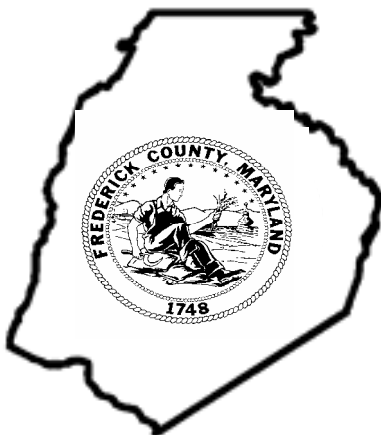
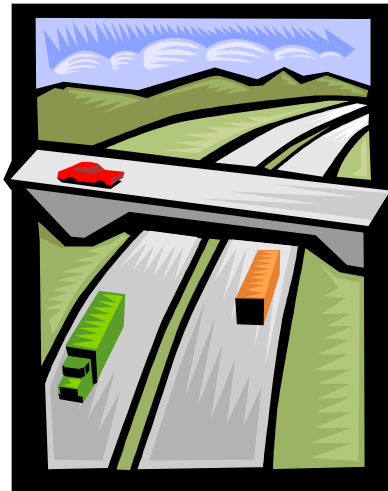
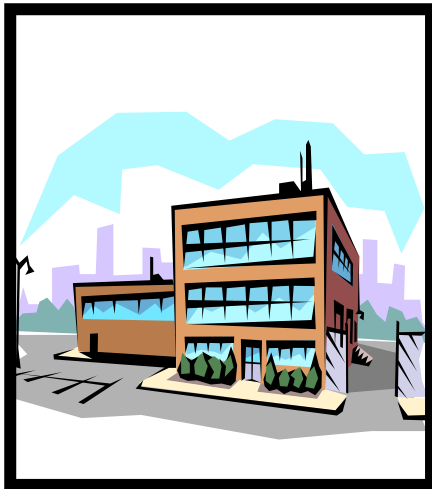


# Annual Planning Report 2004

FREDERICK COUNTY  
DIVISION OF PLANNING



12 E. CHURCH STREET  
WINCHESTER HALL  
FREDERICK, MARYLAND 21701

[www.co.frederick.md.us/planning](http://www.co.frederick.md.us/planning)



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## **Executive Summary**

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The 2004 Planning Report for Frederick County, Maryland was prepared pursuant to the requirements of Article 66B of the Annotated Code of Maryland and provides a summary of the year's planning activities and development trends.

### **Project/Activity Highlights for 2004**

- Completed update of the Urbana Region Plan, adopted in June 2004.
- Continued review and update of New Market Region Plan and initiated work on the Walkersville Region Plan.
- Completed County Commissioner Review of the Citizens Zoning Review Committee Final Report and staff began re-write of the Zoning Ordinance Update.
- Processed seven farm applications to sell their development rights under the MALPF Program and received 40 applications for the Installment Purchase Program (IPP).
- Received State designation of the Carrollton Manor area as an official Rural Legacy Area.
- Processed 49 Board of Zoning Appeals cases up from 44 in 2003.
- Conducted 684 new and follow-up zoning inspections with the number of zoning complaints down slightly from 2003 to 249 in 2004.
- Continued implementation of the streamlined Land Development and Permitting Process.
- Continued research on Pipeline Development and Industrial/Commercial Land Inventory.

### **Development and Demographic Highlights**

- County population increased by 4,023 persons in 2004, the lowest annual increase since 2000.
- Permits were issued for 1,570 new residential dwellings, which is the lowest annual construction total since 1995.
- Commercial and industrial construction increased significantly in 2004 with 747 permits issued up from 541 in 2003.
- Total value of new commercial and industrial construction in 2004 was approximately \$173 million.

## PLANNING COMMISSION PROFILE

The Frederick County Planning Commission was created in 1955 with the responsibility for preparing and administering plans and development regulations for the County. The Planning Commission is appointed by the Board of County Commissioners and its members serve for five year terms while one County Commissioner serves as liaison to the Planning Commission. The Commission holds regular public meetings to review development and planning items. The Planning Commission has final authority over site plans, subdivision plats, modifications to the subdivision regulations and determination of Adequate Public Facilities (APFO) for new developments. On items such as zoning map amendments, zoning or subdivision text amendments, and water/sewer plan amendments, the Planning Commission has an advisory role through the provision of a recommendation to the County Commissioners, who have the final authority to adopt or amend these plans and regulations. With regard to Countywide and Region Plans, the Commission has approval authority and forwards such Plans to the County Commissioners for final adoption. Current Planning Commission members are as follows:

- Joan McIntyre, Chairman
- J. Denham Crum, Vice-Chairman
- Alan Duke, Secretary
- Fern Hines
- Bob White
- Joe Brown, III
- Mike Cady, BOCC Liaison

The Planning Division staff prepares and administers plans and regulations which fall under the purview of the Planning Commission. The Division is comprised of four sections with the following responsibilities:

### Comprehensive Planning

- Responsible for preparation and updating of Countywide Comprehensive Plan and the eight region plans.

- Responsible for functional planning areas including water and sewer, transportation, historic preservation, and environmental planning.
- Provides staff assistance and coordination with the County's 12 municipalities.

### Land Preservation

- Administers various State and County Agricultural Preservation programs.

### Zoning Administration

- Enforces the Zoning Ordinance
- Administers the Board of Zoning Appeals
- Reviews/approves Zoning Certificates

### Mapping and Data Services

- Provides mapping and graphic services to the Division and other County agencies.
- Supports the County's Geographic Information System (GIS)
- Prepares and maintains demographic data

In addition to the Planning Commission and the Board of County Commissioners, the following groups, commissions, and committees are served by the Staff of the Division:

- County Board of Zoning Appeals
- County Council of Governments
- County Ag Preservation Advisory Board
- County Ag Reconciliation Committee
- Historic Preservation Commission
- Monocacy Scenic River Board
- Transportation Services Advisory Council
- 30 separate Municipal Planning Commissions, Appeals Boards and Town Councils

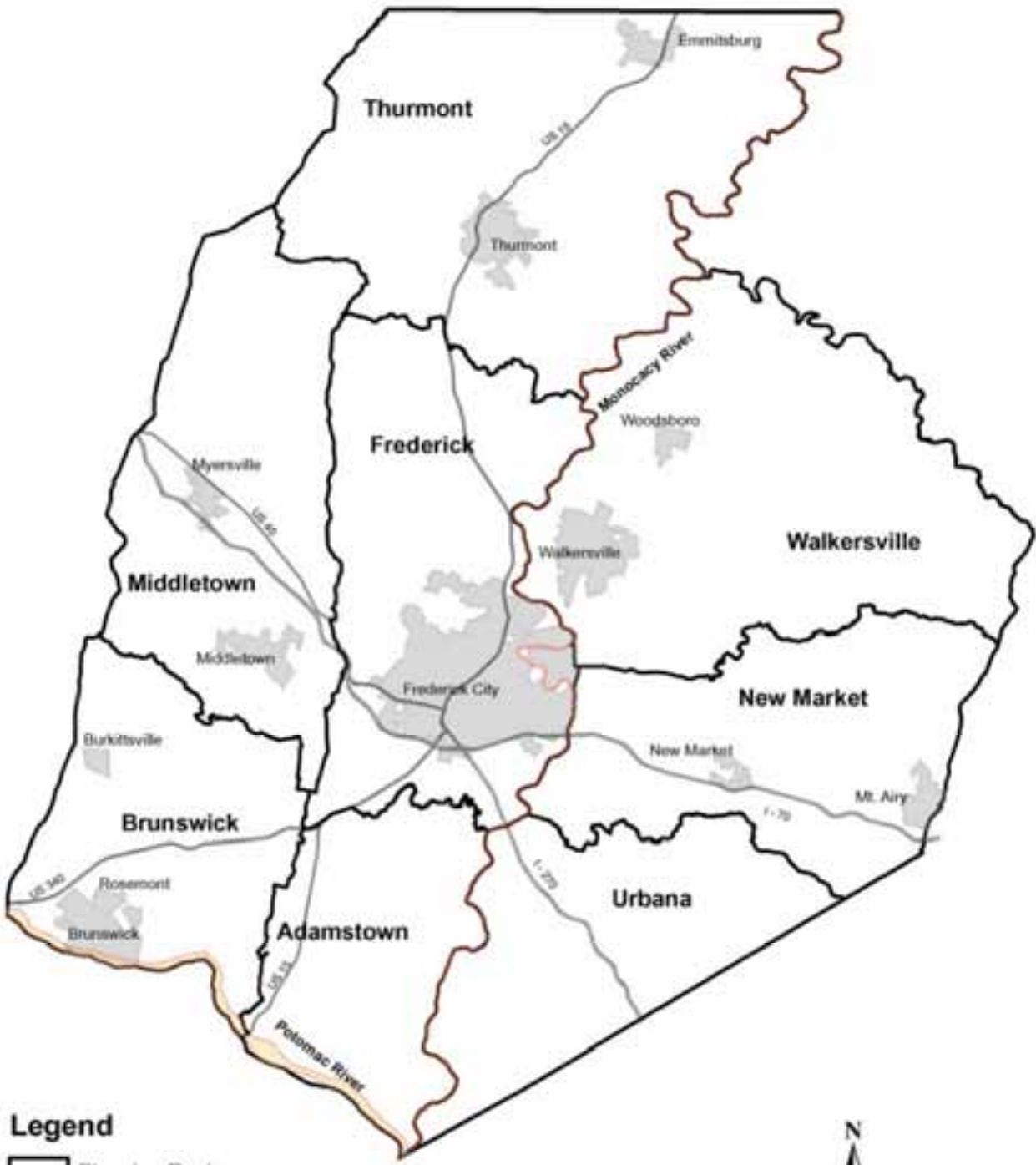
The Staff also provides occasional staff assistance and planning liaison to the following organizations:

- Parks and Recreation Commission
- BOE School Redistricting Committees
- Frederick County Housing Trust
- Business & Development Advisory Council



M. Cady, A. Duke, J. McIntyre, D. Crum, F. Hines, B. White, J. Brown

# FREDERICK COUNTY, MARYLAND



- Legend**
- Planning Region
  - Municipalities
  - Rivers
  - Interstates
  - US Highway



DIRECTORY—CURRENT TO DEC. 2004

**BOARDS AND COMMISSIONS**

***Board of County Commissioners***

John L. Thompson, Jr., President  
Michael L. Cady, Vice President  
John R. Lovell, Jr.  
Jan H. Gardner  
Bruce L. Reeder

***Planning Commission***

Joan McIntyre, Chairman  
J. Denham Crum, Vice Chairman  
Alan Duke, Secretary  
Fern Hines  
Bob White  
Joe Brown III  
Michael Cady, County Commissioner

***Board of Zoning Appeals***

Howard Wilson, Chairman  
John Snyder, Vice Chairman  
William Shreve  
Bernard Bordenick  
Harry Roderick, Jr.

***Agricultural Preservation Advisory Board***

Alan Wilcom, Chairman  
Barry Burch  
David R. Montgomery  
Jon Sewell  
Zene Wolfe

***Historic Preservation Commission***

G. Bernard Callan, Jr. Chairman  
Krista McGowan, Vice Chairman  
Ray Compton  
William Crum  
Mary Richeimer  
Gary D. Baker  
Andrea Lowery  
Michael A. Powell  
Chris T. Matthews  
Tyler Bastian  
Mark C. Zeigler  
Jessica Cramer Winter, Alt.  
Marc DeOcampo, Alt.

**DIVISION OF PLANNING STAFF**

***Acting Director***

Eric E. Soter 301-694-1411

***Chief of Comprehensive Planning***

Jim Gugel 301-694-1144

***Land Preservation Administrator***

Timothy J. Blaser 301-694-2513

***Mapping and Data Services Manager***

Sam Householder 301-694-1127

***Zoning Administrator***

Larry Smith 301-694-1491

**Comprehensive Planning**

***Historic Preservation***

Janet Davis 301-696-2958

***Transportation***

Jim Gugel 301-694-1144

***Water and Sewer***

Carole Larsen 301-694-1135

***Environmental Planning***

Carole Larsen 301-694-1135  
Tim Goodfellow 301-694-2508

**Zoning Administration & Enforcement**

***Board of Zoning Appeals***

Rick Brace 301-696-2940

***House Numbering***

Mark Walls 301-696-2945

***Permit Review***

Mark Walls 301-696-2945  
Rick Brace 301-696-2940

***Zoning Enforcement***

Bill Bigelow 301-694-1141

***Special Projects***

Todd Weidman 301-694-1436

**Mapping and Data Services**

***Senior GIS Analyst***

Lynda Marcy 301-694-1306

***GIS Technicians***

Amy Moore 301-631-2325  
Christine Graham 301-694-1151  
Katie Smith 301-631-2324

***Data Systems Planner***

Amber DeMorett 301-694-1155

**Land Preservation Activities**

***Agricultural Preservation,***

***MALPF, Critical Farms,***

***Installment Purchase Program***

Tim Blaser 301-694-2513  
Sonja Ingram 301-694-1474

Planning web page  
[www.co.frederick.md.us/planning](http://www.co.frederick.md.us/planning)  
301-694-1138

## **Demographic and Development Statistics and Trends**

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### **Population**

Frederick County's estimated population is 220,743 as of January 1, 2005. From 2004 – 2005 the County increased its' population by roughly 4,023 persons; this is the lowest annual population increase since 2000. During 2000 – 2005, the average annual increase in population has been approximately 5,093 persons. Within the past 5 years, Frederick County's population has increased by 13%. Since 1990, population increases have continued to be significant with 70,535 persons added representing a 47% population increase in 15 years.

The County Planning Division estimates current population based on issued housing unit permits, occupancy rates, and average household sizes. Countywide, the average household size has decreased between 1970 and 2000 from 3.44 persons per household to 2.72. The estimated occupancy rate in 2000 increased to 96.3%; in 1990, it was only 95.8%. These are just some of the variables considered in projecting the future population growth. The current projections predict a total County population of 243,220 by 2010, 287,913 by 2020, and 326,224 by 2030. This represents an annual growth of approximately 4,365 persons.

### **Housing Construction**

In 2004, there were 1,570 new residential development permits issued, bringing the County's housing unit stock to 81,137. This is a significant decrease from 2003 of 354 permits. In 2003, 1,924 new homes were permitted for construction; representing an 18% decrease in new home permits in 2004. In 2004, there were 296 fewer residential permits issued than the 30-year average of 1,866. Approximately 26,265 new homes have been constructed since 1990, a 48%

increase. In 2000, the Frederick Planning Region comprised 45% of the total County housing stock. The City of Frederick, with 24,717 housing units alone, comprises 30% of the County's housing stock. Since 1980, around 45% of all new dwellings were constructed within incorporated municipalities. By the year 2010, Frederick County is projected to have a total of 91,078 housing units, by 2020 108,140 units, and by 2030 a total of 122,766 housing units.

In 2004, 58% of the new housing units constructed were single-family detached, 31% were duplex and townhomes, 10% were multi-family, and 1% were mobile homes. 52% of the housing units in major residential developments are single-family detached

### **Commercial and Industrial Construction**

There were a total of 747 commercial and industrial permits issued in Frederick County in 2004, totaling 206 more permits issued than in 2003. Types of commercial and industrial permits include new buildings or businesses, additions to existing buildings, and changes in tenancy within commercial buildings. Within the past 5 years, there was an average of 427 such permits issued annually. Commercial and Industrial costs totaled approximately \$173 million in 2004. This is almost \$34 million more than in 2003, and \$60 million more than the 5 year average of \$114 million.



## Community Facilities

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Coordination of the priority and location of community facilities is a key element in the comprehensive planning process. Through the Capital Improvements Program, preparation of plans for water and sewer, parks and other facilities, the Planning Commission can provide the necessary linkage between the County Comprehensive Plan and functional plans for special facilities.

### Capital Improvements Program

The Division of Planning with the Budget Office and Finance Department jointly prepares a six-year Capital Improvements Program. Following submittal of requests by departments and agencies, the staff prioritizes and schedules the requests after careful review of the County Comprehensive Plan and funding resources including a debt affordability limit analysis for proposed bonding. The recommendations of the staff are then presented to the Planning Commission for review and comment and, finally, to the Board of County Commissioners for final decision on funding and timing.

The Capital Improvements Program (CIP) for FY 2005-2010 was adopted in June 2004. The CIP totaled over \$648 million for the entire 6-year program. The summary of the 6-year CIP is as follows:

- General Government      \$140 million
- Water & Sewer            \$ 66 million
- Solid Waste                \$ 2.8 million
- Parks & Recreation       \$ 29 million
- Watershed Restoration    \$ 1.4 million
- Roads & Bridges          \$ 92 million
- Frederick Community
  - College                    \$ 47 million
- Schools                     \$217 million
- Municipal Projects        \$ 50 million

### School Enrollments

The County's FY 2005-2010 Capital Improvements Program (CIP), adopted in June 2004, includes 14 projects to increase school capacity. These projects include additions to existing schools and the construction of new schools and will add a total of 6,543 seats over the next six years.

In 2004 the Frederick County Public School system enrolled a total of 39,564 students which is an increase of 560 from 2003. The smaller increase in students within the past 3 years may have been partially due to restrictions on permits due to water availability and the County's "Adequate Public Facilities Ordinance" (APFO) which restricts new developments until there is adequate school capacity.

During 2004 Tuscarora Elementary, in the Ballenger Creek area, opened and construction was started for Centerville Elementary and Urbana Middle schools.





## Solid Waste Management

The management of solid waste has become an increasingly important issue in Frederick County. The County is currently operating two landfills, the Reichs Ford Landfill and the adjacent Site B Landfill which opened in January 1997. The Site B Landfill was completed in December 1996 at a cost of approximately \$9 million and is the first expansion of the landfill since 1968.



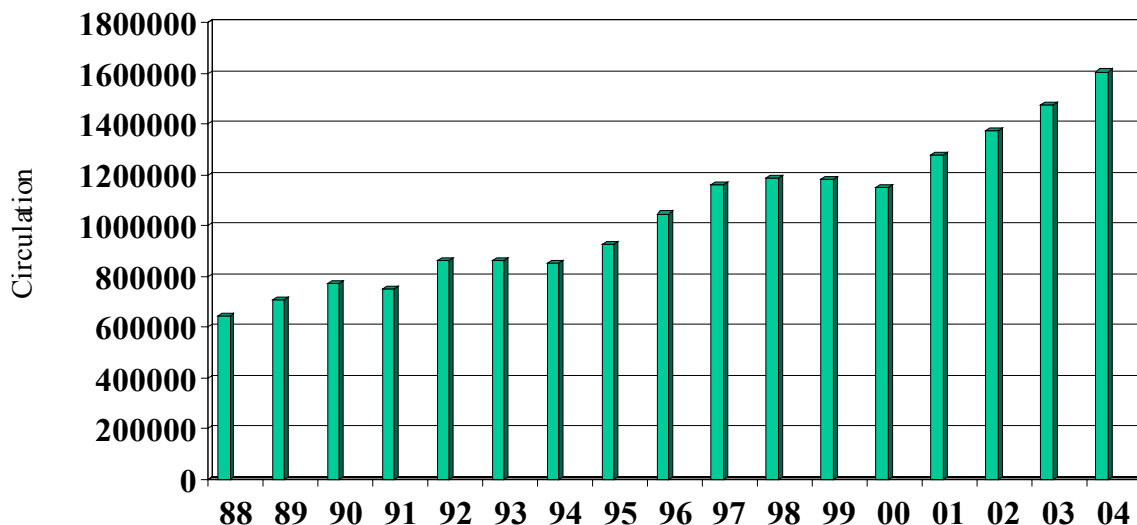
In 2004 the County made the decision to construct a solid waste transfer station at the landfill.

## Library Services

Circulation of library materials is an important indication of the demand for library services. This circulation includes books, audiovisual materials and other equipment and material. As of 2004, there were roughly 107,506 registered borrowers of material in Frederick County. During 1998, the library implemented a new system where borrowers were deleted from their database if their card had not been used for 3 years or longer.



Circulation of Library Materials  
1988 - 2004



## Zoning Administration Highlights

### Board of Appeals

The Board this year heard 49 regularly scheduled cases, as well as dealing with several cases pending from previous years. This 11% increase over the previous year's caseload, along with the other pending cases, presented the Board with a very diverse set of factors. The special exceptions, or conditional uses, covered such land uses as accessory apartments, daycare, greenhouse/landscaping, private schools, aircraft landing areas, agricultural product processing facility, spring water bottling facility, auto repair, retreat/camp, floodplain structure replacement and commercial gasoline storage. As an aside, the Maryland courts have deemed special exceptions

as uses "legislatively pre-determined" [by the County Commissioner's adoption of the Zoning Ordinance or amendment] to be appropriate for the zone in which they are located, provided they meet the general and specific criteria specified in the Ordinance.

Variance request cases comprised 32% of the Board's caseload. It should be noted that several cases did not meet the legally required criteria to be granted and were denied or were withdrawn.

The Board addressed two claims of administrative error in 2004, both filed by citizen groups. It should be noted that both cases have filed legal appeals and are pending at the time of this writing.

<u>Case #</u>	<u>Applicant</u>	<u>Application Request</u>	<u>Decision</u>
B-02-36	David Leas c/o Scott Miller, Esq.	Appeal of Admin. Error of Co. Atty., Zoning Admin., and Planning Director. Determination of parcel as not a lot of record	Withdrawn
B-03-25	Patricia Culler-Surber	Tourist Home	Withdrawn
B-03-27	Jackson Chapel United Methodist Church	Expansion in R-3 Zone	Granted
B-04-03	Little Travelers	Day Care	Granted
B-04-05	Patrick Cimmamond	Acc. Apt.	Granted
B-04-06	Hickory Plains LLC/Baldwin Rd. LLC/Hickory Plains Hydroponics LLC	Commercial Greenhouse	Granted
B-04-07	James & Mary Miller	Acc. Apt.	Granted
B-04-09	St. Thomas More Academy c/o James A. Merkel, Pres.	Private School	Granted
B-04-10	Richard & Mary Ann Smith	Acc. Apt.	Granted
B-04-11	Barry Hubble	Acc. Apt.	Granted
B-04-13	Alan R. VenDouren	Acc. Apt.	Granted
B-04-14	Tomas Bauchiero	Aircraft Landing/Storage	Granted

B-04-19	Creative Landscaping by Gregory	Enlarge Landscape nursery	Withdrawn
B-04-20	Windridge Properties, LC	Ag Product Processing	Granted
B-04-21	William Stanfield IV	Acc. Apt.	Granted
B-04-23	Richard & Janet Rudy	Spring Water Harvesting & Distribution Facility	Granted
B-04-24	Patricia Rabain	New House in Floodplain	Granted
B-04-27	Karen Dow/CAFPROC	Appeal of Admin. Error of Nov. 14, 2003 Zoning Admin. Landfill Decision	Dismissed as not timely filed
B-04-28	Creative Landscaping by Gregory	Landscaping	Granted
B-04-29	Scott Price	Acc. Apt.	Granted
B-04-32	Jeff & Denise Golden	Landscape Nursery	Granted
B-04-33	Tibetan Meditation Center Inc.	Expansion of Place of Worship	Granted
B-04-37	American Heritage Communities, Inc.	Nursing Home Facility	Granted
B-04-38	Northwestern Frederick County Civic Association, Inc. c/o Majeed Afkahmi	Appeal of Admin. Error by FcPc approval of group home	Dismissed
B-04-40	Libertytown Garage	Auto Repair & Service	Granted
B-04-42	Linda Harley	Acc. Apt.	Granted
B-04-43	Kenneth Lamb III	Acc. Apt.	Granted
B-04-44	Steven T. Sherwood	Change one Non-conforming use to another	Pending
B-04-45	Steven T. Sherwood	Change one Non-conforming use to another	Granted
B-04-46	Southern States Cooperative, Inc.	Storage of Flammable Liquids	Pending
B-04-47	Sugarloaf Properties/Holston Brothers * under appeal	Commercial Greenhouse	Granted
B-04-48	Sharon Welch	Wellness Retreat Center	Granted
B-04-49	Donald & Cheryl McCully	Horse Camp	Granted

## Zoning Map Amendments

**R-04-01 Brown** — Request to rezone 7.7 acres located on the north side of Angleberger Road, east of U.S. 15 near the Rural Community of Lewistown (Frederick Region) from Agriculture and R-1 to General Commercial Zoning District *Denied*

**R-04-02 Urbana Village Center LLC** — Request to rezone 9.9 acres from General Commercial (GC) to Village Center (VC). Property is located between the Cracked Claw restaurant and Urbana High School along MD 355 and MD 80 (Urbana Region). *Withdrawn*.

**R-03-01 Ausherman Development Corp. (Linton)** – Request to rezone 138.7 acres from Agriculture (A) to Planned Unit Development (PUD). Property is located on northeast corner of Elmer Derr Rd. and Ballenger Creek Pike and on the southeast side of Ballenger Creek Pike (Adamstown Region) The PUD proposes a total of 763 dwellings. *Approved in March 2004*.

**R-02-01 Monocacy Ventures LLC** – Request to rezone 395.7 acres from Agriculture (A) to Planned Unit Development (PUD). Property located on west side of Ed McClain Rd. north of MD 80 (Urbana Region). The PUD proposes 1,100 dwellings as an age restricted active adult community. *Approved as part of the Urbana Region Plan update in June 2004*.

**R-03-02 Richard Griffin** – Request to rezone 197.9 acres from Agriculture (A) to Planned Unit Development (PUD). Property is located on east side of Ballenger Creek Pike (Frederick Region). The PUD proposed 680 dwellings. *Denied in March 2004*.

**R-03-03 Fox Haven** – Request to rezone 19.68 acres located on the northeast side of Poffenberger Road, adjacent to the North Jefferson subdivision (Brunswick Region) from R-1 Residential to Agricultural—*Withdrawn*

## Zoning Enforcement

The zoning inspector continued to investigate complaints about possible Zoning Ordinance violations. Over 684 initial and follow-up inspections were conducted in order to determine if violations exist. Complaints had a slight drop in 2004 to 249 as opposed to 2003 when 274 complaints were filed. County staff also provides zoning enforcement for the municipalities of Rosemont, Burkittsville, and New Market.

Violations of the Zoning Ordinance are enforced through civil citations and fines. The imposition of fines is used as a deterrent and is not intended to be a revenue generator for the County insofar as ensuring compliance with the land use regulations. In addition, the County does not have the option of pursuing criminal action. As a last resort, some cases are adjudicated through the District Court.

<u>Zoning Violation Inspections</u>	<u>Total</u>	<u>Percentage of Total</u>
Zoning Certificate/ Permit Compliance & Follow-up	137	55%
Nuisance	40	17%
Site Plan Conformance	12	5%
Home Occupations	28	11%
Miscellaneous	36	2%
Total	249	100%

## Zoning Ordinance Update

On March 26, 2002 the Frederick Board of County Commissioners (BOCC) appointed a Citizens' Zoning Review Committee (CZRC) to *recommend amendments, revisions, or the rewriting of specific changes to the Zoning Ordinance following review of the current Zoning Ordinance (Ch. 1—19, Zoning, Frederick County Code), the proposed "Public Hearing Draft Zoning Ordinance" (January 2002), and any recommendations presented during previous Zoning Ordinance update efforts.* Four informational and educational regional forums were held in April of that year and covered a wide range of zoning issues providing general feedback from the citizens of Frederick County on the current zoning ordinance and the previously proposed draft ordinance.

The following organizations were represented on the Citizens' Zoning Review Committee: Committee for Frederick County, Inc.; Chamber of Commerce of Frederick County; Frederick County Builders Association; Frederick County Civic Federation; Frederick County Farm Bureau; Frederick County Planning Commission; Frederick County Pomona Grange; Land Use Council of Frederick County Builders Association; League of Women Voters of Frederick County, Inc., and the Sierra Club. In addition five individuals filled at large positions.

The CZRC "kicked-off" their effort to review and recommend changes to the zoning ordinance on April 25, 2002. The Committee decided early to utilize the current zoning ordinance as the basis for their review and recommendation. However, they would often consult the previously proposed Draft Zoning Ordinance and any other resource material to gain a better understanding and to provide a complete and thorough recommendation to the BOCC. In order to review such a lengthy and sometimes complicated ordinance, the Committee decided to divide the ordinance into themes: *General Consideration,*

*General Uses, Zoning Districts, Use Table, Environmental Guidelines, Design Guidelines, Historic Preservation, Administration and Enforcement, and Special Referrals.*

In July of 2003, the CZRC (Citizens Zoning Review Committee) transmitted its Final Report to the Board of County Commissioners for their consideration. The report was a culmination of over 15 months of work by the Committee as they conducted over 30 meetings to obtain citizen input and engage in detailed discussion in order to provide a broad spectrum of views on the Zoning Ordinance Update.

The Board of County Commissioners (BOCC) began their review of the final recommendations of the CZRC in October of 2003 holding four worksessions in 2003 and six worksessions in 2004.

Following the worksessions with the Board, the staff began revising the ordinance based on direction from the Board. Staff began the re-write of the Zoning Ordinance based on the over 300 recommendations that were part of the CZRC final report.

## **Comprehensive Planning Highlights**

### **Regional Plans**

For the purposes of long-range planning, Frederick County is composed of eight Planning Regions (see map page 4). These regions serve as the basis for preparing comprehensive plans for future land use and zoning, community facilities, roads, highways and the environment. Following the update of the Countywide Comprehensive Plan in 1998, the County began the next round of region plan updates. The following region plans have been updated since 1998: Adamstown (2001); Frederick (2002); and Urbana (2004).

### **New Market Region Plan Update**

Work continued on the update to the New Market Region Plan during 2004. The Planning Commission held two public hearings (February and March) on the Staff Draft. Following these public hearings, the Planning Commission began 8 months of workshops to review the Staff Draft, culminating in the formulation of the Planning Commission Recommended New Market Region Plan. After a public hearing on the Planning Commission Recommended Plan in February 2005, the Plan will be forwarded to the Board of County Commissioners for additional workshops and hearings. Contact Tim Goodfellow [tgoodfellow@fredco-md.net](mailto:tgoodfellow@fredco-md.net).

### **Urbana Region Plan Update**

The Urbana Region Plan was adopted by the County Board of Commissioners in June 2004. This culminated an almost 2 1/2 year review process with the Planning Commission and the Board of Commissioners. Contact Denis Superczynski [dsuperczynski@fredco-md.net](mailto:dsuperczynski@fredco-md.net).

### **Walkersville Region Plan Update**

During 2004, work began on updating the 1995 Walkersville Region Plan. Approximately 8,000 property owners were notified by mail in September, and in November the Comprehensive Planning Section held a series of three community open houses in Libertytown, Walkersville, and Woodsboro. Ten valid rezoning requests were received by the deadline. Contact Charles Heath [cheath@fredco-md.net](mailto:cheath@fredco-md.net).

### **Historic Preservation**

The County Register of Historic Places consists of eight sites: the Elisha Beall House (Boxwood Lodge) and Smith's Store and Residence, which were designated on Oct. 5, 1999; Whisky Ridge, Oct. 3, 2000; Howard Marvin Jones House, Jan. 2, 2001; Linganore Farm, May 8, 2001; Petersville Methodist Episcopal Church, Nov. 13, 2001; the Newton Schaeffer House, Aug. 20, 2002; and Thornbrook, designated May 12, 2003. Work performed on these designated landmarks is reviewed by the Historic Preservation Commission (HPC) for compliance with the Interim Design Guidelines. Its approval is issued as a Certificate of Appropriateness (COA). In 2004, the HPC issued three COA's.

Frederick County has been a Certified Local Government since July 2001. Under this designation by the Federal Government, Frederick County is eligible for certain funds through the Maryland Historical Trust (MHT) and allows the Preservation Commission to participate in the National Register of Historic Places nomination process and in the review of publicly funded and/or licensed project in the County through the Sec. 106 process. In 2004, the Preservation Commission commented on eleven State Highway Administration projects under the Sec. 106 program.

As a Certified Local Government, the Historic Preservation Commission also held three public hearings to gather comments and consider the eligibility of three properties being nominated to the National Register of Historic Places. All three properties were recommended to the Maryland Historical Trust for listing in the Register.

In November 2004, the Historic Preservation Commission was a co-sponsor of a new Realtors training course, Certified in Historic Maryland Properties (CHMP), that was offered through Frederick Community College. Commission members and staff were among the speakers at this course and successful participants received a certificate from the Maryland Association of Historic District Commissions as a Certified Historic Properties specialist.

#### **THORNBROOK**



#### **Civil War Heritage Area**

The Civil War Heritage Area Steering Committee began working with the selected consultant for the Management Plan, the required document for Certification of the Heritage Area, in late 2002. During 2003, the consultant team, headed by the firm of Mary Means and Associates, Inc., of Alexandria, Virginia, conducted field research in the three counties of Frederick, Washington, and Carroll to gather information on heritage tourism, historic resources, potential stakeholders, and existing partnerships between local organizations and State and local governments. Familiarization tours were held in all three counties. Information meetings were held in potential Target Investment

Zone towns and cities, locations where there is the greatest concentration of resources, accommodations, and economic momentum to gain the highest benefits from investment. By October 2003, a draft of the Management Plan had been compiled and submitted to the Steering Committee for review. The Steering Committee's comments were conveyed to the consultant during Spring 2004 and to the American Battlefield Protection Program (ABPP), the principal local match funding source. The ABPP required considerably more changes to the section dealing with the major battlefields in the CWA study area and members of the Steering Committee are working to complete this final section of the Management Plan. The new target submission date for the Plan to be sent to the Maryland Heritage Area Authority is March 28, 2005.

#### **Catoctin Mountain Scenic Byway**

The County in cooperation with the State Highway Administration has completed a Corridor Management Plan (CMP) for the 40 miles of the U.S. Route 15 corridor, which traverses Frederick County from the Potomac River on the south to the Maryland/Pennsylvania border on the north. The Corridor Management Plan includes: (i) an inventory and analysis of the intrinsic qualities which form the Byway's story, (ii) public outreach, involvement, and participation elements, (iii) a series of maps identifying these intrinsic qualities, and (iv) an investigation of various management strategies and options which could be implemented to preserve the long-term integrity of the Byway. Following the release of the Draft CMP in September 2003, the CMP was reviewed by the County Planning Commission in February 2004. The CMP was presented at a public hearing before the Board of County Commissioners in May 2004, where the Board voted to adopt the CMP and to seek National Scenic Byway designation.

Through the remainder of 2004 the consultant has been preparing the nomination package to submit to the Federal Highway Administration in early 2005. Contact Janet Davis [jdavis@fredco-md.net](mailto:jdavis@fredco-md.net).

## **Transportation**

The Planning Department is responsible for coordinating a variety of transportation plans and studies, which involve highway, transit, and bicycle facilities. Long-range plans for these facilities are addressed through the development of the Region Plan updates and through the implementation of the County's Master Transportation Plan. Described below are various County and State projects and studies that were underway in 2004.

**Boyers Mill Road:** Planning and design for the upgrade of the roadway between Gas House Pike and Old National Pike to include shoulders and straighten out the alignment of curves and hills.

**Ijamsville Road:** Planning for the upgrade of the existing roadway between Bush Creek and MD 80 including a new bridge over Bush Creek.

**Spectrum Drive:** Design for the upgrade of the roadway between MD 85 and four-way stop at Holiday Drive. Construction scheduled for 2005.

**English Muffin Way:** Widen roadway to four-lane road between MD 85 and New Design Road.

**I-270/US 15 Multi-Modal Study:** This study is coordinated with the State Highway Administration and the Maryland Transit Administration and addresses highway and transit improvements between the Shady Grove Metro station and Biggs Ford Road north of Frederick. During 2004 the State developed a new alternative to consider: Express Toll Lanes (ETL). The ETL alternative will require additional study before the State identifies its preferred alternate in late 2005.

**MD 85 Project Planning Study:** This study was initiated in 2000 and proposes widening and access improvements to MD 85 between English Muffin Way south of I-270 and Guilford Drive just south of I-70. The approved alternate proposes a 4-lane divided roadway with a varying median width. Phase 1 of the project, which focuses on the I-270

interchange, is underway with design/engineering.

**US 15/MD 26:** This project was originally part of the I-270/US 15 study but was broken out as a stand-alone project in 2000. Design of the new ramp from westbound MD 26 to northbound US 15 is complete and construction is expected to start in 2005.

**Annual Transportation Priorities Review:** This review addresses priorities for County and State roads, transit service, and bicycle/pedestrian facilities that could be considered for the upcoming County CIP or for the State's consideration. The County's priority for State Secondary Highways for 2004 include the following:

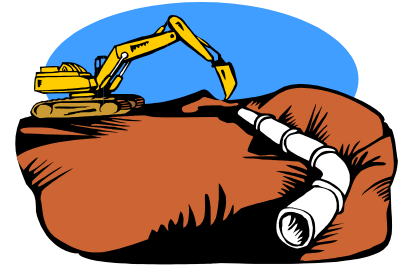
- MD 75—Reconstruct/Relocate existing roadway between I-70 & MD 355.
- US 40A—Address possible reconstruction, widening and/or relocation of roadway in the Middletown-Braddock Heights corridor.
- MD 464—Reconstruction as a two-lane roadway between MD 74 and Lander Rd.
- MD 180/351—Multi-lane reconstruction between I-70 and Crestwood Blvd.

**Other Transportation Tasks:** Staff also participated in various tasks with the National Capital Region Transportation Planning Board (Washington Council of Governments), the County's Transportation Services Advisory Council (TSAC), and the County's Division of Public Works.

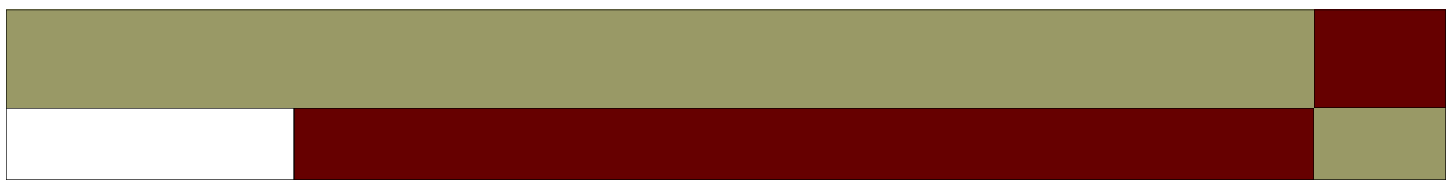


## Water & Sewer Plan Amendments

The Planning Department semi-annually accepts applications to change the classifications of properties for timing of water / sewer service in the Water and Sewerage Plan. This Plan is coordinated with the County Comprehensive Plan and development approvals to ensure consistency between these documents. During 2004, thirty-one (31) applications for changes in water and sewer plan designations throughout the County were reviewed.



<u>Case</u>	<u>Applicant</u>	<u>Location and Request</u>	<u>Action</u>
WS-02-33	75-80 Dragway	W. side Green Valley Rd., N. of dragway. Reclassify from S-4 Dev. to S-3 Dev. & locate an interim pump station & force main to the Monrovia WWTP	Continue
WS-03-11	HP Payne Construction	Reclassify 83 acres, located east side McClain Road, from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev.	Continue
WS-03-14	Rocky Pointe	Reclassify 5.12 acres, located on the east side of Rocky Springs Road between Kemp Lane and Christopher's Crossing, Frederick City, from S-4 Dev./W-4 Dev. to S-3 Dev./W-3 Dev.	Approved
WS-03-17	RESOURCES/Hurney Builders	Reclassify 2 acres, located on the north side of Bartonsville Road, east of Bells Lane, adjacent to Winding Ridge Subdivision from S-5 Dev. to S-3 Dev.	Approved
WS-03-19	Land Stewards, LC	Reclassify 340 acres, located at Lake Linganore—"Woodridge" from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev. and add water tank & booster pump station	Continued
WS-03-20	Land Stewards, LC	Reclassify Parcels 56 & 159, located at Lake Linganore—"Aspen" from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev.	Approved P. 56 Cont. P. 159
WS-03-21	Land Stewards, LC	Reclassify 163 acres, located at Lake Linganore—"Alpine" from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev. and add tank & booster station symbol	Approved
WS-04-02	Jefferson Valley	Reclassify 65.5 of the 137.1 acres, located north side of MD 180 between Broad Run & Old Middletown Roads from W-5 Dev. to W-4 Dev.	Continued
WS-04-03	DUSWM	Reclassify 8 acres, located at 7117 Edgemont Road, lots 6 & 7 from W-1 Dev. to W-5 Dev.	Approved
WS-04-04	Linton PUD	Reclassify 140 acres, located NE/SW sides of Ballenger Creek Pike, north of Elmer Derr Road, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Approved
WS-04-05	Damazo, Frank (Anna's Ridge)	Reclassify 9.63 acres, located west side of Meadow Drive, south of MD 144, from S-5 Dev. to S-4 Dev.	Approved
WS-04-06	Town of Woodsboro	Reclassify 13.7 acres located within the town limits and former Livestock Auction property from W-5 Dev./S-5 Dev. to W-3 Dev./S-3 Dev.; area south of Council Drive from W-5 Dev. to W-4 Dev.; 2 areas from W-3 Dev. to W-1 Dev.; and 2 acres to S-1 Dev. to reflect existing service.	Approved
WS-04-07	SEJ, LLC (New Market Self Storage)	Reclassify 18.19 acres, located at 10620 Old National Pike, from W-5 Dev./S-5 Dev. to W-3 Dev./S-3 Dev.	Continued Withdrawn



WS-04-08	Monocacy Ventures (Green Valley Active Adult PUD)	Reclassify 395.7 acres, located west of Ed McClain Road from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Approved
WS-04-09	Staff	Re-adoption of Chapter 1, unchanged, Chapter 2, Background Chapter, updated text, 3 & 4, Descriptive Chapters, Water & Sewer Systems updated text.	Approved
WS-04-10	Urbana Middle	Request reclassification of 26.18 acres, located on the west side MD 80 near Urbana High School from NPS to W-3 Dev./S-3 Dev.	Continued
WS-04-11	Brunswick Crossing LLC	Reclassify 552.7 acres, located southwest quadrant intersection of Jefferson Pike MD 180 and MD 17 in the City of Brunswick, from W-4 Dev./S-4 to W-3 Dev./S-3 Dev.	Pending
WS-04-13	Harris, Smariga & Assoc., Inc. Barrick PND	Reclassify 69.79 acres, located east side Kemp Lane, south of Rocky Springs Road in the City of Frederick, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Pending
WS-04-14	Nexus Land Group/Howard Farm	Reclassify 113.30 acres, located south side MD 180, north of U.S. 340, east of I-70 interchange, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Pending
WS-04-15	Linton PUD	Map amendment to show 16" diameter water extensions through property and 24" sewer extensions off-site.	Pending
WS-04-16	Toll Brothers/ Younkins	Reclassify 93.875 acres, located northwest corner Elmer Derr Road & New Design Road, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Pending
WS-04-17	Harris, Smariga & Associates, Inc. Urbana Pike	Reclassify 9.76 acres, located east side MD 355, south of Grove Road opposite Lowe's Lane, from S-5 Dev. to S-4 Dev. and add pump station symbol.	Pending
WS-04-18	Adcock Holdings	Reclassify 1.83 acres, bounded by relocated MD 85 to the south and the new access road to the north, from NPS to W-3 Dev./S-3 Dev.	Pending
WS-04-19	Frank & Anna Damazo—Anna's Ridge	Reclassify 8.53 acres, located south side Legg Road, west of River Meadow Drive, from S-4 Dev. to S-3 Dev.	Pending
WS-04-20	Harris, Smariga & Assoc. Inc. Shapiro	Reclassify 40.61 acres, located east side of Linganore Road, north of Old National Pike, south of I-70, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Pending
WS-04-21	Whispering Creek LLC	Reclassify 30.9 acres, located east side Linganore Road, north of I-70, from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev.	Pending
WS-04-22	Robert W. Renn	Reclassify 14.8 acres, located east side Quinn Road, north of Hall Road, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Pending
WS-04-23	Frall Developers, Inc. Supply to Barren	Reclassify 40.30 acres, located west side of Yeagerstown Road, north of MD 144, from W-5 Dev./S-5 Dev. to W-3 Dev./S-3 Dev.	Pending
WS-04-24	DUSWM	Improvements to WWTP, located in Libertytown—east side of MD 75, Denied Access Line south and west to Lake Linganore system with connection for Linganore High School.	Pending
WS-03-23	Mill Creek Subd.	Reclassify 66.2 acres, located Libertytown—west side MD 75, south of Jones Road, from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev.	Pending
WS-04-25	Planning Staff—Urbana Region	Reclassify properties shown in the newly adopted Urbana Region Plan future water/sewer service areas from NPS to W-5 Dev./S-5 Dev. for US (Ultimate Service). Returning some properties from W-5 Dev./S-5 Dev. to NPS.	Pending

## **Municipal Planning Services**

The Planning Staff provides direct planning services to five municipalities. Under this program, County staff serves as a liaison for County/Municipal planning activities and/or as advisors to town officials in reviewing site plans, subdivisions, rezonings, text amendments, Board of Appeals cases and zoning administration services. The staff also prepares special studies as requested. Seven municipalities have the services of their own full-time planner(s) (Frederick City, Mount Airy, Emmitsburg, Walkersville, Brunswick, Middletown and Myersville), although the County staff still serves as a liaison to those municipalities.

**Annexations:** For municipalities without their own planner, the staff prepares an “Extension of Services Report” as required under Maryland Law. The staff also prepares recommendations to County officials who must review the requests for zoning consistency with the County Comprehensive Plan. The 2004 annexation requests are listed below:

<b><u>Municipality</u></b>	<b><u>Applicant</u></b>	<b><u>Location</u></b>	<b><u>Acres</u></b>	<b><u>Proposed Zoning</u></b>	<b><u>Action</u></b>
Thurmont	Donnelly/Ruby	Roddy Road	.6	R-1 Residential	Approved
Woodsboro	Beall	James St. Extended	.219	R-1 Residential	Approved
Woodsboro	Lawson/Lancaster	Coppermine Road	10.05	R-1 Residential	Approved

## **Environmental Planning Activities**

### **Watershed Restoration Action Strategy**

#### **Upper Monocacy River**

In 2003, Frederick County was awarded a watershed planning grant from the Maryland Department of Natural Resources. The Upper Monocacy River Watershed spans the northern portions of the county, including the Towns of Thurmont, Emmitsburg and parts of northern Frederick City. The Upper Monocacy River Watershed Restoration Action Strategy (WRAS) will incorporate the efforts of multiple stakeholders to address water quality and habitat impairments with restoration/conservation priorities for wetlands, forest buffers and streams in the Upper Monocacy River Watershed. The goal of the Upper Monocacy River WRAS is to develop and create strategies for the protection and restoration of water quality and wildlife habitat. The Department of Planning and Zoning and the Department of Public Works are the key County agents involved with the WRAS.

Before the actual watershed strategies and recommendations are developed, a complete assessment of the watershed is made through the following tools:



**Stream Corridor Assessment:** This assessment rapidly gauges the general physical condition of 100 stream miles in the Upper Monocacy River Watershed and identifies the location of a variety of environmental problems. The assessment assists in the identification of restoration opportunities that exist within a given drainage network.

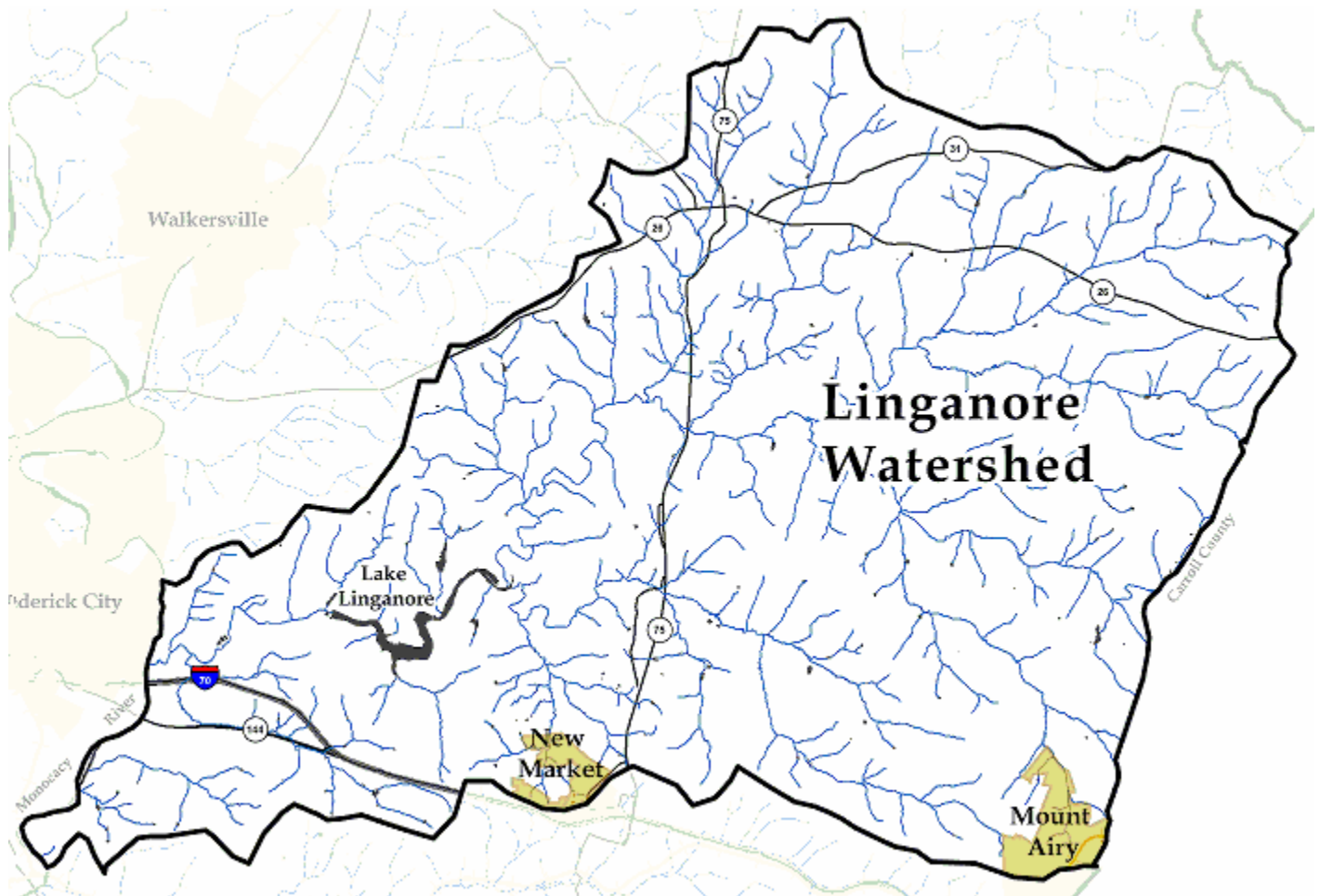
**Synoptic Survey:** Biological and chemical stream monitoring is conducted at approximately 50 sites within the watershed. Nutrient composition is analyzed and benthic macroinvertebrates and fish populations are collected and evaluated to gauge the health and quality of the waterways.

**Watershed Characterization:** Using GIS technology, the watershed characterization describes current conditions (e.g., water quality, land use, living resources, habitat) in the watershed, including information on the natural and built environment.

#### **Lake Linganore Source Water Protection Plan**

In June 2001, the Maryland Environmental Finance Center (EFC) contacted the County to create a partnership for the development and implementation of a plan to protect drinking water supplies in the Linganore Creek Watershed. EFC was established in 1993 through a U.S. Environmental Protection Agency grant to address the issue of source water protection in a unified or resource-based manner. The intent of a unified approach is to bring together water systems that are highly or moderately vulnerable to contamination and that share the same water source or similar contamination issues in order to develop one source water protection plan.

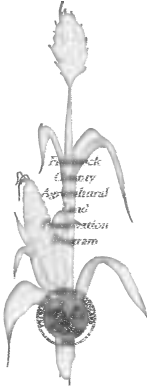
The Linganore Creek Watershed was targeted by the EFC because Linganore Creek and Lake Linganore, two sources of drinking water for Frederick City and County, are impacted by siltation and nutrient enrichment. A task force comprised of various groups and government officials, created in 2001, to work on a plan to identify issues unique to the Linganore Creek Watershed and to develop recommendations to address the threats to the Linganore Watershed. The task force completed the Plan in 2004 that was presented to and accepted by the Board of Commissioners in November 2004. The Board directed the Planning staff to prepare action strategies that will address how the Plan recommendations could be implemented.



## LAND PRESERVATION ACTIVITIES

### Maryland Agricultural Land Preservation Program Foundation (MALPF) Program

Since 1980 the County has participated in the Maryland Agricultural Land Preservation Program (MALPF). As part of the Agricultural Preservation Program, property owners meeting minimum requirements may request to place their land into an Agricultural Land Preservation District. As of December 2004, 8,297 acres of farmland are established as Agricultural Land Preservation Districts in Frederick County, thus reinforcing the planning goals of protecting farmland from inappropriate development. This number does not include the MALPF Districts that are now in permanently protected easements.



The second step in the MALPF process is the sale of development rights easements to the State and County. In 2004, seven farms applied to sell their development rights through the MALPF Program. By the end of 2004, there are a total of 101 farms permanently preserved on 16,108 acres through the MALPF Program in Frederick County.

### Critical Farms Program

Frederick County is in its 11th year of the Critical Farms Program. By the end of 2004, 19 farms with over 2,200 acres were purchased using Critical Farms funds, 12 of these farms have gone on to sell permanent conservation easements. The FY04 Critical Farms program included preservation on one farm comprising 92 acres, the Rill farm north of Thurmont. The Critical Farms Program works by purchasing options to acquire easements on farms that are being sold to full-time farmers. This allows the prospective purchaser to be able to purchase farmland in the County by providing the "up front" capital needed for such a purchase. Once the County has purchased the option through the Critical Farms Program, the farmer must apply within a period of five years to sell an easement

under the Maryland Agricultural Land Preservation Program or another land preservation program. If the applicant is successful in selling an easement, they are required to repay the county the original option amount which is then recycled back into the program. If they are not successful with the sale of an easement, the landowner has two options, allowing the County to record an easement on their farm at no additional cost, or repaying the Critical Farms option and getting out of land preservation.

### Rural Legacy Program

The Rural Legacy Program is a State/County land preservation program created in 1999 and funded through grants from the Maryland Department of Natural Resources (DNR) with County matching funds. The major program goals of the Rural Legacy Program are (1) to preserve and protect high quality agricultural land and diverse farming operations; (2) to support and enhance the agricultural resource economy of the region; (3) to protect the view shed from the Appalachian Trail, the South Mountain Battlefield State Park, and along US Alt 40, MD Route 17 and US 340 scenic highway corridors; (4) to concentrate easements contiguous to existing, permanently preserved land; and (5) to protect and preserved the cultural, historic and rural character of the area. The County partners with the Mid-Maryland Land Trust Association (MMLTA) for the implementation and management of the program. The Frederick County/MMLTA Rural Legacy Area is located in the Brunswick and the Middletown Planning Regions. During the past six years this program has established 24 easements protecting 3,211 acres.

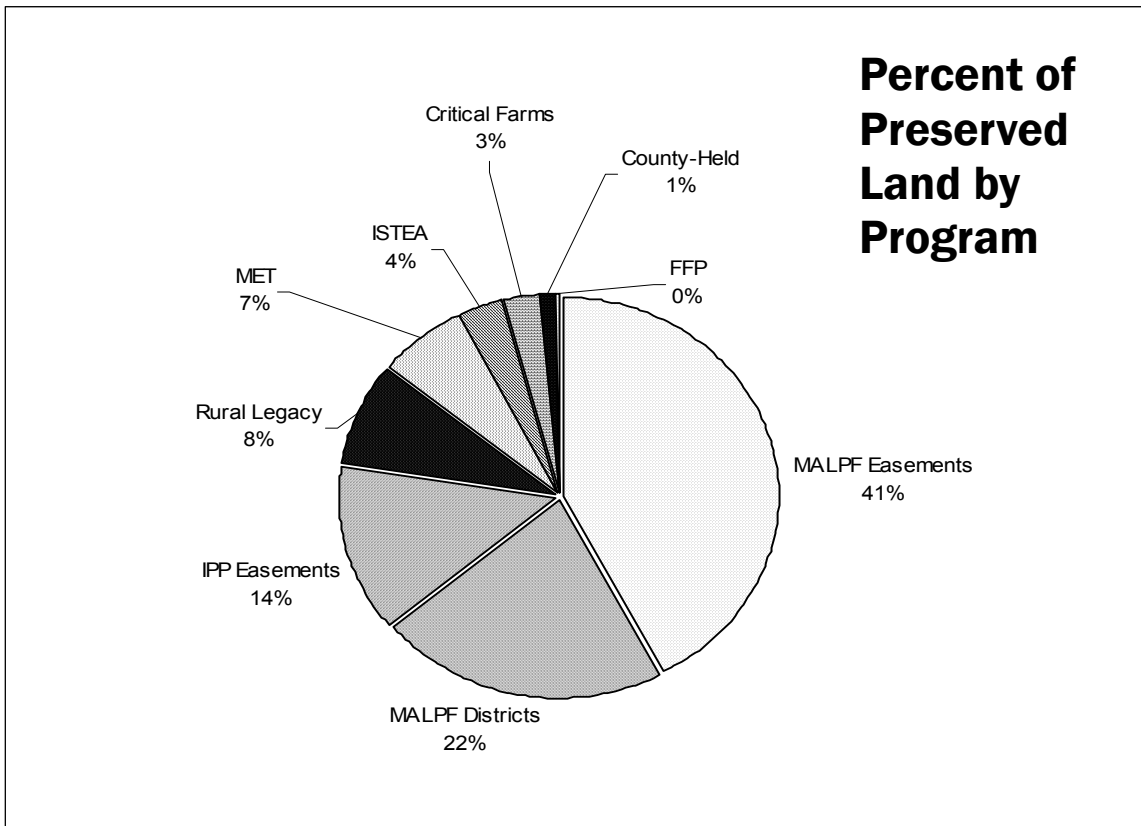
In 2004, Frederick County and the Carrollton Manor Land Trust submitted a second Rural Legacy grant application for the area of Adamstown. The Carrollton Manor Region was designated by the state in 2004 as an official Rural Legacy Area.

### Installment Purchase Program (IPP)

Established by the County in 2002, the Installment Purchase Program (IPP) is designed to assist farmers in acquiring capital from their farms and to accelerate land preservation in order to help achieve the County's goal of preserving 100,000 acres by the year 2020. The requirements for IPP easements are similar to the MALPF Program but the method of payment differs in that payments are made through the use of (10-20 year) Installment Purchase Agreements. Funding for the IPP Program is generated by a 15% share of the County's Recordation Tax. At the end of 2004, 27 farms comprising over 4,582 acres were preserved through the County's IPP Program. It is anticipated that another 35 farms will be receiving offers for easement purchases in 2005, with the potential to protect an additional 5,000 acres.

### Other Land Preservation Programs

Agricultural land in Frederick County has also been protected through the Federal Farmland Protection Program (145 acres); the Maryland Environmental Trust (2,509 acres); and the Federal Transportation Enhancement Program grants (1,361 acres). With the inclusion of these programs, Frederick County has permanently preserved over 29,000 acres of land. The following chart shows the percent of preserved land per program:





## **Mapping and Data Services**

The development of a Countywide GIS continues within the Planning Department. A cooperative effort with Interagency Information Technology GIS Department, the Department of Public Works and various other County agencies has produced various GIS products. The Plan for GIS is to promote an enterprise GIS approach that entails shared responsibility for and benefits from GIS across all County divisions and departments. This promotes data sharing and elimination of data redundancy on a countywide basis.

The County received approval for a contract to acquire new aerial photography in the Spring of 2005. The County also received approval to contract out to acquire digital GIS layer of each parcel within the County. This multi-year project will begin early 2005. A significant amount of Quality Control and Quality Assurance work will be done by Planning Division staff.

The Division completed and updated the Demographic and Data Development Booklet in March of 2004.

The Demographic and Development Data booklet is intended to assembly various statistics in order to create an overview of Frederick County. The booklet includes information on the residential, commercial, and industrial development within the County. In addition, the booklet compiles social, economic, and educational indicators from various sources in order to provide the most recent information available. The Demographic and Development Data booklet is intended to be available to all individuals and organizations that have an interest in and/or a use for its contents. Further copies are available at the following address:

Staff also completed an update to the Demographic webpage within the Division of Planning that provides a wealth of information to users.





## **Publications Available**

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\* Available on our website [www.co.frederick.md.us/planning](http://www.co.frederick.md.us/planning)

### **DEVELOPMENT ORDINANCES**

Adequate Public Facilities Ordinance \*  
Community Design Guidelines & Development Principles\*  
Development Review Procedures Manual  
Forest Resource Ordinance\*  
Impact Fee Ordinance  
State FRO Tech Manual  
Subdivision Regulations (Bound) & (Unbound)  
Zoning Ordinance (Unbound)\*  
Zoning Atlas (Only available on the Website)

### **COMPREHENSIVE PLANS/REPORTS**

Countywide Comprehensive Plan (1998)\*  
Adamstown Region Plan (2001)  
Brunswick Region Plan (1998)  
Frederick Region Plan (2002)\*  
Middletown Region Plan (1997)  
New Market Region Plan (1993)  
Thurmont Region Plan (1995)  
Urbana Region Plan (2004) \*  
Walkersville Region Plan (1995)

### **SPECIAL REPORTS**

Adamstown Region Historic Sites Survey  
Annual Report (2004)\*  
Bikeways & Trails Plan (1999)  
Citizens Zoning Review Committee Final Report\*  
Demographic and Development Data Report (March 2004)\*  
Historic Preservation Ordinance\*  
Historic Preservation Plan  
Lake Linganore Source Water Protection Plan (2004)\*  
Land Preservation, Parks, and Recreation Plan (2000)  
Master Transportation Plan (2001)  
New Market Region Historic Sites Survey  
Subdivision Lots Available Listing