

Housing Element Advisory Group Meeting #3

October 31, 2024



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Frederick County
Government Maryland

Future Trends & Missing Perspectives (carry-over from 9/19)

- Present to elected officials and the County's largest employers – getting them to the table
- APFO issues that negatively impact the available pipeline – what is the right threshold
- Better coordination among the municipalities, the County, and the State to legislate for affordable housing
- Designing urban schools to better use land
- Invest in infrastructure to combat NIMBYISM



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Adequate Public Facilities Overview



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Adequate Public Facilities Ordinances (APFO)

Balance the impacts of development or redevelopment on public infrastructure or services with the installation and/or improvement of public infrastructure (roads, water, wastewater, schools, parks, public safety).

APFO is in addition to impact fees.



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Adequate Public Facilities Ordinances (APFO)

An APFO defines...

1. Facilities subject to the regulations
2. Project thresholds
3. Timing
4. Adequate vs. inadequate
5. Developer options to address inadequate facilities



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#1: Facilities

Frederick County APFO addresses roads (Traffic); schools; public water/wastewater



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#2: Thresholds

Frederick County APFO addresses exceptions for APFO:

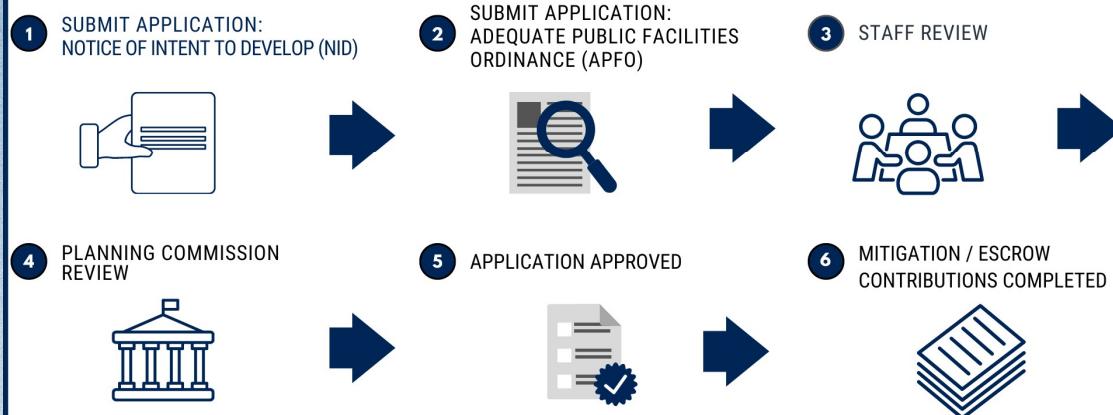
- Smaller projects (as defined in the ordinance) are exempt from all testing
- “Medium” project are reviewed for whether a traffic study is required
- Age-restricted housing and non-residential are exempt from school testing
- Projects served by private well/septic exempt from water/wastewater testing



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#3 Timing

Adequate Public Facility Ordinance Review Process

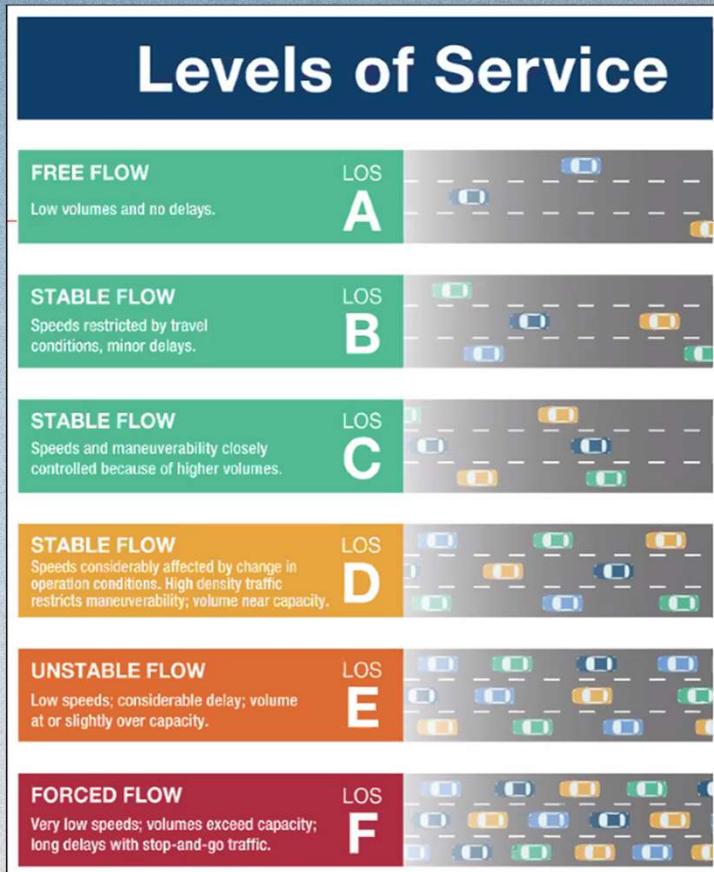


- Public facilities must have APFO approval by the time any subdivision, site plan, or Phase II plan (PUD/MXD) is approved.
- APFO approval is valid for a certain number of years.
 - The larger the project, the longer the validity



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#4: Adequate vs. Inadequate



Frederick County APFO defines adequate for:

- Roads: Level of Service ("LOS")
- Water & Wastewater: Maximum Day Demand and fire protection, Peak Flow
- Schools: State Rated Capacity ("SRC") tested at each level (ES, MS, HS)

#5: Developer Options for Inadequacy

If facilities are found to be inadequate, the developer may:

- Enter into a Letter of Understanding (LOU) approved by the Planning Commission to:
 - Construct necessary improvements; or
 - Contribute pro-rata share (roads only)
- Wait for facilities to be adequate



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Municipalities with APFO

Municipality	Tested Facilities
Brunswick	Roads, Water/Wastewater, Schools
Emmitsburg	Roads, Water/Wastewater, Schools
Frederick	Roads, Water/Wastewater, Schools
Middletown (Policy)	Roads, Water/Wastewater, Schools, Parks/Open Space
Mount Airy	Roads, Water/Wastewater, Schools, Fire/Rescue, Police, Parks/Open Space
Myersville	Roads, Water/Wastewater, Schools
Thurmont	Roads, Water/Wastewater, Schools
Walkersville	Water, Schools



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Impacts on Housing

APFOs serve a public purpose but like all policies have “trade-offs.”

- Cost and extended timelines
- Change in housing occupancy type (more age restricted projects in over-capacity districts)
- Potential to incentivize less desirable development patterns and sprawl
- Focus on cars and roads – fewer industry standards for measuring adequacy for pedestrians, bicyclists, public transit, etc.



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Proposed Remaining Meeting Schedule

- Meeting #4
Thursday, November 14, 2:00 – 4:00 p.m.
- Meeting #5
Thursday, December 12, 2:00 – 4:00 p.m.
- Meeting #6 *Final Meeting (for now)*
Thursday, January 9, 2:00 p.m. – 4:00 p.m.



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Planning for 2050: Housing Strategy



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Icon

Housing Type

Households / # Acres Per Piece



Single Family Detached

(new development)

1,000 households

500 acres

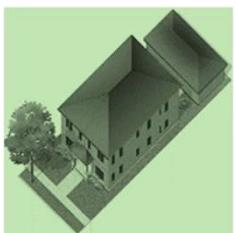


Single Family Attached

(new development)

1,500 households

500 acres



Missing Middle

(two pieces: new and infill)

New/Substantial Redevelopment:

1,500 households

500 acres

Infill, Incremental, ADUs:

200 households

100 acres



Multifamily

(two pieces: new and infill)

New/Substantial Redevelopment:

1,250 households

250 acres

Infill:

500 households

10 acres