

## II. RURAL AREAS



## RURAL AREAS

### CURRENT CONDITIONS

Most of Frederick County's land area is rural in character. Of the County's 266,000 acres, approximately 243,000 acres are rural and located primarily west of Interstate 81. The remaining acreage comprises the Urban Development Area (UDA) where the majority of the County's future growth is planned.

The Rural Areas best exhibit the nature, beauty, view sheds, and tranquility for which Frederick County is known. The primary land uses in the Rural Areas are agricultural and forestal operations. The Rural Areas of the County have traditionally seen about 30% of the County's new residential growth.

With the exception of the County's Rural Community Centers, further defined later in the chapter, the predominant new residential development pattern has been five (5) acre lots or two (2) acre clustered lots with dedicated preservation tracts, both of which are served by individual onsite sewage disposal systems and wells. It should also be noted that the band of prime agricultural soil which runs north-south west of Interstate 81 is the same area where a majority of new rural residential growth has been experienced.

To deal with increasing development pressures in the Rural Areas over the last decade, the Board of Supervisors established the Rural Areas Subcommittee in 2008. This Committee was tasked with identifying growth and development trends and related issues in the Rural Areas of the County, gathering ideas to address those issues and forwarding a recommendation for resolution. The Committee's final report, *The Rural Areas Report and Recommendations* was adopted by the Board of Supervisors on April 22, 2009 as a policy component of the Comprehensive Plan. One of the recommendations contained within the report was the creation of a Transfer of Development Rights (TDR) Program. In 2010, Frederick County adopted a Transfer of Development Rights (TDR) program which allows for dwelling unit rights to be transferred from parcels located in the rural areas to designated properties within the Urban Development Areas. This policy tool provides landowners within the rural areas the ability to obtain development value of their farm land without having to subdivide and sell the land. The density rights from the land can be severed and utilized within the Urban Development Area where community facilities and public services can be provided more efficiently.

The TDR Program joined other existing land use tools available to rural landowners to preserve land in the Rural Areas, including:

- Land use taxation (local)
- Conservation easements (non-profit)
- Purchasable development rights (public)

Historically, the County has taken great care to allow residential land to co-exist with agriculture uses. Tools implemented by the County in recent years include buffering, clustering, and the promotion of Agricultural and Forestal Districts. All of these provide protections to both homeowners and farmers and enable equal use and enjoyment of the Rural Areas.

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Within the Rural Areas of the County there are several established village-type developments called Rural Community Centers. There are currently twelve identified Rural Community Centers. These are:

<b>GORE</b>	<b>REYNOLDS STORE</b>
<b>GAINESBORO</b>	<b>ROUND HILL</b>
<b>ARMEL</b>	<b>SHAWNEELAND/NORTH MOUNTAIN</b>
<b>STAR TANNERY</b>	<b>WHITACRE/CROSS JUNCTION</b>
<b>ALBIN</b>	<b>CLEARBROOK/BRUCETOWN</b>
<b>STEPHENSON</b>	<b>WHITEHALL</b>

These centers consist of small lot residences and commercial uses typical of a village. There are currently no public utility services in these Communities. The Rural Areas Subcommittee recommended studying private utility systems to serve these Communities. In addition, four of the existing centers have been identified as potential receiving area for TDRs. Of the Rural Communities, Round Hill, has had a plan developed which incorporates the community village area and commercial uses adjacent to U.S. 50 west of its interchange with the Route 37 By-Pass (see Appendix II – Area Plans).

### **FOCUS FOR THE FUTURE**

Frederick County has a recognizable Rural Area where agricultural operations are promoted, natural resources are respected and its beauty and heritage are preserved. While the County's agriculture industry is likely to evolve into operations of a very different scale and intensity than currently seen, the County should continue to support and encourage these operations. The Agribusiness Business Development section further promotes the evolution of agriculture in the County's Rural Areas.

The Rural Community Centers of Frederick County will continue to play a role as focal points for the Rural Areas, and small area land use plans for the centers should be created. Additionally, other types of rural residential development should take on patterns similar to these centers. The natural landscape should be used as the background of development with a greater emphasis placed on conservation design for growth within the rural areas. The inclusion of new recreational opportunities and the growth of existing ones within the rural areas are also encouraged.

**COMMUNITY BENEFITS**

The Rural Areas of the County provide benefits to the community in a number of ways. These areas not only contribute to the identity of Frederick County, they provide jobs, recreation and a way of life. Preserving and protecting the rural areas of Frederick County is important not only to ensure the economic viability of agricultural and forestal operations but to also guarantee that those lands are present for the use and enjoyment of future generations.

**GOALS/STRATEGIES**

**GOAL: CLUSTER RESIDENTIAL DEVELOPMENT TO FURTHER HELP PRESERVE AGRICULTURAL LAND.**

**STRATEGIES:**

- Preserve the desired physical characteristics of the Rural Areas. Avoid prime soils, minimize land disturbance and grading, and minimize drainage changes.
- Maintain transition areas between radically different uses, most importantly, between the Rural and Urban Areas.
- Avoid, as applicable, Sensitive Natural Areas, Historic Districts, sending TDR areas, Recreational Overlays, and Agricultural and Forestal Districts.

**GOAL: SUPPORT THE GROWTH OF THE COUNTY'S RURAL COMMUNITIES.**

**STRATEGIES:**

- Further define the boundaries for each Rural Community Center and small area land use plans for each center. These centers should remain the focal point of the rural community and their character and scale should be preserved.
- Plan for improved services within the neighborhood centers (wastewater treatment, package treatment, fire and rescue, and satellite County offices, library).
- Encourage appropriate mixes of residential, commercial and business uses within the Rural Community Centers.

**GOAL: SUPPORT VOLUNTARY LAND PRESERVATION TOOLS AND THE LAND USE TAX DEFERRAL PROGRAM**

**STRATEGIES:**

- Support Conservation Easement Authority (CEA), Transfer of Development Rights (TDR), Agricultural and Forestal Districts, and Purchase of Development Rights (PDR) programs, among others.

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- Participate in state grant programs to the greatest extent possible.
- Follow changes to state code that would enable new land preservation tools.

**GOAL:        SUPPORT AGRICULTURAL OPERATIONS AND RURAL RECREATION**

**STRATEGIES:**

- Support the agricultural economy in Frederick County and adapt to-evolving practices and new agricultural opportunities#
- Identify and support local, regional, and national rural recreation opportunities within the County's Rural Areas.

# Transfer of Development Rights

## Sending Areas & Receiving Areas



### Sending Area #1

Designated Agricultural Districts  
Density Transfer  
1 TDR Density Right = 2 Dwelling Units in the Receiving Area



### Sending Area #2

Limestone/Carbonate Bedrock Areas  
Density Transfer  
1 TDR Density Right = 1.5 Dwelling Units in the Receiving Area



### Sending Area #3

Shale/Sandstone Area  
Density Transfer  
1 TDR Density Right = 1 Dwelling Units in the Receiving Area

### Receiving Areas

- Urban Development Area
- Per §165-302.02
- Rural Community Centers



### Areas Not Qualified

for the TDR Program

