ANNE ARUNDEL COUNTY
MARYLAND

**Anne Arundel County Government**
**Arundel Center**

**Office of County Executive**

# MEMORANDUM

TO: Members of the Crofton Community and Crofton First Network

FROM: Steve Schuh

DATE: October 5, 2018

I would like to address several of the claims being made about my Administration's policies regarding development in the Crofton area. It is unfortunate that some people attempt to play off citizens' understandable concerns about development by spreading misinformation to advance their political agendas.

I would like to address the various items one by one.

Enclave and Two Rivers

Let me start by addressing Mr. Pittman's recent statement that my Administration has "greased the skids" on the Enclave and Two Rivers projects. As Mr. Pittman well knows, these projects began long before my Administration came into office nearly four years ago.

With respect to Enclave, I grew up in Crofton and have deep affection for the community. I am heartbroken by the prospect of the area to the south of the main gate being developed. The reason this development is happening is because the Crofton Civic Association and the property owner agreed in 2008 to up-zone the land from open space to commercial. Once that zoning agreement was made, it was inevitable that one day someone would propose to develop the site.

Our Administration has worked diligently to pare down the developer's plans and to address community concerns about ingress and egress, setbacks, intrusion into floodplains and density of the proposed development. The County has no legal ability to force a stop to a legal development that comports with zoning. We are using every legal power available to us to alter this project to cause the least impact on the community.

Recently, the suggestion was made that the County purchase the Enclave property for preservation. The County purchases property only when there is a clear public use, such as a park or a school, and not for preservation purposes alone. Such a policy would very quickly bankrupt the County. The Enclave property does not present the County with an opportunity for a park, or school or similar use.

A more feasible option would be for the Community, the property owner and a non-profit organization, such as Chesapeake Bay Trust or Maryland Historical Trust, to enter into a development easement to preserve the property. I have provided more information about this alternative at the end of this memo.

With respect to Two Rivers, when my Administration came into office, the sub-division was already approved and homes were already complete or in construction. There was no legal avenue for my Administration to stop the Two Rivers development.

Let me also point out that we are in active discussions to develop a new school to serve the Two Rivers area.

Development Generally

Mr. Pittman also stated recently that it was my policy to promote "growth by leaps and bounds," going so far as to put those words in quotes, suggesting that I had said them. I have never said any such thing, and that is not my Administration's policy. My Administration's policies are to promote economic growth and growth in household incomes (not development-led growth), to preserve our rural lands, to work with the tools available to us to moderate development, and to guide development as best we can to areas that have adequate infrastructure. Mr. Pittman has repeatedly twisted my references to economic growth to mislead people into believing that my references are to development-led growth. Candidates sometimes do such things during campaigns, unfortunately.

There are now development projects throughout Anne Arundel County that are outstripping our infrastructure. This is a result of poor land-planning decisions made in prior General Development Plans that opened too much of the landmass of Anne Arundel County to high-density zoning. In the GDP now underway, our Administration is committed not to repeating the mistakes of the past. We will resist up-zoning, especially high-density up-zoning. But the genie cannot be put back in the bottle as Mr. Pittman suggests.

Mr. Pittman says that he would implement a "pause on development." There's no reason for him to do so because my Administration has already done so. I have implemented a moratorium during the general development process, and as I mentioned above, our Administration will resist up-zoning throughout the County in the new GDP. We have also taken significant steps to improve the permitting process by tightening modifications and variances and by increasing public input. Recommended denials of variances are up over 200%, and denials of modifications have increased 10-fold as a result of these policy changes.

Impact Fees

A resident of the Crofton area stated recently that our Administration provides waivers on impact fees. The Administration does not provide waivers from developers' obligations to pay for the impacts of their developments. From time to time, the County will negotiate alternatives to the payment of impact fees in the form of Impact Fee Credit Agreements. These agreements are used in instances where developers have gone above and beyond in infrastructure construction and are a benefit to the County's infrastructure. In the specific cases of Two Rivers and Enclave, no such waivers have been granted and no alternative forms of payment have been employed in lieu of impact fees.

Development and Taxes

It has also been suggested that it is the policy of our Administration to promote development in an attempt to "grow our way out of taxes." This is not accurate for the simple reason that it is not possible. New development accounts for an exceedingly small portion of the County budget -- approximately $7 million per year out of a total $1.6 billion budget. New development is immaterial to the County's overall tax base. The County's tax base is dependent upon growth in household incomes and, to a lesser extent, growth in property values. That is why our Administration is focused intensively on helping families grow their household incomes.

School-System Concerns

It was also suggested that the school system's concerns have been ignored by our Administration. This could not be further from the truth. We work very closely with the School Board and the Superintendent and are making historic investments to address the stress on the public-school system. We have launched the largest school-construction effort in County history, including the new Crofton High School. As mentioned above, we are also planning on developing a new school in the Two Rivers area. Finally, we have added more than 300 teachers to the system over the last several years. That increase in the number of teachers is by no means enough to address the overcrowding situation we face, but it is progress, and we are moving in the right direction.

Enclave Alternatives

Allow me to review the range of alternatives that are available with respect to the Enclave development. Some of these alternatives are realistic, and others are not.

(i) Managed Development: This is the current path. The developer has a legal right to build a development whether I like it or not. However, the County is using all tools available to address community concerns regarding density, ingress and egress, etc.

(ii) Purchase and Preserve the Property: The community can pool funds, purchase the property, and request a down-zoning to open space. The County would surely grant this request. As mentioned above the County is not in a position to purchase this parcel.

(iii) Development Easement: A very feasible option would be for the community to partner with a land-preservation organization to purchase a development easement from the property owner. Under such an agreement, the organization would compensate the property owner for the value of giving up his development rights. The land could then be down-zoned to open space with the property owner’s consent.

The County would be delighted to partner with the community and the preservation organization to pursue this option. There are several organizations that you might wish to contact regarding the purchase of a development easement, including:

Maryland Environmental Trust
http://dnr.maryland.gov/met/Pages/default.aspx
Rural Legacy Program
http://dnr.maryland.gov/land/Pages/RuralLegacy/home.aspx
Maryland Agricultural Land Preservation Foundation
https://mda.maryland.gov/malpf/Pages/default.aspx
Maryland Historic Trust
http://mht.maryland.gov/
Scenic Rivers Land Trust
https://srlt.org/
Chesapeake Bay Land Trust Alliance
https://www.landtrustalliance.org/tags/chesapeake-bay

Thank you for your interest in these important issues. Please continue to reach out to me with any questions or concerns.