

THE EFFECTIVE DATE OF THIS ORDINANCE IS October 7, 2025

ORDINANCE NO. 25-04-004

**ORDINANCE OF
THE COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND**

**RE: BELL FARM PUD
REZONING CASE R-25-01**

OPINION/FINDINGS

I. HISTORY

6218 Yeagertown Road, LLC (Applicant) filed this application to rezone 75.493 acres, more or less (Property) by amending an existing Phase 1 Planned Unit Development (PUD) in order to allow for the development of the parcel as an age-restricted community and to rezone the outlying 1.72 acres to PUD. The Property consists of a single, vacant parcel at 6218 Yeagertown Road, located near Lake Linganore.

The Property is located within the Linganore Community Growth Area. Nearly the entirety of the parcel has been zoned PUD since at least 1971, as noted on an official County Zoning Map adopted on January 24, 1977. A small 1.72 acre portion of the parcel located along Yeagertown Road is zoned Agricultural (A).

The Frederick County Planning Commission considered this request in a public hearing on May 21, 2025. On June 11, 2025, the Planning Commission recommended approval of the application, with a number of recommended conditions.

The County Council of Frederick County, Maryland, held a public hearing on the application on September 2, 2025. The application was approved by a majority vote of the County Council (7-0) on September 16, 2025.

Based upon all of the evidence submitted in this case, the County Council makes the following specific findings of fact for the items below as identified in the Annotated Code of Maryland, Land Use Article §4-204(b) and in Chapter 1-19 of the County Code:

II. PROPOSED DEVELOPMENT

A. County Plans and Regulations

1. Concept Plan

The Bell Farm PUD Concept Plan (Plan) proposes the development of 248 market rate, single-family attached homes, villa-style townhouses, on the Property utilizing the allowance for age-restricted development regulated through §1-19-10.500.10(B. & C.), *Specific Development Standards within the Planned Development District*. The individual home lots will occupy approximately one half of the site, 36.47 acres. The conceptual layout of the Property shown on the Concept Plan illustrates a series of small residential blocks arranged in an east-to-west pattern across the development, with local rectilinear loop streets providing multiple internal routes for travel within the community.

With a gross site area of 75.493 acres, the open space requirement under Chapter 1-19 is 30% or 22.64 acres. Active recreational and amenity areas such as the proposed community garden and community club are tucked in amongst the residential blocks. A proposed loop trail connects these amenities. Most of the open space provided in the Concept Plan is identified on the southern one-third of the Property, with much of the passive recreation area identified as having steep slopes (>25%), not uncommon within the Lake Linganore Community.

2. Phasing Plan

The Application proposes a single-phase project of 248 townhouses and their accompanying on-site amenities and infrastructure over the course of a 3-to-5 year period. Water

and wastewater service will be provided to the Property through developer-funded design and construction of public water and sewer facilities that will be consistent with Frederick County's East County Water & Wastewater Master Plans.

3. Land Use Proposal

The Property, with a gross acreage of 75.493 acres and with the proposed maximum 248 dwellings, would have a gross density of 3.29 dwellings/acre. A net density calculation, based on the residential area of 52.5 acres, would result in a net density of 6.80 dwellings/acre. The gross density is consistent with the Comprehensive Plan range for Low Density Residential of 3-6 dwellings/acre.

4. Consistency with the County Comprehensive Plan

The application is consistent with the County Comprehensive Plan. The Property is located within the Linganore Community Growth Area and represents the last major undeveloped land within the growth area. It has been designated for Low Density Residential development since the adoption of the 1984 New Market Region Plan.

The application for PUD zoning with a gross density of 3.29 dwellings/acre is consistent with the Low Density Residential plan designation and is within the 3.6 dwelling/acre density range.

The application is also consistent with the broad Livable Frederick Master Plan (LFMP). The LFMP embodies a focus on policy and general growth strategy in order to articulate a clear direction for Frederick County in the face of future change. This application is consistent with the broad LFMP policies that seek to establish land uses which are generally supportive of the residential and service needs of an increasingly older population, either through redevelopment

or new development in communities and neighborhoods located within designated Community Growth Areas.

5. Compatibility with Adjoining Zoning and Land Uses

The proposed PUD zoning is compatible with adjoining zoning and land uses. The area surrounding the Property includes existing and proposed PUD developments, such as Summerfield to the southeast, Linganore Town Center to the southwest, Clearview at New Market to the south, and Pinehurst to the northeast across Boyers Mill Road.

6. Availability of Public Facilities and Services

The proposed age-restricted residential development will be adequately served by the current parks, libraries, and public safety facilities. Schools will not be impacted due to the age-restriction of 55 years of age and older for residents, as well as the minimum age restriction of 19 years. For water and sewer service, the proposed 248 dwellings can be served by the existing water and

sewer facilities after the extension of lines to the Property by the Applicant.

B. Approval Criteria

§ 1-19-3.110.4 (A) – Approval Criteria for Zoning Map Amendments

(1) Consistency with the comprehensive plan;

The Property is designated Low Density Residential on the current Comprehensive Plan Map which is consistent with the application of the PUD floating zone district.

(2) Availability of current and planned public facilities;

The proposed uses on the Property will have no impacts on schools, and will not significantly impact parks, public safety, or library facilities. Water is supplied by the New Design Water Treatment Plant. Sewer is treated by the Ballenger McKinney Wastewater Treatment Plant. Both systems currently have adequate treatment and supply capacity to serve the proposed residential uses.

(3) Adequacy of existing and future transportation systems;

The proposed PUD use should not affect existing and future road networks. Existing planned projects, as well as improvements in the vicinity of the Property, will provide adequate functionality to the transportation network in the Linganore Community Growth area.

(4) Compatibility with existing and proposed development;

The proposed low density residential uses are compatible with the existing and planned mix of residential, institutional, employment, and commercial uses in the larger neighborhood surrounding the Property. The age-restricted character of the proposed 248 dwellings will provide additional opportunities for this growing segment of Frederick County's population.

(5) Population change;

The proposed rezoning would likely result in an increase of between 372 and 496 residents based upon an average household size of between 1.5 and 2.0 persons per household.

(6) The timing of development and facilities;

The Application indicates that completion of the project would occur during a period of 3-5 years. Transportation network adequacy is anticipated to be achieved through a combination of planned infrastructure improvements and site access modifications. There is water/sewer infrastructure existing or nearby. Construction of the Linganore Public Library and Senior Center are expected to occur within the next 6-10 years. The Property will be subject to subsequent subdivision, site plan, and APFO review.

(7) Sensitive environments resources have been identified and impacts to these resources are avoided or minimized to the maximum extent practicable;

The Concept Plan provided by the Applicant illustrates a developed community, within a designated Community Growth Area, that can be integrated into the Property and the local neighborhood with minimal impacts on sensitive environmental resources. Any applicable regulations regarding Environmental Site Design, FRO (including specimen trees), or other sensitive natural resources will be addressed at the time of subdivision and site plan review.

(8) Historic resources have been identified and impacts to these resources are avoided or minimized to the maximum extent practicable.

Any proposed development of the Property will be subject to the County's review for historical and archaeological resources. Pre-development identification and documentation of the Price Family Cemetery is underway and will guide the County's response to future subdivision and site plan proposals.

§ 1-19-10.500.3. – Approval Criteria for Planned Development Districts

(A) The proposed development is compact, employing design principles that result in efficient consumption of land, efficient extension of public infrastructure, and efficient provision of public facilities;

The project will have a relatively compact development footprint for a Low Density Residential project. The area has extensive existing infrastructure including water/sewer lines, school facilities, park facilities, and road improvements that would support the residential development of the project and continued buildout of the Linganore Community Growth Area.

(B) The proposed development design and building siting are in accordance with the County Comprehensive Plan, and any applicable community corridor plans;

The proposed PUD zoning is consistent with the Low Density Residential designation of the County Comprehensive Plan. There is no current Community or Corridor Plan for this area.

(C) The proposed development is compatible with existing or anticipated surrounding land uses with regard to size, building scale, intensity, setbacks, and landscaping, or the proposal provides for mitigation of differences in appearance or scale through such means as setbacks, screening, landscaping; or other design features in accordance with the County Comprehensive Plan, and any applicable community or corridor plan;

Nothing proposed in this Application is out-of-character for recent development in the vicinity of this Property. Subsequent site plan review for the Property would address detailed design issues such as parking, landscaping, screening, trail connections, building orientation, etc.

(D) The proposed development provides a safe and efficient arrangement of land use, buildings, infrastructure, and transportation circulation systems. Factors to be evaluated include: connections between existing and proposed community development patterns, extension of the street network; pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

The proposal to develop a linear pattern of development across the Property provided the opportunity for street connections to existing and planned roadways. The proposed development will be able to connect with existing and planned infrastructure (water/sewer and roads) in the vicinity. The Golden Shiner Street connection will connect this Property with the larger Linganore Town Center area. Pedestrian access will be provided to adjacent development while the internal trail and sidewalk system will serve to link Bell Farm PUD residents to an internal system of amenities and open spaces.

(E) The transportation system is or will be made adequate to serve the proposed development in addition to existing uses in the area. Factors to be evaluated

include: roadway capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, projected construction schedule of planned improvements, pedestrian safety, and travel demand modeling;

Transportation network adequacy is anticipated to be achieved through a combination of planned infrastructure improvements and site access modifications.

(F) The proposed development provides design and building placement that optimizes walking, biking, and use of public transit. Factors to be evaluated include: extension of the street network; existing and proposed community development patterns; and pedestrian connections to, from, and between buildings, parking areas, recreation, and open space;

The Application does not include specific engineered layouts of the Property. The primary pedestrian access will occur along sidewalks internal to the Property that connect to the Linganore Town Center Development to the west along Golden Shiner Street. The internal trail network illustrated in the Concept Plan provides a connection to amenities including the centrally located Community Club.

(G) Existing fire and emergency medical service facilities are or will be made adequate to serve the increased demand from the proposed development in addition to existing uses in the area. Factors to be evaluated include: response time, projected schedule of providing planned improvements, bridges, roads, and nature and type of available response apparatus;

The New Market Fire Station is approximately 3.4 miles from the Property. The Spring Ridge First Station is approximately 5 miles from the Property. Police protection would be provided by the Frederick County Sheriff's Office and Maryland State Police.

(H) Natural features of the site have been adequately considered and utilized in the design of the proposed development. Factors to be evaluated include: the relationship of existing natural features to man-made features both on-site and in the immediate vicinity, natural features connectivity, energy efficient site design, use of environmental site design or low impact development techniques in accordance with Chapter 1-15.2 of the Frederick County Code;

Natural features on the Property will be incorporated into the planned open space areas/green space in the PUD.

(I) The proposed mixture of land uses is consistent with the purpose and intent of the underlying County Comprehensive Plan land use designation(s), and any applicable community or corridor plans.

The Property is designated Low Density Residential which allows for application of the PUD floating zone. The application of PUD zoning with a gross density of 3.29 dwellings/acre is consistent with the Low Density Residential plan designation. No Community or Corridor Plan has been adopted for this growth area.

(J) Planned developments shall be served adequately by public facilities and services. Additionally, increased demand for public facilities, services, and utilities created by the proposed development (including without limitation water, sewer, transportation, parks and recreation, schools, fire and emergency services, libraries, and law enforcement) shall be evaluated as adequate or to be made adequate within established county standards.

The parks, libraries, and public safety facilities are currently adequate to serve the proposed age-restricted residential development. Schools will not be impacted due to the age-restriction of 55 years of age and older for residents, as well as the minimum age restriction of 19 years. The project will be subject to subsequent subdivision, site plan, and APFO review.

(K) Sensitive environmental resources are protected to the maximum extent practicable;

The Concept Plan for the Property illustrates proposed areas of disturbance that largely avoid negative impacts on surrounding sensitive environmental features.

(L) All efforts have been made to promote the protection, preservation, and integration of historic resources into the planned development through reuse, adaptive use and rehabilitation.

No viable extant structures remain on the Property that could accommodate reasonable reuse or adaptive use. Efforts to document archaeological resources, as well as the Price Family Cemetery, will continue at the project moves forward for subdivision and site plan review.

§ 1-19-10.500.10. – Specific Development Standards within the Planned Development Districts

(1) Active and Passive Recreational Amenities

The project proposes to have a community club centrally located on the Property. Walking trails are also proposed within the project which will connect other open space and recreational amenities internal to the neighborhood.

(2) Availability, sustainability and proximity of the development to planned support services

The nearest existing medical offices or facilities are located in Linganore Town Center, New Market, and Frederick. Commercial retail and retail services will be available in Linganore Town Center and along the Old National Pike corridor. The Linganore Branch Library and Senior Center projects will provide nearby support services when they are constructed along the western segment of Linganore Boulevard.

(3) The amount of existing and approved age-restricted development in the county and in proximity to the proposed development.

Age-restricted communities such as Homewood Retirement Community, the Woodlands at Urbana, Knowledge Farm (Urbana), England Woods in New Market, and Bloomfields (North Frederick) are currently occupied or under planning and construction. Based upon existing demand for these types of homes and communities, and in consideration of Frederick County's heightened population growth among those aged 55 and older, this proposal appears reasonably feasible.

Based upon the findings herein and the record evidence, the County Council has determined that it is appropriate to grant the rezoning request in Case No. R-25-01, with the conditions listed below.

ORDINANCE

BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that for the reasons set forth above, the rezoning of 75.493 acres of land (as depicted in the application) to amend the original PUD to allow for the development of the parcel as an age-restricted community, and to rezone the outlying 1.72 acres to PUD is hereby granted, subject to the following conditions:

1. A maximum of 248 residential, age restricted dwelling units will be allowed on the property.
2. Covenants shall restrict 100% of the dwelling units of the project to be age-restricted per the Federal Fair Housing Act and the Housing for Older Persons Act of 1995. Covenants shall further limit the minimum age of permanent residents to 19 years of age. These covenants shall be recorded and made part of the chain of title for each dwelling unit. Every property owner within the age-restricted development (and HOA) shall be beneficiaries of the covenants with the ability to enforce them through administrative or judicial proceedings. The covenants are to be reviewed by and

found acceptable to the County Attorney prior to recording. The PUD zoning is invalid if covenants as described herein are not recorded and do not restrict age of residents in a binding and enforceable manner. The required biannual federal surveys (24 CFR 100.307) shall be made available to the County for its review and records.

3. The Property shall be served by two road access points, the first at Yeagertown Road, and a secondary western access to be determined based upon a revised traffic study.
4. A traffic signal warrant analysis for the intersection of Yeagertown Road and Old National Pike shall be completed prior to issuance of the first building permit for a residential unit in the PUD.

AND BE IT FURTHER ENACTED AND ORDAINED, that the Zoning Administrator is hereby authorized and directed to make the appropriate changes to the zoning map as reflected in this decision.


The undersigned hereby certify that this Ordinance was approved and adopted on the 7th day of October, 2025.

ATTEST:

COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND

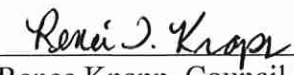

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Steve McKay, Council Member


Mason Carter, Council Member

Received by the County Executive on 10/15/2025.

County Executive Action: ✓ Approved Vetoed


Jessica Fitzwater, County Executive
Frederick County, Maryland

10/16/25
Date