



What's Developing in Frederick

Land Use 101: Back to Basics | February 2019

How does development happen? What process is involved to receive land use approval?

As with many things in life, there is a process that is followed when property is developed. The goal of this article is to introduce the basic land use process to you and provide a brief description of each step.

The first step is annexation. This occurs when a property owner requests to have their property included within the municipality boundaries, meaning that the laws and regulations of the community apply to the property. Having a property included within the Town's boundaries encourages well-ordered development of the Town. The Board of Trustees determine whether or not to annex the property.

The next step happens immediately following annexation. The property owner requests a zoning designation (or multiple zoning designations) be assigned to the property. The Town has sixteen zoning districts that define what uses may occur on the property and establish the regulations for how the property will be developed (such as setbacks, height restrictions, lot sizes, etc.). The Board of Trustees determine whether to grant the requested zoning designation.

The third step is to create a sketch plan. This may be done concurrently with the annexation and zoning, may be done at a later date, or may be skipped entirely depending on the desire of the property owner. A sketch plan provides a broad idea of how the property will develop. For example, for a residentially zoned property, the sketch plan can identify the proposed number of homes, range of lot sizes, possible road configuration, and amount of open space. Having a sketch plan provides a property owner with a sense of security that their proposal generally conforms with the Board of

Trustees' vision. Approval of this plan is by the Board of Trustees.

A preliminary plat is the next step and it is required, although it may be combined with the following step, a final plat. A preliminary plat may follow the previous steps immediately or it may take years to be proposed. There is no defined time to when it must happen. The preliminary plat provides an overall master plan for the proposed development and is sometimes considered an 80% plan. Preliminary documents required for development are completed at this point and include, but are not limited to, a preliminary grading plan, preliminary drainage plan, preliminary traffic plan, preliminary Geotech report, preliminary land plan, and preliminary landscape plan. Approval of the preliminary plat is by the Board of Trustees and the approval is only valid for one year unless the applicant requests a longer approval.

The final plat is the final step of the land use process. This completes the subdivision of land consistent with the technical standards of the Town and creates legal lots that may be sold and built on. The final plat builds on the preliminary work that was done with the preliminary plat and takes that work to 100% complete. The final plat is approved by the Board of Trustees and if recorded, does not expire.

