

Village Center Update

Background and Issues Report



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Frederick County Division of Planning
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I. Introduction

In response to the Frederick County Planning Commission request of May 17, 2006 Planning Staff began a formal review of the Village Center zoning district and Comprehensive Plan designation as it has been applied throughout the County.

The project will be completed in the following three steps:

- Staff will provide a report identifying background data and issues from which guidance and direction can be given and issues can be clarified
- Staff will provide a report detailing options and possible Ordinance or County document changes to address issues and concerns
- Staff will prepare any changes for presentation and approval by the Frederick County Planning Commission and Board of County Commissioners

Staff research included review of previous Planning Commission and Board of County Commissioner meetings in which the topic of Village Center had been discussed as well as review of relevant County documents that address the Village Center concept. Data was gathered from various County sources including the County Geographic Information System, staff project review, and site visits.

This report summarizes the information that has been collected throughout this process. A description of the history of Village Center as it applies to Frederick County Planning documents, a review of existing regulations, the existing application of Village Center, development trends and activities within Village Center areas, identified issues, and various data have been included.

It is expected that this initial report will be presented with the intent of providing a foundation for discussion and clarification of direction. Upon further direction and guidance from the Planning Commission and Board of County Commissioners, staff will commence with the second portion of this review process.

II. History of the Village Center Concept

The following is a summary of the Village Center concept as it has evolved over time within County documents.

A. 1977 Zoning Ordinance Update

The Village Center zoning district first appears in Frederick County as part of the 1977 Zoning Ordinance update.

Planning staff presentation notes state that the 1977 Zoning Ordinance update converted existing B-1, B-2 and B-3 commercial zoned lands, depending on the nature of existing land uses or the location of the subject property, to Highway Service (HS), Village Center (VC), or General Commercial (GC). In some cases where the (B) district classification was an area of rezoning that was not consistent with the Comprehensive Plan and had remained vacant or unutilized for a period of five years or more, commercial zoning was removed and Agricultural or Residential zoning applied. The three (3) new commercial districts covered approximately 2,800 acres. The portion of this total acreage applied in the form of Village Center zoning was not available.

According to the staff presentation document, “Those properties converted to VC as part of the new zoning ordinance were areas where the character of the surrounding land use (mixed commercial and residential uses) met the criteria of historically established village centers.” Village Center was applied to twenty (20) delineated areas which included sections of the following communities: Urbana, Ijamsville, Braddock Heights, Lewistown, Mountandale, Jefferson, Petersville, Buckeystown, Point of Rocks, Adamstown, Johnsville, New Midway, Mt. Pleasant, Libertytown, Unionville, Sabillasville, Rocky Ridge, Creagerstown, Foxville, and Wolfsville.

B. 1984 Frederick County Comprehensive Plan Vol. I.

The 1984 County Comprehensive Plan refers to the Village Center zoning district in relation to the Comprehensive Plan designation of Rural Community. Rural Communities are defined within the Planning Concept section as older crossroad settlements which are not being planned for significant future development due to poor regional access or lack of plans for public services and facilities. These areas are generally characterized by a cluster of houses with perhaps a small store, church, service station, or post office. Only limited development in the form of minor subdivisions in keeping with the rural character of these areas would be permitted.

In 1984, the Rural Community comprehensive plan designation is further defined as long established small villages included as a part of the larger Agricultural/Rural area, where only very limited growth and expansion was intended (page 63). The land use designation was characterized by the following:

Purpose:

1. To recognize existing rural communities in order to maintain the established rural character of these areas through minimum growth.
2. To prevent extensive development in areas not planned for the location of public facilities.

Intensity of Use:

1. Only minor subdivision activity and low density development not requiring water and sewerage facilities.
2. Limited commercial uses in accordance with the Village Center Commercial zoning district.

Areas Designated:

1. Existing small clusters of residences located in areas predominantly rural in character, which are not planned for significant growth.

In the 1984 Comprehensive Plan, the Village Center zoning district was applied to areas within those communities receiving the Rural Community designation. Within the Implementation Chapter (page 152), Comprehensive Plan designations are related to the corresponding zoning district. The Village Center (VC) zoning district is listed as corresponding to the Rural Community Comprehensive Plan designation only.

C. 1990 Frederick County Comprehensive Plan Vol. I.

In 1990 an update to the County Comprehensive Plan was completed. Within the 1990 Plan Community Concept discussion (page IV-11), the Rural Community concept definition remained the same as the 1984 version, however, the following information was added:

Population:	Less than 1,000
Transportation:	Rural crossroads of collectors/arterials
Public Facilities:	No new facilities planned
Commercial Services:	village center, mix of commercial/residential

In addition to the Rural Community Designation, the 1990 Countywide Comprehensive Plan, reflects the creation of a commercial Village Center Comprehensive Plan designation (page IV-19).

Within the Land Use Plan Designation section, the new commercial Village Center Comprehensive Plan designation is defined as:

Purpose:

1. To identify areas in existing communities where a mix of commercial and residential uses have developed in the past.

Range of Uses:

1. A variety of commercial uses, and a range of housing types, as permitted under the Village Center Zoning District.

Areas Designated:

1. Along Arterial or collector streets within District Communities and Rural Communities where an existing mix of uses is located.

Within the 1990 Countywide Comprehensive Plan Implementation Chapter (page X-2), Comprehensive Plan designations are related to the corresponding zoning district. The Village Center (VC) zoning district is listed as corresponding to the Rural Community Comprehensive Plan designation as well as the Village Center Comprehensive Plan designation.

D. 1998 Frederick County Comprehensive Plan Vol. I.

Currently, the Village Center component of the 1998 Frederick County Comprehensive Plan Volume I, can be found within the Rural Community discussion (page 4-28) as well as the Land Use Designation portion of Chapter Four, Land Use.

In previous Countywide Comprehensive Plans, the Rural Community designation was included in the rural plan designation category but has been reflected within the residential category in the 1998 plan. The Rural Community discussion, found on page 4-28, outlines the Village Center concept within the context of the Community Concept at the Rural Community level and has been expanded beyond the information included in the 1990 Plan.

The residential Plan designation of Rural Community is defined as “Existing traditional rural settlements located outside of designated growth areas” (page 4-30). Within Rural Communities, the Village Center is intended to provide commercial services to the numerous small, traditional residential villages in Frederick County.

These villages include traditional characteristics such as a street scale encouraging pedestrian use, distinctive building design, nearby agricultural uses, and a sense of community among the residents. Through careful planning and moderate growth, the Plan supports limited infill development in the Rural Communities that sustains the distinctive character and community identity of these small towns and villages along with their social and economic vitality. The character of the individual Rural Communities should be maintained. The appropriateness of new development will vary among the Rural Communities and should conform to the existing development patterns of the specific community.

Also new in the 1998 Rural Community description are the following characteristics:

- Preferred residential density of the prevailing density of the community
- Pedestrian and bicycle access and facilities
- Residences which are compatible with the prevailing mix of housing types

The commercial Plan designation defines Village Center as “Areas in existing rural villages appropriate for the development of a mix of limited commercial and residential uses.” The commercial application of the Village Center Plan designation is found within the discussion of Commercial Activity Centers. As defined in the Plan, Commercial Activity Centers should be located in central nodes in emerging growth areas, as well as infill sites in older communities.

Village Center as a Commercial Activity Center, is defined as follows:

Size – Indeterminate; however should be compatible with scale and characteristics of existing community.

Typical Tenants – Mix of small commercial and home office uses, personal and nonprofessional service establishments, residential uses, incubator businesses, public facilities, parks, playgrounds, and other similar uses that meet the needs of local markets.

Function – Areas in existing rural villages where a mix of limited commercial and residential uses have developed in the past, including a variety of commercial uses that meet the needs of local markets.

Location – along arterial or collector roads within rural villages where an existing mix of commercial uses is located.

Within the 1998 County Comprehensive Plan Chapter Nine Community Design Guidelines, and the Frederick County Community Design Guidelines and Development Principles adopted July 2002, consistent language further describes and refines the Village Center concept.

The Village Center design guidelines are described within the subheadings of function, scale, land use arrangement, and streetscape. These descriptions do not address the differences between Village Centers in Rural Communities which rely on well and septic, and Village Centers in Growth Areas with the availability of public water and sewer.

III. Review of Existing Regulations

The current Frederick County Zoning Ordinance defines the Village Center district as the following:

“The Village Center District (VC) is intended to provide commercial services to the rural farm and rural non-farm population of the county by utilizing the established rural commercial areas within the various communities. These small communities have historically been the commercial centers for the surrounding rural areas and it is the purpose of this district to promote their continuance.”

The current definition does not include the residential component discussed throughout previous and existing Comprehensive Plans.

The Village Center district was created to reflect residential uses, as well as commercial uses that were less intensive than those that would be found in an area zoned General Commercial. The commercial application of Village Center as defined on Page 4-33 of the Comprehensive Plan, lists typical tenants as: small commercial and home office uses, personal and nonprofessional service establishments, residential uses, incubator businesses, public facilities, parks, playgrounds, and other similar uses that meet the needs of local markets.

The General Commercial district is intended to provide general retail commercial and business services. The general commercial district is intended for location on roads with a minimum classification of collectors as designated by the Comprehensive Development Plan.

A review of the Frederick County Zoning Ordinance Design Requirements reflects that Village Center residential requirements are most similar to the Residential Twelve District (R-12). The R-12 residential zoning district is intended as a high-density residential class with maximum dwelling units per acre of twelve (12). Design Requirement differences between the VC and R-12 designations include increased lot width, front yard, side yard, rear yard and height requirements for most uses in the R-12 District.

To provide a comparison, a summary of the allowable uses and design requirements between the Village Center (VC), Residential Twelve (R-12), and General Commercial (GC) districts are summarized below. Uses that are not permitted in any of the three zones are not included in this table.

**A. Frederick County Zoning Ordinance Use Regulations
(1-19-289)**

Zoning Districts			
Uses	R-12	VC	GC
Natural Resources Uses			
Agricultural activities	P	P	P
Agritourism enterprise	P	P	P
Commercial Greenhouses and nurseries			PS
Roadside stands – retail and wholesale		PS	PS
Forestry	P	P	P
Residential Uses			
Single-family detached	P	P	
Duplex dwelling	P	P	
Two-family dwelling	P	P	
Townhouse	PS	PS	
Multifamily dwellings	PS	PS	
Multifamily group developments	PS	PS	
Dwellings on same property and in conjunction with a permitted use, i.e. owner, caretaker		P	P
Accessory Apartments	E	E	
Transient Housing			
Boarding house or tourist home	PS	PS	PS
Motel, hotel		PS	PS
Commercial Uses - Retail			
Antique, artisan and craft shops		PS	PS
Apparel store		PS	PS
Appliance sales and service		PS	PS
Auction house		PS	PS
Food stores		PS	PS
Boats, sales and service			PS
Book and magazine		PS	PS
Camera		PS	PS
Convenience stores		PS	PS
Department store or variety store		PS	PS
Farm equipment sales or service		PS	PS
Florist		PS	PS
Furniture repair		PS	PS
Shopping center		PS	PS

<i>Use</i>	<i>R-12</i>	<i>VC</i>	<i>GC</i>
Gift/souvenir		PS	PS
Hardware		PS	PS
Hobby/craft shop/gallery		PS	PS
Horse tack and saddlery shop		PS	PS
Household furnishing		PS	PS
Jewelry		PS	PS
Lumber yard			PS
Mobile home sales			PS
Music and record shops		PS	PS
Office equipment		PS	PS
Paint store		PS	PS
Pharmacy		PS	PS
Radio and TV sales and service		PS	PS
Shoe store		PS	PS
Sporting goods		PS	PS
Stone monument sales		PS	PS
Tobacco store		PS	PS
Toy store		PS	PS
Liquor store		PS	PS
<i>Commercial Business and Personal Services</i>			
Advertising agency		PS	PS
Bank or savings and loan		PS	PS
Broadcasting studio		PS	PS
Communication towers			PS
Barber and beauty shops		PS	PS
Bus depot			PS
Carpentry, electrical, plumbing, welding, printing, upholstery		PS	PS
Contractors, fencing, pool and siding			PS
Commercial or business school			PS
Dance or music studio		PS	PS
Funeral home			PS
Fortuneteller		PS	PS
Medical clinic		PS	PS
Office business		PS	PS
Office professional	E	PS	PS
Photography studio		PS	PS
Restaurant		PS	PS

<i>Use</i>	<i>R-12</i>	<i>VC</i>	<i>GC</i>
<i>Wholesaling and Processing</i>			
Agricultural products processing			PS
Bottling plant			PS
Carpet or rug cleaning			PS
Laboratory research, experimental or testing			PS
Stone monument processing			PS
Wholesaling and/or warehouse			PS
<i>Automobile and Related Services</i>			
Part sales and installation			
Automobile filling and service station		PS	PS
Carwash		PS	PS
Automobile repair or service shop		E	PS
Sales and service center			PS
Storage tanks, gasoline	E	PS	PS
<i>Animal Care and Service</i>			
Animal hospital or veterinary clinic		E	E
Kennel		E	E
Pet Store		PS	PS
Riding Stable – commercial or club			PS
School bus parking		E	PS
Auction sales -animals			PS
<i>Commercial Amusements</i>			
Bowling alley			PS
Carnival, circus		X	X
Race tracks			PS
Golf, driving range			PS
Golf, miniature			PS
Health club, fitness center, vocational training facility			PS
Tennis club	E	PS	PS
Golf Course and country club	PS		
Skating rink			PS
Swimming pool, commercial			PS
Theater, drive-in or outdoor stage			PS
Zoological gardens			PS
Museums		PS	PS
Night club, tavern, lounge			PS

<i>Use</i>	<i>R-12</i>	<i>VC</i>	<i>GC</i>
Batting cage			PS
Chip and putt golf course			PS
Sports training facility			PS
<i>Open Space and Institutional</i>			
Fairground			PS
Governmental, civic, nonprofit parks, recreation or educational areas	P	P	P
<i>Institutional</i>			
Child care centers	PS	PS	PS
Civic community center	PS	PS	PS
Civic service clubs	PS	PS	PS
Comprehensive physical rehabilitation facility		PS	PS
Nursery school	PS	PS	PS
Group homes	PS	PS	
Hospital		PS	PS
Nursing home	PS	PS	
Private schools	E	E	
Fire and rescue service	PS	PS	PS
<i>Governmental and Nongovernmental Utilities</i>			
Arena or stadium			PS
Public buildings and properties	PS	PS	PS
College or university	PS	PS	PS
Nursery school or day care center	PS	PS	PS
Elementary or secondary		PS	T
Nongovernmental utility		E	PS
<p>P Principal permitted use subject to design regulations</p> <p>PS Principal permitted use subject to site development plan approval. See **1-19-411 through 1-19-413</p> <p>E Principal permitted use as a special exception with site development plan approval. See **1-19-376 and following</p> <p>T Permitted as temporary use as a special exception. See **1-19-213</p> <p>X Permitted as temporary use only. See **1-19-213</p> <p>SW Solid Waste Floating Zone</p> <p>A blank indicates that the use is not permitted under any situation</p>			

**B. Frederick County Zoning Ordinance Design Requirements
(1-19-290)**

In the table on the following page, Village Center District (VC) design requirements and Residential Twelve District (R-12) design requirements are shown for the purposes of comparison. Within the residential section where the districts *differ*, the R-12 requirements are shown in **bold** within brackets []. Within the transient housing and commercial uses section, the General Commercial District requirements are shown in **bold** and parentheses ().

VC Normal Type
R12 **[Bold Brackets]**
GC **(Bold Parentheses)**

* Lot area, width, and yard requirements may be modified in accordance with the lot clustering provision, as permitted in 1-19-302(5)

<i>Use Classification</i>	<i>Min. Lot Area*</i>	<i>Min. Lot Area/Unit</i>	<i>Lot width*</i>	<i>Front Yard*</i>	<i>Side Yard*</i>	<i>Rear Yard*</i>	<i>Height</i>	
Natural resources	5 acres	-	300	40	50	50	30'	
Residential								
Single family	6,000	6,000	65	25	8	30	30'	
Duplex family	6,000	6,000	65	25	8	30	30'	
Two family dwelling	10,000	5,000	75 [100]	25	8	30	30'	
Townhouse dwelling	See **1-19-426 through 1-19-432							
Multifamily dwelling	None	3,600	65 [150]	25 [40]	15 [*]	50 [*]	45' [100']	
Multifamily group	None	3,600	150	40	30 [*]	50 [*]	45' [100']	
Transient housing								
Boarding house/tourist home	12,000	-	65	25	15	50	45'	
Hotel/motel	20,000 (20,000)	500 (500)	100 (100)	25 (25)	15 (15)	40 (40)	45' (60')	
Commercial uses:								
New structures	None (12,000)	-	None (100)	25	10 (8)	40 (25)	45' (60')	
In existing structures	None	-	None	As Exists 1				
Shopping centers	See 1-19-305					(*)	(*)	60'
Automobile and related services	None (12,000)	-	65 (100)	25 (25)	10 (8)	40 (25)	45' (60')	
Animal care and services	None (12,000)	-	65 (100)	25 (25)	15 (8)	40 (25)	45' (60')	
Commercial amusements	None (12,000)	-	65 (100)	25 (25)	10 (8)	40 (25)	45' (60')	
Open space uses	No minimum	-	- [200]	- [40]	- [50]	- [50]	- [30]	
Institutional	None (12,000)	-	200	40	50 (40)	50 (40)	30'	
Governmental and public utilities	None (12,000)	-	200	40	50 (40)	50 (40)	30'	

Within the above table:

- Note 1. Minimum lot areas measured in acres and square feet; minimum lot width, yard areas and height measured in feet.
- Note 2. The minimum lot area and yard requirements do not apply to agricultural activity involving no structures.
- Note 3. Design requirements for uses permitted by special exception are established in 1-19-376 et seq.
- Note 4. Lot area, width and yard measurements may be modified in accordance with Division 8 of this chapter (to residential zones – R3, R5, R8, R12, R16, VC).

*Equal to the height of structure.

1 Any proposed addition would have to meet setbacks required for new structures. Parking requirements of 1-19-166 through 1-19-169.

C. Citizens Zoning Review Committee Report

In reviewing and updating the existing definition and application of Village Center, staff attempted to review relevant documents that contain information regarding the Village Center concept. Included in this review were the previous mentioned Plans and Ordinance, as well as the Citizens Zoning Review Committee Report. These documents were reviewed with the intent to gain insight regarding suggested changes to existing documents as well as changes that have been reviewed and rejected.

In March of 2002 the Frederick Board of County Commissioners (BOCC), appointed a 15 member Citizens Zoning Review Committee (CZRC) to recommend amendments, revisions, or the rewriting of specific changes to the Zoning Ordinance. In general, the CZRC Committee members supported a reorganization of the existing Ordinance as opposed to a total re-write of the document. The consensus being that although elements of the Ordinance need considerable revision and updating, building on what is working and desirable in the existing Ordinance is the preferable alternative to a total rewrite.

In July of 2003, the CZRC submitted a report of their work to the BOCC for use in the update and re-write of the Ordinance. In a series of meetings, the BOCC reviewed and took action on the CZRC report and recommendations. General considerations include that The CZRC and BOCC support continuing with zoning as an implementation tool of the Comprehensive Plan. A preference was given for revising, updating, and building on the current ordinance instead of a complete re-write. The Ordinance should be reorganized, restructured, and referenced, with elements cross-referenced and clearly indexed. Items related to similar uses should be kept in the same section. It was also suggested that the Ordinance should continue to be Euclidean based but incorporate certain elements with Performance Based Standards.

Below is a summary of recommendations where the BOCC reached a consensus for those specific provisions that would apply to the Village Center district:

1. Create a 'Heavy Equipment Related Services' use, permitting the use within the VC district as a special exception, and within the HS and GC districts through site plan approval.
2. Permit 'Lumber Yards' as a special exception in the VC district with size and compatibility standards. Currently this use is not allowed in the VC district but is permitted with site plan approval in the GC district.
3. Permit 'Bus Depots' through site plan approval in the VC district. Currently this use is not permitted within the VC district, but permitted with site plan approval in both the GC district.
4. Permit 'Funeral Homes' as a special exception use in the VC district with parking and site access being the focus of any special conditions required for approval. Currently this use is not permitted in the VC district and is permitted with site plan approval in the GC district.
5. Permit 'Boarding House or Tourist House' as a special exception use in the VC, HS & GC zoning districts rather than permitted with site plan review.
6. Permit 'Automobile Sales and Services Centers' as a special exception use in the VC zone. Currently the use is permitted with site plan approval in the GC district.
7. Permit 'Recycling Pickup and Distribution Center' in the VC, HS, & GC districts through the Solid Waste Floating Zone. Currently, this use is not permitted in the VC, HS, or GC zoning districts.
8. Permit 'Health Club, Fitness Center, Vocational Training Facility' through site plan approval in the VC district. Currently, the use is not permitted in the VC district and is permitted through the site plan approval process in the GC district.
9. Remove private schools as a special exception use within the VC district.

In an overview and analysis of the Community Design Guidelines, the Citizens Zoning Review Committee suggested that the best and enforceable parts of the guidelines should be incorporated into the zoning ordinance as performance standards with flexibility in application but with Planning Commission authority to apply them so long as approval is not unreasonably withheld.

IV. Current Application of the Village Center

At present there are 24 Village Center Zoning District/Comprehensive Plan designated areas which include sections of the following communities: Urbana, Ijamsville, Braddock Heights, Lewistown, Mountandale, Jefferson, Petersville, Buckeystown, Point of Rocks, Adamstown, Johnsville, New Midway, Mt. Pleasant, Libertytown, Unionville, Sabillasville, Rocky Ridge, Creagerstown, Foxville, Wolfsville, Knoxville, Araby, Flint Hill, and Linganore.

In most cases the Village Center Zoning District and Comprehensive Plan designations follow the same boundaries, however, there are instances where properties reflect a Village Center Comprehensive Plan Designation without the corresponding VC zoning. The current application of the Village Center zoning district includes four new locations in addition to the original 20 areas. Although Knoxville does not appear on the initial list of Village Center areas, Frederick County zoning maps reflect the VC designation at some point in 1977. Zoning maps from the period of 2001-present reflect an expanded Knoxville VC zone. Three Parcels in Araby were designated B-1 in 1972, GC in 1977, and designated VC in 1993 as part of the Urbana Region Comprehensive Update process. A portion of the Linganore area received the Village Center Comprehensive Plan designation as part of the 1993 New Market Region Comprehensive Plan Update process. Lastly, a single lot in the Rural Community of Flint Hill has moved from B1 in 1972, to GC in 1977, and finally Village Center during the 2004 Urbana Region update.

A. Community Concept

Following the Community Concept guidelines set forth in the Frederick County Comprehensive Plan Vol. I, and the Planning Region update process, communities within Frederick County have been designated as a Regional Community, District Community, or Rural Community. The community designations are intended to identify a hierarchy that concentrates growth in nodes so that development and the provision of public facilities can occur in an efficient manner.

Each Planning Region contains Regional and District communities that have historically been the focus for various levels of growth and development. The Regional and District communities are intended as growth areas with public water and sewer facilities where Rural Communities are not intended as growth areas and would be served by well and septic.

In Table 1 below, the community designations have been provided for each community that reflects a Village Center zoning district or Comprehensive Plan designation.

Table 1

Community Concept Designations <i>(Communities Reflecting VC Zoning/Comprehensive Plan Designation)</i>			
Planning Region	Regional Community	District Community	Rural Community
Adamstown		Point of Rocks Adamstown Buckeystown	
Brunswick		Jefferson	Petersville Knoxville
Frederick			Lewistown Mountaindale
Middletown		Braddock Heights	Wolfsville
New Market	Linganore		Ijamsville
Thurmont			Sabillasville Foxville Creagerstown Rocky Ridge
Urbana	Urbana		Araby Flint Hill
Walkersville		Libertytown	New Midway Unionville Johnsville Mt. Pleasant

Regional Communities

Regional Communities are usually the center of the planning region and are intended to be the focus for growth in that region. While designated for regional growth, the Comprehensive Plan also seeks to maintain and enhance the existing qualities provided by each of the Regional Communities. The strategy is to encourage growth which is compatible with the traditional characteristics, design, and densities of each designated Regional Community. By drawing development away from Frederick County’s agricultural areas, Regional Communities play a role in preservation of the County’s agricultural heritage.

As a general guideline Regional Community characteristics include downtown commercial core/town center, community activity centers, neighborhood activity centers, and mixed-use activity centers commercial services. Preferred residential density is 3 to 12 dwelling units per net acre with an overall community-wide average of 5.0 ± dwelling units per net acre or greater depending on established densities in the community.

District Communities

District Communities are designated as secondary growth centers for each Planning Region. While designated for future development and growth, the Comprehensive Plan also seeks to maintain and enhance the existing qualities provided by each of the District Communities. By drawing development away from Frederick County's agricultural areas, District Communities also play a role in preservation of the County's agricultural heritage. As a general guideline, District Community characteristics include village commercial core/town center, community activity centers, neighborhood activity centers, and mixed-use activity centers commercial services. Preferred residential density is 1 to 8 dwelling units per net acre with an overall community-wide average of 3.0 dwelling units per net acre or greater depending on established densities in the community.

Rural Communities

Rural Communities are traditional small residential villages that have been an integral part of the County's heritage for many generations. The settlements serve as a focal point for the surrounding agricultural communities and retain a village center and historic resources which are unique characteristics of these communities. The preferred strategy, outlined in the Comprehensive Plan, for maintaining the unique characteristics and sense of place of the Rural Communities is to encourage only limited infill growth in and around these villages. As a general guideline, Rural Community characteristics include Village Center commercial services. Preferred residential density is the prevailing established density in the community based on well and septic.

As would be expected, those communities outside of designated growth areas are served for the most part by well and septic. The communities within designated growth areas are either currently served by public water and sewer facilities, partial public facilities, or planned for future service.

B. District and Designation Area Data

To identify all areas where the Village Center zoning district and Comprehensive Plan designation of Village Center have been applied, the area covered by these individual zones, the area of the individual parcels, current land use by parcel, and residential dwelling units per acre, County staff used several sources of data. The County Geographic Information System was utilized to calculate area measurements, Maryland Tax Assessment Data, and building permits were used to determine the land use of each parcel.

1. *Number of Lots and Acreage*

Currently, there are approximately 690 acres zoned Village Center and approximately 680.6 acres with the Village Center Comprehensive Plan designation. The Walkersville Region contains the greatest acreage reflecting Village Center zoning, with Urbana containing the greatest acreage with Village Center Comprehensive Plan designation. This is partially explained by the Village of Urbana Planned Unit Development which reflects the VC Comprehensive Plan designation but a zoning of PUD.

The New Market Region contains approximately 100 acres of VC Comprehensive Plan designation due to the large area designated as a portion of the Linganore Planned Unit Development. The Frederick Region contains approximately 62 acres of Village Center Zoning, but no areas reflecting the Comprehensive Plan designation of Village Center. The communities of Mountandale and Lewistown, in the Frederick Region, reflect the Village Center zoning but a Comprehensive Plan designation of Rural Community.

As discussed previously, portions of those areas reflecting Village Center zoning reflect a Comprehensive Plan designation other than Village Center. These alternate Comprehensive Plan designations account for partial differences between VC zoning and Comprehensive Plan designation acreage totals. Table 2 below, provides a listing of alternate Comprehensive Plan designations within each Region.

Table 2

<i>Region</i>	<i>Alternate Designations*</i>
<i>Walkersville</i>	RC, RurC, AG
<i>Brunswick</i>	AG, RurC
<i>Thurmont</i>	RurC
<i>Adamstown</i>	LDR, MDR
<i>Frederick</i>	RurC
<i>Urbana</i>	RurC
<i>Middletown</i>	LDR, RurC
<i>New Market</i>	RurC
<i>County-Wide</i>	N/A

*RC: Resource Conservation
 RurC: Rural Community
 AG: Agricultural
 LDR: Low Density Residential
 MDR: Medium Density Residential

2. Existing Land Use

As reflected in Table 3, Maryland Tax Assessment Data, and issued building permits, were used to determine land use for those areas within a Village Center zoning district.

Table 3

Village Center Zoning District Existing Land Use by Region				
Region	Residential	Commercial	Agricultural	Mixed
Walkersville	181	39	0	20
Brunswick	97	32	1	3
Thurmont	72	16	1	1
Adamstown	49	24	0	1
Frederick	42	7	0	0
Urbana	31	23	0	1
Middletown	8	5	0	0
New Market	3	1	0	0
County-Wide	483	147	2	26

In Table 3 above, the land use category of ‘Agricultural’ is defined as those parcels with some type of development that would be considered an agricultural use such as a barn. The category of ‘Mixed’ represents those parcels where it could be determined that the use was mixed with a combination of commercial and residential.

Residential uses far out-number commercial or other uses within the Village Center zoning district. Based on the information provided in Table 3, residential uses account for approximately 73% of the total number of identified uses in Village Center zoning districts across the County, and Commercial uses account for 22%.

V. Development Trends and Activity

A. Building Permit Activity

In addition to previously mentioned research and analysis, staff reviewed building permits from January 1, 2000 – June 30, 2006 to reflect existing development for those parcels within the Village Center zoning district.

Based on available data, a total of 207 residential permits were issued for properties within Village Center areas during this time period. There were 196 residential permits for new construction issued for those properties with the Village Center Comprehensive Plan designation. There were 8 residential permits issued for those properties with Village Center zoning. Two permits were issued for properties with both Village Center zoning and Village Center Comprehensive Plan designation.

Several commercial permits were issued during this time period as well. Permits for new construction totaled two, for those properties with Village Center zoning and Comprehensive Plan designation. Both permits were issued in 2004 for properties located on Fingerboard Rd., with one permit issued for a bank and the other for a motor vehicle service station.

Table 4 below, reflects the building permit activity by Region and Community. The types of permits are represented by the following symbols:

NC	New Construction
SF	Single Family
TH	Townhouse
MIX	Mix of Commercial and Residential

Table 4

Building Permit Activity by Region and Community (1/1/2000 – 6/30/06)						
Region Community	Type of Permit					Total Number of Permits
	Commercial		Residential		Other	
	Alteration	NC	SF	TH	MIX	
<u>Walkersville</u>	<u>4</u>	<u>0</u>	<u>6</u>	<u>0</u>	<u>1</u>	<u>11</u>
Libertytown			2			2
New Midway						
Unionville	2		1			3
Johnsville					1	1
Mt. Pleasant	2		3			5
<u>Brunswick</u>	<u>3</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>6</u>
Jefferson	3		3			6
Petersville						
Knoxville						
<u>Thurmont</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Sabillasville						
Foxville						
Creagerstown						
Rocky Ridge						
<u>Adamstown</u>	<u>8</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>9</u>
Adamstown	1		1			2
Point of Rocks						
Buckeystown	7					7
<u>Frederick</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>2</u>
Lewistown			2			2
Mountaindale						
<u>Urbana</u>	<u>24</u>	<u>2</u>	<u>63</u>	<u>128</u>	<u>3</u>	<u>220</u>
Urbana	24	2	63	128	3	220
Araby						
Flint Hill						
<u>Middletown</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Braddock Hts.						
Wolfsville						
<u>New Market</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Linganore						
Ijamsville						
County Wide	41		207			248

VI. Review of Existing VC Community Characteristics

A. Representative Communities

As discussed in the Frederick County Comprehensive Plan Vol. I. many, if not all of the communities where Village Center has been applied retain an older village center as well as unique scenic and historic resources.

Village Center communities reflect characteristics such as a pedestrian friendly street scale, distinctive massing, building location and design, as well as a mix of residential and commercial uses.

Within this context three Village Center communities were chosen for further analysis of existing characteristics and patterns of development.

The communities are unincorporated areas, which have various levels of public facilities. Urbana and Jefferson were chosen as representative growth area Regional and District Communities. Creagerstown was chosen as a representative Rural Community outside of a designated growth area.

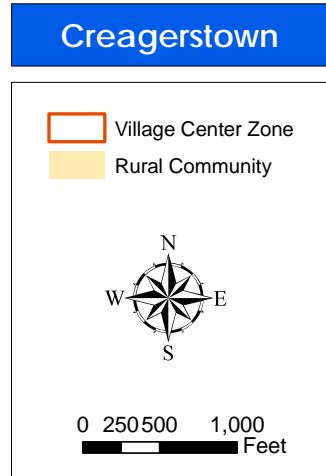
Figures 1, 2, and 3 on the following pages illustrate the Village Center zoning district of each community within the context of its surroundings.

CREAGERSTOWN

Creagerstown as reflected in Figure 1, is a Rural Community located in the Thurmont region with a Village Center district located along MD 550 (Creagerstown Road). It developed as a crossroads village on a major route on what was originally a Native American trail. Architecturally, the town reflects building forms that span 100 years. The typical form of a dwelling is a two-story log or frame building with a one-story porch, three to five bays on the principal elevation, a gable roof and a rear wing.

Existing commercial and mixed uses in Creagerstown include an auto body business, and period furniture restoration and conservation, located within a residential structure. Structures are oriented toward the street with a limited setback. Sidewalks appear intermittently within the district.

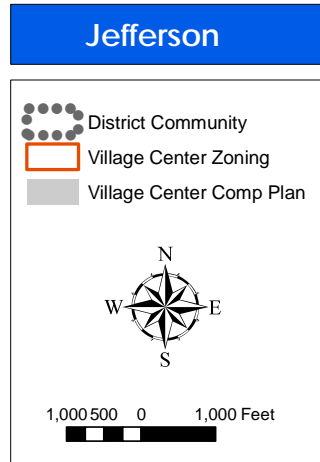
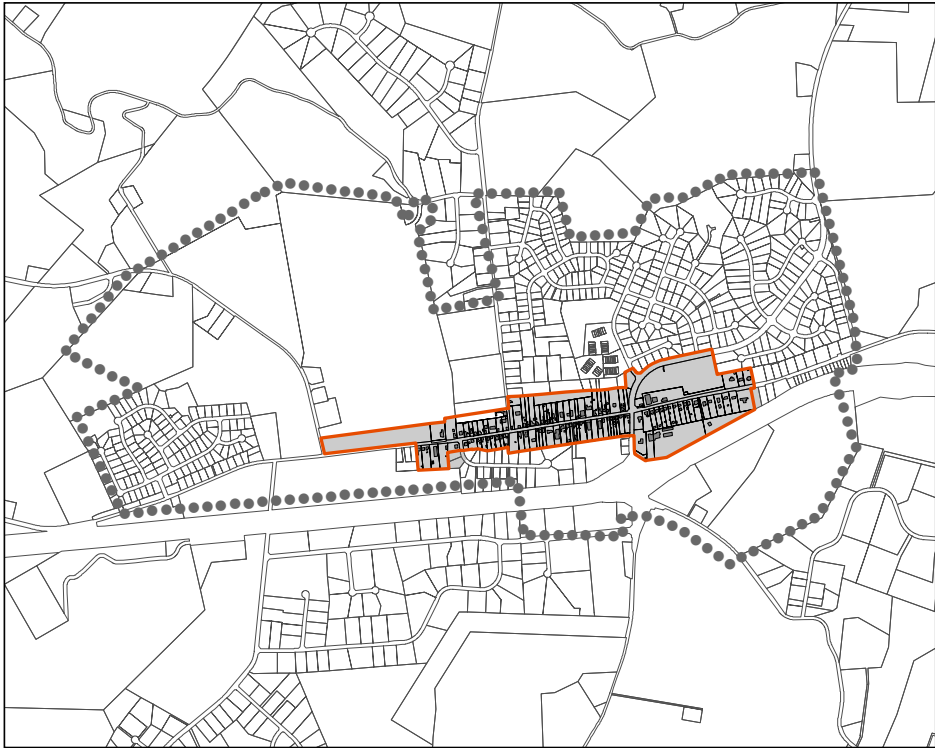
Figure 1



JEFFERSON

Jefferson, Figure 2, is a District Community in the Brunswick Region with a Village Center district located along MD 180 (Jefferson Pike). This area of Jefferson has developed in a linear form and includes several existing residential and commercial uses within the district. Commercial uses include churches, a feed and agricultural supply, a bank, Hemp’s Meats, a bakery, and restaurant. Development ranges from one- to two-story, facing the street with minimal setbacks. Sidewalks line most of the streets within the district.

Figure 2



URBANA

Urbana, Figure 3, is a Regional Community within the Urbana Region with a Village Center district located along MD 80 (Fingerboard Road) and MD 355. The Urbana community was designated as a growth community in the County’s 1972 Comprehensive Plan. Urbana is composed primarily of the Villages of Urbana/Urbana Highlands PUD, and the existing “Old” Urbana area centered along MD 355.

The 2004 Urbana Region Plan describes the Village/Town Center, within the Villages of Urbana, as providing commercial, retail and offices to serve the community but also the Region. The Plan also forecasts a reduction in traffic within the “Old” Urbana area, due to the full relocation of MD 355. A mix of lower intensity residential and commercial was expected to develop in “Old” Urbana as a result of this reduction of traffic. The Plan also recognizes the uniqueness of “Old” Urbana and outlines elements that could be implemented to protect and sustain those characteristics.

Figure 3



Development in Urbana is a mix of residential and commercial uses on lots of varied sizes. Overall, lots within the Urbana VC zoning district are larger than those of other VC communities and reflect varied setbacks. Development is a mixture of one- and two-story buildings with sidewalks constructed intermittently throughout the district.

B. Dwelling Unit Per Acre Analysis

The existing Housing Unit Inventory was updated utilizing current building permit and Tax Assessment data to bring the inventory data current to January 1, 2005. Based on this information, a calculation of dwelling units per acre was completed within the Village Center zoning districts in Creagerstown, Jefferson, and Urbana. The analysis is intended to provide a gross density for those areas with Village Center zoning within the representative communities.

Table 5

<i>Dwelling Units Per Acre VC Zoning Representative Communities</i>				
<i>Community</i>	<i>Total D.U. VC Zoning</i>	<i>Total Acreage VC Zoning</i>	<i>Total DU/Acre</i>	<i>Total Avg. DU/Acre</i>
<i>Creagerstown</i>	13 du	26.9 ac.	.48 du/ac	.53
<i>Jefferson</i>	78 du	88.8 ac.	.88 du/ac	
<i>Urbana</i>	29 du	119.2 ac.	.24 du/ac	

VII. Identified Issues

The concept of the Village Center zoning district has been further refined and expanded from its original application in 1977 to its current version in the 1998 County Comprehensive Plan.

The Rural Community application of Village Center was intended to provide limited commercial uses for those communities that were not planned for growth and where the location of public facilities were not planned. The commercial Village Center designation as a part of the Commercial Activity Center concept, is intended for application in emerging growth areas as well as infill in older communities, along arterial or collector roads where existing mix of commercial uses is located. The suggested typical mix of uses and the fact that this designation is intended for growth areas would suggest that this designation is intended to produce a Village Center zoning district with different characteristics than the Rural Community application.

As outlined in County guiding documents referenced above, a critical component in both the Rural Community and Village Center designation and subsequent development within both areas is the provision that new development be compatible with the scale and characteristics of the existing community. As each of the communities are of differing sizes and stages of development, the application of Village Center zoning to development as it occurs through time could be somewhat different.

With these concepts in mind, Staff has provided an initial list of identified issues for the purpose of discussion and consideration of the Village Center zoning district.

1. Address inconsistencies between the Zoning Ordinance and Comprehensive Plan relating to the Village Center concept.
2. Address lack of specific reference to the residential component of Village Center within the Zoning Ordinance definition.
3. Address the lack of specific reference to allow mixed uses within a single primary structure as a permitted use within the Village Center Zoning District.
4. Address the lack of specific reference to two or more primary uses within two primary structures as a permitted use within the Village Center Zoning District.
5. Address the lack of implementation measures within the Zoning Ordinance that reflect the provisions for Village Center within the Comprehensive Plan including the consideration of the following:
 - a. Insert a version of the existing Design Guidelines into the Zoning Ordinance.

- b. Create a new set of Design Guidelines utilizing elements of the existing guidelines but also including regulations requiring setbacks for new development that are equal to an average of adjacent/and or fronting developed parcels. This concept could also be applied to height requirements. These new guidelines would then be inserted into the Zoning Ordinance.
6. Implement Citizens Zoning Review Committee and Board of County Commissioner recommendations into the County Zoning Ordinance.
7. Clarify reference to the Town Center land use plan designation as could be applied to Community Growth Areas.