2022 ANNUAL REPORT



Prepared by:
Frederick County Planning &
Development



2022 Frederick County Board of Supervisors

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2022 Annual Report

Executive Summary

The Department of Planning and Development is pleased to present the 2022 Annual Report, which summarizes the planning and development activities for January 2022 through December 2022. The Department of Planning and Development leads the development of policies and procedures pertaining to all aspects of community growth and development, as well as administers existing policies and procedures fairly and accurately. Primary responsibilities of the Planning Department include comprehensive planning, zoning, subdivision of land, transportation planning, land management, data and mapping, board and commission support and customer service (online and in-person citizen inquiries).

2022 by the Numbers

Application Type	Applications Received	Applications Approved
Rezonings (REZ)	10	10
Master Development Plans (MDP)	6	7
SUB (RP, R4, R5 & RA)	N/A	169 lots
Site Plans (SP)*	68	51
Conditional Use Permits (CUP)	13	8
Zoning Violations	134	N/A
Comprehensive Plan Amendments (CPPA)	0	0
Variances	14	7

^{* &}quot;Applications Approved" reflects all approvals (legislative or administrative) in calendar year 2022; some of these applications may have been "received" in prior calendar years.

Forecast for the Future

Frederick County's 2040 Comprehensive Policy Plan ("Comprehensive Plan"), adopted in January 2021, forecasts future population growth. Each year, Planning and Development staff provides the most recent population estimates from the University of Virginia's Weldon Cooper Center for Public Service as part of the Annual Report. Since 2010 Frederick County has grown by 14.7%, more than double the state average of 7.3% for the same period.

Understanding future population growth is critical to planning for the additional residential housing units and capital investment (infrastructure, parks, schools, and County services) as well as for expanding, retaining and attracting businesses.

In 2020, a decennial census was conducted across the United States. The census aims to count the entire population of a country, and at the location where each person usually lives. Federal funds, grants, support to states, counties, and communities are based on population totals and demographic information (sex, age, race, and other factors) that are counted during the decennial census. Census data informs economic development, public safety and emergency preparedness. Census data will also serve as a baseline for projecting future population growth (beyond 2020) in Frederick County. Additionally, the Census informs redistricting efforts at the state and local level and may result in changes to the County's magisterial districts.

Year	Population
2000	59,209
2010	78,305
2020	91,766
2030	103,035*
2040	117,383*
2050	133,488*

^{*}Population Projections for Virginia and its Localities, 2030, 2040 published by the *Weldon Cooper Center for Public Service Demographics Research Group*, July 2022. (http://demographics.coopercenter.org)

2000 & 2010 reflects official Census record.

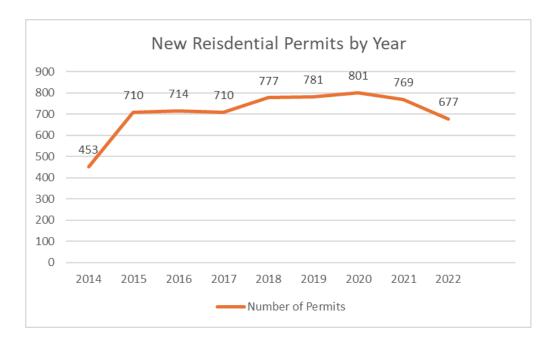
2020 Official Census, March 2022, CO-EST2021-POP-51 (https://www.census.gov/data/datasets/time-series/demo/popest/2020s-counties-total.html)

Residential Housing Permits

In 2022, Frederick County issued a total of 677 building permits for new residential units. A table of the number of permits issued by each housing type is provided below.

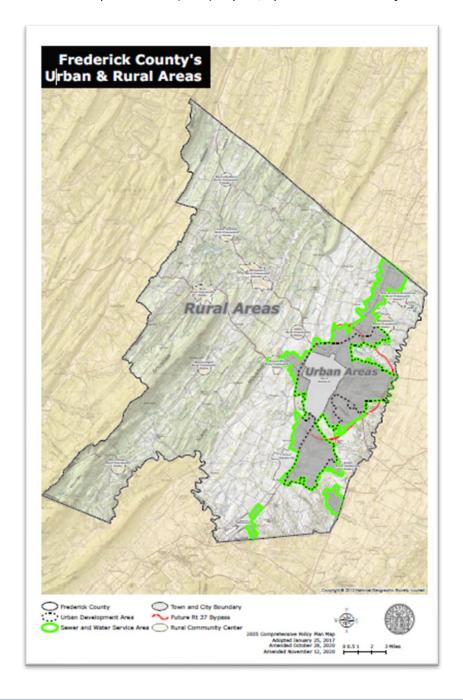
Housing Type	Number of Building Permits Issued*
Single-Family Detached (SFD – RA, RP, R4, & R5 Zoning Districts)	436
Single-Family Attached (SFA – townhomes, duplexes, or age-restricted)	157
Mobile Home (MH)	31
Multi-Family (MF – apartments)	53
*As of January 1, 2023	

In 2022, the Magisterial Districts with the most permits issued for new residential units were the Back Creek, Opequon, and Shawnee Districts. The number of new permits issued for residential units in 2022 decreased slightly from 2021. The chart below illustrates the total number of new residential unit permits issued since 2014.



Frederick County maintains an Urban Development Area (UDA) Report that tracks residential building permits, development within subdivisions in the UDA and identifies the potential number of future residential units that exist. This potential number is calculated by looking at vacant land with no approved Generalized Development Plans (GDP), zoned land with approved GDPs, Master Development Plan (MDP) projects, and platted but undeveloped lots in residential subdivisions under construction. Based on this report, there is the potential for 12,872 additional residential housing units in Frederick County's UDA as of January 1, 2023.

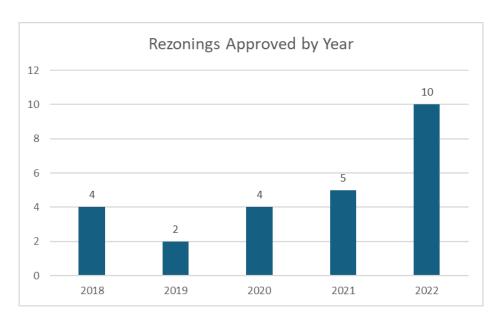
Note: A complete analysis of residential building permits and potential for additional housing units is available in the Urban Development Area (UDA) Report, updated at the end of each month.



Rezoning Applications (REZ)

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, commonly referred to as a rezoning. Rezoning applications are evaluated on their conformance with the *Comprehensive Plan* and their impacts on the County.

In 2022, there were ten (10) rezoning applications submitted to the Board of Supervisors. Ten (10) rezonings were approved by the Board of Supervisors. A summary of rezoning applications approved in 2022 is provided below.

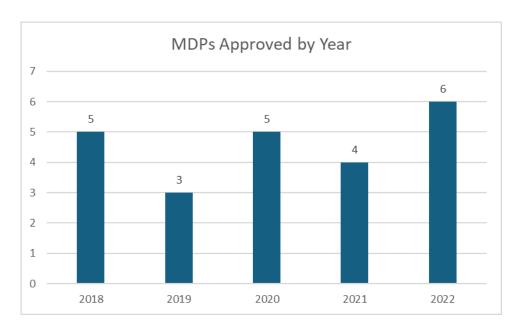


Application Number	Name	Description	Acres	District	Approval Date
05-21	Paula O. Henry Property	B2 to B3	8.2 acres	Stonewall	1/12/2022
01-22	Snowden Bridge Station	Revised Proffers	13.969 acres	Stonewall	6/8/2022
02-22	R & J Land Development, LLC	B3 to B2 with Proffers; B3 to B3 with Revised Proffers	1.444 acres B2/15.444 acres B3	Stonewall	5/25/2022
03-22	One Logistics Park	R4 to M1 with Proffers	.75 acres/4.09 acres	Shawnee	7/13/2022
04-22	84 Lumber	B3 to M1 with Proffers	10.9 acres	Stonewall	8/10/2022
05-22	Greystone Properties, LLC	Minor Proffer Amendment	119.27 acres	Back Creek	9/14/2022
06-22	Tasker Road and Warrior Drive Commercial	Proffer Amendment - hours of operation for ATM	8.5 acres	Shawnee	9/28/2022
07-22	Renaissance 65 LC & Renaissance 35 LC	Minor Proffer Amendment	107.21 acres	Back Creek	9/28/2022
08-22	Metromont	RA to M2; B2 to M2	20 acres/24.72 acres	Stonewall	11/9/2022
09-22	The Canyon, LC (Opequon Crossing)	Minor Proffer Amendment	174.98 acres	Red Bud	10/26/2022

Master Development Plans (MDP)

A master plan is a general plan of development approved administratively for new developments in certain zoning districts. MDP's are required before a subdivision or site plan can be approved.

In 2022, there were a total of six (6) MDP applications submitted and six (6) MDP applications were approved. The number of MDP's approved each year has remained relatively steady since 2018, as shown in the graph below.



Application				Approval
Number	Name	Description	District	Date
		155.32-acres residential and		
	Opequon Crossing	commercial (194 TH & 447 SFD		
01-22		small lots - 574 total units)	Red Bud	3/30/2022
	Stephenson Village II	386-acre (1,232 total units)		
02-22	(formerly Snowden Bridge II)	residential planned community	Stonewall	7/5/2022
03-22	Adams Development Group	Revision to MDP #02-05	Stonewall	3/11/2022
	Clearbrook Business Center	Revision to MDP #04-14 to		
04-22	Clearbrook Business Center	implement REZ #02-22	Stonewall	6/17/2022
		Revision to MDP #03-08 to		
05-22	Shady Elm Property	implement REZ #09-15	Back Creek	8/23/2022
		119.56-acre age-restricted		
		residential development (300		
06-22	Willow Run	units)	Back Creek	12/21/2022

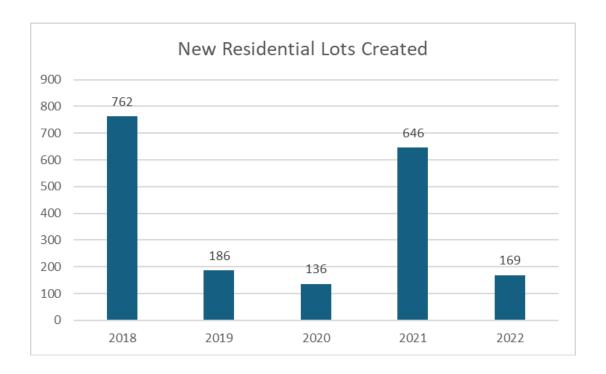
Subdivision of Land

A subdivision is the act of dividing land into pieces (i.e. lots) that are easier to sell or otherwise develop, usually via a plat. If it is used for housing it is typically known as a residential 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 or office uses with independently owned out-parcels, to industrial parks.

All land divisions require the submittal of a subdivision plat for review and approval/recordation. Unless specifically exempt, all residential subdivisions and their associated amenities are required to submit a subdivision design plan for review and approval prior to final plats approval. Commercial and industrial properties unless specifically exempt, must have an approved Master Development Plan.

A subdivision is not considered approved until plats for the property and lots are approved and recorded; therefore, the numbers below reflect only lots approved and platted in 2022. "Subdivision" for purposes of this section also includes family lots, minor & major rural subdivisions, and boundary line adjustments resulting in new lots.

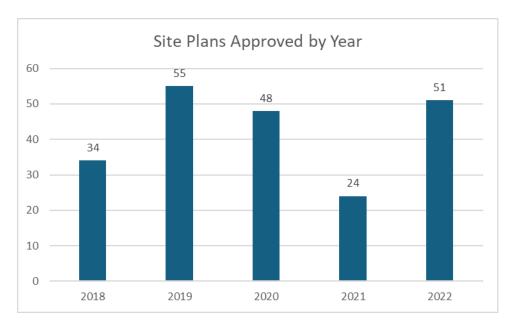
As shown below, 169 new residential lots were created (i.e. plats approved/recorded) in the RP, RA, R4, and R5 Zoning Districts of Frederick County in 2022.

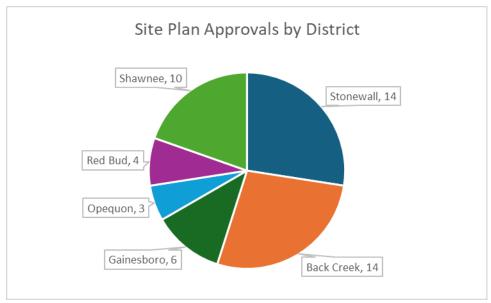


Site Plans (SP)

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.

In 2022, sixty-eight (68) site plans were submitted and fifty-one (51) applications were approved. Twenty-seven (27) pending applications remain from 2022 and previous years. For comparison, twenty-four (24) applications were approved in 2021. A complete list of applications approved in 2022 is included on the next page. Highlights for 2022 site approvals include approval of approximately 2,175,867+/- square feet (SF) of commercial (retail/office/restaurant) and industrial uses, not including self-storage facilities, three (3) Frederick County Public School additions totaling 46,446+/- square feet (SF), three (3) pickleball courts at Clearbrook Park and an 889.7-acre solar farm.





2022 Site Plan Approvals

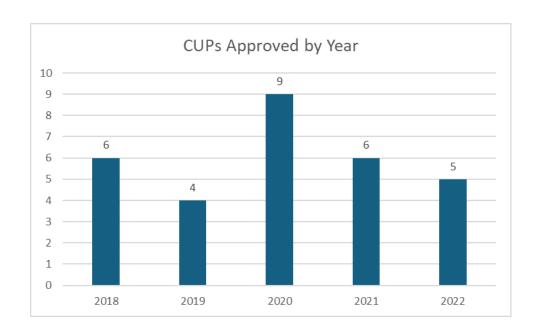
Application Number	Name	Description	District	Approval Date
24-21	Frederick County Public Schools	Sherando HS 3,553 SF modular classroom addition	Opequon	1/12/2022
20-21	Rossum Crossing	18 townhomes	Red Bud	1/24/2022
21-21	Winchester Regional Airport	11 aircraft hangars (2 buildings - 29,800 SF total)	Shawnee	1/24/2022
18-21	American Legion	1,190 SF building addition	Red Bud	2/7/2022
05-21	Musket Drive Car Storage (Winchester Mitsubishi)	Off-site parking area for auto sales	Back Creek	2/16/2022
29-21	Graystone Industrial Center	Phase II revisions (50 additional parking spaces)	Stonewall	2/22/2022
23-21	Frederick County Public Schools	Armel ES 4,442 SF modular classroom addition	Shawnee	3/1/2022
09-22	Trex	Building 3 loading dock addition (2,610 SF)	Back Creek	3/15/2022
03-21	Hackwoods - Shenandoah Valley Westminster Canterbury (SVWC)	6 multifamily buildings (58 total units, senior residential)	Stonewall	3/21/2022
03-22	Monoflo	Silo & cooling tower addition; building entrance & utility improvements (+/- 3,439 SF disturbance)	Stonewall	3/21/2022
15-21	Monoflo	Silo addition, cooling tower and future pad sites	Stonewall	3/23/2022
22-21	CED Enterprises	8,400 SF storage building addition	Back Creek	3/28/2022
06-22	Frederick County Public Schools	38,451 SF building addition plus bus parking & other improvements James Wood	Gainesboro	4/12/2022
07-22	Frederick County Public Schools	IHES renovation - 2 modular classrooms, restroom building	Gainesboro	4/21/2022
16-22	HP Hood	6 product silos	Shawnee	5/5/2022
28-22	Frederick County Parks & Recreation	Three (3) pickleball courts at Clearbrook Park	Stonewall	5/9/2022
11-22	Timber Ridge School	4,032 sf CTEC (vocational) building	Gainesboro	5/17/2022
25-21	Frogale Court LLC	45,340 SF flex office & warehouse space (7 units)	Back Creek	5/23/2022
17-22	The Caterer	230 SF building addition, parking lot and commercial entrance	Shawnee	5/23/2022
20-22	Monoflo	325,000 SF manufacturing & warehouse facility	Stonewall	5/31/2022
10-22	Crossroads Commerical Center	96,075 SF self-storage facility (8 buildings); revises SP #15-20	Shawnee	6/13/2022
27-22	Hurford Hardwoods USA/Oak Wise Inc.	Three (3) metal storage buildings - 3,846 SF total	Back Creek	6/13/2022
29-22	Emmanuel Baptist Church	1,200 sf garage building	Gainesboro	6/13/2022
22-22	Go Virginia LLC	3,922 sf automated car wash tunnel	Opequon	6/21/2022
08-22	FedEx	Ground Facility Expansion #4 - 108,010 SF tractor truck & van parking area (92 spaces) + 65 new employee spaces	Back Creek	6/22/2022
26-22	Dollar General (Martinsburg Pike)	12,480 sf general merchandise store	Stonewall	6/22/2022
15-22	Winchester Regional Airport	Minor revisions to SP #41-20 (terminal site work)	Shawnee	7/6/2022
18-22	Frederick County Public Works	Trash compactor addition to Gore site	Back Creek	7/6/2022
01-22	Costello Drive Self-Storage	103,950 SF self-storage facility	Shawnee	7/12/2022
39-22	Simkhovitch Towing	6,400 sf truck repair facility, 500 SF covered parking, & storage yard	Stonewall	7/20/2022
28-21	Winchester Landing	169 residential units (40 SFD, 81 TH, 48 MF)	Red Bud	7/21/2022

24-22	Tradeport 81	780,640 SF warehouse (total - 2 buildings); revises SP #42-18	Stonewall	8/2/2022
41-22	Trex	1,327 SF addition & parking revision to building #6	Back Creek	8/4/2022
06-18	Legacy Christian Academy	14,400 SF multi-purpose building	Back Creek	8/16/2022
45-22	Omps Rail Warehouse	40,000 sf warehouse & office facility	Stonewall	8/18/2022
47-22	Emmanuel Baptist Church	1,000 sf storage room addition to existing church	Gainesboro	8/18/2022
49-22	Trex	Building #6 Concrete Pad for outdoor equipment	Back Creek	9/7/2022
31-21	Carroll Industrial Park	Tractor truck trailer parking (lot 7 & 8) - 398 spaces	Stonewall	9/9/2022
35-22	Southern Maryland Heating & Air	12,640 SF building addition	Stonewall	9/22/2022
02-22	Raven Oaks	1,506 SF clubhouse + pool and hard surface sports court	Shawnee	9/28/2022
25-22	Shady Elm Property	562,519 sf industrial development (4 buildings)	Back Creek	10/12/2022
52-22	Holtzman Oil Corporation	5,241 SF Convenience Store with Drive-Thru; gas station	Stonewall	10/18/2022
55-22	Senseny Place	16,440 SF senior residential building (minor revision)	Red Bud	10/19/2022
31-22	Southern States Winchester Co-op Inc.	96,000 SF gravel storage yard (CUP #08-21)	Opequon	11/2/2022
38-22	Graystone Lot 1A	83,800 SF warehouse facility	Stonewall	11/9/2022
40-22	Washington Gas	3,150 SF storage shed	Shawnee	11/14/2022
61-22	Winchester Church of God	Install gravel walking trail on existing grass trail	Gainesboro	11/17/2022
23-22	Bartonsville Solar	889.7-acre (172 MW) utility scale solar power generating facility	Back Creek	12/5/2022
62-22	Justin Boyce	3,000 sf slaughterhouse	Back Creek	12/12/2022
57-22	FNB Bank	2,392 SF bank w/ 24-hour ATM/ITM Machine	Shawnee	12/27/2022

Conditional Use Permits (CUP)

A conditional use permit is a legislatively approved application to undertake certain uses on a property that are not permitted by-right. As part of the application, a public hearing is required by the Planning Commission and Board of Supervisors.

In 2022, thirteen (13) CUPs were scheduled for public hearing. Five (5) applications were approved in 2022 and three (3) applications were denied. The remaining applications were either voided or are scheduled for public hearing in early 2023. A summary of the approved applications is provided below.



Application				Approval
Number	Name	Description	District	Date
	Dodhud Dun Color	Utility-Scale solar power		
02-22	Redbud Run Solar	generating facility	Stonewall	4/13/2022
	lustin Davis			
04-22	Justin Boyce	Commercial slaughterhouse	Back Creek	7/13/2022
05-22	SPBJJ, LLC	Indoor Recreation in M1	Stonewall	7/13/2022
07-22	Open Door Kidz	Day-care facility	Stonewall	10/12/2022
	McKenzie's Doodles (Jim	Kennel/breeding; relocation of		
09-22	Brown)	CUP #02-15	Back Creek	11/9/2022

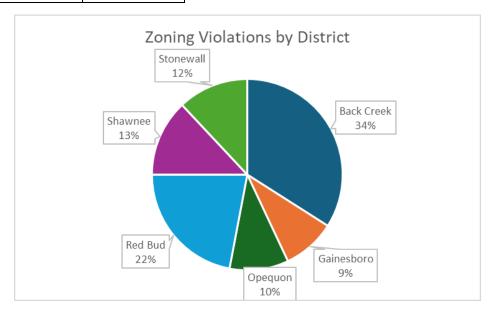
Zoning Violations

Zoning enforcement involves responding to inquiries and complaints concerning land use and development. Formal complaints are registered, investigated, and appropriate enforcement action taken. These complaints typically include inoperable vehicles, high grass, junk/debris and 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.

There were a total of one hundred thirty-four (134) Zoning Ordinance Notice of Violation (NOV's) issued by Frederick County in 2022 (see table and chart below). Sixty-two (62) complaints received in 2022 are still under "active" investigation, sixty-four (64) violations were "closed" and/or the complaint has been resolved and eight (8) complaints were found to have no violation. For comparison, there were a total of one hundred sixty-eight (168) violations recorded in 2021. The tables below outline the total number of violations by type and by Magisterial District for 2022.

Violation Type	Count
Inoperable Vehicles	43
Tall Grass	16
Junk Property	24
Trash	17
other (Animals, Illegal Uses, Illegal Structures, etc.)	34





Other Planning Applications

Variances and Appeals

A variance is a deviation, granted by the Board of Zoning Appeals (BZA) from the provisions regulating the shape, size, or area of a lot or parcel of land, or the size, height, area, massing (bulk) or location of a building or structure. There were fourteen (14) variance and appeal requests submitted for review. Seven (7) were approved by the Board of Zoning Appeals (BZA).

A summary of the approved variance and appeal applications is shown below.

Number	Name	Request	Approval Date	District
05-22	Lowell F. Taylor, Jr.	Variance	06/28/2022	Gainesboro
07-22	Catherine Sell	Variance	06/28/2022	Back Creek
08-22	Eric & Ashley Wright	Variance	08/16/2022	Back Creek
09-22	Eric & Ashley Wright	Variance	08/16/2022	Back Creek
10-22	Krysstal Delaluz	Variance	08/16/2022	Gainesboro
12-22	West Oaks Farm Market	Appeal	12/20/2022	Back Creek
13-22	411 Victory Road, LLC.	Variance	11/15/2022	Shawnee

Comprehensive Plans Amendments (CPPA)

Comprehensive Plan Amendments are changes to the approved 2040 Comprehensive Plan, Area Plans and/or Long-Range Land Use Plans. During the yearly CPPA process, which accepts applications once a year, applicants can submit individual requests to amend the Comprehensive Plan. Once submitted, CPPA's are evaluated by the Comprehensive Plans and Programs Committee (CPPC), Planning Commission and Board of Supervisors. Ultimately the Board of Supervisors determines if the CPPA request merits further study by the County. Requests that are sent forward for further study are scheduled for discussions and ultimately public hearings by the Planning Commission and Board of Supervisors.

No Comprehensive Plan Amendment (CPPA) reviews were submitted in calendar year 2022.

Committees & Other Department Functions

Street (Road) Sign Replacement Program

Frederick County re-installs missing or vandalized street name signs throughout the County. In 2022 sixty-two (62) signs were replaced through this program, including fifty-two (52) units installed (units include the road signs plus mounting poles). Missing or damaged street sign through the County's *At Your Service* feature on the website or by contacting the Department of Planning and Development directly.

Comprehensive Plans and Programs Committee (CPPC)

The Comprehensive Plans and Programs Committee 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 uses within those areas. The CPPC also considers requests for amendments to the *Comprehensive Plan*.

The CPPC was involved in draft text and map updates to the Northeast Land Use Plan (NELUP), which is expected to be completed in 2023. The CPPC also reviewed the proposed 2022-2027 Capital Improvement Plan (CIP).

Development Review and Regulations Committee (DRRC)

The Development Review and Regulations Committee is a Committee of the Planning Commission whose primary responsibility is to assess and formulate proposed changes to the Frederick County Zoning and Subdivision Ordinances that cover a broad range of topics. This year, the DRRC reviewed seven (7) items including: conditional uses in the R4 & R5 districts, off-street parking requirement for townhomes, protection of environmental features criteria for steep slopes, short-term lodging (STL), B2 district allowed uses, monetary guarantees and performance agreements, and backyard chickens and chicken coops. Proposed changes, as supported by the DRRC, may go forward to the Planning Commission and Board of Supervisors for additional discussion and action.

Transportation Committee (TC)

The Transportation Committee is responsible for oversight of County transportation projects, seeking transportation funds at the State and Federal level, transportation planning on a continuous basis and dealing with any additional transportation planning or implementation issues as they arise or are assigned by the Board of Supervisors. Of particular note for FY2022, the County was awarded the Commonwealth Connectors Transportation Project of the year for the Crossover Boulevard project by the Virginia Chapter of the American Planning Association. Some of the issues considered by the Transportation Committee in 2022 included:

Issue estimates and policy guidance to the Board of Supervisors for potential County

transportation funding.

- Update of Interstate, Primary, and Secondary Road plans.
- Render input on VDOT Six Year Improvement Plan.
- Render input on MPO Unified Planning Work Program.
- Coordination with VDOT and public safety officials on transportation safety concerns.
- Conduct Fall Transportation Forum
- Oversight of County transportation projects including:
 - o Crossover Boulevard now complete
 - Renaissance Drive Phase II
- Address safety concerns by numerous citizens throughout the County.
- SmartScale application finalization and submittal
 - o Exit 317 Diverging Diamond
 - o Exit 313 Partial Median U-Turn
 - o Route 522 at Costello Drive intersection improvements
 - o Route 11 @ Shawnee Drive Intersection improvement and NB Widening

The Transportation Committee met monthly throughout 2022.

Historic Resources Advisory Board (HRAB)

The Historic Resources Advisory Board is a Board established in 1987 by the Board of Supervisors. The Board consists of nine (9) members, including one from each Magisterial District in the County and three atlarge members. The Board also has 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 HRAB mainly reviews rezoning and conditional use permit applications and provides comments and suggestions for proposals that would impact historic resources. The HRAB also administers a historic plaque program and awards plaques to historically significant properties.

In 2022, HRAB reviewed and provided comments for three (3) rezoning applications and two (2) conditional use permit (CUP) applications.

Conservation Easement Authority (CEA)

The Conservation Easement Authority was established in 2005 by the Board of Supervisors. It contains nine (9) members, including one Planning Commissioner and one Board Member. The CEA focuses on conservation easement education for landowners and manages the County's Purchase of Development Rights Program. The County co-holds one 89-acre conservation easement with the Potomac Conservancy which was acquired in 2009. The CEA meets as needed and there were no meetings held in 2022.

Board of Zoning Appeals (BZA)

The Board of Zoning Appeals is comprised of seven (7) members that are recommended by the Board of Supervisors and appointed by the Circuit Court. The primary purpose of the BZA is to hear and decide

appeals, variances, and interpretations of Chapter 165, Zoning, of the Code of Frederick County. Variance applications predominately pertain to requests for reductions from standards such as setbacks outlined in the Zoning Ordinance. The BZA also hears appeals from applicants for interpretations by the Zoning Administrator for Zoning Ordinance regulations.

A summary of applications reviewed by the BZA is provided in the preceding section.

Geographic Information Systems (GIS)

GIS in Planning and Development continues to offer mapping 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 the 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 is 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 can view current Planning Applications and their corresponding documents.

The ArcGIS Story Maps continue to evolve and provide helpful information. Story Maps are a way to tell a story digitally, and can include interactive maps, static maps, photos, and more. Our most popular Story Map is the Transportation Projects Story Map, which shows the current transportation projects within the County. Story Maps updated this year were Land Preservation, 2020-2025 Agricultural and Forestal Districts, Transportation Projects, and 2022-2027 Capital Improvement Projects.



Story Maps are a way to tell a story digitally, and can include interactive maps, static maps, photos, and more. Depicted is the Transportation Story Map which shows current transportation projects in Frederick County.