

PRELIMINARY RURAL AREAS REPORT & RECOMMENDATION

Report in Advance of January 27, 2009 Public
Meeting / Comment Period
January 2009, Version 01.06.09

Following five months of research, presentations, discussions, and evaluations, the Rural Areas Subcommittee has offered their Preliminary Thoughts regarding the County's rural areas. These Preliminary Thoughts will be presented to the community during a public meeting scheduled for January 27, 2009.

Development pressures in the Rural Areas, which intensified over the past decade, are significantly impacting our community's rural character. The residential development that is resulting from the pressure impacts the County in various ways. It increases demands for county services. It significantly impacts the vitality of the agricultural economy as farmland is converted from active agriculture to residential use and the development pressures and resulting residential development impacts the rural character of the community, detracting from viewsheds and the rural landscape.

**FREDERICK COUNTY
BOARD OF
SUPERVISORS'
RURAL AREAS
SUBCOMMITTEE**

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Executive Summary

Development pressures in the Rural Areas, which intensified over the past decade, are significantly impacting our community's rural character. The residential development that is resulting from the pressure impacts the County in various ways. It increases demands for county services. It significantly impacts the vitality of the agricultural economy as farmland is converted from active agriculture to residential use and the development pressures and resulting residential development impacts the rural character of the community, detracting from viewsheds and the rural landscape.

The Subcommittee affirmed that the existing land use policies of the County's 2007 Comprehensive Policy Plan to be appropriate, are supported, and should continue to be promoted. Those policies are:

The rural area goals of the 2007 Comprehensive Policy Plan state:

- *the intention to preserve rural character and open space*
- *the intention to improve the rural view shed*
- *a belief that preserving the rural character and viewshed furthers the community's attractiveness and value*

The document also contains the following goals for the larger community, beyond those specifically focused on the rural areas:

- *Maintain the Rural Character of areas outside of the UDA*
- *Insure that land development activities in the rural areas are of an appropriate quality*
- *Protect the rural environment*
- *Utilize the UDA to provide public services at a lower cost*

Following five months of research, presentations, discussions, and evaluations, the Rural Areas Subcommittee has offered their *Preliminary Thoughts* regarding the County's rural areas. These *Preliminary Thoughts* will be presented to the community during a public meeting scheduled for January 27, 2009. Additional details on this process and the subcommittee's *Preliminary Thoughts* are included in the body of this document (page28).

The Subcommittee's *Preliminary Thoughts* suggest that the County:

- **Implement enhancements to the existing health system requirements applicable to on-site private residential health systems.**
 - Increase the reserve drainfield area to 100 percent. The current regulations require a 50 percent reserve area which does not enable a homeowner to fully replace a failed health system
 - Continue to allow health systems that meet the VDH's General Approval requirements. Prohibit health systems that are permitted through the Provisional and Experimental Approval process
 - Prohibit the use of Discharge Health Systems, and Require Board of Supervisors approval for Pump-and-Haul permits.
 - Support Operation and Maintenance Requirements for alternative health systems.

- **Implement enhancements to the existing Rural Preservation Lot subdivision requirements.**
 - Maintain a minimum lot size of 2 acres
 - Increase the preservation lot (cluster set-aside lot) from 40 percent of the parent tract to a minimum 60 percent of the parent tract.

- **Establish a Transfer of Development Rights (TDR) program**
 - Consider identifying sending areas based on agricultural rich soils and ridgeline viewsheds
 - In identifying sending areas, recognize that a property's location, soil, and terrain heavily influence its developability and reflective development value.
 - TDR sending areas should designated in an effort to discourage development
 - Consider utilizing receiving areas where residential development is desired
 - Within the UDA on residentially planned areas that are zoned RA
 - Within Urban Centers and Neighborhood Villages
 - In Rural Community Centers with adopted boundaries
 - Structure the TDR program so that it is economically advantageous for the development community to purchase development rights from key agricultural areas of the county
 - Structure the TDR program so that it is economically advantageous for landowners to sell their development rights as opposed to selling their land for development

- **Pursue state enabling legislation that would allow the County to implement Impact Fees for new construction**
 - Seek, support, and participate in collective lobbying efforts to secure impact fee enabling legislation to adequately addresses the impacts new construction places on the county
- **Strengthen opportunities that support and promote agriculture.**
 - Promote forum and network opportunities that would further produce marketing and agriculture economy support

The Subcommittee will hold a public meeting on January 27, 2009 to present these Preliminary Thoughts to the community. Following this public meeting, the Subcommittee may be prepared to formalize their recommendations, and forward same to the Board of Supervisors.

Rural Areas Subcommittee

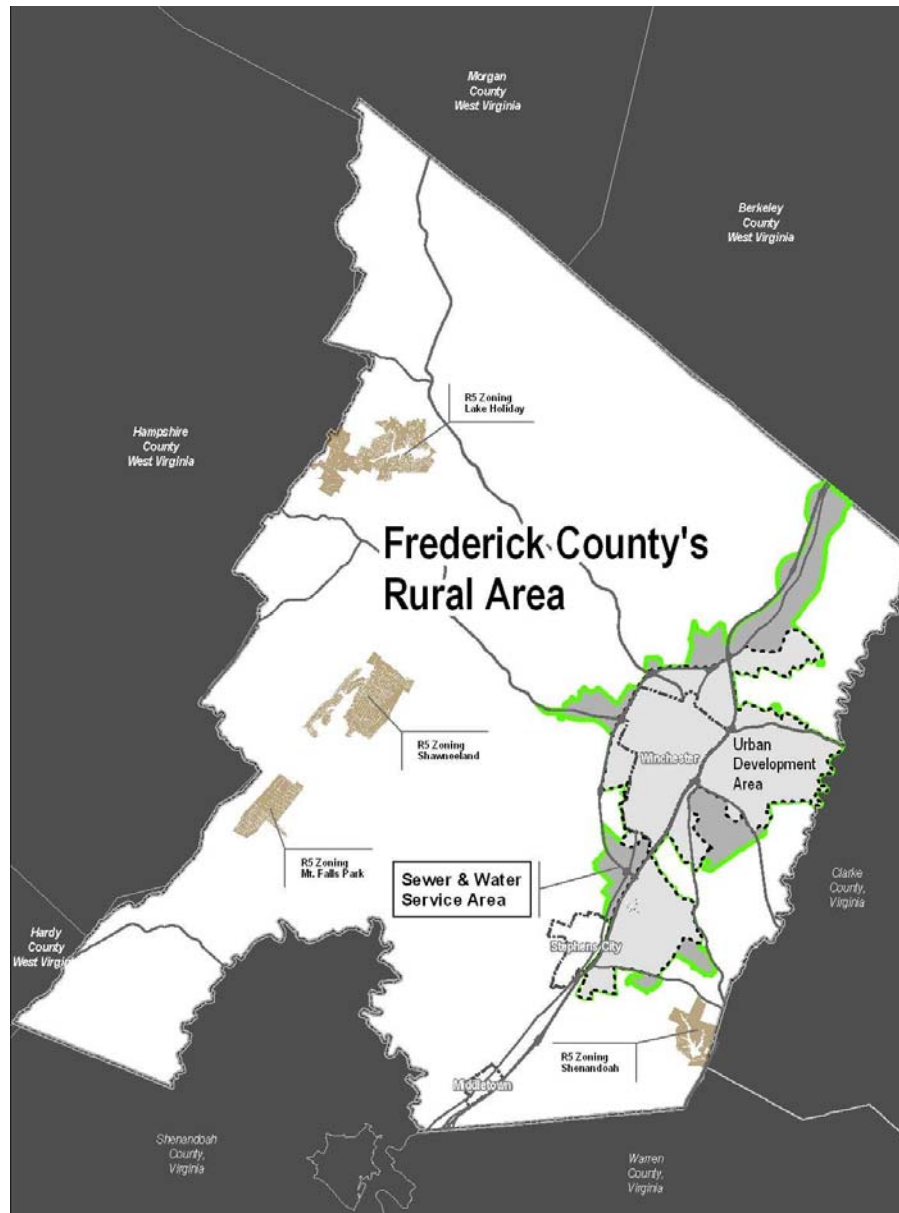
In July 2008, the Board of Supervisors created the Rural Areas Subcommittee to take the lead role in evaluating the rural areas of the county. This Subcommittee was charged with:

- Identifying the 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 to the Board of Supervisors.

In an effort to encourage public participation, and in order to learn about the community's ideas and for the rural areas variety of tools and mediums were used to inform the community about the RA Subcommittee effort. A webpage was established where up-to-date meeting discussion and summary materials were made available. The webpage also contained an informative PowerPoint presentation which outlined the issues that the Subcommittee was charged with evaluating. Citizen "Ideas" were accepted via a webpage comment page as well as a dedicated rural areas study e-mail address and could also be mailed or dropped off to the County's office Planning and Development.

Rural Areas Defined

For the purpose of this study, the Subcommittee looked at growth in the County's rural areas. These rural areas included all land located outside of the Urban Development Area (UDA) and the Sewer and Water Service area (SWSA). It should be noted that the communities of Lake Holiday, Shawneeland, and Mountain Falls are planned for suburban residential uses and therefore were excluded from this rural area study. The rural areas of Frederick County account for approximately 89 percent of the County's land area.



County Growth Trends

The County has experienced a constant growth rate the past three decades - between 1970 and 2000, the average annual population growth rate was 2.9 percent. This annual growth rate increased from 2000 to 2006 to an annual rate of 3.17 percent, resulting in a January 2007 population estimate of 72,949 persons, based on Weldon Cooper Center projections. The county's growth rate since 2000 places the jurisdiction within the top 10 population gainers in the Commonwealth of Virginia, gaining 13,740 persons since 2000.

The 2000 US Census indicated that approximately half of the County's population resides in the rural areas of the County. County data evaluations indicate that since 1990, approximately 30 percent of the new home construction has occurred in the rural areas.

County Growth Management Tool – the UDA

In the late 1980s, the County implemented the use of the Urban Development Area (UDA) as its primary growth management tool. The UDA, an adopted policy tool incorporated into the County's Comprehensive Policy Plan for over 20 years, directs that suburban residential growth occur within the UDA, where public service provisions such as water and sewer are provided. In an effort to maintain an appropriately sized UDA, responsive to growth pressures for residential growth, approximately 5,700 acres have been added to the UDA since 1990; that results in 5,700 acres that have been removed from the rural areas and positioned for more intensive uses. Strategically, this inclusion of additional acreage in the UDA was intended to relieve development pressures from the rural areas, so that agricultural opportunities could be pursued and maintained. The County recognizes that an increasing growth rate, as the county has experienced since 2000, results in a greater consumption, at a faster pace, of the quality rural landscape, character, and economy.

County Land Division Ordinance Provisions as Compared to Neighboring Jurisdictions

The Frederick County Zoning and Subdivision Ordinances contain the applicable regulations that enable and guide the subdivision of land within the rural areas of the County. The two ordinance provisions that apply to the creation of more than three lots from a single land parcel are the Major Rural Subdivision and the Rural Preservation Lots (cluster). Each provision is based on an allowance that enables lots to be created at a density of 1 unit per 5 acres.

The Major Rural Subdivision ordinance provision requires that lots be established with a minimum lot size of 5 acres, have direct access to public roads, and contain private individual health systems.

The Rural Preservation Lot ("clustering") ordinance provision requires that lots be established with a minimum lot size of 2 acres, have direct access to public roads, contain private individual health systems, and maintain at least 40 percent of the parent tract in a single "preservation" parcel.

Neighboring Jurisdictions Rural Densities and Lot Sizes (Based on non-cluster provisions)

Jurisdiction	Density	Minimum Lot Size
Frederick	1 lot per 5 acres	5 acres
Rockingham	1 lot per 15 acres w/SUP	1 acre
Warren	Total of 9 lots per parcel, regardless of parcel size	10 acres
Fauquier	Sliding scale: 2 per 10 but decreases after 10 acres	2 acres
Prince William	1 lot per 10 acre	10 acres
Loudoun	1 lot per 10 acre	10 acres
Clarke	Sliding scale: 1 lot per 7 acres but decreases after 15 acres	2 acres
Shenandoah	1 lot per 3.5 acres	3.5 acres

New Lot Creation Trends

The County has realized a gradual increase in the number of lots created annually in the rural areas of the county. It is notable that while the county’s growth management policy – the Urban Development Area – seeks to direct new growth towards a concentrated density in the UDA, the county continues to experience about a third of new lot creation is occurring in the rural areas.

Rural Areas Lot Creation History

Year	Number of Lots Created in the Rural Areas	Percentage of Countywide Residential Lots Created
2001	206	27%
2002	226	30%
2003	226	33%
2004	312	37%
2005	310	36%
2006	456	52%
2007	224	35%

The use of the Rural Preservation Subdivision (2-acre min lot size with a 40% preservation area) has increased in recent years, and is now more common than the more traditional 5-acre Major Rural Subdivision land division option.

Application Type	1999	2000	2001	2002	2003	2004	2005	2006	2007
Rural Preservation Subdivisions	0	0	5	14	12	14	21	11	7
Major Rural Subdivisions	2	2	4	9	2	10	10	2	0

During the period between January 2004 to June 2008, 82 subdivision applications (Rural Preservation & Major Rural Subdivisions) were submitted to the County seeking to create 1,451 lots in the Rural Areas (approximately 7,255 acres). This does not account for Minor Rural Subdivisions requested – which create less than 3 lots.

Only 912 of these lots have been recorded (created) as of June 30, 2008. The balance has been designed and final plat approvals are pending.

New Home Construction Trends

The County has realized a gradual increase in the number of new homes constructed in the Rural Areas, which continues to capture about a third of the new residences constructed in the County.

New Residential Building Permits Issued in Rural Areas

Year	Number of Residential Building Permits issued in the Rural Areas	Percentage of Countywide New Residential Building Permits
2001	253	29%
2002	278	31%
2003	247	28%
2004	274	26%
2005	352	27%
2006	252	24%
2007	160	29%

All projections indicate that these growth trends in the rural areas will continue, if not increase.

Issues for Consideration

The RA Subcommittee identified five issues that warranted consideration in evaluating the rural areas and its associated land development pressures. These five issues each have associated affects on the rural areas, as well as the entire county:

1. The Rural Areas – UDA Relationship
2. Agricultural Economy
3. Land Development and Design
4. Community Services and Facilities
5. Transportation

The Rural Areas – UDA Relationship

The County's Comprehensive Policy Plan utilizes the land use concept called the Urban Development Area (UDA). The UDA defines the area in which more intensive forms of residential development will occur. Necessary public services – such as public water and sewer- will be provided within the UDA. The county also uses the Sewer and Water Service Area as a tool to capture commercial and industrial uses, but this area does not enable residential uses so its importance in the rural areas discussion is less significant.

The UDA and SWSA are planned growth areas in the County that are positioned to most effectively and efficiently provide necessary public services such as: Transportation including vehicular and pedestrian; Schools; Parks and Recreation; Fire and Rescue; and Public Safety.

New state-mandated Storm Water Management regulations will add increased development costs to projects in the UDA. These new state regulations may inadvertently shift residential development pressures to the Rural Areas where it would be less costly to comply.

Agricultural Economy

The County has experienced a net loss of 6,528 acres from the County's Agricultural and Forestal Districts since 1980's. Through the rural areas study, the County strives to support and promote agricultural economy interests and associated pursuits in the rural areas.

On potential challenge that confronts the County is its location and affordability, in relation to the Northern Virginia market. This proximity to Northern Virginia will result in increased land demand for housing, as experienced more significantly in the past 5 years. This pressure for housing will indirectly discourage agricultural activities as land owners evaluate the benefits of abandoning their agricultural venture and converting their farmland to large lot rural residential subdivisions.

Land Development and Design

Present ordinance provisions permit a residential density of 1 unit per 5 acres. As discussed previously in this document, subdivision options exist that enable this 1 unit per 5 acre density to be applied in either a Major Rural Subdivision (with a by-right minimum of 5 acre lots) or in a Rural Preservation Lot subdivision (with a by-right cluster minimum lot size of 2 acres). The existing ordinance enables these subdivisions to occur administratively, not legislative action or rezoning application is necessary. A Significant amount of available land, and the relative ease in converting it for housing, may indirectly promote housing growth

Community Service and Facilities

The dispersed population resulting from rural area growth challenges the cost-efficient provision of County services such as Schools, Fire and Rescue, Public Safety (Sheriff), Parks and Recreation, and Libraries. Current capital facility fiscal modeling utilized by the County (the July 2008 adopted Development Impact Model) projects that every new single family home constructed in the County places a negative impact of \$23,818 on the County's capital infrastructure (Schools, fire and rescue, public safety, parks, library). These are capital costs currently not addressed by the rural area land owner or home buyer, and become a burden on the County and the county-wide taxpayer. The County must provide the necessary public services yet it is unable to recover the costs under the current structure of the county code and state laws.

Transportation

The ever expanding growth and development pressures in the rural areas are taxing on the road infrastructure. This is illustrated by the number of roads residents have requested be placed on the County's 6-years Road Improvement Program for hard surface treatment. Currently the 6-year road plan has enough roads requested for inclusion in the Hard Surface programs to take well over 20 years to complete – based on today's (2008) fiscal constraints. The current Hard Surface road plan has 30 roads totaling over 35 miles awaiting improvements. Funds are limited for rural area road improvements as most state road dollars are dedicated for the more heavily traveled primary and secondary roads in the more densely populated areas of the state and county.

In recent years, the state has established the Rural Rustic Road Program which enables funds and provides for basic paved access in the rural areas. This is a good tool to stretch the limited funds and provide for a hard surface treatment. Unfortunately, it is not meant for every unpaved road. This program does not rebuild the road; no engineering or major improvements may be funded through the rural Rustic Road Program. So, there should not be significant increases in traffic on the qualifying portion of road. Paving follows the guidelines for very low volume local roads (less than 1,000 vehicles per day). Qualifying for this program requires that the Board of Supervisors document its commitment to limit growth on the road and indicate that growth and traffic generation will not increase significantly on the road for ten years. This commitment by the Board would require the Board to significantly alter the development potential in the vicinity of the rural rustic road so that there is assurance that growth will not result.

Current capital facility fiscal modeling projects that every new single family home constructed in the County places a negative impact on the public road infrastructure. These are capital costs currently not addressed by the rural area land owner or home buyer, and become a burden on the County. Again, like school and fire and rescue services, the county must provide the public services yet it is unable to recover the costs.

The projected capital cost and economic burden for each new home constructed in the County is in excess of \$24,000, excluding the impacts on our road system. Those homes constructed in the Rural Areas currently do not contribute to this capital cost impact.

2007 Comprehensive Policy Plan

The Frederick County 2007 Comprehensive Policy Plan is the guiding document for long range land use and transportation planning in the county. In reviewing this adopted policy document, it important to note the goals applicable to the county's rural areas.

The rural area goals of the 2007 Comprehensive Policy Plan state:

- Preserve rural character and open space
- Improve the rural view shed
- And a belief that preserving the rural character and viewshed furthers the community's attractiveness and value

The document also contains goals for the larger community, outside of the rural areas emphasis, which states:

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

It is these adopted policy goals that the Rural Areas Subcommittee kept in mind as they followed their mission and charge.

State Enabled Tools for Managing Growth in the Rural Areas

The study effort involved evaluating all available tools for managing growth in the County's rural areas as enabled by the Commonwealth of Virginia. This evaluating identified more traditional tools designed to manage growth, as well as tools that indirectly affect growth in the rural areas.

The following are the tools identified as being enabled by the State for use within Frederick County. It is important to note that Frederick County has not been enabled to utilize Impact Fees, therefore, Impact Fees have been excluded from this list.

1. Urban Growth Boundaries
2. Chapter 2232 Review. Development consistency with the Comprehensive Policy Plan
3. Special Exception Permitting (a.k.a. Conditional Use Permits)
4. Cluster Development Zoning
5. Large Lot Zoning
6. Conservation Easements
7. Historic Districts
8. Density Incentives
9. Establishment of an Agricultural and Forestal Districts
10. Purchase of Development Rights
11. Transfer of Development Rights
12. Virginia Department of Health (VDH) health system regulations.
13. Implementation of a Use Value Assessment and Taxation ("Land Use")
14. Implementation of a Sliding Scale Property Tax Rate.

1. Urban Growth Boundaries

Extensions of infrastructure, particularly water and sewer lines and major streets, significantly affect the timing and density of development. The comprehensive plan can designate areas which are planned for immediate or long-term utility service, thereby coordinating development approvals (rezoning) and utility extensions to achieve an orderly and compact development pattern adjacent to existing settlements. Urban Growth Boundaries in Virginia are not zoning designations per se, but rather policy designations established in the comprehensive plan so as to guide decisions about rezoning applications and public infrastructure investment.

Frederick County has implemented this tool in the form of the Urban Development Area.

2. “Chapter 2232” Review

The Comprehensive Plan is considered advisory and it serves as a guide for the physical development of the community. However, according to §15.2-2232 of the Virginia Code, the comprehensive plan “shall control the general and approximate location, character, and extent of each feature shown”. This, while the comprehensive plan itself does not directly regulate land use, the plan does have status as a fundamental instrument of land use control once it is adopted by the local governing body.

Section 15.2-2232 provides that unless a feature is already shown on the adopted plan, no street or connection to an existing street, park, or other public areas, public building or public structure, public utility facility or public service corporation, whether publicly or privately owned, shall be constructed, established, or authorized until its location has been approved by the local planning commission as being substantially in accord with the adopted comprehensive plan.

Frederick County exercises this review for public facilities.

3. Special Exception permitting (aka Conditional Use Permits)

Zoning ordinances usually delineate a number of uses that are allowed as a matter of right, and a number of uses that are allowed by special exception (*referred to as ‘Conditional Use Permits’ in Frederick County*).

Uses allowed by special exception are those considered to have a potential greater impact upon neighboring properties or the public than those uses permitted by right in the district. For example, houses of worship may be desirable in a residential area, but controls over parking, circulation, setbacks and landscaping may be needed to prevent them from adversely affecting surrounding residences. By classifying them as special exceptions, separate and specialized regulations or conditions can be imposed by the locality to mitigate the adverse impacts. These conditions may be imposed and need not be negotiated or agreed to by the applicant. Such conditions must be specific, reasonable, and enforceable.

4. Cluster Development Zoning

Under cluster zoning provisions, when a residential subdivision is created, it is designed so that the dwelling units are clustered together on smaller than average lots on only a portion of the tract, leaving the remainder available for open space or similar uses. Clustering may be used in either urban or rural areas. However, the term “cluster zoning” is usually associated with rural land use issues.

Depending on the provisions of the specific cluster ordinance, the remaining open space within cluster developments may be held in common and/or be a strictly agricultural or environmental area with no “development rights” remaining on it, the open space parcel(s) may be allowed to have a dwelling unit, with a permanent easement that prohibits further subdivision or additional dwellings.

In urban areas, cluster provisions are typically used for preserving sensitive environmental features and/or for encouraging a compact development pattern that makes efficient use of infrastructure. In rural areas, cluster provisions are typically aimed at agricultural and forest conservation.

Cluster provisions can be voluntary options with a zoning district, or they can be mandatory. A rezoning may also be required in order to create a cluster development.

One of the key advantages of rural cluster techniques is that the tool can help to preserve rural land resources while still meeting the desires of rural landowners to obtain a relatively high development value for their property. Typically, rural cluster provisions allow roads and dwellings to be sited with less disruption to views from the public road right-of-way and/or with greater buffer distances between neighboring properties.

Frederick County permits clustering via the Rural Preservation Lot provision in the Rural Areas Zoning District.

5. Large Lot Zoning

Large lot zoning is one of the techniques in a more inclusive category of zoning techniques called agricultural zoning or agricultural protection zoning. Large lot zoning simply requires that the minimum lot size in a designated rural zoning district is set at a large enough size to protect agricultural activities from excessive encroachment of residential and other non-agricultural land uses.

The American Farmland Trust defines a “large lot” for the purposes of agricultural protection as being 20 acres or more. Many localities consider smaller minimum lot size such as five or 10 acres as being a “large lot” measure. However, if lots less than 10 acres are permitted without a clustering provision there is a risk that such development will create undue encroachment on agricultural areas and undermine the purpose of the tool. Thus, large lot zoning provisions are often combined with cluster zoning provisions within a given zoning district.

Large lot zoning is relatively inexpensive in the it relies on the police powers of conventional zoning to protect farmland from encroachment of residential development, thereby helping to reduce conflicts between farms and non-farm neighbors. If lot sizes are large enough, and if the locality provides for more intensive development to locate in urban areas or service districts, this technique can help reduce sprawl and public infrastructure costs. It appears to be used most commonly in areas where the farm economy is strong and farmers generally want protection from development. Thus, in areas where the value of rural land for development is far higher than its value for farming, it can be difficult to implement without support of the farming community. Like all zoning measures, it is not permanent and can be changes by local legislative action.

6. Conservation Easements

A conversation easement (also known as an Open Space or Scenic Easement) is a legal agreement between a landowner and a land trust or government agency that limits the use of land by recording deed restrictions that prohibit or severely restrict further development in order to protect the conservation value of the property, such as farmland, watersheds, wildlife habitat, forests, and/or historical lands. Each easement is unique in terms of acreage, description, use restrictions, and duration. These detail are negotiated between the property owner granting the easement, and the organization that be holding the easement.

Conservation easements are typically established in perpetuity, but may be established for shorter periods. The easement allows a property owner to continue to own any underlying interest in the land that is not specifically limited by the easement, to use the land within the terms and restrictions of the easement, and to sell the land or pass it on to heirs (with the easement restrictions conveying with the land). Conservation easements do not permit public access unless specifically provided.

Conservation easements may be established through purchase, lease (short term), or through donation. In all of these easement programs, the easement is established through the voluntary cooperation or initiative of the landowner.

Frederick County, through the County's Conservation Easement Authority, is actively pursuing conservation easements in an effort to protect and preserve the rural landscape.

Leasing of Development Rights. When conservation easements are acquired for short periods, they are called easement leases, term easements or the *leasing of development rights (LDR)*. *LDR* is the same as Purchase of development rights except that the term of the easement can be as short as five years, under amendments to Virginia's Open Space Land Act made in 1981. To date, no Virginia locality has enacted an LDR program, but the concept as the potential to be a good alternative to Use Value Assessment, because the locality can set the terms of eligibility, easement duration, restriction, and compensation; whereas under the Use Value program, the state sets most of the

rules. However, like Use Value Assessment, and LDR program is a temporary solution to the problem of farmland and open space conversion.

Donation. When conservation easements are accepted as donations from landowners, the donor property owner qualifies for certain tax incentives as the state and federal levels, instead of receiving payment from the locality. For landowners in the upper tax brackets, these provisions can be quite lucrative. Localities may accept donations of conservation easements, and many private or semi-private institutions also accept easement donations. Easement donations can also be promoted by localities in conjunction with a PDR program.

7. Historic Districts

Localities are authorized by the Virginia Code to establish Historic Districts for designated historic landmarks and defined “historic areas”, including adjacent properties and land contiguous to road corridors leading to such areas.

The governing body may provide for a review board to administer the ordinance, often called a Board of Architectural Review. The ordinance may include provisions that no building or structure, including signs, shall be erected or altered within any such district unless approved by the review board as being architecturally compatible with the historic landmarks, buildings or structures in the district. Localities typically prepare design guidelines to aid in the administration of such districts.

Such districts are established as “overlay” district which do not alter the underlying zoning regulations, per se, but rather provide additional requirements for the design and form new and/or expanded buildings.

The establishment of a Historic Overlay District provide a great deal of authority to a locality in affecting visual character of a neighborhood in terms of architectural and urban design, going well beyond the accepted purview of conventional zoning provisions which deal merely with the height, bulk, use and intensity of buildings.

Frederick County, via the County’s Historic Resources Advisory Board, encourages property owners to participate in the expansion of, and establishment of, historic districts.

8. Density Incentives

A zoning ordinance is a principal planning tool uses by localities to achieve their development objectives. Historically, zoning ordinances were purely regulatory tools that established minimum standards for new development. However, because “minimum standards” many time become “maximum performance”, zoning ordinances have evolved to include incentive-based approaches to community development objectives.

Although different types of incentives can be incorporated into a zoning ordinance (fast track plan reviews, reduced application fees, etc.) the most positive incentives to developers is often increased density.

Incentives may be considered and applied through the rezoning process and/or directly through provisions of the zoning ordinance text. In the rezoning process, a locality's comprehensive plan provides recommended density ranges for areas planned for residential use and intensity ranges. Establishing density as part of a rezoning approval is a matter of extent to which the objectives as specified in the comprehensive plan are met by the rezoning proposal.

Incentives may also be directly incorporated into a locality's zoning ordinance text, and be available to anyone who meets the standards established in the zoning ordinance. Incentives may be structure to foster an assortment of community objectives including but not limited to affordable housing, dedication of land for highway improvements, reservation of land for open space, enhanced landscaping or signage design, dedication of land for public use.

9. Establishment of Agricultural and Forestal Districts

The Virginia Code provides for the voluntary creation of Agricultural and Forestal Districts (AFDs) in order to "provide a means for a mutual undertaking by landowners and localities to protect and enhance agricultural and forestal land as a viable segment of the commonwealth's economy and as an economic and environmental resource of major importance."

Agricultural and/or Forestal District are established by the local ordinance to run for a set number of years (from 4 to 10), during which property owners continue to hold fee simple title to the land, and enjoy various benefits provided by the code for such districts. The local ordinances usually include provisions that permit the landowner to withdraw from the program under certain defined circumstances.

AFDs are established as the request of landowners, who must assemble at least 200 acres of contiguous land and be approved for a district by the local governing body. Districts last from 4 to 10 years and can be renewed. Being in a district ensures a landowner that his land will continue to be eligible for the Use Value Assessment, even if the program is otherwise rescinded by the locality. The AFD also provides some extra protection against certain public infrastructure improvements. In and of itself, an AFD does not change the zoning within its borders. However, an AFD can be a factor in the locality's zoning decisions and planning policies. Further, in adopting an AFD, the governing body may require, as a condition of creation of the district, that any parcel in the district shall not, without the prior approval of the governing body, be developed to any more intensive use or to a certain more intensive uses (other than uses resulting in more intensive agricultural or forestall production), during the period which the parcel remains within the district.

Frederick County presently has three Agricultural and Forestal Districts.

10. Purchase of Development Rights

When conservation easements are purchase as part of a broad government program, it is typically called “Purchase of Development Rights” or PDR. In some other parts of the country it is also known as PACE or Purchase of Agricultural Conservation Easements. Purchasing “development rights” is the same as purchasing conservation easements or that portion of the “bundle of rights” that allows landowners to construct dwellings or non-farm commercial structures on the property. Thus, when a locality purchases a conservation easement from a landowner, it essentially “buys” the right to develop the land and “retires” that right by placing a permanent conservation easement on the property that restricts or prohibits further non-farm development. Typically, these easement restrictions run in perpetuity.

Frederick County, through the County’s Conservation Easement Authority, is pursuing an active PDR program.

11. Transfer of Development Rights

TDR, or transfer of development rights, is a concept in which some or all of the rights to develop a parcel of land in one district (the sending district) can be transferred to a parcel of land in a different district (the receiving district). The TDR is a tool used to preserve open space, farmland, water resources and other resources in areas where a locality wishes to limit or curtail development.

In a classic TDR system one or more sending districts are identified as well as one or more receiving districts. “Development rights” are assigned to landowners in the sending district, typically on the basis of a certain number of permitted dwellings per acre. Owners of land in the sending district are not allow to develop at the full level of their development rights, but instead may sell their development rights to owners of land in the receiving district, who may then use the newly acquired development rights to build at higher densities than normally allowed by existing zoning (without further legislative approval). TDR systems are intended to maintain designated land in open or non-developed uses and to compensate owners of the preserved land for the loss of their rights to develop it.

Frederick County continues to investigate the benefits of a TDR program, and is tracking the General Assembly’s efforts to enhance existing enabling legislation.

12. Private On-Site health system regulations

The Virginia Department of Health regulates the private on-site health systems that are necessary for a residence to be constructed in Frederick County’s rural areas. VDH, through its statewide regulations, enables a number of health system (general, provisional, and experimental approvals) from conventional drainfields to alternative systems to engineered discharge designs, and programs (i.e. conditional construction permits) for private on-site health systems. In recognition of the varying site characteristics

throughout the Commonwealth, localities are provided the ability to request that certain systems and programs not be permitted in a jurisdiction.

Through presentations by experts from both the public and private sector, the County has been made aware of various aspects of the existing state regulations that may be enhanced in their application within Frederick County. Frederick County may:

- *Require larger drainfield reserve areas than the existing state standard of 50 percent of the primary drainfield. Most community's surveyed required 100% reserve drainfields; Frederick County requires a 50% reserve.*
- *Limit the types of private on-site health systems available, based on the state's three tiers of approvals- general approval, provisional, and experimental system approvals.*
- *Limit the types of private on-site health systems permitted based on a particular system's design, and whether it's conventional, alternative, discharge, or even pump-and-haul. Other community's are more restrictive than Frederick in its use of discharge and pump-and-haul systems.*
- *Require Operation and Maintenance of health systems. This was encouraged by the attending experts. It was also noted that the state may require such an O&M program by July 2009.*
- *Prohibit off-site drainfields. Most communities surveyed prohibit the off-site drainfield; Frederick County currently allows it.*
- *Require greater well-head separation distances. Most communities surveyed require 100-ft separations; Frederick requires 50ft.*
- *Expect a minimum lot size of at least 2 acres to accommodate an on-site health system, and that larger lots requirements are more desirable so as to accommodate the most appropriate systems applicable to the site's soil type.*
- *It was suggested that smaller lots become design challenges that may often lead to the installation of undersized and/or inappropriate systems may be installed to assure the usability of a parcel.*

13. Implementation of a Use Value Assessment and Taxation (“Land Use”)

The Use Value Assessment and Taxation Program uses discounts in property tax assessments to promote and preserve agricultural, forestall, open space lands.

Use Value Assessment (also commonly known as “land use” or “land assessment”) is a state guided program available to localities in which the locality can tax farmland and open space land at its “uses” value rather than its fair market value. In most rapidly growing jurisdictions, this typically reduces the

real estate tax on the land by a significant amount, this making it easier to continue a farming business. The program is voluntary to the landowner and requires only five acres to qualify under agricultural or open space classification or 20 acre under the forest use classification (areas as small as one quarter acre may qualify if adjacent to a scenic river or scenic highway or other specific instances provided by the code). Rollback taxes must be paid when the property is removed from the program.

Land Use Assessment does not stop the pressure to convert farmland to urban development, but does appear to temporarily reduce some of the pressure on landowners in areas where urban development pressures are causing tax burdens to rise.

Frederick County utilizes the Land Use assessment program.

14. Implementation of a Sliding Scale Property Tax Rate.

The locality may reduce one's real property taxes based on the number of years which the landowner agrees not to develop the property, for up to 20 years. Rollback taxes equal the deferred tax plus interest from the effective date of the agreement. Enabled in 1999 (Ch. 1026, Acts of the Assembly), not used to date.

Through research and presentations, the County has been made aware of various aspects of the existing state regulations pertaining to the Sliding Scale Property Tax Rate. It was believed that with the increasing demand for land, and the associated land value increase associated with the demand, the benefits of the sliding scale tax rate would be far exceeded by the benefit of developing the property. Further thoughts suggest that if a property owner is willing and able to defer their development rights for up to 20 years, then the sliding scale tax rate would not act as an incentive but simply an added benefit. In its application in Frederick County, the benefits of slide scale vs. Land Use alone would be minimal.

Growth Management Tools Not Fully Utilized in the Rural Areas

The study effort involved evaluating all available tools for managing growth in the County's rural areas as enabled by the Commonwealth of Virginia, and more importantly, identifying those tools that may not be fully utilized in Frederick County.

The following are the tools identified as being worthy of further consideration and implementation to more effectively manage the growth in the rural areas.

State enabled opportunities that promote agricultural economy and viewshed preservation

- Subdivision Layout Design Requirements
 - Evaluate if increasing the set-aside "preservation" lot size from the current requirement that the set-aside be 40% of the parent tract, to a 60% requirement would assist in promoting agricultural opportunities.
 - Consider establishing a maximum lot size for the buildable lots created in a preservation subdivision.
- Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) programs
 - Evaluate if a TDR program and associated incentives would be beneficial to the community. Such a programs could encourage developers to seek out and purchase the development rights from the agricultural property owners.
 - Pursue state and federal grants to fund the PDR program.
- Tax Assessment Programs
 - Evaluate if establishing a Sliding Scale Land Use Assessment Program would benefit the community

State enabled opportunities that mitigate environmental and fiscal impacts to the county.

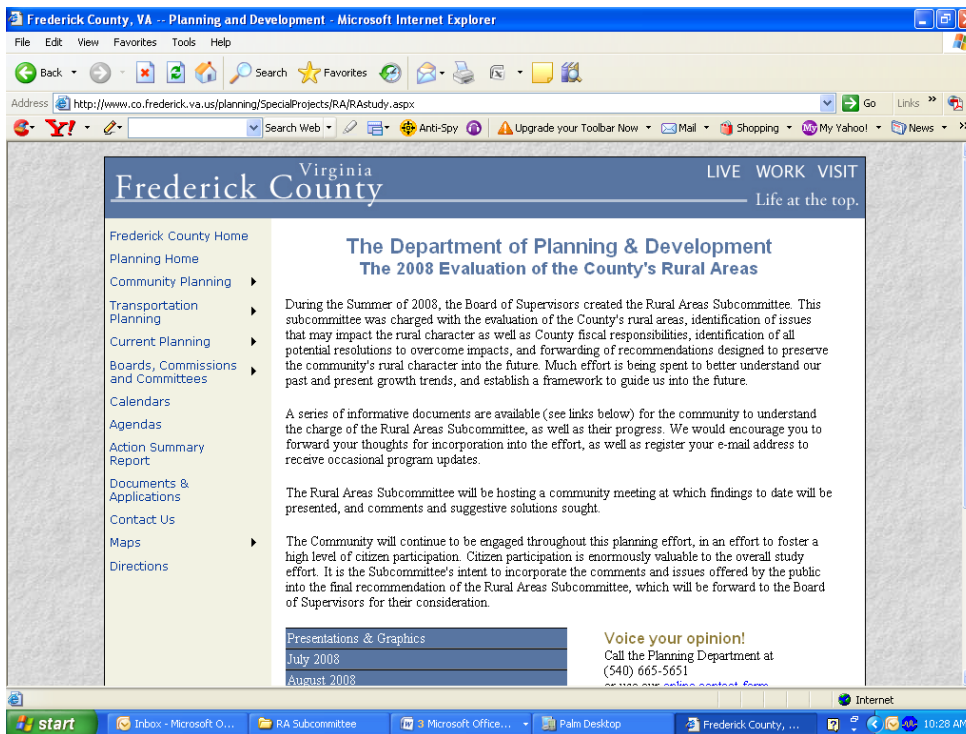
- Residential Density
 - Consider if revisiting the residential density permitted in the rural areas is appropriate. Evaluate existing densities in adjoining communities to ascertain if Frederick County is comparable with other jurisdictions.
- Health Systems
 - Private on-site systems
 - Evaluate existing state regulations, and ascertain if more stringent standards should be utilized in recognition that soil types in Frederick County are not always comparable nor compatible with state-wide standards.
 - Community systems
 - Evaluate the use of community health systems within the Rural Community Centers as a means to alleviate existing system failures

Additional details on these identified, but not fully utilized tools are included on pages 26 and 27 of this report.

Community Involvement Process

A variety of tools and mediums were used to inform the community about the RA Subcommittee effort:

- *Rural Areas Webpage.* A webpage was created that contained information about the study effort, copies of the meeting agendas and minutes, and announcements about community meeting sessions. The study's webpage was also hyperlinked from the County's homepage, and its address was: www.co.frederick.va.us/planning/SpecialProjects/RA/RAstudy.aspx
- *Online Comment Form.* When visiting the study's webpage, one could also provide their Ideas and opinions on the study through an Online Comment Form.
- *E-Mailing List.* A mailing list was established to keep interested parties informed on the studies efforts. Up to 50 homes signed up for this e-mail update service.
- *E-mail.* An e-mail address was established to receive citizen comments and Ideas.
- *Community Meetings.* Three community meetings were held the first two weeks of November 2008. Through these meetings, information was made available to inform interested participants about the rural study, the enabled tools available, tools that the Subcommittee identified as possible areas to improve upon. These community meetings also ended with participants being encouraged to complete a study survey as a means to convey their individual thoughts on a list of potential tools that could be further implemented in the rural areas. Informative handouts distributed at these community meetings are on the following pages.



1 MISSION

During the Summer of 2008, the Board of Supervisors created the Rural Areas Subcommittee. The Board asked the group to study the County's rural areas and identify the factors that are impacting the area's rural character and the County's fiscal responsibilities. The Subcommittee is also in charge of studying the different tools that the State has enabled the County to use and to determine which of these are best for Frederick County.

The Subcommittee's goal is to identify the tools that will help to preserve the community's rural character and assure a fiscally and environmentally responsible future for the County.

Before it makes a recommendation to the Board of Supervisors, the Rural Areas Subcommittee is seeking the public's input, so please let them know what you think.

2 OVERVIEW OF STATE - ENABLED GROWTH MANAGEMENT TOOLS



Comprehensive Policy Plans.

The County has a Comprehensive Policy Plan and regularly updates it. The Frederick County Planning Commission and Board of Supervisors evaluate proposed developments and consider whether they are in accordance with the Comprehensive Policy Plan.



Urban Growth Boundaries.

The County has a defined Urban Development Area. A locality's comprehensive plan can designate areas which are planned for immediate or long-term utility service, thereby coordinating rezonings and utility extensions to achieve an orderly, efficient development pattern.



Cluster Development Zoning.

The 'Rural Preservation Subdivision' is the County's cluster development option. Under cluster zoning provisions, a residential subdivision is designed so that the dwelling units are clustered together on smaller-than-average lots, with the remaining land mass permanently designated as open space or for agricultural uses.



Large Lot Zoning.

The 'Traditional 5 acre Lot' is Frederick County's large-lot development option. Large lot zoning sets a minimum lot size (usually between 10 and 40 acres) that is large enough to protect agricultural activities from non-agricultural land uses. If minimum lot size is large enough, large-lot zoning can help discourage residential development and reduce public infrastructure costs.



'Special Exception Permitting.'

The County has a Conditional Use Permit (CUP) and Rezoning process but does not require CUP's or Rezonings for residential developments in the Rural Areas. Uses allowed by special exception are those considered to have a potentially greater impact on public than those uses permitted by right in that zoning district. The state allows localities to determine which uses will require a CUP and this can include residential development. When CUP's are required, a locality can impose separate, specialized regulations or conditions on the site to mitigate adverse impacts.



Agricultural and Forestal Districts (AFD).

The County presently has three AFD's. State Code allows localities to create AFDs at the request of landowners who must assemble at least 200 acres of contiguous land for inclusion in the district. Districts last from 4 to 10 years and can be renewed and inclusion in an AFD provides landowners with some extra protection against certain public infrastructure improvements, and from some forms of development including residential subdivisions.



Historic Districts.

The County's Historic Resources Advisory Board, encourages property owners to participate in the voluntary establishment and expansion of historic districts. Localities are authorized by the State to establish Historic Districts for designated historic landmarks and defined 'historic areas', including adjacent properties and land contiguous to road corridors leading to such areas. Establishing an Historic Overlay District provides a locality with authority to guide the details of a neighborhood's visual character.



Use Value Assessment and Taxation.

The County's use value assessment program is called 'Land Use' and is widely used in the county. The Land Use program is a state-guided program that allows localities to tax farmland and open space land at its use's value (a substantially lower rate than the fair market value). The intent of the program is to promote agricultural activities by accommodating landowners interested in leaving their farmland, forestland, and open space undeveloped.



Sliding Scale Property Tax Rates.

The County doesn't currently have a Sliding Scale program. The State allows localities to reduce a property's taxes based on the number of years that the landowner agrees not to develop the property, (up to 20 years). The State limits participation in this program to landowners already in a land use program.



Conservation Easements & Purchase of Development Rights (PDR).

The Frederick County Conservation Easement Authority (CEA) actively pursues donated conservation easements, educates the public about easements, and has an active Purchase of Development Rights program. A conservation easement is a legal agreement between a landowner and a land trust or government agency that permanently limits a property's further development in order to protect its agricultural/environmental value. When conservation easements are purchased as part of a broad government program, it is typically called the Purchase of Development Rights.



Leasing of Development Rights (LDR).

The County doesn't currently have an LDR program. The state allows counties to establish LDR programs that limit a property's rights to be developed for a certain number of years in exchange for payments to, or tax benefits for, the landowner. To date, no locality has enacted an LDR program. This may be because most qualifying land already receives substantial benefits from land use tax deferral programs, thus making the terms of an LDR program less attractive to landowners.



Transfer of Development Rights (TDR).

The County doesn't currently have a TDR program. The State TDR program option allows Counties to establish a system where some or all of the rights to develop a parcel of land in one district (the sending district) can be sold / transferred to a parcel of land in a different district (the receiving district). The TDR is a tool used to preserve open space, farmland, water resources and other resources in areas where a locality wishes to limit or curtail development.



Private On-Site Health System Regulations.

The County's requirements are the same as those of the State. The Virginia Department of Health (VDH) regulates the minimum standards for private on-site health systems constructed within the County. Recognizing that the site conditions (such as soil quality) vary throughout the state, the VDH allows localities to establish additional requirements beyond the state's minimum standards in order to protect homeowners, and the area's environmental integrity.



✓ = A tool that the County currently uses.



○ = A tool that the County does not currently use.

Note: Frederick County is not allowed to use tools that have not been approved by the state. This means that potential growth management tools such as the use of impact fees are not an option for Frederick County.

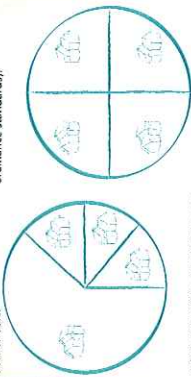
3 STATE-ENABLED OPPORTUNITIES FOR FREDERICK COUNTY OPPORTUNITIES WARRANTING FURTHER CONSIDERATION IN AN EFFORT TO ADDRESS RURAL AREA RESIDENTIAL GROWTH

STATE ENABLED OPPORTUNITIES THAT PROMOTE AGRICULTURAL ECONOMY & VIEWSHED PRESERVATION

Subdivision Layouts: Preservation Tracts & Cluster Lots

Existing Clustering Ordinances: The Frederick County clustering ordinance is called the "Rural Preservation Lot" subdivision option and requires a 40% set-aside parcel.

Potential Option: Promote the creation of larger set-aside tracts by setting a maximum increase the set-aside or lot size for the cluster lots (a "Preservation Tract" from 40% to ordinance standards), 50% or 60%.



Existing Traditional Lot Ordinance: The Frederick County large-lot ordinance is called the "Traditional Five-Acre Lot" subdivision option and requires that a lot created under this ordinance be at least five acres. (Note that the Traditional Lot Subdivision option may not be an efficient use of land.)

Residential Density: Reducing 'By-Right' Housing Density

Existing Ordinance: The existing County ordinance allows a 'by-right' density of 1 unit per 5 acres.



Our Neighbors: The County's existing lot density is shown here in comparison with the allowed, rural area densities of neighboring counties.

Potential Option: Decrease the allowed density in the rural areas. This would reduce the number of housing units constructed in the rural areas, and thus reduce the fiscal impacts levied on the County. Note that the recent growth rates in some 300 new homes constructed in the rural areas annually. Current capital facility fiscal modeling (Development Impact Model) projects that each of the new single family homes constructed in the County places a negative impact of \$23,818 on the County's capital infrastructure. This equates to a projected net capital fiscal impact of \$7,145,400, annually. These unmet costs include impacts on the County's Schools, Fire and Rescue, Parks and Recreation. In addition to these costs, there are also significant impacts on the transportation system.

A reduction in the County's allowed density could reduce capital facility fiscal impacts:

- 1 unit per 10 acres would generate impacts of \$3,572,700 annually – not including transportation impacts.
- 1 unit per 20 acres would generate impacts of \$1,786,350 annually – not including transportation impacts.

Lot Sizes: Minimum & Maximum Acreages

Existing Ordinance: The minimum lot sizes allowed in the Frederick County ordinance are 2 acres for cluster subdivisions, and 5 acres for traditional lot subdivisions.

Frederick County's Existing Minimum Lot Size Requirements	Our Neighbors: Frederick County's Existing Minimum Lot Size Requirements
Shenandoah: 3.5 acres	Frederick County's Existing Minimum Lot Size Requirements
Rockingham: 1 acre	Warrent: 10 acres
Warrent: 10 acres	Curlew: 2 acres
Curlew: 2 acres	Loudoun: 10 acres
Loudoun: 10 acres	

Potential Option: Maintain the 2-acre minimum lot size. (Note that, based on the recommendation of soil/health system experts, the minimum lot size should be at least 2 acres in order to adequately accommodate an appropriate private, on-site health system.)

Existing Ordinance: The existing ordinance does not contain a maximum lot size requirement for any of the Rural Area Subdivision Options.

Potential Option: Establish a maximum lot size of 3, 4, or 5 acres for the cluster subdivision option in order to encourage the creation of larger set-aside tracts.

Approval Process: Administrative Approvals & Rezoning



Existing Ordinance: The existing ordinance allows rural area subdivision applications to be approved through an administrative process ('by-right'). This has left the County with no opportunity to address fiscal impacts generated by the development and has eroded the County's agricultural economy and environment.

Potential Option: The ordinance requires a rezoning for developments that exceed 1 unit per 5 acres. This would enable developers to mitigate the fiscal and environmental impacts generated by the development.



Potential Option: Maintain the existing ordinance which allows by-right development at a density of 1 unit per 5 acres. This would leave fiscal impacts unmitigated, and efforts to maximize protection of the environment would go unrealized.

TDR's & PDR's:

Transfer of Development Rights & Purchase of Development Rights



Existing Ordinance: The County does not have an ordinance for the Transfer of Development Rights (TDR) Program. However, State Code does enable the County to adopt and implement a TDR program. A TDR program would enable farmers to sell their development rights, but maintain their ownership of the land, which then allows them to continue with agricultural activity.

Potential Option: Establish a TDR program that allow land owners of key agricultural soils to access the equity from their land holdings without having to actually develop their property.

A TDR program could designate prime agricultural soils as the "sending areas" and UD-planned residential as the "receiving area". While a TDR program does help to preserve rural land and support rural landowners, the transferred development rights are still used to build homes in other parts of the County. This would mean that without impact fees, the County would not be able to recover fiscal impacts of the development (i.e. Costs such as Schools, fire and rescue, and roads).

While the PDR program does help to preserve rural land and support rural landowners, the funding for PDR programs usually comes from a government (federal) or, through rather limited, small-scale private grants and donations.

Tax Programs: Sliding Scale & Land Use

Existing Ordinance: The County is already using the "Land Use" Assessment Tax program. This allows for a reduction of real estate tax if the property is in an active qualifying agricultural or forestry use.

The Sliding Scale Land Use Program is a state-enabled opportunity that allows the County to defer as much as 100% of a property's real estate tax, if that property owner commits to not developing the land for 20 years. This Sliding Scale program is currently not in use in the County.

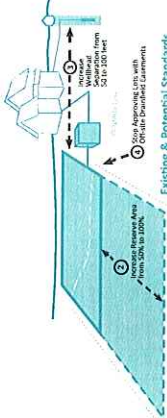
Potential Option: Expand the current Land Use program to include the Sliding Scale Land Use option, which offers greater tax relief for properties committed to preservation of land for up to 20 years.

Note that preliminary research indicates the current real estate assessments placed on agricultural lands are so low, the sliding scale program would offer little if any incentives to commit to long-term preservation.

Private Health Systems: Private Health System Types & Design Standards

Existing Ordinance: The County's existing ordinance follows the state's minimum standards:

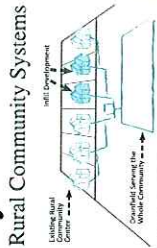
1. All health system approval types are allowed: general approval, provisional, and experimental.
2. 50% drainfield receives required.
3. 50 ft. wellhead separation distance required from drainfields.
4. Off-site drainfield easements are allowed.
5. No operation and maintenance requirements for alternative health systems.



Potential Option: Establish limitations on experimental and provisional systems. These types of systems are not necessarily tested for appropriateness for the County's soil type, and may fail more often than general approval systems. Neighboring jurisdictions more closely regulate use of such systems.

1. Establish limitations on experimental and provisional systems. These types of systems are not necessarily tested for appropriateness for the County's soil type, and may fail more often than general approval systems. Neighboring jurisdictions more closely regulate use of such systems.
2. Establish a requirement for 100% drainfield reserve areas. This would provide homeowners with assurance that if their primary health system failed, an adequate reserve drainfield area would be available to serve the residence. Most neighboring jurisdictions require a 100% drainfield reserve area.
3. Establish 100 ft. wellhead separation distance from drainfields. The increased separation will provide better protection against well contamination. Neighboring jurisdictions more often require 100ft separation distances.

Community Systems: Rural Community Systems



Existing Ordinance: The County's existing ordinances do not allow health systems which serve more than a single property.

Potential Option: Establish an opportunity to use community health systems in existing Rural Community Centers (such as Gainesboro, Gore, Hayfield, Brucetown, etc.) in order to assist existing residents with challenged health systems. This will also allow for and promote new infill development within the Rural Community Center, supporting new growth opportunities and the construction and operational cost of the community systems.

Note that community systems are most effective in more dense environments such as the Rural Community Centers, where lots are smaller, and homes closer together.

Rural Area Subcommittee’s Preliminary Thoughts

At the RA Subcommittee meeting on November 20, 2008, the Subcommittee reviewed the materials to date, including the community meeting survey’s, and based on this information, offered their Preliminary Thoughts on a potential resolution to their rural areas review charge:

Category	Subcommittee’s Preliminary Thoughts
Density	Maintain 1 unit per 5 acres
Rezoning	No
Private Health Systems	
<i>Drainfield Reserve Area</i>	Increase from 50% to 100%
<i>Well Separation Distance</i>	Require more details prior to recommendation
<i>Acceptable Health System approvals</i>	Continue to allow General Approval systems; no longer allow Provisional nor Experimental system approvals
<i>Discharge Health Systems</i>	Do not allow private, on-site residential discharge systems. Is an aerobic system that discharges effluent into dry or intermittent flow creek beds and drainage swales.
<i>Pump-and-Haul</i>	Allow with Board of Supervisors approval
<i>Off-site Drainfield Easements</i>	Continue to Allow
<i>Operation & Maintenance Requirements</i>	Supported Concept. Requires more Study. If state does not implement a maintenance program by the state code identified July 2009 deadline, the county should.
Community Health Systems	Supported concept for the Rural Community Centers. Requires more Study.
Rural Preservation Subdivision – Preservation Tract size	
<i>Minimum lot size</i>	Maintain 2 acres
<i>Preservation Tract Size</i>	Increase from 40% to 60%
<i>Preservation Tract</i>	Clarify that it is counted toward overall density
Transfer of Development Rights (TDRs)	Implement a TDR program. Support for increasing transfer development densities in effort to encourage use of TDR program. TDR banking is presently not permitted, but has been included in the current General Assembly discussions.

Public Meeting

The Subcommittee will hold a public meeting on January 27, 2009 to present their Preliminary Thoughts to the community.

Following this public meeting, Citizen Comments will be incorporated into this document, and the Subcommittee may be prepared to formalize their recommendations, and forward same to the Board of Supervisors.

Recommendation – *to be determined*