

2010
CITY OF FREDERICK Planning Department
Annual Report



PREPARED FOR THE CITY OF FREDERICK MAYOR AND BOARD OF ALDERMEN

IN ACCORDANCE WITH SECTION 3.09 OF ARTICLE 66B OF THE
ANNOTATED CODE OF MARYLAND

PRODUCED BY:



THE
CITY OF FREDERICK
PLANNING DEPARTMENT

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www.cityoffrederick.com/departments/planning/planning.htm

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.....Former Members.....

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Tim Daniel
Michael Spencer

PLANNING DEPARTMENT STAFF

| | |
|-----------------------------------|---|
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| Nick Colonna, AICP | <i>Division Manager of Comprehensive Planning</i> |
| Gabrielle Dunn | <i>Division Manager of Development Review</i> |
| Bill Dukes | <i>Division Manager of Code Enforcement</i> |
| Dan Hoffman | <i>Division Manager of Code Enforcement</i> |
| Lea Ortiz | <i>Office Manager</i> |
| | |
| Shannon Albaugh | <i>Administrative Assistant</i> |
| Eileen Barnhard | <i>Housing Financial Specialist</i> |
| Steve Barney | <i>Development Review Planner</i> |
| David Beers | <i>Code Enforcement Inspector</i> |
| Naomi Bowers, LEED-AP BD+C | <i>Housing Rehabilitation Specialist</i> |
| Dean Brightbill | <i>Code Enforcement Inspector</i> |
| Michael Brown | <i>Code Enforcement Inspector</i> |
| Tim Davis | <i>Transportation Planner</i> |
| Carreanne Eyler | <i>Administrative Assistant</i> |
| Jeff Love | <i>Development Review Planner</i> |
| Brandon Mark | <i>Development Review Planner</i> |
| Lisa Mroszczyk | <i>Historic Preservation Planner</i> |
| Emily Paulus | <i>Historic Preservation Planner</i> |
| Nichole Purcell | <i>CDBG Planner</i> |
| Terri Reimer | <i>Historic Preservation Intern</i> |
| Pam Reppert | <i>Development Review Planner</i> |
| Jim Schmidt | <i>Administrative Assistant</i> |
| Roy "Buddy" Singer | <i>Code Enforcement Inspector</i> |
| Dave Violette | <i>Code Enforcement Inspector</i> |



DO NOT
ENTER

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FREDERICK, MARYLAND

CITY PROFILE



GEOGRAPHY.....

Total Land Area 22.1 square miles

POPULATION.....

Total Population (2010) 59,939 ↓

Projected (2020) 75,113**

Projected (2030) 92,053**

Percent Minority 30.6% ↑

Median Age 34 ↑

EMPLOYMENT.....

Civilian Labor Force 33,650 ↓

 Employed 31,938 ↓

 Unemployed 1,712 ↑

Unemployment Rate 5.1% ↑

Median Household Income \$64,833 ↑

HOUSING.....

Total Units 25,216 ↓

 Owner Occupied 13,781 ↓

 Renter Occupied 9,409 ↑

 Vacant 2,026 ↑

Median Value \$303,900 ↓

Median Monthly Owner Cost (mortgage dollars) \$1,862 ↓

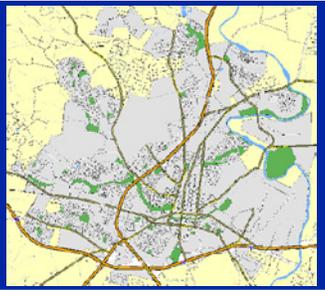
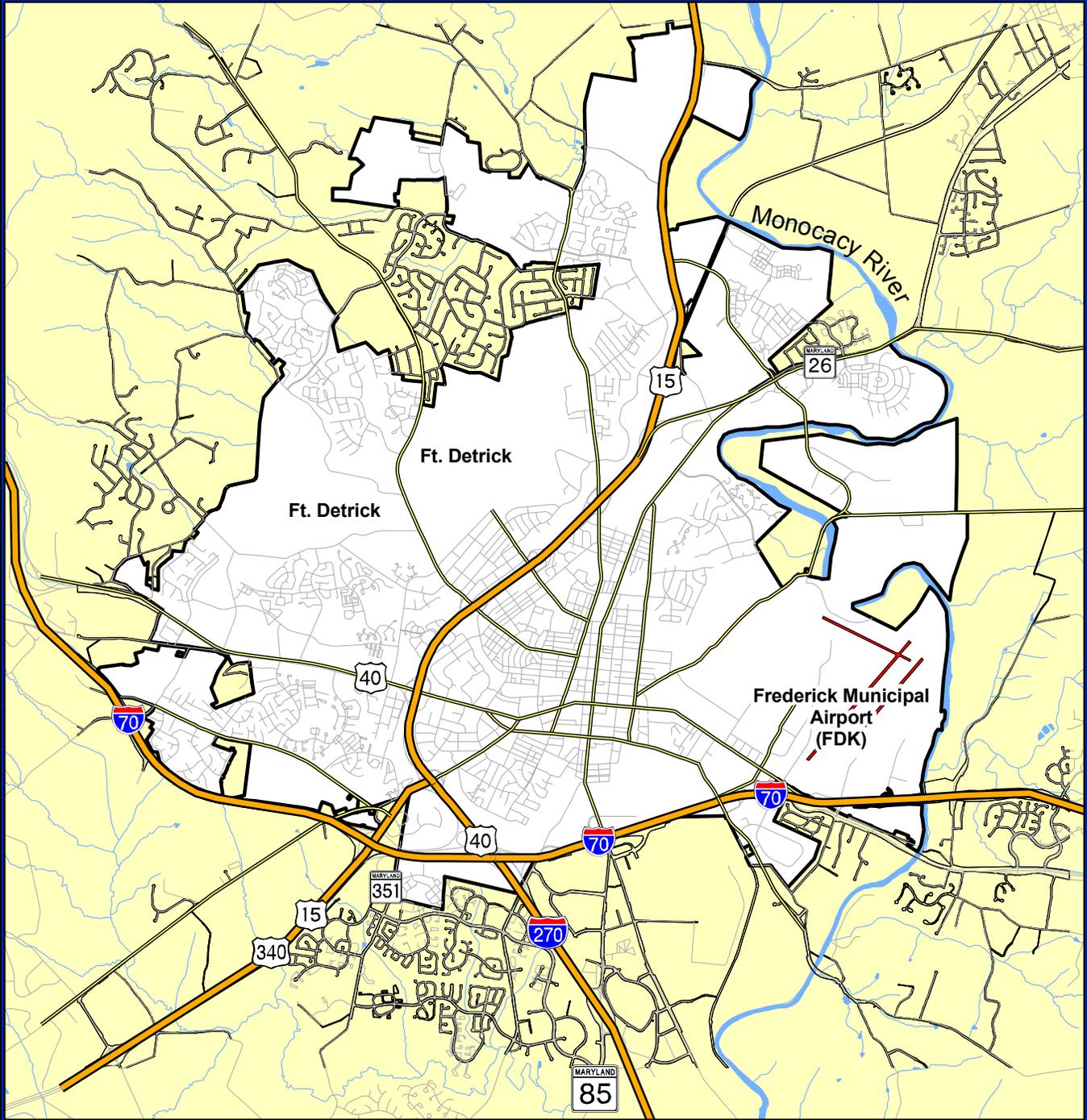
Source: U.S. Census Bureau, 2005-2009 American Community Survey

Arrows indicate and increase or decrease in statistic since 2009

* Frederick County Planning Department

** Maryland Department of Planning

City of Frederick



0 0.2 0.4 0.8 1.2
Miles

Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purpose. Data on this map was prepared from several original sources and is subject to change as source data changes. This map is not a legal document.
Orthophotos produced 03/07
Maps produced by: mbowman



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GIS Department



Dear Frederick Residents:

During 2010, The City of Frederick Planning Department achieved several significant milestones. The Department's major efforts over the last year included beginning the first small area plan in the City of Frederick. The Golden Mile Small Area Plan will look at the various issues facing the Route 40 West corridor including transportation, economic, social and environmental issues. Other efforts that have been undertaken include public outreach to the businesses and residents in the local historic district, and continued efforts to improve the Land Management Code (LMC) which serves as the regulatory framework for development in the City.

Downtown Frederick was named a Great Neighborhood by the American Planning Association for 2010. This honor highlights the great citizen involvement in helping to shape quality planning, economic success, and tourism growth.

In addition to these significant projects, the Planning Department also provides important day-to-day services to the citizens of Frederick in the following areas:

- Development Review
- Comprehensive Planning
- Historic Preservation
- Transportation Planning
- Code Enforcement
- Housing and Community Development

In 2011, the Planning Department will continue to work on an ambitious plan for the revitalization of the Golden Mile commercial corridor. The City's goal is to work collaboratively with the corridor's property owners, business owners, and adjacent residents to develop a Small Area Plan which will propose strategies for reinvigorating this vital business and transportation corridor. City Staff anticipates completing this process by the Summer of 2011.

The Planning Department is committed to addressing the issues that face individual neighborhoods as well as the City as a whole, especially in light of the recent economic conditions. At this time, the Department will continue to work to be flexible while still striving to maintain and enhance the quality of life which makes Frederick a wonderful place to live.

Joe Adkins, AICP
City of Frederick
Deputy Director for Planning

A NOTE FROM THE DEPUTY DIRECTOR

CITY OF FREDERICK PLANNING DEPARTMENT

LINE OF BUSINESS

CITY OF FREDERICK PLANNING DEPARTMENT

OUR MISSION

To support the practice of good planning, the Planning Department strives to provide leadership in assisting City representatives in making informed decisions concerning land use, built environment, and heritage resources. Through education, the Planning Department assists in responding to the defined needs of the City and provides information and recommendations to citizens and decision makers of the City of Frederick so jointly a long term sustainable vision can be achieved.

PLANNING

Long
Range

Development
Review

Zoning

Transportation

Community
Outreach

HISTORIC PRESERVATION

Development
Review

Structure
Rehabilitation

Preservation
Incentives

Community
Outreach

HOUSING AND COMMUNITY DEVELOPMENT

Affordable
Housing

Housing
Rehabilitation

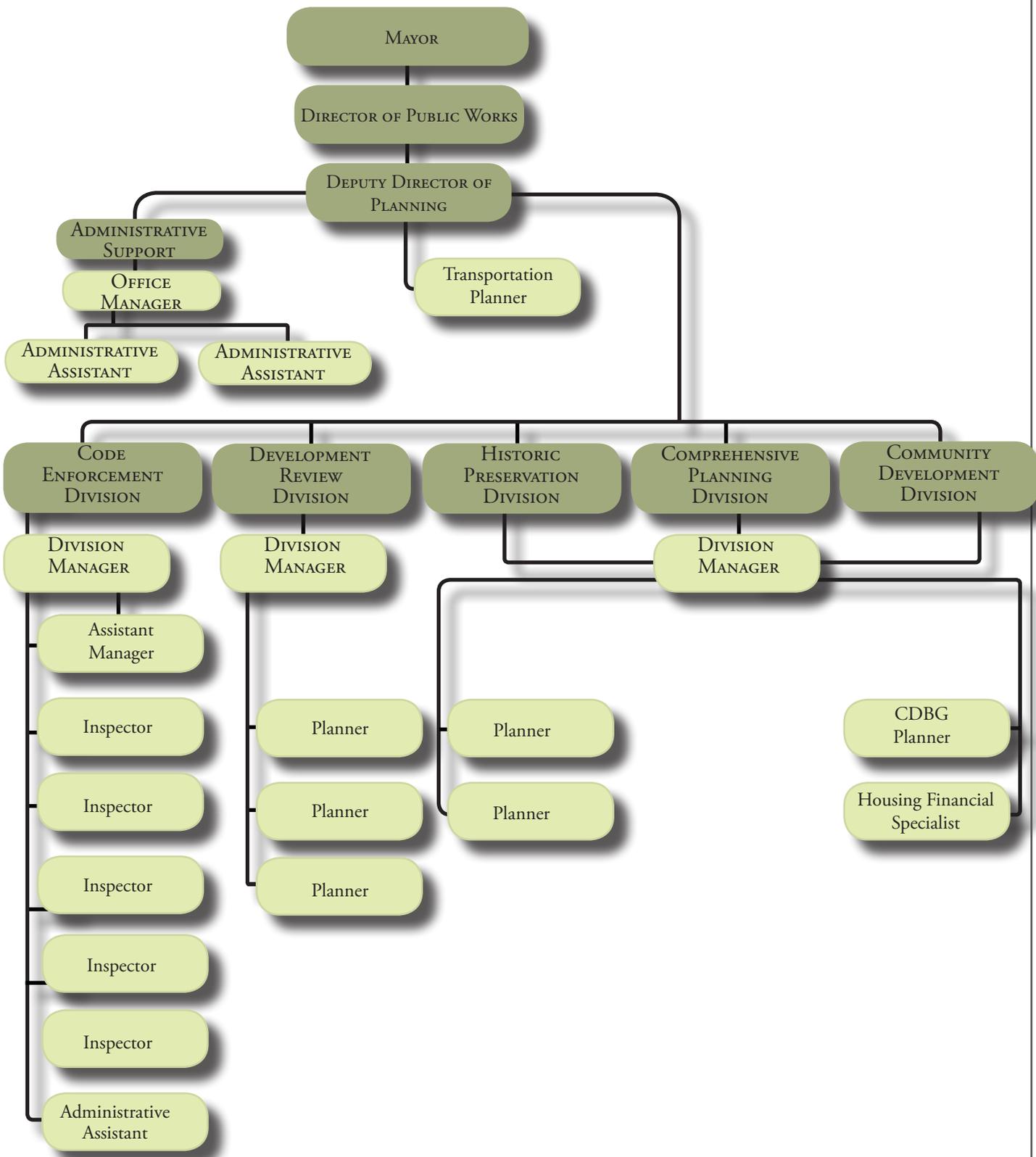
Community
Development

Community
Outreach

CODE ENFORCEMENT

Code Enforcement

Community
Outreach



DEPARTMENT OVERVIEW

CITY OF FREDERICK PLANNING DEPARTMENT

The Planning Department assists the City's leadership in making informed decisions concerning land use, proposed development projects, heritage resources, and housing opportunities. The staff provides technical assistance to various boards and commissions, and oversees the public hearing process thereby enabling citizen participation in shaping the future of Frederick's neighborhoods. The Planning Department works closely with community leaders, elected officials, and other stakeholders to ensure the viability of future growth, enforce City regulations, and maintain the high quality of life enjoyed by City of Frederick residents.

The City of Frederick Planning Department is comprised of five divisions: Development Review, Comprehensive Planning, Historic Preservation, Community Development, and Code Enforcement.

THE DEVELOPMENT REVIEW DIVISION is charged with coordinating the review process for all commercial, residential, and institutional land development in the City. The Division serves as the central agency for receiving and routing development plans as well as the primary contact for applicants during the review process. In addition to these management functions, Division Staff also conduct the technical review of applications for compliance with the applicable zoning, subdivision, and forest conservation regulations, collectively known as the Land Management Code (LMC), and provides recommendations to the Zoning Board of Appeals, Planning Commission, and Mayor and Board of Aldermen on pending land use applications.

THE COMPREHENSIVE PLANNING DIVISION prepares, maintains, coordinates and administers the City of Frederick Comprehensive Plan. The Comprehensive Plan is a series of planning policies designed to guide and manage the future growth of the City. Division staff facilitates public meetings to ensure citizen participation and community input for all planning initiatives.

THE HISTORIC PRESERVATION DIVISION coordinates and reviews applications for improvements in the Historic Preservation Overlay Zones. Division staff members provide technical assistance, analysis and research to the Historic Preservation Commission as well as to applicants and other City departments. The Division administers the designation program, various historic preservation grants and coordinates the City's responsibility under the Federal Section 106 program. Division staff coordinates outreach and educational opportunities related to historic preservation including newsletters, brochures, workshops, annual awards program and Historic Preservation Month activities. The Division also assists in the adoption of updates/revisions to the Land Management Code or other development regulations related to historic preservation as well as in the preparation of the Comprehensive Plan.

THE COMMUNITY DEVELOPMENT DIVISION promotes strong communities by administering Federal entitlement dollars that the City of Frederick receives from the U.S. Department of Housing and Urban Development. Division staff manages the City's Federal Community Development Block Grant (CDBG) Program to achieve goals and objectives set forth in the City of Frederick's Consolidated Plan, 2010-2015 with the overall goal of assisting low- and moderate-income persons and neighborhoods.

THE CODE ENFORCEMENT DIVISION proactively enforces laws and codes to strengthen the City of Frederick. Division staff work to protect and promote safe and sound buildings and neighborhoods, making the City of Frederick not only a desirable place to live and work, but also a memorable place to visit.

BIKE — TO — WORK DAY

Bike-To-Work Day is an annual event sponsored by the Washington Area Bicycle Association (WABA) and the City of Frederick and Frederick County TransIT in May. The purpose is to promote cycling to work as a primary method of transportation. Not only is biking an environmentally conscious option for commuting, it provides a healthy and safe method of getting to work.

In 2010, the City of Frederick employees made up 23 of the 128 participants who staged at City Hall, an increase in participation from last year. The local supporters included:

- TransIt Services of Frederick County
- The Market New York Bagel and Deli
- The Bicycle Escape

Bike-To-Work Day is tentatively scheduled for May 20, 2011



Pictured from left to right: City of Frederick Mayor Randy McClement, Frederick County Commissioner David Gray, City of Frederick Alderman Carol Krimm, City of Frederick Alderman Karen Young, City of Frederick Alderman Shelley Aloï, City of Frederick Alderman Michael O'Conner, Frederick County Commissioner Kai Hagen, City of Frederick Alderman Kelly Russell

STAFF HIGHLIGHTS

CITY OF FREDERICK PLANNING DEPARTMENT

During 2010, Planning Department staff pursued ongoing education in the form of trainings and certifications, including:

CERTIFICATION.....

ROY "BUDDY" SINGER, CODE ENFORCEMENT: International Association of Certified Home Inspectors' on Deck Inspections, Roofing Inspections, Structural Issues for Home Inspectors, How to Inspect for Moisture Intrusion, Radon Measurement Service Provider, Lead Safety for Renovation, Repair and Painting, Wood-Destroying Organism Inspection, Log Home Inspections. Certificate of Membership by the International Association of Certified Home Inspectors.

TRAINING

ROY "BUDDY" SINGER - Renovator Initial, English by the Training Network, Inc.

JEFF LOVE - Maryland Association of Floodplain and Stormwater Managers Annual Conference, Prince Georges County, MD

PAM REPERT - Arborists Continuing Education, Morgantown, WV

PRESENTATIONS

LISA MROSZCZYK, HISTORIC PRESERVATION PLANNER:

- Frederick Historic Sites Consortium Master Docent Series Workshops

TIM DAVIS, TRANSPORTATION PLANNER:

- "Inequities of Transportation Funding Mechanisms/Options for Local Municipalities" to the Maryland General Assembly Staff and Gubernatorial - appointed Blue Ribbon Commission on Transportation

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2010 GRANTS

CITY OF FREDERICK PLANNING DEPARTMENT

- Maryland State Highway Recreational Trail Program - \$30,000 (awarded)
- Maryland Aviation Administration for Design and Engineering of the Bailes Lane Reuse Plan - \$420,000 (awarded)
- Maryland Aviation Administration, Frederick Airport Terminal Rehabilitation - \$50,000 (awarded)
- Metropolitan Washington Council of Governments, Transportation Land Use Connections Grant - \$60,000 (awarded in partnership with Frederick County)
- Metropolitan Washington Council of Governments, Special Transportation Household Survey - \$30,000 (awarded)
- Through the United States Senators Barbara Mikulski and Benjamin Cardin, American Recovery and Reinvestment Act (ARRA) of 2009 for the construction of an air traffic control tower - 5.2M (awarded)
- US Department of Housing and Urban Development Community Development Block Grant (CDBG) - \$421,306 (awarded)
- Maryland Energy Administration EmPOWER Clean Energy Communities Grant - \$90,284 (awarded)
- Metropolitan Washington Council of Governments, Transportation Investment Generating Economic Recovery (TIGER) Grant for Shared Use Path Undercrossing - 2.7M (not awarded)
- Maryland Historical Trust Special Initiative - Energy Efficiency Certified Local Governments Subgrant (not awarded)
- Environmental Protection Agency Smart Growth Grant for the Golden Mile and East Frederick Rising (not awarded)

FREDERICK MUNICIPAL AIR TRAFFIC CONTROL TOWER



***Pictured Above:** City of Frederick Mayor Randy McClement, Deputy Administrator of the Federal Aviation Administration Michael Huerta, U.S. Senator Barbara Mikulski, U.S. Senator Benjamin Cardin, Former President of the Frederick County Board of County Commissioners Jan Gardner. **Bottom Left:** City of Frederick Mayor Randy McClement. **Bottom Right:** U.S. Senator Barbara Mikulski*

The Frederick Municipal Airport (FDK) is the second busiest airport in Maryland in takeoffs and landings after BWI/Thurgood Marshall in Anne Arundel County. FDK currently has in excess of 130,000 annual operations, which are expected to increase to 165,000 by 2025. The Airport currently maintains two runways and handles a diverse mix of aircraft, including Presidential helicopter Marine One. In recent years, the largest growth segment for the Airport has been in the area of corporate jets.

On September 28, 2010, U.S. Senators Benjamin L. Cardin and Barbara A. Mikulski (both D-MD) made the official announcement that the Federal Aviation Administration (FAA) granted its final approval of the \$5.3 million Air Traffic Control Tower (ATCT) which will be funded through the 2009 American Recovery and Reinvestment Act (ARRA). The Control Tower will be staffed by the Contract Tower Association; a labor force of former FAA controllers and military staff. FAA will fund the staffing of the tower. With the addition of the ATCT at FDK, safety and capacity will be increased. All pilots landing and taking off at FDK will now have to receive clearance from the tower. Having the tower in place will also allow for the airspace to be more closely monitored, thereby making for greater capacity of the primary runway.

DIRECTORY OF SERVICES

CITY OF FREDERICK PLANNING DEPARTMENT

The Planning Department's divisions each perform many services, including the following:

DEVELOPMENT REVIEW SERVICES

- Project Review
 - Review master plans, subdivision plans, sketch plans, site plans, forest conservation plans, improvement plans, and building permit applications for compliance with all applicable sections of the Land Management Code
 - Review and draft applications for amendments to the Land Management Code
 - Review applications for zoning map amendments
- Verification Services
 - Provide verification letters upon request by applications for zoning compliance and confirmation of nonconforming uses.
 - Provide written verification as to the permissibility of uses in specific locations to other state and local agencies including the Frederick County Liquor Board and the Maryland Motor Vehicles Association in conjunction with licensing applications
- Customer Service
 - Provide Planner on Call services 5 days a week from 8 AM - 4 PM
 - Provide “One Stop Shop” permitting support on a weekly basis to allow same-day permitting.

COMPREHENSIVE PLANNING SERVICES

- Comprehensive Plan
 - Maintain and update the City's Comprehensive Plan in compliance with State requirements
- Small Area Plans
 - Implement the goals and recommendations of the City's Comprehensive Plan through neighborhood-level plans
- Inter-jurisdictional Coordination
 - Coordinate with Frederick County and the State of Maryland on planning efforts that cross jurisdictional boundaries

TRANSPORTATION PLANNING SERVICES

- Airport Planning
 - Conduct project management for the Airport Master Plan, hangar development, Air Traffic Control Tower, Comprehensive Environmental Assessment (EA), and Bailes Lane Re-Use Plan
 - Manage Airport Capital Improvement Plan process, including Federal, State and County participation
 - Ongoing property and equipment acquisitions
- Transportation Planning
 - Conduct local planning efforts such as Shared Use Path Plan Updates / Preliminary On-Street Network Planning "Sharrows"
 - Participate in State transportation plans including the I-270/US 15 Multimodal Corridor Study
 - Participate in Metropolitan Washington Council of Governments plan efforts:
 - Analysis of North/South Parallel Road options
 - Partner with other agencies to promote events for safe pedestrian and bicycle activity
 - Capital Improvement Plans (CIP)
 - Project Manage or team membership for roads, bridges, sidewalks, shared use paths, streetscape enhancement, Wayfinding and Rails to Trails

HISTORIC PRESERVATION SERVICES

- Provide technical assistance to applicants seeking Historic Preservation Commission approval
- Review applications for alterations, construction and demolition in the Frederick Town Historic District
- Coordinate Historic Preservation Commission review of cases
- Assist in the review of applications (site plans, annexations, etc) in other areas that have potential to affect historic resources such as those on the National Register of Historic Places
- Coordinate Section 106 Review for historic properties, in compliance with the National Historic Preservation Act
- Coordinate training education and outreach efforts related to historic preservation
- Assist in “Planner on Call” services and “One Stop Shop” permitting

CODE ENFORCEMENT SERVICES

- Provide proactive enforcement of laws and codes, including:
 - Property Maintenance Code for existing structures
 - Livability Code for rental dwellings
 - Frederick City Code
 - Land Management Code

COMMUNITY DEVELOPMENT SERVICES

- Administer the City’s Community Development Block Grant (CDBG) allocation
 - Prepare the 5-Year Consolidated Plan
 - Prepare Annual Action Plan and end-of-year Consolidated Annual Performance and Evaluation Report (CAPER)
 - Disburse grant funds to non-profit subrecipients and monitor grantees
 - Programs to Affirmatively Further Fair Housing
- Provide housing assistance through the following programs:
 - Sold On Frederick II: Down payment and closing cost assistance (up to \$15,000) for income-qualified, first-time homebuyers within the City limits
 - Operation Rehab: Rehabilitation assistance loans for owner-occupied housing units
 - MEA Keeping Frederick Green: Energy efficiency audits and retrofits to eligible homeowners
 - Acquisition for Rehab: Purchase of blighted and/or vacant properties for housing rehabilitation or new construction
 - Homebuyer Education

COMMUNITY ENGAGEMENT

CITY OF FREDERICK PLANNING DEPARTMENT

The Planning Department provides staff support or acts as a liaison for the following Boards, Commissions, or community organizations:

BOARDS AND COMMISSIONS

Mayor and Board of Aldermen
Planning Commission
Zoning Board of Appeals
Historic Preservation Commission
Airport Commission
Parks and Recreation Commission
Neighborhood Advisory Councils
Fair Housing Commission
Streets and Sanitation Committee
Affordable Housing Council
Monocacy Scenic River Citizens' Advisory Board
Metropolitan Washington Council of Governments Transportation
Planning Board

TASK FORCES AND WORKGROUPS

Land Management Code Workgroup
The East Frederick Rising Community Development Corporation
Frederick Area Committee on Transportation (FACT)
Catoctin Mountain Scenic Byway Advisory Committee
Transportation Impact Fee Development Task Force
Alleyway Development Task Force
Heart of the Civil War Heritage Area
Frederick County TransIT Services Advisory Committee (TSAC)
Downtown Retail Committee
Historic Preservation Awards Committee
Frederick's Most Wanted
Mental Health Association
PreserveMaryland round tables for the State Preservation Plan
Maryland Historical Trust
Downtown Parking Task Force
Bicycle AD HOC Committee
MDOT Bicycle and Pedestrian Partnership Program



FREDERICK MUNICIPAL FOREST TRAIL IMPROVEMENTS

Trail improvements in the Frederick Municipal Forest continued in 2010 thanks to continued strong volunteer efforts from the mountain biking and hiking communities. Once again, hundreds of hours of labor and design work were contributed at no cost to the City to improve trail quality and sustainability.

This season the Frederick Bicycle Coalition and the mountain bike advocacy group MORE partnered together to bring the professional IMBA Trail Care Crew to Frederick to provide a free weekend of education focused on trail management and construction. This 3 day event featured workshops, classroom time and trail building with strong attendance by people from 4 states. Day 1 featured two workshops on land management and trail building which were attended by Frederick City and County staff, local elected officials and land managers. Day 2 was an all day trail building school featuring a half day of classroom time followed by a half day of field work where participants put their knowledge to work in the Frederick Municipal Forest rerouting an eroded section of trail. The weekend wrapped up with 30+ people coming out to enjoy the trails which continue to benefit from the ongoing public-private partnership which will continue trail building efforts in 2011.

Persons interested in volunteering during 2011 should contact Tim Davis, City of Frederick Transportation Planner.

BICYCLE & PEDESTRIAN COUNT

One of the greatest challenges facing the bicycle and pedestrian field is the lack of documentation on usage and demand. Without accurate and consistent demand and usage figures, it is difficult to measure the positive benefits of investments in these modes, especially when compared to the other transportation modes such as the private automobile. An answer to this need for data is the National Bicycle & Pedestrian Documentation Project, co-sponsored by Alta Planning and Design and the Institute of Transportation Engineers (ITE) Pedestrian and Bicycle Council. This nationwide effort provides a consistent model of data collection and ongoing data for use by planners, governments, and bicycle and pedestrian planning professionals.

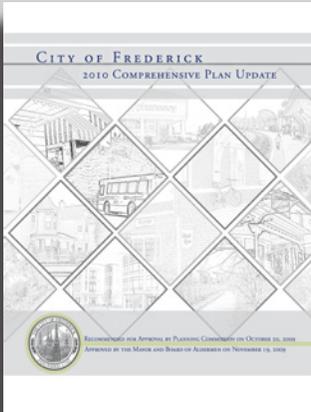
In September of 2010, the City’s Planning and Engineering Departments in conjunction with the Frederick County Planning Department, Department of Public Works and Health Departments, collaborated to count pedestrians, bicycles and other modes in 2 hour peak times at 18 locations, nine of which within the City limit. The times ranged from weekday AM and PM periods, to mid-day weekends boundary, primarily to understand bicycle/pedestrian traffic behavior and demand in and around City parks and shared use paths. Counts are shown in the table below.

This count data was submitted to the national program and will be conducted on an annual basis in the future, creating a substantial database that may be used in assessing improvements to the alternate mode infrastructure.

| Grand Totals: Frederick County, Maryland September 2010 Bicycle/Pedestrian Counts | | | |
|--|-------------------|------------------|-------------|
| | Total Pedestrians | Total Bicyclists | Total Other |
| Percentage | 90.1% | 9.6% | 2.7% |
| Total | 1309 | 144 | 41 |
| Avg/Hour | 40.9 | 4.5 | 1.3 |
| Peak Station (2hr) | 910 | 70 | 39 |
| Avg/Station | 73 | 8 | 2 |
| Total Count Stations: 18 | | | |
| Total Count Staff: 16 | | | |

PLANNING EFFORTS

CITY OF FREDERICK PLANNING DEPARTMENT



COMPREHENSIVE PLAN - 2010 UPDATE

The Comprehensive Plan¹ is used as a tool for citizens, staff and elected officials in determining how the City of Frederick should grow during the next 20 years. The 2010 plan update process began in spring 2008, and included over 70 public meetings with citizens' groups, the Planning Commission, the Mayor and Board of Aldermen, and other City Commissions. Over 250 people attended these meetings. Additional tools for public input included an online survey, which yielded 500 responses and 1,100 comments. Residents were also invited to submit photos of features that embody Frederick's character.

The most significant land use policy change reflected in the plan was the establishment of three growth tiers (Infill and Redevelopment Opportunities, Municipal Growth Boundary, and Future Growth Areas). The plan emphasizes growth in the Infill and Redevelopment Opportunities tier.

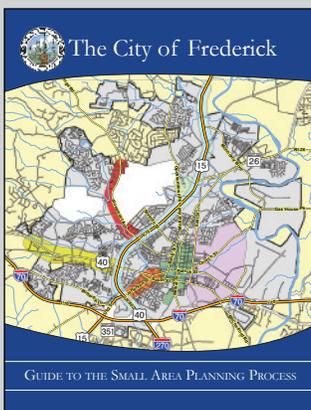
The Mayor and Board of Aldermen adopted the plan on November 19, 2009. Following adoption, the next steps are to start implementing the policies of each of the plan's elements, and to review the zoning map in order to establish regulations consistent with the plan. During 2010, it is the Planning Department began the process of Small Area Planning to address specific parts of the city in greater detail.

SMALL AREA PLANNING

The 2010 Comprehensive Plan Update identified seven planning areas and recommended that a separate, more detailed Small Area Plan be completed for each area. These neighborhood-level plans will address land use, transportation, and a variety of other topics. The plans are intended to help implement the recommendations of the 2010 Comprehensive Plan and Land Use Map, which form the policy framework for the Small Area Plans. Ultimately, each plan will be presented to the Mayor and Board of Aldermen for adoption.

The first plan will be for the Golden Mile / US 40 corridor. This area is

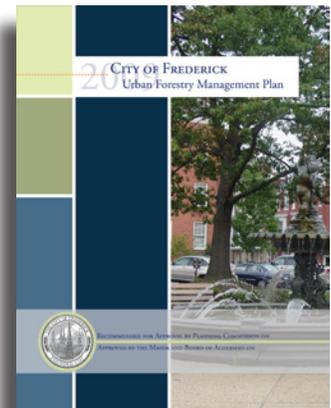
¹ Comprehensive planning activities in Frederick are undertaken in accordance with Article 66B, §3.05 of the Annotated Code of Maryland.



an important economic engine for the City and for Frederick County, as well as a critical transportation route. However, the corridor is characterized by a lack of connectivity between commercial uses which discourages pedestrian access between neighborhoods and adjacent commercial areas. A significant challenge for the Golden Mile Small Area Plan will be transforming the corridor into a street type that can serve users of all travel modes, including pedestrians, bicycles, and transit.

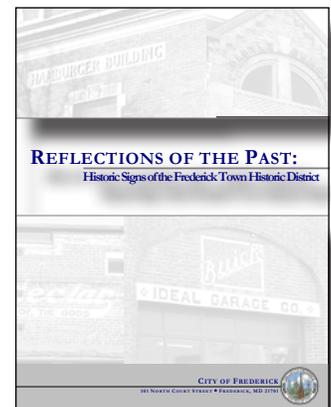
URBAN FORESTRY MANAGEMENT PLAN

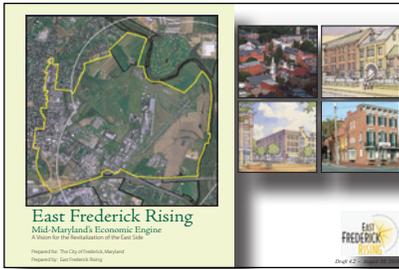
The Urban Forestry Management Plan is intended to provide strategies, goals, policies, standards, and actions to protect, enhance, increase, and preserve the tree canopy for the benefit of the City of Frederick. The intent of the Plan is to help coordinate and improve tree management in an equitable, economical, and sustainable manner. The Planning Commission reviewed the draft plan on April 13, 2009 and made a recommendation for the plan's adoption by the Mayor and Board of Aldermen. The University of Vermont, Spatial Analysis Laboratory, was contracted to re-evaluate the percentage of urban tree canopy within Frederick, based on the latest available information (2007 data). The Urban Forestry Management Plan was adopted by the Mayor and Board of Aldermen on April 15, 2010.



REFLECTIONS OF THE PAST: HISTORIC SIGNS OF THE FREDERICK TOWN HISTORIC DISTRICT

During this past year the Historic Preservation Staff prepared a survey of historic signs in the Frederick Town Historic District. The resulting report is a guide to help property owners identify whether or not a sign on their building may be a historic sign prior to entering the approval process and to serve as a general guide for the Historic Preservation Commission. The report also includes brief histories of the signs including their association with the building, and its use and its occupants where that information was available. The signs included in the report are representative of the types of signs that are generally considered historic.





EAST FREDERICK RISING

The Planning Department is currently providing staff resources to a community-based planning effort in East Frederick. The East Frederick Rising Community Development Corporation seeks to address land use, transportation, and urban design issues within and east of the East Street corridor. The vision of this planning effort is to develop a mixed use community of commercial and residential uses, based on the design principles of the City's historic district. The project has been divided into phases, which include: Concept, Draft Plan, and Building Regulations. The Concept phase was completed in September 2010. Currently this concept is being reviewed by both the Planning Commission and the Mayor and Board of Aldermen. This is expected to be completed by spring 2011. The draft planning stage is expected to begin in the fall of 2011 as the Golden Mile Small Area Plan is completed.

ACCESSIBILITY IN DOWNTOWN FREDERICK BROCHURE

This brochure was a joint effort between the Planning Department and the Downtown Frederick Partnership. It provides general information to assist property and business owners in understanding the Americans with Disabilities Act and the Department of Justice's regulations especially as they relate to historic buildings. The brochure also provides an extensive list of other related resources and contacts.

HISTORIC DISTRICT REALTORS/NEW PROPERTY OWNER OUTREACH

In 2010 the Planning Department began a program to reach out to realtors and new property owners in the Frederick Town Historic District. On a monthly basis, the Department distributes folders of information about the requirements and benefits of the City's historic preservation program along with a welcome letter from the Historic Preservation Committee chairman to the listing agent of any properties within the district with a request that they be distributed to the new owners. The Planning Department also prepares these informational folders for realtors at their request and distributes them to property management companies periodically.

HISTORIC DISTRICT PERMITS AT ONE STOP SHOP

For the first time, in 2010 all permit applications that require and have obtained prior Historic Preservation Commission approval are eligible for the "One Stop Shop" permitting process.

PHASE I OF THE CITY TRANSIT FRIENDLY DESIGN GUIDELINES

Approved by the Planning Commission in August, the initial effort of this plan is a broad stroke, general set of guidelines that sets the table for

regulatory document changes in the future. Regardless of the specific changes to the Land Management Code, the guidelines are in place to assist planners and developers in the consideration of all modes of transportation and associated facilities and infrastructure in the feasibility stages of development.

MARYLAND TRANSIT ADMINISTRATION LEASE FOR THE RAILS TO TRAILS PROJECT

The Rails with Trails lease with the Maryland Transit Authority is an agreement between the City and State that over the next 50 years a projects for a multi-user path will be constructed. Under this agreement, the City must provide for adequate insurance for such a facility and the storage of rails that are removed. The lease has no cost implication associated with it. Partners along the route include the Walkersville Southern Recreational Railroad, Canterbury Station, and Clemson Corner.

ANNUAL ACTION PLAN (COMMUNITY DEVELOPMENT)

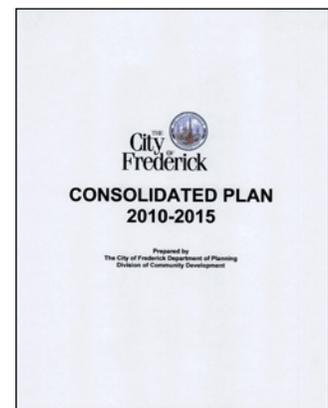
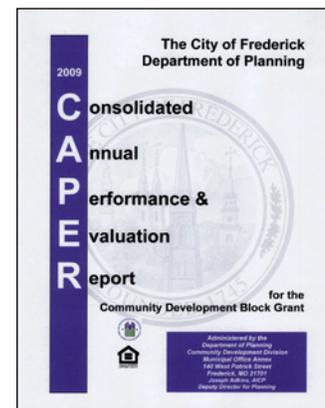
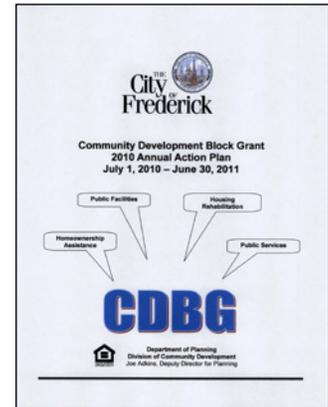
Each year, the City submits an Annual Action Plan to the U.S. Department of Housing and Urban Development. The plan identifies specific activities for each grant year to address the needs identified in the 5-year Consolidated Plan. The 2010 grant year runs from July 1, 2010 to June 30, 2011 with all funded projects required to be completed within this time frame. With assistance from ad hoc advisors, the Community Development Division prepared a recommended Action Plan, followed by a public comment period and public hearings.

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

The Consolidated Annual Performance and Evaluation Report (CAPER) is prepared and submitted each September. The CAPER provides a detailed report on the specific projects, beneficiaries and funds expended by the City during the prior year.

CDBG CONSOLIDATED PLAN 2010-2015

To receive federal funds, the City must submit a Five-Year Consolidated Plan which serves as both an application for funds under HUD's formula grant programs and a planning document for carrying out projects with CDBG funds. The City of Frederick's Consolidated Plan for 2010-2015, approved May 6, 2010 and prepared pursuant to HUD regulations set forth in 24 CFR Part 91, sets forth the City's plan for public and private actions to further the basic goals of HUD's community planning and development programs of developing viable communities.



UPDATED DEVELOPMENT RULES

CITY OF FREDERICK PLANNING DEPARTMENT

The following is a list of changes to the Land Management Code (LMC) that occurred in 2010:

FLEXIBLE ZONING TECHNIQUES: On April 1, 2010 the Mayor and Board of Aldermen approved an ordinance revising the design provisions for TNDs, PNDs, and mixed use developments in order to allow for modifications to the accessory structure requirements within these developments and so as to clarify existing language.

ACCESSORY USES: On April 15, 2010, the Mayor and Board of Aldermen approved an ordinance for the purposes of establishing lot coverage and setback requirements for driveways and other paved areas, providing for modifications to the parking requirements, clarifying language, and generally relating to accessory uses and structures.

INDOOR RECREATION COMPLEX: On October 7, 2010 the Mayor and Board of Aldermen approved an ordinance for the purposes of adding “indoor recreation complex” as a permitted use in certain zoning districts.

PARKING: Planning Staff worked with the Land Management Code Workgroup to initiate amendments to the parking regulations of Article 6 of the LMC. The resulting recommendations focused on incentivizing development in the downtown, where alternative modes of transportation and structured parking are available, by eliminating the minimum parking requirements. These discussions will continue into 2011.

NEW WAYFINDING SIGNAGE UNVEILED



On March 12, 2010, The City of Frederick unveiled the prototype signs for the Wayfinding Project to kick off the installation and final phase of a multi-year effort to improve the ability of City residents and visitors to find the many cultural and historic attractions in Frederick. At the unveiling four particular signs were highlighted; a Pedestrian Kiosk, a Pedestrian Wayfinding Sign, a Vehicular Directional Sign, and a Garage Banner. Those signs remain in place today and can be viewed at the Square Corner in downtown Frederick (intersection of Patrick and Market Streets) and on the southwest corner of the Carroll Creek Parking Deck located at 44 East Patrick Street.

The fabrication and installation of a comprehensive wayfinding system is a critical component of the community's efforts to promote, preserve and enhance the vitality of Downtown Frederick and Frederick overall. The resulting signage will market the variety of amenities and services to be found in the community. In addition to adding new signs, the old and out of date signs will be removed.

"As a small business owner, and now the Mayor of the City, I am very pleased to have this new tool to assist our citizens and visitors alike in getting around town. This new wayfinding system functions in ways that will not only directly benefit the many cultural and historic attractions, but there will be positive economic gains to all of our downtown businesses. Look for changes around town in the next 4-6 weeks as the old sign come down, and the new ones go up." said Mayor Randy McClement.

The resulting system includes gateway, vehicular, parking and pedestrian signage. The gateway signage will include signs welcoming visitors to The City of Frederick as well as Downtown Frederick at key intersections. The vehicular signage will guide drivers to their intended destinations. The parking signage is multi-layered and will include information directing drivers to the most appropriate parking garage, new signage placed on the garages that includes the name of each facility and additional signage, including banners and murals, to help drivers identify parking garage entrances when they are hidden from view. The parking garages also will have additional internal signage to guide exiting drivers to the nearest interstate or highway to assist visitors trying to leave Frederick. The pedestrian signage will guide those visiting Downtown Frederick on foot. Key intersections will have signage to point pedestrians to area local attractions. In addition, pedestrians will be guided by new and improved kiosks located at key points through Downtown Frederick.

BUILDING ACTIVITY

CITY OF FREDERICK PLANNING DEPARTMENT

In 2010, the Planning Department reviewed 896 building permits, including new residential construction, zoning certificates, demolitions, signs, decks, sheds, fences, and various other residential, commercial, and industrial permits. The 2010 total represents a 26% decrease from the previous year's total of 1,217 permits. The map on page 29 shows permit activity for new residential and commercial development during 2010.

The table below shows the breakdown of the types of permit applications processed by the Planning Department during 2010.

| Permit Applications Processed by the Planning Department | | | | |
|--|-------------|-------------------|-------------|-------------------|
| Type of Permit | 2009 | % of total | 2010 | % of total |
| Demolitions-partial and complete | 19 | 1.6% | 8 | 1.0% |
| Commercial Construction, New | 15 | 1.2% | 13 | 1.4% |
| Commercial, Other (signs, renovation, temporary trailers, etc.) | 161 | 13.2% | 309 | 34.4% |
| Residential Construction, New | 202 | 16.6% | 123 | 13.7% |
| Zoning Certificate | 172 | 14.1% | 152 | 17.0% |
| Other Residential (decks, fences, sheds, pools, renovations, emergency repair) | 648 | 53.2% | 291 | 32.5% |
| Total | 1217 | 100% | 896 | 100% |

Permits for signs, additions, decks and fences represented the vast majority of commercial and residential permit applications that the Planning Department reviewed.

Housing market conditions have likely contributed to the reduced number of dwelling unit permit applications submitted in 2010 compared to previous years. Applications in major residential developments such as Cannon Bluff, Clover Ridge, Tuscarora Creek, Whittier, Worman's Mill, and Ballenger Creek Center comprised the majority of new dwelling unit permit applications.

The chart below categorizes residential building permits by dwelling unit type.

| 2010 Dwelling Unit Permits by Type | | | | |
|------------------------------------|---------------|-----------|--------------|-------------|
| Year | Single-Family | Townhouse | Multi-Family | Total Units |
| 2010 | 56 | 64 | 3 | 123 |
| 2009 | 100 | 64 | 38 | 202 |
| 2008 | 60 | 12 | 55 | 127 |
| 2007 | 58 | 128 | 189 | 375 |
| 2006 | 105 | 102 | 205 | 412 |
| 2005 | 151 | 180 | 31 | 362 |
| 2004 | 169 | 350 | 20 | 539 |
| 2003 | 111 | 232 | 240 | 583 |
| 2002 | 126 | 124 | 19 | 269 |
| 2001 | 212 | 319 | 38 | 569 |
| 2000 | 661 | 100 | 132 | 893 |

Most large developments within the City of Frederick are of Planned Neighborhood Developments (PND), which allow a mixture of housing types and, in some cases, planned commercial components. These developments may also include alternative standards for roads, lighting, sidewalks, and other public improvements, subject to Planning Commission approval. By encouraging integrated, creative designs with a mix of land uses, PNDs can support the goals of the 2010 Comprehensive Plan.

Major Residential Developments

Pipeline of Available Lots

Updated through December 31, 2010

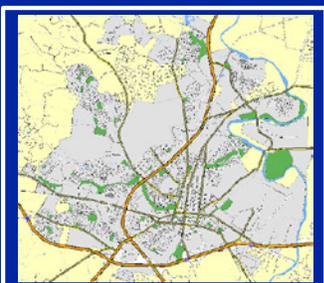
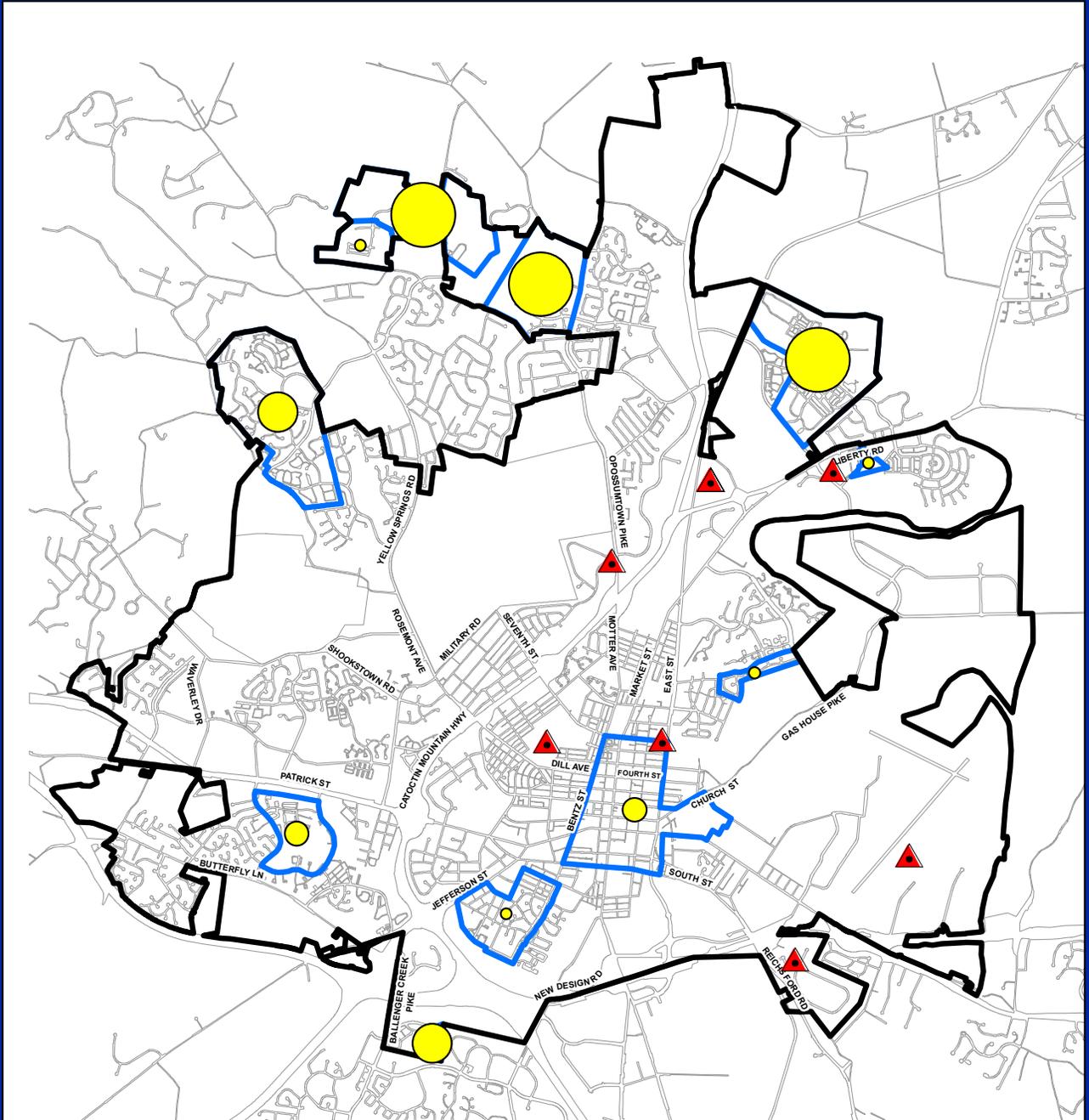
| Subdivision | Dwelling Units Approved | Bldg Permit Applications/Units Year to date | Bldg Permits / Units Issued (Total) | Traditional Pipeline |
|---------------------------------------|-------------------------|---|-------------------------------------|----------------------|
| Ballenger Creek Center Towns (BC) | 176 | 14 | 161 | 15 |
| Barrick | 301 | 0 | 0 | 301 |
| Birdseye View Estates (Bowers) | 39 | 0 | 0 | 39 |
| Bowers Park | 21 | 0 | 0 | 21 |
| Brooklawn Limited Partnership | 68 | 0 | 0 | 68 |
| Cannon Bluff (CB) | 187 | 15 | 62 | 125 |
| Canterbury Station (Odd Fellows) | 359 | 0 | 0 | 359 |
| Clover Ridge (CR) | 393 | 30 | 218 | 175 |
| Commons of Avalon | 66 | 0 | 0 | 66 |
| Cramer Property | 54 | 0 | 0 | 54 |
| Emerald Farm | 185 | 0 | 179 | 6 |
| Galleria | 127 | 0 | 0 | 127 |
| Homewood Phase I | 140 | 0 | 0 | 140 |
| Hope VI (North Market Revitalization) | 97 | 35 | 97 | 0 |
| Hope VI (126 S. Carroll Street) | 36 | 32 | 32 | 4 |
| Market Square | 463 | 0 | 0 | 463 |
| Maxwell Square (MS) | 49 | 5 | 5 | 44 |
| Millies Delight | 59 | 0 | 0 | 59 |
| Monocacy Park (Main Property) (MP) | 177 | 6 | 17 | 160 |
| Nicodemus | 457 | 0 | 0 | 457 |
| Overlook Section 8 | 32 | 0 | 0 | 32 |
| River Crest | 114 | 1 | 52 | 62 |
| Riverwalk Apartments Lot 301 | 312 | 0 | 219 | 93 |
| Rocky Pointe (RP) | 15 | 0 | 15 | 0 |
| Tuscarora Creek (TCK) | 847 | 30 | 79 | 768 |
| Walnut Ridge | 521 | 0 | 316 | 205 |
| Waverley View | 739 | 0 | 0 | 739 |
| Whittier PND (WH) | 1,590 | 15 | 1,532 | 58 |
| The Woods | 5 | 0 | 0 | 5 |
| Worman's Mill PND (WM) | 1,497 | 30 | 1,112 | 385 |
| Other SF / Townhouse | N/A | 2 | N/A | N/A |
| Other MF | N/A | 0 | N/A | N/A |
| City of Frederick Subtotal | 9,126 | 215 | 4,096 | 5,030 |

Dwelling Units Approved: Includes units approved at the Preliminary Plat or Master Plan stage.

Traditional Pipeline: Dwelling Units Approved minus the number of Building Permit Applications.

Note: "Units implies single-family and townhouse lots, but also includes multi-family units.

New Residential and Commercial Development for 2010



0 0.2 0.4 0.8 1.2
Miles

Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purpose. Data on this map was prepared from several original sources and is subject to change as source data changes. This map is not a legal document. Orthophotos produced 03/07. Maps produced by: mtownians

101 N Court St.
Frederick, MD 21701
P: 301-600-6209
F: 301-600-2233
www.cityoffrederick.com

GIS Department

Number of Permits

- 1 - 3
- 4 - 6
- 7 - 11
- 12 - 29

- New Commercial Permits
- City Boundary
- Right of Ways

PLANNING SUBMITTALS

CITY OF FREDERICK PLANNING DEPARTMENT

The Planning Department is responsible for reviewing all new development activity within the City of Frederick. This role includes the review of site plans, subdivisions, zoning map amendments, annexations, and other development case types.

The Planning Department review process involves meetings with applicants; review periods for comments and revisions; meetings with Neighborhood Area Councils (NACs) to present draft plans; coordination of review comments from other departments and agencies; presentations to the Planning Commission; and in some cases presentations to the Parks and Recreation Commission, Streets and Sanitation Committee or other boards. Some case types, such as zoning map amendments, text amendments, and annexations, also require review and approval by the Mayor and Board of Aldermen.

The Planning Commission reviews all development cases, with the exception of minor cases which are reviewed only at the staff level. The powers and duties of the Planning Commission are enumerated in Sections 176-185 of the Frederick City Charter. The City's Land Management Code (LMC) establishes the processes and criteria for Planning Department and Planning Commission plan review and approval.

The Planning Department processed 146 planning cases in 2010. This figure represents a increase from the total of 134 cases in 2009. Majority of the planning cases consist of Final Site Plans, Final Subdivisions and Sketch Plans, which increased slightly in 2010 from 2009.

| Planning Cases 2010* | | | | |
|--|-------------|-------------------|-------------|-------------------|
| Type | 2009 | % of Total | 2010 | % of Total |
| Annexation | 5 | 3.7% | 0 | 0.0% |
| Archeological Assessment | 7 | 5.2% | 7 | 4.7% |
| Combined Forest Stand Delineation/ Preliminary Forest Conservation Plan | 8 | 6.0% | 9 | 6.1% |
| Comprehensive Plan Map Amendment | 0 | 0.0% | 0 | 0.0% |
| Final Forest Conservation Plan | 6 | 4.5% | 6 | 4.1% |
| Final Site Plan | 27 | 20.1% | 28 | 19.2% |
| Final Subdivision | 11 | 8.2% | 22 | 15.1% |
| Forest Stand Delineation | 0 | 0.0% | 2 | 1.3% |
| Mixed Use Development Phase 1 | 0 | 0.0% | 1 | 0.7% |
| Mixed Use Development Phase 2 | 0 | 0.0% | 1 | 0.7% |
| Master Plan | 0 | 0.0% | 0 | 0.0% |
| Planned Neighborhood Development | 0 | 0.0% | 1 | 0.7% |
| Planning Commission Demolition | 1 | 0.7% | 0 | 0.7% |
| Planning Commission Off-Site Parking | 0 | 0.0% | 0 | 0.0% |
| Preliminary Forest Conservation Plan | 4 | 3.0% | 4 | 2.7% |
| Preliminary Subdivision Plat | 3 | 2.2% | 3 | 2.0% |
| Registration for Non-Conforming Use | 2 | 1.5% | 2 | 1.3% |
| Sketch Plans/Pre-Application Plan | 19 | 14.2% | 21 | 14.4% |
| Traditional Neighborhood Development | 0 | 0.0% | 0 | 0.0% |
| Zoning Determination | 30 | 22.4% | 30 | 20.5% |
| Zoning Map Amendment | 4 | 3.0% | 2 | 1.3% |
| Zoning Text Amendment | 7 | 5.2% | 7 | 4.7% |
| Total | 134 | 100% | 146 | 100% |

*Totals represent date of submittals and do not reflect date of approval.

Plans Approved in 2010

Plan Types: PSU- Preliminary Subdivision Plat, FSU- Final Subdivision Plat, FSI- Final Site Plan
 ZMA – Zoning Map Amendment, MP – Master Plan
 Status: CA- Conditional Approval, UA- Unconditional Approval

Residential

| # | Name | Case # | Proposal | Status |
|---|--|-------------|---|--------|
| 1 | Humberson and Emerald Farm Consolidation | PC08-544FSU | Consolidation and reconfiguration of two lots | UA |
| 2 | Clover Ridge | PC09-341PSU | Revision to the previously approved preliminary subdivision plat for 391 residential lots | CA |
| 3 | Market Square | PC09-398FSI | construction of 162 townhouses and 48 2-over-2 townhouse/condos for a total of 258 residential units | CA |
| 4 | North Market Revitalization | PC10-25PSU | reconfiguring the lot lines to create one new residential lot | UA |
| 5 | Walnut Ridge-Section 6 | PC10-60FSI | revision of a previously approved final site plan to construct seven (7) multi-family buildings containing 204 dwelling units | CA |
| 6 | Clover Ridge Private Pool and Bath House | PC10-54FSI | construct a bath house and pool area | CA |
| 7 | Ballenger Creek III and IV | PC10-245FSU | revision to the preliminary subdivision plat to change standard townhouse lots 82-91 and 147-192 to lot sizes that accommodate integrate garage townhouse units | CA |
| 8 | Tuscarora Creek | PC10-179PSU | Revision to a previously approved preliminary subdivision plat to eliminate alleyways that serve single family units | CA |
| 9 | Waverley View | PC10-322PND | revision to the previously approved master plan for the Waverley View Planned Neighborhood Development (PND) | CA |

Non-Residential

| # | Name | Case # | Proposal | Status |
|----|---------------------------------|-------------|---|--------|
| 1 | Clemson Corner | PC09-25FSI | revisions to the previously approved architectural elevations for the proposed shopping center | CA |
| 2 | Morningstar Foods | PC09-475FSI | demolition of 20,552 s.f. of existing building and the construction of 18,978 s.f. of new building | CA |
| 3 | Market Square | PC09-399FSI | construction of a 158,576 s.f. shopping center and six live/work units | CA |
| 4 | City Parking Lot (Deck 6) | PC10-45FSI | Construct a surface parking lot consisting 85 spaces. | UA |
| 5 | Sagner Park | PC10-66ZMA | Change zoning from Downtown Residential to Heavy Industrial | UA |
| 6 | Sagner Lots | PC10-17FSU | subdivide the Sagner Park lot containing 4.51 acres into two (2) lots, Lot 1 to include 0.88 acres and Lot 2 for 3.63 acres | CA |
| 7 | FCC Parking Lot Expansion | PC10-24FSI | Construct a 140 space parking lot | UA |
| 8 | Shops at Monocacy | PC08-523FSI | five (5) pump fueling station on a pad site | CA |
| 9 | Dairy Maid Consolidation | PC10-119FSU | consolidate nine (9) parcels, totaling 5.9 acres | CA |
| 10 | Canterbury Station Lot 202 | PC10-130FSU | subdivide Lot 3 of the Canterbury Station project into two lots- Lot 202 and Lot 3R- | CA |
| 11 | Frederick County Bank | PC10-56FSI | construct a 3,462 sq. ft. bank with three (3) drive-through lanes | CA |
| 12 | Hillcrest Commercial | PC08-418FSI | construct a 25, 600 s.f. retail/office building | CA |
| 13 | FDK Air Traffic Control Tower | PC10-227FSI | construct a 106' tall air traffic control tower at the Frederick Municipal Airport | UA |
| 14 | Clemson Corner | PC10-280FSI | revisions to the previously approved architectural elevations for the proposed shopping center | CA |
| 15 | Walgreens | PC09-352FSI | construct a 14,820 square foot Walgreens pharmacy with a drive-through facility | CA |
| 16 | Ballenger Creek Commercial | PC10-232FSU | Resubdivide Lots 8,9,10 and Outlot A | CA |
| 17 | Airport Industrial Park | PC10-340FSU | Subdivide Lots 1-A, 1-B, 1-C | UA |
| 18 | Get Go Convenience Store | PC10-231FSI | Improvements to the existing gas station facility at 1391 West 7th Street | CA |
| 19 | First Missionary Baptist Church | PC10-422FSU | Addition plat | UA |
| 20 | Hood College Athletic Center | PC10-375FSI | construction of an athletic center totaling approximately 41,735 square feet, a new surface parking lot, and internal pedestrian and vehicular circulation improvements | CA |

ZONING MAP AMENDMENTS

CITY OF FREDERICK PLANNING DEPARTMENT

In 2010, the Planning Department processed two Zoning Map Amendments requests. The first, an application to remove the Open Space (PRK) floating zoning from a portion of property subdivided off of the adjacent Sagner Park and to rezone the property from Downtown Residential (DR) to Heavy Industrial (M2). This application was approved by the Mayor and Board of Aldermen on August 4, 2010.

The second application which commenced in 2010 but will be completed in 2011, was a request by the St. John's Literary Institution at Prospect hall to remove the institutional (IST) floating zone from the property at 889 Butterfly Lane, thereby reestablishing the Medium Density Residential, R12, zoning. A positive recommendation to the Mayor and Board was made by the Planning Commission on December 13, 2010 and will be received by the Mayor and Board of Aldermen for final decision in the month of January, 2011.

FOREST CONSERVATION

CITY OF FREDERICK PLANNING DEPARTMENT

In 2010, the Planning Department reviewed two Forest Stand Delineation plans, four Preliminary Forest Conservation plans and nine Combined Forest Stand Delineations/Preliminary Forest Conservation Plans.

For those projects that cannot provide adequate afforestation onsite, one of several options available to satisfy planting requirements is payment of a fee-in-lieu of forest conservation. The fee is currently set at \$.30 per square foot. By State mandate, jurisdictions must use fee-in-lieu funds for the purpose of planting trees. During 2010, the Mayor and Board of Aldermen approved the allocation of \$57,400 of fee-in-lieu funds for new plantings in the City. As a result, the City gained 425 trees on 4.25 acres of land in various City parks.

ARCHEOLOGICAL ASSESSMENTS

CITY OF FREDERICK PLANNING DEPARTMENT

The City's Archeological Protection requirements are intended to identify, evaluate and protect archeological sites in the City of Frederick. These standards apply to the majority of new subdivision applications, permits involving more than 5,000 square feet of disturbance, and building permits with ground disturbance in the National Register District. Archeological Protection requirements are described in Section 603 of the LMC.

In 2009, the Planning Department reviewed seven (7) archeological assessment cases. When potential archeological sites are identified, mitigation is required. The mitigation could include a Phase I archeological assessment or redesign to avoid sensitive portions of the site.

ZONING DETERMINATIONS

CITY OF FREDERICK PLANNING DEPARTMENT

In 2010, the Planning Department received 30 Zoning Determination requests. The purpose of the Zoning Determination service provided by the Zoning Administrator is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific zoning district and to clarify and interpret the Land Management Code. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance. If the applicant feels aggrieved by the decision or determination made by the Zoning Administrator, the Zoning Determination may be appealed within thirty days to the Zoning Board of Appeals.

Requests for Zoning Determination

| Year | Number of Determinations |
|------|--------------------------|
| 2010 | 30 |
| 2009 | 30 |
| 2008 | 57 |
| 2007 | 52 |
| 2006 | 49 |
| 2005 | 61 |

ZONING BOARD OF APPEALS

CITY OF FREDERICK PLANNING DEPARTMENT

The Zoning Board of Appeals (ZBA) reviews variances, home occupations, nonconforming uses, conditional uses, and administrative appeals. The Board heard 16 individual cases in 2010, a decrease from the previous year's total of 17 cases. The majority of the cases were variances and conditional uses.

One of the goals in adopting the LMC was to reduce the number of requests before the Zoning Board of Appeals. In drafting the code, staff reviewed the 1986 Zoning Ordinance for sections that often resulted in variances granted by the ZBA. The 2005 LMC modifies many of these regulations, and provides more flexibility in addressing site-specific circumstances. As a result, the number of ZBA cases each year following the adoption of the LMC has shown a decrease from the total of 43 cases in 2005.

| Zoning Board of Appeals Cases 2009 | | | | |
|------------------------------------|-----------|-------------|-----------|-------------|
| Type | 2009 | % of Total | 2010 | % of Total |
| Home Occupations | 1 | 5.9% | 7 | 43.75% |
| Modification of Parking | 0 | 0.0% | 0 | 0.0% |
| Administrative Error Appeal | 0 | 0.0% | 0 | 0.0% |
| Non-Conforming Use | 3 | 17.6% | 1 | 6.25% |
| Conditional Use | 8 | 47.1% | 4 | 25.0% |
| Temporary Use | 0 | 0.0% | 1 | 6.25% |
| Variances | 5 | 29.4% | 3 | 18.75% |
| Off-site Parking | 0 | 0.0% | 0 | 0.0% |
| Total | 17 | 100% | 16 | 100% |

PLANNER ON CALL

CITY OF FREDERICK PLANNING DEPARTMENT

The Planning Department provides customer service through the Planner On Call initiative. The Planner On Call is responsible for answering questions from either phone requests or walk in customers. The department averaged 400 inquiries a month throughout 2010. These questions generally pertain to the LMC and zoning regulations for particular properties, HPC inquiries or requests to view site plans or subdivisions. By designating a Planner On Call, the department can efficiently and effectively serve the public without the need to arrange for appointments or meetings. The Planner On Call can be reached at 401-600-1499 from 8:00am - 4:00pm, Monday - Friday. In addition the Planner On Call can assist the public in person at the Municipal Office Annex, 140 West Patrick Street.

MARYLAND MOTOR VEHICLE ASSOCIATION REQUEST

CITY OF FREDERICK PLANNING DEPARTMENT

Throughout the year, the Planning Department provides support to the Maryland Motor Vehicle Association (MVA) by processing a Zoning Approval Form. In 2010, the Planning Department completed six forms forwarded by the MVA. The forms are meant to confirm zoning and to verify zoning compliance for automobile oriented businesses seeking a license from the MVA. The City Planning Department confirms the prospective business has obtained the proper zoning approvals and meets the requirements of the LMC and other local regulations.

FREDERICK COUNTY LIQUOR BOARD REQUEST

CITY OF FREDERICK PLANNING DEPARTMENT

Prior to the Frederick County Liquor Board approving the sale of beer, wine and liquor, the prospective business must obtain written confirmation that the business is located within an area zoned to permit the sales of alcoholic beverages. The Planning Department processed 11 zoning confirmation forms in 2010. When reviewing the request, the Planning Department confirms that the business has obtained the proper zoning approval and meets the requirements of the LMC and other local regulations.

DEPARTMENT OF JUSTICE INQUIRY

CITY OF FREDERICK PLANNING DEPARTMENT

In January 2010, the Department of Justice initiated an investigation of the City of Frederick's land use and zoning practices pursuant to the Religious Land Use and Institutionalize Persons Act (RLUIPA). The investigation was centered on how zoning and land use practices treated churches in the Downtown Business (DB) District. Staff did provide all the required information to the Department of Justice. As of the date of this report, staff has not received any notification in regards to this investigation.

ENGAGING THE COMMUNITY

HISTORIC PRESERVATION COMMISSION



On May 8th, 2010 Paula S. Reed, PhD, of Paula S. Reed and Associates, Inc., gave a presentation at the Municipal Office Annex on “Character-Defining Features of Mid-Maryland Architecture” to approximately 40 attendees. The free event was organized to provide members of the Historic Preservation Commissions of The City of Frederick and Frederick County an opportunity to understand more about the architecture of the buildings that come before them for exterior work approval. Members of the general public, also interested in the local architecture of the region also attended. The presentation emphasized the building types and character-defining features of Mid-Maryland architecture and concluded with a short walking tour of nearby historic buildings in and around Court Square. The event was supported by an educational grant under the Federal Government’s Certified Local Government program.

HISTORIC PRESERVATION

CITY OF FREDERICK PLANNING DEPARTMENT

In 1952 the City of Frederick created a historic district that encompassed a few blocks downtown, becoming the second city in Maryland and the 13th in the nation to do so. The Historic District Commission was created in 1968 and in 1969 and was empowered with the authority to review and approve exterior alterations, signs and demolitions. The district was listed on the National Register of Historic Places in 1973. In 1977, after several years of grassroots efforts, the boundaries of the City’s historic district were expanded and the City Code was strengthened. In 1988 the boundaries of the National Register District were expanded and in 1995 the City’s historic district boundaries were expanded once more. In 2001 the historic district was officially named the “Frederick Town Historic District” and in 2005 the Commission was renamed the Historic Preservation Commission (HPC). Apart from the Frederick Town Historic District, there is one additional historic site, the John Derr House, designated by the City in 2006. The Historic Preservation Commission derives its legal authority from Sections 2-34 through 2-43 of the City Code and from Article 66B Section 8 of the Annotated Code of Maryland. The Historic Preservation Commission reviews all applications for exterior alterations, new construction and demolition in the City’s historic preservation overlay zones with the exception of some categories of rehabilitation work which are approved administratively by historic preservation staff. The HPC also occasionally advises on projects that affect historic resources that fall outside the boundaries of the historic district such as subdivisions and annexations.

There were 225 applications in the Frederick Town Historic District submitted to the HPC. The table below shows 2010 HPC applications by type.

| Historic Preservation Commission Cases 2010 | | | | |
|--|------------------------|-------|-------------|-------------------|
| Type | 2009 % of Total | | 2010 | % of Total |
| Archive | 0 | 0.0% | 0 | 0.0% |
| Demolitions (full, or partial) | 7 | 3.4% | 13 | 5.7% |
| New Construction, Level 1 | 1 | 0.5% | 1 | 0.4% |
| New Construction, Level 2 | 3 | 1.5% | 2 | 0.8% |
| Exterior Renovations | 148 | 71.8% | 134 | 59.5% |
| Fences | 19 | 9.2% | 27 | 12.0% |
| Signs | 28 | 13.6% | 48 | 21.3% |
| Total | 206 | 100% | 225 | 100% |

COMPREHENSIVE PLANNING DIVISION

CITY OF FREDERICK PLANNING DEPARTMENT

2010 COMPREHENSIVE PLAN

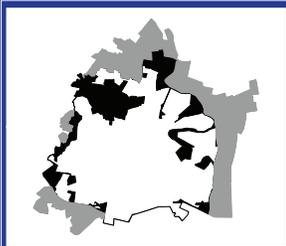
The Mayor and Board of Aldermen approved the City of Frederick 2010 Comprehensive Plan on November 19, 2009. The Comprehensive Plan is a guide for the location, character and extent of proposed public and private development in the City of Frederick. The Comprehensive Plan's policies and recommendations will be implemented over time through many distinct decisions including the rezoning and subdivision of land and the location and construction of public improvements. The Comprehensive Plan provides the policy basis for the integration and coordination of these decisions and actions.

The Comprehensive Plan also provides specific guidance for how the City's development regulations should be updated, enhanced, and streamlined to facilitate plan implementation. Under the State's planning statutes, the Comprehensive Plan must be updated every six years to respond to changing conditions, unforeseen events and trends, and changing objectives. Upon adoption of a Comprehensive Plan, the City's land use ordinances and zoning maps are to be amended to be consistent with the plan.

LEGAL BASIS

Under Maryland Law, the Planning Commission has the duty to make and approve a Comprehensive Plan and then recommend its adoption to the Mayor and Board of Aldermen. The Comprehensive Plan is to "serve as a guide to public and private actions and decisions to ensure the development of public and private property in appropriate relationships." Article 66B of the Annotated Code of Maryland requires that the Comprehensive Plan "serve as a guide for the development and economic and social well being" of the City. The Comprehensive Plan is to be composed of a number of interrelated elements that address land use, transportation, community facilities, sensitive areas, mineral resources, and plan implementation. In addition to Article 66B mandated that Municipal Growth and Water Elements be introduced into the Comprehensive Plan beginning in 2010. The Planning Commission may include other elements as it deems necessary.

City of Frederick Comprehensive Plan Map, 2010



Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purposes. Data on this map was prepared from several original sources and is subject to change as source data changes. This map is not a legal document.
 Date: 03/07
 Map produced by: mibowman



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Residential Uses

- Low Density Residential
- Medium Density Residential
- High Density Residential

Non-Residential Uses

- Commercial Neighborhood
- Commercial General
- Office
- Mixed Use
- Industrial
- Residential Office
- Office/Industrial

Other Land Uses

- Institutional
- Recreational
- Private Open Space
- Agricultural Holding

Growth Boundaries

- Potomac River Water Service Agreement
- City Boundary
- Areas of Interest

Transportation

- Interchanges
- Right of Ways
- Proposed Roads*

*The North/South road as shown on this map is not an alignment or meant to indicate the exact location of a potential road. The North/South Road is a place holder for one of many potential transportation options in the City and County.

This map represents key recommendations of the 2010 Comprehensive Plan. It is to be used in conjunction with Comprehensive Plan Elements and other Plan maps.

Mayor William J. Holtzinger

SMALL AREA PLANNING

CITY OF FREDERICK PLANNING DEPARTMENT

Small Area Plans assist in implementing the goals and recommendations of the City's Comprehensive Plan. Recognizing the unique character of the City's different communities, the 2010 Comprehensive Plan Update identified seven small planning areas and recommended that a separate, more detailed land use plan be completed for each of these areas. The City's Comprehensive Plan and the adopted Land Use Map are policy guides for the Small Area Plans.

In general, a Small Area Plan is a neighborhood-level plan that addresses land use, transportation, and a variety of other topics. For each planning area, a committee of residents, property owners and business owners provide neighborhood recommendations to city planners and local officials, resulting in a plan that is adopted by the Mayor and Board of Aldermen. Ultimately, the goal of a Small Area Plan is to enhance the quality of life in each distinct community.

A key benefit of the Small Area Planning process is local stakeholder involvement in the development of each plan's recommendations.

Small Area Plans serve as a guide for land use, environmental protection, transportation improvements, open space and other capital improvements, and will identify opportunities for commercial revitalization and, where appropriate, mixed-use development.

Benefits of Small Area Plans:

- Represent the community's vision
- Reflect neighborhood stakeholders' input
- Provide specific recommendations at a neighborhood level
- Offer increased efficiency in provision of public services
- Allow greater predictability in land use and development
- Enable neighborhoods to be proactive in making land use recommendations
- Identify priority neighborhood projects and possible resources for implementation
- Help to guide the investment decisions of local governments

2010 SMALL AREA PLANNING EFFORTS

The Planning Department has been involved in two Small Area Plans in 2010. The department provided staff resources to a community-based planning effort in East Frederick and began work on the Golden Mile Small Area Plan concentrating on the retail corridor surrounding U.S. 40.

EAST FREDERICK:

East Frederick is a dynamic area with a wide variety of land uses, including retail, office and residential uses (including some historic residential areas), as well as manufacturing, wholesale trade, and other industrial uses. The City's east side also includes the historic Frederick Fairgrounds, the Frederick Municipal Airport and the MARC commuter rail station.

Preserving and supporting the current mix of land uses could be a central policy of an area plan. In addition, major corridors such as East Patrick Street and East Street present vital development and redevelopment opportunities for the area.

The Planning Commission voted to recommend approval of the East Frederick Vision Document with revisions to the Mayor and Board of Aldermen in December of 2010. The Vision Document will be presented to the Mayor and Board of Aldermen in January, 2011.

GOLDEN MILE/US 40 CORRIDOR:

The Golden Mile / US 40 Corridor includes a significant amount of commercial development serving nearly 65,000 people within a three-mile radius. However, the corridor is characterized by a lack of connectivity between commercial uses which discourages pedestrian access between neighborhoods and adjacent commercial areas.

The primary challenges in the revitalization of the Golden Mile are existing street design and right-of-way dimensions. The Golden Mile, in its current form, is a typical first-generation suburban street primarily designed to serve motorists. Development along this corridor is characterized by strip-center shopping areas, surface parking lots, and an excessive number of points of access from West Patrick Street. A significant challenge for an area plan for the Golden Mile will be to transform the corridor into a street type that can serve users of all travel modes, including pedestrians, bicycles, and transit.

Staff began the Small Area Planning process for the Golden Mile in the Spring of 2010. Staff conducted a survey directed towards the property owners, business owners, and general public to commence the process and received an overwhelming response from the stakeholders. After reviewing over 900 survey responses, staff held three public workshops prior to drafting the plan. In January 2011, the Planning Department began drafting the Small Area Plan with intentions of presenting it to the Planning Commission and Mayor and Board of Aldermen in the Summer of 2011.



Pictured Above: Models created by Dave Ager of Townscape Design LLC depicting a portion of the Golden Mile Small Area Plan were presented during Workshop III on January 25, 2011.

COMMUNITY DEVELOPMENT DIVISION CITY OF FREDERICK PLANNING DEPARTMENT

The mission of the Community Development Division is to successfully manage the City's Federal Community Development Block Grant Program (CDBG) to achieve goals and objectives set forth in the City of Frederick's Consolidated Plan 2010-2015 with the overall goal of assisting low- and moderate-income persons and neighborhoods.

ACTIVITY BACKGROUND

The Community Development Division oversees the CDBG Program, a grant from the U.S. Department of Housing and Urban Development, and is involved in various non-CDBG activities such as affordable housing, community development and housing rehabilitation.

CDBG Activities Include:

- General Administration: Record keeping, environmental reviews and required reporting.
- Planning: Five-year Consolidated Plan, Annual Action Plans, neighborhood planning
- Activities to affirmatively further fair housing, including staff support of Frederick's Fair Housing Commission
- Oversight and monitoring of CDBG-funded activities by the City and by sub-reipients.
- Administration of Housing Rehabilitation Programs and loan portfolio management.

Non-CDBG Activities Include:

- Administration of Maryland Department of Housing and Community Development Special Loan Program - Housing Rehabilitation and Lead Based Paint remediation
- Participation with others in various community development programs such as the Community Legacy Program by the Maryland

HOUSING AND COMMUNITY DEVELOPMENT

CITY OF FREDERICK PLANNING DEPARTMENT

TRENDS

Because the City receives limited federal CDBG program funding and the local housing need is so great, the City must leverage its resources with other state and federal funds. Homeownership and providing decent, affordable housing are among the City's top priorities. To effectively address these priorities and to continue to serve as a self-sustaining program, the CDBG assistance is being structured as a revolving loan program so that more needy households can be served with limited resources.

During program year 2008 (July 1, 2009 to June 30, 2010), the Community Development Division's programs had the following accomplishments:

| Program Name | Program Description | Program Year 2008 Accomplishment |
|---------------------------------------|--|--|
| Sold On Frederick II program | Down payment and closing cost assistance (up to \$15,000) for income-qualified, first-time homebuyers within city limits | 16 loans closed |
| Operation Rehab | Rehabilitation assistance loans for owner-occupied housing units | 6 low/moderate income homeowners assisted |
| Acquisition for Rehabilitation | Purchase of blighted and/or vacant properties for housing rehabilitation or new construction | 2 units purchased, rehabilitated and sold. |
| Fair Housing Conference | Annually hold a Fair Housing Conference for continuing education credits for real estate professionals | Fair Housing Conference held at Frederick Community College, offering CEU's for real estate professionals at no charge |

HOUSING AND COMMUNITY DEVELOPMENT

CITY OF FREDERICK PLANNING DEPARTMENT

ADDITIONAL HOUSING ACTIVITIES

In addition to the activities described above, the City participates in the Frederick County Coalition for the Homeless and provides funding assistance to the Frederick Community Action Agency (FCAA) through its annual CDBG allocation. FCAA provides homeless services through its transitional shelter and apartments and served 142 persons in program year 2009.

The Community Development Division is also an administering agency for State of Maryland Department of Housing and Community Development Residential Rehabilitation Loans and Lead Hazard Reduction Grants.

The Community Development Division has established partnerships with local lenders providing homeownership counseling. This counseling gives buyers a better interest rate on their loans, teaches the steps in the home buying process, and promotes foreclosure prevention.

CODE ENFORCEMENT

CITY OF FREDERICK PLANNING DEPARTMENT

The mission of the Code Enforcement Division is to promote and maintain a safe and desirable living and working environment through a proactive effort in the enforcement of laws, regulations and ordinances that help to improve the quality of life for all Frederick residents.

ACTIVITY BACKGROUND

The Code Enforcement Division is responsible for addressing violations of the Frederick City Code, Land Management Code and the Property Maintenance Code that have been approved by the Mayor and Board of Aldermen. The goal of the division is to achieve compliance with all codes through education and dialogue with the residents and business owners of the City.

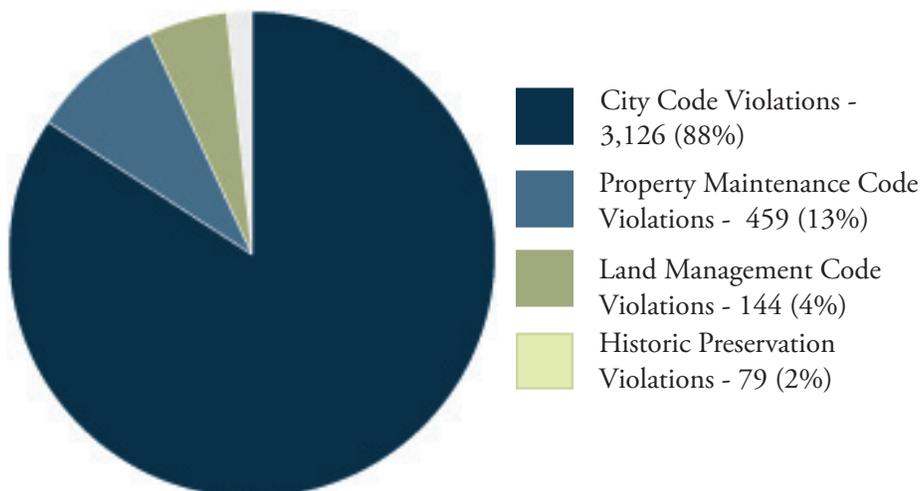
The mission of the Division is to protect citizen's safety, quality of life and property values while striving to keep our City clean and attractive for those visitors, an important element for business growth and retention.

The Division attends Neighborhood Advisory Council (NAC) meetings as means of staying visible in the community and to address issues and concerns.

TRENDS

Addressing factors which impact quality of life in our neighborhood has become one of the City's top priorities. As the City grows, so too have the number of zoning violations and deteriorated properties. As Frederick's neighborhoods have become more proactive in seeking resolutions to these concerns, additional staff and resources have been allocated to insure the preservation of property values, the elimination of land use conflicts, and the abatement of local nuisances.

In 2010 the Code Enforcement Division investigated 3,541 cases with a total of 3,808 violations, an increase of 681 cases from 2009 and a significant increase from 2008 when a total of 1,567 cases were investigated. The chart below represents the 3,808 violations investigated in 2010.



PRODUCED BY:



THE
CITY OF FREDERICK
PLANNING DEPARTMENT

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