

LAND USE

Land Use Overview

Land Use decisions determine an area's physical form and how that area functions internally, as well as how it interacts and relates to surrounding areas. Land use decisions are also the primary determinant of infrastructure needs. The development characteristics, such as density, assigned to each land use through zoning define the demand for roads, water, sewer capacity, schools, community facilities, public safety resources, parks as well as the need for environmental protection. This element lays the foundation upon which all other sections of the plan are built. The goals of this chapter are to ensure the availability of a variety of land uses that are:

- Identify where various land uses should be located within the City;
- Ensure land uses are compatible with adjoining and adjacent areas;
- Ensure that land use decisions support an active environment;
- Establish land use designations that support the City's present and future needs.

The Land Use chapter summarizes the City's land uses and makes projections about future growth patterns and capacity. This element recommends areas where development should be focused as well as the form and function of those areas. This element also provides the recommended framework for annexation or jurisdictional boundary changes.

For 275 years, the City has served as the commercial center for both Frederick County and Western Maryland. The City has among the State's most thriving and diverse economies and is anticipated to continue to draw more businesses, government jobs, and residents.

The City's foremost challenge is to accommodate growth while retaining and enhancing the quality of life for residents and businesses. In particular, many responses to surveys noted during this planning process that Frederick must preserve its historic character – the basis of the City's identity – while improving its economy, reducing traffic and limiting sprawl.

Many of the policies in this Chapter address concerns about future land use patterns and growth trends in the City. Through the comprehensive planning process, stakeholders were encouraged to participate in public meetings and surveys and expressed their thoughts, which generally were related to the following themes:

- Reducing traffic congestion;
- Encouraging infill and redevelopment in downtown, industrial and aging commercial corridors;
- Investing in utilities in existing neighborhoods;
- Attracting major employment and quality shopping opportunities; and,
- Ensuring a sensitive approach to growth, includes protection of environmental resources.

Neighborhoods

The City's residential areas represent forty percent of its total land area. Except for the Downtown area, the majority of the City's residential neighborhoods are characterized by lower densities, wider streets, and uniformity in the types of structures and styles. Low-density residential districts drive land consumption rates and generally create the most infrastructure demand. While residential neighborhoods should be protected from incompatible uses, infill development of similar or greater densities and supporting non-residential uses should be encouraged and made a priority by the City where suitable.

One of the concerns consistently stressed by residents is the segregation of land uses and the lack of nearby supporting retail and service uses. This segregation of land uses contributes to an increase in the length and number of automobile trips. The City's lower housing densities contribute to the lack of nearby supporting retail and services as retail establishments require a critical mass of residents nearby to invest away from the usual commercial corridors. To remedy this, the Comprehensive Plan generally, and this chapter specifically, promote integrated land use patterns by identifying areas adjacent to transportation routes that are appropriate for a mix of housing, services, and employment. This co-location of land uses can also enhance pedestrian, bicycle and transit mobility, thereby lessening vehicular trips to and from the neighborhoods.

A major theme of this plan is focused on ensuring that new and existing housing is available to serve a diverse population and in order to accommodate the City's growth, particularly the growing need for housing affordable to those in the working class and below. Equally important is the desire to maintain the viable condition of existing housing as it ages to protect the fabric of the neighborhoods.

City Character

The Downtown area, Frederick's original core, provides for a vibrant mix of land uses, with blocks and buildings that are appropriately scaled for both pedestrians and vehicular traffic. The narrow streets regulate automobile use

and speed and the architectural detailing of the buildings in the Historic District create an interesting environment for walking. This character can be enhanced by encouraging new and infill development projects that utilize efficient site planning principles; compact, mixed-use designs; pedestrian-oriented streets; and architectural features that reflect the City's unique identity.

Major infill redevelopment and new development projects should be reviewed to ensure compatibility with existing new and historic development. These areas have contributed much to the City's character and should be equally acknowledged as well as protected. The Historic Preservation and the Community Character and Design elements contain many goals and policies for protecting and enhancing the existing neighborhoods.

The Comprehensive Plan map identifies key City gateways that represent opportunities to signify entry into Frederick. These gateways are located in highly visible areas along the primary routes leading into the City, including US 40, US 15, MD 26, East Street, East Patrick Street, Jefferson Street, West Patrick Street, South Street, Bentz Street, North Market Street (extended), and Rosemont Avenue. Special consideration should be given to these areas during development or redevelopment and future planning efforts.

Commercial Uses

Commercially zoned land currently constitutes 8% of the City's developed land. Examples of commercial uses in the City include freestanding retail and service-oriented establishments and businesses located in office buildings and shopping centers. The majority of the City's commercial development is located on major corridors, including:

- The US 40/West Patrick Street/Golden Mile corridor;
- MD 26 and Monocacy Boulevard.
- Rosemont Avenue;
- East Patrick Street
- 7th Street; and
- Jefferson Street.

The City's commercial corridors express many of the characteristics of strip development: open retail centers, arranged in a row, developed as a unit, containing large parking lots fronting major roadways. These centers tend to be self-contained with few pedestrian connections to surrounding neighborhoods or with one another. The majority of the existing strip centers give little regard for efficiently integrated vehicular and pedestrian access.

In order to provide a more coherent and more attractive environment, future redevelopment along these corridors should be integrated with surrounding businesses and neighborhoods. This integration occurs when buildings are designed so that there are active spaces between parcels and they are connected across property lines to accommodate persons of all ability levels and all modes of transportation, including the pedestrian and bicyclist.

Industrial Uses

Light industrial and heavy industrial uses account for approximately 8% and 1%, respectively, of the City's land area. Due to the City's current boundary limitations and the predominance of residential and commercial areas, the focus for the land use plan is on attracting and maintaining quality light industrial areas.

Despite its small footprint, the existing heavy industrial activity serve an important role in the City's diverse economy. Intense industrial activity is located almost exclusively southeast of Downtown and the few heavy-industry land uses that currently operate in the City are encouraged to continue, however, future expansions should be sensitive to nearby land uses. In areas with existing Heavy Industrial (M2) zoning, the City should consider increasing the landscape and screening requirements. An additional option is to require building expansions to be compatible with and reflective of the character, materials, and features of Frederick.

The City's Light Industrial (M1) zoning district includes a variety of non-polluting uses such as warehousing; automobile repair; assembly operations; research and development establishments; and related office uses. The mix of industrial uses permitted in this district provides flexibility in location and design and allows transition between less intense and more intense uses. Over time, the evolution of environmental laws, business licensing and modernization of industrial processes have made them less of a nuisance to nearby properties because they create less pollution and noise.

As technology and commerce continually evolve, the City should ensure that it is in a competitive position to capture the potential demand for fulfillment warehouses and data centers. This could involve a variety of incentives including preference for annexations that include light industrial land to accommodate these uses or encouraging redevelopment that comprises fulfillment to meet the needs of the users and provide quick deliveries to our residential neighborhoods.

Vacant Land

Currently, there are 2,483 acres of vacant land in the City. There were 1,108 acres of vacant land in the City in 2009, and 3,200 acres that were vacant in 2003. The increased acreage is a result of annexed parcels that contain improvements of less than \$10,000. It should be noted that this figure includes the Downtown area (DB and DBO) where, in many instances, buildings have been built across multiple property lines. The acreage also includes institutional (IST) uses. Excluding Downtown, IST, and constrained land (land that contains features that render some or all of it unbuildable), approximately 2,002 acres of vacant land area is available for development; 1,008 for non-residential and 866 acres for residential.

[Insert vacant land acres/use table]

Simply totaling the City's vacant acreage can be misleading however. Of the vacant developable land, there are few lots over 25 acres. The scarcity of large tracts may pose barriers when major employers seek to relocate to the City. Medium-sized lots (three to 25 acres) allow for creative development opportunities that have the most potential to add to the unique character of the City.

As the amount of vacant land diminishes, it is important that the City encourage redevelopment and investment into underutilized parcels. As development pressures shift, it is vital to rebalance the housing inventory between greenfield development and vacant parcels that are ripe for redevelopment. As discussed later in this chapter, the City should take a calculated approach to annexing greenfield development to ensure an appropriate amount of development pressure remains on the existing vacant lots and underutilized parcels where existing infrastructure is located.

Additionally, the City should encourage the consolidation of lots during development and redevelopment of properties. The advantages of consolidated development include controlled access, more efficient parking, cohesive architectural design, and improved landscaping.

Insert Zoning Map

Insert Zoning Allocation Table (Parcels, Acres, Percentage)

Employment

The City must remain competitive and flexible to increase the number and variety of local jobs and diversify Frederick's economic base. To do so, the City must continue to maintain enough non-residentially zoned land and

land areas that are suitable and compatible with a mixture of non-residential uses. It must also provide incentives that encourage a variety of employment opportunities. As discussed in the Transportation Element, while Frederick has 55% more workers commuting into it during the day than do commute out of it, that proportion has decreased since 2010. It is vital that the City, as it adapts to the changing region, continue to attract and retain employers to supply jobs to its residents.

Mobility

A functional transportation system connects residents to employment, schools, commercial services, and leisure activities. The ability of residents to travel to these services is critical to the economic vitality of the City. However, transportation infrastructure is not always integrated into the community fabric. This lack of integration is most evident in the built environment, where transportation and land use intersect. The planning and development of transportation improvements have not always considered quality-of-life impacts, including accessibility for local residents. As discussed later in the Transportation Element, a master Streets Plan is recommended to allow more fine-grained road network, considering all modes of transportation and their relationship to the neighborhoods they serve.

Land Use Issues

The City has historically maintained steady growth enabling accurate population and housing forecasting. This allows the City to accurately plan where and how growth occurs in the future. Historically, the City has positioned itself well when compared to nearby communities. As indicated in the survey, Frederick's residents are satisfied with the quality of life, rating their experience 4 out of 5 stars. A majority say their quality of life has remained the same or improved since moving to the area.

As has always been the case, many challenges face the City as it confronts its future, including the pressures of regional suburban growth, traffic congestion, and a shortage of affordable housing. The City also must be prepared for global issues such as climate change and the dramatic uncertainties it brings. This plan is particularly important because the City is poised to continue to grow in a time when technologies are advancing at the most rapid pace in history. The City must remain flexible to adapt in a quickly evolving environment yet encourage growth that will be sustainable and resilient in a time of uncertainty.

The following key issues facing the City that the Land Use Element will aim to resolve:

- The Land Management Code may lack the tools necessary to support compact growth and provide an efficient development process.
- The Zoning Map and Land Use Matrix may be out of tune with actual land-use patterns and demand.
- Corridors have become lined with self-contained strip centers with a perception of poor performance.
- The lack of land use and transportation coordination has led to traffic congestion and poorly-examined infrastructure investments.
- Current mixed-use regulations may not achieve the desired active environment and design.
- Local codes and fees may not encourage or incentivize dense infill development and redevelopment.
- Local and regional transit agencies have seen declining or flat ridership, which may be caused by a lack of density near their hubs.
- Most residents live in neighborhoods that have no meaningful walking or biking connections to jobs, shopping, and recreational opportunities.
- Annexations have provided enough housing for certain classes of residents, but the extension of services and utilities may become a burden on the City in coming decades.
- Changing demographics and the evolving economy require a greater diversity of housing choices in existing neighborhoods and new developments.
- Encouraging major employment opportunities with high-tax-yielding companies, such as research and development and technology firms.

These issues are addressed by the goals and policy recommendations of this Chapter. Its recommendations to allocate funds for expert studies, make legislative changes, and shift policies are aimed at systematically encouraging a prosperous built environment. The major recommendations of this chapter include:

- Adopting Small Area Plans for all parts of the City;
- Accepting annexation petitions in a timed and calculated manner;
- Implementing the Small Area Plan visions through the adoption of Form-Based Code overlay districts;
- The introduction of new mixed-use land-use designations to encourage a mixture of uses in tune with the projected development patterns;
- Examine residential density regulations around transit hubs and areas to support the traditional downtown core; and
- Examine fees structures to encourage diverse housing choices, infill and redevelopment.

Area Planning

Comprehensive plans are intended to be a vision for the entire community and tend not to focus on the level of detail required to guide specific development and improvements at the neighborhood level. To accommodate such fine-grained planning needed to accomplish the broader comprehensive plan goals, the 2010 Comprehensive Plan update launched the Small Area Planning initiative.

Area plans provide guidance for the appropriate uses and design configurations for a particular planning area. For example, the policies for each area can be tailored to provide locations for those uses and services lacking within an area. The vision and goals of Area plans are implemented largely through private investment and development. However, they also guide infrastructure improvements through the Capital Improvements Program (CIP) process, which is the mechanism through which most public improvements are funded with local dollars.

[Insert bump out of Strategic plan goal about small area plans]

This Plan will build upon the policies of the 2010 Comprehensive Plan to make it much more inclusive. The small areas designated for additional planning efforts in 2010 concentrated on corridors; this Plan has expanded those boundaries to include the neighborhoods adjacent to the corridors and included every neighborhood in the City into a small area that will receive additional study. Each of these areas has its own character that should be protected and enhanced as new development or redevelopment occurs.

The inclusion of the surrounding neighborhoods should not be a sign that they are in need of redevelopment. Rather, including surrounding areas allows for a more detailed look at connections into the corridors or enclaves in the neighborhoods that may need additional City resources or attention.

The small areas consist of the following:

1- EAST FREDERICK

East Frederick is characterized by a wider range of activities than in any other section of Frederick. Like most economically active parts of the City, there are retailers and offices as well as historic and modern residential neighborhoods. Unlike other sections of the City, East Frederick is home to manufacturing, wholesale trade, and other industrial-type uses. East Frederick is also unique in that it contains the Frederick County Fairgrounds, Frederick Municipal Airport, and the MARC rail hub.

Preserving and supporting many of the elements of the current mix of uses is a central policy of the East Street Corridor Small Area Plan (ESCAP), a plan that was adopted in August 2017. The purpose of the ESCAP is to provide a guide for new development and redevelopment. The plan includes recommendations for the future of the corridor, including the location of new buildings and their appearance; how to enhance existing development; and how to ensure compatibility between uses in a mixed-use environment. Also contained within the plan are suggestions for improvements to the road network, streetscape, and for the inclusion of public amenities.

Since the adoption of the 2010 Comprehensive Plan and the ESCAP, development pressure seems to be increasing in this area and it may become a prime location for the extension of Downtown. Future planning efforts should concentrate on the implementation of the plan in coordination with East Frederick Rising, a nonprofit organization guiding the vision for the area. As the City pursues a Form-Based Code, East Frederick Rising may be the most suitable small area to launch those efforts.

2- THE GOLDEN MILE

The US 40 corridor has significant, but somewhat inefficiently designed commercial uses serving approximately 61,000 people within a three-mile driving radius. The corridor is characterized by a lack of connectivity between commercial uses which discourages pedestrian access between neighborhoods and adjacent commercial areas. A perception of crime and overcrowding in adjacent residential neighborhoods is also prominent.

The Golden Mile Small Area Plan adopted in January of 2013 focuses on guiding new development and redevelopment of the aging commercial corridor. It also provides a street network and transportation opportunities to reduce traffic congestion on main arterial roadways and provide more efficient access to adjacent properties and neighborhoods.

As the largest concentration of commercial land use in the City, this area deserves to be a high priority for implementation of the small area plan and adoption of a Form-Based Code to allow flexible and efficient redevelopment of the corridor. In addition to planning documents, there may be other programs and incentives that the City can implement to encourage redevelopment of this corridor.

3- JEFFERSON STREET CORRIDOR

Jefferson Street serves a dual role as a principal transportation corridor and as a concentrated commercial area serving adjacent neighborhoods. As a southern gateway to the City and the Downtown area, the principal needs in this area are to provide opportunities for more substantial levels of

redevelopment in strategic locations and to provide a defining character for the area.

4- ROSEMONT AVENUE CORRIDOR

The key issue in this area is the potential impact of future Fort Detrick expansions on adjacent neighborhoods. While currently characterized by isolated suburban commercial and strip development, as the Fort expands there are infill and redevelopment opportunities along this corridor. As redevelopment occurs, there will be opportunities to mitigate the impacts of traffic generated on Opossumtown Pike, Seventh Street, and Rosemont Avenue.

5- NORTHWEST AREA

This area is bordered by the jurisdictional boundaries to the north and west, US 15 to the east and the southern intersection of Taney Avenue and Heather Ridge Drive to the south. It encompasses commercial areas adjacent to Opossumtown Pike, Thomas Johnson Drive, Hayward Road, and the new Monocacy Boulevard overpass. In the past 20 years, much of the growth in this area of the City has been suburban single-family, including the Willow Brook, Tuscarora Creek, North Crossing, Clover Ridge, Cannon Bluff, Homewood, and Crum Farm and commercial corridors to serve the new neighborhoods.

It is assumed that the new Monocacy Boulevard overpass will drive new development and redevelopment of many of the commercial corridors. The area has also experienced an influx of age-restricted housing units that must be considered when planning for future connections, public services, and amenities.

6- NORTHEAST AREA

In the last 10 years, this area of the City has experienced the most growth. Confined by the Monocacy River to the north, east, and south, and US 15 to the west, creative residential and infill developments have substantially built out this area. Several annexations brought valuable commercial and “mixed-use” development consisting of Clemson Corner and Market Square. This spurred nearby growth with the Spring Bank and Bowersox subdivisions and the Walmart shopping center. Other residential subdivisions have built out including Wormans Mill, Dearbought, and the Main property.

7- DOWNTOWN FREDERICK

Frederick's central business district has a unique combination of residential and business uses and contains the City's historic core. An important goal for this district is the enhancement of its economic vitality through continued promotion of historic preservation, the arts, neighborhood amenities, and

appropriate design issues. This area could also benefit from the establishment of Land Management Code regulations intended specifically for “downtown” districts distinct from those regulations applicable to more suburban districts of the City. Additionally, residents and merchants alike have noted that redevelopment should be focused several significant properties to compliment the energy found elsewhere in the neighborhood.

8- US 15 CORRIDOR

As the main north-south road through Frederick, US 15 serves multiple roles as a throughway for north-south traffic, an artery for commuters, and a connection for people moving between the City’s neighborhoods. In 2009, the U.S. Department of Transportation designated an extensive portion of US 15 as part of the Journey through Hallowed Ground National Scenic Byway – a 180-mile corridor from Gettysburg, Pennsylvania, through Frederick County, Maryland, and to VA 231 and Monticello in Albemarle County, Virginia. The City’s and County’s portion of the byway is approximately seven miles and 39 miles, respectively.

In 2004, the Corridor Management Plan for the US 15 Catoctin Mountain Scenic Byway was prepared for Frederick County as part of the State of Maryland Scenic Byway Program. The Plan provided an inventory of the cultural resources, agricultural activities, commercial, residential, and institutional developments as well as other characteristics of the corridor. The plan recommended design guidelines and implementation strategies.

In 2009, as part of the annexation agreement for the Crumland, Thatcher, and COPT properties, the owners were required to coordinate with City Planning Staff and the State Highway Administration to modify the existing corridor plan for the Catoctin Mountain Scenic Byway for the frontage of the properties along US 15 between Sundays Lane and Willow Road. The plan included provisions regarding 4-sided architecture for non-residential buildings, appropriate gateway signage, underground utility lines, no outdoor storage, appropriate green space, landscaping, and coordination of bridge design for improvements along the frontage. The plan was adopted by the Mayor and Board of Aldermen in 2013.

This plan continues to recommend a small area plan for the US 15 corridor. The purpose of the plan is to ensure that adjacent development is sensitive to the vistas of the region as well as integrates principles of the Journey through Hallowed Ground National Scenic Byway plan.

[Insert Small Area Plans Map]

Annexation

In Maryland, the annexation process may be initiated either by a municipal legislature or by property owner petition. Annexations must conform to the requirements of Local Government Article, §4-401 - §4-416. The Code includes the following requirements:

- Annexed land must share a boundary with the annexing municipality;
- Property to be annexed cannot already be part of an existing municipality; and
- An annexation cannot create an “enclave” of unincorporated area.

A major challenge for the City is to annex new land while continuing to preserve the distinct character that makes the City attractive. Coordinating growth by balancing the geographic distribution of new households, jobs, and available infrastructure is important; annexation contributes significantly to this effort.

Growth Projections

Frederick has grown significantly in recent decades. The City's population nearly doubled between 1980 and 2000, from about 28,000 to 62,000. During the same period, the City added more than 9,000 households, increasing the total from 11,300 in 1980 to about 21,000 in 2000. According to the most recent United States Census estimates, the City's population in 2018 was 72,146 people in 26,987 households. The Metropolitan Washington Council of Governments (MWCOC) estimates that population will grow by 1.8% per year until 2030, bringing the total to 89,600 (in 35,200 households), before slowing to 0.3% per year until 2045, when Frederick will be home to 93,100 people (in 36,700 households).

[Insert COG Data from “Growth Trends: Cooperative Forecasting in Metropolitan Washington” (Fall 2018)] Create an infographic using data from Page 10 Households, Page 13 Population:

The City's job base is also expected to increase during the next 20 years. To reach the City's target of two jobs per household, jobs will need to grow at a rate of 2.9% per year over the next decade, from 48,381 in 2017 to 70,400 in 2030. The challenge for the City is to achieve this rate of growth while also paying significant attention to transportation and utility capacity alongside community character.

In accordance with the 2004 and 2010 Comprehensive Plans, between 2008 and 2013 the City approved annexation petitions for 15 properties covering

1,504 acres, which resulted in entitlements for approximately 3,420 dwelling units, 944,100 square feet of commercial space, and 2,468,250 square feet of office space. Since the approval of those annexations, several revisions have taken place to the agreements and an additional annexation has been approved. Annexations since 2008 now constitute 1,891 acres, approximately 4,770 dwelling units, 1,049,100 square feet of commercial space, and 1,268,250 square feet of office space.

There is a high probability that the annexation agreements for lands that have not been fully developed will request further revisions that will alter the intent and possibly the value of the original proposal. The revisions to the annexation agreements may not seem to have a large impact when reviewed on a piecemeal fashion; however, the potential total increase to service cost and decrease to potential revenue to the City has an enormous impact on Frederick's future fiscal health.

[Insert Annexation Revision Table]

Frederick County's Vision

The land-use policies of this Plan account for the visions of the County's Livable Frederick Master Plan, emphasizing the City of Frederick, known as the Central District, as one of two Primary Growth Sectors. Per the Livable Frederick Master Plan:

"The Central District includes areas in and around the City where future growth potential will be maximized through new development, redevelopment, and annexation, as well as areas outside of the city to the south in Ballenger Creek and South Frederick, including the South Frederick Triangle (the 85/355 Corridor). Emphasis for development is on strengthening places that support walkable, mixed-use, urban living, while retaining a sense of place."

The Central District of the Livable Frederick Master Plan is divided into the City of Frederick Growth Area and the County Growth Area. Generally, it is divided by Interstate 70, where emphasis of future City redevelopment, infill and greenfield development will occur to the north and County growth will occur to the south. The Central District does anticipate limited greenfield development through annexation around the City and an expansion of the Ballenger Creek growth boundary.

Insert Livable Frederick Land Use Map and Central District Map

Growth Priorities

This Comprehensive Plan update eliminates the delineation of a rigid future growth area of interest from the Land Use Map. Instead, it prioritizes infill and redevelopment opportunities within the existing municipal boundary and creates flexibility for future annexations. The flexibility is defined by a bubble surrounding the existing City boundary and fading out as it expands further away. The fade represents the requirement and priority to systematically grow by annexing parcels that are contiguous to the City. Contiguous growth should result in cohesive developments and annexations should not be considered valuable if the property lines are manipulated to create contiguous growth or if the proposals do not provide for meaningful connections to the adjacent properties.

The purpose of the flexibility is to allow calculated growth by considering current market demand, capacity allowances, and sound planning techniques at the time the property owner petitions the City. The flexibility is not intended to arbitrarily annex properties for the purpose of speculation. Properties that petition for this reason should not be considered and the City should closely consider the change of value to previously annexed properties when an amendment to the annexation agreement is requested. The property owner always has the burden to convince the City that the annexation will be valuable to the welfare of the City.

Additionally, elimination of the boundary is not an indication that City growth through annexation is a priority. The City must encourage development and redevelopment where existing infrastructure can accommodate it. Annexations have the potential to decrease the demand for infill development and this is not a goal of the Plan. This adjustment is to allow the City to remain competitive for potential growth considering the rapid evolution of technology and the changing habits of society resulting from these advancements.

In regard to annexation for the purpose of residential dwelling units, the development pipeline should be considered when reviewing the petition to analyze the stock of approved, but unbuilt dwelling units. Prior to approving an annexation, the City should consider an acceptable ratio of approved, but unbuilt dwelling units to ensure the pipeline is providing an adequate number of units to create a healthy market for the forecasted populations. Consideration should also be given to the time it takes for entitlement and construction to supply those units so that a newly annexed property can provide for the housing demand at the time the supply of existing approved, but unbuilt units diminish.

As part of this plan, it is recommended that the City only accepts petitions to annex at the time when the newly annexed units will replenish the development pipeline. For example, using historical data one can assume that the current pipeline contains enough units to supply the population growth and housing demand in the City for 16.5 years. This estimate was calculated using the current pipeline supply of 7,733 units and the average building permits per year from 212-2018 of 466 units. As shown in the XXX diagram, the process to annex a property and supply a finished residential product to a consumer takes 5-10 years. Assuming the worst-case scenario of 10 years to deliver the first unit of an annexed property, the City should not consider an annexation petition for 6.5 years, or until 2026. Subsequent to 2026, the City should accept petitions only during times when they will replenish the pipeline. Using a more conservative approach by using the average building permits per year from 2000-2018, including the recession 412 permits, as well as the best-case scenario of building permit issuance, the City would not consider an annexation for approximately 14 years.

[Insert Pipeline Data]

[Insert Inventory infographic]

Insert Infographic with calculation methodology]

[Insert Development entitlement process infographic]

Benefits of Timed Annexations

In the past, the City has reviewed and considered annexation petitions at the will of property owners. This policy is a major shift from historical practices, but it contains several benefits that will result in coordinated development efforts.

Consolidated Review – All property owners who wish to have their property annexed into the City must petition by a certain deadline that is appropriately advertised. Subsequent to the City accepting all petitions, staff, appointed commissioners and elected officials will have the benefit of reviewing all of the proposals in a consolidated and comprehensive manner. This will increase the efficiency of the review time and become a more predictable review process.

Competitive Process – Reviewing all annexation petitions at scheduled times will allow the proposals to be evaluated and compared at the same time. This will encourage the best development scenario and allow the City to determine what land will provide the most value. The value of annexations may be measured in several ways:

- The amount of financial return in terms of taxes generated by the new growth compared to the long-term maintenance and replacement costs of infrastructure the public is obligated to maintain.

- The degree to which the proposed land uses or mixture of uses provide inventory necessary to fulfill market demand.
- The degree to which the design concept for the annexed land provides value to existing and future residents.
- The degree to which the annexation implements the elements of the Comprehensive Plan.

Collaborative Petitions – The process of accepting petitions at predetermined times may result in property owners cooperating with each other to deliver quality annexation packages. Rather than continually accepting petitions for annexations on a case-by-case basis in all areas surrounding the City, the proposals may result in combined land areas for more efficient design, infrastructure cost-sharing and increased value to the City. Collaborative efforts may provide more advantages to the City and could be favored during the review process.

Capacity Analysis – The ability to predict and evaluate public service needs and costs may be the greatest benefit of reviewing annexation petitions at the same time. Rather than review annexations case-by-case at the will of the property owners in all areas surrounding the City, the City is in a position to accept new lands to ensure public services are consolidated for efficiency and there is adequate capacity for the new growth. This includes considering the increased demand of water, sewer, and road capacity for new development and verify it will not put undue stress on police resources. In some cases, the City must coordinate with the County for the increased water and sewer capacity and confirm that the new development will capacity for schools and other services such as fire and rescue and libraries. Proximity to parks and other community amenities are also to be considered.

[Insert public service responsibilities infographic]

Development Pipeline

The timing of accepting annexation petitions relies on an accurate development pipeline. The data used to estimate the inventory depends on the estimated population growth, the average housing units permitted per year and the pipeline of approved, but unbuilt units. This methodology is sound and reliable, but the assumptions may not accurately portray the number of housing units that are available in the City for several reasons:

Construction Timing – The traditional pipeline subtracts the number of building permits issued from the number of dwelling units approved, leaving all entitled units that have not received building permits and available for future population growth. The units that are under construction or available

for sale are not accounted for in the traditional pipeline and may not be occupied. This may skew the assumption by underestimating the units available and not occupied by the current population.

Subdivision Phasing – Large subdivisions are often required to phase the development to ensure that public facilities and the necessary infrastructure is constructed for the new residents. The construction of parks and/or public facilities takes time and this is not accounted for when assuming the traditional pipeline. Because of the timing of phasing obligations, the units in the traditional pipeline may be overestimated because they cannot be immediately developed.

Static Projects – There are several subdivisions that have received the necessary entitlements but have not applied for building permits for various reasons. These units appear to be available for the projected population; however, they may not be developed per the approved plans. These projects may provide an overestimation of available units. [Insert assumed static project list]

Minor subdivisions and vacant lots – Individually, minor subdivisions consisting of five or fewer lots do not significantly impact the pipeline and are not tracked. Likewise, there are 1,146 vacant lots of record that have the potential for new residential dwelling units with building permit application. One reason they are not tracked is because entitlement and construction usually happens quickly and would not provide a meaningful impact on the data. As such, the potential availability of these units provides an underestimation of the traditional pipeline.

[Insert pipeline scenario Infographic]

Flexible to Unknown Opportunities

With a timed and calculated approach to annexations, the City must remain positioned for the unknown. The annexation policy assumes that the demand for housing is consistent with the average population growth and average building permit applications. The City has a stable employment sector and that contributes to the regularity of growth. It may be necessary for the Mayor and Board to initiate the annexation petition process prior to the predetermined time if major employers are expected in the region. Big companies impact the dynamics of the housing market; therefore, the City should be quick to respond to ensure adequate housing opportunities for the influx of workers if this occurs.

Insert Land Use Map

Insert Land Use Allocation Table (Parcels, Acres, Percentage)

Land Use Map

The Land Use Policy Map is intended to be used in coordination with the policies of this Plan, which provides guidance on potential development uses in desired locations. In combination with policy recommendations of this plan, the Future Land Use Map indicates the intended distribution and intensity of land uses over the next 10-20 years to achieve the following objectives:

- Provide predictability and transparency of future growth and land-use decisions;
- Further the goals of the City of Frederick CommUNITY 2030 Strategic Plan
- Incorporate recommended land uses from previously adopted small area plans;
- Ensure compatibility with Frederick County's Livable Frederick Master Plan;
- Capture the City's vision and themes as described in the Introductory Chapter of this Plan; and,
- Create the framework for the future urban form and development.

The last major shift to the City's land use and growth vision occurred when the 2004 Comprehensive Plan was adopted with the Expanding Horizons growth scenario. At that time the population forecast for 2030 was projected to be 104,000 people and it was necessary to expand the City's boundaries through annexation to become a regional employment and residential center.

After a campaign of 10 annexation petitions, the City adopted the 2010 Comprehensive Plan based on public input and growth trends. That Plan focused on similar land-use opportunities as the 2004 Plan, but with a less aggressive approach to expanding the City's boundaries. Frederick had already annexed enough property with plans to become a regional employment and residential center as envisioned in the 2004 plan. Subsequent to the 2010 Plan, the City annexed six additional properties, consisting of 1,093 additional acres and 2,578 dwelling units.

The responses to the 2020 Comprehensive Plan questionnaire revealed that the participants overwhelmingly valued infill and redevelopment, preferred new residential development at all densities and desired mixed-use development for new annexations.

[insert Q.11, Q.17, Q.18 survey results]

Similar to the 2010 Comprehensive Plan, this update recommends the Land Use Map is layered in three different tiers to prioritize growth and development:

First Tier Growth: Infill and Redevelopment Opportunities

First-tier growth concentrates on improving and growing the character that makes Frederick special. It allows the City to focus more of its resources in already developed areas rather than spreading these resources beyond existing City boundaries. The majority of growth should take place where existing and easily updated infrastructure is available. These locations are predominately adjacent to Downtown and include redevelopment areas such as the East Street Corridor, Golden Mile (West Patrick Street), Jefferson Street, Rosemont Avenue, and Opposumtown Pike.

Redevelopment projects face barriers such as increasing land values, higher development costs, and site constraints. Considering these challenges, it is likely that a significant percentage of the City's first-tier growth will be in the form of new development on many of the City's vacant lots shown in Table 1 of this chapter. The City should consider supporting the development of these infill sites by applying updated development regulations that allow greater flexibility of building type and layout while at the same time ensuring compatibility with adjacent areas.

Second-Tier Growth: Initial Growth Area

Second-tier growth describes development in the initial growth area outside of the current City boundary where the City will encourage growth in the short term. The second-tier areas are generally contiguous to developed areas and are locations that can easily be served by City utilities. This tier was determined by the Potomac River Water Supply Agreement (PRWSA) and its boundaries were established in coordination with Frederick County. The intent of the second-tier boundary is to ensure the efficient provision of services and to allow the City to develop in phases to preclude "sprawl" type of development.

Development within the second tier is expected to support a compact development pattern, to allow for pedestrian accessibility, and to demonstrate that the City can recover both the capital and service demand costs associated with development. Second-tier developments would also be expected to be compatible with existing development, and to demonstrate a compelling community benefit.

The use of first and second tiers is on the map is for illustrative purposes and is generally contained by the PRWSA boundary. Boundaries can be adjusted at any time to meet the City's growth needs.

Third Tier Growth: 2040 and Beyond

Third-tier growth describes the potential levels of development outside the initial growth area that would be considered premature until substantial development has occurred within the growth area boundary. As described above, most of the lands in this tier would need to be annexed into the City, as such, the City must remain flexible in the direction and area of growth however expand in a timed and calculated manner. When considering growth into Tier III, the City must contemplate current service (water, sewer, roads, police, trash, and other services) and if the benefits of the annexation are greater than preserving that capacity for development in the Tier I and Tier II areas.

[Insert Build Out Projections Table]

[Insert Map of MALPF lands] [Insert dialogue about the inability to annex and potential enclaves]

The land use goals of this plan provide guidance to focus development close to existing developed areas; accommodate density while respecting desired neighborhood character; create vibrant, new walkable neighborhoods; reduce auto-dependency; increase transit, biking and walking options, provide usable open space; increase mixed-use development; focus development within designated centers and corridors.

Future Land Uses

[This section replaces Land Use Table]

The Future Land Use Map builds upon the City's existing land use patterns and provides a general guide for development decisions. The Map contains Land Use Categories which are color-coded to express the public policy on future land uses throughout the City.

The Future Land Use Map is a generalized depiction of the intended land uses for the next 10-20 years. It does not reflect the current uses, although in many cases future uses in an area may be the same as those existing today. The Future Land Use Map is not a zoning map; it does not establish density, dimensional or other required development regulations or entitlement opportunities. Its purpose is to recommend a range of uses, densities, and intensities to guide future zoning decisions. The City values the existing residences and businesses and its intention is not to portray the City's desire to exclude or isolate our valued property owners. The intent of this map is not to initiate a comprehensive rezoning process unless an individual property owner or a group of property owners request consideration of a land-use reclassification and subsequent zoning amendment during the comprehensive planning process.

[Insert Bumpout regarding evaluating zoning proposals to ensure they are consistent with the comp plan]

Residential Categories: [the density of all residential categories has increased approximately 50%]

Moderate Density Residential (6-8 units per acre)

This category applies to the older neighborhoods, primarily constructed from the early 1900's to the 1960's. It also includes newer small lot subdivisions. Single-family dwelling units should be encouraged to have accessory apartments or detached dwelling units. Other housing types including townhouses, duplexes, and multi-family dwellings would be consistent with this designation as long as the density is consistent and they are sensitively designed. Secondary uses including neighborhood-serving retail and services may also be appropriate.

Medium Density Residential (8-18 units per acre)

This category primarily includes multifamily dwelling units. Single-family dwellings may not be appropriate in this category, however if they are proposed, it should be encouraged to include accessory apartments or detached dwelling units. Secondary uses including neighborhood-serving retail and services may be appropriate.

High-Density Residential (18 or more units per acre)

This category includes dense attached dwellings, apartments, and condominiums. Although this is a residential district, ground floor commercial/retail uses may be appropriate. Secondary uses including neighborhood-serving retail and services may be appropriate.

Mixed-Use Categories:

Planned Mixed Use (10 units per acre; Floor to Area Ratio (FAR) of .25 for non-residential uses)

This district is intended for new development opportunities to create a synergy between a combination of uses including residential and non-residential uses. Non-residential uses may include office, employment, retail uses. The development must be designed and sited with a meaningful mixture of residential and non-residential uses.

Downtown Mixed Use (Variable)

This is a combination of uses, including residential and non-residential uses. Non-residential uses may include office, other employment, retail, and institutional uses. The intent of this designation is to enhance and expand the downtown mixed-use area including the extensions of the historic gridded street pattern and the compact, mixed-use development with buildings oriented to the street as downtown infill occurs and adjacent areas are redeveloped for new uses.

Neighborhood Mixed Use

This category applies to neighborhood shopping centers and pedestrian-oriented retail districts. The service area for these districts is relatively small and usually includes uses such as grocery stores, personal services, restaurants, convenience stores, pharmacies, professional offices, and other uses that serve the immediate surrounding neighborhoods. Mixed-use projects including upper story medium density residential are supported in this category.

Corridor Mixed Use

This category applies to shopping centers and pedestrian-oriented retail districts. Development intensities could be higher than in Neighborhood Mixed Use with taller buildings and higher densities. Where residential development occurs, ground floor retail would be encouraged and minimum building heights may be applied to transit areas. Typical commercial uses include large grocery stores, retail stores, department stores, banks, offices, restaurants, movie theatres, hotels, and other regional type commercial uses.

Residential and Office Mixed Use:

This category applies to lots fronting collector roads adjacent to established neighborhoods where low-density residential may not be appropriate. Retail uses that are not ancillary to office or employment type uses are discouraged. Residential Office (RO) is the closest corresponding zoning district. Heights of two or three stories may be appropriate to buffer street

noise from the adjacent neighborhood, but they should be limited not overwhelm the adjacent structures.

Employment Categories:

Office and Technology:

The intent of this designation is to preserve high-quality future office lands primarily for the employment sector. Appropriate uses are office; medical; research and development; and technology. Ancillary commercial and convenience uses to serve the businesses and employees such as restaurants, banks, personal services, and daycares are appropriate. It may be appropriate for secondary multifamily uses in this category to provide workforce in proximity and support the commercial uses.

Industrial:

Industrial, manufacturing/assembly, warehouse distribution, and data center uses. Office uses are also appropriate.

Public and Institutional Categories:

Institutional:

Public, private or non-profit owned areas when the public is invited or permitted to congregate. This includes hospitals, houses of worship, schools, government offices and facilities, and other similar facilities.

Recreation:

Lands and facilities owned by the City or other level of government for the purpose of recreation or publicly-accessible open space.

Conservation:

Privately owned land for recreation or open space.

Special Areas:

Density Enhancement Area:

All maximum density provisions have been removed from this area. The goal is to encourage higher population density near downtown where infrastructure and services can support the additional residents. This area is confined in areas around transit hubs and areas of anticipated redevelopment. These areas contain large lots outside of the Historic Preservation Overlay so they can accommodate increased heights and densities above 75 units per acre without compromising the historic fabric of the City.

[Insert Tier I, II, III Map]
[Insert Land Use Map]
[Insert Density Study Area]

Land Use Policies and Implementation

The following land-use policies are intended to be general and to balance the competing interests of providing for growth and protecting the City's heritage. For example, the demand for minimizing sprawl should be balanced with the essential need to have land available for housing when needed.

Land Use Policy 1

Encourage development and redevelopment to be compatible with the character of existing or planned development.

IMPLEMENTATION

1. Mitigate potential negative impacts through site design, including the location of facilities and access, building height, scale, and massing.
2. Support development patterns that facilitate the integration of residential and non-residential land uses and that are conducive to walking, bicycling, and transit use.
3. Maximum density should be removed in the Density Enhancement Area to increase population around transit hubs and areas in and adjacent to downtown.
4. Explore the elimination of single-family residential zoning districts to promote compact development.
5. Develop Land Management Code standards that address the integration of mixed uses into areas of new development and within existing neighborhoods.
6. Infill development should be promoted with increased density and a simpler process for accessory apartments and detached dwelling units.
7. Pursue the improvement and active use of habitually vacant and seriously deteriorated vacant properties throughout the City.
8. Support new housing types that are being demanded by the sharing economy, including housing such as accessory dwelling units, micro-

units, tiny homes, units that share common facilities, and other units that are not considered traditional.

9. Explore policies that allow all types of overnight accommodations in a manner that promotes tourism and preserves the character of neighborhoods.
10. Facilitate the consolidation of small commercial parcels along the commercial corridors.
11. Allow for the establishment of appropriate transitions between commercial, industrial and residential uses.
12. Ensure that industrial land use areas are compatible, complementary and environmentally sensitive to the adjacent uses.
13. Promote mixed-use development that provides a range of services within a short distance of residences as a way to reduce vehicle miles traveled (VMT) per capita.
14. New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.
15. Support the implementation of the Golden Mile and East Street Corridor Small Area Plans.

Land Use Policy 2

Promote the Downtown by increasing the number of residents and supporting new and existing businesses.

IMPLEMENTATION

1. Support programs and incentives that encourage the redevelopment of historic properties.
2. Explore programs or policies to add flexibility to redevelopment or change of use in historic properties while maintaining life safety codes as the priority.
3. Review the APFO, all codes and regulations, and development fees to encourage redevelopment and infill development in Downtown.

4. Consider updating the Carrol Creek Overlay (CCO) to maintain a high standard of development, increased residential density and streamline the review process.

Land Use Policy 3

Promote new development that incorporates environmental resources as site amenities.

IMPLEMENTATION

1. Require Best Management Practices (BMP) in site design techniques to minimize the impact of urban land uses adjacent to various types of environmentally sensitive areas.

Land Use Policy 4

Allow land uses that build upon regional and local economic assets.

IMPLEMENTATION

1. Develop uses that capitalize on the assets of Fort Detrick and Frederick's emerging leadership in the "MD 355/I-270 Technology Corridor" business area.
2. Coordinate land uses that capitalize on the transportation and economic development assets of Monocacy Boulevard.
3. Allow for airport-related uses in the vicinity of the Frederick Municipal Airport.
4. Acquire land identified by the Airport Master Plan, for the airport's long-term viability.
5. Flexibility should be given for unclassified land uses that create destinations for tourism, arts, and business.

Land Use Policy 5

Implement a City-wide land use pattern that supports the desired level of population and employment growth.

IMPLEMENTATION

1. Encourage a variety of land uses in order to maintain or exceed the City's jobs/housing ratio goal of two jobs for every household.

2. Provide for a mix of housing types so that moderately priced housing is available for those employed within the City.

Land Use Policy 6

Ensure that development is approved only if adequate community facilities exist.

IMPLEMENTATION

1. Ensure future development is phased to align with the City's Capital Improvement Plan.
2. In the development review process, ensure that developments contribute to the cost of community facilities and services such as schools; transportation; parks and recreation; public safety and emergency services; and libraries.
3. New development and redevelopment applications should provide for the construction of sustainable and energy-efficient public facilities and infrastructure according to applicable standards for such facilities.

Land Use Policy 7

Maintain and improve an efficient and streamlined permitting process that is user-friendly and predictable.

IMPLEMENTATION

1. Consolidate land use categories to streamline and simplify infill and redevelopment.
2. Ensure the ordinance is organized logically, information is consolidated into matrices where appropriate, and discrepancies within the City's development regulations are addressed.
3. Provide documents and how-to guides to residents to help navigate City development and permitting.
4. Continue to work with community stakeholders to update and improve the Land Management Code and to identify improvements to the development review process.
5. Guide and regulate development in an efficient and streamlined manner using a process and regulations that are user-friendly and predictable.

6. Periodically review development regulations and revise as needed. A regular update of the City's regulations can promote high-quality development and new, flexible techniques that facilitate unique and innovative design.

Land Use Policy 8

Maintain and continue to foster a relationship with Frederick County and surrounding jurisdictions, to reinforce the City's role as a regional center and support the common goals of the City and surrounding communities.

IMPLEMENTATION

1. Continue to collaborate with Frederick County to ensure long-range planning efforts are compatible. The jurisdictions should be consistent in regards to annexation, transportation, water and sewer, school and park and recreation policies.
2. Continue to collaborate with Frederick County to forecast population, housing, and employment trends, and utilize forecasts for infrastructure planning, including planning for schools in the Frederick Region.
3. Work with Frederick County to support and enhance area tourism through the State's Heritage Area program and other similar programs.
4. Support Frederick County and the Sustainable Monocacy Commission in its efforts to balance growth with the preservation of the Monocacy River and its tributaries.

Land Use Policy 9

Develop neighborhood or area plans that promote specific land use objectives and development guidance for the City's neighborhoods.

IMPLEMENTATION

1. Small Area Plans should include all areas of the City to provide connections from existing and future residential development to employment, shopping, and entertainment destinations.
2. The Small Area Plans should be implemented with the adoption of Form-Based Code Overlay Districts to ensure infill and redevelopments of commercial corridors are active, walkable environments.

3. Small Area Plans should incorporate the following design characteristics:
 - a. Inclusion of a variety of complementary land uses available to residents within a short walking distance through meaningful connections between parcels and neighborhoods.
 - b. Buildings and public spaces with a mixture of scale and massing consistent with structures located in the planning area.
 - c. Short and walkable neighborhood blocks.
 - d. Roadways adhere to planning policies of “complete streets” which focuses on safe access for all users (pedestrians, bicycles, transit, and autos) and preservation of neighborhoods.
 - e. Create community identities by defining their characteristics and features so they preserved and enhanced.
4. Promote appropriate commercial development within or adjacent to the City’s neighborhoods, with a flexible approach to encourage pedestrian-oriented development.
5. Encourage all uses that support the daily and weekly needs of residents, in locations where these services are insufficient.

Land Use Policy 10

Accept annexations of unincorporated areas as the availability of adequate services is provided and the development pipeline demands new housing supply. [refer LU table 2 for annexation area information]

IMPLEMENTATION

1. Annexations should be considered in a timed and calculated manner to replenish the demand for housing stock.
2. Priority should be given to annexation petitions that consolidate development over several parcels, provide appropriate infrastructure mitigation, are connected to the City, and provide financial value to the City and intrinsic value to residents.
3. Annexations and the assignment of a zoning designation must be consistent with the recommendations of each chapter of this Comprehensive Plan.

4. Continue to require annexation petitions to provide an outline for extensions of services that includes an analysis of revenues to the City versus City expenditures.

Land Use Policy 11

Use the Comprehensive Plan text and maps to guide development decisions, assess land use development proposals, and to promote public health, safety and welfare.

IMPLEMENTATION

1. The Comprehensive Plan contains recommendations for development and preservation, including the appropriate location for various types of development, the general character of roads, and the extent of public water and sanitary sewer utilities. Several key maps supplement the Plan's text and provide its foundation. These maps are intended to be used jointly as well as in conjunction with the text of this Comprehensive Plan.

Land Use Policy 12

Enhance community identity and visual character by improving City gateways.

IMPLEMENTATION

1. Consider Form-Based Codes in areas considered gateways to establish typology and function of the significant areas.
2. Implement City gateway features (landscaping and uniform signage) at major City entrances to define City boundaries and project a high-quality image.
3. Planning for alterations to US 15 should include consideration of this road's role as a gateway to the City and as a key segment of the Journey through Hallowed Ground as well as the Catoctin Mountain Scenic Byway. Similarly, any alterations to US 40 and the Historic National Road Scenic Byway should consider the gateway functions of these byways, both of which border residential and commercial areas.
Insert "LUTable3_CityGateways.doc"

Land Use Policy 13

Establish and maintain a land-use monitoring system to measure progress toward achieving the policies of the Land Use Element.

IMPLEMENTATION

1. Design and implement a land-use monitoring system based on measurable results directly related to objectives 1 through 13 and the Land Use Policy Map.