

CRITICAL DIGITAL INFRASTRUCTURE OVERLAY ZONE

An Amendment of the Livable Frederick Comprehensive Plan

Frederick County, Maryland July 2025



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Introduction

On May 6, 2025, Frederick County Executive Jessica Fitzwater and the County Council announced that data center development will be limited to the area around the Eastalco property north of Adamstown. In addition to defining the geography of this use, the County Executive and County Council specified that the land area for data centers will be limited to less than 1% of the County's total land mass.

The planning tool selected to implement the decision of the County Executive and County Council is a zoning overlay. Properties included in a zoning overlay area continue to have a base zoning designation, such as Agricultural or Limited Industrial, and property owners can continue to use their property in accordance with their zoning. Property owners in the Critical Digital Infrastructure Overlay Zone (CDI-OZ) are not obligated to pursue data center development. It is an option afforded by inclusion in the CDI-OZ when properties also have a Limited Industrial or General Industrial zoning designation.

For properties that do not have Limited Industrial or General Industrial zoning, a zoning map amendment must be requested. Such requests are reviewed by the Planning Commission, which makes a recommendation, and then advance to the County Council for a decision. The County Council has no obligation to grant such requests.

The mechanism for changing community growth area (CGA) boundaries and land use designations is a comprehensive plan amendment. Water and sewer classifications can also be changed through a comprehensive plan amendment. The Livable Frederick Comprehensive Plan includes the Livable Frederick Master Plan, the Comprehensive Plan Map, and area, corridor, and thematic plans.

If a property is added to a community growth area, the County's current practice is to remove the property from the Priority Preservation Area and the Rural Legacy Area via amendments to these maps. This is not required; however, the goals for community growth areas differ from those for preservation areas.

The County makes significant investments in infrastructure to support livability in community growth areas. These investments include parks, water and sewer infrastructure, Transit service, sidewalks, and schools that are walkable and bikeable for students. Preserving large tracts of land in community growth areas is contrary to fostering communities where people can live, work, and enjoy community amenities all in proximity. Additionally, even in right-to-farm communities conflicts with neighboring uses can pose challenges to agricultural operations.

The Priority Preservation Area map identifies the areas of the County with soils most suitable for farming. Preservation efforts are not limited to these areas. The Rural Legacy Area map depicts the geographic extent of eligibility for participation in the Rural Legacy Program, which seeks to preserve cultural and agricultural resources. County and State land preservation programs are voluntary. Property owners in the Priority Preservation Area and the Rural Legacy Area are not obligated to preserve their property.

Current Conditions - Eastalco Community Growth Area

The Eastalco Community Growth Area is 2,219 acres in size. It is located north of the Adamstown Community Growth Area and west of the South Frederick Corridors Community Growth Area. It includes the former Eastalco holdings, the Agro Drive industrial park, and Stanford Industrial Park. It also includes the property known as "Noffsinger," which is between the aforementioned industrial parks, and the property known as "Windridge," which adjoins the Agro Drive industrial park and the Noffsinger property to the south.

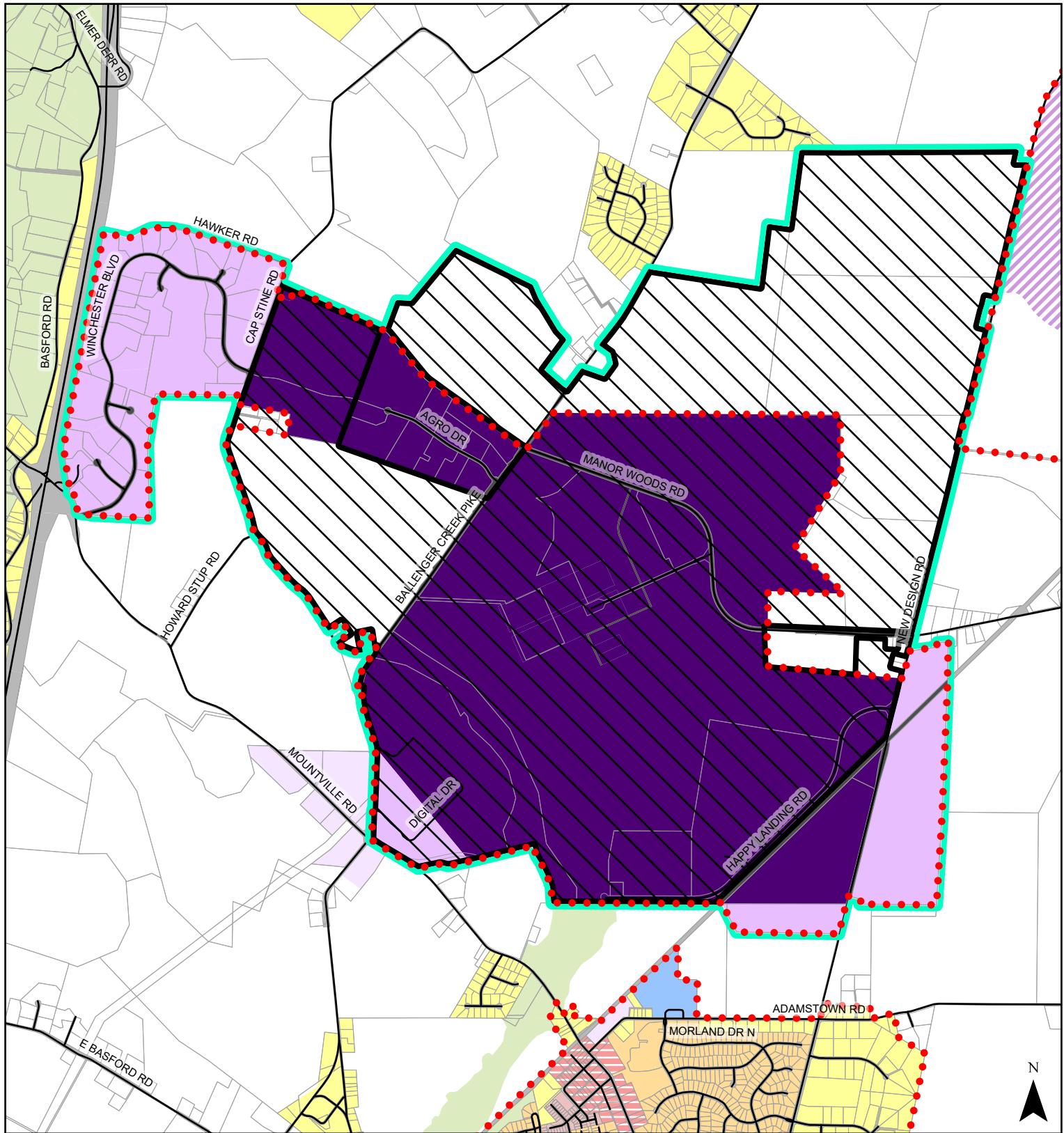
Land use and zoning designations, and their associated acreage, in the Eastalco Community Growth Area are as follows:

Land Use	Zoning	
General Industrial	General Industrial	1,523
Limited Industrial	Limited Industrial	415
Natural Resources	Agricultural	222
Right-of-Way	Right-of-Way	60

The Agricultural zoning is limited to the Windridge property, which has a Limited Industrial land use designation and was the subject of a zoning map amendment request for General Industrial zoning (R-22-03). The County Council denied this request in May of 2023. A factor in the denial was the lack of actual physical change in the neighborhood. The Council Resolution denying the request characterized the change that had occurred at that time as "paper change," citing change in ownership of the Eastalco property, changes to the County zoning regulations, and changes to the water and sewer classification of the property.

The westernmost 74 acres of the Windridge property are included in the Rural Legacy Area. Prior to 2012, this area was not included in the Eastalco Community Growth Area. There is also a small area of Rural Legacy on the existing data center campus property, near where the terminus of Happy Landing Road is shown.

All properties in the Eastalco Community Growth Area are in the water and sewer service area, with designations ranging from Planned Service to W-3/S-3.



Map 1 - Proposed Critical Digital Infrastructure (CDI) Overlay Zone

0 0.2 0.4 0.8 Miles



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	Community Growth Area	Zoning Districts
	Proposed Community Growth Areas	A - Agricultural
	Proposed CDI Overlay Zone	VC - Village Center
		GI - General Industrial
		RC - Resource Conservation
		LI - Limited Industrial
		R1 - Low Density Residential
		R3 - Low Density Residential
		MM - Mineral Mining
		Ie - Institutional
		PUD - Planned Unit Development
		Right of Way

Proposed Comprehensive Plan Amendment and Zoning Map Amendment

Development of the CDI-OZ and the associated Livable Frederick Comprehensive Plan amendment included consideration of:

- The proximity of existing industrial areas, such as quarries and industrial parks.
- The proximity of the Eastalco Community Growth Area boundary.
- The proximity of necessary infrastructure, including existing or planned public water and data conveyance infrastructure.
- Minimizing impacts to the Adamstown community.

Proposed Additions to the Eastalco Growth Area, but not the Critical Digital Infrastructure Overlay Zone (CDI-OZ)

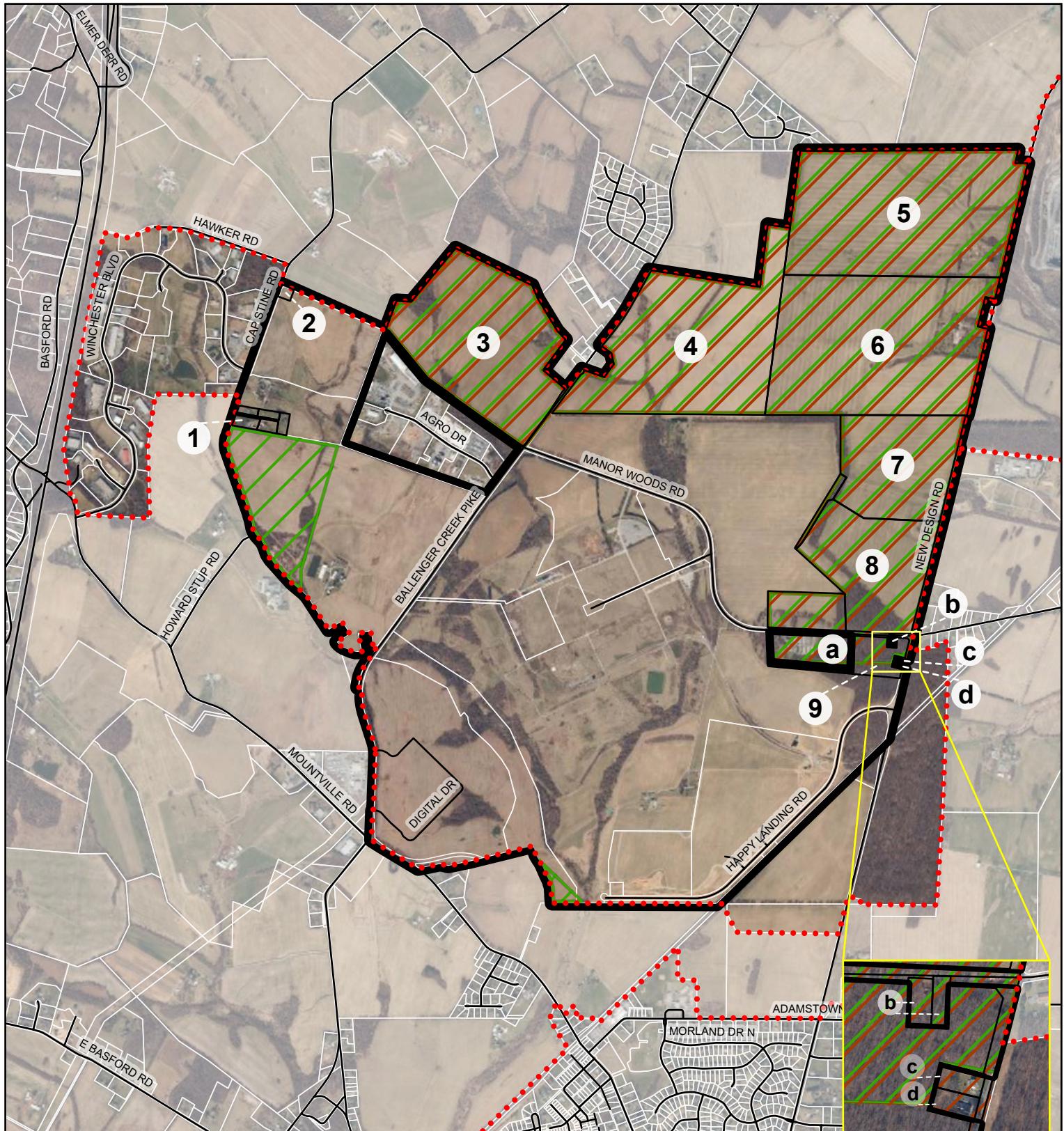
Expansion of the Eastalco Community Growth Area by 1,730 acres is proposed; however, not all properties proposed for addition to the growth area are proposed for inclusion in the CDI-OZ. Properties to be added to the Eastalco Growth Area that are not proposed for inclusion in the CDI-OZ are listed in Table 1 and identified with lower case letters on Map 2.

Inclusion of these properties in the Eastalco Community Growth Area, combined with application of a land use designation other than Agricultural, would allow for connection to public water and sewer if there is available capacity and the property owners are so interested. Accordingly, a change from No Planned Service to Planned Service is proposed in the water and sewer classifications. Planned Service means that service is expected to occur in the next 20 years.

The parcel labeled "a" is improved with a house of worship. There is no land use designation specific to this use. The "Institutional" land use designation is applied to public facilities like public schools, libraries, and fire stations. In rural areas, houses of worship generally have an Agricultural land use designation. A review of houses of worship in growth areas shows facilities with General Commercial, Village Center, Low Density Residential, and Medium Density Residential land use designations. A land use designation of Low Density Residential is proposed for this property.

Likewise, Low Density Residential is proposed for the property identified as "b", which is two lots under the same ownership (0.46 acres and 0.34 acres). This property is improved with a single-family residence that was built in 1953. Low Density Residential is also proposed for the properties identified as "c" and "d", each of which is improved with a single-family residence with the residence on "c" built in 1955 and the residence on "d" built in 1953. These three residences pre-date the industrial zoning of the Eastalco property, which was applied in the 1960s. They are located on the eastern edge of the expanded growth area in an area that is largely wooded.

No changes to current zoning designations, which is Agricultural for all four properties, are proposed.



Map 2 - Proposed CDI Overlay Zone, Properties

Priority Preservation Areas in Proposed CGA (eligible, not preserved)

Rural Legacy Areas in Proposed CGA (eligible, not preserved)

Proposed CDI Overlay Zone

0 0.2 0.4 0.8 Miles

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CDI Acres	% of County
2,566.4	0.60
PPA Acres	RLA Acres
933.6	1,012.1

Despite their size and use, these properties are currently in the Rural Legacy Area and the Priority Preservation Area. Removal from those areas is proposed for these properties, as well as the Windridge Property and the corner of the data center campus where the terminus of Happy Landing Road is shown. As discussed previously, Priority Preservation and Rural Legacy areas have different goals than community growth areas. In addition, most of the properties are not used for agriculture and do not align with the criteria guidelines for either program.

Table 1 - Additions to Eastalco CGA, Not Included in CDI-OZ

Properties proposed for addition to the Eastalco Community Growth Area, but not proposed for inclusion in the CDI-OZ.

Map Label	Acres	Land Use Change Acres	Current Land Use Designation	Proposed Land Use Designation	Current Water & Sewer Classification	Proposed Water & Sewer Classification
a	21.86	21.86	Agricultural / Rural	Low Density Residential	No Planned Service	Planned Service
b	0.80	0.80	Agricultural / Rural	Low Density Residential	No Planned Service	Planned Service
c	0.44	0.44	Agricultural / Rural	Low Density Residential	No Planned Service	Planned Service
d	0.45	0.45	Agricultural / Rural	Low Density Residential	No Planned Service	Planned Service
Total Acres						
23.55						

Properties Proposed to be Added to the Eastalco Community Growth Area AND the Critical Digital Infrastructure Overlay Zone (CDI-OZ)

Properties to be added to the Eastalco Community Growth Area that are proposed for inclusion in the CDI-OZ are listed in Table 2 and identified with numbers on Map 2. The acreage of the CDI-OZ is 2,566 acres, which is 0.60% of the County's total land mass.

Property "1" is a 5-lot minor subdivision. Four of the five lots are improved with single-family residences that were built between 1997 and 2014. Ownership of these lots transferred to the owner of the larger Noffsinger property in 2024. Property "2" was once a separate parcel that has since been consolidated with the Noffsinger property. It has General Industrial land use and zoning, but is not currently included in the Eastalco Community Growth Area.

Properties "3", "4", "5", and "6" are to the north of the current growth area boundary, with all but property "5" adjoining the existing data center campus. Property "3" also adjoins the Agro Drive industrial park. Properties "5" and "6" are immediately west of the Argos quarry property that is zoned Mineral Mining. Properties "7", "8", and "9" adjoin the growth area to the east, along New Design Road. Properties "4" and "9" are parts of larger tracts that already have an industrial land use designation and industrial zoning.

Regarding land use designations, no change to existing Natural Resource land is proposed. A change from Agricultural to General Industrial is proposed for property "1" and no change is proposed for property "2" which currently has a General Industrial land use designation. The Limited Industrial designation is proposed for properties "3" through "9".

No changes to current zoning designations are proposed. With the exception of property "2" which is General Industrial, all other enumerated properties have an Agricultural zoning designation.

Properties "1" through "9" are currently classified as No Planned Service for water and sewer service. The Planned Service classification is proposed for all except property "2" which is proposed for W-5/Dev, S-5/Dev.

Properties "3" through "9" are in the Rural Legacy Area and the Priority Preservation Area. Map revisions to remove of these properties from the preservation areas are proposed.

Zoning Summary in Acres, Properties 1-9

General Industrial	0.92
Agricultural	914.02
<i>Total Acres Added to CDI-OZ (excluding Rights of Way)</i>	<i>914.94</i>

Table 2 – Proposed Inclusions to Eastalco CGA and CDI-OZ

Properties proposed for inclusion in the Eastalco Community Growth Area and the CDI-OZ.

Map Label	Total Acres	Land Use Change Acres	Current Land Use Designation	Proposed Land Use Designation	Current Water & Sewer Classification	Proposed Water & Sewer Classification
1	7.86	7.86	Agricultural	General Industrial	No Planned Service	Planned Service
2	1.11	1.11	General Industrial	-	No Planned Service	W-5/Dev, S-5/Dev
3	141.62	141.62	Agricultural	Limited Industrial	No Planned Service	Planned Service
4	423.92	163.21	Agricultural, Natural Resource	Limited Industrial, Natural Resource	No Planned Service	Planned Service
5	195.34	195.34	Agricultural	Limited Industrial	No Planned Service	Planned Service
6	201.60	201.60	Agricultural	Limited Industrial	No Planned Service	Planned Service
7	80.87	80.87	Agricultural	Limited Industrial	No Planned Service	Planned Service
8	82.91	82.91	Agricultural	Limited Industrial	No Planned Service	Planned Service
9	571.38	13.15	Agricultural	Limited Industrial	No Planned Service	Planned Service
Total Acres		1,706.61	887.67			

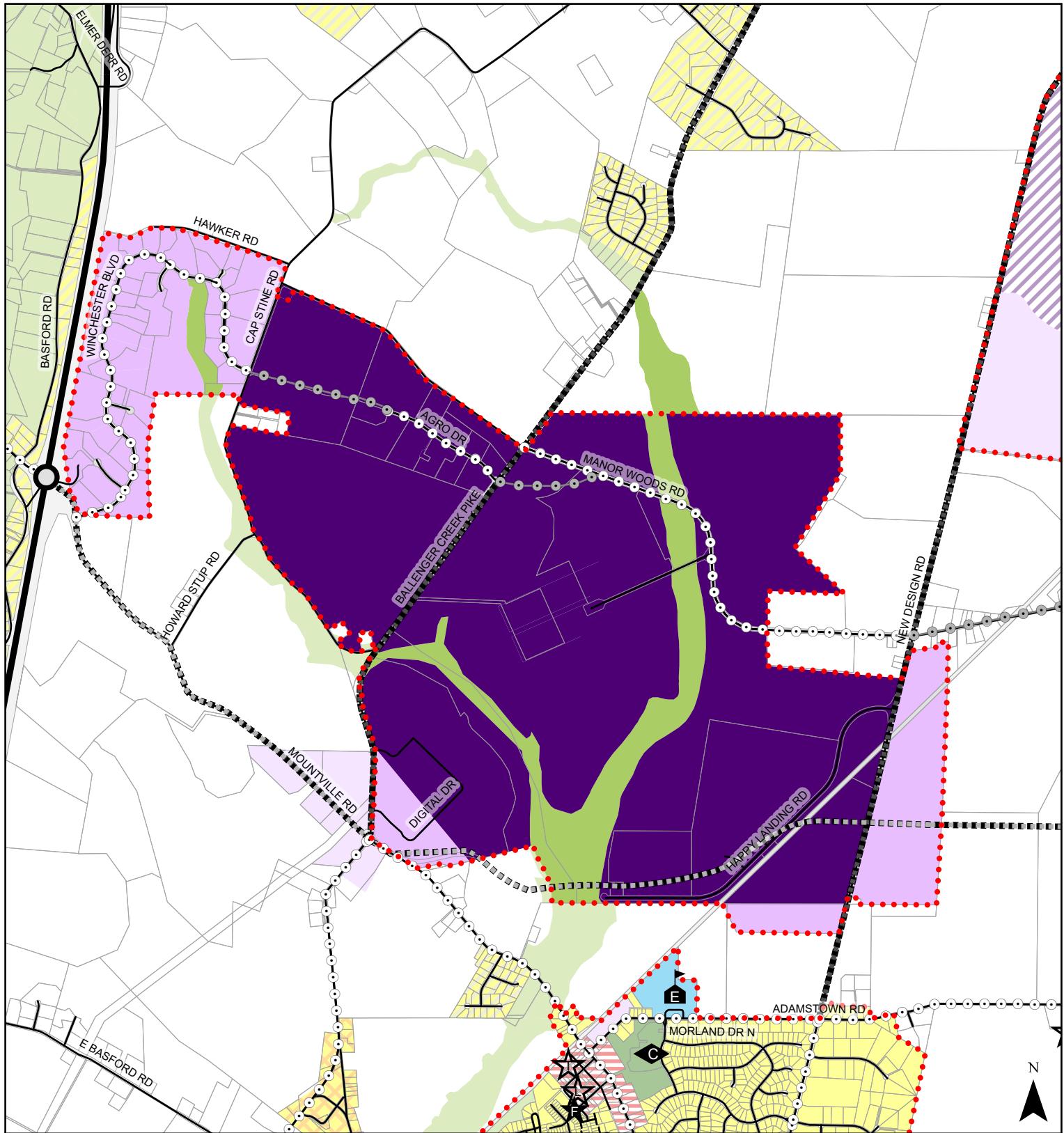
Properties Already Within the Eastalco Community Growth Area AND Proposed to be Added to the Critical Digital Infrastructure Overlay Zone (CDI-OZ)

Properties already within the Eastalco Community Growth Area to be included in the CDI-OZ include: the previously approved data center campus and the previously discussed Windridge property and the bulk of the Noffsinger property.

Within the current Eastalco Community Growth Area, 553.73 acres are proposed to be excluded from the CDI-OZ. These properties are the aforementioned Agro Drive industrial park (94.04 acres) and Stanford Industrial Park (258.30 acres). These industrial parks are largely developed and provide much needed space for a variety of businesses, including those that require outdoor storage. Also not included in the CDI-OZ are five properties totaling 201.39 acres zoned GI or LI between New Design Road and the railroad.

Summary of Recommendations

1. Amend the comprehensive plan map to add properties "a" through "d" and "1" through "9" to the Eastalco Community Growth Area.
2. Amend the comprehensive plan map to change the land use designations of properties "a" through "d" from Agricultural to Low Density Residential.
3. Amend the comprehensive plan map to change the Agricultural land use designation of property "1" to General Industrial.
4. Amend the comprehensive plan map to change the Agricultural land use designation of properties "3" through "9" to Limited Industrial.
5. Change the water and sewer classifications of properties "a" through "d", property "1", and properties "3" through "9" from No Planned Service to Planned Service.
6. Change the water and sewer classification for property "2" from No Planned Service to W-5/Dev, S-5/Dev.
7. Amend the zoning map to add the boundaries of the Critical Digital Infrastructure Overlay Zone.
8. Remove from the Rural Legacy Area and the Priority Preservation Area all properties or parts thereof that are currently in the Eastalco Community Growth Area and have been added to the Eastalco Community Growth Area with this amendment.



Map 3 - Current Comprehensive Plan Map

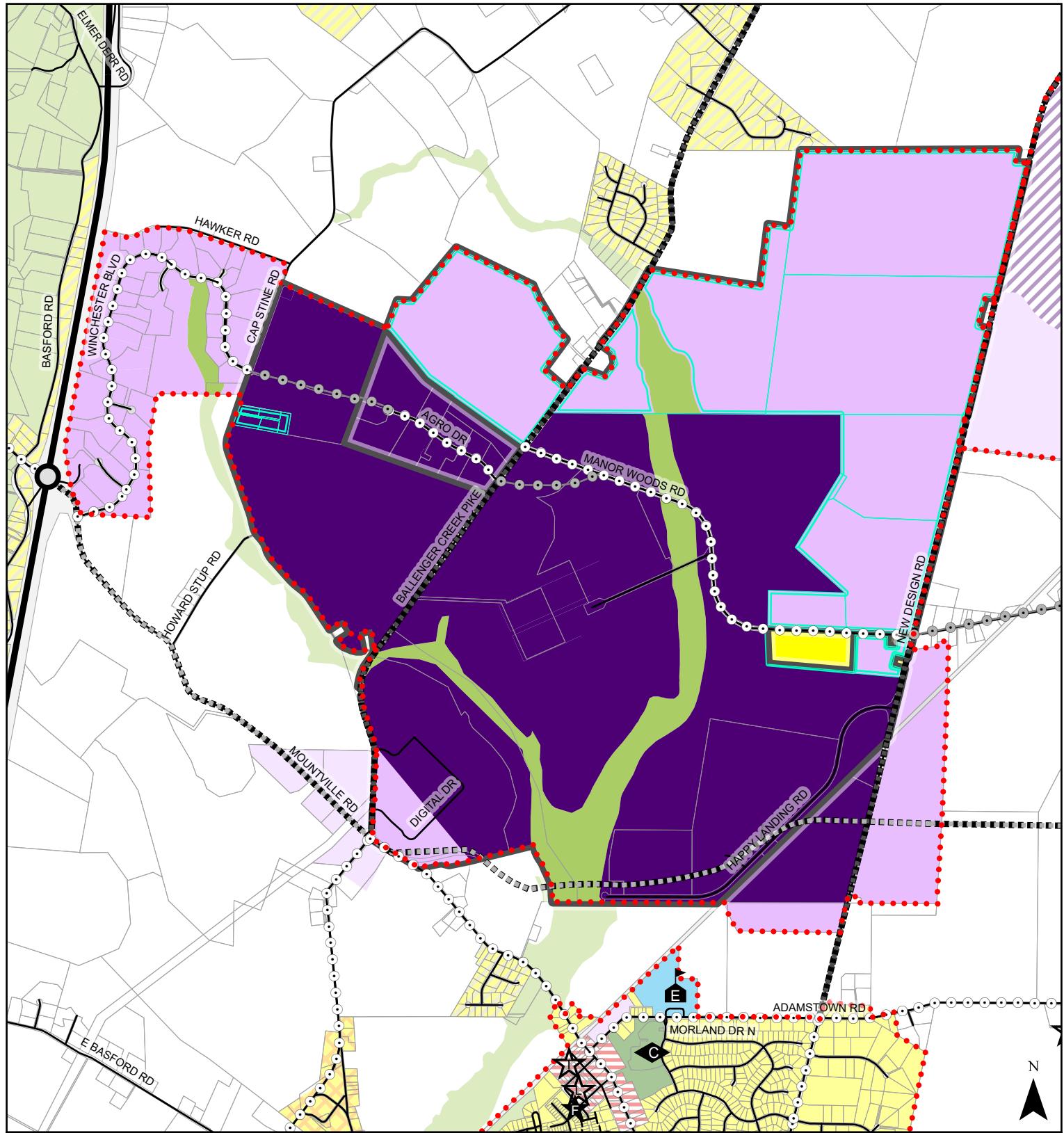
Community Growth Areas

Land Use Designations

Agricultural / Rural	Low Density Res.
Natural Resource	Village Center
Public Parkland / Open Space	Limited Industrial
Rural Community	General Industrial
Rural Residential	Mineral Mining
	Institutional

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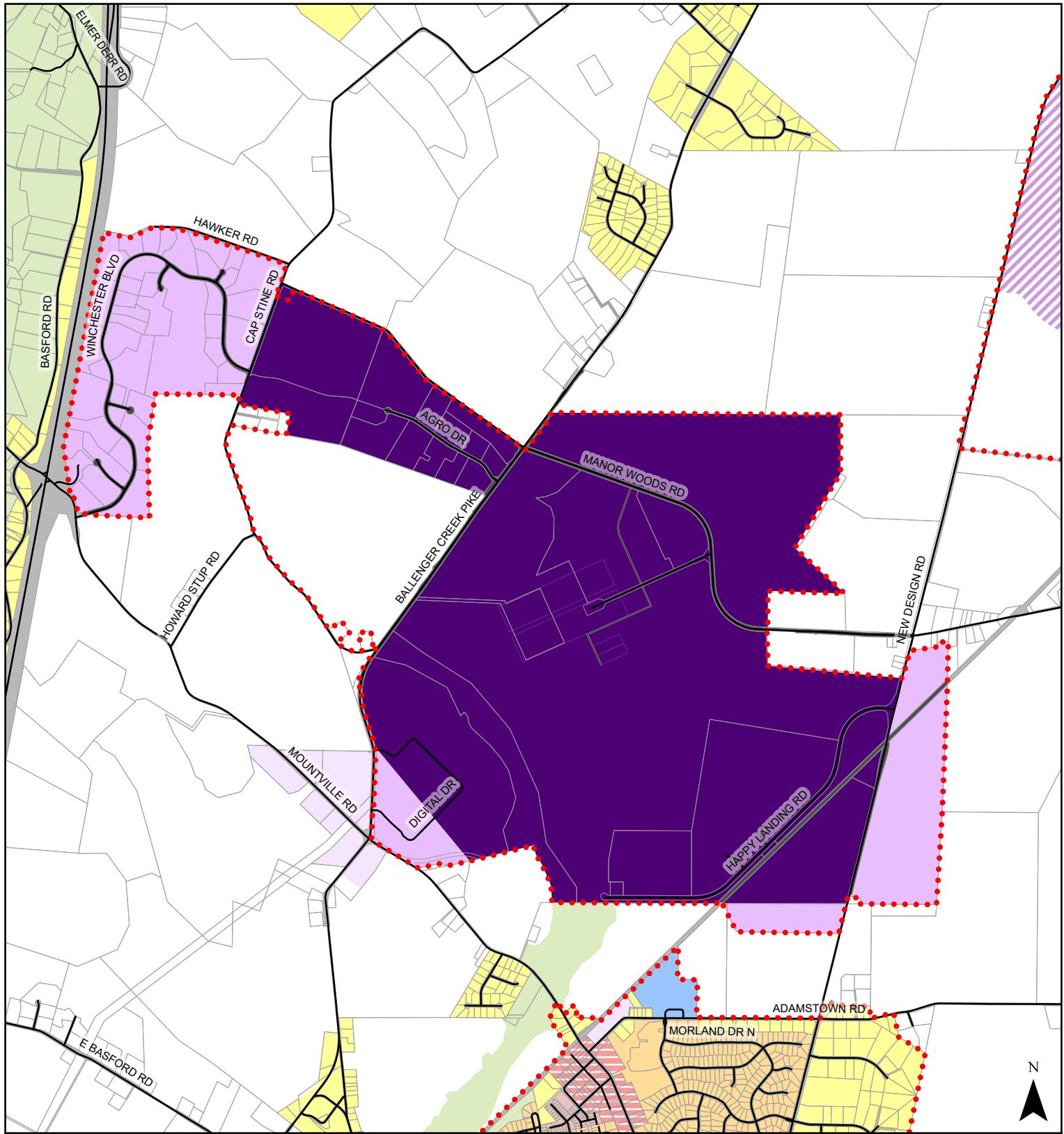
Map 4 - Proposed Comprehensive Plan Map

0 0.2 0.4 0.8 Miles

N

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Proposed Community Growth Area	Land Use Designations
Proposed CDI Overlay Zone	Agricultural / Rural
	Natural Resource
	Public Parkland / Open Space
	Rural Community
	Mineral Mining
	Rural Residential
Proposed Land Use Change Parcels	Institutional
Ag to LI	Low Density Res.
Ag to GI	Village Center
Ag to LDR	Limited Industrial
Ag to GI	General Industrial



Map 5 - Current Zoning

0 0.2 0.4 0.8 Miles

Community Growth Areas

Zoning Districts

A – Agricultural

RC – Resource Conservation

R1 – Low Density Residential

R3 – Low Density Residential

PUD – Planned Unit

VC – Village Center

GI – General Industrial

LI – Limited Industrial

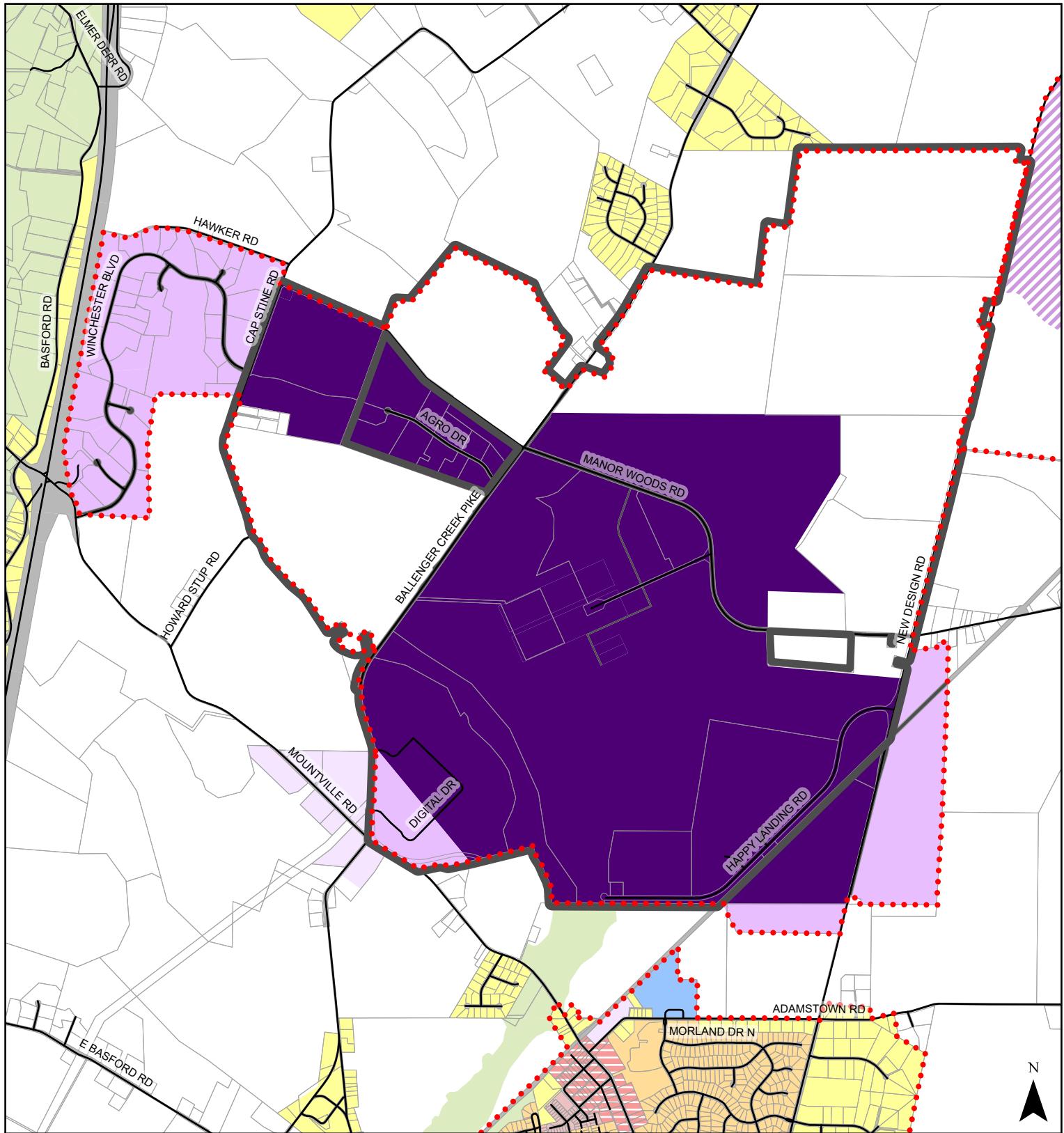
MM – Mineral Mining

Ie – Institutional

Right of Way



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Map 6 - Proposed Zoning

0 0.2 0.4 0.8 Miles

Proposed Community Growth Areas

Proposed CDI Overlay Zone

Zoning Districts

A - Agricultural

RC - Resource Conservation

R1 - Low Density Residential

R3 - Low Density Residential

PUD - Planned Unit

Development

VC - Village Center

GI - General Industrial

LI - Limited Industrial

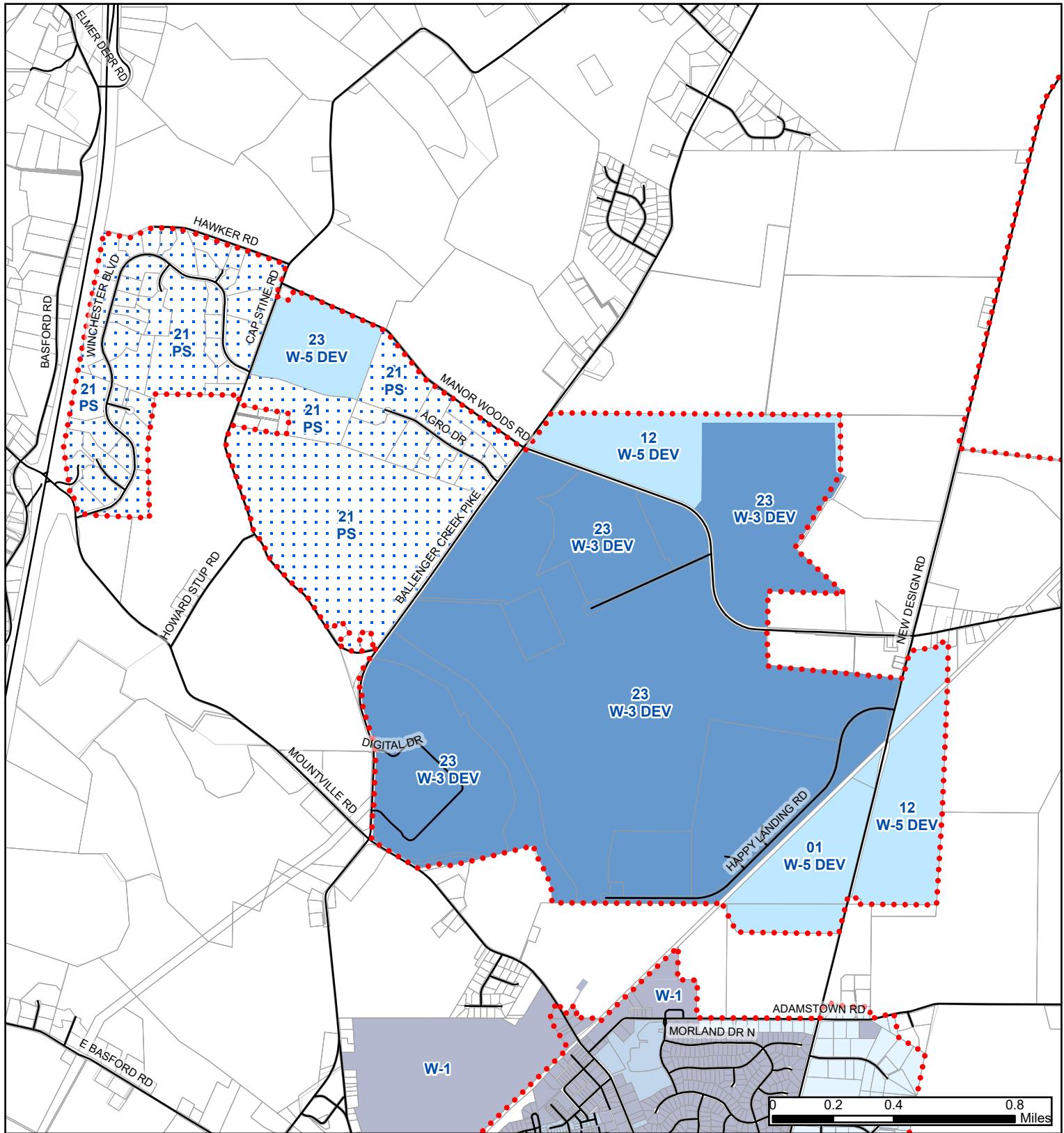
MM - Mineral Mining

Ie - Institutional

Right of Way



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Map 7 - Current Water Service Areas

Community Growth Area

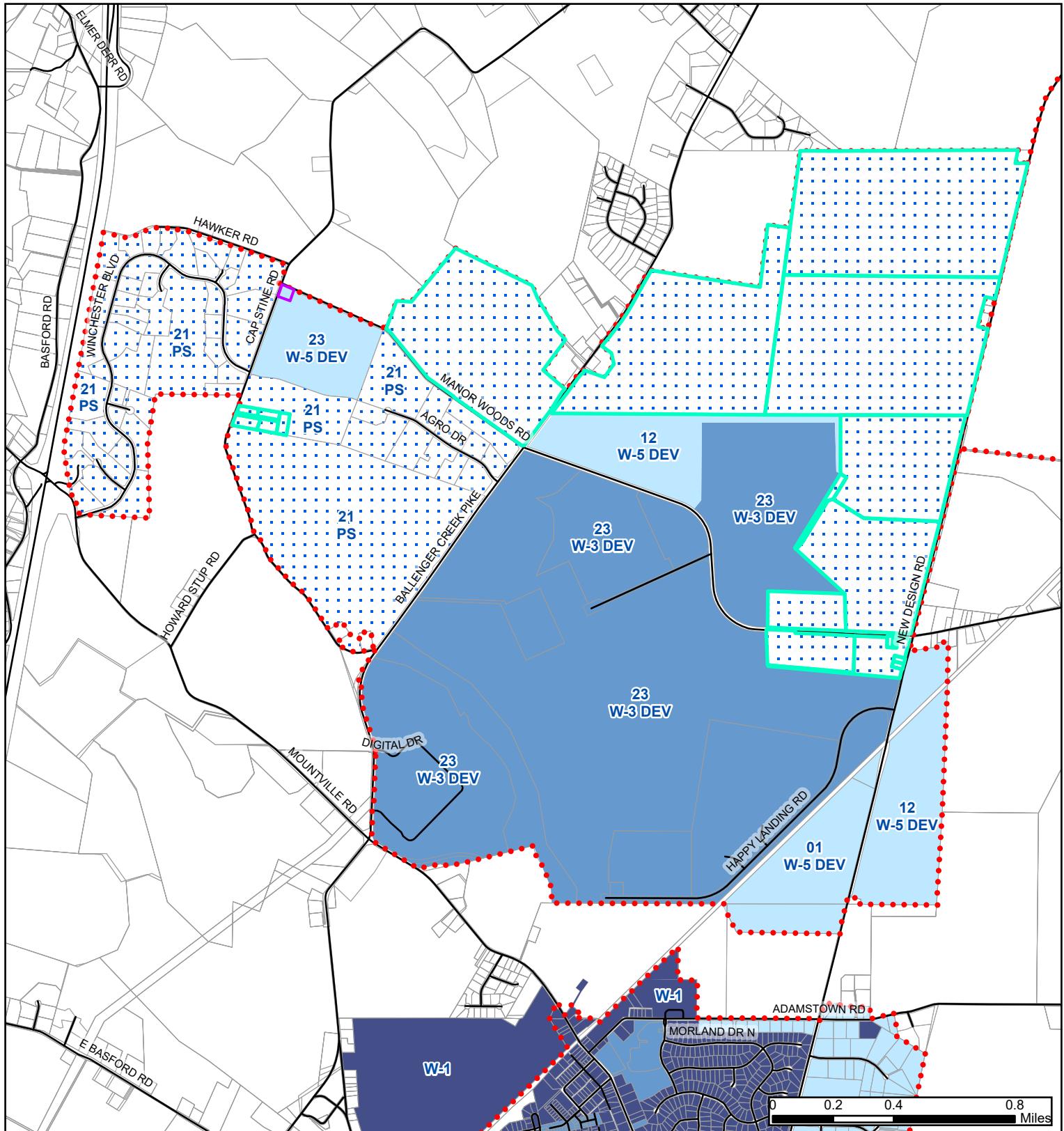
Water Service Areas

- No Planned Service- No Planned Service
- W-1- Connected
- W-3- 1-3 Years
- W-5- 7-10 Years
- Planned Service- 11-20 Years

0 0.2 0.4 0.8 Miles



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Map 8 - Proposed Water Service Areas

0 0.2 0.4 0.8 Miles

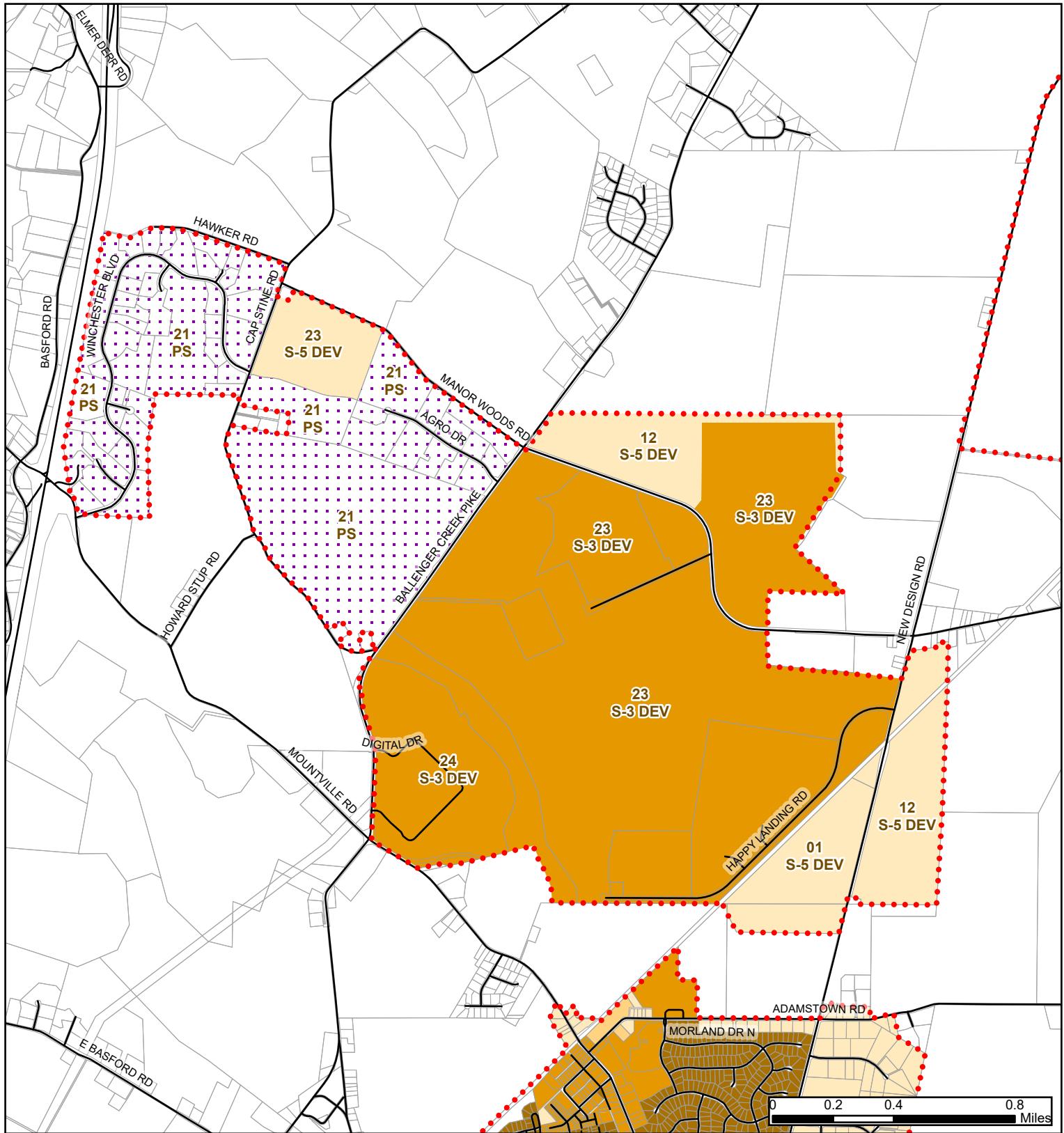
■ Proposed Community Growth Areas
■ Proposed CDI Overlay Zone
Water Service Areas Proposed
■ W-5 DEV- 7-10 Years
■ Planned Service- 11-20 Years
■ Planned Service- 11-20 Years



Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet
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Water Service Areas

- No Planned Service- No Planned Service
- W-1- Connected
- W-3- 1-3 Years
- W-5- 7-10 Years
- Planned Service- 11-20 Years



Map 9 - Current Sewer Service Areas

Community Growth Area

Sewer Service Areas

NPS-No Planned Service

S-1- Connected

S-3- 1-3 Years

S-4- 4-6 Years

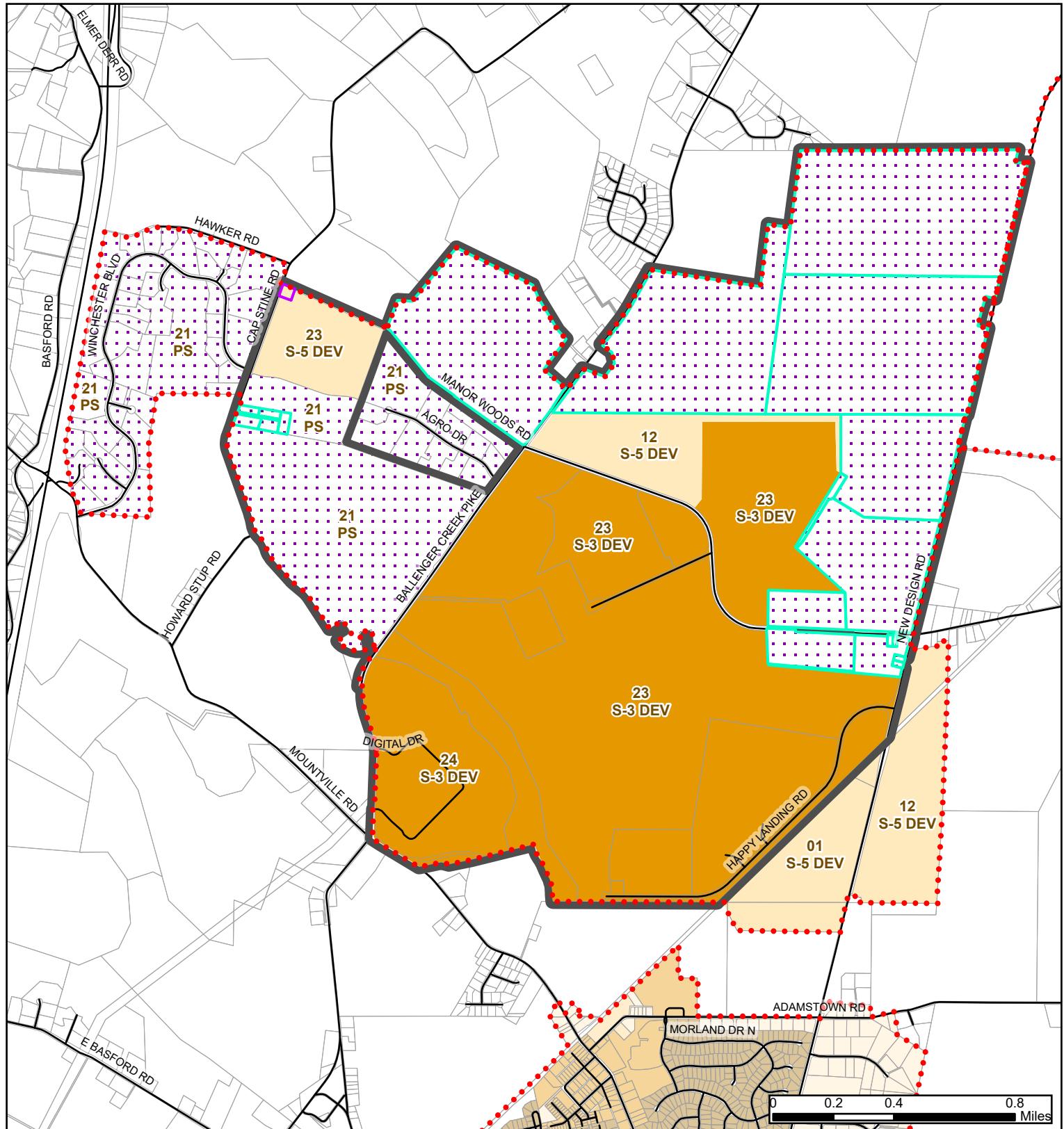
S-5- 7-10 Years

PS- Planned Service

0 0.2 0.4 0.8 Miles



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Map 10 - Proposed Sewer Service Areas

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Proposed Community Growth Areas

Proposed CDI Overlay Zone

Sewer Service Areas Propos

S-5 DEV- 7-10 Ye

PS- 11-20 Years

Sewer Service Areas

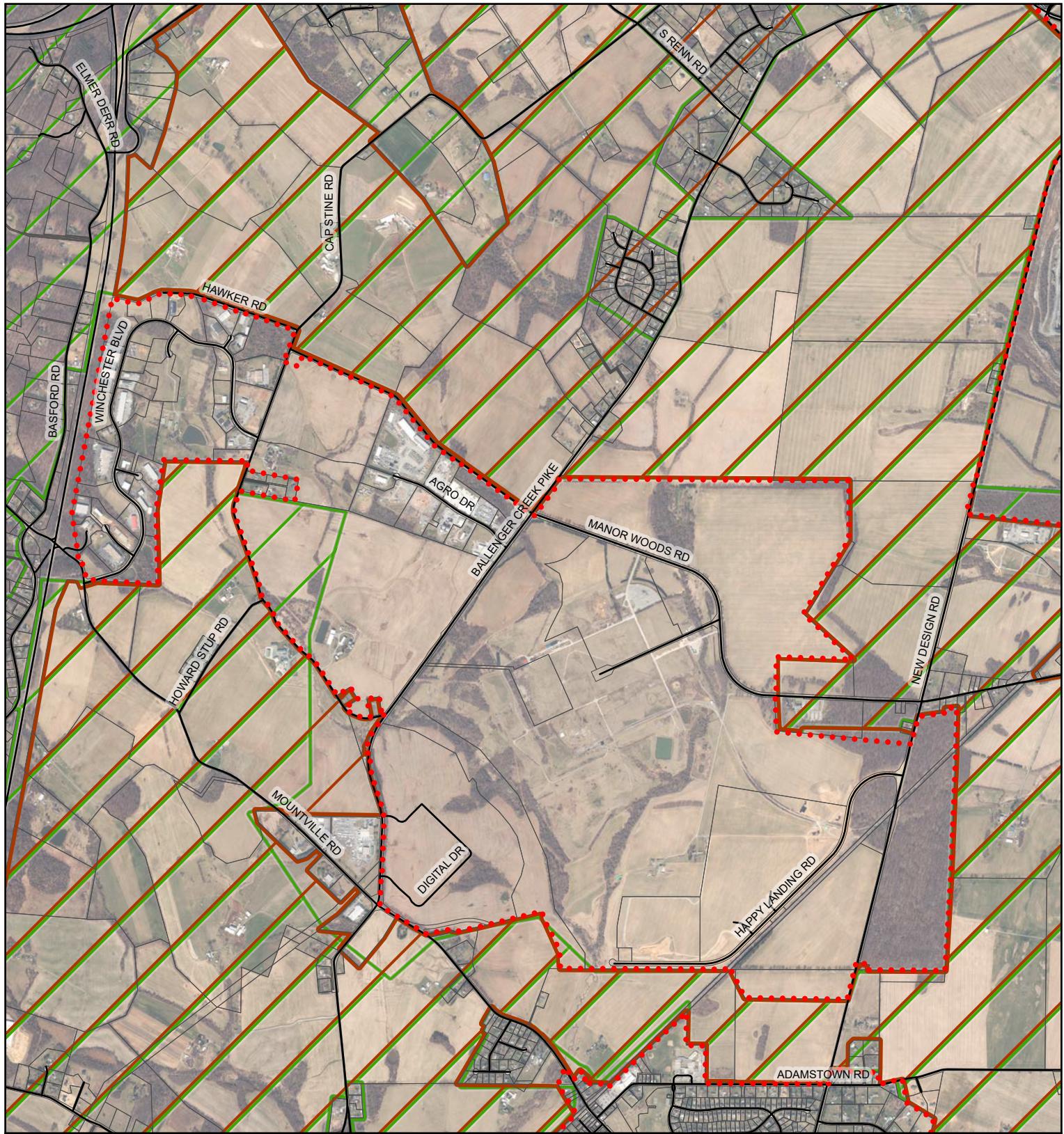
S-1- Connected

S-3- 1-3 Years

S-4- 4-6 Years

S-5- 7-10 Years

PS- Planned Service- 11-20 Years



Map 11 - Current Agricultural Preservation Areas

Properties in these areas are **eligible** for preservation, not necessarily preserved.

 **Community Growth Area**

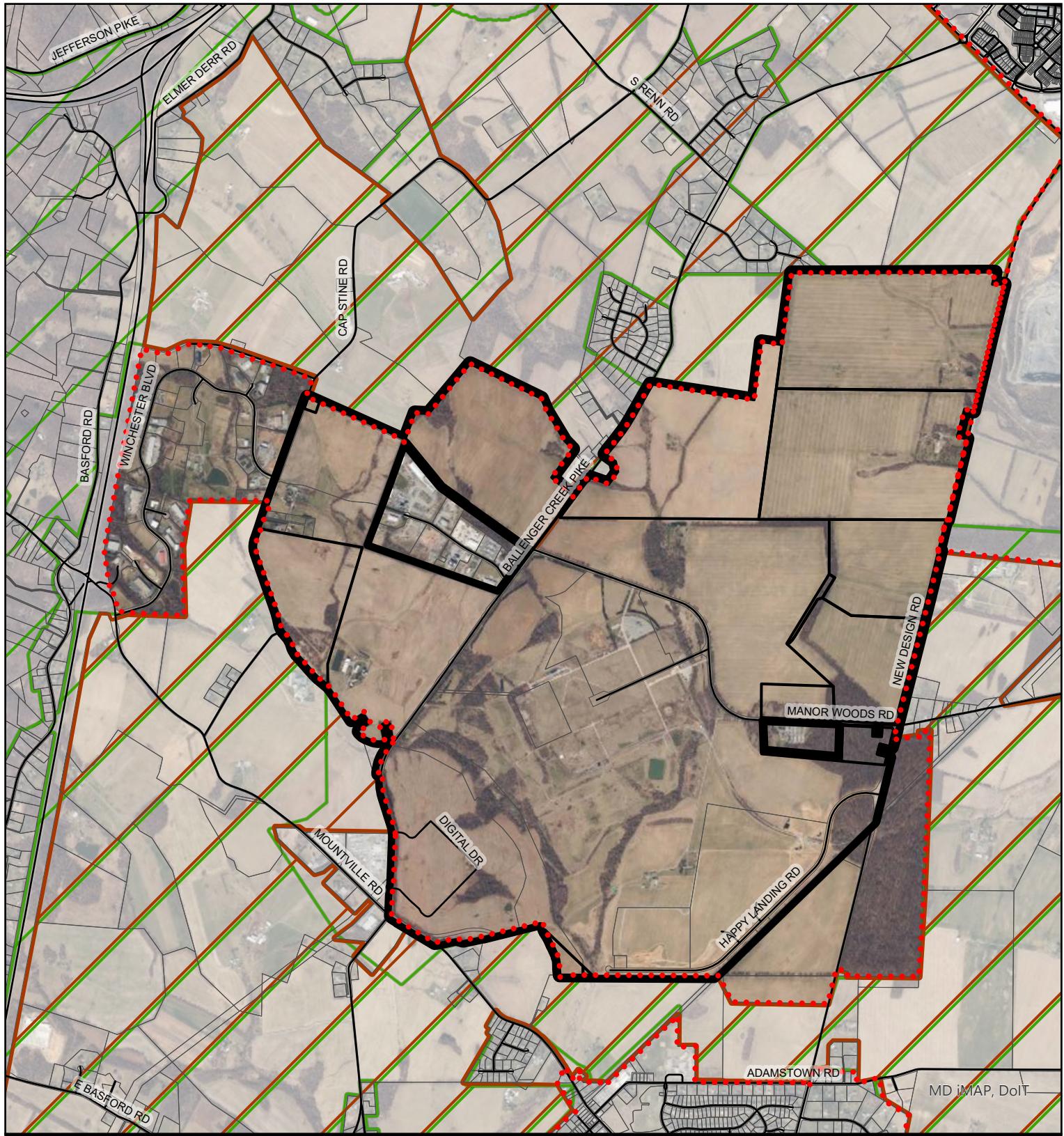
 **Priority Preservation Areas**
(eligible, not necessarily preserved)

 **Rural Legacy Areas**
(eligible, not necessarily preserved)

0 0.2 0.4 0.8 Miles



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Map 12 - Proposed Agricultural Preservation Areas

Properties in these areas would be **eligible** for preservation, not necessarily preserved.

- Proposed Ag Area Removed Parcels
- Proposed CDI Overlay Zone
- Proposed Community Growth Areas
- Proposed Priority Preservation Areas (eligible, not necessarily preserved)
- Proposed Rural Legacy Areas (eligible, not necessarily preserved)

0 0.2 0.4 0.8 Miles



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