



PLANNING

Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor

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March 5, 2018

Mr. Anthony Bruscia, Chair  
Frederick County Planning Commission  
30 North Market Street  
Frederick, MD 21701

LOCAL PLAN REVIEW: Frederick County: Livable Frederick Master Plan  
Date Received: January 5, 2018

Dear Mr. Bruscia:

Thank you for the opportunity to comment on Frederick County Planning Commission's Draft of the Livable Frederick Master Plan Draft, and your participation in the State agency plan review process.

The Maryland Department of Planning (Planning) believes that good planning is important for efficient and responsible development that successfully addresses resource protection, adequate public facilities, community character, and economic development. Planning's attached review comments reflect the agency's thoughts on the strengths of the County's Plan, as well as potential ways to improve it and best satisfy the requirements of the State Land Use Article.

The Department forwarded a copy of Frederick County's draft Livable Frederick Master Plan to State agencies for review including, the Maryland Historic Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Housing & Community Development, and Agriculture. To date, we have received comments from the Maryland Departments of Housing & Community Development, Natural Resources, and Environment; these comments are included with this letter. Any plan review comments received after the date of this letter will be forwarded to you upon receipt.

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

Planning is eager to provide support or clarification in the continued development of Frederick County's Livable Frederick Master Plan. Please feel free to contact me at (410) 767-1401 or Joseph Griffiths, Manager of Local Assistance and Training, at (410) 767-4553.

Sincerely,

Charles W. Boyd, AICP  
Director, Planning Coordination

cc: Pat Keller, Assistant Secretary for Planning Services  
Joseph Griffiths, Local Assistance and Training Manager  
Steve Horn, Director, Frederick County Planning & Permits Division  
John Dimitriou, Frederick County Principal Planner



**Maryland Department of Planning Review Comments**  
**March 5, 2018**  
**Draft Livable Frederick Master Plan**

The Maryland Department of Planning (MDP) has reviewed Frederick County Planning Commission's Draft Livable Frederick Master Plan and offers the following comments for your consideration. These comments are offered to guide the County 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 full update to the 2010 Frederick County Comprehensive Plan, with the exception of the Frederick County Comprehensive Plan Map (revised: 2012), the Frederick County Growth Tier Map (adopted: 2013), and the Water Resource Element (adopted: 2010) which will be updated in a future effort. The Livable Frederick Master Plan (LFMP) is a departure from the more traditional (capacity-focused) comprehensive plan that the County adopted in 2010.

Overall, LFMP is an outstanding draft comprehensive plan that addresses the many complex and competing influences that will impact the future of Frederick County. In particular, LFMP has a thorough discussion on how and why land use and transportation policies have to be well coordinated to achieve the County's vision of sustainable living. LFMP goes well beyond the traditional comprehensive plan that focuses on land uses and public facilities, and provides important guidance on a broader set of community issues under the four vision themes of Community, Health, Economy and Environment.

As comprehensive plans go, LFMP is one of the more engaging to read plans and is oriented to the citizen reader.. The "Trends and Driving Factors" subsection for each of the themes lays out a compelling reasoning for plan's goals and initiatives. It should be noted the focus on the health of Frederick County's residents is extremely laudable and serves as a best practice for other jurisdictions in Maryland to follow. Additionally, the process that Frederick County used to establish the Community Vision was very inclusive, reaching all parts of the county, and addressed the wide range of issues that the residents of Frederick care about. Frederick County is to be commended for this effort.

**Minimum State Law Requirements for Municipalities**

Maryland's Land Use Article sets forth the required components of a local comprehensive plan but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process. The following checklist summarizes an assessment as to whether each required local plan element is addressed in the Livable Frederick Master Plan.

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<b>Checklist of Maryland Code (Land Use Article) requirements for charter county comprehensive plans</b>			
State Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Frederick County LFMP Page References
(1) A comprehensive plan for a charter county <b>MUST</b> include:	<a href="#">L.U. § 1-406(a)</a>		
(a) a development regulations element	<a href="#">L.U. § 1-406(a)(1)(i)</a>	<a href="#">L.U. § 1-407-- Development regulations element</a>	Pages 16-18
(b) a sensitive areas element	<a href="#">L.U. § 1-406(a)(1)(ii)</a>	<a href="#">L.U. § 1-408 -- Sensitive areas element</a>	Pages 145-161
(c) a transportation element	<a href="#">L.U. § 1-406(a)(1)(iii)</a>	<a href="#">L.U. § 1-409 -- Transportation element</a>	Pages 66-77
(d) a water resources element	<a href="#">L.U. § 1-406(a)(1)(iv)</a>	<a href="#">L.U. § 1-410 -- Water resources element</a>	<b>Partially referenced.</b> Page 16 references the Water Resource Element adopted in 2010 as a Functional Plan. The Water Resource Element should be identified in the LFMP as part of comprehensive plan
(e) a mineral resources element, <b>IF</b> current geological information is available	<a href="#">L.U. § 1-406(a)(2)</a>	<a href="#">L.U. § 1-411 -- Mineral resources element</a>	<b>No references found.</b> Recommend at a minimum reference 2010 Plan
(2) A comprehensive plan for a charter county <b>MAY</b> include a priority preservation area (PPA) element	<a href="#">L.U. § 1-406(b)</a>	<a href="#">For PPA requirements, see § 2-518 of the Agriculture Article</a>	<b>Partially referenced.</b> Page 49 and pages 134-136
(3) A designation of areas for fisheries use, but <b>ONLY IF</b> the charter county was required prior to adoption of home rule to include a fisheries element in accordance with L.U. § 3-113	<a href="#">L.U. § 1-412</a>		N/A
(4) Visions -- A local jurisdiction <b>SHALL</b> through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 1-414</a>	<a href="#">L.U. § 1-201 -- The 12 Planning Visions</a>	<b>Partially referenced.</b> Recommend providing specific references furthering the State 12 Visions
(5) Growth Tiers -- If a county has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the county's comprehensive plan	<a href="#">L.U. § 1-509</a>		Page 15 references that the Tier Map adopted in 2013 remains unchanged  It should be noted the County has a pending amendment to incorporate the administratively approved Tier Map into the 2010 Comprehensive Plan

As shown in this checklist, Frederick County Planning Commission’s draft Livable Frederick Master Plan includes all but one of the required elements and partially addresses three other elements, as identified in §1-406 and §1-414 of the Land Use Article of the Maryland Annotated Code.

- LFMP on page 16 references the Water Resource Element adopted in 2010 as a Functional Plan. The Water Resource Element (WRE) is a required element in a County’s comprehensive plan. At a minimum, the 2010 WRE should be referenced as part of comprehensive plan, and an abbreviated portion of the WRE should be included as an Appendix in the LFMP.

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The following comments are related to the consistency of the draft LFMP with the adopted Frederick County Water Resources Element (WRE):

- The projected water and sewer demand, projected impacts to receiving waters, and proposed solutions to meeting water and sewer infrastructure needs within the Frederick County WRE are based on projected growth within the Community Growth Areas included in the 2010 Frederick County Comprehensive Plan.
- To inform the County's decision regarding the location and intensity of growth areas within the new land use plan and to ensure the land use plan can be successfully implemented, Frederick County should forecast the water and sewer demand and projected impacts to receiving waters expected from implementation of the draft LFMP (at build-out or through the planning period used in the Master Plan). If the forecasts will require significantly different solutions to address water resource needs and implement the draft LFMP, then the Frederick County WRE should be revised to include those new solutions. Also, if any of those solutions are not feasible, then the County should consider revising the new land use plan described in the draft LFMP to ensure successful accommodation of the projected water and sewer demand and impacts to receiving waters from implementing the new plan. It is presumed that Frederick County will be doing this prior to or in conjunction with the preparation of new land use plan map.
- The LFMP should include language that indicates whether or not the forecasts of water and sewer demand and impacts to receiving waters in the Frederick County WRE are adequate representations of the water and sewer demands and water resource impacts expected from implementation of the LFMP.
- The LFMP should include language that indicates whether or not the solutions to address water resource needs listed in the Frederick County WRE will be adequate to support implementation of the LFMP.
- LFMP does not include any reference to a Mineral Resources Element. Frederick County's 2010 Comprehensive Plan contained a Mineral Resources Element (pages 3-24 to 3-26) and included Policy NR-A-09 to address sinkhole concerns. It is recommended that either information about Frederick County's mineral resources be added to the LFMP, or appropriate references to the information in the 2010 Comprehensive Plan should be included in an Appendix.
- Page 49 provides the following statement, "*Priority Preservation Areas: Priority Preservation Areas (PPA) are mapped geographic areas where the county will target and prioritize its farmland preservation easement purchases and other incentives that are vital in maintaining a critical mass of farm acres to support viable agriculture.*" The PPA map is shown on page 135 and the Agriculture Preservation and Conservation Initiatives are listed on page 136. These references to the PPA are not as robust a land preservation strategy as presented in the 2010 Comprehensive Plan. In

addition to the initiative listed on page 136, consider adding more of the data and analysis from the Preservation Plan Element of the 2010 Plan (pages 05-9 to 05-13).

- Without a doubt, the LFMP addresses all 12 Planning Visions. However, L.U. § 1-201, states “*a planning commission shall implement the following visions through the comprehensive plan,*” which includes:
  1. **QUALITY OF LIFE AND SUSTAINABILITY:** a high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment;
  2. **PUBLIC PARTICIPATION:** citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;
  3. **GROWTH AREAS:** growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;
  4. **COMMUNITY DESIGN:** compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources;
  5. **INFRASTRUCTURE:** growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;
  6. **TRANSPORTATION:** a well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;
  7. **HOUSING:** a range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes;
  8. **ECONOMIC DEVELOPMENT:** economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State’s natural resources, public services, and public facilities are encouraged;
  9. **ENVIRONMENTAL PROTECTION:** land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;
  10. **RESOURCE CONSERVATION:** waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;
  11. **STEWARDSHIP:** government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and
  12. **IMPLEMENTATION:** strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, state, and interstate levels to achieve these Visions.

But, only the third Planning Vision is mentioned on page 20 of the LFMP, when defining “Community Growth Area.” It is recommended that additional statements or a broader reference to implementation of all 12 State Planning Visions should be included in the LFMP.

- The LFMP references the adopted 2013 Tier Map. It should be noted that the Growth Tier Map was administratively adopted in 2013 and has not been officially incorporated into the County’s Comprehensive Plan. As provided in Section 3 of Chapter 521 of the 2013 Laws of Maryland, if a Growth Tier Map is not adopted into the local comprehensive plan by the time 6-year comprehensive plan review is required, the local Growth Tier Map shall be considered not adopted for purposes of § 9-206 of the Environment Article. It is noted that Frederick County has a pending

comprehensive plan amendment to incorporate the Growth Tier Map into the 2010 Comprehensive Plan, but the County Council has not taken action to date. Frederick County is strongly recommended to adopt the currently proposed Growth Tier Map as soon as possible. Not adopting this comprehensive plan amendment has potential to impact on the County's Tier IV Exemption.

### **General Planning Comments**

The following is a series of general plan comments that Frederick County Planning Commission may want to consider addressing:

- The plan's goals and initiatives support the overarching plan objectives. The plan also thoroughly describes how implementation and accountability will occur through specific planning initiatives, annual reporting, and an Implementation Matrix. However, since these future land use planning efforts will be critical to the success of the Community Vision, it is recommended that a more detailed work plan of the subsequent planning efforts be included in the LFMP to ensure the land use and public facility planning is well coordinated.
- The plan (page 7) notes that subsequent "capacity-focused planning" will need to take place as a "separate planning effort." This is critical planning that will determine the appropriate intensity of land uses and sizing of public facilities. While it is essential to first establish the vision for a community, the right-sizing of the land uses and public facilities are critical to achieving that vision. It is strongly encouraged that the County initiate this phase of planning as soon as possible, before proceeding to any changes in the detailed land use plan.
- The relationship of the LFMP (described on page 15) to the Frederick County Comprehensive Plan Map, the Frederick County Growth Tier Map, and the Water Resource Element is unclear. Are these components of the County's draft comprehensive plan or separate documents not officially considered part of the County's comprehensive plan? If the County subsequently amended the Comprehensive Plan Map, the Growth Tier Map, and the Water Resource Element, would these be subject to the 60-day review like any other comprehensive plan amendment? It is recommended the relationship of these apparent comprehensive plan elements be clarified.
- LFMP states on page 15, "*To accomplish the goals of the LFMP, the county will commit to an on-going effort to develop Community and Corridor Plans for our future growth areas, our commercial and mixed-use corridors, our existing villages, and our critical natural resource areas.*" The relationship of the Community and Corridor Plans and LFMP is unclear and should be clarified. Will these "Small Area Plans" (mentioned on page 20) be adopted as amendments to LFMP (i.e. the comprehensive plan) or are they stand-alone plans? Other counties use these types of small area plans to conduct in-depth investigations, establish targeted policies to the subject area, and

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adopt the small area plan as part of the comprehensive plan. This provides the grounds for concurrent or subsequent comprehensive rezoning efforts.

- We commend the County for referencing and proposing collaboration with municipalities (page 15). This is consistent with the position that Frederick municipalities have expressed in coordinating development reviews with the County to promote compatible/supportive land use and transportation systems.
- The LFMP is a very well-written and comprehensively organized visioning and policy-guiding document which establishes clear transportation goals and objectives. MDP's Transportation Planning staff applaud that the LFMP establishes linkages between transportation and land use, public health, the economy, affordable housing and the environment.

**Minor Technical Corrections/Suggestions**

The following is a series of identified minor corrections or suggestions the Frederick County Planning Commission may want to consider to improve the readability of the document:

- On page 8, first paragraph, first line under "Horizon Years," "talk" should be "talking."
- On page 10, next to last paragraph, seventh line, there is a missing word in the sentence: "A pattern of growth that focuses the majority **of** new development in cities, towns, and..."
- On page 19, the LFMP is referred to as "Livable Frederick Strategic Plan." It is assumed this reference to a "Strategic Plan" is outdated and should be updated to be "Master Plan." There are several references throughout the remaining part of the LFMP where "strategic plan" is used, such as on page 69.
- On page 33, third paragraph, first line, there is a missing word in the sentence: "The scenarios described below are not rhetorical - they **are not** designed to show a predetermined..."
- In the table on page 75, there is an initiative called "Design and Engineering." On page 76, the initiative is referred to as "Design and Operations." Please ensure that the names used are consistent.

**Detailed Section Review Comments**

The following are detailed comments on each of the sections of the Livable Frederick Master Plan:

## **I: Introduction**

This section provides a summary of the LFMP process and highlights the major components of the plan. The Frederick Planning Commission may want to consider the following:

- The graphics presented on pages 3-4 are helpful for illustrating the plan's overall structure.
- It is duly noted that the Thematic Plan is not a parcel-based land use map (page 8). However, it will be important (preferably as part of this plan) to provide sufficient guidance on how to interpret the Thematic Plan, so that the subsequently land use plan can be prepared with as little debate on the intent of the LFMP as possible.
- Consider adding the recently adopted 2018-2037 Solid Waste Management Plan (SWMP) to the list of Functional Plans (pages 15-16).
- On page 16, the 2010 Water Resource Element is listed as a Functional Plan. The Water Resource Element is a required element of a county comprehensive plan. Like the County Land Use Plan Map, the Water Resource Element should be updated as soon as possible to be consistent with the proposed Thematic Plan of the LFMP.

## **II: Our Community Vision**

The Community Vision is the organizing force that drives all of the goals and initiatives of the LFMP. Frederick County devoted a significant amount of time and effort to get people involved in creating this vision. This vision is not only comprehensive in the breadth of issues addressed, but also inspiring in what the community wants to achieve.

## **III: Development Framework**

This section discusses the preferred geographic distribution of future growth through the Scenario Planning Element and a Thematic Plan. The Frederick County Planning Commission may want to consider the following:

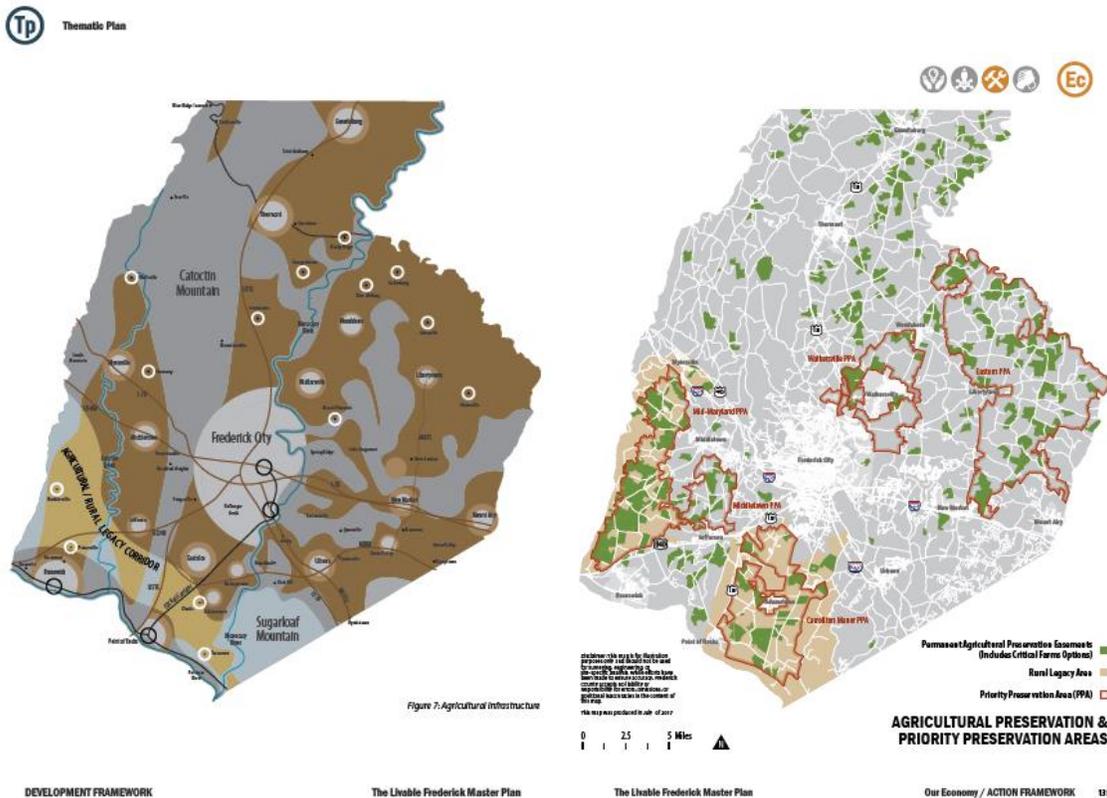
- **Scenario Planning Element:**  
The plan contains a discussion of scenarios, evaluation metrics and key findings (pages 34- 35). However, there are no references to numerical figures. How much capacity did the scenarios yield? How does this compare to projected population growth, and past trends? How much of the development could be accommodated by infill/redevelopment? Some more description (like the first key finding on page 35) is necessary to fully grasp the extent and nature of projected population, household, and job growth within the County. This is especially important for establishing overall land use and development needs and guiding future capacity and land use planning efforts.

- **Thematic Plan:**

- Although some legend items such as “corridor” and “community” are defined elsewhere in the document (on page 36), their relationship to the primary and secondary growth areas may not be clear to all readers. Consider describing the relationship here, and further defining Transit Oriented Development nodes and Municipal vs. County communities and community concepts. Also, the text size of the Municipal and County legend items should be increased.
- According to the plan (page 37), the existing development pipeline of 24,000 dwellings could accommodate 40% of the County’s future household growth over the next 20-30 years. Presumably, the County would need 60,000 new housing units during that timeframe. This seems high, since Round 9.0 of the Metropolitan Washington Council of Governments (COG) Cooperative Forecast anticipates an increase of 41,705 Frederick County households between 2015 and 2045.
- We commend the County for identifying opportunities to supplement suburban pipeline development with a more multi-modal growth pattern (page 37). Consider adding a map illustrating the location and density of pipeline developments, and table showing how much pipeline development would occur within the primary and secondary growth areas. This would help establish where and how future development could supplement the existing pipeline.
- Consider clarifying that “central growth areas” and “multi-modal places and corridors” are subcategories of Primary Growth Areas, and that “suburban retrofits” and “community concepts” are subcategories of Secondary Growth Areas (pages 39-42 and 44). For Secondary Growth Areas, consider updating the Figure 5 text reference to include both subcategories. For page 40-44, insert legends on each of the thematic maps. While there is a legend on the overall thematic plan, subsequent growth maps do not have legends and appear to have new symbols. Also consider labeling key features that establish context for the text (e.g. transit lines and stations).
- On page 44, Round 9.0 of COG’s Cooperative Forecast suggests a substantial share of household and population growth would occur east of Frederick along the north side of I-70, near New Market and the proposed “suburban retrofit” areas of Spring Ridge and Lake Linganore. Consider expanding the discussion of infill opportunities at these locations, and incorporating suburban retrofit strategies into the Action Framework.
- The discussion of Green Infrastructure and Agricultural infrastructure (pages 45-47) are flipped from the listed order appearing on page 39. Consider matching list order to keep plan flow.

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- MDP's Transportation Planning staff commends Frederick County on recognizing the importance of multi-modal transportation. The detailed discussion on multimodal accessibility (page 38) is thorough and provides readers with an understanding on why land use and transportation are critical components of a comprehensive plan. Staff also notes the following:
  - The infographics and diagrams used throughout the document effectively communicate existing trends in population, transportation and in other areas. It recommended the County leverage these helpful tools in future planning documents.
  - It would be helpful to include a map of existing public transportation facilities and pipeline development projects, to provide readers with a better sense of where future growth will occur in relation to existing transportation facilities.
  - We commend the plans desire to evaluate existing zoning ordinances to reduce parking requirements, especially in areas where transportation demand management strategies are employed. This is an excellent strategy to help reduce the demand for single occupancy vehicles and associated traffic congestion.
- On pages 49-51, the use of the phrase "agricultural infrastructure" and its definition are very descriptive of intent and the text is informative. However, to avoid confusion, the "Agricultural/Rural Legacy Corridor" might better be referred to as just the Rural Legacy Area. While the stylized map on page 50 adds energy and interest to the plan, it's not clear what the two levels of circled areas indicate; these should be defined in a map legend. Also, the Agricultural/Rural Legacy Corridor does not correspond very well to the actual boundaries of the RLA shown on the map on page 135, and the PPAs aren't shown at all on the page 50 map (see maps below). It would be good if the map on page 50 could retain its flair while addressing these concerns.



#### IV: Action Framework

This chapter describes the long-term implementation strategies, need for regulatory updates, and future planning efforts. The Frederick County Planning Commission may want to consider the following:

- This document is well-organized and contains a wealth of information.
- Technical concepts such as shift-share forecasting and terms such as high-growth industries, business, and small business should be described in more detail either in a footnote/endnote or in a technical appendix.
- Consider adding a note making it clear that numeric values and percentages in the document are generally rounded up to the nearest ten.
- Source information, often, is missing or incomplete. For example, note there are no source references on page 65.
- There appear to be some discrepancies in the data as well as a few typographical errors, as noted in the detail comments.

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- On pages 56-65, while the infographics are visually pleasing and informative, they seem to lack organization. The density of information is a bit overwhelming. Consider dispersing throughout the plan next to more appropriately related discussion content, or organize into clearly labeled subject/topics.
- The plan talks about 2040 horizon year, using 2025 as a mid-point, but there is no reference to population totals for the year 2040. Page 59 states that the projected 2025 total population is 288,700. Include totals for 2040, or eliminate references to that year.

**Vision Theme – Our Community**

This subsection addresses policies that support the community's infrastructure, public facilities, housing stock, and cultural resources. The Frederick County Planning Commission may want to consider the following:

- See page 56, Column 1, entitled "The car remains the dominant travel choice:" Consider, perhaps, simplifying the phrase: "*According to U.S. Census data of 2009-2013 County to County Commuting Flows...*" to "According to the Census Bureau,"
- See page 56, Column 2, pie charts: Please verify the in-county and out-county shares for the "Walked/Other" pie chart. Based on data from the 2009-2013 5-Year American Community Survey Commuting Flows Tables, the calculated in-county share is 96 percent and out-county share 4 percent.  
(<https://www.census.gov/data/tables/time-series/demo/commuting/commuting-flows.html>)
- See page 56, Column 2, source citations: Please correct the table referenced in the source, U.S. Census 2009-2013 5-Year American Community Survey Table 1. County to County Commuting Flows for the United States and Puerto Rico: 2009-2013. The correct table is Table 2.
- See page 56, Column 3, entitled "Nationally, we are driving less:" Consider revising the sentence, "The amount of decline in vehicle miles traveled..." Better, perhaps, to simplify the description to since 2005, the number of vehicle miles travelled per capita (VMT) within Frederick County has declined 7 percent.
- See page 57, Column 2, entitled "The way we get around is beginning to change:" (3<sup>rd</sup> paragraph) Please consider the suggested changes in the sentence below:

Congestion problems may be mitigated ~~due to~~ by the potential ability to ~~safely travel~~ drive at close distances. Self-driving cars could reduce the number of accidents helping to save lives. Also, the need for parking may decrease.
- See page 57, Column 3, entitled "Our connection to the region is strong:" The percentages reported here are flawed. It appears that in calculating the 59 percent and later the 41 percent, data from the 2000 Decennial Census and data from the 2009-

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2013 5-year American Community Survey (ACS) were used. Since these data sources each use different methodologies, the results would not be comparable.

It would be advisable to use data from a single source with a consistent methodology such as the Census Bureau's OntheMap tool (<https://onthemap.ces.census.gov/>).

Consider the data table on the page below, it is from an OntheMap inflow/outflow analysis. Estimates are shown for years 2013, 2014, and 2015. The earliest data available is from 2002.

YEAR	WORKERS commuting into Frederick County	WORKERS who live and work in the County	WORKERS commuting out of Frederick County	TOTAL
ESTIMATES				
2015	44,458	44,404	68,171	157,033
2014	43,854	44,178	68,583	156,615
<b>2013</b>	<b>45,021</b>	<b>43,074</b>	<b>68,510</b>	<b>156,605</b>
<b>2002</b>	<b>38,223</b>	<b>37,570</b>	<b>43,435</b>	<b>119,228</b>
PERCENT				
2015	28.3%	28.3%	43.4%	100.0%
2014	28.0%	28.2%	43.8%	100.0%
<b>2013</b>	<b>28.7%</b>	<b>27.5%</b>	<b>43.7%</b>	<b>100.0%</b>
<b>2002</b>	<b>32.1%</b>	<b>31.5%</b>	<b>36.4%</b>	<b>100.0%</b>

- See page 59, Column 1, entitled “School enrollment is keeping pace with population growth:” It seems a consistent reference year is not being used. For example, in this statement *“Between 2010 and 2025, the projected increase in county school enrollment is 2,184,”* 2010 is the starting year but elsewhere in this column it is 2015.

Moreover, the 2,184-person projected county school enrollment increase does not correspond with data reported by the Maryland Department of Planning. In its School Enrollment Projections 2016-2025 report, public school enrollment for Frederick County was projected to increase by 1,360 between 2015 and 2025. The increase from 2010 to 2025 was 1,626. A similar discrepancy is found in the Master Plan document with the percentages shown for elementary, middle and high school enrollments.

- See page 59, Column 2: The values reported in the Master Plan for 2010 population and 2010 school enrollment do not align with the numbers produced by either the Maryland Department of Planning or the Frederick County Public Schools (FCPS). Please check and verify.

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According to the Maryland Department of Planning

- In 2010 the Frederick County Population was 233,385
  - Total Public School Enrollment in 2010 was 39,204
  - Total Private School Enrollment in 2010 was 2,149
  - Projected Public School Enrollment 2025 is 41,060
- See page 59, Column 3, entitled “We have seen some improvements in school capacity:” There appears to be some discrepancy between the percentages reported in the Master Plan document and those in the source document FCPS 2016 Education Facilities Master Plan Chapter IV (<http://www.fcps.org/facilities/educational-facilities-master-plan-2016>)

For example, elementary school capacity, in 2017, as reported in the FCPS document, is 95 percent not the 98 percent shown in the Plan. Middle School capacity, in 2017, as reported in the FCPS document, is 81 percent not the 82 percent shown in the Plan. Please verify the figures in this section of the Master Plan document. It is unclear if the discrepancies are due to typographical errors or if the figures come from another source.

- See page 62, column 3, entitled “Regionally, our housing affordability is competitive:” Source information is missing. Please include these references, *2011-2015 American Community Survey 5-year Estimates, Median Household Income in the past 12 months. 2011-2015 American Community Survey 5-year Estimates, Median Value, Owner-Occupied Housing Units.*
- See page 65, column 2, entitled “People from the region want to be in Frederick:” Source information is missing for the tourism stats. It may prove helpful to include a link to the methodology. Otherwise, in a technical appendix, include a brief description of how the tourism metrics were calculated.
- The Infrastructure Capacity Initiatives listed on pages 72-74 do not mention support initiatives to examine the County and municipal water or wastewater treatment capacity to accommodate planned growth.

### **Vision Theme – Our Health**

This subsection addresses health concerns in Frederick County. The Frederick County Planning Commission may want to consider the following:

- See page 105, column 1, entitled “The older segment of our population is growing:” Correct the legend for the pie charts, this should reflect ages 65+; similarly, change the heading above the data to ages 65+. For future reference, use the most recent population projections, Projections to 2045. ([http://planning.maryland.gov/msdc/S3\\_Projection.shtml](http://planning.maryland.gov/msdc/S3_Projection.shtml))

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- See page 105, column 2: Reporting the difference between percentages can be misleading. For example, the percent change from 8% to 18% is 12.5% **not** 10%. It is correct to say that the increase from 8% to 18% is 10 percentage points (or 10 points).
- See page 105, column 2, bar chart: Should confirm the reference period used for this chart. The chart compares years 2015 and 2040 yet all other data presented on this page compare years 2010 and 2040.

**Vision Theme – Our Economy**

This subsection addresses the County's economy. The Frederick County Planning Commission may want to consider the following:

- See page 122, column 1, entitled "Our regional workforce and economy is strong:" Consider reworking this paragraph as there appear to be typographic errors — ***'In 2014, the world-wide rank of the size of the metropolitan economy and the strength of the gross regional product of the Washington DC region is 6th.'***

According to the source of this data, the Metropolitan Washington Council of Governments (MWCOG) compared metro areas in the U.S., not all metropolitan areas in the world. Please remove the term 'world-wide'.

Another concern with the paragraph is that, generally, a measure of the metropolitan economy or size of the metropolitan economy is the gross regional product. Thus, there is some confusion with the phrase ***'strength of the gross regional product...'*** It would perhaps be wise to simplify that paragraph, for example: In 2014, compared to other metro areas, the Washington DC region's gross regional product ranked 6<sup>th</sup>.

- See page 123, column 1, entitled "Jobs and businesses are growing:" ***'In 2016, Frederick County contained over 100,000 jobs. Between 2011 and 2016, the total number of jobs in Frederick County rose by 7.4%.'*** There is an apparent error, but it is unclear where that error lies. According to 2nd Quarter jobs data reported by the Maryland Department of Labor, Licensing, and Regulation (DLLR), the total number of jobs in Frederick County rose by 9.6% between 2011 and 2016 but by 7.4% between 2012 and 2016.
- The Priority Preservation Area Map on page 135 appears to include portions of the City of Frederick in the Walkersville PPA, which are either already developed or planned to be developed. The County may want to consider updating the PPA Map to remove these areas.

**Vision Theme – Our Environment**

This subsection addresses the County environment. The Frederick County Planning Commission may want to consider the following:

- On page 158, Supply and Treatment Goal and Initiatives, consider adding references to the Water Resource Element and the need to update this element. Also, consider strengthening the relationship with the County Water & Sewerage Master Plan.





LARRY HOGAN  
*Governor*

BOYD K. RUTHERFORD  
*Lt. Governor*

KENNETH C. HOLT  
*Secretary*

TONY REED  
*Deputy Secretary*

February 7, 2018

Mr. Chuck Boyd  
Director, Planning Coordination  
Maryland Department of Planning  
301 West Preston Street, 11th floor  
Baltimore, MD 21201

Dear Mr. Boyd:

Thank you for the opportunity to review the Livable Frederick Master Plan. The following comments are based on a review of the plan by staff in DHCD's Division of Neighborhood Revitalization.

Overall, plans for the seven designated Maryland Sustainable Communities located in Frederick County align well with the Livable Frederick Master Plan. All of Frederick County's Sustainable Communities are classed Primary or Secondary Growth Areas in the Master Plan, with Frederick and Brunswick being classed as Primary and Emmitsburg, Middletown, Thurmont, Myersville, and New Market being classed as Secondary (p.36).

A preference for dense development around transit was mentioned in the Sustainable Community plans of Frederick and Brunswick, both currently home to MARC stations. Within the City of Frederick, the Comprehensive plan outlines growth in the East Frederick and Golden Mile area, which is line with the city's Sustainable Communities plan. (p. 40) The Brunswick and Emmitsburg Sustainable Community plans, call for developers to include green space and stormwater management in new developments. This is also addressed as one of the components of the Comprehensive Plan (p. 110). Separately, Middletown's Sustainable Community plan placed a particular emphasis on connecting tourists and local residents to the town's historic assets. This is also a major element of the Comprehensive Plan (pp. 87-88).

One element not discussed in the Frederick County Master Plan is the potential for new Sustainable Community designations. Currently, unincorporated Frederick County lacks any Sustainable Community designations. Two of the four Primary Growth communities outlined in the plan are unincorporated areas: Eastalco and Point of Rocks (p.36). Eastalco is a planned future community on the site of a former aluminum plant. The site is located away from population centers, so it would likely not be a strong candidate for a Sustainable Communities designation. However, the historic community of Point of Rocks could be a good candidate for Sustainable Communities designation and support through revitalization programs. The community has a MARC rail stop that could be a focus point for transit-oriented development and a number of historic sites. Other nodes outlined in the plan that have potential for Sustainable Community designation include Urbana (unincorporated), Woodsboro (incorporated), Walkersville (incorporated), and Libertytown (unincorporated) (p. 36). These communities are all Secondary Growth Areas that the county wants to continue to support and have



Mr. Chuck Boyd  
February 7, 2018  
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a historic core and areas that Frederick County may want to consider for Sustainable Community designation in the future.

The Master Plan includes initiatives relating to housing maintenance, targeting rehabilitation to “existing homes and neighborhoods in older suburban and rural communities” (p. 79). These programs could be supported by Community Legacy. The plan specifically mentions maintaining the character of existing communities, providing technical support to homeowners, and retrofitting for energy efficiency and multigenerational usability. All of these are consistent with the goals of Sustainable Community designation.

Again, thank you for the opportunity to comment on the Livable Frederick Master Plan. Staff at DHCD are available to discuss future designation and implementation of Sustainable Community plans as well as coordination with the Master Plan. If you have further questions regarding our comments, please call me at 410-209-5807 or e-mail [john.papagni@maryland.gov](mailto:john.papagni@maryland.gov).

Sincerely,



John Papagni  
Program Officer  
Division of Neighborhood Revitalization



*Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor  
Mark J. Belton, Acting Secretary*

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February 22, 2018

Mr. Chuck Boyd  
Maryland Department of Planning  
301 West Preston Street, Suite 1101  
Baltimore, MD 21201-2305

Dear Mr. Boyd:

On behalf of the Department of Natural Resources, thank you for offering an opportunity to comment on the Frederick County Comprehensive Plan. As development pressure increases and irreplaceable resource lands are lost, it is vital that Maryland grows smarter and more sustainably through a collaborative and informed public planning process. The plan includes many strong goals and objectives for the referenced area. DNR offers below a series of comments on the draft Plan for your consideration:

Forestry:

We would like to commend Frederick County on their attention to goals for urban tree canopy and riparian forest buffers and recognizing their strategic importance to quality of life and the environment for the County's citizens. The plan recognizes the multiple benefits from forested conditions, which can be sustained over time in a cost-effective manner if viable forest products markets are available and sustainable forest management practices are followed.

We suggest including forestry in the agricultural section language and drawing attention to the need for forest products markets in the rural economy sections. Forest products markets are a critical and strategic need for maintain renewable, sustainable, and healthy forests in a manner that is affordable long-term.

Fisheries

Freshwater Fisheries is supportive of the brook trout initiative, but there was little detail or information provided on actions to protect this important resource. The brook trout initiative could be expanded to include all coldwater habitats (Use Class III and IV stream reaches in the county). These streams can support other trout species and coldwater aquatic organism (benthic insects). These are unique communities that require additional stream temperature protection.

One of the supporting initiatives for brook trout and coldwater organisms should be strict adherence to the Maryland Stormwater Design Manual recommendations for Use III and Use IV waters:

- minimize creation of impervious surfaces
- minimize surface area and retention times of permanent pools and favor infiltration and subsurface stormwater treatment
- bypass existing baseflow/springs
- preserve and expand existing forest cover

Frederick County is one of the most popular freshwater fishing destinations in Maryland. Largemouth Bass, Smallmouth Bass, Trout, Catfish, and Sunfish are the most sought after fish species by Maryland anglers and are prevalent within the county. The Potomac River and Monocacy River are particularly popular with anglers targeting warmwater species while the streams of Catoctin Mountain attract trout fishermen. The economic impact of freshwater fishing in Maryland is estimated to be in excess of several hundred million dollars (Knoche 2017). In 2015, 12% of county residents bought fishing licenses. However, nearly 22,500 recreational fishing licenses were sold in 2015, ranking the county 6<sup>th</sup> in recreational license sales out of the 24 Maryland counties. Recreational initiatives should consider these diverse fishing opportunities and public access in the county.

Frederick County, with its rich natural resources is well poised to incentivize industries related to fishing and ecotourism. With strategic planning businesses could incorporate educational components while also increasing recreational opportunities to residents and visitors. For example, public school students could cooperate in rearing fish to be stocked for recreational gains. Such a program could be designed to meet several educational goals including math, science and outdoor recreation. This would support the long range vision to maintain the rural character of the county, while also providing health benefits to students, as students would be educated on conservation needs and engaged in active outdoor recreational activities.

From a Fisheries perspective, the best approach for maintaining suitable fish habitat is to conserve rural lands. Increased development in a watershed limits our ability to manage fisheries using traditional approaches such as harvest limits and stocking. In trout streams, management of sustainable populations becomes more tenuous when the watershed increases beyond 2% impervious cover. We have found that conservation of rural lands is the most successful approach to managing fish habitat. In concert with this, we offer the following comments:

#### Forest Canopy (p. 104, 146-147)

We commend the county for acknowledging the importance and function of forested land and forested canopies as they are key features that support stream health (i.e., nutrient cycling, bank stabilization, thermal protection). We fully support the county's plan to implement the reforestation strategy and infill buffers to establish contiguous buffers along stream corridors. We promote use of native trees to enhance production of aquatic macro-invertebrates as they are adapted to the native fauna of their region.

#### WaterBody Health (p. 146)

We commend the county's concern over declines in stream health. As previously stated increased development in a watershed contributes to changes in stream habitat. Road runoff can be a significant source of contaminants as it contains oils and other chemicals as well as salt. We recommend two avenues to reduce potential contaminants loads:

- 1) Minimize road crossings and maintain adequate buffers between roads and stream valleys.
- 2) Work with SHA and DNR to develop a sound road salt management strategy that minimizes salting by developing temperature and precipitation criteria for salting as well as considering alternative deicing agents.

Primary Growth Areas (p. 40)

We support the County's effort to minimize impacts from new development(s) with innovative techniques and we encourage the County to continue promoting new advances in environmental site design and green building techniques. While pervious surfaces do allow for some infiltration, there are some concerns regarding soil compaction underneath.

Agriculture Infrastructure (p. 49)

We support the county's commitment to protect and promote agriculture and farmland as a primary economic engine. We strongly promote continued application of updated agricultural BMPs designed to conserve soil, reduce contaminated runoff, and reduce pesticide and fertilizer use as studies have shown these BMP's can effectively reduce impacts to fish habitat and fish production.

Green Infrastructure (p. 45)

We strongly support the county's commitment to prioritize green infrastructure and protect its natural resources. We are willing to provide additional guidance to support the County's development of a biological resource management plan, and can provide data to target restoration and conservation.

On behalf of the Department, I would like to thank you for the opportunity to review the plan. DNR looks forward to working with you on many of the implementation measures over the coming years. If you should have any questions about these comments or would like further information, please do not hesitate to contact me at 410.260.8979 or [sandra.olek@maryland.gov](mailto:sandra.olek@maryland.gov).

Sincerely,



Sandi Olek  
Chesapeake and Coastal Service  
Maryland Department of Natural Resources



## **Maryland Department of the Environment**

Review Comments: 2018 Livable Frederick Master Plan

Amanda R. Degen, MDE, Interdepartmental Information Liaison

### **General Comments**

1. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land Management Administration in accordance with COMAR 26.10. Contact the Oil Control Program at [\(410\) 537-3442](tel:4105373442) for additional information.
2. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at [\(410\) 537-3442](tel:4105373442) for additional information.
3. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at [\(410\) 537-3315](tel:4105373315) for additional information regarding solid waste activities and contact the Waste Diversion and Utilization Program at [\(410\) 537-3314](tel:4105373314) for additional information regarding recycling activities.
4. The Waste Diversion and Utilization Program should be contacted directly at [\(410\) 537-3314](tel:4105373314) by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.
5. Any contract specifying “lead paint abatement” must comply with Code of Maryland Regulations (COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1950 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.
6. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please contact the Land Restoration Program at [\(410\) 537-3437](tel:4105373437).