

II. RURAL AREAS



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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 where the majority of the County's future growth is directed.

The Rural Areas best exhibit the 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 have been reduced in size and acreage in recent years; however, income per acre has increased (see Agribusiness, Business Development). These agricultural uses not only play an important role in the County's economy by providing income to farmers but also benefit the community because they require far fewer County services.

The Rural Areas of the County have traditionally seen about 30% of the County's new residential growth. This is due to the fact that many residents are attracted to the beauty and lifestyle offered by the rural areas.

With the exception of the County's Rural Community Centers, the predominant new residential development pattern has been five acre lots or two acre clustered lots with dedicated preservation tracts, both of which are served by individual onsite sewage disposal systems and wells. It should 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 Policy Plan. One of the recommendations contained within the report was the creation of a Transfer of Development Rights (TDR) Program. This program incentivizes the

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preservation of rural land by permitting the sale of severed development rights in the Rural Areas (sending areas) through the private market. These rights are then transferred to, and developed in the Urban Development Area within designated receiving areas.

The TDR Program joined other existing land use tools to form what could be described as financial vehicles for the agriculturalists and rural landowners. They include:

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

The Report also affirmed the existing land use policies for the Rural Areas, which includes preserving rural character and open space; and improving the rural view shed. These policies are supported by a belief that preserving these attributes and resources furthers the community's attractiveness and value.

Added to this list are policies for the broader community:

- Maintain the rural character of areas outside the Urban Areas
- Ensure that land development activities in the Rural Areas are of an appropriate quality
- Protect the rural environment
- Utilize the Urban Areas to provide public services at a lower cost

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, right-to-farm, 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.

Within the Rural Areas of the County there are several established residential developments called Rural Community Centers. There are currently eleven identified Rural Community Centers. These are:

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GORE

REYNOLDS STORE

GAINESBORO

ROUND HILL

ARMEL

SHAWNEELAND/NORTH MOUNTAIN

STAR TANNERY

WHITACRE/CROSS JUNCTION

ALBIN

CLEARBROOK/BRUCETOWN

STEPHENSON

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 village area along with commercial uses along U.S. 50 west of its interchange with the Route 37 By-Pass (see Area Plans).

FUTURE FOCUS

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 incentivize 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.

Frederick County will remain at the forefront in developing the tools necessary to carry this vision into the future.

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COMMUNITY BENEFITS

The rural areas of the County provide benefit 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. The agricultural lands and open spaces help reduce the costs of public services and transportation costs for the State. Preserving and protecting the rural areas of Frederick County is important to not only 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.

POLICIES/IMPLEMENTATION

**POLICY: CLUSTER RESIDENTIAL DEVELOPMENT TO CREATE
CONNECTED GREEN SPACE, AND APPROPRIATE
TRANSITIONS WITH THE URBAN AREAS.**

IMPLEMENTATION:

- Employ principles of Conservation Design by preserving the desired physical characteristics of the Rural Areas. Position residential clusters considering physical characteristics of the land. Avoid prime soils, minimize land disturbance and grading, and minimize drainage changes.
- Attempt to make open space and preservation areas contiguous and preserve larger areas of Green Infrastructure by clustering residential uses and promoting rural corridors. Maintain inventory of open space of differing qualities adequate for perceived needs of the future.
- Maintain transition areas between radically different uses, most importantly, between the Rural and Urban Areas.
- Limit access to major road systems.
- Avoid Developmentally Sensitive Areas (DSA's), historic districts, sending TDR areas, recreational overlays, and Agricultural and Forestal districts.

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POLICY: UTILIZE NEIGHBORHOOD CENTER CONCEPT WITHIN THE RURAL COMMUNITIES.

IMPLEMENTATION:

- Boundaries should be established 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.
- Provide improved services within the neighborhood centers (package treatment plants, fire and rescue, satellite county offices, library) and use such community facilities as focal points.
- Rural Community Centers should be located at existing transportation nodes.
- Encourage appropriate mixed residential/commercial services within the Rural Community Centers.

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

IMPLEMENTATION:

- Support Conservation Easement Authority, Transfer of Development Rights, Agricultural and Forestal districts, and Purchase of Development Rights programs, among others. Provide education to the public about programs available to them to preserve land.
- Participate in state grant programs thereby leveraging county money to the greatest extent possible.
- Follow changes to state code that would enable new land preservation tools.
- Encourage good forestry and best management practices within the Rural Areas.
- Review taxation policies and add depth as agricultural uses evolve.

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POLICY: SUPPORT AGRICULTURAL OPERATIONS AND RURAL RECREATION

IMPLEMENTATION:

- Support the agricultural economy in Frederick County and adapt to changes in practices.
- Identify local, regional, and national rural recreation opportunities within the County's Rural Areas. Support and expand the number of users of rural recreation. Examples include, the Big Blue and Tuscarora Trails, numerous Civil War Battlefields, Cedar Creek and other waterways, George Washington National Forest, to name a few.
- Create overlays to inform and preserve rural recreation opportunities.
- Work regionally to preserve, expand and create rural recreation opportunities.

COMMUNITY PARTNERS AND STAKEHOLDERS

- Conservation Easement Authority
- Frederick County Farm Bureau
- Frederick County Fruit Growers Association
- Agriculture and Forestal District Advisory Board
- Preserve Rural Life
- Preserve Frederick County

SUPPORTING MATERIALS AND RESOURCES

- Rural Areas Report and Recommendations

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
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Areas Not Qualified
 for the TDR Program

