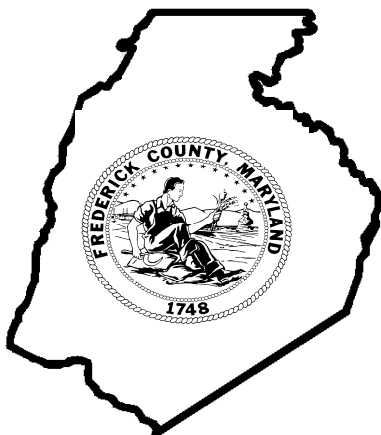
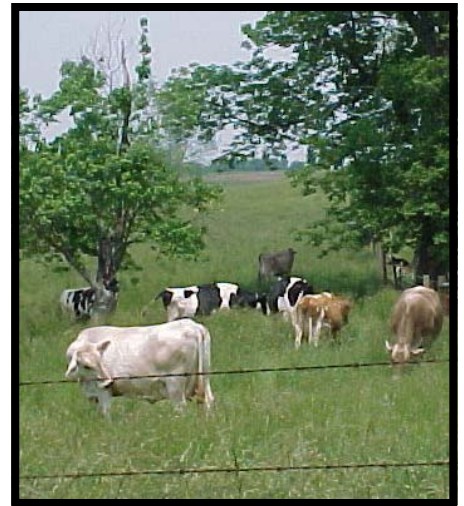
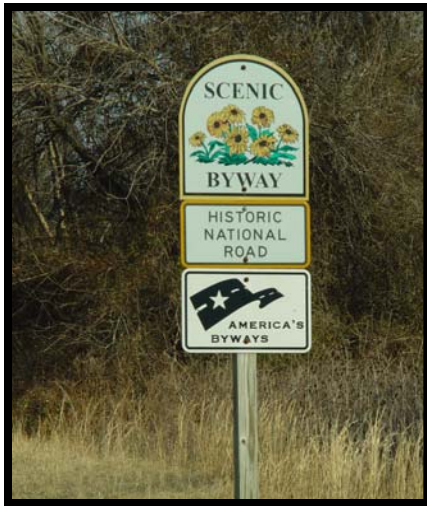


FREDERICK COUNTY DIVISION OF PLANNING

Annual Planning Report 2007



12 E. CHURCH STREET
WINCHESTER HALL
FREDERICK, MARYLAND 21701

www.co.frederick.md.us/planning

Table of Contents

	Page Number
Executive Summary	1
Planning Commission Profile	2
Commission's and Staff Directory	4
Demographic and Development Trends	5
Community Facilities	6
Zoning Administration	7
Comprehensive Planning	11
Land Preservation	19
Mapping and Data Services	23
Publications Available	24

Executive Summary

The 2007 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 2007

- The Board of Commissioners adopted a Zoning Ordinance text amendment, on July 10, 2007, that established stream buffer setbacks for the Linganore Creek watershed.
- The Board of Commissioners adopted an updated Historic Preservation Plan in June.
- Work continued on the Thurmont Region Plan update. The County Planning Commission had held its public hearing in October and was continuing its workshops through the end of 2007.
- The Board of Commissioners adopted a Zoning Ordinance text amendment to the Village Center zoning district. The amendments established standards for building footprints, residential densities, and revised building setbacks. A companion Design Guidelines was also prepared.
- The Maryland Agricultural Land Preservation Foundation (MALPF) granted certification of the County's Agricultural Preservation Program.
- The Maryland Chapter of the American Planning Association (APA) presented several planning awards to the Planning Division.
 - ◊ The Age Restricted Community: Trends and Issues Report was selected for Honorable Mention for the Chapter's Public Education or Research award.
 - ◊ The Frederick County Village Zone Project was selected as Outstanding Plan (jurisdictions greater than 100,000 population).
 - ◊ John Dimitriou was recognized with an Honorable Mention for the New Planner award.
- As directed by the Board of Commissioners, staff worked on the reconsideration of the New Market Region Plan adopted in 2006.
- Processed 30 farm applications to sell their development rights under the MALPF Program and received 37 applications for the Installment Purchase Program (IPP).
- Processed 39 Board of Zoning Appeals cases up from 34 in 2006.
- Conducted 966 new and follow-up zoning inspections down from 1,155 in 2006. The number of zoning complaints down 17% from 371 in 2006 to 310.
- Processed one (1) Zoning Map Amendment.
- Processed sixteen (16) Zoning Text Amendments.
- Fiscal Impact Analysis—Cost of New Growth Study Underway.

Development and Demographic Highlights

- County population increased by 2,200 persons in 2007, the lowest annual increase in five years.
- Permits were issued for 1,054 new residential dwellings in 2007. This is the lowest level of activity since 1982.
- Commercial and industrial construction decreased by 169 permits from 2006 with 673 permits issued in 2007.
- Total value of new commercial and industrial construction in 2007 was approximately \$573 million.
- Ranking System—completed; Municipal/County MOU—complete; Zoning Ordinance text changes—underway.

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:

- Joe Brown, III, Chairman
- Joan McIntyre, Vice-Chairman
- Audrey Wolfe, Secretary
- J. Denham Crum
- Bob White
- Audrey Wolfe
- Kai Hagen, 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.

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 Planning Division Staff:

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

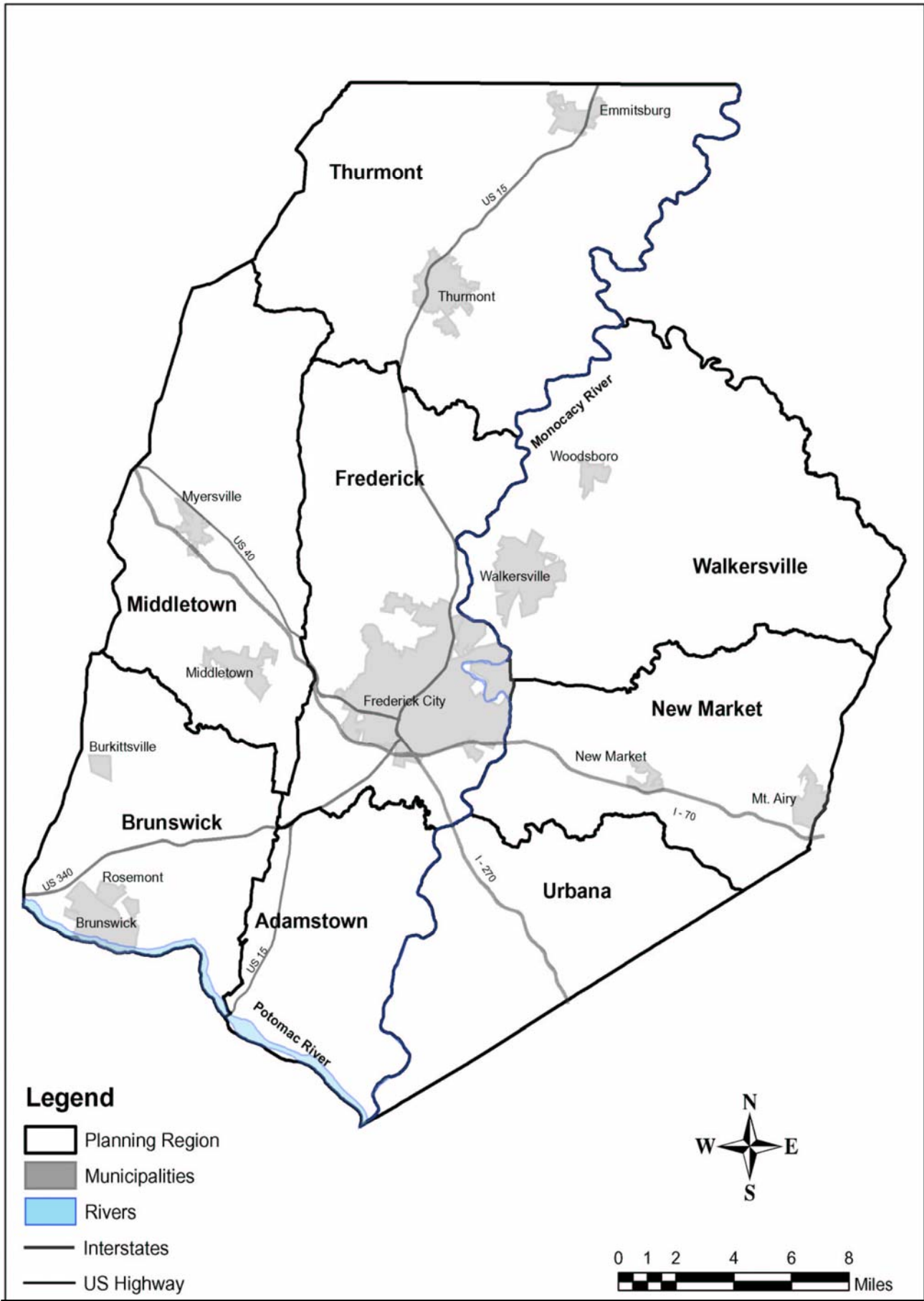
The Staff also acts as planning liaison and provides occasional assistance to the following organizations:

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



(Back Row) Comm. K. Hagen, D. Crum, B. White, (Front Row) C. Forrence, A. Wolfe, J. Brown, J.

FREDERICK COUNTY, MARYLAND



Directory of Commissions and Staff—CURRENT TO DEC. 2007

BOARDS AND COMMISSIONS

Board of County Commissioners

Jan H. Gardner, President
 David P. Gray, Vice President
 Kai J. Hagen
 Charles A. Jenkins
 John L. Thompson, Jr.

Planning Commission

Joe Brown, III, Chairman
 Joan McIntyre, Vice Chairman
 Audrey Wolfe, Secretary
 J. Denham Crum
 Bob White
 Catherine Forrence
 Kai J. Hagen, County Commissioner

Board of Zoning Appeals

William Shreve, Chairman
 Bernard Bordenick
 Robert J. Lawrence
 Laura Roholt Westdorp
 Ronald W. Peppe
 John R. Clapp, Alt.

Agricultural Preservation Advisory Board

Alan Wilcom, Chairman
 Zene Wolfe
 Jon Sewell
 Thomas L. Browning
 Mehrle Ramsburg, Jr.

Historic Preservation Commission

G. Bernard Callan, Jr. Chairman
 Krista McGowan, Vice Chairman
 William B. Crum
 Mary Richeimer
 Gary D. Baker
 Michael A. Powell
 William DeMartini
 Tyler Bastian
 John Greenwell
 Barbara Wyatt
 Andy Stout
 Jessica Cramer Winter, Alt.
 Marc DeOcampo, Alt.

DIVISION OF PLANNING STAFF

Director

Eric E. Soter 301-600-1411

Deputy Director

VACANT 301-600-1149

Chief of Comprehensive Planning

Jim Gugel, AICP 301-600-1144

Land Preservation Administrator

Timothy J. Blaser 301-600-2513

Mapping and Data Services Manager

Sam Householder 301-600-1127

Zoning Administrator

Larry Smith 301-600-1491

Comprehensive Planning

Historic Preservation

Janet Davis 301-600-2958

Transportation

John Thomas 301-600-1142

Water and Sewer

Carole Larsen, AICP 301-600-1135

Environmental Planning

Tim Goodfellow, AICP 301-600-2508

Special Projects

John Dimitriou 301-600-1150

Zoning Administration & Enforcement

Board of Zoning Appeals

Rick Brace 301-600-2940

House Numbering

Craig Terry 301-600-1351

Permit Review

Craig Terry 301-600-1351

Rick Brace 301-600-2940

Zoning Enforcement

Bill Bigelow 301-600-1141

Special Projects

Todd Weidman 301-600-1436

Mapping and Data Services

GIS Project Manager

Amber DeMorett 301-600-1155

GIS Technicians

Jason Hartner 301-600-2325

Mary McCullough 301-600-2324

Christine Graham 301-600-1151

Land Preservation

Agricultural Preservation Planner

Anne Bradley 301-600-1474

Planning web page
www.co.frederick.md.us/planning
 301-600-1138

Demographic and Development Statistics and Trends

Population

Frederick County's estimated population is 231,948 as of January 2008. From 2006–2007 the County population increased by approximately 2,200 persons; this is the lowest annual population increase in five years. During 2003 – 2008, the average annual increase in population has been approximately 3,050 persons. Within the past 5 years, Frederick County's population has increased by 7%. Since 1990, population increases have continued to be significant with 81,740 persons added representing a 54% population increase in 18 years.

The current projections indicate a total County population of 243,220 by 2010, 287,913 by 2020, and 326,224 by 2030. This represents an annual growth rate of approximately 4,365 persons.

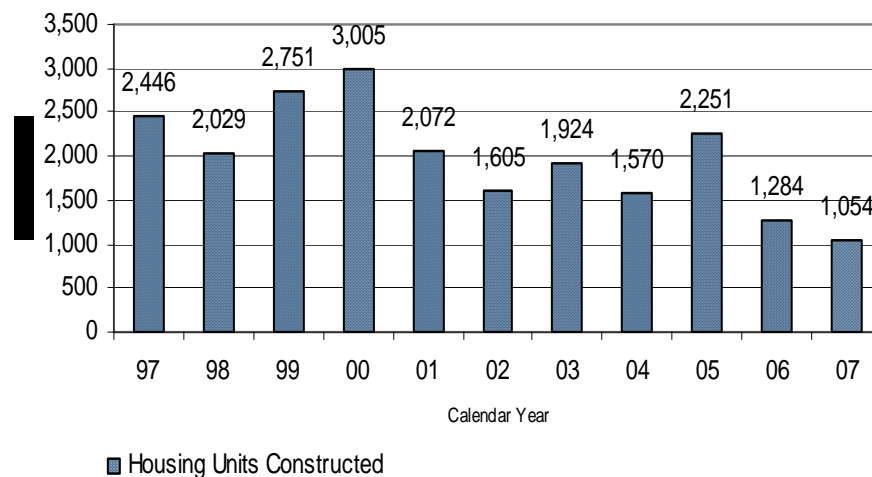
Housing Construction

In 2007, there were 1,054 new residential development permits issued; 55% of the new housing units constructed were single-family detached, 23% were duplex and townhomes, 21% were multi-family, and 1% were mobile homes, bringing the County's housing unit stock to 86,751. In 2007, there were 794 fewer residential

permits issued than the 30-year average of 1,848. Approximately 34,848 new homes have been constructed since 1990. The City of Frederick, with 25,785 housing units alone, comprises 30% of the County's housing stock. Since 1980, approximately 45% of all new dwellings were constructed within the 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.

Commercial and Industrial Construction

There were a total of 673 commercial and industrial permits issued in Frederick County in 2007, the 2nd lowest amount issued within the past 5 years. 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 has been an average of 699 such permits issued annually. The value of the commercial and industrial permits totaled approximately \$573 million in 2007. This is almost \$290 million more than in 2006.



Community Facilities

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 community facilities.

Capital Improvements Program

The Division of Planning with the Budget Office and Finance Department jointly prepares a six-year Capital Improvements Program (CIP). 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 2008-2013 was adopted in June 2007. The CIP totaled over \$885 million for the entire 6-year program an increase of \$160 million over the FY2007-2012 CIP. The summary of the 6-year CIP is as follows:

- General Government \$ 194 million
- Water & Sewer \$ 100.5 million
- Solid Waste \$.6 million
- Parks & Recreation \$ 51.8 million
- Watershed Restoration \$ 1.6 million
- Roads & Bridges \$ 121 million
- Frederick Community College \$ 66.3 million
- Schools \$ 291.2 million
- Municipal Projects \$ 56.3 million

School Enrollments

The County's FY 2008-2013 Capital Improvements Program (CIP), includes 14 projects to increase school capacity. These projects include additions to existing schools and the construction of new schools and will add 1,848 elementary school seats, 300 middle school seats, and 2,610 high school seats over the next six years.

In September 2007 the Frederick County Public School system enrolled a total of 40,566 students which is an increase of .6% or 251 pupils from 2006.

For the first school year since 1999, no new schools were opened. However, major construction projects continue, notably Oakdale High School which is on schedule for an August 08 opening.



Zoning Administration Highlights

Board of Appeals

There were 39 cases filed in 2007, a slight increase from the 34 cases filed in 2006.

The types of cases heard in 2007 are listed below:

- Building setback variances - 14
- New or expanded special exception uses - 10
- Accessory apartment reviews - 8
- Claims of Administrative Error - 6
- Non-conforming use reviews - 2
- Communication towers - 1

For two of the Administrative Error cases the Board upheld the Planning Commission's

decision to deny a subdivision request that failed the Adequate Public Facilities Ordinance [APFO] standards, but overturned the Planning Commission approval of a site plan for a welding shop due to interpretations regarding uses allowed. At this time both cases have court proceedings still pending.

The Board received a decision by the highest court in Maryland upholding its decision to grant a special exception regarding a commercial greenhouse/nursery in the agricultural zoning district.

<u>Case #</u>	<u>Applicant</u>	<u>Application Request</u>	<u>Decision</u>
B-07-01	Grossnickle	Administrator Error Deter., Re: Lots of Record	Withdrawn
B-07-02	Shoresh, Inc.	Expand previously approved Religious camp/retreat	Granted
B-07-03	Martin	Administrator Error, FCPC decision denying subdivision plat for failing APFO	Denied
B-07-04	Gaver	Variance of 2 ft. from the 10 ft. side yard setback to construct 2 car garage	Denied
B-07-05	Humerick	Variance of 25 ft. from the 75 ft. required setback to retain carport	Granted
B-07-06	McKenna/Leonard	Variance of 34 ft. from the required 50 ft. side yard setback on (n) and 25 ft. from the 50 ft. side yard setback on (s) to build house	Granted
B-07-07	Jones	Variance of 1.5 ft. from the 6 ft. required setback to retain accessory structure	Granted
B-07-08	Injety	Accessory apartment	Granted
B-07-09	Gillespie/Remillard	Change a legal nonconforming use to allow a vehicle storage yard	Denied
B-07-10	Van Fleet	Commercial Landscape Business (to include snow removal) (commercial greenhouse/nursery)	Withdrawn
B-07-11	Yost	Variance of 24 ft. from the 40 ft. required front building restriction line to erect a garage	Denied
B-07-12	Cook	Variance of 5 ft. from 30 ft. front building restriction line for addition	Granted
B-07-13	Bowman	A private school	Granted

B-07-14	Wilson	Temporary mobile home for a family member	Granted
B-07-15	Birach Broadcasting c/o D. Freishtat	Modify 3 existing communication towers and add new tower along with new transmitter building	Pending
B-07-16	Hammer	Variance of 16 ft. from 50 ft. required on (s) and 23 ft. from the 50 ft. required on (n) to replace an existing house in RC zone	Granted
B-07-17	Fred. Co. Humane Society Inc.	Variance of 7 ft. from 50 ft. side yard setback and a special exception to establish a non-profit kennel	Granted
B-07-18	Fredericks/Madovich	Accessory apartment	Granted
B-07-19	Palmer Professional Properties LLC	Expand previously approved veterinary clinic	Granted
B-07-20	Libertytown Garage c/o Rick Agoris	Expansion of an auto repair and service shop and a 13 ft. variance from required 25 ft. floodplain soils	Granted
B-07-21	Nogrady	Variance of 15.5 ft. from the 30 ft. required rear yard setback to erect an addition and deck	Denied
B-07-22	Furman	Country Inn (Seth's Folly)	Granted
B-07-23	Trost	Accessory apartment	Granted
B-07-24	Sepe	Administrative Error in Zoning Admin. oral decision & FcPc Conditional Approval of Clark Welding/Fabrication	Denied
B-07-25	Johnson	Accessory apartment	Granted
B-07-26	Sepe	Administrative Error in Zoning Admin. oral decision & FcPc Conditional Approval of Clark Welding/Industrial Activities	Granted
B-07-27	Braveheart Kennels & Game Birds LLC	Kennel for boarding and training of 28 dogs & variance of 139 ft. from the 50 ft. setback required for outdoor runs	Special Exception Approved & Variance Denied
B-07-28	Urbana Inter. Partners	Animal incinerator as accessory use to existing veterinary clinic	Granted
B-07-29	Sepe	Admin. Error in Zoning Admin. Interpretation/Activities by Clark Welding in GC zone	Granted
B-07-30	Allegheny Power	Expand an existing building with addition existing to non-governmental utility facility.	Granted
B-07-31	Pellegrino	Variance of 8 ft. from the required rear yard setback for an addition	Granted
B-07-32	Sappe	Accessory apartment	Granted
B-07-33	Renshaw	Accessory apartment	Granted
B-07-34	Janc	Expand a legal nonconforming structure	Denied
B-07-35	Mathias	Accessory apartment	Granted
B-07-36	Houck	Admin. Error in Zoning Admin. determination on permit #58631	Denied
B-07-37	Page	Variance of 3 ft. from the 6 ft. req. separation between buildings in order to retain a 19th century smokehouse	Granted
B-07-38	Hope Hill UM Church c/o Erma Dyson	Variance of 42 ft. from the 50 ft. required side yard setback on lot of record to erect an addition to existing church (previously approved – B-05-09)	Granted
B-07-39	Catoctin Creek Int. Venture	Continue a previously approved accessory apartment	Granted

Zoning Text Amendments

Noise Ordinance — Ordinance to adopt New Section 1-11-6 and incorporate existing State regulations into the Frederick County Code concerning Noise Standards. *Approved*

ZT-07-01 - Front Yard Modification — BoCC Initiated Ordinance request to amend Section 1-19-452 (A) Front Yards, to allow for modifications of any dwelling instead of dwellings in the residential district only. *Approved*

ZT-07-02 - Village Center Zone — BoCC Initiated Ordinance to update permissible uses, provide separate residential density provisions, update bulk and density requirements, and provide design standards for development within the Village Center Zoning District. *Approved*

ZT-07-03 - Change Formal Initiation of Amendments — BoCC Initiated Ordinance to amend and revise the County's Subdivision Regulations, Section 1-16-31; Zoning Ordinance Section 1-19-61; Adequate Public Facilities Ordinance Section 1-20-23 (A); and Forest Resource Ordinance Section 1-21-22 (A) to restrict formal initiation of Text Amendments by the BoCC only. *Approved*

ZT-07-04 - Loading Space Text Amendment — Staff Initiated Ordinance to amend Zoning Code Chapters 1-19-166, 1-19-167 and 1-19-321 regarding loading space requirements. *Approved*

ZT-07-05 - Repeal of Transit Oriented Development (TOD) — Ordinance to repeal and delete Section 1-19-333 of The Frederick County Code concerning Transit Oriented Development (TOD) originally approved by the prior BoCC on 11/14/06. *Approved*

ZT-07-06 - Wellhead Protection — Ordinance to add definitions for the following terms: Aquifer; Best Management Practices; Containment Device; EPA; Ethanol; Flammable Liquid; Gasoline; Hazardous Substance; Kerosene; MDE; Natural Gas; Oil-Petroleum Products and their By-Products; Pesticide; Propane; Underground Storage Tank; and Wellhead Protection Area. 2) Designate certain uses to comply with §1-6-50 Wellhead Protection as well as prohibiting certain uses within the Wellhead Protection Areas altogether. 3) Add Special

Exception criteria to certain uses to indicate compliance with § 1-6-50 as well as add a provision for Storage Tanks and double walled containment or 100% catchment basin and a spill protection alarm to be provided. *Approved*

ZT-07-07 - Stream Buffer Setback — BoCC Initiated Ordinance to amend the Zoning Ordinance to establish the Linganore Watershed Protection Area and to create setback requirements for waterways and waterbodies in the Linganore Watershed Protection Area. *Approved*

ZT-07-08 - Resthaven Memorial Gardens Inc. — Ordinance to amend §1-19-4 by adding a definition for Cemetery/Memorial Gardens, add a new §1-19-206 to indicate that Crematory Operation is allowed in conjunction with Cemetery/Memorial Gardens or Funeral Home, and provide the criteria for such use. *Approved*

ZT-07-09 - Heavenly Days Crematorium, LLC — Ordinance to amend Sections 1-19-4 and 1-19-385 of the Zoning Ordinance. This amendment added a definition for Animal Incinerator and adds provisions to allow Animal Incinerators as an accessory use to an Animal Hospital or Veterinary Clinic. *Approved*

ZT-07-10 (and AT-07-03) - Aged Restricted Community (ARC) — BoCC Initiated Ordinance to require any Planned Unit Development (PUD) or Mixed Use Development (MXD) or portion thereof that desires an exemption from the APFO schools test under Section 1-20-7(E) to first be designated as an age-restricted community at time of rezoning. The request for this designation must be made as part of the PUD's or MXD's Phase I (rezoning) application, indicating the number and location of the proposed age-restricted dwelling units. *Approved*

ZT-07-11- Floodplain Regulations — BoCC Initiated Ordinance to the Frederick County Zoning Ordinance, Division 5- Floodplain District Regulations to enable the County to continue to participate in the National Flood Insurance Program (NFIP) through the adoption of Floodplain management regulations that meet the standards of the NFIP Regulations. *Approved*

ZT-07-12 - Mini Storage Structures on Single Lot — Ordinance to: (1) add a definition of self-storage units; (2) amend the use regulations (§1-19-289) and

Zoning Text Amendments

design requirements (§1-19-290) tables in the Zoning Ordinance; and (3) add a new section to the Zoning Ordinance concerning self-storage units, including the use of multiple structures on one lot if certain conditions are met. *Approved*

ZT-07-13 - Change Minimum Lot Size Requirements in RC Zone from 5 to 10 acres — BoCC Initiated Ordinance to amend §1-19-290 to increase the minimum lot area in the Resource Conservation (RC) District from five to ten acres for all uses. *Approved*

ZT-07-14 - Removal of Nursing Homes in AG District — BoCC initiated Ordinance to amend and revise §1-19-289 and repeal §12-19-396 of the Frederick County Zoning Ordinance removing Nursing Homes from the list of principal uses permitted in the Agricultural Zoning District. *Pending*

ZT-07-15 - RC Zone (Alternative to ZT-07-13) — Ordinance to amend §1-19-290, §1-19-302 and §1-19-387 of the Zoning Ordinance regarding the Resource Conservation (RC) district. The ordinance changes the lot size requirements for all uses in the Resource Conservation district, including both a traditional (non-cluster) option and a cluster option for creating lots in the RC district for residential uses. The amendments also include provisions for placing remainders under a preservation easement, and increasing the maximum cluster lot size to 3 acres in order to meet certain Health Department percolation requirements. *Pending (A modified version of original amendment is pending)*

ZT-07-16 - Landscape, Greenhouse/Nursery, Retail/Wholesale Operations, Yard Storage, Heavy Equipment Related Services- Ordinance to amend § 1-19-4, 1-19-168, 1-19-182, 1-19-289, 1-19-290, 1-19-304, 1-19-310, delete § 1-19-377 of the Frederick County Zoning Ordinance. The amendment would define and separate Landscape Contractor from Nursery Uses; indicate the appropriate districts for such uses and revise other pertinent section of the zoning ordinance. Definitions for hardware/garden center and yard storage are proposed along with changes to which districts they are permitted in. *Withdrawn (Directed to revise and bring back with future amendment.)*

Zoning Enforcement

The zoning inspector continued to investigate complaints about possible Zoning Ordinance violations. Over 966 initial and follow-up inspections were conducted in order to determine if violations exist. Complaints had a 17% decrease in 2007 to 309, as opposed to 2006 when 371 complaints were filed.

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	142	46%
Nuisance	44	14%
Site Plan Conformance	18	6%
Home Occupations	30	10%
Real Estate Signs	20	6%
Miscellaneous	55	18%
Total	309	100%

Zoning Map Amendments

R-07-01 Wellington II, LLC/YBC Investors, LLC— Request to rezone 7.17 acres of land from Agricultural (A) to Mixed Use Development (MXD). The site is located at New Design Road and English Muffin Way, in the Adamstown Planning Region and will be incorporated into a previously approved MXD project. *Approved*

Comprehensive Planning Highlights

Regional Plans

For the purposes of long-range planning, Frederick County is composed of eight Planning Regions (see map page 3). 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); Urbana (2004); New Market (2006); and Walkersville (2006).

Thurmont Region Plan Update

The Frederick County Planning Commission completed much of its work on the Thurmont Region Plan update in 2007 voting to forward its Recommended Plan to the Board of County Commissioners on February 25, 2008. The Recommended Plan for the Thurmont Region includes a land use plan map, which identifies the location and type of proposed land uses expected to develop over the following decades. Community growth boundaries are depicted on the land use plan map for the Region's two designated growth areas of Emmitsburg and Thurmont. New residential, commercial and industrial development is targeted to these municipalities in an attempt to concentrate growth where public infrastructure and services are provided. The Region's community facility and transportation needs are shown on the land use plan map in the form of floating symbols and proposed networks. New or potential sites for schools and parks are identified in the plan including sites for an elementary school in Thurmont and a middle school in Emmitsburg. An analysis of the US 15 corridor – including a plan for limiting at-grade access to the highway and providing grade-separated interchanges - is included in the Region Plan.

The Comprehensive Zoning Map, which reflects any changes made to the zoning classification on properties in the Region, is not being updated during this region planning process. Instead, it is anticipated that the Comprehensive Zoning work will be completed as part of the Countywide Comprehensive Zoning process set to begin at the completion of the Countywide Comprehensive Plan Update.

The Board of County Commissioners will review, modify if necessary, and adopt the Recommended Plan in 2008.

The plan and associated maps can be downloaded from the Division of Planning's Thurmont Region web page or in hard copy version from the Planning Office located on the 2nd floor of Winchester Hall. The Thurmont Region

project planner is Denis Superczynski. Contact him at 301-600-1142 or dsuperczynski@fredco-md.net for more information.

New Market Region Plan Reconsideration

The prior Board of County Commissioners adopted the New Market Region Plan on May 23, 2006. The Region Plan includes the text document, a zoning map and a land use plan map for the Region, which extends from the Monocacy River east to the Town of Mt. Airy. The land use plan map illustrates the location of future residential, commercial and industrial land uses in the Region and indicates the projected need for new schools, parkland as well as transportation infrastructure.

In December 2006, the current Board of County Commissioners voted to reconsider the 2006 New Market Region Plan. The implications of future population growth and development of the landscape on government service delivery and the provision of transportation infrastructure, parkland and school facilities were factors cited by the Board in their decision. The Board of County Commissioners (BOCC) held workshops from January through April 2007 to craft the 2007 Board of County Commissioners Draft New Market Region Plan which includes the land use plan and zoning maps. The BOCC Draft Plan was released on May 15, 2007 for agency and public review and contains several preliminary changes to the zoning and land use plan designations on certain properties in the New Market Region from the adopted 2006 Region Plan.

In August of 2007, the Frederick County Planning Commission began a series of workshops to develop recommendations on the 2007 BOCC Draft New Market Region Plan. The Planning Commission held a public hearing in July and then voted on a Recommended Plan at their December 19, 2007 meeting for transmittal to the County Commissioners.

The Board of County Commissioners has held a series of workshops and has scheduled a public hearing on the 2007 BOCC Draft New Market Region Plan for early 2008. A revised New Market Region Plan is expected to be adopted in June 2008.

The reconsideration—workshops, public hearings, etc., will continue into 2008. Contact Tim Goodfellow at 301-600-2508 or tgoodfellow@fredco-md.net for more information.

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 County's Historic Preservation Commission (HPC) for compliance with the Interim Design Guidelines. Its approval is issued as a Certificate of Appropriateness (COA). In 2007, the HPC issued no 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 Section 106 process. In 2007, the County's Historic Preservation Commission commented on 15 State Highway Administration projects under the Section 106 program.

Historic Preservation Plan Update

In 2007, the Frederick County Historic Preservation Plan, originally adopted in 1998, was updated. The new version of the Plan includes additional information on the adoption of the Historic Preservation Ordinance in 1998 and the formation of the Historic Preservation Commission. Acknowledging the availability of electronic information, one of the appendices is a list of national, state, and local governmental, non-profit, and commercial websites of interest. The Plan was prepared by Planning Division staff after open houses were held around the County and public hearings were held by the Historic Preservation Commission, the Planning Commission, and the Board of County Commissioners. The updated Plan was adopted by the County Commissioners on June 12, 2007.

Heart of the Civil War Heritage Area

The Maryland Heritage Areas Authority Board certified the Management Plan for the Heart of the Civil War Heritage Area (HCWHA) on July 13, 2006. The eleven participating municipalities and the Board of County Commissioners of Frederick County completed their plan amendment adoptions, required for certification of their jurisdictions, by June 22, 2006. The managing office of the HCWHA is based in the Tourism Council of Frederick County. The Advisory Board for the HCWHA is composed of 7-member delegations from each of the three Counties in the Area, Washington, Carroll, and Frederick. A member of the

Planning Division or Department of each County is a permanent representative on the Board. Frederick County's representative is the Historic Preservation Planner. In 2007, the City of Frederick applied for and was granted Targeted Investment Zone (TIZ) status in the Heritage Area by the Maryland Heritage Areas Authority. This allows the City to apply for capital as well as non-capital grants and thereby benefit from increased private investment in matching funds. The HCWHA is a partner organization in the Journey Through Hallowed Ground, a four-state cooperative effort pursuing National Heritage Area status for the historic corridor between Gettysburg, PA and Monticello, near Charlottesville, VA.

Catoctin Mountain Scenic Byway

Organization of the Catoctin Mountain Scenic Byway Advisory Committee was initiated in 2007 and the Tourism Council of Frederick County's Byways Manager is leading the group's meetings and pursuing implementation of the Corridor Management Plan. The Federal Highway Administration awarded \$25,000 to this effort under the SAFETEA-LU program. The Journey Through Hallowed Ground organization continued its quest for a National Heritage Area designation for the Journey corridor, extending from Gettysburg, PA and including the entire Catoctin Mountain Scenic Byway corridor through Frederick County to the Virginia border, where it continues through Virginia to end at Monticello outside Charlottesville, VA. In November 2007, a conference on National Register nomination of African-American sites in the Journey corridor was held in Frederick County.



Howard Marvin Jones House

Transportation

In October 2007 the Planning Division welcomed its first full-time transportation planner. This position will serve to coordinate with various local, state, and regional agencies/organizations including the National Capital Region Transportation Planning Board, State Highway Administration, and the County's Transportation Services Advisory Council. In addition, this position will carry out the BOCC's initiative to develop Countywide Travel Demand Forecasting efforts.

The Planning Division is responsible for coordinating a variety of transportation plans and studies, which involve highway, transit, and bicycle/pedestrian facilities. Long-range plans for these facilities have been addressed through the development of the Region Plan updates and through the implementation of the County's Master Transportation Plan. The Division of Planning continued work on developing a County sidewalk program, bicycle/pedestrian safety assessment and an assessment of on-street bikeways and off-street shared use path project priorities. These programs are being coordinated with the Division of Public Works & Division of Parks and Recreation. Described below are various County and State projects and studies that were underway in 2007.

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 2007 the State continued to move ahead with finalizing the environmental assessment for the entire project.

MD 180/351: County participated in continuing planning efforts for this multi-lane reconstruction from the MD 180 overpass at I-70 to the MD351 intersection with Crestwood Boulevard.

I-70 Meadow Road/Ijamsville Road Interchange: County participated in initial planning efforts for the addition of the missing interchange movements at the intersection of Meadow Road, MD and I-70. The project has had the additional coordination need of working with the State Highway Administration and the Maryland Department of Planning to address the project's priority funding area status so as to enable the project to move smoothly from the planning phase into Design & Construction once funding is available.

US 15/Monocacy Boulevard Interchange: County participated in project planning efforts for the

development of a grade-separated interchange located at the intersection of Monocacy Blvd./Christophers Crossing and US 15. Originally included in the I-270/US 15 multimodal study, this project was broken out as a stand-alone project in 2006. County participation will continue in 2008 as the projects moves from the planning phase to the Design & Engineering Phase.

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. Construction scheduled for 2010.

Spectrum Drive: Design for the upgrade of the roadway between MD 85 and four-way stop at Holiday Drive. Construction underway in 2006.

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

East Street Shared Use Path: The County, in cooperation with the City, participated in discussions and scoping for the implementation of shared use path along East Street from Carroll Creek north to Tuscarora Creek. This project has and will continue to require coordination between the City, County, SHA, Maryland Transit Administration, & Walkersville Southern Railroad. At this time Walkersville Southern Railroad is expected to continue to have the option to operate at least to Monocacy Boulevard with continuation South of Monocacy Boulevard to MD 26 dependent on an upgraded road/rail crossing at Monocacy Boulevard. There is a proposal of a shared use path in the rail right-of-way adjacent (parallel facilities) to the active rail road South of Tuscarora Creek.

Ballenger Creek Trail: The County Division of Parks & Recreation continues to develop the Ballenger Creek Trail in phases and has moved forward with construction on Phase I from Ballenger Creek Elementary School to New Design Road. Phase 2 of the project will move forward in 2008 as part of the Westview South development.

Monocacy River Trail: Working with the Division of Parks & Recreation, Division of Planning Staff have made outreach to the National Park Service's Rivers, Trails, & Conservation Assistance Program for help in initiating planning & scoping for the first

phase of the Monocacy River Trail from Carroll Creek to Monocacy Battlefield.

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 2007 included the following:

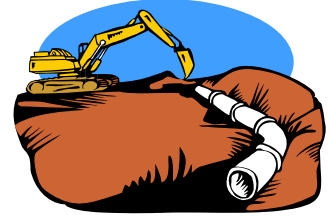
1. **MD 144**—Widening of the roadway from the Meadow Road/I-70 Interchange westward to the proposed roundabout at the ramp from westbound I-70.
2. **MD 194**—Widening to a 4-lane divided roadway between MD 26 and Devilbiss Bridge Road. This project would address both capacity and safety issues.
3. **MD 464 (Souder Road)**— Reconstruction as a two-lane roadway between MD 79 and the eastern limits of the City of Brunswick.
4. **MD 75**—Reconstruction and partial relocation as a two-lane highway between I-70 and MD 355.
5. **MD 85**—Widening and access improvements on MD 85 between English Muffin Way and Guilford Drive. The County advocates for the funding of Phase I construction—a comprehensive re-design and re-building of the I-270 interchange.

Travel Demand Model: Planning staff developed a program of work for the implementation of a countywide travel demand model program. Upon implementation, the model will be able to contribute to the assessment of various comprehensive plan transportation networks & scenarios, assess capital improvement projects, and supplement small and regional area traffic impact studies. The model development has and will to continue require extensive coordination between MWCOG, State Highway Administration, Development Review, Division of Public Works & surrounding jurisdictions.

Safe Routes to School: Planning staff participated in the creation of a countywide Safe Routes to School committee to coordinate and assess needs with respect to improving conditions for bicycling and walking for

students in the county. The committee included representatives from Frederick County Public Schools, Frederick County Health Department, Frederick County Sheriffs Department, Development Review, Division of Planning, Division of Public Works & the City of Frederick. The committee prepared a grant submittal to be submitted by FCPS in 2008 to Maryland DOT for federal funds in 2009-2010 for education, enforcement, encouragement and limited engineering program improvements to K-8 schools countywide.

Water & Sewer Plan Amendments



The Planning Division administers amendments to the County's Master Sewer and Water Plan. These amendments address mapping classifications of properties that relate to the timing of water and/or sewer service. This Plan is coordinated with the County Comprehensive Plan and development approvals to ensure consistency between these documents. The new hearing schedule accepts amendment requests during the months of March, July and November. The Application Form is on the Planning web page. Applicants are advised that documentation required to move from one category to the next, must accompany the application, not be submitted later. Contact **Carole Larsen** at 301-600-1135 or clarsen@fredco-md.net for more information.

During 2007, seventeen (17) applications for changes in water and sewer plan designations throughout the County were reviewed along with one (1) continued from previous cycles.

<u>Case</u>	<u>Applicant</u>	<u>Location and Request</u>	
WS-06-13	Town of New Market, Lot 29, Sponseller's Addition	Request reclassification of .668 acre from W-5 Dev./S-5 Dev. to W-3 Dev./S-3 Dev.	Approved
WS-07-01	Ballenger Creek Development, LLC	Request reclassification of 130 acres from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev. Located on the east side of Ballenger Creek Pike, 600 ft. south of Corporate Drive across from Tuscarora High.	Approved
WS-07-02	YBC Investors, LLC/ Wellington II	Increase pipe sizes. Located north of intersection of Elmer Derr and New Design Roads.	Approved
WS-07-03	YBC Investors, LLC	Request reclassification of 2.3 acres from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev. Located at 4632 New Design Road and 4636 New Design Road.	Approved
WS-07-04	Frall Developers, Inc.	Request reclassification of 40.3 acres from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev. Located west side of Yeagerstown Road, north of MD 144.	Denied
WS-07-05	Commissioners of Thurmont	Text amendment to update WWTP treatment to ENR and expansion to 1.33 mgd. Located south of Moser Road.	Approved
WS-07-06	Staff/Shirley Bell	Request reclassification of 0.677 acres from S-5 Dev. to S-3 Dev. for Health Emergency. Located at 8863 Baltimore Road, Tax Map 78, Parcel 228.	Approved
WS-07-07	Staff/Wampole	Request reclassification of 0.75 acre from S-5 Dev. to S-3 Dev. for Health Emergency. Located at 10426 Old National Pike.	Approved
WS-07-08	Michael Staley	Request reclassification of 6.21 acres from W-5 Dev./S-5 Dev. to W-3 Dev./S-3 Dev. Located at west side of Glade Road, opposite Winterbrook Drive and Silverstone Drive.	Denied
WS-07-09	DUSWM	Map amendment to increase planned water line size from 8 inches and 16 inches to 24 inches on Elmer Derr Road. New 24-inch main along Lime Kiln Road from Buckeystown Pike to New Design Road.	Approved

WS-07-10	SEJ, LLC, c/o David Jenkins	Request reclassification of 16.672 acres from W-5 Dev./S-5 Dev. to W-4 Dev./S-4 Dev. Located Tax Map 79/Parcels 52 & 53, east side of Mussetter Road, north side of Old National Pike.	Approved
WS-07-11	New Market SC, LLC, c/o Larry Spott	Request reclassification of 1.921 acres from W-5 Dev./S-5 Dev. to W-3 Dev./S-4 Dev. Located Tax Map 79/Parcel p/o 28, east side of Mussetter Road, north side of Old National Pike.	Approved
WS-07-12	Staff	Request reclassification of two lots, 14 acres, from W-1 Dev. to W-4 Dev. Located Tax Map 47/Parcels 8 & 184, 9316 White Rock Avenue and 9326 Bethel Road (White Rock Subdivision).	Approved
WS-07-13	Staff	Request reclassification of three lots, 39 acres, from W-4 Dev. to W-5 Dev. Located Tax Map 106/Parcels 14 & 49, 2190 Urbana Pike & 2210 Urbana Pike, Tax Map 105/Parcel 146, southwest side of Urbana Pike, south of Mott Road.	Approved
WS-07-14	Nickolas & Theckla Pantazes	Request reclassification of 0.59 acre from W-5 Dev./S-5 Dev. to W-3 Dev./S-3 Dev. Located at 3390 Urbana Pike, south side of Rt. 355 at MD 80 intersection in Urbana.	Denied
WS-07-15	Town of New Market	Request reclassification of six properties from W-5 Dev. to W-3 Dev. Located at 145 Wicomico Ct., 156 Wicomico Ct., 159 Wicomico Ct., 162 Wicomico Ct., 164 Wicomico Ct., 169 Wicomico Ct.	Approved
WS-07-16	New Market SC, LLC & SEJ, LLC	Request reclassification of 18.593 acres from W-4 Dev./S-4 Dev. to W-3 Dev./S-3 Dev. Located Tax Map 79, Parcels 52 & 53 and p/o Parcel 28, east side of Mussetter Road, north side of Old National Pike.	Approved
WS-07-17	Land Stewards/ Aspen	Request reclassification of 9.87 acres from W-4 Dev. to W-3 Dev. Located Tax Map 68, Parcel 156, east of Eaglehead Drive, north of Lake Linganore.	Approved

Municipal Planning Services

The Planning Staff provides direct planning services to five municipalities, Burkittsville, Rosemont, New Market, Thurmont and Woodsboro. 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 the municipalities.

County staff have begun working on master plan updates for Woodsboro and Thurmont. These plans are expected to be adopted in 2008.

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 2007 annexation requests are listed below:

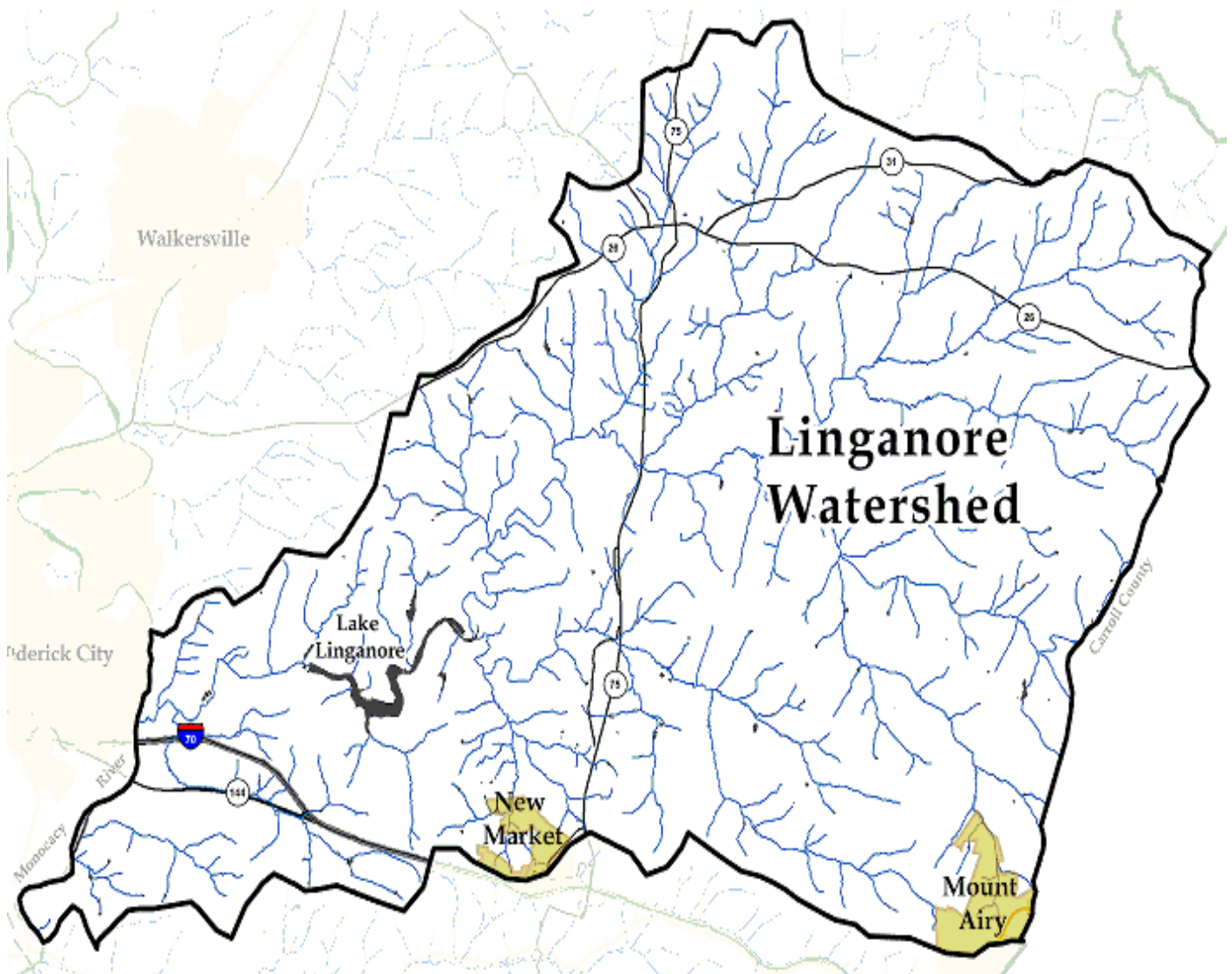
<u>Municipality</u>	<u>Applicant</u>	<u>Location</u>	<u>Acres</u>	<u>Proposed Zoning</u>	<u>Action</u>
Brunswick	Cooper	East side of Souder Road, north of Point of Rocks Road (MD 464), and adjacent to Gayln Manor Subdivision.	126	R-1 Residential	Pending
Thurmont	HKB Myers Land LLC	US15 @ N. Franklinville Road	210	Gen. Business/ R-3 Residential	Denied
Thurmont	Beazer Homes	Between MD 550 & Moser Road	131	R-2 Residential	Pending
Thurmont	Drees Homes	MD 806, south of Thurmont Blvd.	114	R-5 Residential	Pending

Environmental Planning Activities

Lake Linganore Source Water Protection Plan and its Action Plan

As part of the ongoing implementation of the Linganore Source Water Protection Plan <http://www.co.frederick.md.us/index.asp?nid=2020> the Board of County Commissioners adopted new stream and lake protection standards in 2007. The Ordinance (#07-24-464), *Waterbody Buffer Requirements in the Linganore Watershed Protection Area*, applies to all new subdivision lots--residential, commercial, industrial--created in the Linganore Watershed after July 20, 2007.

The Ordinance will aid in the reduction of sediment and nutrient inputs into Lake Linganore, a drinking water reservoir and recreational lake, by maintaining a larger area of natural vegetation between sensitive waterways and land development such as grading and construction activities on new subdivision lots. The Linganore Ordinance will help address Lake Linganore's water quality impairment, protect steep slopes adjacent to waterbodies from mass grading and clearing, and foster wildlife riparian corridors and linkages.

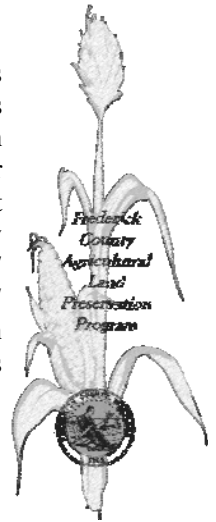


LAND PRESERVATION ACTIVITIES

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 enter their land into an Agricultural Land Preservation District. This step was a requirement until 2007, when the requirement to form a District in order to apply for easement sale was terminated. As of December 2007, 6,241 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 permanently protected easements.

The second step in the MALPF process is the sale of development rights easements to the State and County. In 2007, 30 farms made application for easement sale of their development rights through the MALPF Program. By the end of 2007, there are a total of 107 farms permanently preserved on 16,917 acres through the MALPF Program in Frederick County. The pending farms from the FY-08 Program are as follows:



Fiscal-Year 2008 Pending MALPF Easements:

Applicant Name	Acres	Road	Town
Stup, James & Louise	130	Dublin	Walkersville
Miller, Marilyn	175.929	Gravel Hill	Woodsboro
Keller, Patsy et al c/o Henry Lakin	187.31	Lander	Jefferson
Cramer, Robert & Ruth	126.16	Mountville	Adamstown
Marra, Ray & Michele	222	Mountain View	Emmitsburg
Wolfe, Michael & Aran	71.1328	Dublin	Walkersville
Marra, Ray & Michele	125.5	Mountain View	Emmitsburg
Derrenbacher, Stephen	48.51	Renner	Woodsboro
Gardiner Family LP	138	Blacks Mill	Thurmont
Cline, Robert & Susan	162	Artie Kemp	Libertytown
Browning, Thomas	144.045	Harrisville	Mt. Airy
Gruber, Harry & Doris	135.19	Cash Smith	Woodsboro
Tressler, Samuel & Beth	175.44	Glissans Mill	Mt. Airy
Myers, David & Maria	164.85	Oak Orchard	New Windsor
Gladhill, Maurice	197.76	Longs Mill	Creagerstown
Stronghold, Inc. c/o David Webster	169.04	Comus	Dickerson
Miller, James & Bonnie	95.97	Foxville-Deerfield	Sabillasville
Dertzbaugh, Jim & Sandra	99.128	Dublin	Woodsboro
Burrier, Harold & Judith	148.517	Liberty	Libertytown
Rum Springs Farms, LLC	172.5	Rum Springs	Myersville
Vorac, Peter & Marcia	40	Broad Run	Jefferson
Drenner, Darrel & Christina	74.95	Dollyhyde	Libertytown
Doody, David & Carole	144.1	Lime Plant	New Market
Stine, Richard & Nancy	51	Peddicord	Mt. Airy
Derrenbacher, Shirley	63.93	Renner	Woodsboro
Nowell, Dan & Brenda	66.89	Frushour	Thurmont
Stull, Mark & Melody	132.35	Woodsboro	Libertytown
Bohrer, Shannon & Susanne	26.77	Sixes Bridge	Emmitsburg
McPherson, Gary	50	Mt. Zion	Sabillasville
Hoover, John	41	Wolfsville	Myersville
TOTAL ACRES:	3,580		

LAND PRESERVATION ACTIVITIES

Miscellaneous MALPF Activity

Certification

On November 22, 2007 the MALPF Foundation approved Frederick County's request for Certification. Certification allows a County to retain 75% of the locally generated agricultural transfer tax revenue (ATTR). This is an increase from the 33% amount retained for non-certified counties.

Elimination of District Requirement- HB1331

In the 2007 Maryland General Assembly House Bill 1331 eliminated the requirement for property owners to form the voluntary MALPF District Agreement in order to become eligible to apply for MALPF Easement sale. Each County was then to determine whether they would still require the formation of a District Agreement before Easement Sale application. The Frederick County Agricultural Preservation Advisory Board felt that the District Agreement discouraged applicants to apply because of a 3-year commitment and no assurance of payment. On May 8th, 2007 the Board of County Commissioners unanimously voted to eliminate the MALPF District Agreement as a requirement for MALPF Easement sale application in Frederick County.

Critical Farms Program

Frederick County is in the 16th year of the Critical Farms Program. By the end of 2007, 21 farms with over 2,500 acres were purchased using Critical Farms funds, 19 of these farms have gone on to sell permanent conservation easements. 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 for 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

plus interest and getting out of land preservation. There was one Critical Farms application approved in Calendar Year 2007.

Rural Legacy Program

The Rural Legacy Program is a State/County land preservation program created in 1999 and funded through grants from the Department of Natural Resources (DNR) and County matching funds. The County currently has two designated Rural Legacy Areas: The Mid-Maryland Rural Legacy Area located in the Brunswick and the Middletown Planning Regions, and the Carrollton Manor Area located in the Adamstown Region. The Rural Legacy Program has resulted in 25 easements on 3,250 acres in the last 8 years.

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.

Installment Purchase Program (IPP)

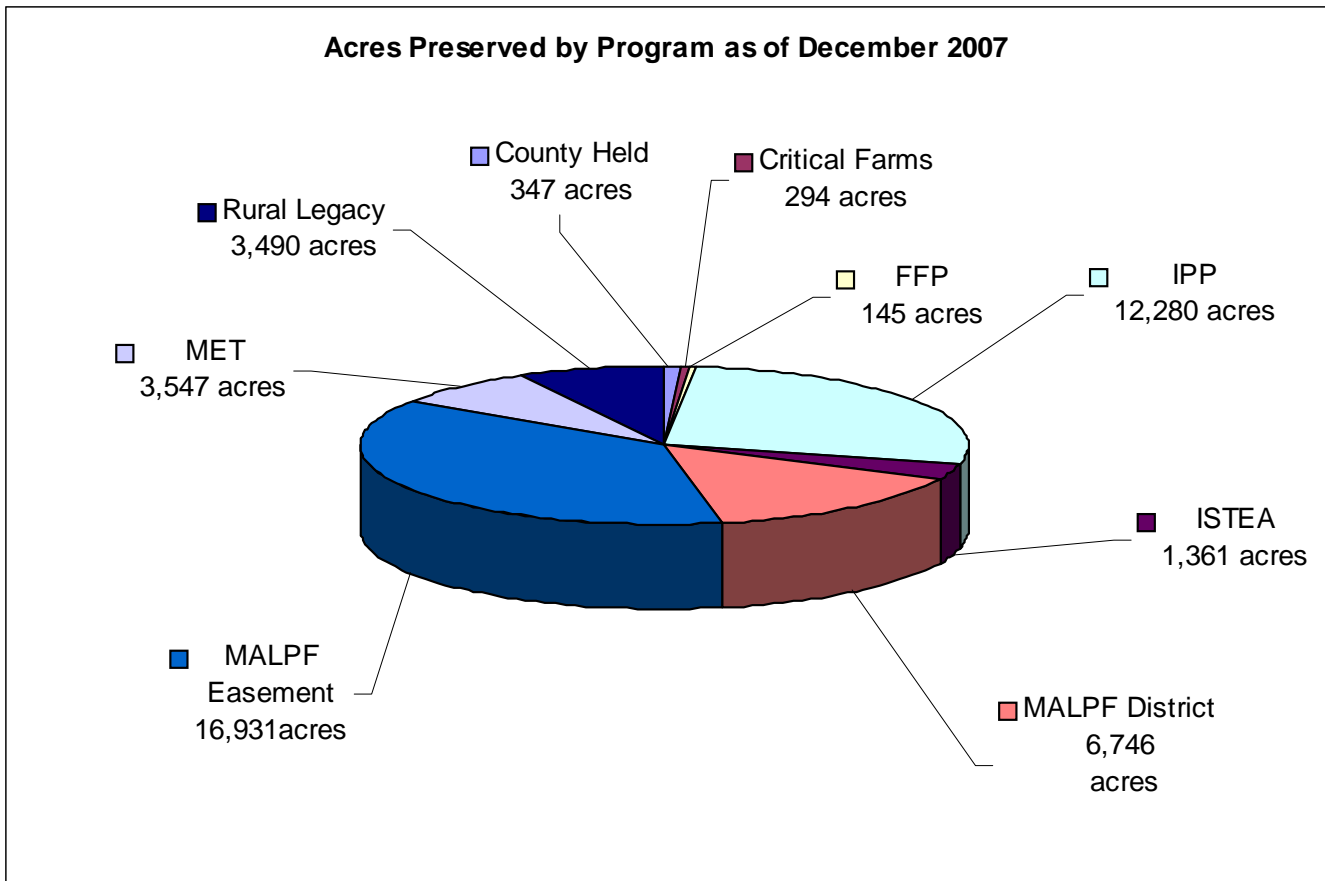
Created in 2002, the Installment Purchase Program purchases easements through Installment Purchase Agreements. The County invests in a Zero Coupon Bond that matures to the full value of the easement at the end of a term between 10 and 20 years at the landowners choosing. Interest payments on the easement value are made through the term and are exempt from federal and state income tax. At the end of the term the seller of the easement receives the full matured value of the easement. This process enables the County to leverage existing funding to purchase more easement acreage than through traditional lump-sum-easement purchase programs 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. During calendar year 2007, Frederick County purchased easements on 20 properties totaling over 2,890 acres. At the end of 2007, 81 farms comprising over 12,000 acres were preserved through the County's IPP Program. Frederick County received 37 applications for the FY08 IPP Easement Program, which has an application deadline every year of September 1. Offers are currently being made in ranking order on those properties:

Fiscal-Year 2008 Pending IPP Easements			
Applicant	Acres	Road	Town
O'Hara, Lamar	105.39	Cap Stine Rd.	Jefferson
Hawker, G. Edgar & Margaret, David & June	245	Hawker Rd.	Jefferson
Burrier, John & Ruth	179.5	Picnic Woods Rd.	Middletown
Kennedy, Julia	70	Kelly's Store Rd.	Thurmont
England, Jeff & Judy	199.8	Detrick Rd.	New Market
Hines/Vernon	368	Chick Rd.	Point of Rocks
Marra, Ray & Michele	222	Mountain View Rd.	Emmitsburg
Harrington Properties, LLC	189.5	Jefferson Pike	Jefferson
Savage, Wayne & Cynthia	187	Brentland Rd.	Jefferson
Poffenbarger, Helen	151	Coppermine Rd.	Woodsboro
Baker, James	188.63	Bridgeport Rd.	Emmitsburg
Lewis, Dorothy	145.98	Angleberger Rd.	Thurmont
Renehan, James & Lolita	154	Bridgeport Rd.	Emmitsburg
Wolfe, Michael & Aran	72.24	Dublin Rd.	Walkersville
Lakin, Henry, John & Alma, Patsy Keller	333	Lander Rd.	Jefferson
Cramer, Robert & Ruth	126	Mountville Rd.	Adamstown
Brooklodge Inc.	153	Sumantown Rd.	Middletown
Butts, David	132	Dollyhyde Rd.	Libertytown
Dertzbaugh, James & Sandra	99.1	Dublin Rd.	Woodsboro
Vorac, Peter	40	Broad Run Rd.	Middletown
Gardiner Family LP	138	Auburn Rd.	Thurmont
Grace Land Development c/o Don Travers	139	Keysville Rd	Thurmont
Gruber, Harry & Doris	135.19	Cash Smith Rd.	Woodsboro
Valentine, J. Richard & Dorothy	153	Sixes Bridge Rd.	Thurmont
Braut Family Trust	121.41	Graceham Rd.	Thurmont
Jenkins, Mark & Jacquelyn	27.81	Retreat Rd.	Walkersville
Kinna, Clay & Melissa	79	Layman Rd.	Thurmont
Derrenbacher, Stephen & Shirley	111.44	Renner Rd.	Woodsboro
Myers, David & Maria	164.85	Oak Orchard Rd.	New Windsor
Adams, Christopher & Lola	126.65	Burkittsville Rd.	Middletown
Zirpolo, Glenn	177.44	Buckeystown Pike	Adamstown
Miller, James & Bonnie	95	Foxville-Deerfield Rd.	Sabillasville
Brown, Joe	29	Catholic Church Rd.	Middletown
Dustin, Ronald & Shirley	107.502	Poffenberger Rd.	Middletown
Smith, Donald & Peninah	126.09	Dublin Rd.	Walkersville
Bussard, Paul	99.9	Harp Hill Rd.	Myersville
Murray, Robert & Dorothy	104.17	Harbaugh Rd.	Sabillasville
TOTAL ACRES:		5,297	

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 (3,547 acres); and ISTEA, The Inter-Surface Transportation Enhancement Act (1,361 acres). With the inclusion of these programs, Frederick County has reached over 38,101 acres of permanently preserved land (including Critical Farms properties). The following chart shows the percent of preserved land per program:



GIS Mapping and Data Services

The Frederick County Planning Division Geographic Information Systems (GIS) Mapping and Data Services continues to work in cooperation with Frederick County's Enterprise GIS and other County GIS agencies to provide technical data development and mapping for the citizens of Frederick County, Division of Planning and government officials. The Planning Division GIS has been an integral part of the development of Frederick County's GIS since 1994. Staff's continued efforts have been an important contributor in the development and advancement of numerous Frederick County GIS projects. This has been accomplished through performing proficient technical data development and statistical analysis producing projects that aide in the decision processes within Frederick County Government. Examples of recent projects managed and developed include updating the U.S. Census LUCA Program with GIS staff working with Frederick County, and many of it's municipalities secure data to develop an improved Countywide address base for the 2010 Census, various regional comprehensive plan updates and Board of County Commissioners initiatives, managing the development and quality control for the Countywide Parcel Project, working with the Federal Emergency Management Agency (FEMA) and their contractor to identify many important issues encountered in the development of updated FEMA mapping that was adopted September 19, 2007. In addition Planning GIS regularly develops and maintains GIS data for zoning, comprehensive plan, master water and sewer plans, environmental plans, historic preservation, transportation plans as well as many other mapping and data projects to support the land use management decision processes in Frederick County.

Publications Available

* Available on our website 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 (2006)*
Thurmont Region Plan (1995)
Urbana Region Plan (2004) *
Walkersville Region Plan (2006)*

SPECIAL REPORTS

Age Restricted Community Report
Adamstown Region Historic Sites Survey
Annual Report (2007)*
Bikeways & Trails Plan (1999)
Citizens Zoning Review Committee Final Report*
Demographic and Development Data Report (March 2004)*
Frederick Region Historic Sites Survey
Historic Preservation Ordinance*
Historic Preservation Plan (2007)
Industrial and Commercial Land Inventory
Lake Linganore Source Water Protection Plan (2004)*
Land Preservation, Parks, and Recreation Plan (2006)
Master Transportation Plan (2001)
Master Water and Sewerage Plan
New Market Region Historic Sites Survey
Pupil Yield Study (2005)
Subdivision Lots Available Listing
Urbana Region Historic Sites Survey