



FREDERICK COUNTY PLANNING COMMISSION

March 12, 2014

TITLE: Proposed FY 2015-2020 Capital Improvements Program (CIP)

FILE NUMBER: N/A

REQUEST: **FINDING OF CONSISTENCY**
Staff is presenting the Proposed FY 2015–2020 CIP for a finding of consistency with the Frederick County Comprehensive Plan

PROJECT INFORMATION:

ADDRESS/LOCATION: N/A
TAX MAP/PARCEL: N/A
COMP. PLAN: N/A
ZONING: N/A
PLANNING REGION: N/A
WATER/SEWER: N/A

STAFF: Jim Gugel, Planning Director

RECOMMENDATION: Staff recommends that the Planning Commission find the Proposed FY 2015-2020 CIP consistent with the Frederick County Comprehensive Plan

ATTACHMENTS:

Proposed FY 2015-2020 CIP

STAFF REPORT

ISSUE

As part of the preparation of the Capital Improvements Program (CIP), the Planning Commission reviews the CIP to make a finding on whether the location, character and extent of the facilities are consistent with the Frederick County Comprehensive Plan.

BACKGROUND

The Frederick County CIP is a six-year plan and budget document for capital improvements. Capital improvements will typically have an individual project cost of at least \$100,000 with the following characteristics:

- Will add to the government's public infrastructure OR
- Will result in a major repair of a affixed asset that significantly adds to or preserves the lidre of the original asset OR
- Will establish or enhance internal computer/program systems. This excludes routine expenses such as maintenance, license renewals etc.

The CIP may also include land acquisition for future projects (land banking) as well as municipal projects if the project is not exclusively to serve municipal residents. While the CIP only allocates funding for the six-year period projects may also be listed in the CIP with funding to be allocated beyond the particular sixth year, which for this CIP would be 2020.

Each County department evaluates its short term and long term needs, and determines which projects, if any, can be considered Capital Improvement items. These items are submitted in the form of departmental requests. Capital expenditures may include such items as the construction of a new school or library, as well as expansion or renovation of buildings, land acquisition, utility and road infrastructure and other items with a useful life of 15-20 years or more. The CIP provides Frederick County Government and the public with information on each capital project, such as the scope (i.e., size, capacity, etc...); the fiscal year in which the project is scheduled to begin design, engineering and construction, as well as planned completion dates; a programmed amount to be expended each year, and the funding source(s). The CIP also provides policy and guidelines, current Bond Rating, Debt Affordability, and current revenue information on an annual basis.

Basis for a Finding of Consistency

State Code and Guidelines

The Land Use Article of the Annotated Code of Maryland provides general requirements with regards to a finding of consistency with a comprehensive plan. Section 1-303 *Consistency – General requirement* of the Land Use Article further defines consistency with a comprehensive plan to mean “ an action taken that will further, and not be contrary to the following items in the plan:

- 1) Policies;
- 2) Timing of the implementation of the plan;
- 3) Timing of development;
- 4) Timing of rezoning;
- 5) Development patterns;
- 6) Land uses; and
- 7) Densities or intensities

The Maryland Department of Planning in its Models and Guidelines document titled: *'Achieving Consistency under the Planning Act'* also provides guidance on determining consistency with a comprehensive plan. It states:

"...land use regulations and decisions should agree with, and implement what the Plan recommends and advocates. A consistent regulation or decision may show clear support for the Plan. It may also be neutral – but it should never undermine the Plan."

County Comprehensive Plan

The County Comprehensive Plan references community facilities and infrastructure improvements in both the text document of the Plan and on the Land Use Plan map. It should be noted that the Comprehensive Plan, which was adopted in 2010 and amended in 2012, has a general outlook of 20+ years so the CIP with a six year outlook would not be expected to capture every planned facility or improvement that may be identified in the Comprehensive Plan.

The Land Use Plan map identifies the location of planned community facilities including schools, libraries, fire stations, and parks. The Plan map also includes alignments for planned roads. Since the Land Use map was amended in 2012 but not the Plan document from 2010 the planned facilities and road on the map will not match what is listed in the Plan document. Since the Land Use Map amendment in 2012 expanded a number of growth areas it will include more community facilities and planned roads than what was described in the 2010 Plan document.

Within the text document the primary reference for a finding of consistency with the CIP review would be in Chapter 7 Serving our Citizens and in Chapter 6 Providing Transportation Choices. However, various projects included in the Proposed CIP may also be supported by goals and policies in other chapters as well. Within the Transportation chapter the primary reference would be to planned roads, which are listed and described on pages 06-10 to 06-12. The Serving our Citizens chapter is organized into three elements. On pages 07-2 and 07-3 are overall goals for community facilities and policies, which are listed by specific facility types. The policies generally address location, design, and land use related aspects.

Chapter 7 Serving our Citizens

Community Facilities Element

- Schools – Planned Facilities listed on page 07-9
- Parks – Planned Facilities listed on page 07-15
- Libraries – Planned Facilities listed on page 07-17
- Public Safety – Sheriff and Fire Planned Facilities listed on page 07-18

Health and Human Services

- Address services such as the Department of Aging, Head Start etc. though it does not identify planned facility needs.

Public Utilities Element

- Solid Waste Management and Water and Sewer Systems – Provides some facility and system descriptions though does not include specific facility improvements. These are primarily addressed in their own Solid Waste Management Plan and the Water and Sewer Plan.

PROPOSED FY 2015 – 2020 CIP SUMMARY

The CIP is organized into the following subheadings:

- General Government (Fire and Rescue, Library, Maintenance/Systemics, & IIT) – page 13
- Water and Sewer – page 43
- Solid Waste – page 63
- Parks and Recreation – page 67
- Watershed Restoration – page 83
- Roads – page 91
- Bridges – page 103
- Highways – page 117
- Frederick Community College – page 125
- Board of Education – page 135
- Municipalities –page 151

The Proposed CIP identifies full or partial funding for **105 projects totaling \$594,257,999 for the entire 6-year period**. The current FY 2014-2019 was approved with a total of \$555,135,824. Like prior years, balancing the expenditures with revenues on an annual basis for the FY 2015-2020 CIP proved to be challenging. The combination of construction costs for priority projects, along with the fairly flat revenue projections when applied to the six-year period, greatly reduced the ability to fund certain projects as requested. As a result, the timing of certain projects was shifted from what was being requested, as well as what was contemplated in the adopted CIP from last year. Furthermore, like last year, some projects could not be funded at all during the six-year period.

In an effort to provide more consistency in the timing of projects from one CIP to another, a two step submission process was used to evaluate projects. The two-step process begins with a submission and evaluation of the current FY 2014-2019 approved CIP projects, with updated costs and timing shifts. The second submission allows the agencies to submit new requests and other changes to the approved CIP, such as moving project timing forward.

Consistent with past practice, projects that are not anticipated to be funded in the six-year CIP have been removed from the document. Many of the County departments/agencies have their own facility plans that identify long term needs beyond the six-year CIP timeframe.

Summary of major changes from the current FY 2014-2019 CIP (see pages 9-13 for complete listing of changes)

General Government

- New Market Fire Station Replacement – defunded the prior approval and shift to other Fire/Rescue needs
- N. Frederick City Fire Station New – defunded the prior approval and shift to other Fire/Rescue needs. Construction shifted from 2019 to 2020.
- Green Valley Fire Station Replacement – Delayed construction from 2015 to 2018
- Myersville Library New -

Watershed Restoration

- Hunting Creek Watershed – new project funded in FY 2015
- Ballenger Storm water Master Plan – new project funded in FY2015
- Industrial Facility Retrofits – new project funded in FY 2015-2016

Parks and Recreation

- Old National Pike Park Phase 2 – delay design 1 year to 2019
- Middletown Park Rehabilitation – construction now set for 2020
- Utica Park Synthetic Turf Field – new project in 2020

Roads

- Reichs Ford Rd Ph2 and Reels Mill Rd Ph2 – delayed 2 years, planning in 2020/2021
- Gas House Pike – moved forward 3 years (as discussed with department)
- Boyers Mill Rd. – moved construction back from 2015/16 to 2016/18

FCC

- FCC Allied Health Bldg – delayed 1 year from 2018 to 2019/2020

BOE

- Waverly Elementary Addition – delay 2 years from 2018 to 2020
- N. Frederick City Area Elementary – delay 1 year from 2019 to 2020
- W. Frederick City Area Elementary – move design forward 1 year to FY 2015
- East County Area Elementary – delay construction 1 year, still beyond 2020
- Kempton Elementary Addition – removed from CIP
- Urbana Elementary Modernization – delay 1 year from 2019 to 2020

Municipalities

- Monocacy Blvd – new project with County contributing a total of \$8.3 million from 2015 to 2018
- Yellow Springs Pike bridge – new project related to Keller annexation. County contribute \$400,000 in 2020.

Finding of Consistency

The CIP is a six-year funding document/plan based on current known fiscal conditions and projections. The only year in which funding is real (i.e. can be appropriated) is the first year, FY 2015. The remaining years are a balance of projected revenues, expenditures and the prioritization of capital projects and are always subject to change in schedule and/or the amount of funding.

The CIP is not intended to, nor is it expected to implement the County Comprehensive Plan or any functional plan (i.e. Bikeways and Trails Plan, Water and Sewer Plan) in its entirety.

The school, fire station, library, road, and park projects are consistent with planned facility symbols on the Land Use Plan Map of the County Comprehensive Plan as amended in 2012. While the new Urbana Area Elementary School is not reflected on the Land Use Plan map its construction to meet current capacity needs is supported by the general and school policies in the Comprehensive Plan document.

Staff would also find the Proposed FY 2015-2020 CIP as a whole to be consistent with the goals and policies of the County Comprehensive Plan.

RECOMMENDATION

Staff recommends that the Frederick County Planning Commission find:

That the location, character, and extent of the Proposed FY 2015-2020 Capital Improvements Program are consistent with the Frederick County Comprehensive Plan.

Should the Planning Commission find that the location, character, and extent of the Proposed FY 2015-2020 CIP *are not* consistent with the Frederick County Comprehensive Plan, it is recommended that the Commission include its reasons in an effort to aid the Board of County Commissioners in understanding the issue(s) of concern.

PLANNING COMMISSION ACTION

MOTION FOR CONSISTENCY

I move that the Planning Commission **find that the location, character, and extent of the Proposed FY 2015-2020 CIP are consistent with the Frederick County Comprehensive Plan** as listed in the staff report, based on the findings and conclusions of the staff report.

MOTION THAT LOCATION, CHARACTER, EXTENT ARE NOT CONSISTENT

I move that the Planning Commission **find that the location, character, and extent of the Proposed FY 2015-20120 CIP are NOT consistent with the Frederick County Comprehensive Plan** as listed in the staff report, and include the following findings and conclusions:

- 1.
- 2.
- 3.