

V. THE GROWTH OF NEW MARKET

This chapter identifies growth that is consistent with the Town's vision for the future. It reviews and considers factors including population projections, land capacity, land needs and an assessment of infrastructure and sensitive areas. This chapter provides guidance for future town annexations. It has been prepared in consultation with County Plans and as in the past recommends a joint planning agreement with the County in order to ensure coordinated planning and implementation. It addresses the Municipal Growth Element requirements, as well as others.

The recommendations and directions contained in this chapter are designed to be flexible and are intended to be periodically reviewed and revised as situations warrant. Implementation of these recommendations should be phased-in over time, based upon community priorities, funding, resources, and market pressures. New Market has taken since 1793 to evolve into the community it is today. Change will occur at a natural pace. It may be many years before some of the recommendations contained in this Element are realized.

A. Population and Housing: Growth Trends and Patterns to Date

The following tables show that New Market experienced much more modest overall population increase over the 60-year period between 1940 and 2010 as compared to the County area surrounding it. Table 1 below compares the Town's growth to County growth as a whole and to growth in the County Planning Area surrounding the Town. That region was designated as the New Market Region in the 2010 County Comprehensive Plan. To summarize the chart shows a population change between 1940 and 2010 for the Town of 82%, for the region of 997% and for the County of 307%.

Table 1. Census Reported Population Changes

Year	Town of New Market		New Market Region		Frederick County	
	Number	% Change	Number	% Change	Number	% Change
1940	360	22%	2,653	15%	57,312	5%
1950	301	-16%	2,759	4%	62,287	9%
1960	358	19%	3,596	30%	71,930	15%
1970	339	-5%	6,834	90%	84,927	18%
1980	306	-10%	9,857	44%	114,792	35%
1990	328	7%	15,855	49%	150,208	31%
2000	427	30%	29,107	84%	195,277	30%
2010	656	54%	NA	NA	233,385	20%

Source: US 2010 Census data compiled by Frederick County (Note: NA data not available)

Current Town Population: In July of 2014, MDP issued revised population estimates for Maryland municipalities. They estimated the Town's population to be 693 and the percent change from 2010 to 2014 to be 4.4%. Data collected by the Town indicates that this estimate is low. The Town has experienced a growth spurt since 2010. Many new homes have been built. The Town estimates the population to be about 1,338 as of February 2016. This estimate is based on town records of the number of residential units in town as of July 2016 of 471. This estimate uses the Town's 2010 average household size of 2.84 as the average household size. ($471 \times 2.84 = 1,338$) This method was deemed more accurate than a count of visible buildings on the most recent aerial maps as the

New Market Historic District includes numerous mixed use buildings that include one or more residential units. This data is discussed further later in this section and in Table 9.

During review of this plan, MDP commented on the Town's estimate. They advised that other data sources show lower estimates but noted that they may not have full information about recent Town construction activity. They advised that based on the Town's household count of 471 that a 2015 population estimate of 1,250 might be considered after factoring in a reduction for likely vacancies (assumed a rate of 6.5%) and a reduction for smaller non-family households. They assumed 84 non-family households to arrive at 1,250. In their letter to the Town dated March 2017, Frederick County Staff offered an estimate of 1,120 which also reflected a reduction for assumed vacancies.

Past Restraints on Town Growth: In reviewing growth trends for the Town, County and New Market Region as illustrated in Table 1, it is apparent that the New Market Region has grown at rates that are many times that of the Town for a long time. This is evidence of a housing demand pressure gradient that has surrounded the Town but was not experienced by the Town for many years. This growth difference was attributable first, to a lack of residential land ready for development within the Town and then to a lack of water and sewer service to support new home construction in the Town's three active subdivisions once approved. Both the 2000 to 2010 growth spurt reported by the US Census and the Town's estimated growth spurt from 2010 to 2015 reflect growth capacity created by the Town and County agreement regarding water and sewer service that was first signed in 2003. That agreement allocated 500 water and sewer service taps to the Town and its subdivisions in stages. The first utility connections under the agreement were made in 2004. After connections began growth surged until these taps were consumed. Growth again became constrained until July of 2009 when the 3rd Amendment to the WSAA was executed. That next year the Town gained 47 new homes in one year. The most recent WSAA amendment signed in 2012 again removes constraints as it grants the Town a total of 681 water and sewer taps and makes provisions for added taps as the Town grows.

Other Population Trends & Patterns: For planning purposes, other population trends and patterns in the Town and surrounding area need to be considered as well. These include the relative ages of residents, the composition and types of households, and the average size of households in the Town as compared to its surroundings. These patterns are noted in Tables 2 through 6.

Table 2 reports on the gender and age characteristics of the Town's population. It shows that the population of New Market is slightly younger than the County and State population, has a slightly larger "middle-aged" population, and a significantly smaller elderly population. The prime working ages of 30 to 54 are more heavily represented in New Market than in the rest of the State.

Tables 3, 4 and 5 report on household characteristics in New Market including factors such as marital status and household size, they also report on households by relationship and type. These factors help to determine what types of services the community may require, and the type of housing likely to be in demand. According to Frederick County Planning Department sources, trends in the area concerning marital status are in line with those seen nationally, where separations and divorces have been on the increase while fewer marriages are taking place. This is resulting in a long-term trend towards increasingly smaller households. The trend towards smaller household sizes is shown in Table 3. More single individuals and smaller families generally indicate the potential for an increased demand for smaller housing units. National sociological trends, such as increases in the number of single parents and families where both parents work, are reflected by changes in the type of housing people look for and in the demand for availability of public services such as day care.

Table 2. Gender and Age Characteristics

	Town of New Market		Frederick County		State of Maryland	
	Number	Percent	Number	Percent	Number	Percent
Total Population	656	100	233,385	100	5,773,552	100
Under 5 years	52	7.9	14,862	6.4	364,488	6.3
5-9 years	64	9.8	16,303	7.0	366,868	6.4
10-15 years	45	6.9	17,234	7.4	379,029	6.6
15-19 years	48	7.3	16,756	7.2	406,241	7.0
20-24 years	29	4.4	13,237	5.7	393,698	6.8
25-29 years	23	3.5	13,617	5.8	393,548	6.8
30-34 years	48	7.3	13,715	5.9	368,494	6.4
35-39 years	68	10.4	16,065	6.9	377,409	6.5
40-44 years	63	9.6	18,974	8.1	418,163	7.2
45-49 years	56	8.5	20,839	8.9	461,585	8.0
50-54 years	51	7.8	18,496	7.9	440,619	7.6
55-59 years	34	5.2	15,086	6.5	377,989	6.5
60-64 years	26	4.0	12,367	5.3	317,779	5.5
65-69 years	17	2.6	8,373	3.6	226,596	3.9
70-74 years	14	2.1	5,687	2.4	159,761	2.8
75-79 years	5	0.8	4,462	1.9	124,579	2.2
80-84 years	10	1.5	3,635	1.6	98,580	1.7
85+ years	3	0.5	3,757	1.6	98,129	1.7
Median Age	38.0		38.6		38.0	
Male	36.0		37.6		36.4	
Female	39.4		39.4		39.3	

Source: US 2010 Census

Table 3. Household Size

Year	Maryland	Frederick County
1950	3.56	3.6
1960	3.48	3.44
1980	2.82	2.97
1990	2.67	2.78
2000	2.61	2.72
2010	2.61	2.72
2030 projection	2.47	2.65

Source: US 2010 Census, Maryland Department of Planning, February 2009

Table 4. Households by Relationship

	Households by Relationship					
	New Market		Frederick County		State of Maryland	
	Number	Percent	Number	Percent	Number	Percent
Total Population	656	100	233,385	100	5,773,552	100
In Households	656	100	229,203	98.2	5,635,177	97.6
Householders	231	35.2	84,800	36.3	2,156,411	37.3
Spouse	151	23.0	49,048	21.0	1,026,739	17.8
Child	226	34.5	71,169	30.5	1,659,071	28.7
Other Relatives	18	2.7	12,502	5.4	425,161	7.4
Non-relatives	30	4.6	11,684	5.0	367,795	6.4
Unmarried Partner	21	3.2	5,150	2.2	137,828	2.4

Table 5 shows that the 2010 average household size in the Town is 2.84 people per household. For comparison, Table 3 reports the County's 2010 average is 2.65.

Table 5 Households by Type

	Households by Type					
	New Market		Frederick County		State of Maryland	
	Number	Percent	Number	Percent	Number	Percent
Total Population	231	100	84,800	100	2,156,411	100
Family Households	187	81.0	61,198	72.2	1,447,002	67.1
Non-family Households	44	19.0	23,602	27.8	709,409	32.9
Householder Living Alone	34	14.7	18,625	22.0	563,003	26.1
Total Male	13	5.6	8,043	9.5	234,157	10.9
Male 65+	1	0.4	1,797	2.1	53,018	2.5
Total Female	21	9.1	10,582	12.5	328,846	15.2
Female 65+	8	3.5	4,813	5.7	135,362	6.3
Households with Individuals Under 18	116	50.2	31,898	37.6	738,706	34.3
Households with Individuals 65+	35	15.2	18,572	21.9	516,358	23.9
Average Household Size	2.84		2.70		2.61	
Average Family Size	3.11		3.17		3.15	

Table 6, on the next page, reports on the number of housing units in the Town. It compares the Town's vacancy rates with the County and other towns in the County.

Table 6 Change in Housing Units in Frederick's Incorporated Areas, 2010 and 2000

Total Population	Census: April 1, 2010				Census: April 1, 2000				Change: 2010-2000			
	Total Units	Occupied Units	Vacant Units	Vacancy Rate	Total Units	Occupied Units	Vacant Units	Vacancy Rate	Total Units	Occupied Units	Vacant Units	Vacancy Rate
Frederick	90,136	84,800	5,336	5.9%	73,017	70,060	2,957	4.0%	+17,119	+14,740	+2,379	+1.9
Total Municipal Housing Units	39,881	36,991	2,890	7.2%	32,035	30,482	1,553	4.8%	+7,846	+6,509	+1,137	+2.4
Percent of County	44.2%	43.6%	54.2%		43.9%	43.5%	52.5%		45.8%	44.2%	56.2%	
New Market	247	231	16	6.5%	170	159	11	6.5%	+77	+72	+5	0.0%
Brunswick	2,330	2,155	175	7.5%	1,957	1,866	91	4.6%	+373	+289	+84	2.9%
Burkittsville	74	69	5	6.8%	76	72	4	5.3%	-2	-3	+1	1.5%
Emmitsburg	1,070	997	73	6.8%	862	811	51	5.9%	+208	+186	+22	0.9%
Frederick	27,559	25,352	2,207	8.0%	22,106	20,891	1,215	5.5%	+5,453	+4,461	+992	2.5%
Middletown	1,569	1,484	85	5.4%	981	960	21	2.1%	+588	+524	+64	3.5%
Mount Airy	1,214	1,187	27	2.2%	1,046	1,038	8	0.80%	+168	+149	+19	1.5%
Myersville	553	531	22	4.0%	450	439	11	2.4%	+103	+92	+11	1.5%
Rosemont	118	114	4	3.4%	106	104	2	1.9%	+12	10	+2	1.5%
Thurmont	2,498	2,354	144	5.8%	2,193	2,119	74	3.4%	+305	+235	+70	2.4%
Walkersville	2,206	2,094	112	5.1%	1,793	1,750	43	2.4%	+413	+344	+69	2.7%
Woodsboro	443	423	20	4.5%	295	273	22	7.5%	+148	+150	+2	-2.9%
Balance of Frederick County	50,255	47,809	2,446	4.9%	40,982	39,578	1,404	3.4%	+9,273	+8,231	+1,042	1.4%
Percent of County	55.8%	56.4%	45.8%		56.1%	56.5%	47.5%		54.2%	55.8%	43.8%	

Table 7 shows that the Town has a higher percentage of owner occupied housing units than either the County or the State.

Table 7. Housing Occupancy, Tenure and Size

Occupancy	New Market		Frederick County		State of Maryland	
	Number	Percent	Number	Percent	Number	Percent
Total Housing Units	247	100.0	90,136	100.0	2,378,814	100.0
Occupied	231	93.5	84,800	94	2,156,411	90.7
Vacant	16	6.5	5,336	5.9	222,403	9.3
For Rent	3	1.2	1,485	1.6	61,874	2.6
Rented, but not occupied	0	0	152	0.2	3,742	0.2
For Sale only	3	1.2	1,204	1.3	32,883	1.4
Sold, not occupied	1	0.4	302	0.3	6,586	0.3
For seasonal, recreation or occasional use	1	0.4	488	0.5	55,786	2.3
All other Vacancies	8	3.2	1,705	1.9	61,532	2.6
Homeowner Vacancy Rate	1.5%		1.8%		2.2%	
Rental Vacancy Rate	1.8%		6.7%		8.1%	
Tenure						
Total Occupied Units	231	100.0	84,800	100.0	2,156,411	100.0
Owner-Occupied Units	197	85.3	64,315	75.8	1,455,775	67.5
Renter-Occupied Units	34	14.7	20,485	24.2	700,636	32.5
Population in Owner-Occupied Units	573	87.3	179,943	77.1	3,940,520	68.3
Population in Renter-Occupied Units	83	12.7	49,260	21.1	1,694,657	29.4
Average Household Size						
Owner-Occupied Units	2.91			2.80	2.71	
Renter-Occupied Units	2.44			2.40	2.42	

B. Population and Housing Growth Projections

Table 8 reports the County's most recently available population growth projection for the Town, region and County. These numbers were prepared for the County's 2010 Comprehensive Plan. These numbers pre-date the New Market's recent growth spurt and recent annexations.

Table 8. County's 2010 Reported & Projected* Population Changes

Year	Town of New Market		New Market Region		Frederick County	
	Number	% Change	Number	% Change	Number	% Change
2008	465	9%	34,160	17%	228,100	17%
2030*	1,444	211%	41,785	22%	323,700*	42%

Source: Maryland Planning Department of Planning 2008 and Frederick County Comprehensive Plan 2010.
 *Note: as of July 2014, the MDP Projection for the County's 2030 population had been reduced to 304,050.

Table 9 states the Town's population and housing unit projections for the 20-year period covered by this Plan. The chart was prepared in February 2016. The table estimates that by the year 2035, the Town will have a population of 4,505. The projection assumes timely water and sewer availability, construction of a variety of housing types and an overall reduction of the average household size in Town by the year 2035. These Town population numbers represent the addition of 1,229 new homes. The math used to arrive at the population number is as follows: 471 existing units + 1,229 new units = 1,700 units times 2.65 people per unit = 4,505 people.

In order to correlate this Plan with the County's current projection year of 2030 shown in Table 8, the Town also projects population for the year 2030. In that year, the Town projects a population of 3,713. This projection represents a town residential unit count of 1,401 and assumes the construction of 930 new units. This projection represents a slightly slower growth rate than was stated in the Town's Growth Element adopted in 2014. The 2014 projection estimated a population of 3,894 by 2030.

The Town acknowledges that state planning staff has advised that the Town's estimate may be high. They advised that given other factors including trends in residential subdivision activity elsewhere in the County and in nearby competing communities as well as issues related County allocation of available water and sewer capacity, that the Town's share of area growth may be less than anticipated. They advised that a population of up to 3,100 people by the year 2035 might be more likely.

For context, the growth projected in Table 8 for the overall New Market Region during the next twenty (20) years represents 7,625 units added at an average of 347 new units each year. The Town's projection of 62 units per year would represent 18% of that growth.

Table 9. Town Population and Housing Unit Projections

	Past US Census Data			New Market Estimate				20 Year Projection
	1990	2000	2010	2015	2020	2025	2030	2035
Total Housing Units								
Housing Units		170	247	471	701	1051	1401	1700
Rate of Growth		30%	36%	91%	49%	50%	33%	21%
Average # of Units per Year			8	45	46	70	70	60
Total Population								
Town Population*	328	427	656	1338	1858	2758	3713	4505
Rate of Growth	7%	30%	36%	91%	49%	50%	33%	21%

* Current estimate based on average house hold size of 2.84. Projections are based on average house hold size of 2.65

The Town's ability to absorb new units has been demonstrated by the construction activity over the past five years in the Royal Oaks, Brinkley Manor and the Orchard Subdivisions. In 2014, 46 new

homes were built in Town. The rate of growth began to slow in 2015 as both the Brinkley Manor and the Orchard Subdivisions neared completion.

Other factors considered in the Town's projection include:

- Government regulations, such as the County's Adequate Public Facilities Ordinance (APFO), which plays a role in redirecting New Market area growth into the Town.
- Quality of life and lifestyle choices such as people choosing to live in an historic small town and young families are choosing to be near excellent schools and sports and recreation opportunities.
- Employment opportunities in the region and the Town.
- Availability of suitable housing types.
- Transportation improvements and access.
- Implementation of Joint Planning with the County.
- Timely availability of public water and sewer service.
- Timely annexations in the future.

The Town's projection represents a reallocation of the overall projection and capacity the surrounding area and an adjustment to the ongoing housing demand pressure gradient that has been occurring around the Town since the 1960's. As such it represents a shift in location for projected growth within the County rather than additional growth. The shift is consistent with State Smart Growth principles and addresses the concerns expressed in the State's recent Plan Maryland document -- "PlanMaryland will not immediately resolve issues like adequate public facilities ordinances that discourage growth in suitable areas..." (*PlanMaryland*, April 28, 2011 draft, at page 1-5)

The Town projection represents a joint planning opportunity that has been anticipated by both the Town and the County for several years in their respective Master Plan and Comprehensive Plans. The Town and County can use their respective growth staging mechanisms such as inter-jurisdictional agreements, DRRA's and Water and Sewer service expansions to help drive growth into the Town as outlined in the 2014 MGE Supplement to the Town's 2005 Master Pan and this 2016 Master Plan.

The 2010 Frederick County Comprehensive Plan adopted in April 2010, and the County's associated Residential Needs and Development Capacity Analysis dated June 2010, indicates that the adopted County Plan did not provide sufficient supply of land to meet projected demand by 2030. Specifically, it fell 4,350 units short of anticipated need. The plan anticipated that Future Growth Areas would make up 3,900 units of the shortfall. Future Growth Areas were defined in Development Capacity Analysis as land that "would be appropriate for development but in a time frame generally beyond 20 years." Thus, these units, by definition, fell outside the 2030 horizon year.

The Town notes that subsequent Amendments to the County Plan since 2010 have included the restoration to Plan of two large PUDs on the northern border of New Market. The units planned for there appear to have reduced the anticipated short fall but have not eliminated it.

C. Growth Capacity within the Town Boundary

Growth capacity analysis, is an estimate of the total amount of development that may be built in an area under a certain set of assumptions, including applicable land-use laws, policies (e.g., zoning and environmental constraints). The Town has considered both its capacity for new

residential development and its capacity for commercial and employment growth, in order to adequately plan for future growth.

1. Residential Growth Capacity within the Town Boundary

The Town, the County and the State have each assessed New Market's capacity to accommodate new residential growth within its boundaries. The County and State studies are older and are provided in Appendix B. These two assessments were based on the Town's 2005 Master Plan and boundary and vary somewhat in their timing and methodology. For example, the State assessed capacity based on Town zoning and the County made their assessment based on land use categories. Both assessments focused on the estimating the number of units yet to be built in the Town's three in-progress subdivisions as the Town contained no other vacant land designated for residential use at that time. The State also assessed the potential for additional residential units occurring as infill on vacant land and/or conversion of structures on infill areas such as the Town's mixed residential zones. It estimated that an added 26 units might occur by these means. In total the State estimated a capacity for 365 more homes and the County estimated a capacity of 308 within the town boundary existing at that time.

Since the completion of the State and County assessments Town build-out has continued on the 334 lots within the approved 3 subdivisions. The Town annexed both the Smith Kline property (Calumet) and the Delaplaine property. The land use and zoning designation for Smith Kline property is now Planned Residential Development. It has been approved for a total of 925 residential units. The Delaplaine property has been granted land use and zoning designation of Economic Development Flex. No development plans for the property have been filed or approved. No development is anticipated within 2030 timeframe of this plan. Other land use designations and zones in Town have remained the same.

Based on these changes the Town's assessment of capacity as of July 2105 is for a total of 1,008 new residential units within the current town boundary. This number includes the following:

- 57 - Remaining residential units in the Royal Oaks Subdivision
- 925 - Residential units approved in the Calumet Master Plan
- 26 - Possible infill and conversion units in mixed residential and commercial areas of Town

Table 9 anticipates the need for about 1,229 new units to achieve the projected 2035 population assuming the Town's average household size remains at 2.65. The in-Town capacity above leaves a short fall of approximately 221 units. Assuming a minimum density of 3 units per acre an area of about 74 acres is needed to accommodate the added additional 221 units. This need varies depending on factors including the actual household size, the actual density and whether the units are built in a mixed use setting rather than an entirely residential development.

2. Employment Growth Capacity within the Town Boundary

Increased tax base and added opportunities for in-town employment is vitally important to the Town's long range vision and Master Plan. The Town vision for New Market is to include a balanced mix of places to live, work, play, shop, dine, and go to school that is consistent with its heritage and role in the region. Recent growth within the town has been largely residential and the balance needs to be restored. The Town needs tax generating revenues to meet its future fiscal responsibilities. Currently the Town has limited capacity for commercial and employment growth within its boundaries. While neither the County nor the State's growth models provided an assessment of the Town's growth capacity for business and employment, the County did report that the Town had 8 acres of undeveloped commercial or employment land. These areas have

already been built and approved for the nearly occupied New Market Commons building and the planned Marley Gate mixed use building. While the County study did not note it, the Town has the ability and desire to attract and accommodate infill, conversion and expansion of retail uses and service activities along Main Street.

While the recent annexation and zoning of the Delaplaine property as an Economic Development Flex site can be expected to increase employment capacity in the long term, its development potential appears to lie beyond the planning horizon of this Master Plan. The Town therefore needs to annex additional properties in the near term to achieve their vision and goals.

D. Growth Capacity Beyond the Existing 2016 Town Boundary

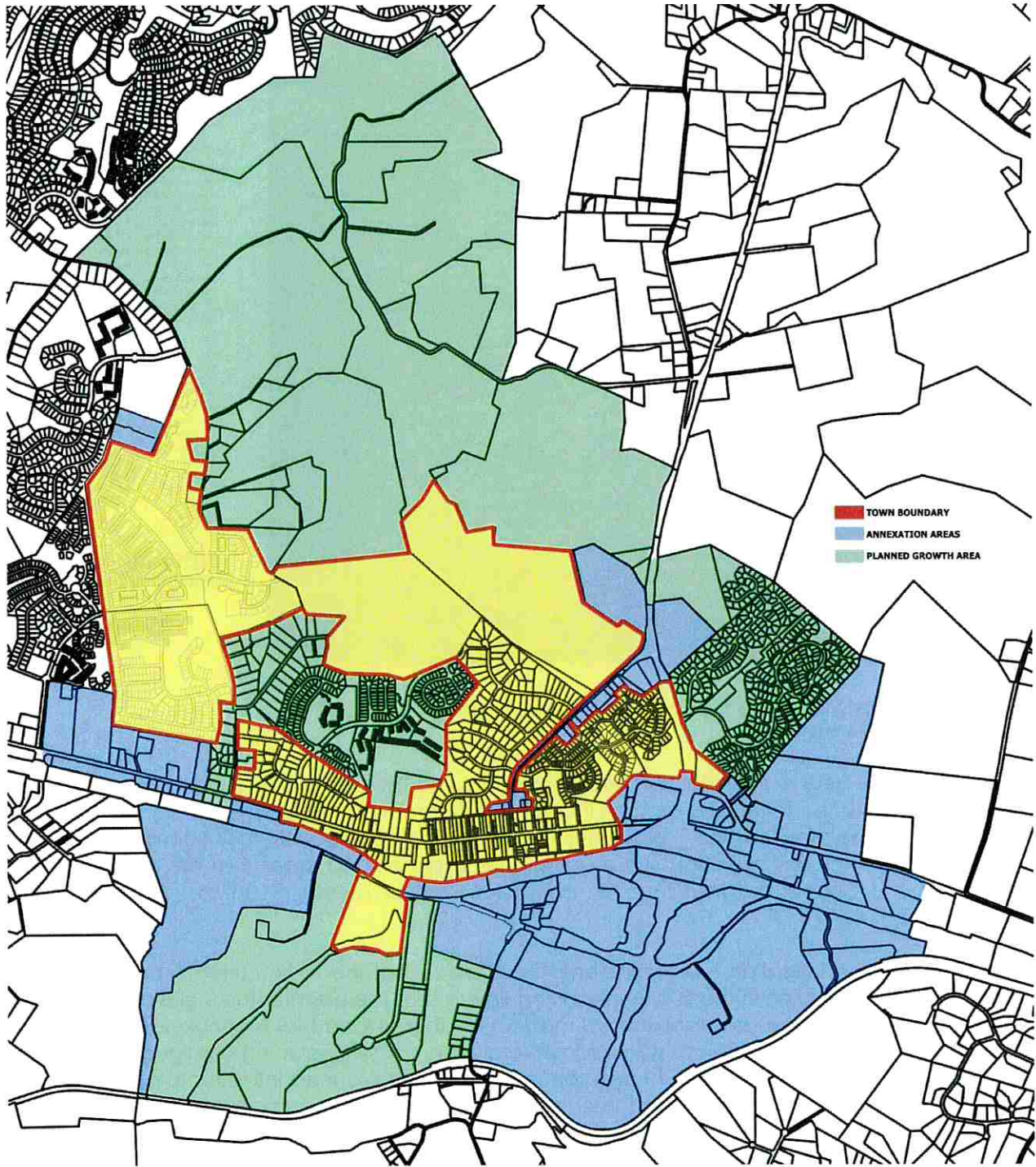
All land is valuable, but its real estate market value is realized in large part only through public decisions. The value created through the Town's and the County's proactive planning, zoning, and infrastructure authority can be translated into measurable improvements to the health, safety, and welfare of area residents. The opportunity is to conserve and efficiently use public funds by concentrating development in areas where public infrastructure and services may be most efficiently provided.

The Town's plan for growth and their assessment of growth capacity beyond the Town Boundary reflects New Market's location and regional accessibility at the interchange to I-70 and MD-75. Both the Town and the County acknowledge that this location provides an opportunity to meet the needs of the larger community and region.

The 2010 Frederick County Comprehensive Plan has identified large areas around the Town and the I-70 interchange as appropriate for growth of regional significance. The Plan states that this area constitutes *"the majority of employment designated lands in the entire New Market Region."* *The Town embraces this opportunity while continuing its commitment to accommodating growth in a manner consistent with its vision for a distinctive identity."*

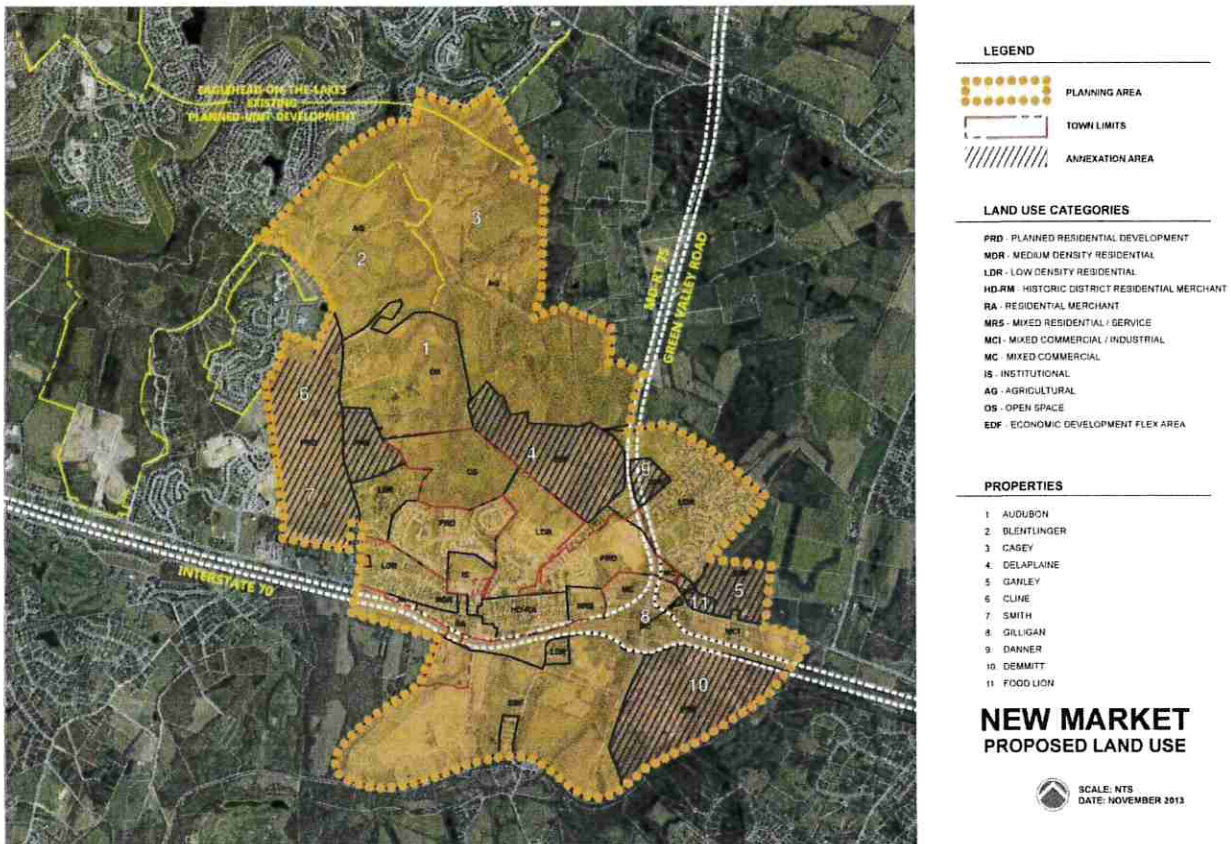
The 2010 Frederick County Comprehensive Plan has delineated a 1,077-acre New Market Community Growth Area around the Town and designated it for growth regardless of annexations. The relevant section of the 2010 Frederick County Comprehensive Plan addressing County Plans for the New Market Planning Region and the New Market Community Growth Area is attached in its entirety in Appendix C. In order to embrace the significant opportunities already planned for by the County in 2010 the Town incorporates significant portions of this Community Growth Area as logical additions to Town.

Map 7 below represents the updated 2016 New Market Planning Area. A smaller area on the map represents a logical New Market Annexation Area. On the map the current Town Area is colored yellow, the Town Planning Area is colored green and the Annexation Area is colored blue. Map 8 shows the New Market New Market Planning Area and Annexation Area that was adopted in 2014.



Map 7: Planning and Annexation Areas 2016
Source: Town of New Market

los



Map 8: Previously Adopted New Market Proposed Land Use Plan 2014
Source: Town of New Market

In updating the New Market Planning Area boundary, the Town considered existing and planned land uses in both the Town and County. It considered community patterns, existing and planned infrastructure, natural features, and other factors to logically define the Planning Area. The Planning Area includes both areas that are logical to annex and areas that are anticipated to remain in the County but that function or will function as a part of an overall New Market community.

The highlighted Annexation Area represents those areas that the Town currently considers most practical for annexation in the 20-year planning timeframe. The basis for the inclusion in this area assumes that water and sewer service will be made available to land that is annexed into the Town for development. It takes into consideration several other factors including contiguousness to the Town boundary, property owner interest, other existing and planned infrastructure, and natural features. The Annexation Area is not intended to represent a town annexation limit. The Town recognizes that land owner interests and other factors that favor annexation may change within the 15-20 years planning timeframe and that the Town needs to be flexible in order to achieve its vision for the future. As such the Town's 20-year residential growth projection estimates are not intended to represent a development cap. In updating the New Market Annexation Area, the Town recognizes that annexation is uncertain and typically occurs before development. For purposes of planning and projecting growth capacity the town estimates that about 500 developable acres and 130 undevelopable acres might be annexed in the next 20 years.

While there are some existing homes and businesses within the identified Annexation Areas, much of it is currently used for agriculture or is vacant. The Town's land use designations for these areas are reviewed in Chapter XI and on Map 11 later in this chapter. With the exception of one 90-acre

parcel located at the east end of the Planning Area, all of the Annexation areas are designated for mixed use, employment and or business oriented uses rather than residential use. In addition, the undevelopable areas that are identified to be annexed are designated to remain agricultural.

The physical build-out capacity for residential units as one use element within mixed use areas is difficult to define. It depends on decisions made at annexation and development approvals. For planning purposes the Town estimates that the 500 acres of developable Annexation Area could have a full build-out capacity of 600 new residential units. The Town does not attempt to define the build-out capacity for the remaining Planning Area. These numbers are assumed to already be in County projections.

In preparing this estimate of residential build-out capacity, the Town reviewed the County's 2010 Comprehensive Plan's Table listed as 10-29 that identifies the growth capacity for the areas outside the Town. That table estimated a capacity for 237 new residential units on the 90 acres north of the Ganley Site and west of the existing Meadows Subdivision. It did not quantify the number of residential units that might be developed on the Demmitt Site although it noted that it could become a MXD Floating Zoned site in the future.

The Town's 600-unit estimate is based on the following assumptions for planning purposes: 90 residential acres at a minimum average density of 3.0 dwelling units for gross acre = 270 units. Approximately 94 acres of the EDF/mixed use designated areas at minimum average density of 3.5 dwelling units for gross acre = 330 units.

Also, not included in the County's 2010 projections, are the more recently approved Casey and Blentlinger PUD Master Plans. These two large holdings sit on the Town's northern boundary and are within the Town's current Planning Area. They had been removed from the County growth area at the time of the 2010 projections. Since then they have been added back in and approved for a total of 1,692 new residential units. The timeframe for development for these units is not known.

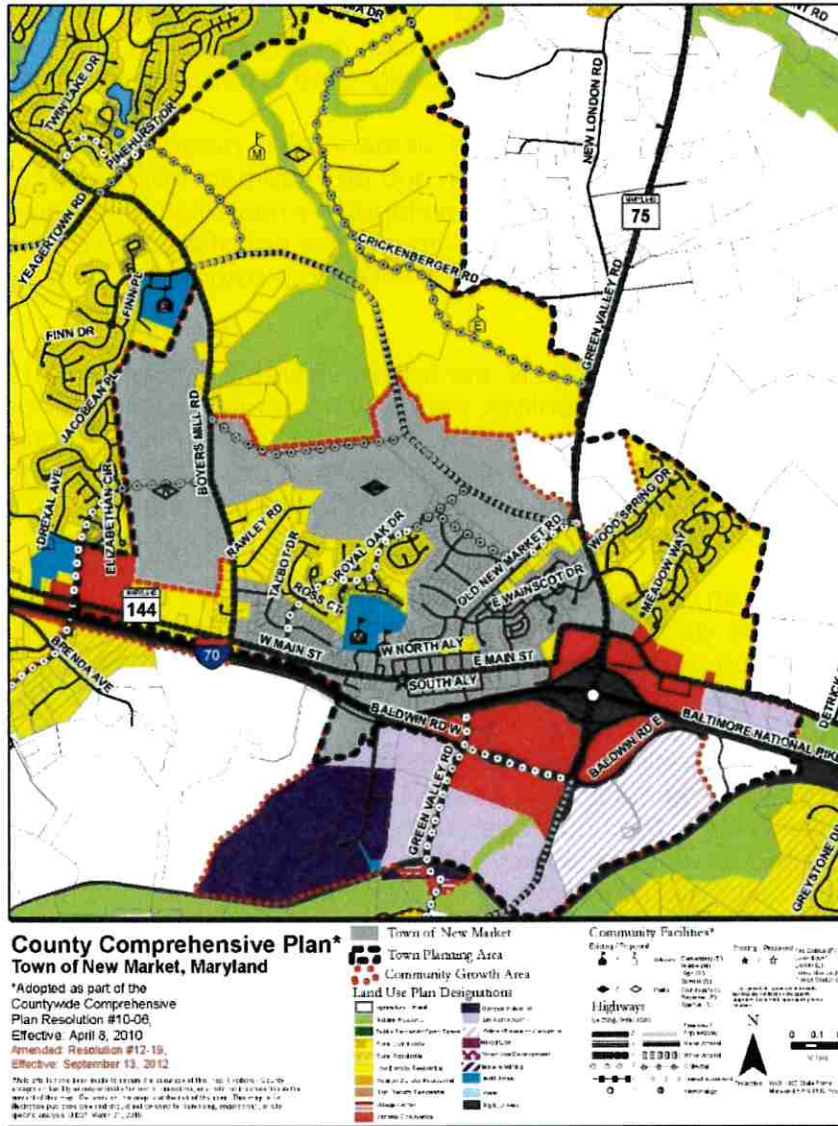
The approved Casey Master Plan also includes 10 acres of commercial uses facing MD-75. Map 9 shows the County's 2010 Comprehensive Plan graphic plan as amended in September 2012. It shows the restoration of the Casey and Blentlinger property to the Community Growth Area.

The County is currently updating its Comprehensive Plan. This update may include changes to the zoning designations for the Casey and Blentlinger properties. Regardless of these possible changes, the Town will include these properties in the New Market Planning Area for coordination purposes. However, the Town has no current plans to annex these properties.

Based on the Town's proposed land use designations for the Annexation Areas shown previously in Map 7, the Town estimates the Annexation Area to have a theoretical full build-out capacity for 1.2M sf of commercial and employment uses. Full build-out out of these amounts is not anticipated in the next twenty (20) years based on current market trends in the County. The math for this capacity estimate is as follows. *Commercial and employment uses are assumed to develop at a minimum average Intensity of 3,500 sf per gross acre. 343 acres developed for commercial and employment uses = 1,200,000 sf of built space. The estimate assumes annexation could include both new and existing built space.*

As noted previously the Town projections represent a reallocation of growth amounts already anticipated to occur by the County in the 1,077-acre New Market Community Growth Area regardless of annexation decisions.





The County's 2010 Comprehensive Plan's Table 10-29 did not project build-out capacity for commercial and employment uses in the New Market Growth Area. It did estimate that there will be 541 acres of undeveloped land designated for commercial and employment development. Using the Town's methodology described above the Town estimates, this 541-acre area could yield about 1.9 million square feet of new commercial and employment space over time. The math for this is 541 acres at an average intensity of 3,500 built sf per gross acre = 1,893,500 sf. of built space. Actual build-out of this amount of space will likely take longer than 20 years. The pace of growth depends on market demand, the economy, owner decisions and County approvals. The Town assumes this number includes the existing Costco Warehouse.

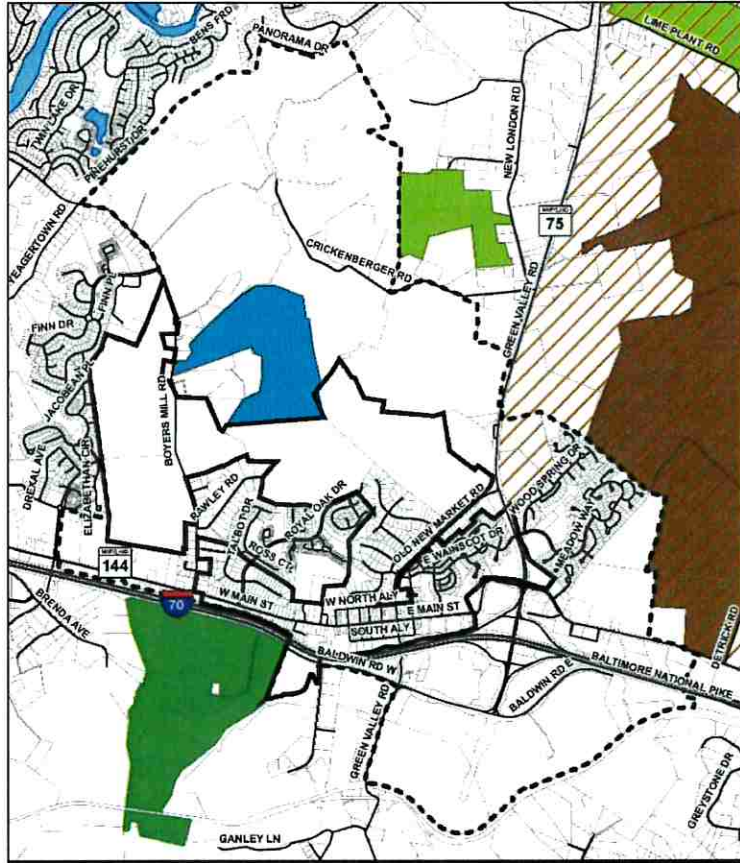
E. Growth Coordination and Changes Beyond Existing 2016 Town Boundary

The County's 2010 Comprehensive Plan as amended in September 2012 delineates both a New Market Community Growth Area around the Town and a separate Linganore Community Growth Area that abuts the western edge of Town. The 2012 plan amendment restored the Casey and Blentlinger properties to the plan expanded both Community Growth Areas. With these changes plans is now in place for the eventual development of much of the rural setting around New Market plans. Map 10 shows the existing agricultural preservation areas around New Market.

The County's 2010 Comprehensive Plan as amended in September 2012 reflects a future in which the Linganore Growth Area and the Town of New Market directly abut. Some separation between the two communities will remain. This buffer will include: the 140 Acre Fredrick Archibald Audubon Sanctuary, the Town's 100 Acre Woods Park and various open spaces planned to be preserved along the southern edges of the two County approved PUDs.

The Town asks that the County's next County Plan, now underway, include alterations to their New Market and Linganore Community Growth Area boundaries along with other plan adjustments

and policy statements that supports both the Town Planning Area and Town Annexation Area and is consistent with the Town's new Master Plan.



Agricultural Preservation
Town of New Market, Maryland

Map 10: Agricultural Preservation In County Areas Around New Market
Source: Town of New Market

The Current Town Planning Area includes an area not yet in the County's Growth boundary. This is a cluster of parcels at the intersection of Old New Market Road and MD-75. It represents a small enclave of agricultural zoned land. The area is almost entirely surrounded by existing and planned Town and County development that is served by or planned for water and sewer service. The Old New Market Road and MD-75 intersection will be the termination of the future New Market Parkway, and MD-75 is planned for widening. The Town anticipates that agricultural uses will become increasingly difficult in this area and plans for their potential development as a part of the Town.

Most of the new additions to the Town's Planning Area and its Annexation Area are already in the County's Growth boundary. There is one exception. That is an area not planned for growth by the Town. The New Market Plains Farm and Winery located south of I-70 is protected from development with a permanent easement. It was a part of the original estate of New Market's founder Nicholas Hall. His estate known as New Market Plains was part

of the original nucleolus of Town. Both the site's history and its uses represent a complement to the Town's heritage and vision for the future. The Town plan calls for this property to be added to the Planning Area and annexed but to remain Agriculture. For continuity to the agriculturally zoned parcel between the New Market Plains Farm and Winery and Adventure Park is added to the Planning Area. It is also planned to stay Agriculture and is protected by a permanent easement.

Other changes to the Town's previously adopted Planning Area Boundary include:

1. Addition of the parcels along Old National Pike (MD-144) extending out to the intersection with Mussetter Road to the southwest of Calumet.
2. Addition of the County Planned Residential Growth Area east of Meadows Subdivision and north of the Ganley property.
3. Addition of the New Market Plains Farm and Winery and intervening farm.
4. Addition of two parcels north of Calumet based on an expression of interest.

VB

Changes to the Town's previously adopted Annexation Areas (shown on the 2014 Proposed Land Use Map 8) include:

1. Addition of the cluster of parcels at the east of Main Street (MD-144 Old National Pike) and west of MD-75.
2. Addition of the remaining parcels in the cluster commercial and industrial zoned parcels in the New Market Community Growth Area located along MD-144/Old National Pike to the east of MD-75.
3. Addition of the parcels at the west of Main Street and south of Calumet along MD-144/Old National Pike extending out to the intersection with Mussetter Road. In order to prevent creation of a jurisdictional enclave, a small gap will need to be retained somewhere along the corridor. The location of this can be determined at the time of annexation.
4. Addition of the remaining parcels located south of Town and I-70 that are in the 2010 New Market Community Growth Area, with the exception of the Inter-Coastal Industrial Center property which was removed from annexation consideration at the land owner's request.
5. Addition of the New Market Plains Farm and Winery.
6. Addition of the County Planned Residential Growth Area east of Meadows Subdivision and north of the Ganley property.
7. Addition of two parcels north of Calumet based on an expression of interest.
8. Removal from the Annexation Area of the now annexed Calumet and Delaplane properties.

The Town sent letters to owners of land identified as possible annexations and received numerous expressions of interest both from owners of existing businesses and from owners of vacant sites.

In reviewing and updating the Town Planning Area Boundary Line, the Town has retained certain properties not identified for possible annexation in order to promote and ensure coordinated planning around the Town. The Town acknowledges that the property owners of these sites such as the Blentlinger and Casey PUDS and the Inter-Coastal Industrial Center have not expressed interest in annexing into the Town.

F. Land Use Plan Changes

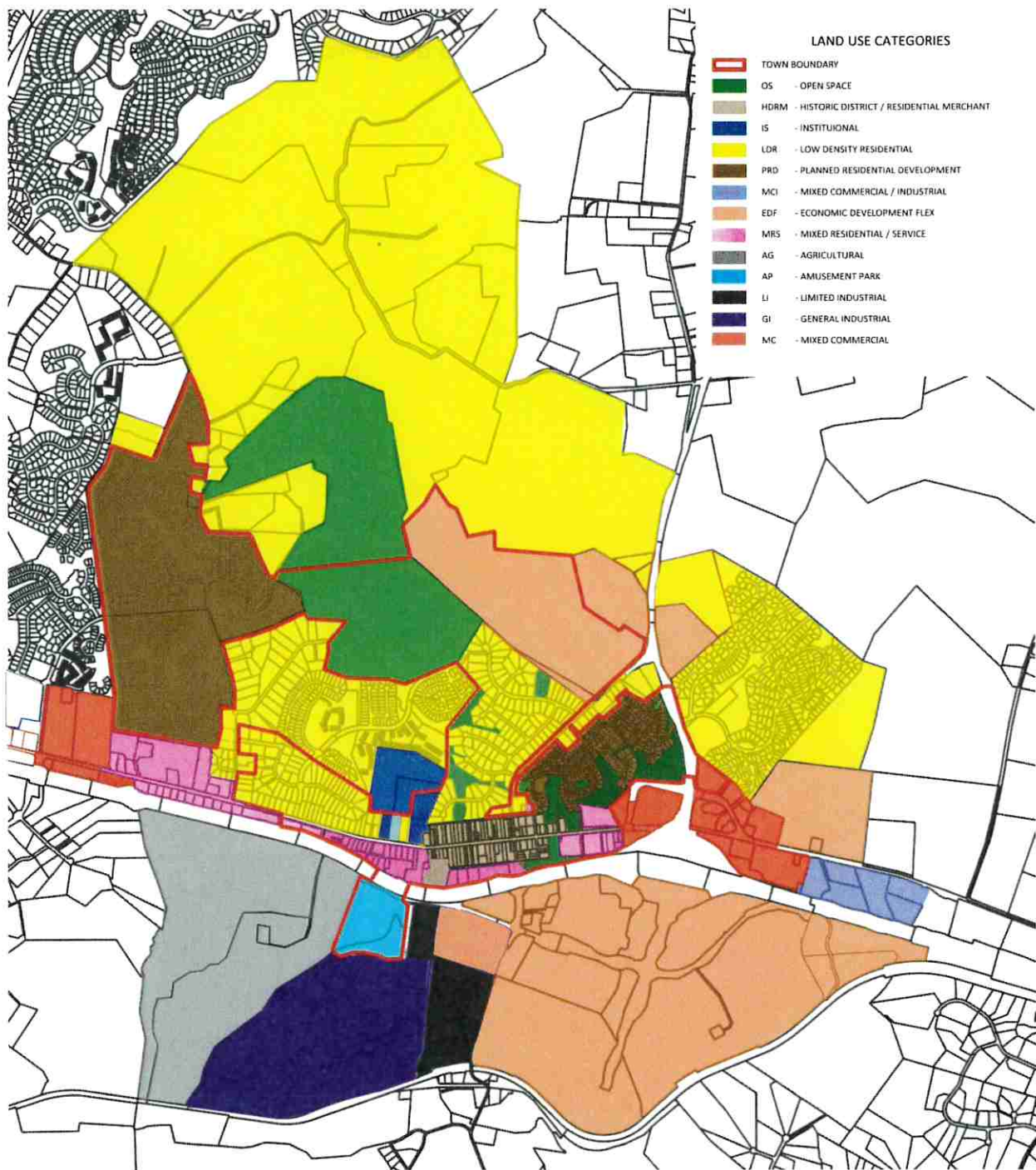
The current Planned Land Use Plan (last amended in 2014) as shown on Map 8 previously, includes land use designations within the Town and the Planning Area. The revised Planned Land Use Map (Map 11) is shown on the next page.

The Town land use categories are defined in Chapter XI, The Land Use Plan. Category and Map changes reflected on the Planned Land Use Map (Map 11) as compared to the adopted plan (Map 8), include:

1. Addition of an AP Amusement Park land use category and application to the Adventure Park Site annexed in 2006.
2. Application of the AG (Agriculture) category to the New Market Plains Farm and Winery site and abutting parcel consistent with the County's current land use designation.
3. Application/extension of the current Town Land Use Area designated as MRS Mixed Residential Merchant Service, further west along Old National Pike out to the County designated commercial cluster at the intersection of Old National Pike and Mussetter Rd.
4. Application of MC Mixed Commercial to the County designated commercial cluster at the intersection of Old National Pike and Mussetter Rd.
5. Application of MC Mixed Commercial to the added Planning Area parcel clusters along MD-144/Old National Pike both to the east and west of Main Street.

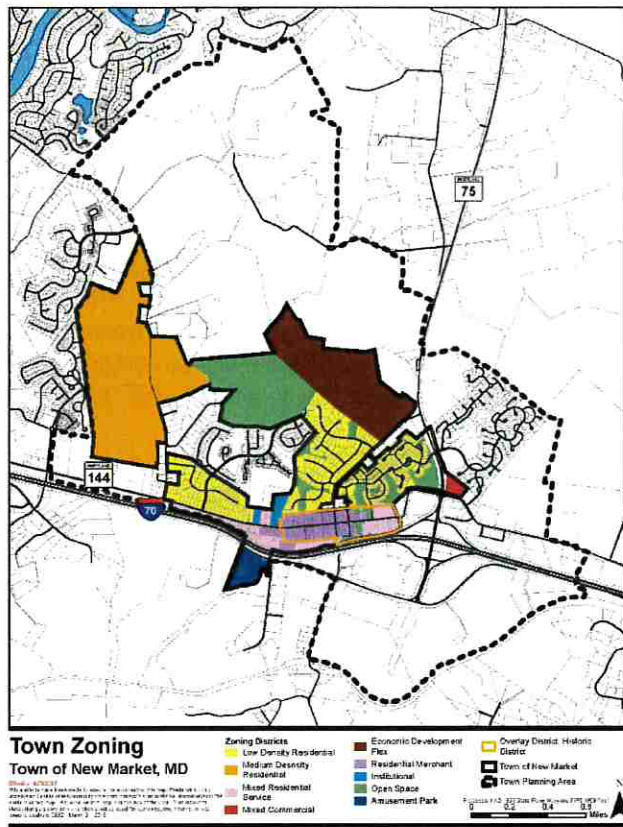
6. Application of LDR to parcel north of Ganley consistent with the County's current land use designation and to the two parcels North of Calumet.
7. Application of LDR to the parcels at the north end of the Planning Area consistent with the County's current land use designations.



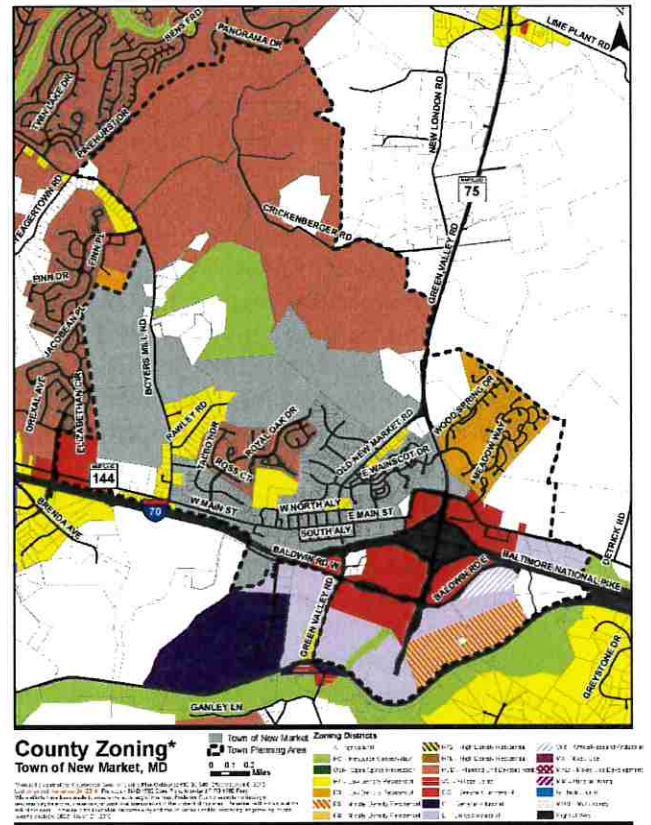


Map 11: 2016 Planned Use Map
Source: Town of New Market

The 2016 Planned Land Use Map builds on current Town zoning as shown on Map 12 and County zoning in areas around the Town as shown on Map 13.



Map 12: Existing Town Zoning
Source: Frederick County



Map 13: Existing County Zoning
Source: Frederick County

The 2016 Planned Land Use Map retains, refines and expands on land use decisions made in the land use plan approved in 2014 as follows:

- Mixed Use Area East of MD-75:** This growing mixed residential, commercial and industrial area along the Old National Pike corridor includes both Town and County parcels. All are within the County's New Market Community Growth Area. See Map 9. They are surrounded by agriculturally zoned land. County plans plan for extension of utility services to the area. The area represents an opportunity to extend the Town's Business District and to create a well-designed Mixed Business District that includes larger and more diverse businesses and employers who serve the Town and surrounding area but are not suitable for inclusion on the Historic Main Street portion of the corridor. It also represents an opportunity to create a complete mixed use neighborhood east of MD-75 in conjunction with the adjacent existing residential subdivisions.

The area will continue to develop with or without annexation into the Town. Coordinated planning of this enclave into a mixed use neighborhood rather than as piecemeal elements complies with Smart Growth Vision 3 "Growth Areas" (see Chapter II,B). All infrastructure related to development will be developer funded. Sites such as the New Market Shopping Center, Food Lion and CVS Pharmacy and related properties would likely be placed in a

LB

Mixed Commercial zoning district if annexed. The Ganley property is part of this cluster. It's located on the north side of MD-144 across from Trout's Seafood Warehouse and directly behind Food Lion on the south. It could be annexed with or without the adjacent parcels. It is already designated as EDF in the Town Plan.

- EDF area south of I-70: These properties, south of I-70, but east of Inter-Coastal Industrial Center Area includes but is not limited to the Demmitt parcels. It represents the potential for a development of regional significance. The Demmitt property also contains the relocated portion of MD-75 pursuant to the County Plan. These properties are designated as Economic Development Flex Areas (EDF). The purpose of these designations are to provide a high degree of flexibility to encourage uses that are compatible with employment based and related accessory uses and are harmonious with the character of the Town. An EDF zoning category was adopted by the Town in 2012 in order to implement this Plan element. The Town may further define development uses if deemed appropriate at the time of annexation. Again, the Town notes this growth is currently planned by the County and will develop with or without the Town. If the Town does not annex it will be another example of how the Town will be surrounded by a larger County "Town."
- Lone Cedar and other Main Street Properties West of MD-75: These properties at the eastern gateway to Main Street and the Historic District offer the opportunity for an expanded critical mass of businesses on Main Street, an expansion of the Town's mixed use approach to this corridor and a new and significantly more visible town gateway at the MD-75/I-70 interchange. The Lone Cedar property, in particular, is an important opportunity as it is highly visible, already partially within the Town and an isolated agriculturally zoned land. The recent closure of the County waste water treatment plant here alters perceptions of this end of Main Street.
- Danner and other properties at the Intersection of MD-75 and Old New Market Road/Future Parkway: This cluster of parcels, located at the "T" intersection of MD-75 and Old New Market Road, has been in the Town's Planning Area for some time. The parcels are predominantly zoned Agriculture by the County but are almost entirely surrounded by existing County development or planned Town development as can be seen on Map 13. Agriculture uses in this cluster is likely to become less viable over time as MD-75 becomes busier and the encompassing Town and County parcels develop. The intersection is anticipated to be upgraded within the next ten years or so when the future parkway connects to MD-75 thus creating an important Town gateway. At this time, the plan shows no new changes either to the Town annexation areas or to the land use designations for this cluster. The Danner Property is identified as a possible annexation parcel and is designated as EDF as it sits directly at the intersection and could have access to MD-75 creating a second Town connection to the areas on the east side of the highway.
- National Pike Properties West of Historic District: This cluster of parcels along Old National Pike/Main Street extends west of Town and south of Calumet. It includes another isolated cluster of Agriculture zoned land entirely surrounded by existing development or planned development as well as a cluster of Commercial parcels around the intersection of Mussetter Road and MD-144/Old National Pike. Agriculture uses in this cluster are likely to become less viable as the surrounding area becomes busier in the next 20 years. County plans anticipate utility services in this area.

This area represents an opportunity to extend the Town's Old National Pike corridor. The eastern portion of this possible Town extension is designated as MRS to allow it to retain its largely residential character while accommodating added small scale businesses in the future

much like the adjoining MRS section of Town along the Pike does today. The western most portion of this area is already designated by the County for Commercial. It is designated as MC and represents an opportunity for a convenient mixed use cluster located within walking distance of new and existing residents in the neighborhoods at the western end of Town who are too far away to walk to the central Main Street Area. The MC designation allows the cluster to accommodate community scaled businesses that will be needed but not permissible in the MRS or RM section of the Corridor. It can create a new Town gateway at the intersection of Old National Pike and Mussetter Road.

- Northern Planning Area including the Casey/Blentlinger PUDs: This large cluster of parcels north of Town includes two County approved PUDs. It continues to offer potential for orderly growth in the future should any of these property owners decide that becoming an integral part of New Market is desirable. Regardless of their decision, development in these areas should be coordinated with the Town to ensure that transportation and circulation for the larger area is well planned.

This updated Land Use Plan addressed the Town's desire to achieve and maintain a land use balance which retains and enhance New Market's quality of life, its separate identity, its sense of community, and its fiscal viability. It addresses the need to expand and diversify the Town business districts to serve the needs of the Town, the growing community around it and to create needed tax base. It helps to address increasingly complex municipal financing questions, a more complicated infrastructure as existing public facilities are outgrown and support mechanisms become inadequate (particularly transportation), and the search for equitable solutions to increased demands for more choice and flexibility in the use of land.

G. Key Growth Issues

This new Town Land Use Plan addresses the Town's key growth issues. It recognizes that ongoing residential development will continue to increase the population of New Market within this 20-year planning horizon and that surrounding County areas will also experience residential gains that will continue to affect New Market dramatically. It anticipates that the Historic District, while still retaining its special niche, may have decreased importance in the future with respect to population impact as its size decreases in comparison to the size of other use zones and as other forms of employment complete with retail sales are accommodated in Town. It plans for new businesses and employment opportunities within the Town which will allow the Town to retain its heritage as a balanced community where one can live, work, play, shop, dine, and go to school in Town rather than evolve into a bedroom community in which most residents drive away each day to work and shop.

The Plan will help allow the Town's Vision to be achieved by increasing opportunities for stores, businesses and factories in Town that serve Town residents, residents of surrounding areas and travelers passing by. In addition to infill development within the Town, new land areas for employment and mixed use areas will be accepted into the Town especially in designated economic opportunity areas along MD-75 and around the I-70 interchange. It embraces the I-70 interchange area designated in the County 2010 Comprehensive Plan as the primary employment area for the New Market Planning Region. These areas should become part of the Town so that the Town retains its role in the region and does not become "a small town surrounded by a larger County "Town."

In adding and locating more non-residential development this plan seeks to build on one of the Town's key assets, the ability of Town residents to easily walk to school, shops, work and other destinations located within a half mile or so of their house. This is an important feature of Town life



and plays a big part in its appeal to future citizens. The added neighborhood business clusters and corridor extensions are intended to retain this pattern as the scale of Town increases and not all residents live within a half mile of Main Street.

The Town notes that timely availability of public water and sewer and the process of annexation will in large part dictate the rate at which new development can occur. Because Town growth is dependent upon provision of water and sewer facilities and annexation for growth, it is imperative that the Town and County agree on clear policies regarding these issues. Utility plans appropriate to provide business opportunity and build a town tax base adequate to support Town growth are vital.

Key growth issues for the Town include the following:

Strangulation of Town Growth by Encircling County Development - The Town recognizes that development around the Town will continue with or without the Town's participation. The Town recognizes that past decisions not to embrace this growth has led to neighboring land owners forgoing annexation and seeking County approvals of commercial development within the Town's immediate vicinity. Should this current pattern continue, the Town's opportunities for growth may be precluded. Further there is a limited window of opportunity to embrace this growth. After development is completed annexation is far less likely to occur. This current planning cycle appears to be a critical time to the future of the Town. As key property owners may make land use and annexation decisions over the next 5 to 20 years that have irrevocable impacts on the Town. Herein lays the threat that New Market may become a small town that functions as a bedroom community and is surrounded by a larger County "Town" or development area that contains most of the area's non-residential tax base. This ongoing trend threatens to permanently strangle the Town's ability to expand and diversify its tax base so that it can ensure its long-term viability. Timely annexations are critical to the Town's ability to achieve its vision.

Growth Acceptance - The Town desires to accept and embrace the growth that occurs in their Planning Area and to prevent growth beyond its boundaries from precluding Town growth. To ensure this, the Town has defined a Planning Area of about 3,500 acres that includes the current Town area of about 1,000 acres. The Town's development growth projections for the next 15 to 20 years presented earlier, currently assume that 500 or more acres of the Planning Area would be annexed into the Town during that time frame.

The Town notes that the County already designated these areas for growth. However development in the Town is different than development in the County in two important ways. First, the Town will get the benefit of an increased tax base that will serve to enhance its expenditures on police protection, parks, etc. - all elements that will enhance its overall economic viability. Second, the Town will be able to integrate new development into a complete and connected community that will benefit both the Town and the larger County area. This should be a stated County goal as outlined on pg. 11-1 of the Community and Corridor Plans in the 2010 County Comprehensive Plan. This specific issue is called out in its policy CP-P-01 on the same page. It states,

"Include the preparation of a municipal-County Planning Agreement that would address concurrence on annexation areas, water and sewer service and other relevant issues as part of updates of a municipal comprehensive plan as coordinated with the County."

The developed land uses of New Market are compact and uniform with sprawl notably absent. Land to accommodate future growth of population or jobs is not available within the Town. This means that annexation is the safety valve for growth and that it will be the means of property

control preferred by developers – it offers more flexibility and more cost efficiency. Serious annexation interest has been expressed by developers and landowners north, east, west, and south of New Market. Again, the Town is aware that annexation is not a certain event and is likely to occur in small increments over time. Regardless of the annexation decisions made however, the Town's position is that development within these areas should be coordinated with the Town. The Town seeks cooperation from the County in its efforts to embrace this growth and seeks the Joint Planning tools mentioned in both the Town and County's current plans as a means to help implement it.

Transportation - Traffic is one of the Town's greatest concerns. A central goal of this and past Town plans is to provide a safe, efficient, and attractive transportation system for the Town and surrounding region as both areas grow. Both past and future growth is of concern. For the past 50-years an ever-increasing volume of traffic has been funneled down Main Street because both Town's people and travelers from the surrounding County areas have no other route to reach I-70 at the MD-75 interchange. Over 15,600 vehicles per day currently traverse Main Street. The negative impacts of this excessive traffic on business and the overall sustainability and quality of life in Town is a significant hindrance to achieving the Town's Vision. The need to create one or more alternate routes through or near Town that parallel Main Street and divert through traffic away from the Historic District, has been a key part of Town plans since 1969. Studies have been done and discussed with the County and State to demonstrate the need for new connections and several alternatives reviewed.

Since the last Town and County Plans were adopted, some progress has been made on this effort as described in Chapter IV. This Plan also recognizes that future development will require transportation improvements. Proposed land use changes around New Market should be used, as a catalyst for a regional assessment of transportation needs, a regional solution, and regional political support. Within the Town local transportation network enhancements are needed to create greater connectivity. Transportation issues are addressed in the Town's transportation plan in Chapter VI.

In addressing these issues New Market recognizes the need to join with other municipalities, local businesses, and residents in the region to advocate regional solutions to our collective transportation needs. Land owners and developers who benefit from growth in our neighborhood (both Town and County) must contribute to the funding of the transportation solution. No new Town development shall be approved unless it can be determined, to the Town's satisfaction that it will substantially contribute to improvements in safety and traffic flow in the New Market Planning Area. In addition, no new development will be allowed unless it can be determined, to the Town's satisfaction, that adequate public facilities and infrastructure are in place or are planned and funded for construction within a reasonable time-period in conjunction with the proposed development.

New Market must assure that its transportation needs are met without degradation of the quality of life or historically significant structures or sites, or change to the historic character of New Market. The elected officials of the Town shall take action as necessary to coordinate planning efforts between jurisdictions, citizen's groups and non-governmental agencies, and to promote the interests of the New Market Community at all levels of government.

Expand and Diversify Tax Base - The Town recognizes that it needs to expand and diversify its tax base so that it can ensure its long-term viability and fulfills its responsibilities to its citizens. To achieve this the Town needs to add land area suitable for employment and commercial uses.



Jobs/Economic Development - The Town seeks to attract new businesses and employment opportunities and be the primary focus of growth in this area of the County. New Market anticipates that the dominant regional commuter transportation pattern where employees live in the western suburbs and commute to major eastern employment centers will continue to change in the next 15 to 20 years as businesses continue to disperse. The Town anticipates a need for new employment centers located in closer proximity to their employee base and that recent growth of businesses in and around Frederick will extend to the New Market Area. This will be helped by rising regional congestion and rising costs of transportation that will make the choice of a long daily commute harder to support. The County's planned employment area at the I-70 interchange along with the Town's proximity to that interchange, Ft. Detrick and its BRAC as well as Hood College and Mt. St. Mary's University makes New Market a logical location for such centers as is already anticipated by the County 2010 Plan.

The Town needs a balance of commercial and residential development. It is vitally important for the Town to annex the job-producing properties abutting and near the I-70/MD-75 interchange. The addition of these properties would increase the Town's commercial tax base and provide local employment opportunities for area residents.

Improvement of Public Facilities - The Town recognizes the need to make continuous improvements to all public facilities as it grows, i.e. schools, parks, public safety, and libraries commensurate with current needs and growth.

Planning Coordination - The Town recognizes that this 2016 Plan has differences with the County's adopted 2010 Plans for growth in and around the Town as last amended in 2012. The Town's Plan has been prepared in anticipation that the County will assimilate this update into their upcoming overall County Plan and will adjust the County's New Market Community Growth Area accordingly. The Town will welcome the opportunity to exercise County Policy CP-P-01 using our combined growth management and concurrency tools including but not limited to annexation agreements and WSAA's.

3. Growth and Annexation Summary

Despite significant land use changes in the rural areas near Town since the last Town Plan approval, opportunities remain to encourage compact, high-quality residential, commercial, and institutional development using portions of New Market's Planning Area while preserving agricultural land. This focusing of development should be accomplished in a manner in which landowners are compensated for reductions in long-term development potential of their land through transfers or agreements with other landowners who benefit from increases in development potential. Innovative tools such as a transfer of development rights mechanism or other means of concentrating growth may be needed.

Thoughtful conversion of farmland to developed uses could provide a unique opportunity to repair and restore essential functions of the natural resource base and enhance water quality over the long term. Existing woodlands can be preserved and expanded to connect with nearby woodlands. Stream protective corridors and buffers can be enhanced or restored.

Targeted preservation of resource conservation, agricultural and open space areas in the Planning Areas can provide opportunities to permanently define the character and function of the larger area around New Market. The Town and County could work together to designate sending and receiving areas for development rights preservation of other agricultural and open space areas both in and beyond the Planning Area. This could help to retain connected blocks of productive farmland, which could perpetually define the character and function of rural areas around and to the east of New Market.

The recent annexation of the Delaplaine and Smith Kline (Calumet) properties finally provide for a northern bypass road connecting Boyers Mill Road on the west to MD-75 on the east. The need for this alternate route parallel to Main Street was recognized as early as 1969, when the New Market Master Plan included a bypass north of the Town. In view of the substantial development planned for the Lake Linganore PUD and other areas to the west of New Market, this transportation improvement is of greatest importance to the Town.

The growth area south of I-70 offers very important opportunities for commercial businesses, employment centers, recreation, and residential development. Activity is now beginning to occur in this area (e.g. the large Costco facility). With appropriate water, sewer, and zoning, a true regional employment and business center can be created. The Town has created zoning that allows a variety of mixed commercial/employment/industrial uses in a carefully planned overall environment that would encompass residential uses in certain areas. Constant attention to this area could create higher paying jobs to offset the higher cost of local housing, limit the miles of through travel on local roads, increase the tax base, keep business local, and foster a greater sense of community.

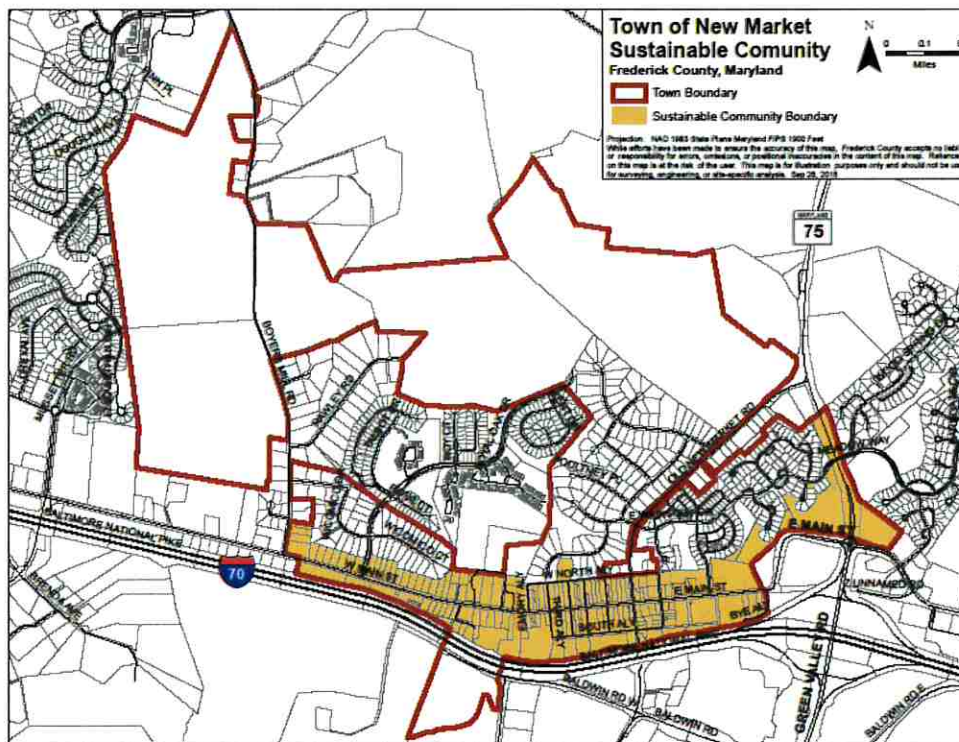
The County has placed commercial, industrial, and agricultural zoning in the Planning Area south of I-70 and the Plan encourages the use their MXD floating zone on the Demmitt site. The County should go further and identify a planning policy in its New Market Community Plan that encourages municipal annexations, so that this much needed tax base will annex into the Town. The Adventure Park annexation process provides evidence for this assertion. It is important to the improvement and sensible development of New Market that the Town works closely with Frederick County officials. Land use and development decisions outside the Town Limits profoundly affect the quality of life within the Town. The Town has previously proposed and will proceed in the future to do a New Market/Frederick County Joint Planning Agreement in the hope of producing a clear and unequivocal annexation policy for future plans and planning.

The Town and County should jointly encourage a balanced mix of residential and non-residential development within the New Market Planning Area so that the community, as it changes, does not become a predominantly "bedroom" or commuter residential location. It cannot be overemphasized that if local commercial/tourism/industrial development does not occur, more reliance will be placed upon residential property taxes to pay for needed services affecting both present and future homeowners.

The Town and County should partner with the State and private sector to invest in the necessary and required infrastructure improvements to facilitate economic development within the Town and Planning Area. The Town and County will designate qualified parts of the New Market Planning Area as "Priority Funding Areas" in compliance with the "Smart Growth" Act of 1997.

The Town has just become a designated "Sustainable Community" and a "Main Street Affiliate Community" in 2016. The Town should also work with the State to become an "Arts and Entertainment" District in order offer further incentives for private investment and to take advantage of the various State and Federal business development grants, loans, and tax credits offered through these programs. These State programs are designed to target economic development funding to designated growth areas in accordance with the directives of the Maryland Economic





Map 14: New Market Sustainable Community Boundary
Source: Town of New Market

Development, Resource Protection and Planning Act of 1992.

A comprehensive and detailed plan for economic development of the proposed mixed commercial/industrial annexations should be developed with significant input from the community, the County, and the State. This Plan should identify specific physical design improvements as well as funding and marketing strategies intended to stimulate business development on the sites. An additional focus of the development plan should be to preserve and capitalize on the historic downtown of New Market. Focus should also be accorded to developing strategies, which link the downtown to other development locations within the Planning Area.

Objectives for downtown economic development include:

- Protect the downtown functions against further diminishment, as the Town and surrounding area grows.
- Improve visibility of the Town's center
- Avoid being surpassed as the Capital of this part of the County by shopping centers and unincorporated "town centers" located nearby.
- Improve visitation/patronage by out-of-town customers by reinvigorating the Town's reputation as a statewide tourist destination.
- Aid the viability of existing businesses.
- Attract new businesses to create a more viable critical mass of activity throughout the business week as well as on weekends.
- Accommodate the long-term needs of key town center anchor businesses and employers.
- Preserve and enhance the unique physical character of the Town.

- Encourage in-fill development in and around the downtown to locate more residents and employees within easy walking distance of Main Street.
- Expand the Main Street Corridor to accommodate a more diverse range of uses.

Tourism is an important economic generator in the County, and New Market has a unique opportunity to capitalize on its historic character. Studies have shown that visitors interested in history stay longer, spend more money, and return more often than tourists seeking other attractions. Historic buildings seldom become truly obsolete. Their reuse will require innovative thinking, careful work, and creative financing. The results are always worth the time and effort in the long run. Looking forward to the next generation of tourists, the Town has an opportunity to expand upon its historic tourism attractions by providing a wider array of activities including arts entertainment, amusements, local wineries and other rural and small town attractions.

As a first priority for economic development, every effort should be made to preserve and bolster existing businesses and industries within the Planning Area. These businesses should be the foundation for future economic development in the New Market Area.

4. Annexation Analysis

As demonstrated by the construction of businesses next to the Town such as the New Market Self Storage, Trout's Seafood Distribution Center, CVS Pharmacy, All Tune Lube, Food Lion, High's, McDonald's and the New Market Shopping Center, there is demand for commercial growth in the area. As demonstrated by the current County Zoning Map, there are considerable areas planned for further growth which can occur with or without town annexation. Thus, the opportunity for the Town to achieve its long term planning goals and objectives will rapidly diminish without intervention. Justifications include:

- (1.) Reduce through traffic congestion along Main Street.
- (2.) Expand and Diversify Tax Base.
- (3.) Create Jobs and Economy.
- (4.) Serve the growing needs of this part of the County
- (5.) Avoid County Development Strangulation.
- (6.) Avoid irrevocable Land Use Decisions.
- (7.) Create a complete connected mixed use community.

5. Staging Mechanisms and Other Growth Tools

The annexation and development process provides as many as four (4) and perhaps five (5) opportunities for public input and participation. They are the annexation hearing, County zoning consistency hearing, WSAA amendment meeting at the County, and establishment of floating zone hearing.

a. Impact Studies

As a matter of standard practice when the Town receives an annexation petition, it will request impact studies to be prepared at the petitioners cost. These may include, but are not limited to fiscal impacts, school impacts, road impacts, and environmental impacts. Given that the County controls the Town's water and sewer facilities, the Town must develop an Annexation Plan pursuant to HB1141 that satisfies the County Board of Commissioners that all impacts of development have been reasonably addressed and mitigated through agreements that provide for funding for schools, roads, and other community needs as identified in the studies. Thus, the

Annexation Plan will consider the Staging Mechanisms outlined in the County Comprehensive Plan. The annexation agreement does not provide a phasing schedule for construction.

b. Developers Rights and Responsibilities Agreements (DRRA)

Once a property has been annexed and the appeal period has expired, the Town may enter a DRRA that provides a construction-phasing schedule tied to an amendment to the WSAA that provides the capacity and take down schedule for water and sewer taps. The Town generally grants 20 years for DRRA's that preserve the property owners zoning and phasing. Clearly the property owner must pay for all utility improvement not only on site, but for any offsite improvements required to provide the needed capacity as deemed by the County. A DRRA requires a public hearing. This is another opportunity for public input.

c. Water Service Area Agreement (WSAA)

Before any develop phasing can be established in a DRRA, the Town and County must amend the WSAA to provide capacity to serve the proposed development. This is the mechanism that provides a check and balance system for annexation, growth staging, and financing.

d. Capital Improvement Program (CIP)

When CIP funding is needed to provide adequate public facilities to accommodate growth, the phasing of the growth should be timed appropriately with the County CIP.

e. Zoning

It is anticipated that the County will downzone properties within the Town's Annexation Area. This will provide incentive for annexation into the Town. If the zoning in the County is not consistent with the proposed zoning in the Town, the Town may be required to wait five (5) years to rezone the property unless the County grants a zoning waiver for lands in this area.

f. Floating Zones

The Town generally likes the community design flexibility afforded by floating zones whether residential or commercial as opposed to straight Euclidean zoning. The town has adopted several such zoning categories. Floating zones can only be requested after annexation becomes final. Establishment of a floating zone requires a recommendation of consistency by the Town's Planning Commission and a public hearing by the Town Council.

g. Historic Character

The Town's Land Development Ordinance requires all annexed properties to be subject to architectural review by the Town's Architectural Review Commission. This ensures the Town's distinct identity and Historic Character will be preserved regardless of type of development. This contrasts with the County development policy within the Community Growth Boundary as illustrated by recent construction around the Town that was built without Town input.