

THE CITY OF FREDERICK

RESOLUTION NO: 23-10

A RESOLUTION concerning

The Adoption of Form-Based Codes, Overlay Districts, and the Small Area Planning Process

BACKGROUND

By Resolution No. 21-05, the Board of Aldermen adopted the City of Frederick 2020 Comprehensive Plan (effective October 1, 2021) (the "Plan"). Among other things, the Plan expanded on the potential for the use of small area plans as originally established in the 2010 Comprehensive Plan with a strong commitment to reducing traffic congestion and designs and architecture of the gateways to the City. Specifically, the Plan described eight different small areas, each of which may be the subject of a future small area plan. The Plan also included a description of form based codes – a type of zoning regulation derived from a partnership of officials, staff, and residents focused on the design and physical form of structures, as opposed to land uses. The Plan recommended the implementation of a form based code corresponding with the small area plans, beginning with the East Street Corridor and the Golden Mile. Planning staff is currently working with a consultant to create the first form based code for the East Street Corridor. As entrances into the historic and unique district of the City, each gateway (e.g., the East Street Corridor gateway) should provide a link from defining character of each gateway's neighborhood to the City's defining historic downtown using a traffic network that reduces congestion.

The Planning Division has established an internal goal of adopting one small area plan approximately every three years, including the regulations necessary to implement such a plan – i.e., zoning map amendments, text amendments, and any other necessary laws or policies. This adoption rate will therefore require 24 years to complete all small area plans for the City and by 2045, the City is anticipated to be home to over 100,000 residents. There is an urgent need for moving small area plans forward for the City and the investments must be made to support the Planning Division in these efforts.

The eight small areas in the City of Frederick are defined in the 2020 Comprehensive Plan as East Frederick, Golden Mile, Jefferson Street Corridor, Rosemont Avenue Corridor, Northwest Area, Northeast Area, Downtown Frederick, and US 15 Corridor.

Until a small area plan and corresponding regulations are adopted, the existing zoning and other regulations as set forth in the City Code, including the Land Management Code, remain in full effect. However, Table 6-7 of the Plan includes a design guide for mixed use development projects, intended to guide future development during the interim period. Compliance with the criteria set forth in Table 6-7 is desirable but not required.

By Resolution No. 16-15, the Board of Aldermen adopted the City of Frederick Sustainability Plan on July 21, 2016. The Sustainability Plan addresses a few different aspects of land use and development. In particular, it encourages infill development and redevelopment, and advocates for the collection of data concerning open space needs and usage. Updates to the Sustainability Plan include the City's Strategic Plan, CommUNITY2030, with strong commitments to unique physical, historical, and cultural attributes of a vibrant downtown, including providing safe, well-maintained, and comprehensive transportation routes and access points to move more people safely and efficiently. Fulfilling this vision requires a comprehensive, City-wide focus on architecture that transitions from rural and suburban character to our defining historic buildings and designs to ensure that Frederick does not lose its defining identity.

The purpose of this resolution is to ensure that the City's elected officials, staff, businesses (including the development industry), and residents are all aware of the foregoing initiatives and goals and share a common vision moving forward.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That the Board of Aldermen expresses its renewed and ongoing support for the small area planning goals contained in the City of Frederick 2020 Comprehensive Plan and specifically intends to accelerate the Planning Division's goal of establishing and implementing one small area plan every three years, beginning with the East Street Corridor;

AND BE IT FURTHER RESOLVED, That the Board of Aldermen requires the Planning Division to provide a three year work plan every year in March or April, in preparation for the annual operating budget, that includes an update of all small area plans and planning studies;

AND BE IT FURTHER RESOLVED, That the Board of Aldermen expresses the intent to initiate the overlay districts/zones outlined in the 2020 Comprehensive Plan and requests that the implementation of these overlay districts/zones be included in the aforementioned workplan;


AND BE IT FURTHER RESOLVED, That the Board of Aldermen seeks to update this resolution within six months of the anticipated adoption of a form based code for the East Street Corridor;

AND BE IT FURTHER RESOLVED, That the Board of Aldermen reiterates its intention to adopt and assure the implementation of form based codes to guide development within the City of Frederick.

ADOPTED AND APPROVED THIS 20th DAY OF APRIL, 2023.

WITNESS:





Michael C. O'Connor, Mayor

Approved for Legal Sufficiency:



City Attorney