

Chapter 1

Introduction

This chapter offers an introduction to the comprehensive planning process including its definition and purpose. A discussion of state legislation, mandates, and county programs affecting land use planning in the Town of Woodsboro follows. The chapter concludes with a brief review of the Town's *1973 Comprehensive Development Plan*, which served as a guide for growth and development in the Woodsboro community over the past thirty-five years.

The Comprehensive Plan

The comprehensive plan is an official public document that provides the framework for all activities affecting growth and development in a community. The plan is long-range (20 years) in nature and is organized around a realistic and achievable community vision. The Planning Commission is responsible for preparing the plan, which is adopted by the Town Board of Commissioners. In the State of Maryland, a Planning Commission is required to review and/or update its comprehensive plan every six years. The time range of a comprehensive plan is typically twenty years.

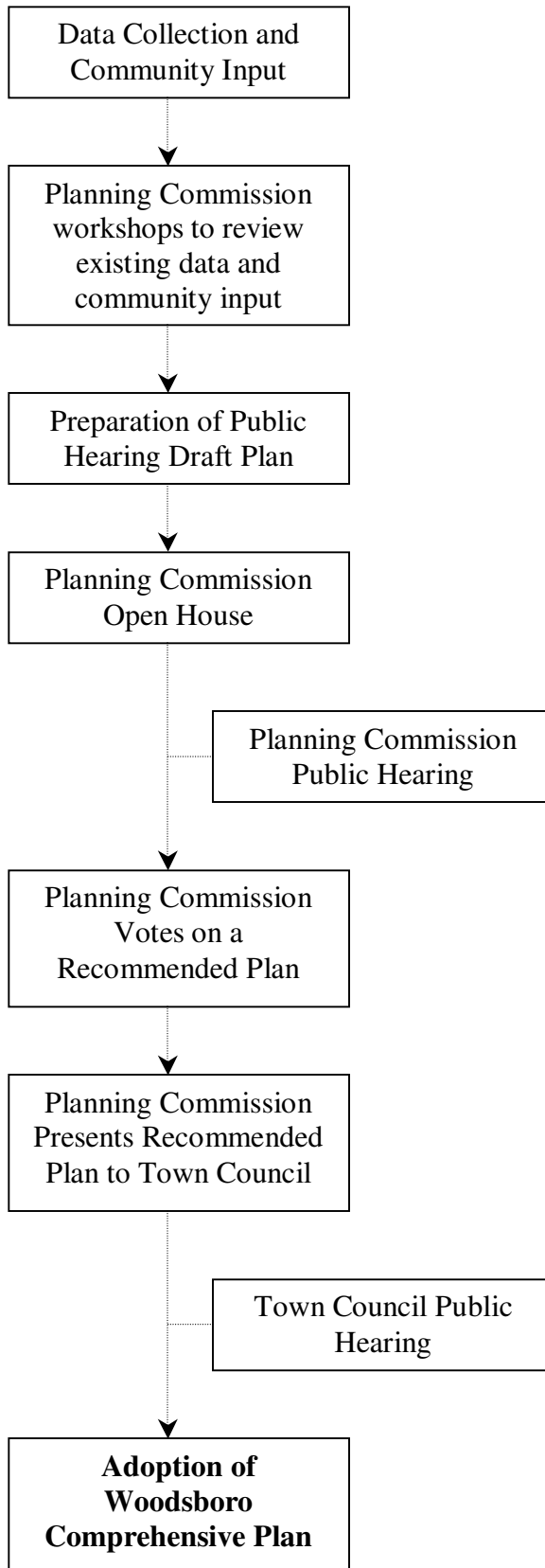
The comprehensive plan provides guidance for decision-making on development proposals (subdivision plans, re-zonings, and annexations) and the planning of infrastructure (roads, sewer and water) and community facilities (parks, town buildings). Within the plan are goals and objectives for managing community resources such as transportation networks, natural and cultural resources, community facilities, housing, land use, and economic development. This structure sets a work program for public officials, citizens, and planners to implement the community vision.

Woodsboro adopted its first and only comprehensive plan on May 31, 1973. At the same time the Town adopted a zoning ordinance and subdivision regulations. The zoning ordinance has received minor periodic updates since its initial adoption. This effort will be the first update of the comprehensive plan. The complete process for Woodsboro's comprehensive plan update is presented in Figure 1.

State Legislation and Mandates

The State of Maryland takes an active role in assisting local jurisdictions in their planning efforts. Below are descriptions of state legislation and mandates related to comprehensive planning and general land use/zoning authority.

Figure 1: Comprehensive Plan Update Process, Town of Woodsboro



Article 66B of the Annotated Code of Maryland, Zoning and Planning

Article 66B, added to the Maryland Annotated Code in 1927, grants non-charter counties and incorporated municipalities basic planning and land use regulatory powers. The statute states the roles, responsibilities and functions of a planning commission and charges local government with the power to guide growth and development.

Under Article 66B, it is the function and duty of the Planning Commission to develop and approve a plan, which is recommended to the local legislative body for adoption. At a minimum, Article 66B requires that a plan include a statement of goals and objectives, principles, policies, and standards, which serve as a guide for the development of the jurisdiction and its economic and social well-being. Elements addressing land use, transportation, community facilities, mineral resources, sensitive areas, and water resources are also required.

1992 Economic Growth, Resource Protection, and Planning Act

In 1992, the State passed the Economic Growth, Resource Protection, and Planning Act (The Planning Act), which seeks to provide statewide guidance for development in an effort to encourage economic growth, minimize sprawl development, and protect the State's natural resources. The Planning Act identified seven visions or goals that are required to be incorporated into a jurisdiction's comprehensive plan. An eighth vision was added by the General Assembly in 2000. The visions are as follows:

- Vision 1** Development is concentrated into suitable areas.
- Vision 2** Sensitive areas are protected.
- Vision 3** In rural areas, growth is directed to existing population centers and resource areas are protected.
- Vision 4** Stewardship of the Chesapeake Bay and the land is a universal ethic.
- Vision 5** Conservation of resources, including a reduction in resource consumption is practiced.
- Vision 6** To assure the achievement of items 1-5 of this section, economic growth is encouraged and regulatory mechanisms are streamlined.
- Vision 7** Adequate public facilities and infrastructure under the control of the county or municipal corporation are available or planned where growth is to occur.
- Vision 8** Funding mechanisms are addressed to achieve these visions.

The Planning Act also requires regular review and update of a jurisdiction's master plan every six years in addition to requiring the preparation of a sensitive area element which documents the location of flood plains, steep slopes, and the habitat of endangered and plant and animal species.

Smart Growth and Neighborhood Conservation Act of 1997

In 1997, the General Assembly adopted several specific programs known together as the "Smart Growth Initiatives". The Smart Growth Initiatives are intended to support the

concentration of new development within existing communities and/or designated growth areas as well as to protect rural lands from development. One component of the Smart Growth Initiatives is the identification and certification of Priority Funding Areas (PFAs) appropriate for state funding support. County governments follow guidelines to certify PFAs based on their water and sewer service plans, intended land uses, and minimum permitted residential densities. State funding for economic/neighborhood development and/or infrastructure improvements (roads and water/sewer) are then directed to certified PFAs. The Town of Woodsboro is a certified PFA.

Other than the PFA program, the Smart Growth Initiatives established the Rural Legacy program (rural land preservation), brownfields program (redevelopment), Job Creation Tax Credit (revitalization), and Live Near Your Work program (homeownership in older urban areas).

Recent State Planning Legislation

During the 2006 General Assembly, the legislature passed three significant bills affecting land use planning and the comprehensive plan, House Bills (HB) 1141, HB 2, and HB 1160. These bills mandate the inclusion of four new plan elements in municipal and/or County plans. The four elements are: Water Resources, Municipal Growth, Priority Preservation, and Workforce Housing; each are described below.

The **Water Resources Element** requires a municipality to identify adequate drinking water for all existing and future development as well as receiving waters for wastewater and stormwater management for all existing and future development. The intent is for local governments to specifically address wastewater disposal and safe drinking water availability in their long-range planning efforts. This element must be included in the comprehensive plan no later than October 1, 2009 or the jurisdiction loses its authority to rezone land. Jurisdictions may apply to the state for an extension of the deadline to complete the new plan elements/requirements. Once in compliance, all zoning authority reapplies.

The **Municipal Growth Element** requires municipalities to identify a future growth area that will implement their long-range vision for the future. The delineation of the growth area must be based on population projections, land capacity and needs, and an assessment of infrastructure and sensitive areas, among other things. The legislation encourages partnership with the County government in delineation of the growth area, particularly since it will guide future annexations, a process involving both municipal and county jurisdictions. Joint planning agreements with county governments are also encouraged through this legislation. This element also must be included in the comprehensive plan by October 1, 2009.

Future annexations are affected by this legislation. Where in the past, a municipality needed to show consistency between the County's comprehensive plan and the future intended use, under the new legislation, a municipality must show consistency between the County's current zoning and the future intended use of the parcel to be annexed. Annexations must also be planned for and included in a 20-year municipal growth boundary/future annexation limit line.

The **Priority Preservation Element**, HB 2, is a requirement for the County in order to maintain its agricultural land preservation program certification. The element requires the County to identify priority preservation areas in terms of productivity and/or profitability. It includes criteria for acreage goals and plans for contributing towards statewide preservation goals. This element must be included in the plan by July 1, 2008.

The fourth element is required of local governments interested in being eligible for the Workforce Housing Grant Program, established through HB 1160. The **Workforce Housing Element** should address workforce housing needs and develop goals and priorities for addressing those needs. The bill defines workforce housing as rental housing that is affordable to households with an annual income between 50 percent and 100 percent of the area median income or homeownership housing that is affordable to households with an annual income between 60 percent and 120 percent of the median income. No date has been set for inclusion of this element in the local plan.

The County's Planning Process

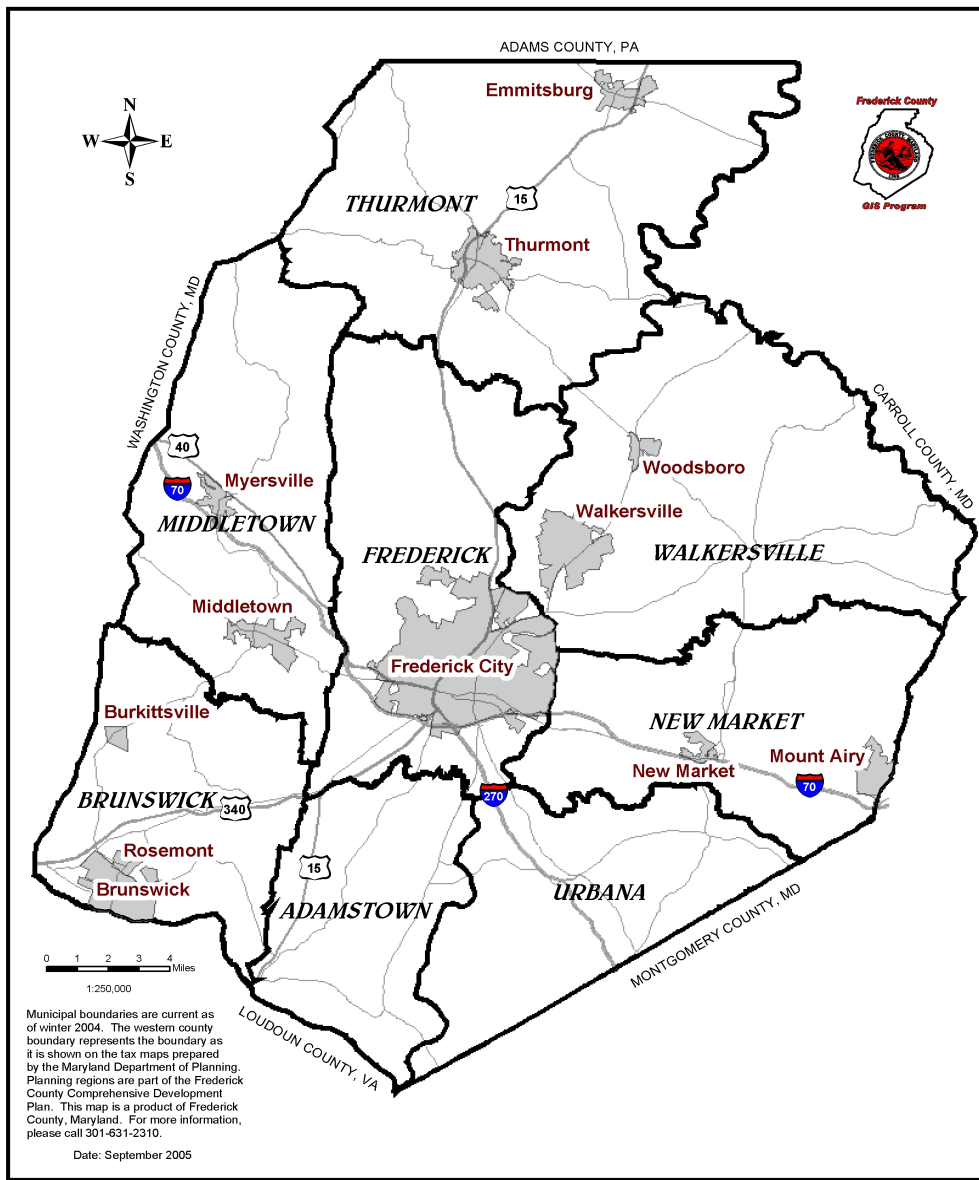
Woodsboro's comprehensive planning is coordinated with the regional planning process of the Frederick County Division of Planning. Woodsboro lies within the County's Walkersville Planning Region (one of eight planning regions), defined as the area between the Monocacy River and the Carroll County line, south to Gas House Pike and Upper Linganore Creek (Figure 2). The Board of County Commissioners adopted the most recent *Walkersville Region Plan* on October 24, 2006.

The *Walkersville Region Plan* designated Woodsboro as a secondary growth area (Walkersville is the primary/regional growth area and Libertytown is a secondary growth area) and delineated a 20-year municipal growth boundary (MGB) around the community. Various land uses were proposed for the area within the MGB. The majority of land outside of the MGB is intended for agricultural and rural land uses, which may include limited residential development on properties with remaining subdivision rights.

The County's Community Concept Policy, initiated in 1972 with the Countywide Comprehensive Plan (and reaffirmed in 1984, 1990 and 1998), targets residential, commercial, and industrial development to compact growth areas in an effort minimize suburban sprawl. The growth areas are primarily municipalities though some unincorporated areas are identified as well (i.e. Libertytown).

The Community Concept identifies a hierarchy of communities, which are defined by the planned population size, the level of community facilities, and type and density of residential, commercial, and industrial development. This hierarchy is composed of three levels: regional, district and rural communities.

Figure 2: Frederick County's Planning Regions and Municipalities



The regional community is the principal growth area within a planning region and has the highest level of community facilities. In the Walkersville Planning Region, the Town of Walkersville is designated the *Regional Community*. Defining elements of the regional community include: population of 5,000 to 20,000; direct transportation access to an expressway or major arterial; schools; public water and sewer service; mixed use downtown commercial core; regional employment center; and residential densities of 3 to 12 dwellings per acre.

A region may have one or more district communities, which are expected to accommodate less growth at lower densities than a regional community. Both the Town of Woodsboro and the Libertytown community are identified as *District Communities* in the 2006 *Region Plan*. Guidelines for district communities include: population of 1,000 to 7,500; direct

transportation access to minor or major arterials; schools; public water and sewer service; community/neighborhood oriented commercial center; lower intensity office/industrial uses; and residential densities of 1 to 8 dwellings per acre.

Finally, rural communities are characterized by older crossroad settlements that may have only a few existing residences centered on a church or small store. They do not have public water or sewer service and are expected to see only small amounts of infill development.

History of Planning in Woodsboro

As mentioned, the Town of Woodsboro adopted its first *Comprehensive Development Plan* in May of 1973, which represented the municipality's initial efforts at establishing planning and zoning controls. The plan includes various hand drawn images and maps detailing the community's vision for land use, transportation, community facilities and services. The results of a community attitude survey, distributed to gain a sense of resident's important issues and concerns, are included in the plan.

Some key proposals highlighted in the *1973 Plan* include:

- Development of a "Specialty Shops" niche for the Central Business District;
- Construction of a community sanitary sewerage system;
- Establishment of an Interim Land Use Plan characterized by low density development and little residential growth until construction of the sewerage system was complete;
- Implementation of the 20+ year design/planning for the Bypass;
- Construction of a pedestrian overpass for residents to access the Regional Park from downtown; and
- Devise a plan to attract a physician to the Town/Region to meet a critical need expressed by area residents.

1970s Community Attitude Survey – Quick Facts

- 165 delivered - 83 returned (50.3% response rate)
- 89.2% of respondents were homeowners
- Average of 2.9 persons per family
- Median age of respondents - 36
- 28% reported that the occupation of the head of household was retired
- 15% reported that the occupation of the head of household was professional
- 39.8% reported an annual income below \$9,000
- 71.9% work outside of Woodsboro
- 59% said there was no need for cable television in Woodsboro
- 69% said government efficiently serves needs of Woodsboro
- 82% reported that the water supply was meeting Town needs
- 51% expressed a need for recreational facilities; #1 need was Park, #2 was Pool
- Doctor's office was #1 additional facilities or services the Town should provide (#2 was Central Sewer System)
- Doctor's office was also the thing Woodsboro needs most (followed by the Bypass)

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