



## Maryland DEPARTMENT OF PLANNING

September 12, 2023

Chairman David Ennis  
Walkersville Planning Commission  
21 W. Frederick St.  
P.O. Box 249  
Walkersville, MD 21793

Re: Walkersville Draft Comprehensive Plan

Dear Chair Ennis,

Thank you for requesting Maryland Department of Planning (MDP) comments on Walkersville Draft Comprehensive Plan, dated July 2023. MDP believes that good planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, housing, community character, and economic development. Please keep in mind that MDP's attached review comments reflect the agency's thoughts on ways to strengthen the Draft Plan, as well as satisfy the requirements of Maryland's Land Use Article.

The Department forwarded a copy of the Draft Plan to several state agencies for review, including the Maryland Historic Trust, the Departments of Transportation, Environment, Natural Resources, Commerce, Department of Disabilities, and Housing and Community Development. To date, we have received comments from the Departments of Transportation, Natural Resources, and Housing and Community Development and these comments have been included with this letter. Any plan review comments received after the date of this letter will be forwarded upon receipt.

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

Please feel free to contact me at (410) 767-4500 or Susan Llareus, Planning Supervisor and Regional Planner for the Maryland Capital Region, at [susan.llareus@maryland.gov](mailto:susan.llareus@maryland.gov)

Sincerely,

Charles Boyd, AICP, Director  
Planning Coordination

cc: Susan J. Hauver, Town Planner/Zoning Administrator  
Joseph Griffiths, Local Assistance and Training Manager, Maryland Department of Planning  
Susan Llareus, Planning Supervisor, Maryland Department of Planning



**Maryland Department of Planning  
Review Comments  
September 2023  
Walkersville Draft Comprehensive Plan**

The Maryland Department of Planning (MDP) received the Draft Walkersville Comprehensive Plan 2023 (Draft Plan) from The Town of Walkersville on July 14, 2023. These comments are offered as suggestions to improve the Draft Plan and better address the statutory requirements of the Land Use Article (LUA). Other state agencies, as noted below, have contributed comments and others may submit comments separately. If comments are subsequently received by MDP, the department will forward them to the town.

**Draft Plan Summary**

This Draft Plan is a full update to the adopted and approved 2011 Walkersville Comprehensive Plan. The Draft Plan does not greatly diverge from the currently adopted comprehensive plan, in either format or general planning principals, but does seem to be further developed in many areas and includes a new housing element and a municipal growth element as required by the LUA.

**Maryland State Visions – Synopsis**

Land Use Article Section 1-201 requires Maryland jurisdictions with planning & zoning authority to implement the state’s twelve planning visions (visions) through the comprehensive plan. The visions reflect the state’s ongoing aspiration to develop and implement sound growth and development policy. The visions address: quality of life and sustainability; public participation; growth areas; community design; infrastructure; transportation; housing; economic development; environmental protection; resource conservation; stewardship; and implementation approaches.

**Plan Analysis**

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The Draft Plan describes the visions (p. 2) but does not seem to reference how Walkersville will incorporate the state visions into their visions, goals, and objectives for the community. MDP recommends that Draft Plan be revised to incorporate the visions into the plan by referencing them in the corresponding discussions related to the elements.

Maryland Department of Planning Review of July 2023 Town of Walkersville Draft Comprehensive Plan

**Municipality Minimum Planning Requirements**

LUA Section 3-102 describes the required and optional elements for non-charter county and municipal comprehensive plans but does not mandate how they are to be addressed. The following checklist identifies required plan elements and how the Draft Plan addresses them.

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Reference</b>
(1) A comprehensive plan for a non-charter county or municipality must include:	<a href="#">L.U. § 3-102(a)</a>		
(a) a community facilities element	<a href="#">L.U. § 3-102(a)(1)(i)</a>	<a href="#">L.U. § 3-108 -- Community facilities element.</a>	Chapter 9: Community Services
(b) an area of critical state concern element	<a href="#">L.U. § 3-102(a)(1)(ii)</a>	<a href="#">L.U. § 3-109 -- Areas of critical State concern element</a>	No discussion
(c) a goals and objectives element	<a href="#">L.U. § 3-102(a)(1)(iii)</a>	<a href="#">L.U. § 3-110 -- Goals and objectives element</a>	Throughout the plan
(d) a housing element	<a href="#">L.U. § 3-102(a)(1)(iv)</a>	<a href="#">L.U. § 3-114 -- Housing element</a> SB-687(2021)	Chapter 4: Housing
(d) a land use element	<a href="#">L.U. § 3-102(a)(1)(v)</a>	<a href="#">L.U. § 3-111 -- Land use element</a>	Chapter 5: Land Use
(e) a development regulations element	<a href="#">L.U. § 3-102(a)(1)(vi)</a>	<a href="#">L.U. § 3-103 -- Development regulations element</a>	Chapter 10: Plan Implementation
(f) a sensitive areas element	<a href="#">L.U. § 3-102(a)(1)(vii)</a>	<a href="#">L.U. § 3-104 -- Sensitive areas element</a>	Chapter 3: Natural Features
(g) a transportation element	<a href="#">L.U. § 3-102(a)(1)(viii)</a>	<a href="#">L.U. § 3-105 -- Transportation element</a>	Chapter 8: Transportation
(h) a water resources element	<a href="#">L.U. § 3-102(a)(1)(ix)</a>	<a href="#">L.U. § 3-106 -- Water resources element</a>	Chapter 7: Water Resources
(i) a mineral resources element, IF current geological information is available	<a href="#">L.U. § 3-102(a)(2)</a>	<a href="#">L.U. § 3-107 -- Mineral resources element</a>	No discussion.
(j) for municipalities only, a municipal growth element	<a href="#">L.U. § 3-102(a)(3)</a>	<a href="#">L.U. § 3-112 -- Municipal growth element</a>	Chapter 6: Municipal Growth
(k) for counties only if located on tidal waters, a fisheries element	<a href="#">L.U. § 3-102(a)(4)</a>	<a href="#">L.U. § 3-113 -- Fisheries element</a>	N/A
<b>Optional:</b> (2) A comprehensive plan for a non-charter county or municipality <b>MAY</b> include: (a) a community renewal element; (b) a conservation element; (c) a flood control element; (d) a natural resources element; (e) a pollution control element; (f) information concerning the general location and extent of public utilities; and (f) a	<a href="#">L.U. § 3-102(b)</a>	<a href="#">L.U. § 3-102(b)(2)(i)</a>	The plan includes discussions relating to a natural resources element and priority preservation areas

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Reference</b>
priority preservation area (PPA) element			
(3) Visions -- A local jurisdiction SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 3-201(c)</a>	<a href="#">L.U. § 1-201 -- The 12 Planning Visions</a>	Chapter 1: Introduction
Optional: (4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	<a href="#">L.U. § 1-509</a>		No discussion.

**Conformance with Section 3-102 of the Land Use Article**

The following analyzes whether the Draft Plan meets the requirements of the required municipal comprehensive plan elements, in accordance with the LUA.

**1. Development Regulations Element – Synopsis**

The element is required to include the planning commission’s recommendations for land development regulations to implement the plan. Regulations are required to be flexible to promote innovative and cost saving site design, protect the environment and identify areas of growth. The areas identified for growth are required to encourage flexible regulations, which should further promote economic development using innovative techniques, streamlining the review of applications, including permit review and subdivision processing.

**Plan Analysis**

Chapter 10 Plan Implementation discusses the possible rezoning and text amendments to the regulatory tools and development review process, as well as potential updates to the town’s Adequate Public Facilities ordinance (p. 94-95). Walkersville should also consider the following:

- Does the Draft Plan provide for flexible form-based development regulations and promote innovative and cost saving site design that protects the environment?
- Are innovative economic development techniques referenced in the Draft?
- Are streamlined development application processes included in the strategies to incentivize reinvestment in the planning area?

**2. Housing Element - Synopsis**

The housing element is required to address the need for housing within the jurisdiction that is affordable to low-income and workforce households. The housing element is required to also assess fair housing and ensure that a jurisdiction is affirmatively furthering fair housing through its housing and urban development programs.

## **Plan Analysis**

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Chapter 4: Housing describes the geography of the housing analysis by stating that “all of the units both within the Town Limits and the surrounding area of influence will be considered as the Walkersville housing market area.” Approximately 70% of the dwelling units are within the town boundary. (p. 26). About 50% of the existing dwelling units were built more than 40 years ago. The town is dominated by single-family dwellings, both detached and attached. The Land Use Chapter states that “Single family dwellings occupy about 90% of the residential land within the town”.

The Draft Plan should include a discussion of the need for affordable housing. One of the references that MDP uses to analyze the low-income level of a specific jurisdiction is the [Free and Reduced – Price meals Data School Year 2022-2023](#). From that information it indicates that the following percentage of the student body is being served in the schools:

Walkersville Elementary – 48.7%  
Walkersville Middle School – 36.9%  
Walkersville High School – 33.6%

This information seems to indicate that there are likely housing burdened households (spend more than 30% of household income on housing) in the community. According to the 2017-2021 ACS 5-Year Estimates for Walkersville, approximately 15% of units are renter occupied, of which 38% of the renter households are housing burdened. Approximately 85% of the households are owner occupied and 22.5% of those households are considered housing burdened.

The Draft Plan defines the housing situation in Walkersville using the definitions of terms such as the average median household, workforce housing, and low-income housing, consistent with the definitions in the Land Use Article (LUA) [Section 3-114](#). The Draft plan includes some discussion of supply and demand in the town for housing and affordability, as well as the Frederick County Rental Assistance program. However, there is not a true needs analysis provided in the Draft Plan. As part of the State of Maryland’s efforts to define today’s housing issues throughout the state, the Maryland Department of Housing and Community Development joined with the National Center for Smart Growth at the University of Maryland and Enterprise Community Partners, Inc. to develop [the Maryland Housing Needs Assessment & 10-Year Strategic Plan \(December 2020\)](#) (Needs Assessment). This document is intended to provide guidance to transform Maryland into a more affordable place to live by 2030 (page 1 of the Needs Assessment). In addition, the town can use this information for the needs analysis required by Section 3-114.

Section 2, Proposed Statewide Priorities (p. 5) of the Needs Assessment suggests two types of priority needs for the State of Maryland: (1) homes for low-income households, especially extremely and very low-income households, and (2) constructing affordable and market-rate housing, thereby increasing supply in the market. Priority populations were identified as two specific income groups with unmet needs, those households at 30 % AMI and households at 60 % AMI. In addition to these income groups, the Maryland Housing Needs Assessment Advisory Group also noted that a focus should be placed on housing for seniors (approximately 34% of Walkersville households include seniors), persons with disabilities, and persons experiencing homelessness (page 7 of the report).

The regional overview for the Washington, DC suburbs, in which Walkersville is included, begins on page 41 of the Needs Assessment. Maps 3 and 4, pages 42 and 44 of the report respectively, classify Walkersville as an area of “Moderate Need” for both homeowners and

renters. MDP recommends that the town consider the priority actions recommended for the Washington, DC region the Needs Assessment. That would mean the town should consider how land areas within the town, as infill development, or within the Municipal Growth Element (or the Area of Influence as expressed in the Draft Plan), as potential annexation areas, might support either market rate or affordable housing development.

The Draft Plan does not address the issue of HB-90 (2021), Affirmatively Furthering Fair Housing (AFFH). The town should be aware of the recent passage of [Senate Bill 687](#) (2021) relating to State and Local Housing programs – Affirmatively Furthering Fair Housing. The intent of the bill is stated in the preamble of the bill. The bill amended section 3-114 of the Land Use Article (effective January 1, 2023) to include the following:

- (d) (1) Local jurisdictions have a duty to affirmatively 24 further fair housing through their housing and urban development programs.
- (2) The housing element of a comprehensive plan that is enacted or amended on or after January 1, 2023, shall include an assessment of fair housing, to ensure that the local jurisdiction is affirmatively furthering fair housing.
- (3) On request of a local jurisdiction, the Department of Planning shall provide technical assistance for the purpose of developing the housing element of the comprehensive plan.
- (4) This subsection does not require a local jurisdiction to take, or prohibit a local jurisdiction from taking, a specific action to affirmatively further fair housing.

This provision is currently in effect. MDP provided additional information in this [Maryland Planning Blog](#) published shortly after the legislation became effective. (See the [Subscribe to the Planning Blog](#) to receive MDP articles by simply providing your email). The fair housing requirements/language which HB 90 added to [Land Use Article Section 3-114](#) do not define what an assessment of fair housing entails. Our research into this issue has shown that a traditional US HUD assessment of fair housing includes an analysis of the following four housing issues in a community.

1. **Patterns of segregation/integration:** Areas within the jurisdiction that are residentially segregated by protected class
2. **Racially or Ethnically Concentrated Areas of Poverty (R/ECAPS):** US HUD defines r/ecaps in *metropolitan areas* as census tracts with a non-white population of 50 percent or more and a poverty rate of 40 percent or more (or a poverty rate that is three or more times the average tract poverty rate for the metropolitan area, whichever threshold is lower). For rural areas, HUD lowers the non-white percentage threshold to 20 percent.
3. **Disparities in access to opportunity:** Areas within the community/jurisdiction that provide access to opportunity, such as good schools, medical facilities, employment centers, positive public health outcomes, and low crime rates. A fair housing assessment would consider if protected classes have less access to such areas.
4. **Disproportionate housing needs:** An analysis considering whether certain areas or populations within a community, particularly protected classes, have disproportionate housing needs than other areas or populations.

MDP notes that the Land Use Article does not state that these four issues must be included in an assessment of fair housing in a housing element, nor is MDP setting any standards for what must be included. However, it is noted that an analysis of census information provides insight. It appears there are two census tracts making up most of the town and the municipal growth area. There is a higher percentage of minorities in one census tract versus another census tract comprising a portion of the town and the municipal growth element



(tract\_24021740200\_ACS\_2017\_2021 & tract 24021773500\_ACS\_2017\_2021). This may help in identifying properties for new development or urban renewal that may include public funding to be used toward endorsing the concepts of AFFH.

MDP also developed a [Models and Guidelines: Housing Element](#) as a resource for all aspects of housing planning. As part of that resource, this [webpage](#) provides details about available fair housing resources and best practices and how jurisdictions might consider using them in their housing elements. It includes a section on data and mapping resources which may help with a quantitative assessment. It also includes self-assessment and community engagement questions to conduct a qualitative assessment of fair housing in Walkersville. Through either one or both types of fair housing analyses, a housing element should assess the state of fair housing in your community and any impediments to it, such as density restrictions that do not make it feasible to build multifamily housing with current costs of construction. Additional increases in density (currently limited to 13 units per acre) for residential development could contribute to an increase in supply of housing units. Without the increase in zoning density for residential and mixed use, it is unlikely that additional multifamily dwellings, (either condominium or rental units) would be built due to high construction costs. The town should consider if the currently low density is a barrier to affordable housing and whether increasing the maximum residential density in certain areas of the town may be warranted. MDP supports the housing policies and recommendation on page 34 of the Draft Plan.

### **3. Sensitive Areas Element – Synopsis**

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The LUA also assigns sensitive areas element data provision and review responsibilities to the Maryland Departments of the Environment and Natural Resources.

#### **Plan Analysis**

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Chapter 3 Natural Resources describes the sensitive areas and natural resources or features of the town and provides a set of policies and recommendations that address environmental protection and sustainability. MDP recommends the town work with the Maryland Department of the Environment (MDE) and Maryland Department of Natural Resources (DNR) on sensitive areas issues. MDP can assist as needed to facilitate an agency meeting or provide contact information.

### **4. Transportation Element - Synopsis**

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travelways, and estimate the use of proposed improvements.

#### **Plan Analysis**

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The Transportation Chapter appears to meet the purpose of the element. The following comments are provided for additional consideration to further the transportation element of the plan.

- [The Frederick County Bikeways & Trails Plan](#) proposes on-street bikeways on MD-194. The town should coordinate with the county and the State Highway Administration to prioritize future non-motorized improvements to this facility.
- The Draft Plan identifies new roadway connections, however, there is limited discussion on why these facilities are needed, when they will be implemented and how they will be financed. The Draft Plan should expand the discussion to include why the roadways are needed and expected funding sources.

- The Draft Plan includes an assessment of pedestrian facilities (Page 80). The state provides various funding and technical support programs to support local efforts to improve pedestrian and bicycle facilities. Here is the link to the website that features the Maryland Department of Transportation (MDOT)'s active transportation programs: <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=24> .
- The Federal Highway Administration (FHWA)'s report on "[Small Town and Rural Multimodal Networks](#)," provides best practice examples to enhance pedestrian and bicycle networks in rural communities and small towns.
- There are [multiple incentive programs](#) to support alternative transportation, e.g., transit, ridesharing, and telework/flexible work, for commuters in Maryland. These programs are available for Walkersville residents. The Draft Plan should include the information on commuter choice programs.
- Increasingly, plug-in electric vehicles (EV) are gaining popularity in Maryland. As a community with a high percentage of commuters, the town may want to consider supportive policies and regulations to help build out EV infrastructure. For example, Walkersville may consider [EV infrastructure building codes](#) for residential and commercial developments. In 2022, Frederick County passed [a building code requiring EV-readiness for certain residential developments](#). For more information on local EV resources including technical and financial assistance programs, please refer to the Maryland's EV website at [https://marylandev.org/local\\_ev\\_resources/](https://marylandev.org/local_ev_resources/).
- Consider the environmental impacts of the proposed stream crossings if the Staley property were to be developed (p. 78). Is there an alternative to avoid the impacts to the sensitive area?

## 5. Water Resources Element – Synopsis

The water resource element (WRE) is required to consider available data provided by MDE to identify drinking water that will be adequate for the needs of existing and future development proposed in the plan, as well as suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to prepare the water resources element, ensuring consistency with MDE programs and goals.

### Plan Analysis

Although the MGE and WRE describe the projected population increases and mention the potential for commercial and industrial growth, and the WRE states that there is sufficient water and sewer capacity to meet projected demand, it would be helpful for readers to include tables in the WRE that show the current and projected demand compared to the system capacity for both public water and public sewer (e.g., the capacity allocation from the county WWTP). It would also be helpful to include an explanation with the tables of projected capacity shortfalls, if applicable, and how the town plans to address those.

Page 67 discusses that the WWTP is approaching capacity. It would be helpful to include the Frederick County WWTP allocation for Walkersville within the WRE, and an explanation of how the town is planning to ensure sufficient capacity allocation to accommodate projected future growth. MDP recommends this information be added to the chapter.

MDE and MDP jointly developed WRE guidance to demonstrate how local governments can ensure compliance with the WRE requirements. Local jurisdictions are expected to implement the most important aspects of the MDE/MDP WRE guidance. The following recommendations are based on the [2022 Water Resources Element \(WRE\) Guidance Update](#):



- A checklist of best practices to identify and plan for suitable receiving waters is within the 2022 WRE Guidance at <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/02/framework-checklist.aspx>. The state requests that local governments meet the best practices in this WRE Guidance Update as best as they can within the limitations of cost and time. The town has addressed some of these elements in its WRE, such as describing the impervious area restoration strategies and the actions that the town has taken to address stormwater management requirements; as well as establishing the nine water resources policies and recommendations. Some examples of best practices from the checklist that the town should consider implementing include a Pollution Risk Assessment; load reduction tracking; strategies for ensuring a higher-than-minimum-requirements-level of water quality restoration and protection; and identification of recurrent flooding areas and evaluation of whether climate change and planned development will worsen those conditions, along with changes to the land use plan where warranted.
- All local jurisdictions in Maryland are and will continue to experience climate change impacts on water resources and water infrastructure (water, sewer, and stormwater), as well as water impacts on communities. The WRE should be adjusted to include strategies focused on improving local understanding of current or expected water-related climate change impacts at the local level, and if sufficient information exists, the chapter should add strategies to address these impacts. Best practices for integrating water-related climate change adaptation into the comprehensive plan are listed at <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/03/climatechange-checklist.aspx>.
- If any land use changes are planned in a watershed(s) prone to riverine or urban flooding, then the WRE should be adjusted to incorporate the flooding-related components of the 2022 WRE guidance. See <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/02/framework-cwa-wqfloodingmgmt.aspx>. At a minimum, the WRE should indicate the extent of current local knowledge concerning flood-prone areas and should discuss whether implementation of the land use plan will increase, decrease, or have no effect on those flood-prone areas. If the local government does not know what type of impact implementation of the land use plan will have on flood-prone areas, then at a minimum, the WRE should call for a study to determine this.

## **6. Goals and Objectives Element - Synopsis**

This element requires that comprehensive plan goals, objectives, principles, policies, and standards guide the development, economic growth, and social well-being of the community.

### **Plan Analysis**

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The goals and objectives are described throughout the Draft Plan by providing policies and recommendations to the Planning Commission and the Town Council at the end of each chapter. MDP recommends that all policies and recommendations have established priorities, meet the needs of the community in an inclusive manner, be data driven, list possible partnerships to achieve the goals, and seek out funding to leverage capital.

## **7. Land Use Element - Synopsis**

The land use element is required to reasonably project into the future the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.

### **Plan Analysis**

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The Land Use Chapter (p. 35) and the Existing Land Use Map 2023 (p. 37) indicate large land parcels in agricultural use constituting 50% of the total land area within the town, of which one-third is under a preservation easement. According to Table 5-1, EXISTING LAND USE: 2022, the total undeveloped land area is 52.7% of the total land area within the municipality.

- The Draft Plan also includes a map titled Draft Comprehensive Plan Town of Walkersville July 2023. This may be the future land use map. If so, MDP recommends that the plan show the future land use categories and title it as such. MDP also recommends clarifying the existing municipal boundary and including the area described as “Area of Planning Influence (Future Annexation Limits)” on page 44 in the map legend as the municipal growth element.
- The Land Use Plan Designations listed at the bottom of page 44 do not match up with the categories shown on the Walkersville July 2023 Draft Comprehensive Plan Map. If these are the future land use designations, it would be helpful to clearly state that.

### **8. Community Facilities Element - Synopsis**

The community facilities element is required to propose, as far into the future as is reasonable, the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities. These facilities may include, but are not limited to fire stations, libraries, cultural facilities, hospitals, places of worship, school and education facilities, and parks.

### **Plan Analysis**

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Chapter 9: Community Services includes a discussion of the existing public facilities adequacy and future sites to accommodate community facilities. Schools indicate near capacity limits with the Walkersville High School over capacity. It appears that the town is aware of the school challenges and has been working with the county to address the needs, including the new Rock Creek Scholl facility. MDP recommends that the town continue to work with the county to resolve overcrowding.

2022 Frederick County Land Preservation, Parks and Recreation Plan (LPPRP) - The Draft Plan notes that the town owns 437 acres of parks and open space; about 170 of those acres are for active recreation, most of it located in two parks. The park and recreation proposed acquisitions in the Draft Plan are not consistent with those for Walkersville in the LPPRP. Page 91 of the Draft Plan discusses the need for parkland in terms of acres per 1,000 people. This standard has been replaced by the proximity analysis in Frederick County’s LPPRP. MDP recommends that the Draft Plan refer to the LPPRP’s proximity analysis when discussing park land acquisition.

### **9. Municipal Growth Element - Synopsis**

The municipal growth element (MGE) is only required in Maryland municipal comprehensive plans. The MGE is required to plan for and describe the municipality’s past growth patterns, the capacity of land available for new and infill development, and areas outside of the existing corporate boundaries into which the municipality wishes to grow. The MGE is required to calculate the land area needed to satisfy the demand for growth based on population projections and desired densities. The MGE needs to consider and include any rural buffers, transition areas, and sensitive areas to be protected. MGEs are also required to consider and plan for the community facilities and public infrastructure, as well as their financing mechanisms, required to accommodate desired growth. If a municipality wishes to annex land, such areas are required to be included and described in the MGE.

### **Plan Analysis**

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Chapter 6: Municipal growth element uses the term “area of influence” to describe the municipal growth area (p. 53). Table 6-2 Population Projections at Plan Build-Out in 20 Years appears unrealistically low. Compared to Table 6-1, MDP would recommend that a more realistic approach would be to consider the growth rate from 2010 to 2020 (6.1%) rather than the low rate of growth rate from 2020-2023 (3.8%).

MDP also notes that the assumed vacancy rate may not be an appropriate figure either. Approximately 85% of the dwelling units are owner occupied, while 15 % of dwellings are rental units. There appears to be zero vacancy rate in the community per the 2017-2021 ACS data.

The municipal growth element should identify properties appropriate for future annexation into the town. The annexation could be for growth, or as a protective “greenbelt” buffer from other properties or uses. As land values continue to rise, and with the current housing market, MDP recommends that the town strategize what types of housing will likely serve the needs of the community, (market rate, workforce housing, or low-income housing) and identify lands appropriate for future annexation as residential development. MDP emphasizes that the housing vision for the State of Maryland looks for “A range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes”.

MDP recommends that MGE:

- Clarify that the municipal element land area correlates with the “area of influence” or redraw the mapping to clarify the actual area of the municipal growth area.
- Recalculate the population projections to reflect the 2010-2020 growth rate and the zero-vacancy rate.
- Identify properties appropriate for future annexation into the municipality.

### **10. Areas of Critical Concern Element - Synopsis**

The areas of critical state concern element is required to include planning commission recommendations to determine, identify, and designate areas that are of critical state concern.

### **Plan Analysis**

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The Draft Plan should include an analysis of the areas of critical concern as stated above, and encourages Walkersville to review the list of designated areas, plans, studies, and programs in the State Development Plan, [A Better Maryland](#).

### **11. Mineral Resources Element - Synopsis**

If current geological information is available, a comprehensive plan is required to include a mineral resources element. It should identify land that remains undeveloped to provide a continuous supply of minerals, which are defined in the Environment Article. They include clay, diatomaceous earth, gravel, marl, metallic ores, sand, shell, soil, and stone. The element is required to further identify post excavation land uses and incorporate strategies that balance resource extraction with other land uses and prevent, as much as possible, preempting mineral extraction in the jurisdiction.

### **Plan Analysis**

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The Draft Plan should include an analysis of the mineral resources element as stated above, if current geological information is available.

## **12. Fisheries Element - Synopsis**

To facilitate commercial fish and shellfish harvesting and ensure reasonable access to waterways for watermen, a county with tidal waters is required to include a fisheries element. This element designates and maps areas on or near tidal waters for loading and processing fish and shellfish and docking and mooring of commercial fishing vessels.

### **Plan Analysis**

DNR has commented on this element. See the attached letter dated August 14, 2023, from Christine Burns to Susan Llareus.

## **13. Growth Tiers – Synopsis**

On May 1, 2013, Walkersville notified MDP that it concurred with Frederick County’s [growth tier map](#), which established growth tiers under the Sustainable Growth and Preservation Act of 2012 for Walkersville. As provided for in § 1–509 of the Land Use Article, if Walkersville does not incorporate the growth tier map into the comprehensive plan at the time the jurisdiction was scheduled to conduct its 6-year comprehensive plan review under § 1-416(a) or § 3-301(a) of the Land Use Article, the town’s growth tier map shall be considered not adopted for purposes of § 9–206 of the Environment Article.

If Walkersville intends for the county's tier map to continue serving as the town’s tier map, MDP recommends including language such as “Frederick County’s growth tier map as adopted on [XX date] constitutes a component of the Walkersville comprehensive plan within the Area of Planning influence (page 94).” If not already completed, the town should also review the existing tier map to ensure it reflects the vision for future development within the Area of Planning influence.

MDP generally recommends a Tier II designation for areas with county-planned sewer service, a Tier IIA designation for municipal growth areas planned for sewer service that are not yet in the county water/sewer plan, and a Tier IVA designation for municipal greenbelts.

The town may ask the county to make any needed updates to the tier map or adopt its own tier map to ensure conformance to the statutory mapping criteria in Section 1-508 of the Land Use Article. Under Section 1-504 of the Land Use Article, if Walkersville adopts an amended growth tier map, then Walkersville must notify and provide MDP with all information necessary to allow for the department's detailed review required under Section 1-505 of the Land Use Article. If requested, MDP can complete a detailed review of any proposed tier map amendment before the plan is adopted.

## **14. Plan Implementation**

Chapter 10: Plan Implementation discusses how the town will proceed through the Draft Plan’s horizon to implement recommendations and transform the physical functioning and appearance of the community. As a small town, MDP may be able to advise on such items as the updating of the Walkersville Design Manual update or creating a landscape manual for new development.

The Land Use Article Section 1-207(c)(6) requires jurisdictions to submit a comprehensive plan implementation report every five years. MDP reminds the town to adhere to this requirement in the future.

**Maryland Department of Planning Review Comments  
Draft Plan**

**STATE AGENCY COMMENTS**

The following are state agency comments in support of MDP's review of the Draft Plan. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by MDP, the department will forward them to the Town of Walkersville as soon as possible.

**Attachments**

- Page # 13: Maryland Department of Natural Resources
- Page # 14: Maryland Department of Maryland Department of Housing and Community  
Development
- Page # 17: Maryland Department of Maryland Department of Transportation



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

Maryland Department of Planning  
301 West Preston Street  
Suite 1101  
Baltimore, MD 21201

August 14, 2023

Memo: DNR comments on the Town of Walkersville Comprehensive Plan

To: Susan Llareus  
cc: Rita Pritchett

On behalf of the Department of Natural Resources, thank you for the opportunity to comment on the Draft Walkersville Comprehensive Plan. The draft plan was distributed to appropriate contacts at the Maryland Department of Natural Resources (DNR) and reviewed. DNR offers the following comments:

The Walkersville's Comprehensive Plan is generally in conformance with DNR's Land Acquisition and Planning, Program Open Space Local goals to preserve land and enhance recreational opportunities. The Plan notes that in 1994 Walkersville amended regulations to increase the proportion of land in new residential developments to be reserved specifically for recreational purposes (pg 39). Any new land acquisitions being proposed should be discussed with the County. The Plan includes information regarding the 5.2% of land designated as Parks and Open Space (pg. 45). Walkersville owns 437 acres of parks and open space, with approximately 170 acres being active recreation (pg. 89).

DNR Freshwater Fisheries has also reviewed the Walkersville 2023 comprehensive plan. It strongly supports efforts outlined in the plan to target riparian tree plantings along the Monocacy River, Glade Creek, and Israel Creek. Riparian tree planting provided much needed shade, habitat, and bank stability to a stream. Additional efforts to incorporate green building techniques that minimize impervious surface runoff are also supported.

In the stormwater management section of the plan, it lists four potential restoration projects to meet the MS4 requirements. Stormwater management ponds that incorporate infiltration over direct storage are strongly preferred. Infiltration of stormwater runoff prevents large volumes of heated water entering in surrounding water bodies. Infiltration will also help boost groundwater supplies in the watershed. Freshwater Fisheries has drafted a guidance document with recommended stormwater management practices ([https://dnr.maryland.gov/fisheries/Documents/UseIII\\_SWM\\_Guidance\\_2021.pdf](https://dnr.maryland.gov/fisheries/Documents/UseIII_SWM_Guidance_2021.pdf)).

Once again, we thank you for the opportunity to review this document and provide feedback. If you have any questions about these comments or would like further information, please do not hesitate to contact me at 443-534-4151 or [christine.burns1@maryland.gov](mailto:christine.burns1@maryland.gov).

Best,  
Christine Burns



August 3, 2023

Joseph Griffiths  
Manager of Local Assistance and Training  
Maryland Department of Planning  
301 West Preston Street, 11th Floor  
Baltimore, MD 21201

Dear Mr. Griffiths,

Thank you for the opportunity to review and comment on the Walkersville Comprehensive Plan 2023 (the “Plan”). When reviewing plans, the Maryland Department of Housing and Community Development (“DHCD”) comments on items for which political subdivisions can strategically leverage DHCD’s resources to accomplish their housing and community development goals. DHCD also reviews comprehensive plans for consistency with relevant statute and, if appropriate, Sustainable Communities Action Plans.

Overall, DHCD staff were impressed with the quality of the Plan. Staff in the DHCD Division of Neighborhood Revitalization reviewed the plan and provided the following comments, which are meant to help realize the Plan’s goals. We present the following in no particular order:

1. The Plan identifies a need to find partners for funding that supports aging in place. DHCD can assist with home repairs that improve comfort, livability, and accessibility for homeowners through its Special Loan Programs. Planning staff and residents can learn more about these programs at <https://dhcd.maryland.gov/Residents/Pages/SpecialLoans.aspx> or contact the program directly at 301-429-7409 or [DHCD.SpecialLoans@maryland.gov](mailto:DHCD.SpecialLoans@maryland.gov).
2. The Plan does not show that Walkersville has conducted a point-in-time count to identify the total number of people experiencing homelessness in Walkersville, and the Plan does not identify goals or actions regarding services for people experiencing homelessness. For information on DHCD’s programs addressing homelessness, please see more online at <https://dhcd.maryland.gov/HomelessServices/Pages/GrantFunding.aspx> or contact the Homelessness Solutions Program Manager, Suzanne Korff, at 410-209-5850 or [Suzanne.Korff@maryland.gov](mailto:Suzanne.Korff@maryland.gov). Persons experiencing homelessness who need assistance should contact 301-600-1506.
3. The Plan does not identify the community’s needs with respect to income and poverty. Walkersville or non-profits active in Walkersville may be eligible to apply for discretionary Community Services Block Grant (CSBG) funds administered by DHCD in

order to provide services for low-income individuals and families at or below 125% of poverty. Planning staff can learn more about CSBG programs online at <https://dhcd.maryland.gov/Communities/Pages/programs/CSBG.aspx> or contact the Poverty Solutions Team at 301-429-7525 or [csbg.dhcd@maryland.gov](mailto:csbg.dhcd@maryland.gov).

4. The Plan identifies a need for affordable housing, including workforce and low-income housing. All of Walkersville is within DHCD's Communities of Opportunity HUD Qualified Low-Income Housing Tax Credit (LIHTC) Census Tract and currently has one LIHTC property with 80 units for seniors. If planning staff want to support further affordable housing development with LIHTC or other DHCD programs, information is available online at <https://dhcd.maryland.gov/HousingDevelopment/Pages/lihtc/default.aspx> or contact Edward Barnett, Director of Rental Lending, at 301-429-7740 or [edward.barnett@maryland.gov](mailto:edward.barnett@maryland.gov).
5. The Plan identifies a need to support locally owned businesses. Info on DHCD's support for businesses can be found online at <https://dhcd.maryland.gov/Business/Pages/SmallBusinesses.aspx> or by contacting Mike Haloskey, Director of Business Lending Programs, at 301-429-7523 or [Michael.Haloskey@maryland.gov](mailto:Michael.Haloskey@maryland.gov).
6. The Plan identifies a need for infrastructure improvements that increase safety for pedestrians. DHCD's Community Safety Works program is a potential resource to support these projects. More information on the program can be found online at <https://dhcd.maryland.gov/Communities/Pages/csw/default.aspx> or by contacting Christine McPherson, Program Officer, at 410-209-5802 or [christine.mcpherson@maryland.gov](mailto:christine.mcpherson@maryland.gov).
7. The Plan identifies a need to increase energy efficiency for buildings, including single-family and multifamily homes. DHCD has several programs that support energy efficiency, and more information on those programs can be found online at <https://dhcd.maryland.gov/Pages/EnergyEfficiency/default.aspx>.
8. The Plan notes that, when surveyed, town residents identified vacant and blighted commercial properties as a problem. DHCD's Project Restore can be leveraged to attract and retain businesses that occupy vacant properties. More information on the program can be found online at <https://dhcd.maryland.gov/Pages/ProjectRestore/default.aspx> or by contacting the Program Manager at 410-209-5851 or [keith.mainhart@maryland.gov](mailto:keith.mainhart@maryland.gov).
9. The Plan's Housing Element does not include an assessment of fair housing. Maryland House Bill 90 (2021) requires, effective January 1, 2023, that comprehensive plans include an assessment of fair housing. For technical assistance in development of the Plan's Housing Element, please contact staff at the Maryland Department of Planning.

We at DHCD look forward to continuing our productive partnership with Walkersville in its future initiatives. Again, thank you for the opportunity to comment on the Plan. If you have any



questions regarding the comments above, please contact me at [carter.reitman@maryland.gov](mailto:carter.reitman@maryland.gov) or 410-209-5849.

Sincerely,

Carter Reitman  
Program Manager, State Revitalization Programs

Cc: Susan Llareus, Maryland Department of Planning  
Sara Jackson, DHCD Division of Neighborhood Revitalization  
John Papagni, DHCD Division of Neighborhood Revitalization



**MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
7800 HARKINS RD • LANHAM, MD 20706 • DHCD.MARYLAND.GOV  
301-429-7400 • 1-800-756-0119 • TTY/RELAY 711 or 1-800-735-2258



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August 29, 2023

Ms. Susan Llareus  
Maryland Department of Planning  
301 West Preston Street  
Suite 1101  
Baltimore MD 21201

Dear Ms. Llareus:

Thank you for coordinating the State of Maryland’s comments on the 2023 Draft Walkersville Comprehensive Plan, hereafter referred to as the “the Plan”. The Maryland Department of Transportation (MDOT) offers the following comments from The Secretary’s Office and the State Highway Administration (SHA).

**General Comments:**

- The MDOT supports trail connectivity and encourages partnering to achieve its vision for a regional network.


**Chapter 8 – Transportation**

- Page 71: While this section deals with the Town Street System, neither MD 26 nor US 15 are located within the Town. Biggs Ford Road, Devilbiss Bridge Road, and other roadways mentioned in the next chapter have more influence on how the Town connects to the State roadways. Consider focusing more on how these connecting roads contribute to the Town’s network than the larger roadways outside the Town’s limits.
- Page 71: Consider listing the functional classification of the roadways to better reflect funding possibilities and roadway character.
- Page 71: Consider adding the following sentence after the second sentence in the third paragraph:
  - A grid pattern provides easy flow and accessibility as a balance for vehicles, pedestrians, and bicyclists.
- Page 71: Regarding Traffic Volumes and Congestion – The map on the following pages shows that the comparable roadways do not have similar traffic volumes. Consider removing this paragraph or please list the comparable traffic volumes for all roadways listed in the last chapter to better illustrate the need for MD 194 to be widened.
- Page 74: Consider adding a timetable for the completion of the design or construction. In the last paragraph, consider adding a second sentence, “While a four-lane divided highway may encourage speeding, plans will include a narrowing of lanes, accommodations for public transportation, pedestrian sidewalks and crosswalks, signalization, and protected bike lanes along this stretch of roadway.”

- Page 74: Please note the State Highway Administration’s Highway Needs Inventory includes a project for a divided highway reconstruction along MD 194 from north of MD 26 to Devilbiss Bridge Road. The Highway Needs Inventory is a long-term, financially unconstrained technical reference and planning document that identifies highway improvements to serve existing and project population and economic activity in the State.
- Page 76: The Highway Plan Recommendations 2023 map only lists the road classifications. If new projects are recommended, please include them on this map and increase the road labels font size to be legible.
- Page 77: Regarding Major Arterials – Consider adding a phrase explaining how accommodations will be made for pedestrians and bicyclists on roads identified as Major Arterials. Consider relocating the functional classification earlier in the chapter to better describe state and town roadways.
- Page 78: Consider titling these maps as “Roadway Recommendations” and add additional roadway and trail labels to better orient the new road’s location.
- Pages 80-84: As an entity overseeing public rights-of-way, the Town is required to conduct a Transition Plan to be in compliance with the American with Disabilities Act (ADA). Based on the work completed by Wilson T. Ballard, the Town should consider formalizing an ADA Transition Plan to strategically improve infrastructure compliance.
- Page 83: Regarding Bicycle and Pedestrian Improvements – The text indicates a map follows to show pedestrian and cycling routes but is not included. Please include the map. How did the Town identify these routes as ‘key’ pedestrian and cycling routes?
- Page 83: Consider renaming the project to Frederick to Walkersville “Rail with Trail” as train operations will continue alongside the new trail. “Rail trail” insinuates that the rail line will be replaced by the trail. The “rail with trail” will first connect to Frederick County’s portion of the project before connecting to the City of Frederick’s East Street Trail Project.

Thank you again for the opportunity to review the Plan. If you have any questions or concerns, please do not hesitate to contact Ms. Kari Snyder, Regional Planner, MDOT Office of Planning and Capital Programming (OPCP) at 410-865-1305, toll free at 888-713-1414, or via email at [ksnyder3@mdot.maryland.gov](mailto:ksnyder3@mdot.maryland.gov). She will be happy to assist you.

Sincerely,



Heather Murphy  
Director, OPCP, MDOT

cc: Ms. Kari Snyder, Regional Planner, OPCP, MDOT