

**FREDERICK COUNTY GOVERNMENT**Jessica Fitzwater
County Executive**DIVISION OF PLANNING & PERMITTING**
Livable Frederick Planning & Design OfficeDeborah A. Carpenter, AICP, Division Director
Kimberly Gaines, Director

TO: Jessica Fitzwater, County Executive

THROUGH: Deborah A. Carpenter, AICP, Division Director, Planning & Permitting
Kimberly Gaines, Director, Livable Frederick Planning & Design Office

FROM: Rustic Roads Commission

DATE: November 22, 2024

SUBJECT: Protections for Designated and Candidate Roads

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ISSUE:

Does the County Executive support Rustic Roads Commission review of any substantial changes to Designated Rustic Roads and interim protections for Candidate Rustic Roads as they are evaluated for potential nomination?

BACKGROUND:

Section §1-15-52(D) of the County Code defines the powers and duties of the Rustic Roads Commission. These duties include:

- (4) Advise the County on the protection of Designated Rustic Roads and Candidate Roads, to include the review of proposed substantial changes to these roads; and
- (7) Develop advisory standards and practices to be considered to maintain Designated and Candidate Rustic Roads, promote preservation, maintain the roads' eligibility, preserve character defining features, and ensure safety.

The Division of Public Works (DPW) affirmed in a July 9, 2024, letter to Susan Hanson, Rustic Roads Commission Chairperson, that protection of Designated Rustic Roads will include:

- No change to the surface type except as permitted in the DPW Standard Operating Procedure (SOP) regarding In-House Patching & Paving Procedures Utilizing a Third-Party Paver.
- No widening.
- Reduced mowing to a single pass, as stated in the Tractor and Boom Mowing for Vegetation Control SOP.

Per §1-15-52(D)(4), the Rustic Roads Commission requests that the County Executive direct DPW to seek the advice of the Commission when substantial changes to Designated Roads are being considered, with substantial changes including changes to surface type, widening, mowing more extensively than the width of a single pass, the addition or replacement of bridges and fords, changes to intersections, changes to alignments, changes to posted speed limits, removal of native trees without justifications sanctioned by the Maryland Department of Natural Resources Forest Service, major changes to the length and capacity of culverts, and the removal of other features that may be considered character defining.

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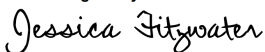
Additionally, the Rustic Roads Commission asks that the County Executive direct DPW to afford these same protections to Candidate Roads. The Commission is actively engaged in the process of evaluating the Candidate Roads to confirm their eligibility for Rustic Road designation. A November 26 deadline has been established for completion of field visits and scoring; however, additional time is needed for Commission consideration and, ultimately, review and decision by the County Council.

RECOMMENDATION:

The Rustic Road Commission, an advisory board to the County government, recommends that County Executive direct DPW to: (1) seek the advice of the Rustic Roads Commission regarding any substantial changes to Designated Rustic Roads, and (2) apply the protections afforded to Designated Rustic Roads to Candidate Rustic Roads while they are being evaluated for potential nomination.

Approve? Yes X No

DocuSigned by:

12/2/2024

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Jessica Fitzwater, County Executive
Frederick County, Maryland

Date**FINANCIAL IMPACT:** No**ATTACHMENT(S):** None

cc: John Peterson, CAO
Jason Stitt, Director, Division of Public Works
Kathy Mitchell, Senior Assistant County Attorney