

The background of the cover is a photograph of a rural landscape. In the foreground, there is a field of tall, leafy plants with yellow and green foliage. In the middle ground, a small white house is visible on a hill. The background features rolling hills under a cloudy sky. A large, light gray silhouette of Frederick County is centered over the image, containing the title text.

# Frederick County 2022 Annual Report

Frederick County Planning and Permitting Division

30 North Market Street, Frederick, MD 21701

• Phone: 301-600-138 • Fax: 301-600-1645 [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov)





# **Frederick County Government**

## **Planning Annual Report**

### **Calendar Year 2022**

Jessica Fitzwater  
*County Executive*

Each July, Maryland law requires that planning commissions throughout the state prepare, adopt, and file annual reports for the previous calendar year with their local legislative body and provide a copy to the state Secretary of Planning.

This is the Frederick County Planning Commission's annual report for 2022, which was approved by the Commission on June 21, 2023. It features data and analyses of land use trends prepared by staff from the Livable Frederick Planning & Design Office. The Commission is deeply grateful for their work.

During this reporting period, the Commission established special committees to study and develop recommendations related to three focus areas: community outreach and engagement, mixed-use development, and transfer of development rights. Descriptions of these committees and the scope of their work are on pages 8-9. Recommendations for these focus areas will be issued by the Commission later this year and included in the 2023 Annual Report.

We hope that our report will assist with local and state decision making related to land-use planning and development consistent with our County's Livable Frederick comprehensive planning effort.

For the Frederick County Planning Commission:

Craig Hicks, Chair

Joel Rensberger, Vice-Chair

Tim Davis, Secretary

Carole Sepe

Sam Tressler III

Masai Troutman

Robert White





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
*County Executive*

## Table of Contents

Foreword.....	i
Tables.....	iii
Maps.....	iii
<b>Section I: New Residential Permits Issued (Inside and Outside the PFA).....</b>	<b>1</b>
<b>Section II: Amendments and Growth-Related Changes In Development Patterns.....</b>	<b>3</b>
Zoning Map Amendments.....	3
Text Amendments.....	4
Land Use Changes.....	5
Annexations.....	5
New Schools.....	5
Water and Sewer Plan Amendments.....	6
Historic Preservation.....	8
<b>Improving the Planning Process – Planning Commission Focus Areas.....</b>	<b>8</b>
Mixed Use Development.....	9
Community Outreach and Engagement.....	9
Transfer of Development Rights.....	9
<b>Section III: Development Capacity Analysis (DCA).....</b>	<b>10</b>
<b>Section IV: Funded Agricultural Land Preservation &amp; Local Land Use Goal.....</b>	<b>11</b>
<b>Section V: Measures and Indicators.....</b>	<b>14</b>
<b>Section VI: Adequate Public Facility Ordinance (APFO) Restrictions.....</b>	<b>19</b>
<b>Section VII: Planning Survey Questions.....</b>	<b>21</b>



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
*County Executive*

## Tables

Table 1: New Residential Permits Issued (Inside and Outside the PFA).....	1
Table 2: Water and Sewer Plan Amendments.....	6
Table 3: Board of Appeals Cases 2018 – 2022.....	8
Table 4: Locally Funded Agricultural Land Preservation – CY2022.....	11
Table 5A: Amount of Residential Growth (Inside and Outside the PFA).....	14
Table 5B: Net Density of Residential Growth (Inside and Outside the PFA).....	14
Table 5C: Share of Residential Growth (Inside and Outside the PFA).....	14
Table 5D: Amount of Commercial Growth (Inside and Outside the PFA).....	17
Table 5E: Net Density of Commercial Growth (Inside and Outside the PFA).....	17
Table 5F: Share of Commercial Growth (Inside and Outside the PFA).....	17
Table 6A: School Enrollment.....	19
Table 6B: Capacity.....	19
Table 7A: Summary of New Capacity and Modernization Projects, 2024-2032.....	20

## Maps

Map 1: 2022 Residential Permits by PFA.....	2
Map 2: Agricultural Preservation Areas.....	13
Map 3: 2022 Approved Residential Subdivisions by PFA.....	15
Map 4: 2022 Residential Demolition Permits by PFA.....	16
Map 5: 2022 Commercial Building Permits by PFA.....	18





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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 (2022). Enter 0 if no new residential building permits were issued in 2022.

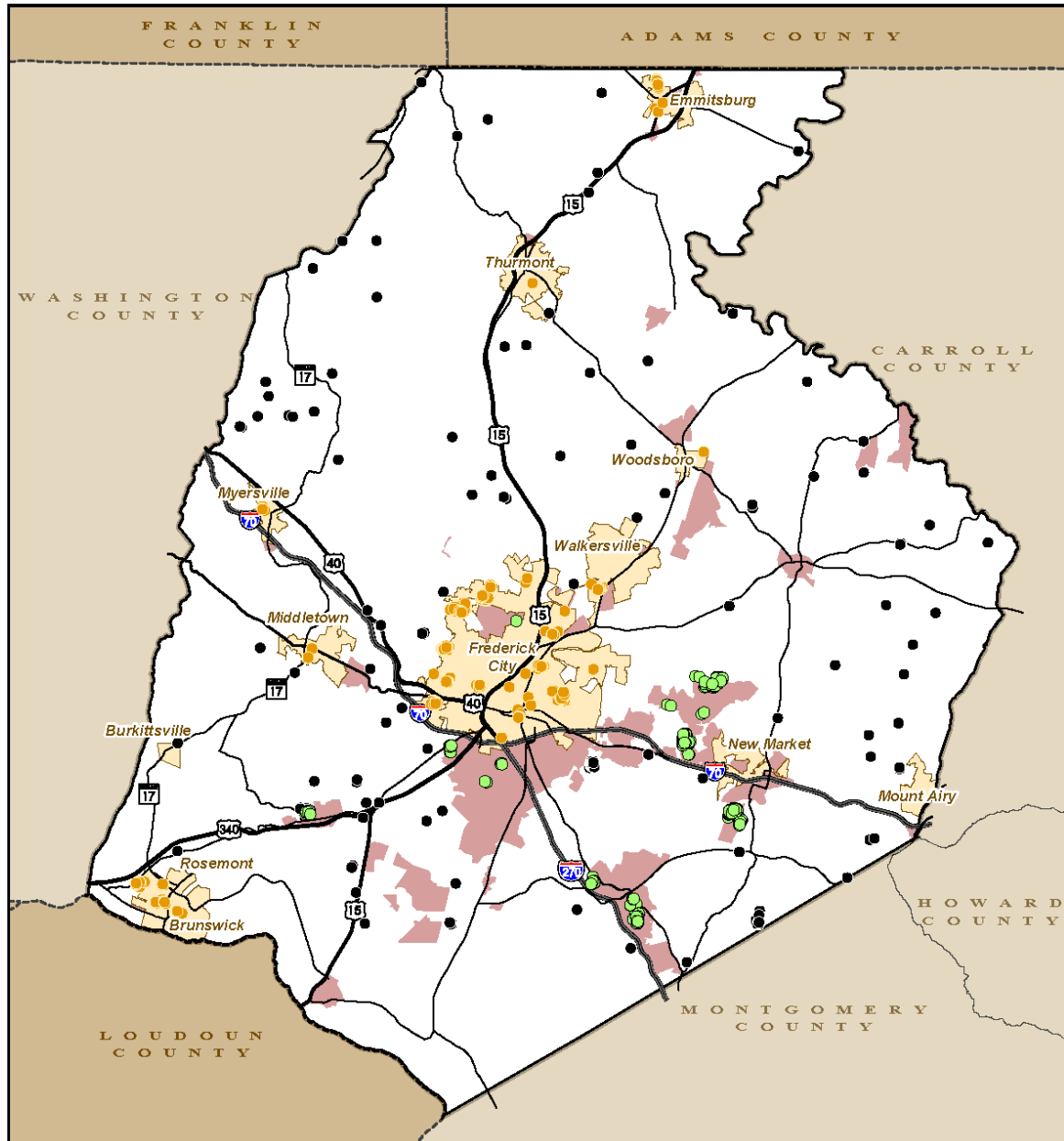
**Table 1: New Residential Permits Issued  
Inside and Outside the Priority Funding Area (PFA)**

Residential – Calendar Year 2022	PFA	NON - PFA	TOTAL
<b>County</b>	662 (76%)	212 (24%)	874 (100%)
<b>Municipalities</b>	1,616	0	1,616
<b>Total</b>	2,278 (91%)	212 (9%)	2,490 (100%)



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive



## 2022 Residential Building Permits by PFA

- 2022 Residential Building Permits - Municipal PFAs: 1,616
  - 2022 Residential Building Permits - County PFAs: 662
  - 2022 Residential Building Permits - Not within PFA: 212
- County PFA Boundary  
Municipal PFA Boundary



Frederick County, Maryland  
Division of Planning and Permitting  
Frederick County GIS

0 2 4 8  
Miles

Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet  
While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis. Printed: 3/6/2023 MAP: 00462







# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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 ☐

The Frederick County Land Preservation, Parks & Recreation Plan was adopted by the County Council in June of 2022 and approved by the Maryland Department of Planning and the Maryland Department of Natural Resources in July of 2022.

The Sugarloaf Treasured Landscape Management Plan was adopted by the County Council in October of 2022. The first of several treasured landscape management plans called for in the Livable Frederick Master Plan, the Sugarloaf Treasured Landscape Management Plan is focused on the protection of natural resources and the preservation of the scenic and rural character of the Sugarloaf Mountain area.

Throughout 2022, work with the Planning Commission on the South Frederick Corridors Plan continued. This small area plan is focused on fostering multi-modal transportation and mixed-use communities along the MD 85 (Buckeystown Pike) and MD 355 (Urbana Pike) corridors, immediately south of the City of Frederick. Also in 2022, the process to develop a new Water Resources Element (WRE) was initiated. The current WRE was adopted in September 2010.

- (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 ☒ N ☐

### Zoning Map Amendments:

Two piecemeal zoning map amendments were approved:

R-22-01 Kenel Farm MXD

Applicant: SJP Acquisitions, LLC

Request: Rezone 19.66 acres from Agricultural (A) to Mixed Use Development (MXD)

Location: 6126 Jefferson Pike, Frederick, MD 21703

R-21-01 Park Place at Ballenger

Applicant: DR Acquisitions, LLC

Request: Rezone 2.978-acres from Agricultural (A) to Planned Unit Development (PUD)

Location: West side of Ballenger Creek Pike, adjoining Tuscarora High School property to the north



# Frederick County Government

## Planning Annual Report

### Calendar Year 2022

Jessica Fitzwater  
*County Executive*

A comprehensive rezoning was approved to implement the Sugarloaf Treasured Landscape Management Plan, which was adopted in October of 2022. In total, 74.1 acres were rezoned. A total of 25 properties in the Sugarloaf Planning Area were entirely rezoned, with most of these properties being lots developed with single-family homes that were rezoned from Agricultural to R1 Residential. A total of four properties were partially rezoned, with Resource Conservation zoning added to sensitive environmental areas on two properties, Agricultural zoning added to one property, and 13.6 acres of General Commercial added to a 19.9-acre parcel, the balance of which was already zoned General Commercial.

#### Text Amendments:

There were six Zoning Text Amendments adopted in 2022, as well as amendments to the Adequate Public Facilities Ordinance and sections of the County Code concerning moderately priced dwelling units.

[Bill 22-03 – Amendments to the Zoning Ordinance to update certain definitions related to agricultural uses, including Agricultural Value Added Processing and Limited Roadside Stand.](#)

Adopted 3/1/22

[Bill 22-05 – Amendments to the Zoning Ordinance to add “Critical Digital Infrastructure” as a new use.](#)

Adopted 3/15/22

[Bill 22-06 – Amendments to the Zoning Ordinance to revise and clarify the notification requirements for comprehensive zoning and individual rezonings.](#)

Adopted 3/15/22

[Bill 22-12 – Amendments to the Zoning Ordinance to create a new Special Exception use category - “Facility for Functions” - applicable to historic structures or sites, specifying the conditions that apply to this use, and clarifying the approval processes for uses within Historic Structures or Sites.](#)

Adopted 7/26/22

[Bill 22-17 – Amendments to the Adequate Public Facilities Ordinance to strengthen traffic mitigation standards, increase the requirements to be considered a “limited impact development,” revise aspects of the Planning Commission’s approval authority, and revise approval time periods.](#)

Adopted 10/25/22

[Bill 22-24 – Amendments to the Zoning Ordinance to create a new definition for “Private Park” and associated design requirements.](#)

Adopted 10/25/22



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

[Bill 22-27 – Amendments to Chapter 1-6A \(Moderately Priced Dwelling Units\) \(“MPDUs”\) of the County Code, including: requiring construction of MPDUs in order to earn bonus density; allowing one unit of bonus density for each MPDU constructed; to change the per dwelling unit payment in lieu of construction to a per square foot payment in lieu; and to make other changes to Chapter 1-6A for clarity and consistency.](#)

Adopted 10/18/22

[Bill 22-28 – Amendment to the Zoning Ordinance changing the requirements for density bonuses for Moderately Priced Dwelling Units \(MPDUs\).](#)

Adopted 10/18/22

[Bill 22-29 – Amendment to Chapter 1-22 \(Development Impact Fee\) of the County Code to exempt Moderately Priced Dwelling Units \(MPDUs\) from Development Impact Fees.](#)

Adopted 10/18/22

- (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 ☒ N ☐

## Land Use Changes:

The Sugarloaf Treasured Landscape Management Plan, adopted in October 2022, included land use changes to 34 properties, for a total of 116.7 acres changed. The most frequent change (24 properties) was from Agricultural/Rural to Rural Residential. This designation change was generally applied to properties improved with single-family homes that are roughly an acre in size or smaller. The Natural Resource designation was applied to stream corridors on three properties. The General Commercial land use designation was applied to 13.6 acres of a 19.9-acre parcel; the balance of the property already had a General Commercial land use designation.

## Annexations:

1. England Woods on the northeast side of New Market, 93.7 acres zoned Agricultural in the County
2. Canada Hill Road in northwest Myersville, 17.8 acres zoned R-3 Residential in the County
3. Simmers Property (Apples Church Road) of Thurmont, 16.8 acres zoned Agricultural in the County. The Simmers property annexation by overturned by referendum in January 2023.

## New Schools:

The replacement of Waverley Elementary School opened in the fall of 2022 with a State rated capacity of 1019. This new larger elementary school replaced a 53-year-old building and added 664 elementary seats to relieve overcrowding at Waverley, Hillcrest, Butterfly Ridge, and Whittier elementary schools.



# Frederick County Government

## Planning Annual Report

### Calendar Year 2022

Jessica Fitzwater  
County Executive

#### Water and Sewer Plan Amendments:

The Frederick County Division of Planning and Permitting takes water and sewer plan amendments through the approval process three times a year. The Fall 2021 cycle (10 amendments, plus one out-of-cycle) received MDE approval in 2022. The Spring and Summer 2022 cycles (11 amendments) were considered and approved in 2022. Ten applications were received for the Fall 2022 cycle and will be heard in 2023.

**Table 2: Water and Sewer Plan Amendments**

CASE	LOCATION	REQUEST	DECISION (Date of MDE Approval unless otherwise noted)
WS-21-27 Division of P&P	5525 Adamstown Road TM 103, P146, Lot 13	1.04 acres from S-5 to <u>S-4</u>	August 17, 2022
WS-21-28 Quantum Maryland, LLC	Former Eastalco Property	676 acres from W-5, S-5 to <u>W-3, S-4</u> plus infrastructure symbolology on maps	July 12, 2022
WS-21-29 Town of New Market	New Market Community Park TM 801, P3810	1.0 acres from W-5 to <u>W-3</u>	August 17, 2022
WS-21-30 Division of P&P	6101 & 6109 Finn Place TM 79E, P146, Lot 1A TM 79E, P179, Lot 1B	2 lots from W-1, S-1 to <u>W-5, S-5</u>	August 17, 2022
WS-21-31 Division of P&P	49 lots and one stormwater open space parcel on Longmeadow Drive, Broadview Drive, Old Line Drive north side of MD-26/Liberty Road	49 lots from W-1 to <u>W-5</u>  1.6 acre stormwater parcel from W-1 to <u>No Planned Service</u>	August 17, 2022
WS-21-32 Division of P&P	8 properties on Shadywood Drive, Brook Drive, and Old Middletown Road within Jefferson Community Growth Area	Reclassification to <u>W-5, S-5, Planned</u> <u>Service, and No</u> <u>Planned Service</u>	August 17, 2022
WS-21-33 Division of P&P	59 properties in the Eastalco Community Growth Area (Stanford Industrial Park, Mullinix Agro Industrial Park, and Capstine Road)	No Planned Service to <u>Planned Service</u>	August 17, 2022
WS-21-34 Liberty Development Company, LLC	South side of South Street and southwest side of Jones Road in Libertytown TM 60, P64 TM 51, P31 TM 52, P37, Lots 172 & 179	10 acres from S-5 to <u>S-3</u> ; 50 acres from S-4 to <u>S-3</u> ; 11 acres from W-5 to <u>W-3</u> ; 49 acres from W-4 to <u>W-3</u>	August 17, 2022
WS-21-35 Libertytown Land, LLC	North side of Daysville Road, Southwest side of Woodsboro Pike in Libertytown TM 51, P19	62 acres W-4, S-4 to <u>W-3, S-3</u>	August 17, 2022



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

WS-21-36 Renn Family Investments, LLC	North and south sides of Gas House Pike within the City of Frederick TM 68, P47, 5, and 3	325 acres from W-4, S-4 to <u>W-3, S-3</u>	August 17, 2022
WS-21-37 Division of P&P	7821 & 7825 Rocky Springs Road TM 56I, P132, Lot 2	0.96 acres from S-5 to <u>S-4</u>	August 17, 2022
WS-22-01 Trout Land Group, LLC	12051 Old National Pike TM 89, P233, Lot 2	3.8 acres from S-5 to <u>S-4/Dev</u>	November 17, 2022
WS-22-02 Oakdale Crossing, LC	North side of Old National Pike at Meadow Road TM 78, P14	26 acres from W-5, S-5 to <u>W-3/Dev, S-3/Dev</u>	November 17, 2022
WS-22-04 Division of P&P	Daysville Road at MD-26 TM 51, P19, Tract I	5 acres from S-1 to <u>S-5/Dev</u>	November 17, 2022
WS-22-05 Division of P&P	South side of Daysville Road, 220 feet northwest of the MD 26/Daysville Road intersection TM 51, P19, Tract III	1.2 acres from S-1 to <u>S-5/Dev</u>	November 17, 2022
WS-22-06 Division of P&P	North side of MD-26, Liberty Road, 270 feet east of Monocacy Boulevard TM 57-I, P108, 114, 130	6.8 acres from W-1 to <u>W-5</u>	November 17, 2022
WS-22-08 Frank and Delores Thompson	9223 Baltimore Road TM 78, P528, Lot 2	0.92 acres from W-5 to <u>W-3</u>	November 17, 2022
WS-22-09 Division of P&P	East side of Bethel Road, 266 feet north of Crestview Drive TM 48, P227	0.47 acres from S-1 to <u>S-5</u>	December 28, 2022
WS-22-10 Maureen Wood/Frank Campbell	North side of Urbana Church Road, 337 feet south of MD-355 Urbana Pike TM 96, P165	0.36 acres from W-5, S-5 to <u>W-4, S-4</u>	December 28, 2022
WS-22-11 Division of P&P	Text Amendment Water and Sewerage Plan amendment fees and their applicability to municipal governments	December 28, 2022	
WS-22-12 Division of P&P	4601 Ed McClain Road TM 88, P21	2.0 acres from W-3, S-3 to <u>Planned Service (water and sewer)</u>	December 28, 2022
WS-22-13 Division of P&P	East side of Yeagertown Road, 0.32 miles south of Boyers Mill Road TM 79, P147, Lot 28 TM 79, P148, Lot 29	1.22 acres from W-1 to <u>Planned Service (water)</u>	December 28, 2022





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

**Table 3: Board of Appeals Cases 2018 - 2022**

Year	Variances	Special Exceptions		Administrative Error/Other	Total Cases
		ADU's*	Other		
2018	7	1	12	1	21
2019	7	5	14	3	29
2020	7	3	13	0	23
2021	8	4	7	1	20
2022	10	5	10	4	29

\*Accessory Dwelling Units >800 s.f. are approved by Special Exception in Frederick County

## Historic Preservation

In 2022, eight residential properties were designated to the County Register of Historic Places. Seven properties on the County Register were awarded a Rural Historic Preservation grant, with the awards totaling \$299,330. Fourteen Maryland Inventory of Historic Places (MIHP) forms were completed or updated for the first phase of the Recovering Identity project, which is focused on documenting African American history in the County.

The Rural and Scenic Roads Advisory Committee completed their review and assessment of the County's Rural Roads Program. They finalized their report to the County Executive in September of 2022. The report recommendations include establishment of a Rustic Roads Commission to guide a new Rustic Roads Program.

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

## **Improving the Planning Process – Planning Commission Focus Areas**

The 2021 Annual Report included a list of items developed by the Planning Commission for review and potential recommended changes to County policies and ordinances to improve the environment for effective planning. These items include codes and policies to support mixed-use development; improvements to lighting standards; interpretation and implementation of the Historic National Road Guidelines; transfer of development rights; community outreach and engagement; barriers to “missing middle housing” types; and improvements to parking standards

To begin this work, the Planning Commission formed three subcommittees in 2022 to research and formulate recommendations concerning: (1) mixed-use development; (2) transfer of development rights; and (3) community outreach and engagement. The subcommittees will report to the full Commission with their findings and recommendations in 2023.



# **Frederick County Government**

## **Planning Annual Report**

### **Calendar Year 2022**

Jessica Fitzwater  
*County Executive*

#### Mixed-Use Development

Planning Commission members have, in previous years, noted the stark difference between the expected and the actual outcomes resulting from the application of the County's mixed-use zoning regulations. Mixed-use zoning is intended to provide for a mixture of residential, commercial, and employment uses served by public water and sewer within growth areas for the purpose of redevelopment and in-fill development. Rules that were intended to encourage the development of neighborhoods and communities woven into a rich tapestry of residences, businesses, and institutional activities instead generated new development that often served as a microcosm of the standard Euclidean approach to land use, resulting in segregated use building clusters connected only through common regulatory approvals and other technical details. These communities were often mixed use in name only and did little to forward the art of place-making in Frederick County. The Planning Commission subcommittee will formulate recommendations for achieving the kind of mixed-use development envisioned by the Livable Frederick Master Plan.

#### Community Outreach and Engagement

The County's approach to outreach and engagement on planning matters varies, with certain applications requiring community meetings, written notification to adjoining owners, on-site placards, and legal notices in the local newspaper – and other applications requiring less engagement and notification. Additionally, many residents rely on the County website, Facebook, and other social media platforms for information about pending applications and upcoming public hearings. The Division of Planning and Permitting (DPP) Communication Manager is responsible for messaging via the DPP website and social media accounts. The Planning Commission subcommittee will review current outreach and engagement efforts and develop recommendations to foster maximum public involvement in the planning and development review processes.

#### Transfer of Development Rights

Maryland law allows for counties to enact Transfer of Development Rights programs. Some counties have enacted variations of this concept, which allows for sale of property development rights and their transference to areas planned for greater density. If successful, this can preserve rural and agricultural areas while allowing greater density in other areas where appropriate. Some Maryland counties have enacted TDR programs and have liked the results; others have found them more complex and cumbersome and have rejected the concept. Frederick County once enacted a TDR program, but soon found it did not achieve the desired result and repealed it. The Planning Commission felt it was appropriate to revisit the concept in light of current conditions. The TDR subcommittee is considering potential opportunities and challenges associated with Transfer of Development Rights programs and will formulate recommendations based upon its findings.



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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. The DCA will allow the County to better understand the anticipated needs of future development in its growth areas. The County is seeking to complete its revised DCA in 2023 and will submit the information to MDP with its revised WRE.



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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 4: Locally Funded Agricultural Land Preservation – CY2022**

Local Preservation Program Type	Acres
Rural Legacy	299
IPP (Installment Purchase Program) *	654
MALPF (Maryland Agricultural Land Preservation Foundation)	1,612
CREP (Conservation Reserve Enhancement Program)	168
Critical Farms *	668
Next Generation	63
Other	123
<b>Total</b>	<b>3,587</b>

\* Denotes County-specific program

- (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.

To date, the County has preserved nearly 70,000 acres on 492 farms (69,709 acres), which constitutes 16.5% of the County's total land area. For the goal of a 200,000-acre active agricultural land base, Frederick County has 235,445 acres designated as farmland under the Agricultural Use Assessment law, according to the Maryland State Department of Assessments and Taxation.

The County also has a goal to preserve 80% of the Priority Preservation Area (PPA). As of the end of Fiscal Year 2022 (June 30, 2022) 41% of the PPA is preserved.

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

The County has set an aggressive goal of reaching its agricultural land protection target within 17 years (2040).



# Frederick County Government

## Planning Annual Report

### Calendar Year 2022

Jessica Fitzwater  
*County Executive*

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

Over the past 12 months, the county has protected an average of 298 acres per month. At this rate, the county would achieve its preservation goal of 100,000 acres preserved in 2031. The Agricultural Land Preservation Office's 5-Year rolling average similarly would have the County reaching its goal around 2033. To hit the target year of 2040, the county must protect an average of 148 acres per month.

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

The Livable Frederick Master Plan's "Our Community" vision supports policies that direct growth to growth areas and that correspond to the growth strategies described in the Action Framework (Livable Frederick, p. 95). The Plan's Agricultural Infrastructure Sector section likewise calls for "direct[ing] urban/suburban growth away from agricultural resources" (Livable Frederick, p. 60).

The ongoing planning efforts for the draft South Frederick Corridors Plan address this vision by planning for 10,000 dwelling units in the MD-355/MD-85 corridor (which is the area immediately south of the City of Frederick). This is around a quarter of the projected growth in the County. Additional infrastructure will be required to realize the plan, such as schools, parks, and an internal road network. However, one reason for directing this growth to the South Frederick Corridors is the existing infrastructure capacity in the area. A second reason is to promote the growth policies of Livable Frederick by using infill and redevelopment as a growth strategy to reduce pressure for greenfield development or agricultural land conversion.

For other PFAs and growth areas, infrastructure needs vary by location but include school capacity, water and sewer treatment capacity, and roads.

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

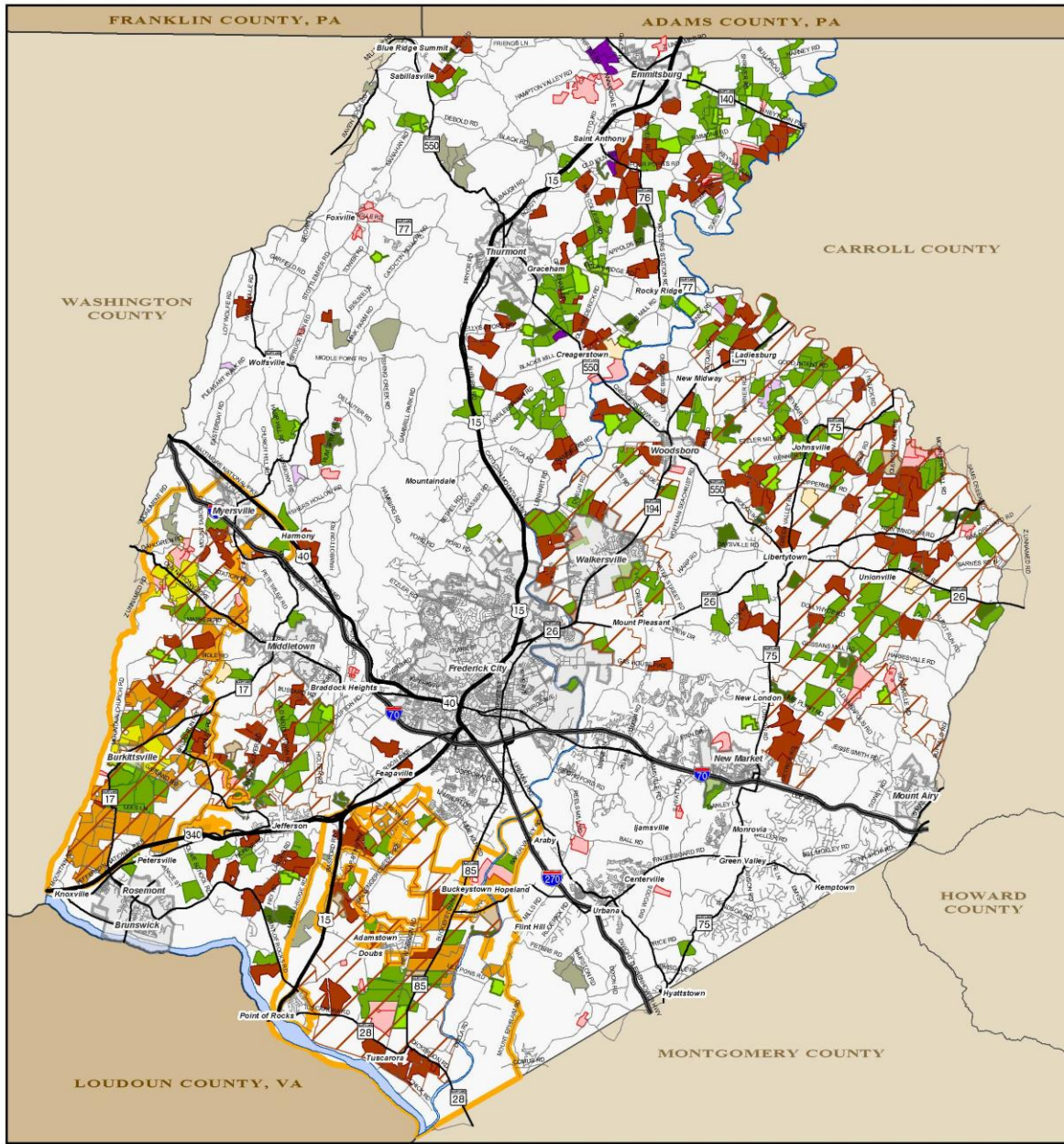
The County frequently receives more agricultural preservation applications, particularly for the MALPF and IPP Programs, than can be funded. A majority of applicants are not receiving offers each year in these programs.





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive



## Agricultural Preservation Areas Frederick County, Maryland Division of Planning & Permitting



November 17, 2022  
Frederick County GIS

- Priority Preservation Areas
- Rural Legacy Area Boundary
- Rural Legacy Easement
- Conservation Reserve Enhancement Program
- County Held
- Critical Farms Program
- Federal Farmland Protection Easement
- Inter Surface Transportation Enhancement Act
- Installment Purchase Program/County Easement
- Maryland Environmental Trust Easement
- Maryland Agricultural Land Preservation Foundation District
- Maryland Agricultural Land Preservation Foundation Easement
- Other Governmental Easement
- Next Generation

0 2 4 8  
Miles

Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet  
While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis.  
MAPID:00123





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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 5A: Amount of Residential Growth (Inside and Outside the PFA)**

Residential – Calendar Year 2022	PFA	Non - PFA	Total
<b>Total # Minor Subdivisions Approved</b>	0	15	15
<b>Total # Minor Subdivision Lots Approved</b>	0	37	37
<b>Total # Minor Subdivision Units Approved</b>	0	37	37
<b>Total Approved Minor Subdivision Area (Gross Acres)</b>	0	514	514
<b>Total Approved Minor Subdivision Lot Area (Net Acres)</b>	0	257	257
<b>Total # Major Subdivisions Approved</b>	2*	2	4
<b>Total # Major Subdivision Lots Approved</b>	180	403	583
<b>Total # Major Subdivision Units Approved</b>	180	403	583
<b>Total Approved Major Subdivision Area (Gross Acres)</b>	76	305	381
<b>Total Approved Major Subdivision Lot Area (Net Acres)</b>	26	90	116
<b>Total # Units Constructed in Jurisdiction</b>	662	212	874
<b>Total # Units Demolished</b>	3	20	23
<b>Total # Units Reconstructed/Replaced</b>	0	12	12

\*Note: One major subdivision approval (141 lots) was a re-approval of a subdivision first approved by the Planning Commission on April 10, 2017.

**Table 5B: Net Density of Residential Growth (Inside and Outside the PFA)**

Residential – Calendar Year 2022	PFA	Non – PFA	Total
<b>Total # Units Approved (Major + Minor Subdivisions)</b>	180	440	620
<b>Total # Approved Lot Area (Major + Minor Subdivisions)</b>	26	347	373

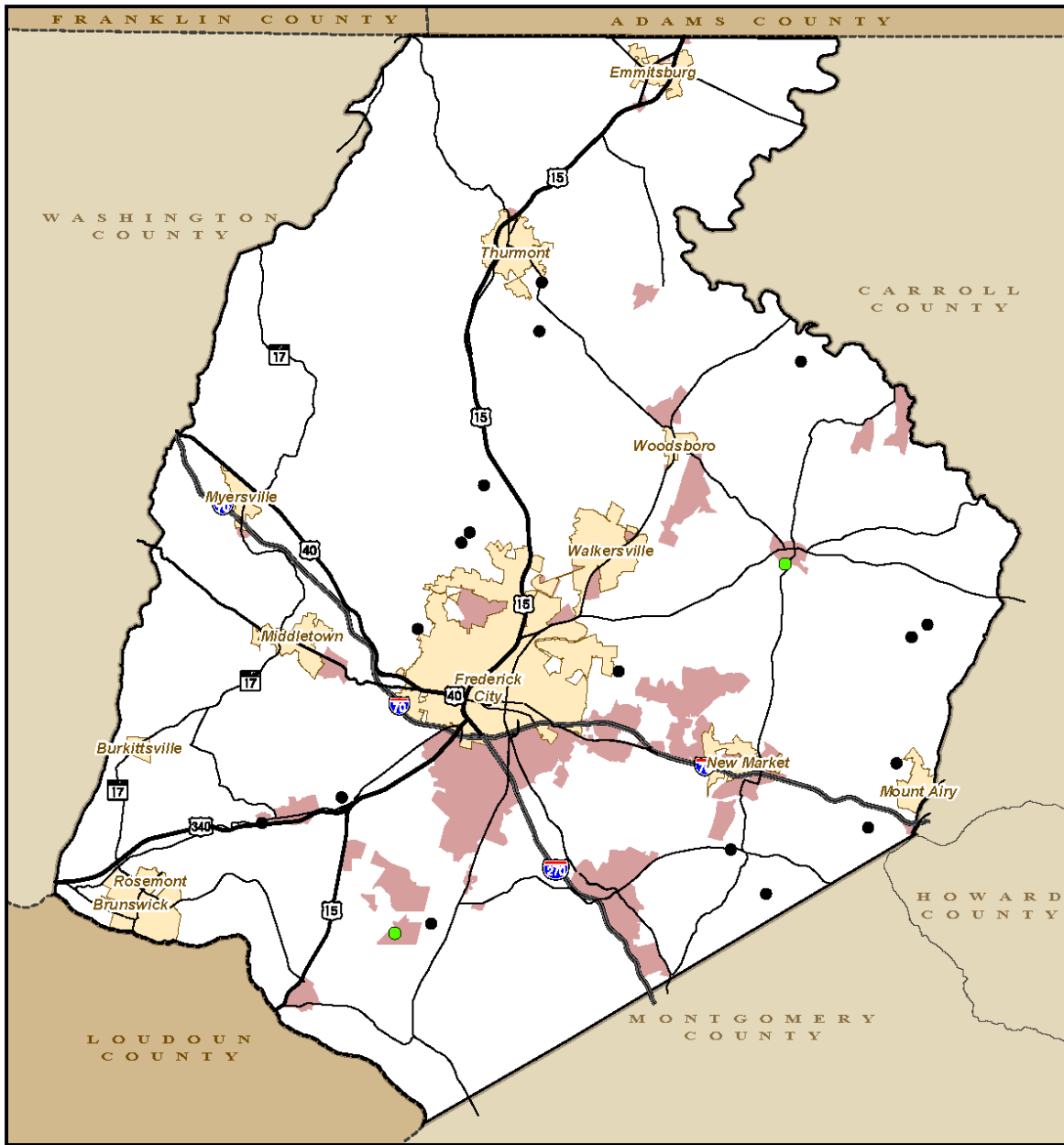
**Table 5C: Share of Residential Growth (Inside and Outside the PFA)**

Residential – Calendar Year 2022	PFA	Non – PFA	Total
<b>Total # Units Approved (Major + Minor Subdivisions)</b>	180	440	620
<b>% of Total Units (# Units/Total Units)</b>	29%	71%	100%



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive



## 2022 Approved Residential Subdivisions By PFA

- 2022 Subdivisions- County PFA: 2
- 2022 Subdivisions- Not Within PFA: 17



Frederick County, Maryland  
Division of Planning and Permitting  
Frederick County GIS

0 2 4 8 Miles

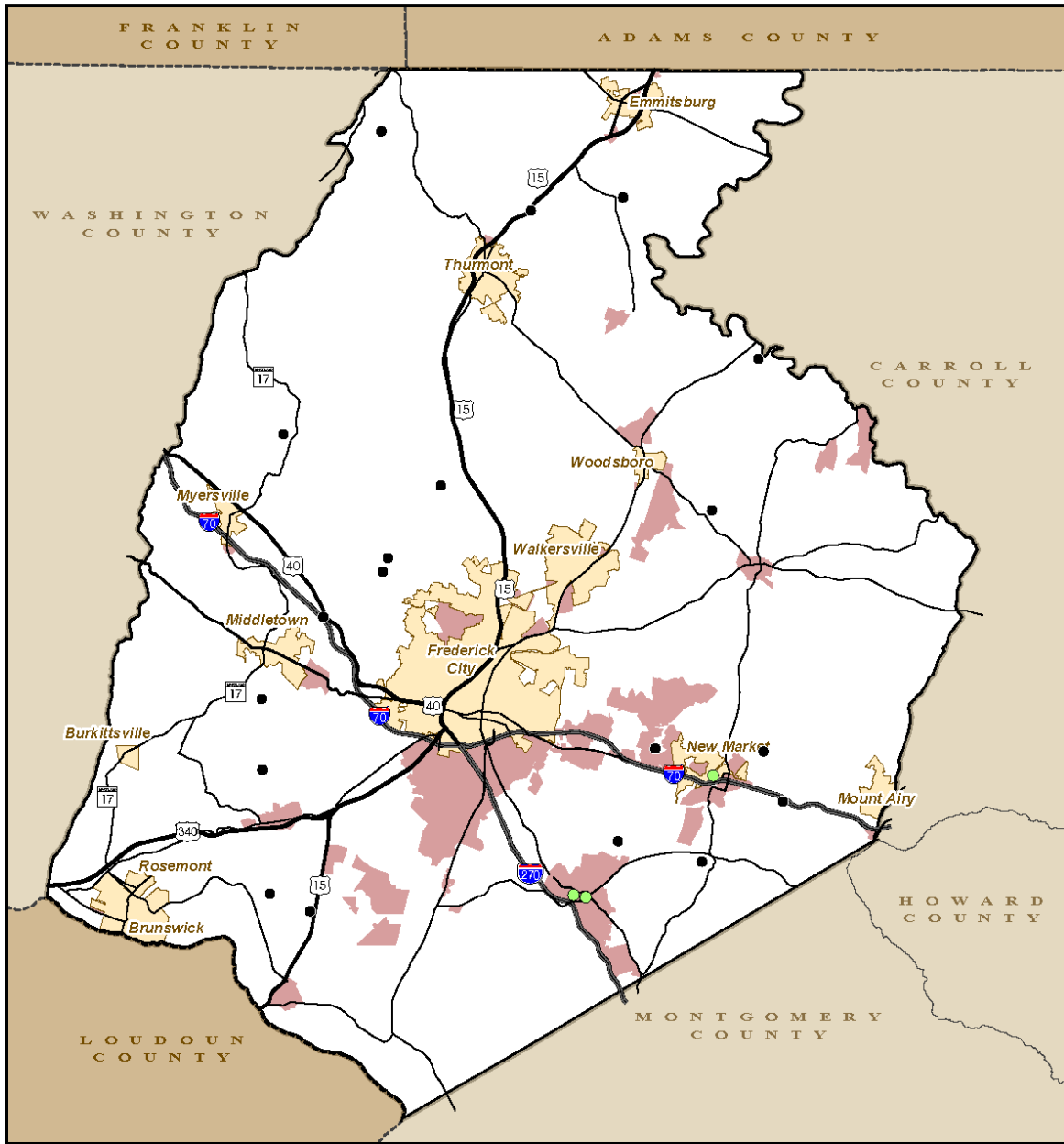
Projection: NAD 1983 State Plane Maryland FIPS 1000 Feet While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis. Printed 3/7/2023





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive



## 2022 Residential Demolition Permits by PFA

- 2022 Residential Demolition Permits - County PFAs: 3
- 2022 Residential Demolition Permits - Not within PFA: 20



Frederick County, Maryland  
Division of Planning and Permitting  
Frederick County GIS

0 2 4 8 Miles

Projection: NAD 1983 State Plane Maryland FIPS 1000 Feet  
While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or potential inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis. MAP: 00462







# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

**Table 5D: Amount of Commercial Growth (Inside and Outside the PFA)**

Commercial – Calendar Year 2022	PFA	Non - PFA	Total
Total Site Plan Area Approved (Gross Acres)	272	754	1,026
Total Building Square Feet Approved (Gross)	1,257,961	33,770	1,291,731
Total # New Permits Issued	18	8	26
Total Square Feet Constructed in Jurisdiction (Gross)	346,413	186,135	532,548

**Table 5E: Net Density of Commercial Growth (Inside and Outside the PFA)**

Commercial – Calendar Year 2022	PFA	Non – PFA	Total
Total Building Square Feet Approved (Gross)	1,257,961	33,770	1,291,731
Total Lot Size (Net Acres)	272	754	1,026

**Table 5F: Share of Commercial Growth (Inside and Outside the PFA)**

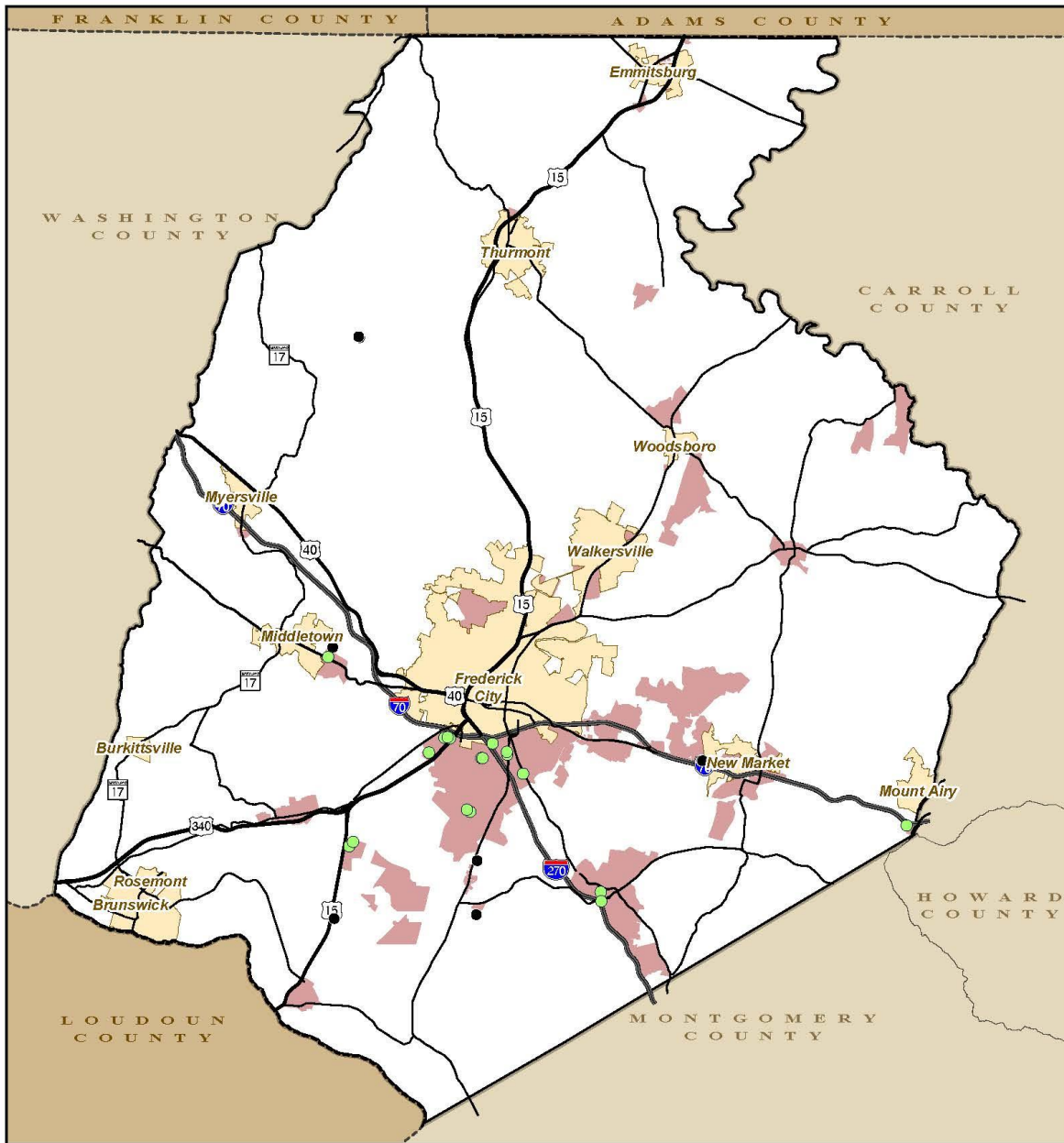
Commercial – Calendar Year 2022	PFA	Non – PFA	Total
Total Building Square Feet Approved (Gross)	1,257,961	33,770	1,291,731
% of Total Building Square Feet (Building Square Feet/Total Approved Square Feet)	97%	3%	100%





# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive



## 2022 Commercial Building Permits By PFA

- Commercial Building Permits- County PFA: 18
- Commercial Building Permits- Not Within PFA: 8



Frederick County, Maryland  
Division of Planning and Permitting  
Frederick County GIS

0 2 4 8 Miles

Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis. Printed 2/17/2023 00367





# Frederick County Government

## Planning Annual Report

### Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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 2020 and 2021 are due July 1, 2022. 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 upon the Frederick County Public Schools Enrollments and Capacities December 30, 2022, there were nineteen (19) elementary, two (2) middle, and four (4) high schools are over 100% of their State rated capacity. Many of these school districts include areas serving, or located in, both the County and its municipalities.

**Table 6A: School Enrollment**

School Type	Total Enrollment	Equated Enrollment	State Rated Building Capacity	Percent Capacity
Total Elementary	21,778	21,408	21,378	100%
Total Middle	10,598	10,598	12,915	82%
Total High	14,519	14,519	14,941	97%
Total Special	201	200	268	
<b>TOTALS (PreK - 12)</b>	<b>47,096</b>	<b>46,725</b>	<b>49,502</b>	<b>94%</b>

**Table 6B: Capacity**

Capacity:	<100%	100-120%	>120%
Elementary School	23	14	5
Middle School	15	2	0
High School	6	4	0

**Notes:** For the 2021-22 school year, there were a total of 46,004 K-12 students enrolled on December 30, 2021. Of those, 43,935 students, or 95.5%, were public school students. The remainder were private school students.

For the 2022-2023 school year, there are a total of 2,530 students in home instruction.



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

(B) Where is each restriction located? (Identify on a map, including PFA boundary.)

Please see the attached map of December 2022 public school capacity.

(C) What is the proposed resolution of each restriction?

The following table from the adopted Capital Improvement Program identifies planned improvements to public school facilities and new school projects, and the associated added capacity.

**Table 7A: Summary of New Capacity and Modernization Projects, 2024-2032**

Name	Project Type	Proposed Opening Date	Status	Added Capacity
<b>ELEMENTARY SCHOOLS</b>				
Monocacy ES	Limited Renovation	August-2024	In Design	0
Green Valley ES	Replacement/Addition	August-2025	In Design	224
Valley ES	Replacement/Addition	August-2025	In Design	246
Ballenger Creek ES	Limited Renovation	August-2025	In Design	0
Spring Ridge ES	Limited Renovation	August-2025	In Design	0
Yellow Springs ES replacement	Replacement/Addition	August-2026	In Design	292
Twin Ridge ES	Limited Renovation	August-2026	Future Project	0
Middletown ES*	Replacement/Addition	August-2027	In Design	43
Eastern Frederick area ES	New School	August-2027	Future Project	745
Hillcrest ES	Limited Renovation	August-2027	Future Project	0
Liberty ES	Replacement/Addition	August-2027	Future Project	434
Frederick area ES	New School	August-2030	Future Project	745
<b>Total Additional Capacity</b>				<b>2729</b>
<b>MIDDLE SCHOOLS</b>				
Crestwood MS	Addition	August-2024	Under Construction	319
Middletown MS*	Replacement	August-2027	In Design	0
Walkersville MS	Modernization	August-2029	Future Project	0
<b>Total Additional Capacity</b>				<b>319</b>
<b>HIGH SCHOOLS</b>				
Brunswick HS	Replacement	August-2028	Future Project	0
Middletown HS	Replacement	August-2031	Future Project	0
<b>Total Additional Capacity</b>				<b>0</b>

\* Co-Located building (single project) will house Middletown ES and Middletown MS.

From the Superintendent's Recommended Educational Facilities Master Plan (June 2023)



# Frederick County Government Planning Annual Report Calendar Year 2022

Jessica Fitzwater  
County Executive

## 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 ☒ N ☐

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

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

1. Plan name **Frederick County Master Transportation Plan**
2. Date completed **(December 2001)**
3. Has plan been adopted? Y ☒ N ☐
4. Is the plan available online? Y ☒ N ☐
5. How often do you intend to update it? **Frequently, initially through updates to the County Comprehensive Plan**

(C) Has your jurisdiction completed and submitted a five year mid-cycle comprehensive plan implementation review report this year? Y ☐ N ☒

The Livable Frederick Master Plan was adopted in September of 2019. Frederick County is not yet due for a mid-cycle report.

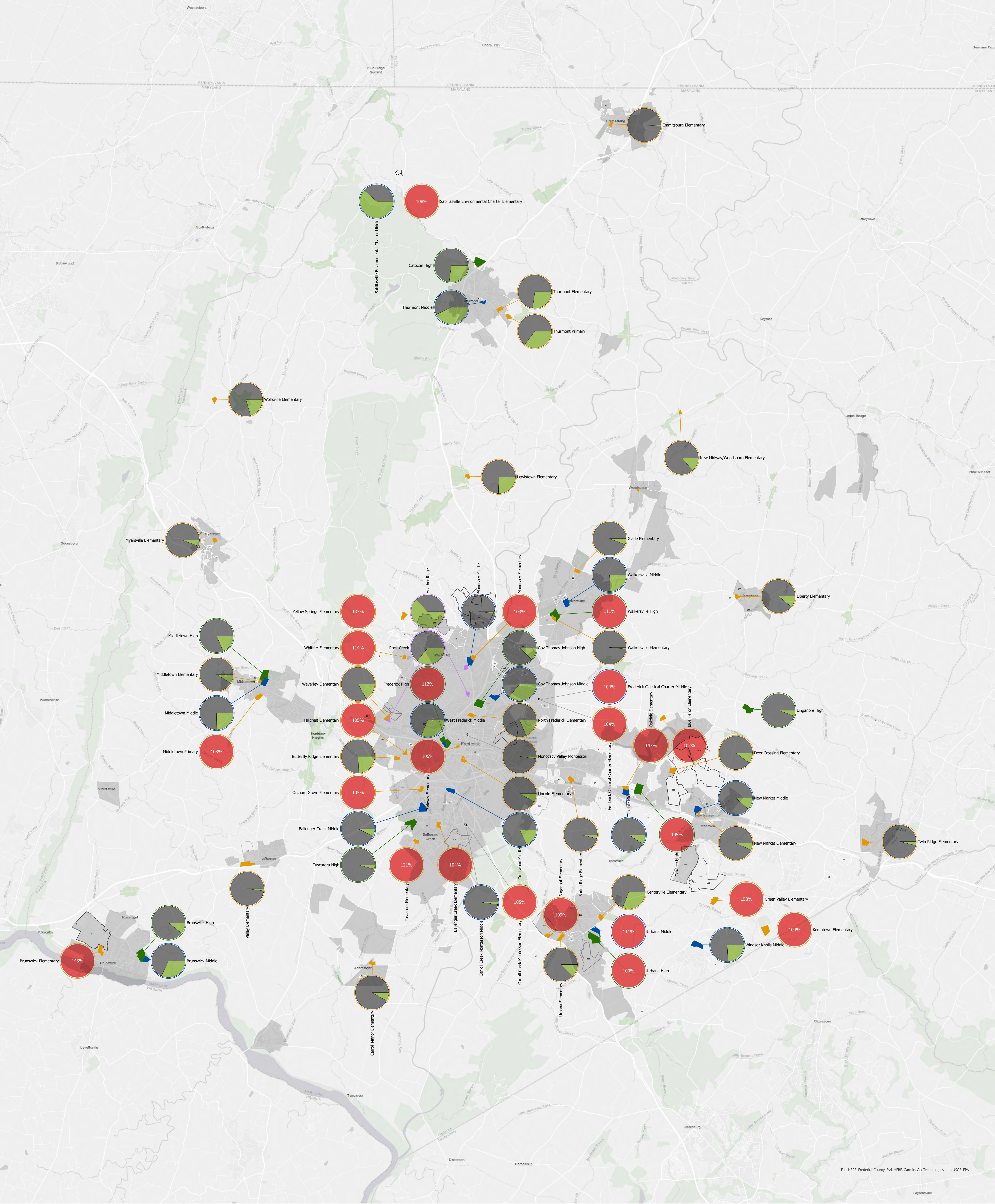
*Note: To find out if your jurisdiction is scheduled to submit this report, consult the Transition Schedule (Counties) section located at:  
<https://planning.maryland.gov/pages/OurWork/compPlans/ten-year.aspx>*

If yes, please include the 5-Year Report as an attachment.

END

---





Frederick County, Maryland School System Capacity - 2022 Q4 Enrollment

Map produced March 2023 by the Frederick County Division of Planning and Permitting  
Livable Frederick Planning and Design Office.

Based on the Frederick County Public Schools Q4 2022 Enrollment Report

- Pie Chart
- Over State Capacity
  - Share of State Rated Capacity In Use
  - Additional State Rated Capacity
  - Priority Funding Area
  - Rural Village Priority Funding Area
- Elementary School
- High School
  - Middle School
  - Primary School
  - Special School
  - Other School
- Residential Pipeline
- 0 - 110
  - 110 - 325
  - 325 - 675
  - 675 - 1500
  - 1500+

