

## Annual Report Worksheet - **FREDERICK COUNTY**

### Reporting (Calendar) Year 2020

#### INSTRUCTIONS

Each Planning Commission/Board shall approve an Annual Report for the Reporting Year 2020 as required under **§1-207(b)** of the Land Use Article. In addition, this Annual Report shall be filed with the local legislative body and the Maryland Department of Planning (Planning), no later than July 1, 2021.

Local jurisdiction may use the attached template form or any of the previous Annual Report forms. The requirements have not changed for 2020. An optional survey is included in Section VII. We encourage all jurisdictions to consider responding.

**Section I- New Residential Permits**, and **Section II- Amendments and Growth Related Changes**, are required by all local jurisdictions.

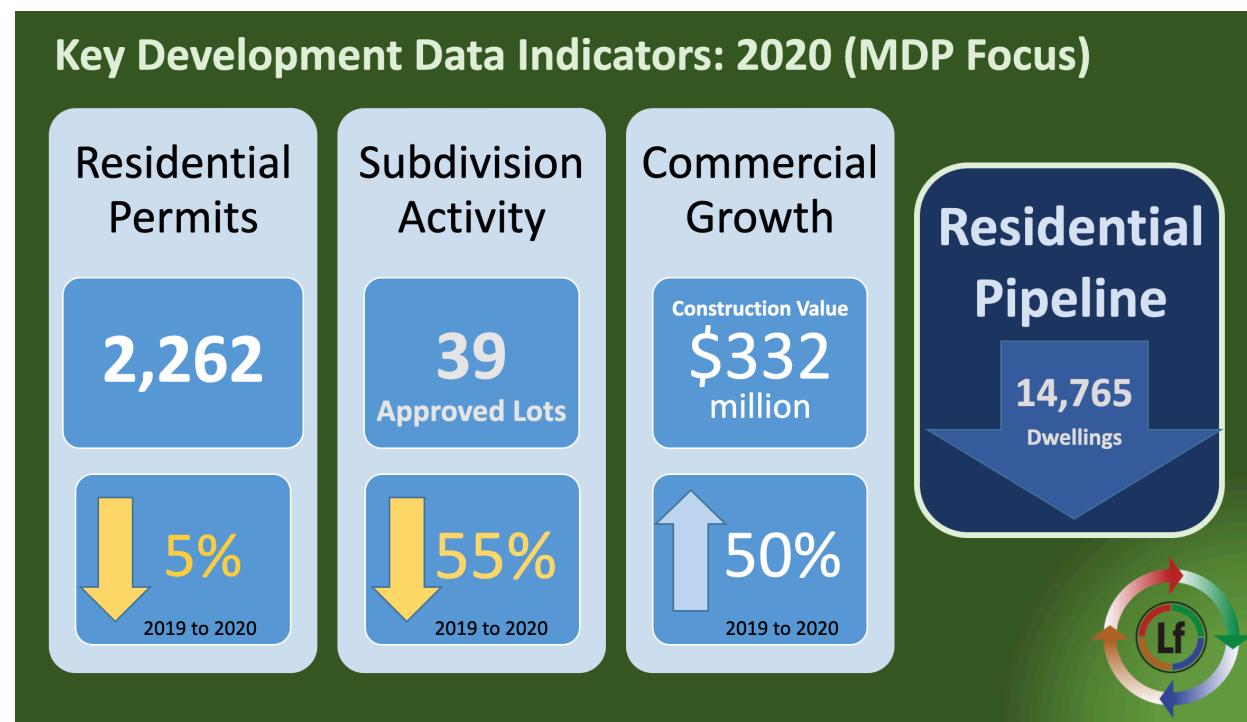
**Section III- Development Capacity Analysis**, is required every three years.

**Section IV- Locally Funded Agriculture Preservation**, is required by Counties only.

**Section V – Measures and Indicators**, is required by jurisdiction reporting more than 50 new residential permits in Section I.

**Section VI- Adequate Public Facility Ordinances**, is required every two years by jurisdictions with adopted Adequate Public Facility Ordinances (APFOs).

**Section VII – Planning Survey Questions** is optional



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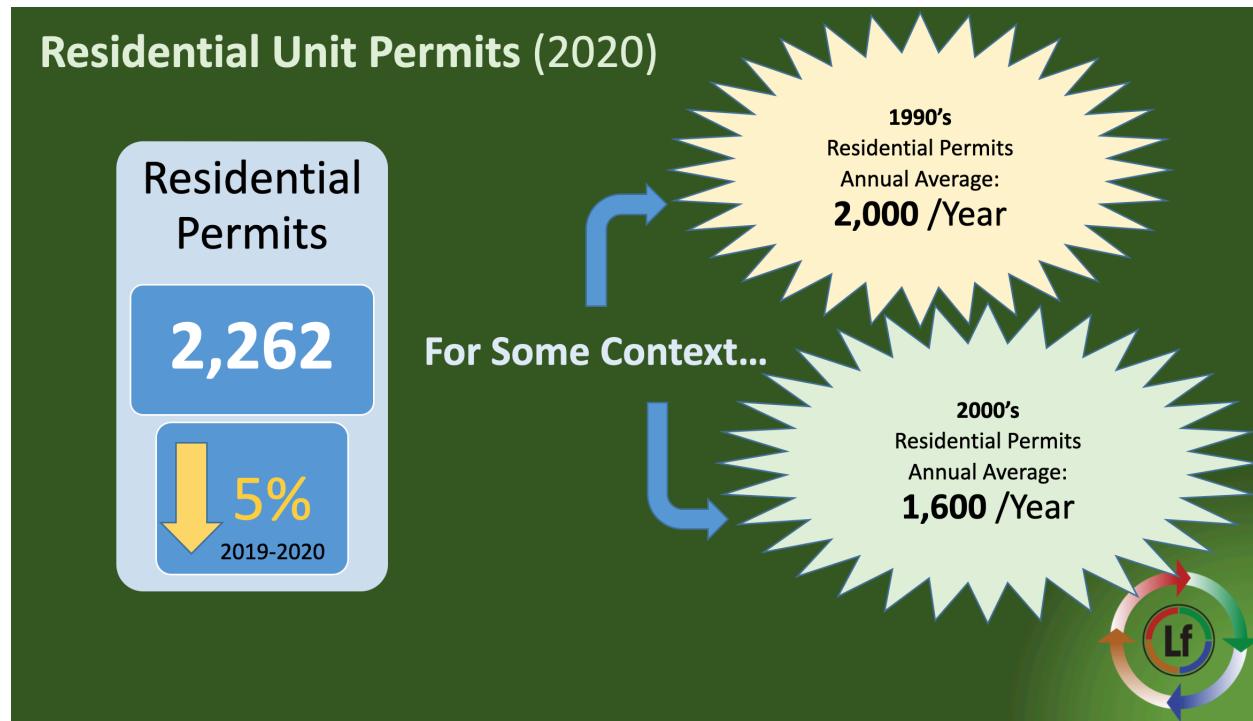
#### Section I: New Residential Permits Issued (Inside and Outside the PFA)

##### (§1-208(c)(1)(i) and (c)(3)(ii))

(A) In *Table 1, New Residential Permits Issued (Inside and Outside the PFA)* below, enter the number of new residential building permits issued in calendar year (2020). Enter 0 if no new residential building permits were issued in 2020.

**Table 1: New Residential Permits Issued  
Inside and Outside the Priority Funding Area (PFA)**

Residential – Calendar Year 2020	PFA	Non - PFA	Total
# New Residential Permits Issued - COUNTY	1,210	491	1,701
# New Residential Permits Issued - MUNICIPALITIES	561	0	561
# New Residential Permits Issued - TOTAL	1,771	491	2,262



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#### Section II: Amendments and Growth Related Changes In Development Patterns (§1-207(c)(1) and (c)(2))

*Note: Growth related changes in development patterns are changes in land use, zoning, transportation capacity improvements, new subdivisions, new schools or school additions, or changes to water and sewer service areas.*

**(A)** Were any new comprehensive plan or plan elements adopted? If yes, briefly summarize what was adopted  Y  N  X

Following up on the adoption of the Livable Frederick Master Plan in October 2019, the county embarked on two implementation projects in 2020 including the Sugarloaf Mountain Treasured Landscape Plan and the South Frederick Corridors Plan. Both plans are expected to be completed and adopted in early 2022. Preliminary discussions began regarding the county's update to its Water Resources Element, currently planned for completion in 2021.

**(B)** Were there any amendments to the zoning regulations or zoning map? If yes, briefly summarize each amendment, include a map, or GIS shapefile, if available.  Y  X  N

Two rezoning applications that were submitted in 2019, were approved by the County Council in 2020:

- 1) R-19-01 Cromwell PUD** - Request to rezone 160.87 acres from Agricultural (A) to Planned Unit Development (PUD) for the development of 600 age-restricted dwellings.
- 2) R-19-02 Delauter-Hutzell MXD** - Request to rezone 27.58 acres from Office/ Research/ Industrial (ORI) to Mixed Use Development (MXD).

#### Zoning Text Amendments - 2020

Council Bill	Subject	Purpose	Enacted
20-07	Rezoning Criteria	Revised Criteria for Rezoning Applications	14 Aug 2020
20-10	Accessory Dwelling Units (ADUs)	Revised Requirements for Accessory Dwelling Units (Approval and Construction)	21 Jul 2020
20-14	Waterbody Buffers	Modified Widths of Required Waterbody Buffers	15 Sep 2020
20-15	Farmers Markets	Zoning Revisions to Farmers Market Regulations	29 Sep 2020



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**(C)** Were there any growth related changes, including Land Use Changes, Annexations, New Schools, Changes in Water or Sewer Service Area, etc., pursuant to of the Land Use Article? If yes, please list or map and provide a description of consistency of internal, state or adjoining local jurisdiction plans . Y  X  N

**Water & Sewer Plan Amendments:**

Nine (9) amendments were considered in 2020, with four (4) being approved locally [pending approval by MDE]. The remaining five (5) cases are scheduled for hearing by the County Council in June 2021.

**Schools:**

The county opened a new elementary school in 2020, the rebuilt Urbana ES (Urbana HS feeder), whose students had temporarily been attending the new Sugarloaf ES (Urbana HS feeder) while their own school was under construction. The COVID-19 pandemic kept Urbana students from physically attending the new elementary school, but each of the these two new facilities will see students return in 2021. Four schools were under construction in 2020 including Blue Heron ES, the Rock Creek School, an addition to Oakdale MS, and a new and expanded Waverly ES. As measured shortly after the beginning of the 2020-2021 academic year, Frederick County saw a reduction in the number of schools with a state-rated capacity over 100%.

CASE	APPLICANT	LOCATION & REQUEST	DECISION
WS-20-01	Division of Planning & Permitting	M84, Parcel 65. Holter Rd at MD 180	Pending MDE approval
WS-20-02	Division of Planning & Permitting	Text Amendment to the W/S Plan	Pending MDE approval
WS-20-04	Town of New Market	M801, P3888, Lot 17. 145 West Main St, New Mrkt	Pending MDE approval
WS-20-06	Bloomfields, LLC	M48, P 66, P26, P190	Pending MDE approval
WS-20-07	Spring Ridge Business Center	M78, P663, Lot 1. Baltimore Road	Council hearing 06-01-2021
WS-20-08	Cromwell Heritage, LLC	M78, P12, P 101. Meadow Road	Council hearing 06-01-2021
WS-20-09	Division of Planning & Permitting	Text Amendment	Council hearing 06-01-2021
WS-20-10	Division of Planning & Permitting (Shuck Properties)	M 103, P839, L2, L3. Washington St. in Adamstown	Council hearing 06-01-2021
WS-20-11	Baptist Convention of MD/DE, Inc (Skycroft)	M 45, P11, P35. Frostown Road, Myersville	Council hearing 06-01-2021

**(D)** Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, please list. Y  X  N

Through the adoption of the *Livable Frederick Master Plan* and its companion document, *the Livable Frederick Implementation Program*, the county re-imagined how it will conduct place-

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based plan implementation through the scheduled development of functional- and area plans. Integration of long-range planning exercises into the regular activities of the Planning Commission will be nurtured through an annual review process based upon an *Annual Livable Frederick Progress Report and Implementation Program* (ALFPRIP), the first iteration of which will be introduced in mid-2021, and subsequently in June of each year. The ALFPRIP will integrate the *MDP Annual Report*, a *Progress Report* for the county's Livable Frederick Master Plan efforts, and a recommended *Livable Frederick Implementation Program*.

#### **Putting the Plan to Work – Implementation of the LFMP** *Annual LF Progress Report & Implementation Program*

##### ▪ **LFMP Progress Report**

- Review of Progress Indicators
- Feature Relevant Information (Demographics, Market Conditions)
- Annual Planning Report Information
- Review/Update of Private Sector & Institutional Efforts [2021]

##### ▪ **Capacity Analysis**

- Population & Demographic Information, Growth Rates
- Commercial & Residential Pipelines
- Systems Capacity (Schools, Roads, W/S, Parks, Environmental) [2021]

##### ▪ **Work Program**

- Initial DRAFT Work Program (Planning Staff & County Executive)
- Planning Commission - Review & Recommendation
- County Council - Review & Recommendation
- Final Approval by County Executive



NOTE: Although it is the understanding of the Frederick County Planning Commission that this *Annual Report Worksheet (Long Form)* for Calendar Year 2020 meets or exceeds the requirements of the Maryland Department of Planning's Annual Reporting protocol, the Commission does not believe that this long form report, as submitted, meets all of the requirements identified in the Land Use Article.

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#### Section III: Development Capacity Analysis (DCA)([§1-208\(c\)\(iii\)](#))

*Note: MDP provides technical assistance to local governments in completing a development capacity analyses. Please contact your MDP regional planner for more information.*

**(A)** Has an updated DCA been submitted with your Annual Report or to MDP within

the last three years?

Y      N

1. If no, explain why an updated DCA has not been submitted, such as, no substantial growth changes, etc.

*The next DCA will be prepared as part of the update of the county's Water Resources Element (WRE). The revised WRE will establish general countywide policies regarding water and sewer infrastructure as well as stormwater management goals and practices. These anticipated countywide policies will be further refined with the adoption of area and corridor plans in future months and years. The DCA will allow the county to better understand the anticipated needs of future development in its growth areas, as well as those of its partner municipalities. The county is seeking to complete its revised DCA in 2021 and will submit the information to MDP with its revised WRE.*

2. If yes, when was the last DCA submitted? Identify Month and Year:

*Submitted in 2018 for the calendar year 2017*

a. Was the DCA shared with the local School Board Facilities Planner?  Y  N

**(B)** Using the most current DCA available, provide the following data on capacity inside and outside the PFA in *Table 2, Residential Development Capacity (Inside and Outside the PFA)*:

*Updated Development Capacity data will be available concurrently with the submission of the Calendar Year 2020 Annual Report (July 2021).*

**Table 2: Residential Development Capacity (Inside and Outside the PFA)**

Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
Residentially Zoned Acres w/ Capacity			
Residential Parcel & Lots w/Capacity			
Residential Capacity (Units)			

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#### **Section IV: (Locally) Funded Agricultural Land Preservation & Local Land Use Goal (Counties Only) ([§1-208\(C\)\(1\)iv and v](#))**

(A) How many acres were preserved using local agricultural land preservation funding? Enter 0 if no acres were preserved using local funds. Enter value of local program funds, if available.

**Table 3: Locally Funded Agricultural Land Preservation in 2020**

Local Preservation Program Type	Acres	#
Rural Legacy	129	1
IPP (Installment Purchase Program)	0	0
MALPF	896	6
CREP	561	4
Critical Farms	1,222	8
Next Gen	389	3
<b>Total</b>	<b>3,197</b>	<b>22</b>

(B) What is the county's established local land use percentage goal?

The county's long- range goal for protecting agricultural land is to reach 100,000 acres of permanently preserved land by the year 2040, while maintaining an active agricultural land base of at least 200,000 acres. Over the past 27 months, the county has protected an average of 140 acres per month. ***At this rate, the county would achieve its preservation goal of 100,000 acres preserved in 2042. To hit the target year of 2040, the county must protect an average of 150 acres per month.***

(C) What is the timeframe for achieving the local land use percentage goal?

The county has set an aggressive goal of reaching its ag land protection target within 20 years.

(D) Has there been any progress in achieving the local land use percentage goal?

***To date, the county has preserved over 64,685 acres on 464 farms (March 2021).***

(E) What are the resources necessary for infrastructure inside the PFAs? —-

(F) What are the resources necessary for land preservation outside the PFAs? —-

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#### Agricultural Land Preservation: (March 2020)

**Preserved  
Acres  
64,685**

**Preserved  
Farms  
464**

2.7% Increase  
since July 2020

Goal:  
100,000 acres  
by 2040

Need to protect  
150 acres/month  
to achieve goal

**27-month Average is 140 acres/month...**  
**...at this rate, goal achieved in 2042**



#### Agricultural Land Preservation: (March 2020)

**2009-2014  
9,105 ac**

**2015-2020  
13,198 ac**

**12-year Total  
22,303 ac**

Average:  
126 ac/mo

Average:  
183 ac/mo

Average:  
155 ac/mo

**12-year average is 155 acres/month...**  
**...at this rate, goal achieved in 2040**



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#### Section V: Measures and Indicators ([§1-208\(c\)\(1\)](#))

Note: The Measures and Indicators, Section VII, is only required for jurisdictions issuing more than 50 new residential building permits in the reporting year, as reported in Table 1.

**Table 4A: Amount of Residential Growth (Inside and Outside the PFA)**

Residential – Calendar Year 2020	PFA	Non - PFA	Total
<b>Total # Minor Subdivisions Approved</b>	—	—	—
<b>Total # Minor Subdivision Lots Approved</b>	—	—	—
<b>Total # Minor Subdivision Units Approved</b>	—	—	—
<b>Total Approved Minor Subdivision Area (Gross Acres)</b>	—	—	—
<b>Total Approved Minor Subdivision Lot Area (Net Acres)</b>	—	—	—
<b>Total # Major Subdivisions Approved**</b>	1	0	1
<b>Total # Major Subdivision Lots Approved**</b>	39	0	39
<b>Total # Major Subdivision Units Approved**</b>	39	0	39
<b>Total Approved Major Subdivision Area (Gross Acres)**</b>	11.3	0	11.3
<b>Total Approved Major Subdivision Lot Area (Net Acres)**</b>	8.6	0	2.7
<b>Total # Units Constructed in Jurisdiction (COA issued)</b>	—	—	2,003
<b>Total # Units Demolished*</b>			
<b>Total # Units Reconstructed/Replaced*</b>			

\*Not required.    \*\*Re-approval of a portion of Ballenger Run PUD

**Table 4B: Net Density of Residential Growth (Inside and Outside the PFA)**

Residential – Calendar Year 2020	PFA	Non – PFA	Total
<b>Total # Units Approved (Major + Minor Subdivisions)</b>	39**	0	39**
<b>Total # Approved Lot Area (Major + Minor Subdivisions)</b>	8.6**	0	8.6**

**Table 4C: Share of Residential Growth (Inside and Outside the PFA)**

Residential – Calendar Year 2020	PFA	Non – PFA	Total
<b>Total # Units Approved (Major + Minor Subdivisions)</b>			
<b>% of Total Units (# Units/Total Units)</b>	100%	0%	100%

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**Table 4D: Amount of Commercial Growth (Inside and Outside the PFA)**

Commercial – Calendar Year 2020	PFA	Non - PFA	Total
<b>Total Site Plan Area Approved (Gross Acres)</b>	105.83	4.38	110.21
<b>Total Building Square Feet Approved (Gross)</b>	328,827	16,482	345,309
<b>Total # New Permits Issued (incl. all muni's except Frederick)</b>	-	-	322
<b>Total Square Feet Constructed in Jurisdiction (Gross)</b>	-	-	-

**Table 4E: Net Density of Commercial Growth (Inside and Outside the PFA)**

Commercial – Calendar Year 2020	PFA	Non – PFA	Total
<b>Total Building Square Feet Approved (Gross)</b>	328,827	16,482	345,309
<b>Total Lot Size (Net Acres)</b>	105.83	4.38	110.21

**Table 4F: Share of Commercial Growth (Inside and Outside the PFA)**

Commercial – Calendar Year 2020	PFA	Non – PFA	Total
<b>Total Building Square Feet Approved (Gross)</b>	328,827	16,482	345,309
<b>% of Total Building Square Feet (Building Square Feet/Total Approved Square Feet)</b>	95.2%	4.8 %	100%

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#### **Section VI: Adequate Public Facility Ordinance (APFO) Restrictions ([§7-104](#))**

**(Section VI is only required by jurisdictions with adopted APFOs)**

*Note: Jurisdictions with adopted APFOs must submit a biennial APFO report. The APFO report is due by July 1 of each even year and covers the reporting period for the previous two calendar years. APFO reports for 2019 and 2020 are due July 1, 2021. However, jurisdictions are encouraged to submit an APFO report on an annual basis.*

(A) What is the type of infrastructure affected? (List each for Schools, Roads, Water, Sewer, Stormwater, Health Care, Fire, Police or Solid Waste.)

The county adopted an Adequate Public Facilities Ordinance (APFO) in 1991 that addresses roads, schools, and water & sewer facilities. The APFO only applies to county developments as several municipalities have their own APFO's.

School capacity is the only APFO related restriction within Priority Funding Areas (PFA's).

The County's Adequate Public Facilities Ordinance (APFO) establishes the school adequacy threshold at 100% for all school levels. Based on the Frederick County Public Schools Enrollment and Capacity Report as of September 30, 2020 there were twenty-one (11) elementary, four (4) middle, and two (2) high schools at or over 100% of their state rated capacity. Many of these school districts include areas serving, or located in, both the county and its municipalities.

***Overall system capacity decreased by 3% between December 2019 and September 2020 to 91%, for all educational levels.***

#### **School Capacity (September 2020)**

**ES**

**11** > 100%  
(21 in 2019)  
6 @ 95-100%

**96%**

**MS**

**4** > 100%  
(4 in 2019)  
2 @ 95-100%

**84%**

**HS**

**2** > 100%  
(2 in 2019)  
1 @ 95-100%

**92%**

Overall

**System  
Capacity  
91%**

**Total Systemwide Enrollment DECREASED 1.5% from Dec. 2019 to Oct. 2020  
led by a 4.75% Decrease in Elementary School Students**



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#### **Schools – Programmed Projects CIP FY 2020-2025**

##### ▪ **Elementary**

Current excess seats: 679  
CIP Projects to add 2,016 seats  
Projected ES system wide capacity in 6 years: 96%

##### ▪ **Middle**

Current excess seats: 2,009  
CIP Projects to add 298 seats

##### ▪ **High**

Current excess seats: 1,536  
CIP Projects to add no additional seats

#### **Schools – Programmed Projects CIP FY 2021-2026**

##### **6 Projects through 2026**

###### ▪ **Blue Heron ES**

NEW – Under Construction

###### ▪ **Waverly ES**

ADDITION – FY22

###### ▪ **Brunswick ES**

REPLACEMENT/ADDITION – FY24

###### ▪ **Crestwood MS**

ADDITION – FY24

###### ▪ **Placeholder ES**

REPLACEMENT/ADDITION – FY25

###### ▪ **Placeholder ES**

REPLACEMENT/ADDITION – FY26

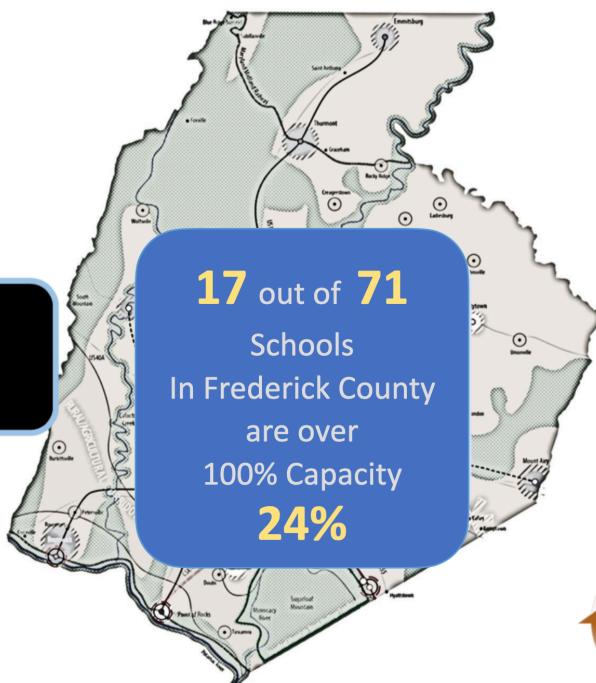
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#### The Geography of School Capacity (September 2020)

**Number of Schools in each  
Geographic Area with a  
Capacity Exceeding 100%**

**17** out of **71**  
Schools  
In Frederick County  
are over  
100% Capacity  
**24%**



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#### Section VII: Planning Survey Questions (Optional)

*The information provided can assist MDP and MDOT staff with identifying potential pedestrian/bicycle projects and project funding.*

(A) Does your jurisdiction have a bicycle and pedestrian plan? **Y X N**

1. Plan name: ***Bikeways and Trails Plan***
2. Date Completed (**July 2018**)
3. Has the plan been adopted? **By County Council** **Y X N**
4. Is the plan available online? **Y X N**
5. How often do you intend to update it? (Every 5-10 years)
6. Are existing and planned bicycle and pedestrian facilities mapped? **Y X N**

(B) Does your jurisdiction have a transportation functional plan in addition to your comprehensive plan? **Y X N**

1. Plan name: ***Frederick County Master Transportation Plan***
2. Date completed (**Dec 2001**)
3. Has plan been adopted? **By Board of County Commissioners** **Y X N**
4. Is the plan available online? **Y X N**
5. How often do you intend to update it? (Frequently...initially through updates to the county's Comprehensive Plan)

END

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