

2016 ANNUAL REPORT



2/15/2017

Frederick County Planning and Development

2016 Annual Report

FREDERICK COUNTY PLANNING AND DEVELOPMENT

The Department of Planning and Development is pleased to present the 2016 Annual Report. The Annual Report summarizes the activities and highlights of 2016.

2016 Highlights

714 new residential building permits in 2016

The majority of permits issued for new housing units were in the Opequon (293) and Stonewall (192) Magisterial Districts

2010	78,305*
2013	81,207
2014	82,059
2015	82,623
2016	83,998
2020	97,192
2030	119,419
2040	145,938

Population Estimates

Sources: *Weldon Cooper Center*, * 2010 Census

Residential: 2015 New Construction

Source: *Frederick County Inspections Dept*

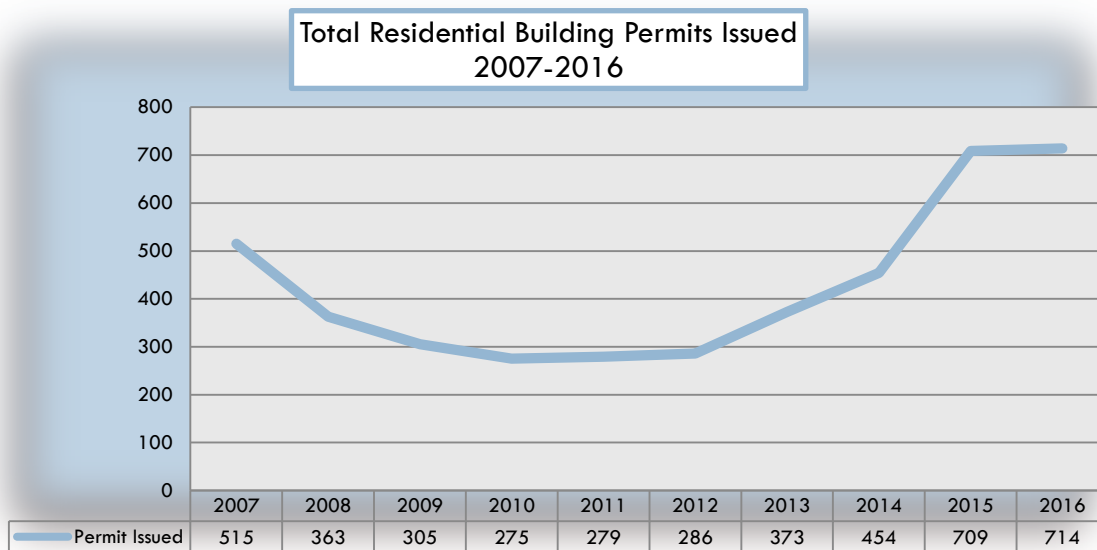
Total number of Building Permits	714
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Single family	426
Townhouse	99
Mobile Home	45
Multi-Family	137

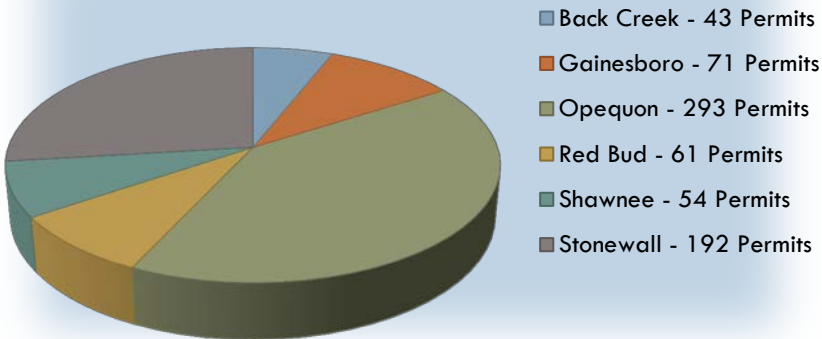
Residential Building Permits

Frederick County issued a total of 714 new residential building permits in 2016. In 2015 and 2014 respectively, there were a total of 709 and 454 residential building permits issued. The number of building permits issued in 2016 remains consistent with the number in 2015. Recent years have maintained an increase over the numbers for the past decade.

In 2016, the majority of permits issued for new housing units were once again in the Opequon and Stonewall Magisterial Districts, with the Opequon Magisterial District totaling 293 new residential units. The line chart below illustrates the total number of permits issued since 2007. The pie chart demonstrates total building permit types issued in relation to the Magisterial Districts.



Residential Building Permits Issued by Magisteral District
- 2016

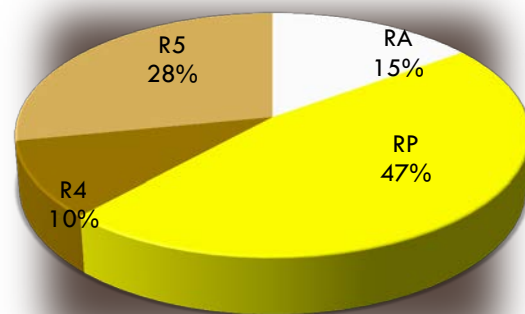


Subdivision lots created

The number of lots created in the County is determined as a result of subdivision application (urban) and administrative subdivisions (rural) that were approved in 2015. A subdivision or section of a subdivision is not considered approved until plats for the properties in that subdivision/section are approved; therefore, the numbers below reflect only lots approved and platted in 2015.

As shown in the table a total of 273 residential lots were created in the RP, RA, R4, and R5 Zoning Districts of Frederick County 2015. In 2014 there were total of 374 residential lots created.

Magisterial District	RA	RP	R5	R4	B1	B2	B3	M1	M2	EM	MH	MS	HE	Total
Back Creek	4	-	-	-	-	-	-	3	-	-	-	-	-	7
Gainesboro	13	-	-	-	-	-	-	-	-	-	-	-	-	13
Red Bud	2	98	-	-	-	-	-	-	-	-	-	-	-	100
Shawnee	13	-	-	-	-	1	-	-	-	-	-	-	-	14
Stonewall	2	16	-	27	-	1	-	1	-	-	-	-	-	47
Opequon	6	11	75	-	-	-	-	-	-	-	-	-	-	92
<i>Totals</i>	<i>40</i>	<i>125</i>	<i>75</i>	<i>27</i>		<i>2</i>		<i>4</i>						<i>273</i>



What is a Rezoning?

Zoning regulations are the rules that determine how parcels of land may be used. When owners want to develop or use their property in ways that do not conform to their current zoning regulations, they must apply for a change to their zoning classification, also commonly referred to as a Rezoning.

In 2015 there were 12 Rezoning applications submitted to the Board of Supervisors. Ten of these applications were approved by the Board of Supervisors. Two applications are pending. This is a considerable increase from 2014 when 5 rezoning applications were submitted. The complete list of applications is listed on page 15.

The most significant rezoning was the 92 acre Blackburn Commerce Center. This is an important economic development initiative which will enable industrial uses.

What is a Master Plan?

A Master Plan is a general plan of development approved administratively for new developments in certain zoning districts before a subdivision or site plan can be approved.

There were a total of 4 MDP applications submitted in 2015. Two were residential and two were industrial. The complete list of applications is located below.

What is a Subdivision?

A subdivision is the act of dividing land into pieces that are easier to sell or otherwise develop, usually via a plat. If it is used for housing it is typically known as a housing subdivision or housing development, although some developers tend to call these areas communities.

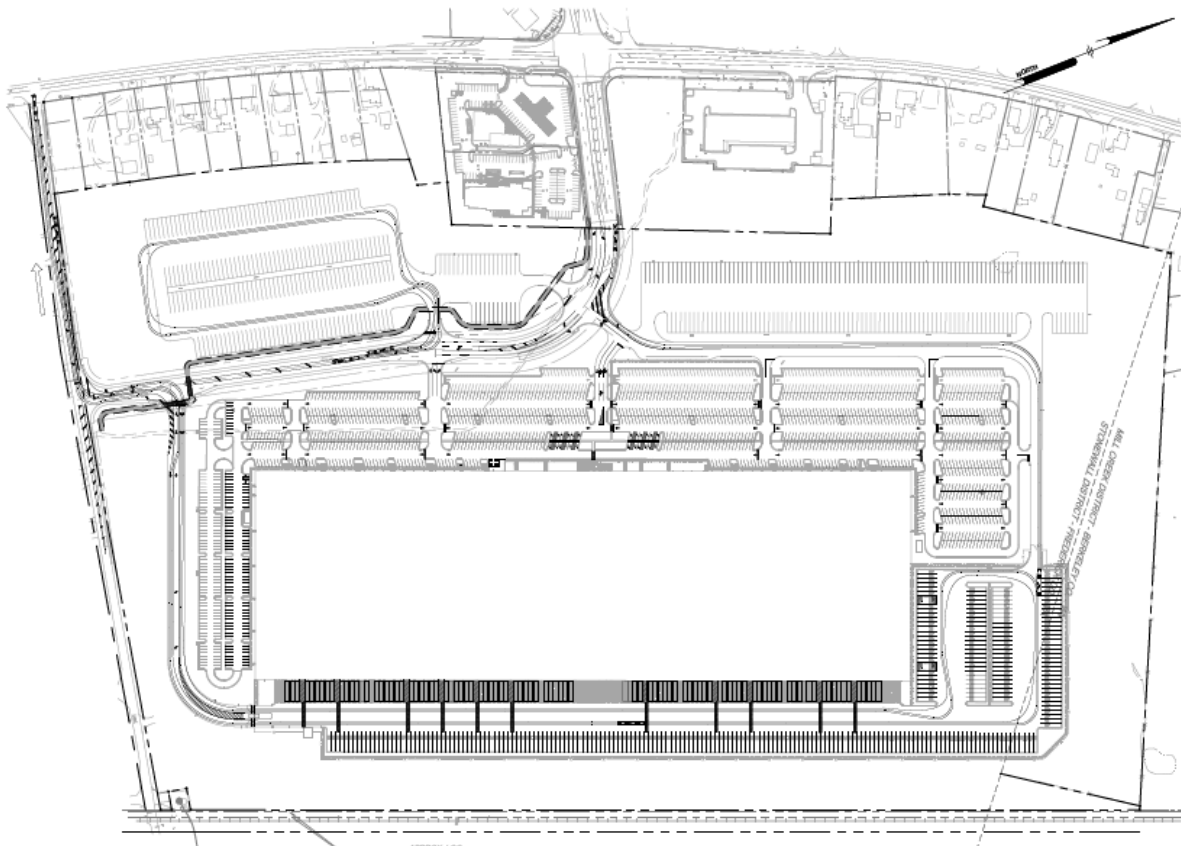
Subdivisions may also be for the purpose of commercial or industrial development, and the results vary from retail shopping malls with independently owned out parcels, to industrial parks.

All land divisions shall require the submittal of a subdivision plat for review and approval to recordation. Unless specifically exempt, all residential subdivisions and their associated amenities shall be required to submit a subdivision design plan for review and approval prior to final plats approval.

There were 8 subdivision applications submitted for review in 2015, totaling 459 lots for approval. Note that approval of a subdivision is not considered complete until final plats have been approved and recorded. The complete list of applications is located on page 18.

What is a Site Plan?

A **site plan** is a detailed engineering drawing of proposed improvements to a given lot. A site plan usually shows a building footprint, travel ways, parking, drainage facilities, sanitary sewer lines, water lines, trails, and lighting, landscaping and property lines.



There were 41 site plan applications submitted for review in 2015. A total of 32 applications were approved, 9 applications are pending. The complete list of applications is located on pages 20 and 21.

Other Planning Applications

Conditional Use Permits (CUP's)

There were a total of 4 Conditional Use Permit (CUP) applications submitted for review in 2015. The complete list is located below.

Waivers and Exceptions

There was one waiver application submitted for review in 2015. This application was located in the Back Creek Magisterial District. The application was for a waiver of curb, gutter, sidewalk and streetlights in the RP Zoning District. The Board of Supervisors approved this request.

Comprehensive Policy Plans Amendments (CPPA's)

There were no Comprehensive Policy Plan Amendments (CPPA's) submitted during 2015. However, the Comprehensive Plans and Programs Committee (CPPC), on behalf of the Frederick County Planning Commission, initiated the 5-year review and update of the 2030 Comprehensive Plan, the 2035 Comprehensive Plan. The CPPC reviewed and updated Appendix II - Background Analysis and Supporting Studies. In addition, the three-phase approach to the update includes; Phase 2, the CPPC and Blue Ribbon Group review and update of key sections of the Plan, and Phase 3, the Planning Commission Review of 2035 update. Phase 2 included the review and update of Residential Development, Business Development, Transportation, and Natural Resources, Historical Resources, and Public Facilities sections, and was concluded in 2015. Phase 3 would likely include additional public outreach, community meetings, and ultimately, the public hearing process and approval. This will be completed in 2016.

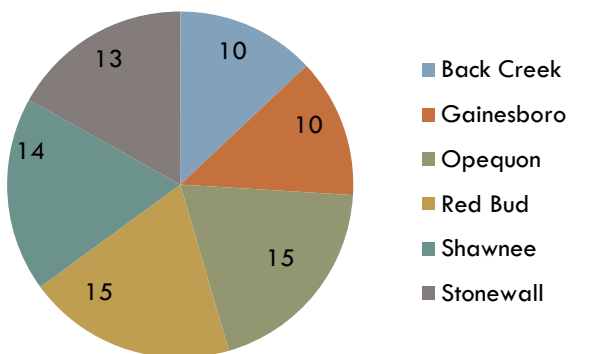
BZA Variances and Appeals

There were 7 variance applications and 1 appeal submitted for review by the Board of Zoning Appeals in 2015. The complete list is located below.

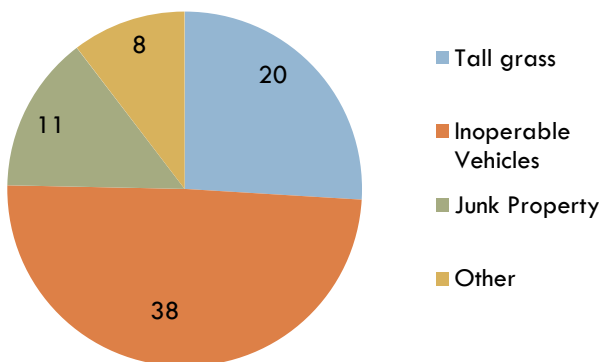
Zoning Violations

Zoning enforcement involves responding to inquires and complaints concerning land use and development. Formal complaints are registered, investigated, and appropriate enforcement action taken. These complaints range in topic from inoperable vehicles to illegal uses on a property. Department staff attempts to work with landowners to ensure compliance of an ordinance violation; however, some of the violations cannot be resolved and criminal charges are filed. Once criminal charges are filed, resolution of the violation is determined by the court system. Staff changed practices during 2015 to engage landowners to a greater extent in an effort to resolve zoning violations complaints.

There were a total of 77 Zoning Ordinance violation complaints recorded by the Frederick County Planning Department in 2015. The charts to the left accounts for the percentage number of valid complaints in a variety of categories. In the “other” category these would include: illegal business and structures, conditional use permit violations, agriculture animals in residential, site plan violations, and high grass. There were a total of 123 violations recorded in 2014.



Violations by District



Violations by Complaint

01-15	Graystone Commerce Ctr.	Industrial	Stonewall	Approved
02-15	Blackburn Commerce Ctr.	Industrial	Back Creek	Approved
03-15	Lake Frederick Rev. 2	Residential	Opequon	Approved
04-15	Hiatt Run Condominiums	Residential	Stonewall	Approved

2016 Comprehensive Plans and Programs Committee (CPPC)

The Comprehensive Plans and Programs Committee (CPPC) is a committee of the Planning Commission whose primary responsibility is to formulate land use policies that shape the location, and timing of development throughout the County. In addition, the CPPC conducts studies of specific areas to develop guidelines for future land use within those areas. The CPPC also considers requests for amendments to the Comprehensive Plan.

The CPPC was involved in several projects during 2015. Most significantly, the CPPC facilitated the development and review of the Kernstown Area Plan. The Kernstown Area Plan was worked on by a group of volunteers and the CPPC throughout the first half of 2015 and was highlighted by important community involvement, review, and input. Of particular note was a well-attended public input and information meeting held at the Mid Atlantic Farm Credit building located in Kernstown. The Kernstown Area Plan provided an exciting opportunity for the community to participate in and guide the future growth, development, and redevelopment of this urbanizing area of the County. This effort encompassed the area generally located along Route 11, south of the City of Winchester and north of the Town of Stephens City, and west of I-81. This effort will utilize the previously adopted area plans (Southern Frederick Land Use Plan and Route 11 South Corridor Plan) as a basis to build upon and would integrate the C/I opportunities and the areas of mixed use with future transportation plans. The Board of Supervisors reviewed the draft Kernstown Area Plan in September of 2015. It is hoped that the Kernstown Area plan will be revisited during 2016.

In addition to the Kernstown effort, the Comprehensive Plans and Programs Committee (CPPC), on behalf of the Frederick County Planning Commission, initiated the 5-year review and update of the 2030 Comprehensive Plan, the 2035 Comprehensive Plan. The CPPC reviewed and updated Appendix II – Background Analysis and Supporting Studies. The draft of Appendix II represents Phase 1 of the update and includes the following information: Demographic Analysis, Economic Analysis, Land Use Analysis (including SWSA needs analysis with FCSA strategies, and C&I analysis of the 25/75 Ratio throughout the County), and Geographical Setting, and Historical Background.

In addition to Phase 1, described above, the three-phase approach to the update includes; Phase 2, the CPPC and Blue Ribbon Group review and update of key sections of the Plan, and Phase 3, the Planning Commission Review of the 2035 update. Phase 2 included the review and update of Residential Development, Business Development, Transportation, and Natural Resources, Historical Resources, and Public Facilities sections, and was concluded in 2015. Phase 3 would likely include additional public outreach, community meetings, and ultimately, the public hearing process and approval and will be concluded in 2016.

2016 Development Review and Regulations Committee (DRRC)

This year, the Development Review and Regulations Committee (DRRC) reviewed nine agenda items dealing with proposed changes to the Frederick County Zoning and Subdivision Ordinances that ranged from a variety of issues. All items discussed by the DRRC were forwarded to the Planning Commission and the Board of Supervisors for consideration. The items discussed during 2015 are as follows:

- Addition of Farm Breweries – *approved*
- R4 District Permitted Uses (minor addition) – *approved*
- Permeable Pavers for Parking Lots- *approved*
- Addition of Farm Distilleries – *approved*
- Site Plan Requirements – *approved*
- Variance Requirements –*approved*
- Self-Storage Facilities in the RA (Rural Areas) District – *not approved*
- Setbacks from Agricultural and Forestal Districts - *approved*
- Supplementary Use Regulations (Setback Extensions) –*approved*

2016 Transportation Committee (TC)

The Historic Resources Advisory Board (HRAB) is a subcommittee that was established by the Board of Supervisors. It consists of nine members, including one from each Magisterial District in the County, two “At-Large” members, and a chairman. Also serving on the Committee are a Planning Commission liaison and an architectural historian. The HRAB reviews land use applications that involve properties that are historically significant or may impact historic resources. The Department of Planning and Development provides staff support to the Committee and over the past year, the Planning Department has assisted the HRAB in taking a more active role in historic preservation in Frederick County.

Similar to years past, Planning and Development staff coordinated meetings between the development community and the HRAB to provide recommendations to the applicants on ways to protect and preserve historic land and structures. Rezoning, master development plans, and conditional use permit applications that may have a potential impact on historical resources are reviewed by the HRAB.

2016 Historic Resources Advisory Board (HRAB)

The HRAB was given the ability to comment and make recommendations on four rezoning applications, the 2035 Comprehensive Plan update and the Kernstown Area Plan.

2016 Conservation Easement Authority (CEA)

The Conservation Easement Authority was established in 2005 by the Board of Supervisors. It contains nine members, including one Planning Commissioner and one Board Member. Historically, the Authority's primary role focus has been conservation easement education for landowners; however, in 2008 the Authority also took on the task of managing the County's Purchase of Development Rights Program which is funded through a state grant. Thus, in addition to its ongoing education efforts, the Authority announced their first call for applications in August of 2008. In June 2009, in partnership with the Potomac Conservancy, the Authority acquired a conservation easement on an 89-acre property owned by the Snapp family.

In the past year, the Authority has directed its energies toward education sessions about conservation easements. The Authority has produced three informational videos to educate the general public about conservation easements and various compensation avenues such as tax credits; these videos can be viewed on YouTube. The fourth and final video will be finished during the spring of 2016.

2016 Geographic Information Systems (GIS)

GIS in planning continues to offer GIS and database support for department projects and public inquiries.

There are online mapping applications available to both the planning staff and public that allow any user to look up relevant information for any question. These applications are constantly in a state of development and advancement to better assist the user, whether it is a staff member or citizen.

Going into another year with Mobile GIS application that allows users to easily search parcel information, newer applications are constantly in development that will continue to aid in the daily operations of the staff. One application that will be available is an updated Planning Access Terminal map. Along with viewing property information and planning layers (ex. Zoning, Land Use, Agricultural & Forestal Districts, TDR Properties, and Conservation Easements), the public will be able to view current Planning Applications.

Below is a partial list of GIS projects completed this year.

- Updates to the Agricultural & Forestal Districts
- Updates to the Area Plans and maps
- Participation in the TDR program
- Updates to the Kernstown Area Plan
- Zoning and Re-Zoning GIS
- Update and Review of the 2030 Comprehensive Plan

2016 Annual Report

The year of 2016 saw changes to the Agricultural & Forestal Districts, with the removal of the North Opequon district. The 2030 Comprehensive Plan is under the 5 year review and update. Two of the three phases have been completed, and the update is projected to be complete by early 2017.

2017 promises to be a very progressive year with continued enhancements to the current applications that GIS offers as well as continued additions that will further support the planning staff.

2016 Frederick County Planning Commission

The Frederick County Planning Commission is composed of members appointed by the Board of Supervisors serving four-year staggered terms including two from each magisterial district, one member-at-large, a liaison from the Board of Supervisors, and a liaison from the City of Winchester. The Planning Commission serves in an advisory capacity to the Board of Supervisors on all planning, zoning, and land use matters.

June Wilmot, Chairman Member-At-Large

Roger L. Thomas, Vice Chairman- Opequon Magisterial District

J. Rhodes Marston- Back Creek Magisterial District

Greg L. Unger- Back Creek Magisterial District

Kevin W. Kenney- Gainesboro Magisterial District

Charles E. Triplett- Gainesboro Magisterial District

Robert S. Molden- Opequon Magisterial District

Christopher Mohn- Red Bud Magisterial District

Charles F. Dunlap- Red Bud Magisterial District

Lawrence R. Ambrogi- Shawnee Magisterial District

H. Paige Manuel- Shawnee Magisterial District

Gary R. Oates- Stonewall Magisterial District

William Cline- Stonewall Magisterial District

Blaine Dunn - BOS Liaison- Gainesboro Magisterial District

Roderick B. Williams (non-member) - Legal Counsel

The regularly scheduled meetings for the Planning Commission are the first and second Wednesdays of each month, Board of Supervisors' Meeting Room, 107 North Kent Street, County Administration Building.

2016 Frederick County Board of Supervisors

Frederick County is governed by an elected Board of Supervisors composed of seven members, one from each magisterial district - Shawnee, Opequon, Gainesboro, Stonewall, Back Creek and Red Bud, and one Chairman-at-large. Supervisors are elected for four-year terms which are staggered at two-year intervals.

The Board of Supervisors is the policy-making body of the county and is officially known as the Frederick County Board of Supervisors. It is vested with all policy-making powers and responsibilities conferred by general law on county governing bodies. Functions of the Board of Supervisors include making land use decisions, establishing growth and development policies, setting operational policies, and reviewing and adopting the County's operational and capital budgets which set spending priorities.

<i>Charles DeHaven</i>	<i>Chairman-at-large</i>
<i>Gene Fisher</i>	<i>Vice-Chairman, Shawnee Magisterial District Supervisor</i>
<i>Robert Wells</i>	<i>Opequon Magisterial District Supervisor</i>
<i>Gary Lofton</i>	<i>Back Creek Magisterial District Supervisor</i>
<i>Blaine Dunn</i>	<i>Red Bud Magisterial District Supervisor</i>
<i>Bill Ewing</i>	<i>Gainesboro Magisterial District Supervisor</i>
<i>(Robert Hess during 2016)</i>	
<i>Judith McCann-Slaughter</i>	<i>Stonewall Magisterial District Supervisor</i>

The regularly scheduled meetings for the Board of Supervisors are the second and fourth Wednesdays of each month, Board of Supervisors' Meeting Room, 107 North Kent Street, County Administration Building.

Frederick County Planning and Development

Mission

The mission of the Frederick County Department of Planning and Development is to lead in the development of policies and procedures pertaining to all aspects of community growth and development, as well as administer existing policies and procedures fairly and accurately.

Vision

The Frederick County Department of Planning and Development will achieve the Mission Statement through the monitoring of various local, state and national growth trends and issues to ascertain appropriate policies, regulations and procedures. The department will utilize this information to establish and maintain a process which will positively influence the type, quality and location of development to produce a livable community that is well balanced. The department will educate and advise elected and appointed officials of this information to allow for informed and consistent decision making.



Staff would like to thank the Board of Supervisors, Planning Commission, and County Administration for their support of the Department and our efforts.