



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

David R. Craig, Secretary
Wendi W. Peters, Deputy Secretary

March 28, 2016

Mr. Brandon Boldyga
Planning and Zoning Administrator
Town of Myersville Planning Office
301 Main Street, P.O. Box 295
Myersville, Maryland 21773

LOCAL PLAN REVIEW: Comprehensive Plan Draft – Town of Myersville
Date Received: February 8, 2016

Dear Mr. Boldyga: *Brandon:*

Thank you for the opportunity to comment on the draft Town of Myersville Comprehensive Plan 2015 – 2035. Thank you for your participation in the plan review process.

The Maryland Department of Planning (Planning) feels that good planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, community character, and economic development. Keep in mind that Planning's attached review comments reflect the agency's thoughts on ways to strengthen the Town's plan as well as satisfy the requirements of the State Land Use Article.

The Department forwarded a copy of the Myersville Plan to State agencies for review including, the Maryland Historic Trust and the Departments of Transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, and Agriculture. To date, we have received comments from the Maryland Historic Trust, and Maryland Departments of Transportation, Environment and Natural Resources; these comments have been included with this letter. Any plan review comments received after the date of this letter will be forwarded upon receipt.

Planning respectfully requests that this letter and accompanying review comments be made part of the Town's public hearing record. Furthermore, Planning also asks that the Town consider our comments as revisions are made to the draft Plan, and to any future plans, ordinances, and policy documents that are developed.

Please feel free to contact me at (410) 767-4533 or Chuck Boyd, Director of Planning Coordination, at (410) 767-1401.

Sincerely,

Peter Conrad, AICP
Manager of Planning Assistance and Education

Enclosures: Comments on the Myersville Comprehensive Plan

cc: Wayne Creadick Jr, Mayor
Stuart Sirota, Assistant Secretary of Planning Services
File

Maryland Department of Planning Review Comments March 28, 2016
Draft Town of Myersville Comprehensive Plan 2015-2035

The Maryland Department of Planning (MDP) has reviewed the draft Town of Myersville Comprehensive Plan 2015-2035 and offers the following comments for your consideration. These comments are offered to guide the town in ways to improve the draft comprehensive plan and better address the statutory requirements of the Land Use Article.

Summary of the Proposed Comprehensive Plan Amendment

This is a complete update to the 2010 Town of Myersville Comprehensive Plan, which consolidates and re-organizes information presented in the prior plan.

General Plan Comments

As noted by several of the State agencies' reviewers, the town has done a very good job preparing a plan that provides the elected and appointed officials, town staff and citizens of Myersville a solid foundation for making land use and public facility/service decisions. The plan also effectively communicates to Frederick County and the State of Maryland the town's priorities and desired community character.

The plan recognizes the important relationship with Frederick County's planning efforts and the need for interjurisdictional coordination. Additionally, it should be acknowledged that the plan includes all the required elements as identified in §3-102 of the Land Use Article of the Maryland Annotated Code.

As a general statement, the plan's overall readability would be enhanced by embedding the maps with the body of the text, instead of referencing the reader to the Appendix and then having a series of maps at the back of the document.

Section 1: Overview

The Overview Section provides the reader with a succinct explanation of the plan's role in helping guide the town's land use decisions and coordinating planning efforts at the local, county, region and state level. Additionally, the plan incorporates the 12 Planning Visions, as required by §3-201(c) of the Land Use Article. While the influence of the 12 Planning Visions can be seen throughout the document, it may be more effective if specific references to the Visions were incorporated into various sections of the plan.

Section 2: Background Information

The plan's Background Section provides community context and a synopsis of past planning and zoning efforts of the town. It might be useful to include in this section some assessment of the effectiveness of these past planning efforts as an indication on what changes, if any, the town should consider and possibly reference the policies and actions identified in the Implementation Section

Section 3: Goals

The plan's Goal Section identifies seven "desired end result" goals that the town wants to achieve. However, this section does not set forth more specific objectives that describe how the town plans to accomplish these goals. While the Implementation Section does contain specific policies and actions the town wants to pursue, associating objective statements to each goal would help the town communicate the reasoning for the policies and actions listed in the Implementation Section. MDP offers its technical assistance, if the town is interested in formulating objectives to go along with the listed goals.

Section 4: Environmental Sensitive Areas

The plan's Environmental Sensitive Areas Section includes a number of subsections, which present a thorough assessment of environmental conditions in the town. Please see the attached review comments from the Maryland Department of Natural Resources. The following are comments to consider related to the Historic Resources subsection:

Historic Resources

MDP staff notes that Myersville has made an extensive effort to discuss the historic buildings and resources within the town. Staff suggests that the discussion of the historic resources (pages 12 - 15) could reference a historic resource map showing the location of these sites within the town. This map could also contain the survey district boundary.

Maryland Historic Trust (MHT) has provided detailed comments and continued assistance for the town to consider, which are contained in the attached letter from MHT to this report. MHT recommends specific text changes regarding the Heart of the Civil War Heritage Area that we ask you to consider.

Section 5: Land Use

MDP staff noted that Myersville's plan does an excellent job breaking down existing land uses and methodically goes through the assumed land use change. This helps the reader understand the plan's assumed transition from its existing conditions to those in the future.

Section 6: Municipal Growth

According to the 2010 US Census, Myersville had 553 total housing units, of which 531 were occupied. Tables 3 and 5 of the plan report a total of 545 units in 2010. This housing unit discrepancy should be addressed as it affects subsequent housing unit estimates and projections.

The 2010 Census no longer provides data on the unit type breakdown, so local information on this may be more accurate, but Table 3: Authorized Housing Units on page 21 of the plan does not quite coincide with the information from the 2010 Census. Additionally there is a decrease in the number of reported apartments from 2000 to 2010. This reduction may be due to reclassification of the units from apartments to single-family detached units, but some type of explanation or footnote in the plan would help the reader understand the reason for the shift in unit types.

MDP's Planning, Data and Research staff reviewed the plan's demographic data and projections and determined that they are suitable for planning purposes. In general the population data presented in the plan are census based and comparable to data maintained by MDP. After looking at the historical, current and projected demographic trends of the Town of Myersville and Frederick County, we tend to agree with the Plan's assumptions that the near future for the town will feature increased population growth due to in – migration and annexation.

Population Change

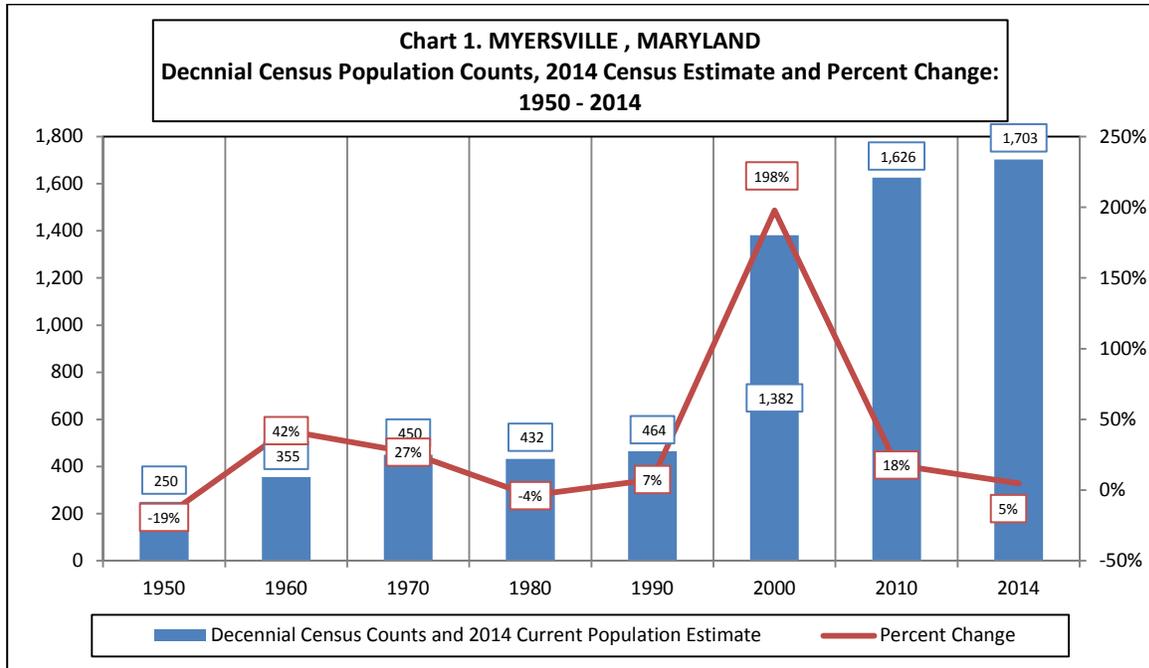
Historic census population counts show decades of relative population growth from 1950, through 1970 in Myersville. During this period Myersville nearly doubled in size, increasing in population from 250 to 450 inhabitants.

From 1970 through 1990, the Town's population growth remained relatively stable. After dipping a bit through 1980, Myersville 1990 population increased three percent over the period.

Throughout the 1990s the population in Myersville boomed. According to the 2000 Census of Population and Housing, the number of persons in Myersville jumped nearly 200 percent and reached 1,382 residents. Nearly a thousand more people were added to the town during the 1990s. Over 280 new homes were built and over 350 householders moved into Myersville housing units during the period. Population growth during this period was rapid and across all age groups.

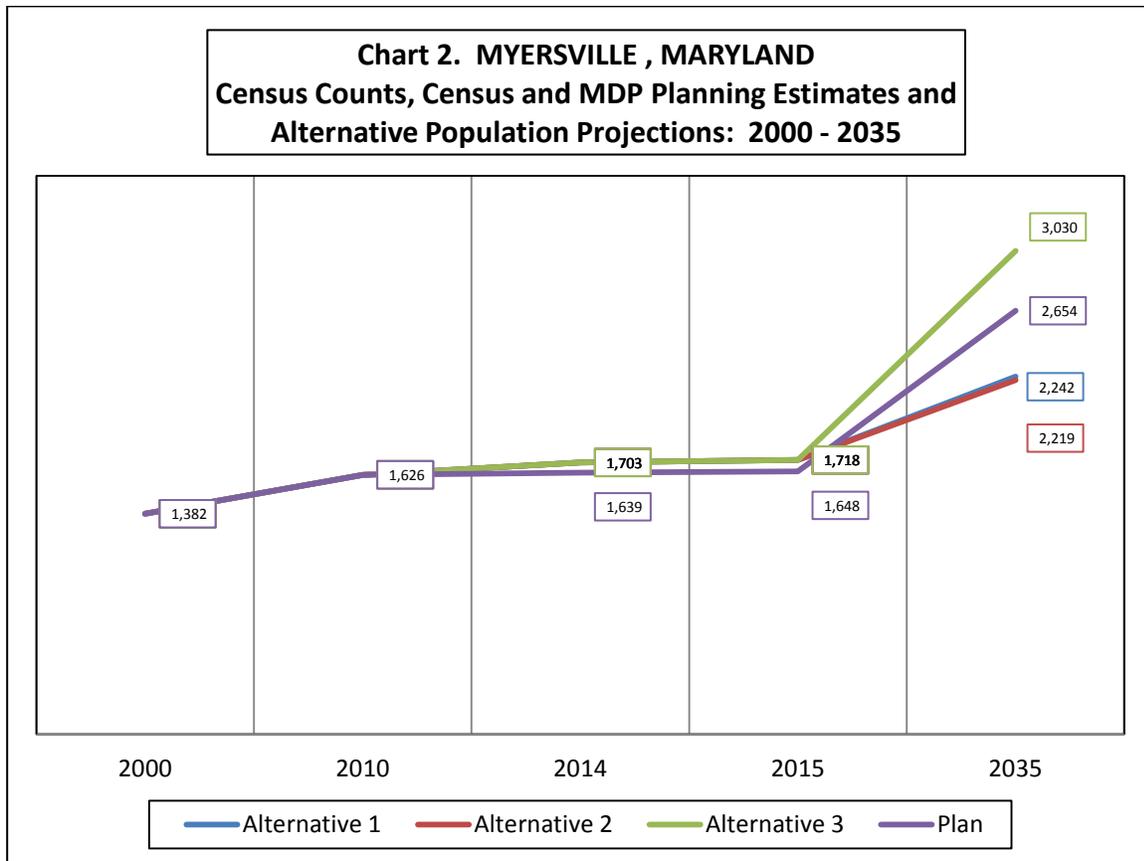
From 2000 through 2010 when 1,626 residents were counted, Myersville experienced a population increase of 244 persons. This is an increase of 18 percent, and just slightly less than the 20 percent population increase experienced in Frederick County over the same period. The U. S. Bureau of the Census' 2014 Current Population Estimate provides the most recent population data for Myersville. The Bureau reports a current estimate of 1,703 persons.

The official estimate is an increase of 77 persons (almost five percent) from the 2010 Census, and indicates a substantial decline in the growth rate of the population relative to the past 20 years. (See Chart 1, Myersville, Maryland Population Counts and Estimates: 1950 – 2014.)



For this review we developed three Alternative Population Projections for the Town of Myersville. We feel that Alternative Projection One and Alternative Projection Two are optimistic, if more modest in comparison to the population projection used in the Myersville Comprehensive Plan for the years 2014 through 2035. Alternatives One and Two are more consistent with current and projected growth trends for the town and Frederick County as a whole.

Alternative Population Projection One applies the average ratio of Myersville’s recent proportional share of Frederick County’s population to the County’s projected population growth. Alternative Population Projection Two applies Frederick County’s projected Average Annual Growth Rate over the period to Myersville’s 2014 population estimate.



The population projection used in the plan is high relative to those Alternative Projections, but is within the range established by Alternative Population Projection Three. This population projection is tied more closely to new housing construction activity within the town over the period. It assumes buildout of the proposed dwelling units in Myersville’s development pipeline, projected person per household size based on County level Average Household Size projections, and a constant 3.98 percent vacant. (See Chart 2, **MYERSVILLE, MARYLAND Census Counts, Census and MDP Planning Estimates and Alternative Projections: 2000 – 2035.**)^{1 2}

Residential Infill Development

¹ The Myersville Comprehensive Plan draft does not provide a 2014 population estimate. The 2014 figure referenced from the Plan and displayed in Chart 2 **MYERSVILLE, MARYLAND Census Counts, Census and MDP Planning Estimates and Alternative Projections: 2000 – 2035.**, is a single year interpolation of the Plan’s 2015 population estimate the 2010 Census population count.

² A Bureau of the Census 2015 population estimate for Myersville, Maryland is not yet available. The MDP 2015 figure displayed in Chart 2 **MYERSVILLE, MARYLAND Census Counts, Census and MDP Planning Estimates and Alternative Projections: 2000 – 2035.**, is a single year extrapolation of the 2014 population estimate and the 2010 Census population count.

MDP staff also suggests that the discussion of infill development (page 24) may benefit from the inclusion of a chart that outlines location, zone, potential capacity and acreage of parcel for purposes of clarity. A map of these areas would also benefit the plan and the reader when considering the location of new development in relation to existing.

Priority Funding Area

The plan's text on page 24 regarding Priority Funding Area (PFA) is accurate, and the PFA Map shown on page 57 is fairly consistent with the official PFA Map that MDP maintains. MDP staff has identified a few updates to MDP's official PFA map based on recent town annexations that have not been incorporated into MDP's PFA Map. The plan's PFA Map indicates three areas as "Town No PFA" because they were annexed but MDP did not receive a request to update MDP's official PFA map. Additionally, an area in the southern part of the town, annexed in 2015, is currently not included in MDP's official PFA map as part of the town.

MDP's Regional Planner for Frederick County will work with the town's planning staff to document these annexed areas and process PFA map updates. Since Frederick County has used §5-7B-02(3) of the State Finance and Procurement Article to designate some local growth areas in unincorporated parts of Frederick County as PFA because they are in a certified heritage area, i.e., the Heart of the Civil War Heritage Area, it would seem appropriate for Myersville to use this same provision for those annexed lands zoned by the town as Open Space. Otherwise, since these Open Space zoned areas do not meet the provisions of §5-7B-03 on either a basis of allowed zoning density of a minimum of 3.5 dwelling units per acre or zoning that allows commercial or industrial uses, these recently annexed areas would have to be identified as "Municipal PFA Comment Area" because they do not meet PFA law criteria. But, because Myersville and the surrounding environs are part of the certified Heart of the Civil War Heritage Area, these recently annexed areas do appear to qualify as PFA under §5-7B-02(3).

Adequate Public Facilities

This subsection does not include any assessment on whether public facilities are being adequately planned to accommodate the future growth area identified in the Municipal Growth Element (MGE). The plan does state, "The Town's Adequate Public Facilities Ordinance (APFO) governs the required resources that must be allocated by the developers or Town in order to permit all development." And, to some degree the local APFO does help to regulate the pace of growth to align with the provision of public facilities. However, since the plan does analyze the facility impact of projected growth under each of the plan's subsequent sections, i.e., Public Facilities and Services, Transportation, and Water Resources, one way to address the MGE facility assessment requirement is to include references to these other sections.

Section 7: Public Facilities and Services

The plan provides a good overview of public facilities and services, and subsequently includes in the Implementation Section policy and action items related to this assessment. However, Page 31 of the plan states, "In order to encourage affordable senior housing investment, the Town may be able to encourage these types of projects in conjunction with

future projects using tap fee credits, variances on subdivision requirements, and matching public investment as afforded by Town Code and the approved budget.” The Implementation Section does not include a follow-up action related to this issue, and the town may want to consider such an action. If MDP can provide technical assistance regarding steps to encourage affordable senior housing, please feel free to contact your Regional Planner.

Public Libraries

In the fourth line of the first paragraph, the second “both” in that line should be deleted.

Public Recreation Lands

As noted in Maryland Department of Transportation’s (MDOT) comments attached to this report, please consider the following suggestion: “p. 30 – The SHA supports the Town’s creation of an Open Space and Trails Master Plan to improve pedestrian connectivity throughout the Town. Please add a statement in Section 7 that refers to Section 8 (Transportation) to emphasize pedestrian connectivity in the context of transportation, in addition to its importance as a recreational function. A similar statement in Section 8 (referring to Section 7) is already included.”

Parks and Recreation

The Town of Myersville controls almost 107 acres of park and recreation land. This far exceeds the 30 acres per 1,000 population state default acreage goal. The town is to be congratulated in its effort to provide recreational opportunities for its residents. Additionally, the town has an extensive trail network that is either in place or being planned.

Section 8: Transportation

Please review the attached comments from the Maryland Department of Transportation (MDOT) for corrections and suggested additions to the text. Please note that the State Highway Administration (SHA) commented that the classification for state roads needed to be corrected in Table 14. Corresponding corrections to the text, starting on page 32 of the discussion on the functional classification of roadways should be addressed.

MDP’s Infrastructure and Development Unit offers the following transportation-related comments for the town’s consideration:

- MDP staff is encouraged that the plan’s transportation objective seeks to improve pedestrian connectivity within Myersville. Providing safe travel accommodations for pedestrians and bicyclist (e.g. bike lanes, shared-use paths and continuous sidewalks) is an economic development/tourism tool as well as a way to reduce reliance on the automobile. Additionally, fewer cars on the road reduce harmful greenhouse gas emissions, wear and tear and traffic congestion on MD-17/Main Street. Please consider providing information on how the town anticipates paying for these improvements moving forward. SHA’s Transportation Alternatives Program may be a funding option for sidewalk construction. More information can be found at <http://www.roads.maryland.gov/Index.aspx?PageId=144>.

- MDP staff appreciates the inclusion of the Meyersville Open Space and Trails Master Plan (figure 8) and the Town's desire to add a pathway from Poplar Street to Doub's Meadow Park. Although the map provides information on material type (e.g. asphalt vs. concrete), it would be beneficial to know what type of facility is planned in order to ensure the appropriate amount of land is preserved. For example, the right-of-way requirements vary greatly in the case of an on-road facility such as a bicycle lane versus an off-road shared-use path.
- MDP suggests the town consider including statements in the plan to add marked bicycle lanes when re-surfacing projects (e.g. Main Street re-paving) occur. This may be a quicker and lower cost option as opposed to constructing new pathways or sidewalks.
- The town is encouraged to consider including in the plan strategies that ensure future residential developments use a street-grid network as opposed to curvilinear streets found in the low density residential Saber Ridge development. Curvilinear streets with cul-de-sacs make it difficult for users to connect to other parts of the town when walking or bicycling.

Section 9: Water Resources Element

The Maryland Department of Environment (MDE) has provided substantive comments regarding the Water Resources Element and water quality standards, which are attached to this report. In general, MDE has noted that for the town to prepare an effective Water Resources Element, the town needs to conduct a nonpoint source analysis to estimate changes in nutrient loads resulting from proposed land use changes.

Water Balance Methodology

MDP staff strongly supports good planning practices but respects the local land use decision process. MDP **does not** have the statutory authority to require local governments to conduct any specific planning or zoning activities; therefore, the following statement on page 40 is **not correct**: *“The Maryland Department of Planning (MDP) requires that municipalities must develop under the State’s Smart Growth policy, which prescribes higher densities for growth areas, while also identifying land resources to maintain in permanent conservation for all groundwater appropriations.”* MDP does not require municipalities to develop under the “State’s Smart Growth Policy,” as local governments have the autonomy to plan and zone their community according to local concerns and character. The State does have policies and state financing laws that restrict state funding for “growth-related” projects to be part of municipalities and counties that meet the requirements of the PFA law, which include residential zoning densities of 3.5 du/ac or higher or employment zoned areas, and these areas are served or planned for public sewer. MDP also encourages jurisdictions to protect and conserve environmentally sensitive and natural resource areas, but we do not require it.

Water Demand

MDP staff notes that this plan evaluates one land use scenario for future growth, which fits with the town's historic development pattern and anticipated growth, up to the limits of its water resources within this planning period. MDP concurs that future development in the town does not appear to warrant multiple land use scenarios to determine other

development options, given the town's intent to retain the form and scale of the community, as outlined in its goals and objectives.

The Town is to be commended on its water line maintenance efforts, which have resulted in the reduction of 35,000 gpd in lost water capacity due to various leaks in the system. However, MDP staff cautions the Town of Myersville on its assumptions to reallocate 25,000 gpd of this water recovery to accommodate the projected water demand from new development. This analysis should be reviewed and approved by the MDE and incorporated into the County's Master Water and Sewer Plan, if it has not already been done.

Wastewater

MDP staff does want to offer the following suggestions to consider that would inform the reader of what the current nutrient impacts are and how this land use plan will impact these loads. MDP staff offers its technical assistance to address these points, if the town is interested.

- The Town could include the nutrient caps that the current wastewater treatment plant has been allocated and then post what the actual loading rates are (based on current treatment capabilities) and what they would be at capacity build out in a column of either Table 22 or 23.
- The Land Use Table 1 could be copied and modified as a new table in the Water Resources Element with an added column for the nutrient loads that they would generate. This table could be further improved by adding the projected land use changes based on its expected buildout and the nutrient load changes that would be generated. It may be more applicable if this table was placed under the Implications of Growth Area Development section beginning on page 25 of the Municipal Growth Element or, at a minimum, appropriate cross-referenced.

Similar to the comments made regarding reallocation of recovered potable water capacity, MDP staff applauds the town's maintenance efforts to reduce inflow and infiltration into the wastewater collection system. The plan notes these repairs have resulted in capacity gains of 80,000 gpd, of which 67,000 gpd is planned to be reallocated to accommodate the projected wastewater demand from new development. This analysis should be reviewed and approved by the MDE and incorporated into the County's Master Water and Sewer Plan, if it has not already been done.

Stormwater and Non-point Source Pollution

The plan reports that Myersville's streams are impaired for sediments, nutrients, bacteria, and impacts on biological communities. The actions that the Town can take on its own are reasonable: easements on and public ownership of undeveloped land; environmentally sound development practices; protection of stream buffers, steep slopes, and groundwater recharge areas as part of site design; and the "discouraging" of surface stormwater retention areas. MDP staff notes that the plan calls for the minimization of tree cutting and grading; it is suggested that on-site forest retention should take priority over off-site mitigation,

Section 10: Implementation

MDP staff notes on page 49 under the “Environmental Action Items” section, #2 states, “The Town will increase the area of impervious surface when possible.” “Impervious” should probably be changed to “pervious.”

MDP staff acknowledges the plan’s inclusion of an Implementation Chapter; however, the transportation policies listed are vague. We encourage the town consider including more details on how the town will encourage pedestrian and bicycle transportation and the use of public transportation. Possibly, you could rephrase this to state that: “The town’s goal is to encourage safe and convenient pedestrian and bicycle transportation through upgrades to the on-road and off-road bicycle facilities and sidewalk connectivity improvements.” Regarding encouraging the use of public transportation, you may want to consider adding language borrowed largely from the Transportation chapter, such as “Encourage the County to expand TransIT service to Myersville on a daily or weekly basis....” and “Through tax breaks or other financial incentives, encourage properties adjacent to the SHA Park and Ride facility to develop in a mixed-use design.”

MDP staff notes the town has identified a number of good policies and actions in the Implementation Section; however, very little discussion is devoted to funding sources and financing strategies (other than requiring developers to defray the costs) for the many challenges in infrastructure and services facing the town.