

FREEDOM COMMUNITY COMPREHENSIVE PLAN
COMMON MISCONCEPTIONS ABOUT THE ACCEPTED PLAN
JUNE 20, 2017

1. **Myth** - There is no need or rationale for updating the 2001 Plan.

Fact – As stated on page 1 of the Accepted Plan, the Annotated Code of Maryland requires that at least every 10 years, the Comprehensive Plan shall be reviewed, and if necessary, revised or amended. The Maryland Department of Planning provides a checklist to assist in assessing the need to amend a Plan. Affirmative answers to any of the 20 checklist questions provided by MDP indicate a need to amend the Plan. The answer to 15 of the 20 checklist questions is “Yes” for the Freedom Community Planning Area, and other questions are not applicable to Carroll County. Pages 1 and 2 of the Accepted Plan enumerate the multiple changes that have occurred in the Freedom area since 2001. These changes clearly demonstrate the need for a Plan update/revision. Furthermore, the Maryland Department of Planning comments on the Accepted Plan, dated June 1, 2017, state that “since the adoption of the 2001 plan, significant changes in state law and circumstances have occurred that warrant the plan’s revision”.

2. **Myth** - The Plan proposes thousands of new homes, including townhouses and apartments.

Fact – The Plan proposes a mix of land use designations that remains dominated by resource conservation, reservoir, and agricultural lands. These resource lands comprise 64% of Freedom’s land area. As stated on page 93 of the Accepted Plan, the potential number of residential lots under current zoning in Freedom is 3,951. The future land use designations proposed in the Plan increase this number to 4,347. Therefore, this Plan increases the potential residential lot yield by **396** homes. Townhouses would only be permitted on one property, the Hobby Wolf property.

3. **Myth** - Changes in land use designations should require property owner justification.

Fact – Although property owners were welcome to request future land use designation changes early in the Plan development process, the changes in land use designations are the result of careful and thorough deliberations by the Planning Commission over an eighteen-month period. These recommended changes were based on the Future Land Use Concepts outlined on pages 88 through 92 of the Accepted Plan, and took into

consideration public input from numerous meetings and correspondence. Unlike Zoning Map Amendments (“piecemeal rezonings”) that occur outside of the comprehensive planning process, changes in land use designations do not require property owner justification, nor would it be appropriate based on accepted nationwide planning principles.

4. **Myth** - There are over 1,200 land use designation changes in the Plan.

Fact – As presented to the community and the Planning Commission on January 4, 2017, the majority of land use designation changes in the Plan are in recognition of existing, on-the-ground uses that have materialized through rezonings and conditional use approvals since the Adoption of the 2001 Plan. There are actually only **17 properties** with new land use designations proposed. The summary below explains.

Parcels with a Future Land Use Change **1,284**

Parcels that are now classified Very Low Density (recognizing what is built or subdivided on the ground). Significant numbers of agriculturally-zoned properties were developed as large lot residential **minus 695**

Parcels that have developed in a manner different than the land use envisioned in the 2001 Plan **minus 223**

All commercial properties because of new commercial districts and recognizing industrial and residential properties acting commercially **minus 114**

Limiting the amount of Agricultural Land Uses and converting them to Resource Conservation **minus 197**

Schools re-designated to be consistent with surrounding area **minus 8**

Remaining Parcels with a Future Land Use Change = 47 parcels, totaling 17 properties where new future land use changes are proposed (some properties are multi-parcel)

5. **Myth** - There has been no analysis of roads and infrastructure.

Fact - Elements 10 and 11 of the Plan are entirely devoted to the analysis of Public Facilities, including water and sewer service, and transportation facilities. These planning level analyses were performed based upon the future land use designations endorsed by the Planning Commission. The analysis is **NOT** intended, nor is it able to be,

site or use specific. It is not possible or appropriate to conduct site impact analyses at this stage of the planning process. This surpasses the type of planning analyses that are performed during Plan development, and exceeds the evaluations that were performed in all past land use plans, including the 2001 Freedom Community Comprehensive Plan.

More specific studies are performed during the development review process, when the details of the use and its impact on facilities are known. Chapter 156 of the Carroll County Code, "Adequate Public Facilities and Concurrency Management", includes a process that "tests" the impact of proposed development, and ensures that development will only proceed at a pace that is matched by the construction of needed facilities.

6. **Myth** - The process has not been transparent and citizens have not been given the opportunity to participate.

Fact – The Planning Commission has discussed the Freedom Plan at **40** regularly scheduled and advertised public meetings between September 2015 and March 2017, **2** joint worksessions with the Board of County Commissioners on April 6, 2016 and November 2, 2016, and **1** joint meeting with the Town of Sykesville Planning Commission on November 4, 2015. Opportunities to speak were provided at all meetings. There have been **5** Community Outreach meetings held at various locations, times and days of the week in the Freedom area between April, 2016 and May, 2017. These include:

- Wednesday, April 27, 2016 in the evening at the South Carroll Senior and Community Center
- Wednesday, July 13, 2016 in the evening at Liberty High School
- Saturday, September 24, 2016 at Oklahoma Road Middle School during the day
- Monday, December 5, 2016 in the evening at South Carroll Senior and Community Center
- Thursday, May 25, 2017 during the day and in the evening at the South Carroll Senior and Community Center

The Planning Commission held **2** Public Hearings on the Accepted Plan on June 8 and June 20, 2017.

In addition, all information regarding the Freedom Plan is posted on the County website, freedomareaplan.org, and all events and updates are posted on the County's Facebook page and Twitter. Press releases were published throughout the process, and a paid

advertisement was placed in the Carroll County Times. The Public Hearings were duly advertised in the Carroll County Times in accordance with state and local laws. Updated Elements of the Plan, maps, and Public Outreach meeting notices were available at the Eldersburg Library and the South Carroll Senior and Community Center throughout the process, and notices of meetings were distributed through the public schools' email notification system. Over **700** interested citizens are notified of all meetings, events and the progress of the Plan through the County's email delivery system. The Maryland Department of Planning, in their official comments on the Accepted Plan, noted in its checklist of requirements for local plans that the public participation state vision has been complied with.

7. **Myth** - Commercial uses are being placed in residential neighborhoods.

Fact – There are no new commercial uses in residential neighborhoods. The increase in commercial land has been only 162 acres, as shown on page 94 of the Accepted Plan. As the Future Land Use Map demonstrates, (page 98) the commercial core remains along the MD 26 and MD 32 corridors in the heart of the planning area. The newly designated commercial land is primarily a reflection of the changes that have occurred since the Adoption of the 2001 Plan. Numerous rezonings from residential and industrial to commercial zones have occurred, as well as Conditional Uses for commercial purposes. The only new commercial property of significance is the approximately 40 acres of Commercial High on the western edge of the Beaty property, which abuts land currently used for commercial and light industrial purposes. This land has been zoned industrial for over 50 years.

8. **Myth** - The revisions to the Zoning Code should occur before Adoption of the Plan.

Fact – The Zoning Code revisions necessary to implement the Adopted Plan should not occur prior to the Adoption of the Plan. The regulations for the zoning districts included in the Comprehensive Plan must be based on the land use designations and the principles laid out in the Plan. According to the American Planning Association and the Urban Land Institute, the time for a thorough review and update of the Zoning Code is after the comprehensive plan has been completed. Revision of the Zoning Code is a recognized and fundamental step in Plan implementation. This ensures that zoning regulations are consistent and in accordance with the Adopted Plan, which is also required by the Maryland Land Use Article. The fundamental rationale behind zoning is that it promotes the good of the entire community in accordance with a comprehensive plan.

9. **Myth** - The Freedom community is not represented on the Planning Commission.

Fact – The Freedom community is well-represented on the Planning Commission. While one Planning Commissioner resides within the boundaries of the planning area, two others reside in the southern area of the County and own businesses within Freedom. Other Planning Commission members are lifelong residents of Carroll County with a commitment to all of its citizens, and possess invaluable experience in public service, business, real estate, and environmental protection. There are no legal requirements for geographical representation. The Planning Commission is required to serve Carroll County and represent the interests of all of its constituents.

10. **Myth** - The schools are/will be overcrowded.

Fact - The most recent Educational Facilities Master Plan presented to the Planning Commission on June 7, 2017, shows that the schools in the southern area of the County, as a region, are below capacity. Furthermore, the five-year projections, based on live birth data and projected development, predict elementary schools will be at 87%, middle schools at 88%, and high schools at 78% in 2021. The additional households generated by the changes in future land use designations are not expected to result in inadequate public schools. (See Element 10 of the Accepted Plan) Furthermore, Chapter 156, Adequate Public Facilities and Concurrency Management, requires that new residential properties be reviewed for adequacy at the time of development. (See page 130 of the Accepted Plan)

11. **Myth** - The Planning Commission has not listened to the residents of Freedom.

Fact – Over the course of the past year, the Planning Commission has made numerous changes to the draft Plan in response to citizens’ comments and concerns. These changes include:

- Decreasing the residential density on the Gibson property,
- Decreasing the amount of commercial land and adding significant Residential Medium on the Beaty property, which is currently zoned Industrial,
- Changing the public schools future land use designations from Commercial and Industrial to Residential Medium,
- Removing the Employment Campus designation to the property in the southwestern portion of the planning area,
- Terminating Georgetown Boulevard at Progress Way,

- Removing the existing Planned Major Street connecting Pine Knob to Conan Doyle Way, and
- Decreasing the density and removing the commercial designation from the area in the northwest section of the planning area off MD 97.

12. **Myth** - The 2001 Freedom Plan was developed expeditiously and without controversy by a Citizens Advisory Committee.

Fact – The Maryland Land Use Article specifically assigns responsibility for the preparation of Master Plans to the Planning Commission, not the Maryland General Assembly, the Board of County Commissioners, or a citizens’ group. A Citizens Advisory Committee was established in 1996 to assist the Planning Commission with development of the Plan. The following summarizes the 2001 Plan CAC process and timeline:

- The Citizens’ Advisory Committee for the 2001 Plan was established in 1996 with the following members:
 - Thomas Simpson
 - Patricia Lambert
 - Katherine Anderson
 - Dennis Beard
 - Kathy Blanco-Losado
 - C. Todd Brown
 - Stanley D. Cox
 - Nimrod Davis
 - Vincent DiPietro
 - Jonathon Herz
 - Richard Hull
 - Barbara Lynch
 - Ed Primhoff
 - Hobby Wolf
 - William Yingling
- **Over the past months, certain individuals have claimed to have been part of the CAC. In fact, only those listed above were members of that effort.**
- The CAC met between September, 1996 through early 1998, and participation in the meetings was limited to members of the CAC. The Planning Commission was not involved in the Plan preparation during this time, and therefore public input was not received. The CAC completed its work early in 1998, and the sixty-day review period began in November, 1998, closing on January 18, 1999.
- Significant comments were received from citizens in the form of letters, email, and handouts at the public hearing, with considerable opposition to transportation, land use, and the Boulevard District recommendations.

- **There was also opposition to the use of the CAC to develop the Plan, since it did not allow for widespread public participation throughout the development of the Plan.**
- After the hearing, the Planning Commission failed to take action on the CAC-developed Plan.
- The Freedom Plan languished for almost 2 years with no activity.
- In 2001, the Planning Commission approved the Freedom Plan, 3 years after the CAC completed its work, and **6 years after initiation.**

13. **Myth** – As part of the 2001 Freedom Community Comprehensive Plan, a consultant, Tischler & Associates, was retained by the County to conduct a fiscal impact analysis, and much of the 2001 Freedom Plan was based upon the Tischler findings.

Fact - “The Fiscal Impact Analysis of Four Growth Scenarios” was prepared in 1997 by Tischler & Associates as part of the **County** Master Plan update. The purpose of the study was to conduct a fiscal analysis of four different growth scenarios for Carroll County: Low Growth, Slowed Growth, Current Trends, and Development Corridor.

The report divided the County into 5 Fiscal Analysis Zones (FAZ) for study purposes; the Southeast Zone roughly correlated to Freedom, although it extended west of MD 97. The report made short term (to 2005) and long term (to 2020) projections. It included a breakdown of new residential units, by type, and new employment square footage, by retail, office and industrial. The Development Corridor scenario assumed a corridor along a state highway (not specified) in the southeast FAZ with a concentration of residential and industrial development. It assumed that countywide, the commercial/industrial tax base would increase from 12% to 15%. It also assumed that the rate of agricultural preservation countywide will be increased to 3,750 acres per year, with the loss of additional lots preserved balanced by a corresponding increase in residential lots in this corridor in the Freedom area.

The report concluded that over both the short and long terms, the Development Corridor Scenario would yield the best results for the County as a whole. The recommendation was to direct both residential and commercial growth to the Freedom area. Page 4 of the report states, “The Development Corridor scenario produces the best results because the higher non-residential assessed base associated with increased employment more than compensates for the lower market value housing (i.e. smaller lot single family, townhouse and apartment). “ Other than the designation of a Development Corridor along one of the three State highways in the Southeast FAZ, the report makes no specific locational land use recommendations.

Contrary to reports, the Tischler study was not part of the 2001 Freedom Plan, and there is absolutely no reference to the Tischler Report in the 2001 Freedom Community Plan.

14. **Myth** – The future land use designations for the schools are being changed because the schools will be closed.

Fact – The Board of Education has not indicated that schools in the Freedom area are being considered for closure. Any decisions involving closure, consolidation, or redistricting are entirely up to the Board of Education. The practice of designating schools to be compatible with the surrounding area is a well-established planning practice. This practice is utilized in other local jurisdictions as well, including Howard, Harford, and Baltimore Counties. Carroll County began to follow this trend in 2013 with the adoption of the Finksburg Corridor Plan, and continued with the Carroll County Master Plan in 2014. With the adoption of these plans, the designation of “Conservation/Public Use” no longer exists; all schools within the County’s jurisdiction (not municipalities) were assigned land use designations that were compatible with the surrounding areas.

Designating the school sites in the Freedom area in the residential category that is compatible with adjoining residential land provides a **protection** for the community that the school properties will remain compatible with the fabric of the community. If, in the future, a school is closed and the property sold, the new property owner would submit a Zoning Map Amendment (or piecemeal rezoning) proposal in order to be able to use the property. This would entail proving either “change” (a substantial change in the character of the neighborhood) or “mistake” (a mistake in the existing zoning classification). If the property was no longer in public use and/or not surrounded by Conservation land, either or both arguments would be justifiable. Designating the school properties as residential repudiates both of these arguments. This will serve to ensure that whatever activities exist at current school sites in the future will be consistent with existing neighboring uses.