independence of movement; and
 - civic buildings provide for democratic initiatives and encourages the balanced evolution of society.

Illustration 1

Illustration 2

ZONING ORDINANCE

Zoning is one of the more important means of implementing a Comprehensive Plan. An effective Zoning Ordinance based on Comprehensive Planning enables the orderly, compatible, and desirable development of a community. Based on the Comprehensive Plan and in accordance with the Maryland Planning and Zoning Enabling Act (Article 66B) and the Zoning Ordinance of Cecil County, Maryland the following recommendations are made as a basis for zoning in the Rising Sun area.

It is proposed that the Zoning Ordinance of Rising Sun follow the Cecil County Zoning Ordinance in format for the sake of consistency and development patterns and ease in coordinating reviews between the County and Rising Sun. The various sections and regulations of the Ordinance should be similar to those of the County Ordinance.

Outlined below are the particular districts and suggested regulations that should be considered based on the Comprehensive Land Use Plan discussed in the previous sub-section. These districts and regulations correspond in most instances to the Cecil County Regulations.

Residential

It is proposed that the residential land use regulations include the cluster zoning concept discussed in the Land Use Section of this report. It would be desirable that residential districts be developed under this concept where such factors as location, natural features, existing and planned transportation facilities, and recreation and open space objectives of the Comprehensive Plan indicate. Basically, the following residential districts should be permitted:

Low-Medium Residential Zone: This residential area is meant to encourage a quiet and hazard-free living environment of semirural character and contains residences and other uses related to them. The following uses could be permitted in these areas:

- A. One-family detached dwellings;
- B. Farms;
- C. Recreation areas or buildings;
- D. Educational facilities, religious, medical and community facilities;
- E. Neighborhood commercial centers.

Medium-High Residential Zone: This residential area permits a wider variety of dwelling types needed to meet today's housing needs. The uses that could be permitted in this area are:

- A. Multiple dwellings;
- B. Townhouses;
- C. Neighborhood commercial areas
- D. Various recreational facilities;
- E. Educational, religious or medical and community facilities.

Planned Unit Development Zone: The basic premise underlying the planned development concept is that a neighborhood, instead of the individual lot becomes the unit for planning. The planned unit concept includes single-family homes, multi-family dwellings, and shopping facilities as part of a unified development scheme, together with needed school and recreation facilities. The general objectives of a planned residential development is to provide flexibility in site design, producing variety in the physical development pattern of a community and a more desirable living environment than would otherwise be possible under strict interpretation of zoning ordinance requirements. It is also the objective of this zone to encouragement more efficient and desirable use of open land.

It basically differs from the cluster concept in that it allows for a greater variety of land uses and housing types in a particular development. Clustering is basically concerned with allowing site design flexibility with one housing type. For the most part, Planned Unit Development embodies the following basic principles:

1. The gross population density and building intensity remain unchanged and conform with the basic over all density requirements of zoning district. However, lot dimensions and areas need not meet specific ordinances requirements.
2. Residential lot sizes related to single-family units may be reduced producing common open space areas and pedestrian walkways.
3. A variety of housing types, ranging form single-family residences, through townhouses and garden apartments is encouraged.
4. Supportive ancillary uses such as schools, recreational areas, shopping and employment facilities is also encouraged.

It can be seen that the Planned Unit Development concept attempts to develop a totally integrated development containing all the uses and facilities that one normally associates with a well developed neighborhood.

The advantages of a Planned Unit Development as a community development pattern is obvious. Variety in housing type and land use, flexibility in site design allowing adequate separation of vehicular and pedestrian traffic expanded open space/recreational areas, and decreased development as well as maintenance costs, can be achieved.

Commercial-Industrial Zones: The following commercial and industrial zone districts should be permitted and, furthermore, under each commercial or industrial area specific regulations should be included as follows:

1. Clustering the uses;
2. Providing open space with integrated recreation areas tots lots and sitting areas;
3. Regulation as to percentage of land and amount of landscaping required in each area;
4. Separation of pedestrian from vehicular traffic;
5. Amount and design of parking facilities as well as the amount of landscaping required in each parking facility.
6. Regulations on type and size of signs permitted;
7. Height and bulk of building;
8. Parking for commercial and industrial uses should be placed behind the principal structure to the extent possible;
9. Outdoor storage, except that associated with agricultural activities, should be screened from public ways and adjacent residential uses by vegetation or walls;
10. Nonresidential uses fronting on arterial or collector street segments should subject to Street Buffer requirements.
11. Nonresidential uses should be required to landscape at least 25 percent of the site with plant species native to Cecil County. All site plans must conforms to the Rising Sun Forestation Ordinance.
12. Commercial site design standards should either limit size coverage or set minimum open space requirements. Landscaping and screening of parking areas should also be required.
13. Commercial recreation and light industrial uses that can be blended into the rural countryside may be permitted in appropriate location provided they do not adversely impact the environment and rural character of the surrounding area.

Town Center Commercial Zone: This zone should permit shopping establishments necessary to serve the Town as well as surrounding area such uses as restaurants, banks, specialty shops, food stores, department stores, service stores, such as barbershops, bakery, delicatessen, drug store, dry cleaner, florist, etc.; as well as community facilities such as churches, fire stations, post office, library, etc.

Highway Commercial Zone: This zone should contain uses catering to highway travelers such as drive-in banks, bowling alleys, food shops, motels, professional offices, restaurants, personal service businesses, etc.

PUD Commercial Zone: This zone should contain uses which serve a larger area than a neighborhood and also may contain community facilities such as a post office branch, a library branch, etc. The main commercial uses in this area are service-oriented for daily convenience goods such as dry cleaners, food stores, barber shop, delicatessen, drug store, book, newspaper and magazine store, shoe repair, and similar uses. Also, community meeting areas and other cultural-oriented uses.

Neighborhood Commercial Zone: This zone should be geared to provide service and goods to a small population or neighborhood. It is limited to use such as a small food store or delicatessen, drug store or other type of similar uses on a smaller scale than the PUD Commercial Zone.

Light Industrial Zone: This zone is meant to contain industrial uses which are compatible with residential and commercial uses. The uses permitted in this zone have a relatively minor nuisance value. The uses permitted might include:

1. farms and other uses associated with agricultural activities;
2. wholesale businesses, warehouses;
3. manufacturing, compounding, processing or packaging of good products, pharmaceutical, ceramic products, musical instruments and other manufacturing that is void of fumes noise or other similar light manufacturing uses.

Agricultural Zone: In this zone, agricultural land will be protected from encroachment by other uses in order to encourage a stable agricultural economy for the area. Permitted uses this zone may include farms and other uses associated with agricultural activities. The primary purpose of the Agricultural Zone is to maintain the existing rural character of the Rising Sun area by encouraging the continuation of agricultural and forestry uses and be requiring that the essential elements of the rural character be maintained in development. The elements of rural character include large rolling farm fields, tree lined stream valleys, and views from the roads of open space in natural vegetation.

Farmland is steadily being converted to residential and other non-agricultural uses. Development pressure on remaining farmland is reflected in currant land values and ownership patterns.

The preservation of agriculture, forest cover, and large expanses of open space is essential to maintaining this existing rural character. The Town could make special provisions for the continuation of agriculture and forestry activities in the Agricultural Zone affording them protection as development occurs and be minimizing the loss of productive lands and natural vegetation to the extent possible.

To reduce conflict between incompatible uses the Zoning Ordinance should include performance provisions that establish minimum development standards including minimum open space requirements, landscaping, forestation, and bufferyard standards. Performance standards that address environmental concerns should also be included in Zoning and Subdivision regulations.

DEVELOPMENT DESIGN AND COMMUNITY CHARACTER

This chapter addresses the many aspects of development design in Rising Sun. Development design can be generally defined as the management of the visual and physical development of the built environment. Primary emphasis is placed on the preservation of the town's character. The intention is to respond to growing public concern about the increasing transformation of the town's traditional rural landscape to sprawling suburban residential and strip commercial development ownships and communities through the nation. Managing development design to maintain and enhance the character and aesthetics of the town is an important component of the Comprehensive Plan. Application of development design standards is appropriate anywhere human features are present, and where the physical and visual properties of development can significantly influence the character of the town. Development design guidance, or the lack thereof, significantly affects real estate values, community pride, a sense of obligation to private property, personal enjoyment and satisfaction, and the overall investment climate in the community.

Town Center

The Town Center has traditionally served as focal points for the surrounding rural community, providing some range of service and convenience to residents. They plays an important functional role in providing homes, limited neighborhood-oriented commercial services and businesses, and civic buildings such as churches, post offices, fire stations, etc.

The Town Center has a unique character and “sense of place” with which local residents easily identify. Development design standards for the Town Center will help to preserve and enhance their image while still accommodating limited future growth in a responsible manner. It is ironic that the traditionally tightly-knit village pattern so typical in traditional villages in America is illegal to produce or emulate in many, if not most, communities today. Developers are required to rigorously separate different land uses and set each house on suburban size lots. Such regulations inadvertently destroy the character of villages and towns at a rapid pace and prohibit the development of new villages that foster as sense of place.

The following are recommended development design guidelines for the existing and future Town or neighborhood Centers:

- Permit residential, small-scale commercial and public/semipublic uses to coexist adjacent to one another as was done in traditional villages.
- Where existing buildings express a traditionally modest (pre-zoning) front setback, creating a characteristically close relationship with the street, retain this pattern in order to preserve the communities' character.
- Place off-street parking lots only to the rear or side of buildings. Reduce the visual impacts of parking areas upon community character through landscaping and buffering requirements.
- Visually screen open storage areas, exposed machinery, and outdoor areas used for the storage and collection of rubbish, from roads and surrounding land uses.
- Because roadside trees are extremely important to the character of any community, minimize removal of trees over five inches in diameter, especially along roadways. Removal of existing trees can usually be lessened by shifting the site of the building, parking lot, or entrance/exit drives. In addition, encourage planting of new trees along roads to reinforce rural character throughout the town.
- Control lighting in both height and intensity. Shield luminaries to prevent excessive lighting and glare beyond lot lines onto neighboring properties or public ways.
- Design and build new construction to blend with its surroundings. Make new construction in neighborhood Centers compatible with surrounding buildings in terms of formal characteristics such as height, massing, roof shapes, and door and window proportions. Where new construction is surrounded by existing traditional buildings, make building height and exterior materials harmonious with those of adjacent properties.
- One of the most readily apparent aspects of village character is signage. Since signs are intended to be highly visible and attract attention, they often produce a lasting impression on locals and visitors. Create signage standards for Town Centers that enhance character. Signs in these areas should relate to pedestrians and to people in slow moving vehicles and should be designed to be readable to these people, thereby encouraging shoppers and passerbys to stop and linger. Large auto-oriented signs are a modern addition in these areas and are inconsistent with both the scale of buildings and rural village character. The size, materials, color, lettering, placement, and illumination of signs in the Town Center should respect the character of existing buildings and foster a sense of place that is an important component of village character.

Resource Protection Standards

It is intended that resource protection standards will apply in all planning districts. These will be designed to protect such resources as flood plains, wetlands, steep slopes, and forested areas. The protection standards will be consistent with those presented in the Natural Resources and Sensitive Areas element of this Plan.

The Rural Landscape

Within those areas designated as agriculture, the Plan recommends providing zoning ordinance and subdivision regulation incentives for cluster development. Through the clustering approach for rural subdivisions, the developer is able to modestly increase base densities and decrease lot sizes in return for setting aside 30 to 50 percent of the overall parcel as open space. The resultant open space would be permanently protected by conservation restrictions for future agricultural use, forestry, or simply community open space.

Buildings should either be located in a wooded fringe at the edge of fields, or screened and setback from the fields and public roadways by a landscaped buffer area. Buildings should be sited so that obstruction of views from public ways will be minimized. This can be achieved by taking advantage of topographic changes or existing vegetation. This design approach would preserve rural views and enhance the rural image of the town. Although individual septic systems could be built for each house, joint systems shared by several houses would become possible, allowing siting on the most suitable soils in the tract, and at the greatest distance from any wells. Subdivision lots should be accessed from a single private road instead of numerous driveways fronting on public routes.

When zoning highway commercial areas, the town should not succumb to the “broad brush” approach of designating all roadside areas for new commercial development, but should instead examine the rural landscape to identify the amenities and visual resources which are present. Rather than allowing linear developments, commercial zoning can break the standard pattern by designating commercial nodes in compact, centralized areas, with visually important landscapes protected in between. Commercial development, regardless of where it is located in the towns, should also be subject to development appearance standards which ensure compatibility to surrounding land uses and promote a high quality built environment that compliments the community character of Rising Sun.

Bufferyard Performance Standards

One of zoning's most important functions is the division of land uses into districts that have similar character and contain compatible uses. All uses permitted in any district have generally similar nuisance characteristics. In theory, the location of districts is supposed to provide protection, but in Rising Sun this is not always the case because uses as diverse as single-family residential and commercial can occasionally be found adjacent to one another. Bufferyards will operate to minimize the negative impact of any redevelopment or future use of vacant land on neighboring uses.

The bufferyard is a combination of setback and a visual buffer or barrier and is a yard or area together with the planting required thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement of this Plan are designed to minimize nuisances between adjacent zoning districts to ensure the desired character along public streets and roads. The planting units required of bufferyards can be calculated to ensure that they do, in fact, function as "buffers".

Bufferyards should be required to separate different zoning districts from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

Development Appearance Standards

All future development in the town, except for single-family homes and farm buildings, should be subject to some level of design review for compliance with minimum development appearance standards. These minimum standards that should be achieved are performance standards rather than inflexible and stringent criteria. The intent of these performance standards is to promote quality development that will complement the community character of Rising Sun. One of the reasons for implementing these standards is, of course, to positively influence development aesthetics. However, this objective is justified by the greater goals of protecting and enhancing real estate values, fostering of civic pride, and improving the overall investment climate within the town.

These standards are not intended to restrict imagination or development creativity, but rather, to assist in focusing on development design principals which should result in enhancing the visual appearance of the built environment in the area. The development appearance standards relate to such factors as: relationship of buildings to the site; relationship of existing buildings and site to adjoining areas; landscape and site treatment; building design; signs; and, maintenance. These standards should not be considered cost prohibitive or overly restrictive since they embody common sense design principles which were traditionally employed throughout the country prior to the advent of post-war suburbanization.

The following are recommended development appearance standards for future multi-family, commercial and industrial development in all areas of Rising Sun:

Relationship of Buildings to Site

- Plan the site to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and screened parking areas.
- Encourage site planning in which setbacks and yards are in excess of zoning restrictions to provide an interesting relationship between buildings. Encourage buildings in the Town Center to minimize front setbacks to enhance the traditional street/building relationships typically found in rural villages
- Treat parking areas with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from public ways.
- Without restricting the permissible limits in the applicable zoning district, make the height and scale of each building compatible with its site and existing (or anticipated) adjoining buildings.

- Place newly installed utility services and service revisions necessitated by exterior alterations underground wherever possible.

Relationship of Buildings and Site to Adjoining Area

- Make adjacent buildings of different architectural styles compatible by such means as screens, site breaks, and materials.
- Provide attractive landscape transition to adjoining properties.
- Require harmony in texture, lines, and masses. Avoid monotony of design.
- Screen adjacent incompatible land uses from one another by landscaping, berms, walls, and fences.

Landscape and Site Treatment

- Preserve and develop natural or existing topographic patterns where they contribute to beauty and utility of a development. Permit modification of topography where it contributes to good appearance, or where it is necessary.
- Provide an inviting and stable appearance for the pedestrian through grades of walks, parking spaces, terraces, and other paved areas.
- Provide landscape treatment to enhance architectural features, strengthen vistas and important axes, and provide shade.
- Achieve unity of landscape design by repetition of certain plant varieties and other materials and by coordination with adjacent development.
- Select plant material for interests in its structure, texture and color, and for its ultimate growth. Use plants that are indigenous to the area and others that will be hearty, harmonious to design, and of good appearance.
- Protect plants by appropriate curbs, tree guards, or other devices in locations where they will be susceptible to injury by pedestrian or motor traffic.
- Enhance parking areas and traffic ways with landscaped spaces containing trees or tree groupings.
- Where building sites limit planting, require the placement of trees in parkways or paved areas.

- Use walls, fencing, and/or plantings to screen service yards and other places that tend to be unsightly. Screening should be effective in winter and summer.
- In areas where general planting will not prosper, use other materials such as fences, walls, and pavings of wood, brick, stone gravel, and cobbles. Combine carefully selected plants with such materials where possible.
- Use exterior lighting to enhance the adjoining landscape. Lighting standards and building fixtures should be of a design and size compatible with the building and adjacent areas. Restrain the design and brightness of lighting.

Building Design

- Do not restrict architectural style. Base the evaluation of the appearance of a project on the quality of its design and relationship to surroundings.
- Buildings should be scaled and sized in harmonious conformance with permanent neighboring development.
- Materials should have good architectural character and should be selected for harmony of the building with adjoining buildings. Materials should be of durable quality. Materials should be selected for suitability to the type of buildings and the design in which they are used. Buildings should have the same material, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways. In any design in which the structural frame is exposed to view, the structural materials should be compatible within themselves and harmonious with their surroundings.
- Building components, such as windows, eaves, doors, parapets, should have good proportions and relationships to one another.
- Colors should be harmonious and should use only compatible accents.
- Mechanical equipment or other utility hardware on roof, ground, or buildings should be screened from public view with materials harmonious with the building, or they should be so located as not to be visible from public ways.
- Exterior lighting should be part of the architectural concept. Fixtures, standards, and all exposed accessories should be harmonious with building design.
- Refuse and waste removal areas, service yards, storage yards, and exterior work areas should be screened from view of public ways.

- Monotony of design in single or multiple building projects should be avoided. Variation of detail, form, and siting should be used to provide visual interest. In multiple building projects, variable siting of individual projects should be used to prevent a monotonous appearance.

Signs

- Every sign should have good scale and proportion in its design and in its visual relationship to buildings and surroundings.
- Every sign should be designed as an integral architectural element of the building and site to which it principally relates.
- The number of graphic elements on a sign should be held to the minimum needed to convey the sign's major message and should be composed in proportion to the area of the sign face.
- The colors, materials, and lighting of every sign should be restrained and harmonious with the building and site to which it principally relates.
- Each sign should be compatible with signs on adjoining premises and should not compete for attention.

Maintenance -- Planning and Design Factors

- Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures should be conducive to easy maintenance and upkeep.
- Materials and finishes should be selected for their durability and wear as well as for their beauty. Proper measures and devices should be incorporated for protection against the elements, neglect, damage, and abuse.
- Provisions for washing and cleaning of buildings and structures, and control of dirt and refuse should be incorporated in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish should be avoided.
- Provisions for landscape maintenance and replacement (i.e. native species) should be added.

Summary

Essentially, the broad choice in future development patterns for Rising Sun is between a creative extension of the traditional rural character concept, and repetition of conventional suburban development practices, wherein 100 percent of the tract is covered by streets, houses, yards, and strip commercial development. The former enables a large proportion of new homes and businesses to be sited so as to command uninterrupted views across open fields, pastures, and woodlands permanently protected from future development.

When a subdivision, shopping center, or other large scale development is proposed in a rural setting, residents and town officials often have difficulty convincingly describing just what is at stake. Fortunately, or unfortunately, the quality of a rural landscape is not easily measured in dollars and

cents. Lacking a direct market value, however, a rural landscape might wrongly be assumed to have no value. This is a very real dilemma in a society which knows the value of very few intangibles, such as rural character.

Application of the development design standards described in this chapter should help the next generation of development to be skillfully fitted into the town in a manner which preserves and enhances rural character and quality of life. Incorporation of these standards into town's development ordinances will help ensure that necessary discussion occurs and that development design choices are made consciously rather than by default. This development design program should address the loss of character due to the homogeneous visual appearance of suburban sprawl in Rising Sun.

PLAN ADMINISTRATION AND ENFORCEMENT

One of the most important, yet often neglected, issues to be considered in the formulation of the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations is administration and enforcement. Even the most well conceived plans and ordinances will lose effectiveness (and in some cases be invalidated) without consistent and equitable administration and enforcement. The responsibility for administering and enforcing the Comprehensive Plan and its associated ordinances and regulations rests primarily with the Town Council, Planning Commission, Board of Zoning Appeals and the town staff. Each group has a different role in administration and enforcement. Their roles need to be defined and understood in the context of the new plan. guidance in decision-making, and the size and cost of staff needed to effectively enforce regulations.

Once this plan is adopted, adherence to the comprehensive plan will result in more efficient and effective regulation, administration and enforcement, and eliminate many of the legal arguments for re-zoning based on "change". In order to fulfill this role, however, the plan must contain high quality standards that are easy to interpret and readily enforceable. Failure to make use of a comprehensive plan as a guide for future development, regardless of its merits, is bound to lead to inconsistent and ineffective enforcement of zoning regulations. For this reason, it is important that town officials make distinctions between decisions based on a plan and decisions based on concerns with the application of the plan. If decisions are not based on consistent application of plan policies, but rather as piecemeal reactions to zoning proposals, then the Community should direct the planners to revise the plan rather than attempt to formulate reactive policy at the zoning decision level.

A comprehensive plan and a zoning ordinance, by their very design, are intended to complement each other. Basically, a comprehensive plan is used to guide development, while a zoning ordinance is a legal document that regulates how and where it is done. A zoning ordinance serves as a set of standards against which site development is reviewed. For example, if a review of a proposed development is taking place and there is an existing policy regarding control of access to roads, then the adequacy of access control should be a critical aspect of the review. If a project will have adverse impacts on neighboring residents, then a determination needs to be made as to how the project can be revised to mitigate these impacts, if at all, in terms of landscaping, setbacks and other standards. If the ordinance is utilized throughout the review process, then officials need only

determine whether the proposed development meets or fails to meet the standards set forth. If the proposal conforms to the Comprehensive Plan and Zoning Ordinance, then development can begin. Otherwise, the developer is faced with one of two options: amend the proposal or forego development. Another response, of course, is to challenge the regulation in the courts. Developers may simply challenge the appropriateness of certain regulations as applied to their particular development. A developer may also challenge the validity of the ordinance itself. If zoning ordinances are constantly and successfully challenged, then this will most certainly be reflected in the quality of regulation enforcement.

One of two courses of action can be taken in the event that a standard is challenged as inequitable: the law can be upheld, ensuring that the development remain in keeping with the Comprehensive plan and ordinance, or the validity and fairness of the plan itself can be reviewed. A review of the plan, including any revisions, however, should occur separately from any development review process. The Town Council and Planning Commission should establish a procedure for reviewing and updating the plan. When a concern arises during a development review, the Council and the Planning Commission should defer action until the planning staff have had an opportunity to review the concerns within the context of the Comprehensive Plan. Rather than grant a precedent setting variance, Town officials, if the issue warrants it, should amend the plan and then grant the development approval. Otherwise, individual cases are more likely to be treated on an individual basis, thereby undermining any attempts to improve the quality of zoning administration and enforcement. Unfortunately, the very nature of the development review process lends itself to this case-by-case approach. When reviewing the conformance of a development to the plan and ordinance, particular features of the plan are bound to be brought into question. The natural tendency is to become involved in the issue of inequity and the plight of the landowner, losing sight of the larger purpose of the plan. Questions of inequity cannot be permitted to overshadow the plan. The plan and ordinance, after all, are supposed to serve as a standard for regulation and should not be reviewed each time a development is proposed. If the town is concerned about an apparent inequity, it should have specific mechanisms to force a review of the policy. Often planning officials monitor alleged inequities or concerns about unfair ordinance provisions over a two or three year period. If the same complaints reoccur, then they responsibly recommend changes to the elected officials. This technique eliminates knee-jerk amendment reactions to isolated incidents of complaint regarding equity.

The purpose of a comprehensive plan is to provide a basis for consistent, high quality enforcement. To accomplish this, the plan and zoning ordinance must contain definitive and relevant policy statements that are readily achievable.

The quality of enforcement is not simply related to the quality of the plan. It is also jeopardized when confronted with poor technical support. Accurate assessment of site development problems and an ability to assist the developers in meeting the community's goals are essential functions regardless of the type of ordinances or plans a community has adopted. Inadequate staffing will also influence the quality of administration and regulation enforcement. Without proper staffing it becomes difficult, at best, to effectively administer and enforce zoning ordinances.

Inadequate funding often serves as a contributing factor to lack of proper enforcement. Adequate funding is essential for drawing high quality professionals with technical expertise. It is also necessary to keep staffing levels high enough to efficiently and effectively administer and enforce regulations.

Adequate funding is essential for proper enforcement of these documents. Increasing population and growth, and subsequent pressures for development, will directly affect costs relating to enforcement. New initiatives will require a high degree of administration and enforcement effort. The increased interagency coordination required for plan review and the additional review of environmental impact assessments or transportation impacts of projects are just two examples of the increased demands which will be placed on the town staff in the future.

Another factor that can contribute to lack of enforcement in the development plan review process is the lack of guidance for handling discretionary decisions. The effect is the same as approaching site development on a case-by-case basis. Without proper guidance, discretionary decisions are likely to result in varying degrees of enforcement of zoning ordinances. Enforcing a comprehensive plan uniformly is difficult without set standards for handling discretionary cases. Proper guidance through development review process management will vastly improve the quality of enforcement and administration.

One enforcement issue that deserves special treatment is non-development review related. It is the monitoring of compliance with the regulations on a day-to-day basis after the development has been completed. Often, it is violations of this nature that are the most visible way for town residents to measure the success of the planning program. The accumulation of junk cars, illegal trailers, illegal home occupations, and illegal signs are typically frequent infractions.

Another difficult type of infraction to monitor is the continued compliance with site plan requirements. For example, landscaping or screening may be required as a condition of an approval; however, even if it is installed as per the plans, it is difficult to ensure that the plantings live and thrive and continue to function.

The process for actually forcing compliance with a regulation, that is getting corrective action or stopping an action, can be a cumbersome one. Even with the most blatant violations such as closing an illegal business, the legal and judicial process can be lengthy. This can be a costly and time consuming drain on the resources of the town.

Realistic penalties are a common problem in zoning enforcement. Zoning violations under the current Ordinance are established as a misdemeanor, a criminal offense, punishable by a fine or imprisonment. Meeting the test for a successful criminal prosecution may add more delay time and cost to the proceeding. Frequently, judges are reluctant to give an offender a criminal record for most zoning violations. Certain offenses such as sign and setback violations may be able to be handled by civil penalties which should be explored with the town attorney as the zoning ordinance is revised.

Alternative Policies

Several measures can be taken to insure higher quality regulation administration and enforcement. Some of these measures are administrative and budgetary. Others have to do with the structuring of the plan and ordinances. In many instances, the term "alternative" policies is misleading. Some of these policies are mandatory if the town is to have effective zoning administration. The following policies will be discussed:

- Professional Staff
- Funding
- Performance Standards
- Staff Authority
- Periodic Review and Plan Amendment
- Uniformity in Administrative/Ministerial Functions
- Information Management

In general, the administrative policies of professional staff and funding should be viewed as essentials of any planning program. Without these elements, good ordinance administration is, at best, problematic. The regulatory approaches do contain some choices that the town must address.

Professional Staff -- Developing a highly professional planning staff, which possess both planning and management skill, will greatly enhance the quality and level of administration and enforcement. First, and foremost, professional competence requires a commitment to seek and hire qualified personnel for all planning and administrative positions. Job descriptions should be prepared and only qualified people hired to fill the positions.

A second requirement is proper funding to ensure that qualified individuals are attracted to the town and retained long enough so that they can be effective. Adequate funding for all administrative tasks should also be provided. Inadequate funding for such tasks as zoning administration, regulating subdivisions, variance and conditional use processing, as well as issuing building permits, will result in poor and inconsistent enforcement. If there are insufficient personnel to inspect for compliance of both plans and actual construction, the best plans and regulations will be inadequate. Cross training of town personnel be knowledgeable about other ordinances and programs should help to identify violations.

Funding -- Inadequate funding should never serve as an excuse for low quality administration and enforcement. Funding can be provided one of two ways: through a General Revenue Fund or through a fee structure. Long range planning functions are a town effort that benefit the entire community. It is therefore logical that long range planning should be supported out of the town's General Revenue Fund. The short range planning activities such as subdivision review, zoning administration and building permits should be supported by fees for permits, inspections, or processing of zoning applications. Fees should be adequate enough to cover support provided by town departments and any planning costs that are directly related to these activities. These costs can be identified in the budgets of respective departments and are easily calculated. Short range

planning and administration should not cost the town money. This is in keeping with the widely held view that developments should be responsible for paying their own way. There are existing fee structures that can be modified to implement this goal.

Using General Revenue Funds to cover administrative costs is still an option. This, of course, is a political decision and should be made accordingly. Limited resources in the General Revenue Fund, however, should not be used as an excuse for inadequate funding of administrative services, since other mechanisms for covering these costs are available.

Performance Standards -- The term performance standard implies the existence of a firm standard that can quantitatively be determined. Instead of seeking to protect the environment to the maximum extent possible, it sets a standard for protection (floodplains 100%, woodlands 70%). There is no room to debate the achievement of a standard. If 32% of a woodland is to be disturbed, then the standard has not been met. It is clear that this type of planning means more work in developing the ordinance. The standards have to be tested, and the equity issues over the impact of the standard have to be carefully weighed before the standards are adopted. Once in place, however, there is a much lower demand on staff, since each review is a question of checking to see if the plan conforms to measurable standards. Time consuming debates, position papers, and reports that characterize ad hoc reviews dependent on arm twisting can be eliminated. The major difficulty with adopting performance standards is that it requires solving problems up front rather than postponing them to a later date and not every potential issue can be anticipated and resolved with quantitative standards. However, a better effort to quantify standards than is presently in place is clearly possible.

Staff Authority -- Effective administration depends on the appropriate use of staff and an understanding of the different roles played by elected officials, appointed boards and commissions, and the professional staff. The primary job of elected officials and planning commissions is to make policy decisions. Once policy is made, the staff should be directed to implement the decisions. This is a critical distinction. Where possible, authority must be delegated to the staff and, where delegation is not feasible, the role of elected officials and/or appointed Commissioners should be sharply defined.

Periodic Plan Review & Amendment -- A comprehensive plan or ordinance is based on a whole series of goals and objectives. Because the elected officials hold the public hearings and adopt the ordinances, they clearly understand all of the details at the time of adoption. However, as memories begin to fade and different officials are elected, the level of understanding diminishes. Thus a series of standards and findings of fact required of the Town Council before making amendments is a very useful structure for decision-making.

The Comprehensive Plan will require periodic review evaluation and update to assure it serves the town's purposes. The Plan, at a minimum, should be reviewed and updated every four years. The actual form and scheduling of Plan review and update will be heavily dependent on town staff and planning commissions capabilities and issues that arise as the Plan is implemented over time.

Uniformity in Administrative/Ministerial Functions -- Administrative decisions at first glance may not seem as weighty as a large rezoning matter; however, the cumulative effect of several plats of subdivisions invoking proposed lots as evidence in recent years represents incremental decisions which will most likely have a much more substantial impact on the community than a few larger legislative decisions may have. This is why it is important that all administrative decisions, regardless of how minor, need to be considered uniformly in light of the Comprehensive Plan and its associated ordinances and regulations.

In both permitting and rezoning decisions, consistency and equity are mandatory. Each applicant must be afforded the same due process in administration and enforcement. Different rules cannot be applied on a case by case basis just as policy cannot be determined case by case. Discretionary decision making must be minimized to the extent possible. The Comprehensive Plan, after all, is supposed to serve as a standard for regulation and should not be reinterpreted each time a specific development is proposed. It is often difficult to overcome the natural tendency to become involved in the plight of the landowner, losing site of the larger purpose and community objectives of the Plan.

Information Management -- The starting point for effective inspections and enforcement is a good set of records reflecting what regulations, plans, permits, and conditions affect a particular piece of property. Traditional zoning regulations were easy to administer and enforce because all that was necessary in the way of records for most situations were a zoning map, a copy of the zoning regulations, and a description of the property (to find it on the map).

Today, a particular property may be affected by not only the zoning map and applicable regulations but by a PUD plan or site plan, conditions imposed on a rezoning, restrictions contained on a plat such as easements and high water lines, terms of an annexation agreement, special conditions applicable to a particular use, and one or more sign permits including special conditions.

If an owner applies for a building permit, a new business license, or a permit for an additional sign, it is essential that the zoning administrator or building official be able to determine accurately what conditions and restrictions apply to the property.

With a sophisticated, computerized "geographic information system," it is possible to specify all of the conditions and restrictions applying to each part of a particular parcel. The only administrative requirement for record keeping on such a system is to ensure that every official action resulting in the imposition of restrictions are part of the record. All that is necessary is a file reference number or other piece of information to refer the user to the full site plan, conditional approval, or other document containing the conditions or restrictions.

Most communities like Rising Sun, however, do not have and will not soon have such sophisticated systems and must build records in another way. Making records of restrictions is essential to the entire administration of land-use regulations, not just to enforcement actions. Some communities have replaced a traditional zoning map with a map containing references to PUD and site plan

approvals. While such a system is a satisfactory way to track large-scale approvals, it cannot realistically identify all individual site plans, conditional re-zonings, sign permits, or similar matters. The only effective way to track all conditions applicable to a particular parcel of ground is with a parcel-based filing system, whether it is on a computer or on paper.

Recommendations

Based on review of current town plans, ordinances, and processes for administration, as well as review of documented concerns regarding how well the system is working, the following administration and enforcement objectives are recommended to guide construction of plan implementation tools, particularly the zoning ordinance and related development regulations as well as operational features of future administrative structure:

1. Where possible, use clear measurable performance standards in ordinances to minimize interpretive confusion.
2. Where uses are subject to Board of Appeals approval, enumerate minimum standards by use and improve where possible the criteria or standards which the Board uses as a yardstick to determine the appropriateness of a given use in the respective zoning district.
3. Reduce the number of conditional uses where possible by establishing clear standards by which they may be permitted by right and subjected to established standards.
4. Maintain clear time frames for review of rezoning application, conditional uses, subdivisions, and uses subject to site plan review and approval.
5. Maintain clear administrative procedures documenting applicant, staff and approval authority responsibilities for processing rezonings, conditional uses, subdivisions, and uses subject to site plan review and approval.
6. Use standard forms and checklists for ministerial and administrative procedures which clarify for all parties various application submission requirements, improvement guarantees, and inspection procedures.
7. Review and refine rules of procedure for use by the Town Council, Board of Appeals and Planning Commission for all zoning forms of action which require public hearings.
8. Provide adequate budget and staff as well as training and support for administrative procedures and inspection functions, and attempt to coordinate and/or integrate inspection and administrative functions to the maximum extent possible.
9. Require approval Boards and Commissions to visit sites within thirty (30) days of hearings conducted vis a vis rezoning and conditional exception uses.

10. Consider revision of the penalty section of the Zoning Ordinance if consistent with state statutes to allow civil penalties for less serious violations to simplify administrative process.
11. Require the annual revision to the town's Capital Improvements Program to be coordinated with the Comprehensive Plan and any recommended amendments resulting from the annual review of the Plan and planning process.
12. Over time establish a parcel based record-keeping or tracking system often called a "geographic information system" that can specify all the conditions or restrictions which may apply to a particular parcel.

Conclusions

As implementation options for the new plan are continually sorted-out and decided upon, it becomes important to think ahead to administration and enforcement. Once the plan is completed, the job of putting it into action begins. Long established development review processes and practices may clearly need to be altered.

Not all of the changes forthcoming will be popular with everyone--few things in life are. It will require a strong commitment from all involved to eventually make this Plan work. In the end, the ability of the town to properly administer and enforce the Plan and its associated ordinances is the Plan's most accurate measure of achievement. No matter how good an idea or implementation option sounds on paper -- if the town cannot make it work or neglects to make it work -- that idea has done little more than stimulate the minds of those who shared it. If the Plan cannot effectively be administered and enforced, it will not have served its public purpose. The Comprehensive Plan must be administratively feasible and enforceable given the budget and staffing resources allocated by the town to do the job. Constant attention to management and re-evaluation of administrative processes and procedures should be considered equally important to initial structuring and staffing of administrative procedures.

There is no perfect administrative system which can be initially structured and guaranteed to function equitably and efficiently. Sound administration derives from good management which is attentive to needs of re-evaluation and adjustment over time. A good starting point for structuring administrative process exists in the recent APA report #409 entitled Enforcing Zoning and Land Use Controls.