

2023

Annual Report

Frederick County
Planning & Development



2023

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Executive Summary

The Department of Planning and Development is pleased to present the 2023 Annual Report. The Annual Report summarizes the planning and development activities for January through December 2023. The Department of Planning and Development leads the development of policies and procedures pertaining to all aspects of community growth and development, as well as administering existing policies and procedures fairly and accurately. Primary responsibilities of the Planning Department include comprehensive planning, zoning, subdivision of land, transportation planning, land management, data and mapping, board and commission support, and customer service to online and in-person citizen inquiries.

2023 Applications		
Application Type	Received	Approved*
Comprehensive Plan Amendment (CPPA)	6	3
Rezoning (REZ)	6	3
Master Development Plan (MDP)	2	2
Subdivisions (Number of New Lots Created)	N/A	798 lots
Site Plan (SP)	59	55
Conditional Use Permit (CUP)	11	6
Variance (VAR)	13	6
Zoning Violation	197	N/A

*“Applications Approved” reflects all approvals (legislative or administrative) in calendar year 2023, some of these applications may have been received in prior calendar years

Forecast for the Future

Frederick County's 2040 Comprehensive Policy Plan ("Comprehensive Plan"), adopted January 2021, forecasts future population growth. Each year, Planning and Development staff provide the most recent population estimates from the University of Virginia's Weldon Cooper Center for Public Service as part of the Annual Report. Since 2010, Frederick County has grown by 14.7%, more than double the state average of 7.3% for the same period. The Weldon Cooper Center estimates Frederick County as one of the Top-10 fastest growing localities in Virginia between 2020 and 2030, estimating a 12.7% growth rate during this time period.

Understanding future population growth is critical to planning for the additional residential housing units and capital investment (infrastructure, parks, schools, and County services) and also for expanding, retaining and attracting businesses.

In 2020, a decennial census was conducted across the United States. The census aims to count the entire population of a country, and at the location where each person usually lives. Federal funds, grants, support to states, counties, and communities are based on population totals and demographic information (sex, age, race, and other factors) that are counted during the decennial census. Census data informs economic development, public safety and emergency preparedness. Census data will also serve as a baseline for projecting future population growth (beyond 2020) in Frederick County. Additionally, the Census informs redistricting efforts at the state and local level and may result in changes to the County's magisterial districts.

Year	Population
2000	59,209
2010	78,305
2020	91,419
2030	103,035*
2040	117,383*
2050	133,488*

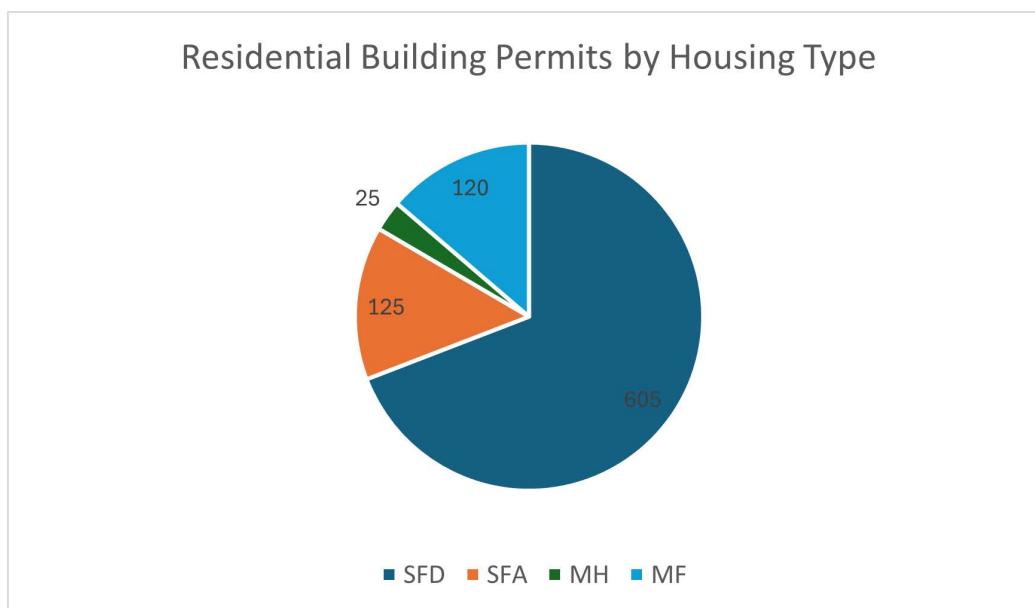
*Population Projections for Virginia and its Localities, 2030, 2040 published by the *University of Virginia Weldon Cooper Center for Public Service Demographics Research Group*, July 2022. (<http://demographics.coopercenter.org>)

2000, 2010, & 2020 reflects official Census record.

2020 Official Census, March 2022, CO-EST2021-POP-51 (<https://www.census.gov/data/datasets/time-series/demo/popest/2020s-counties-total.html>)

Residential Housing Permits

In 2023, Frederick County issued a total of **875** building permits for new residential units. A breakdown of permits by housing type is provided below.



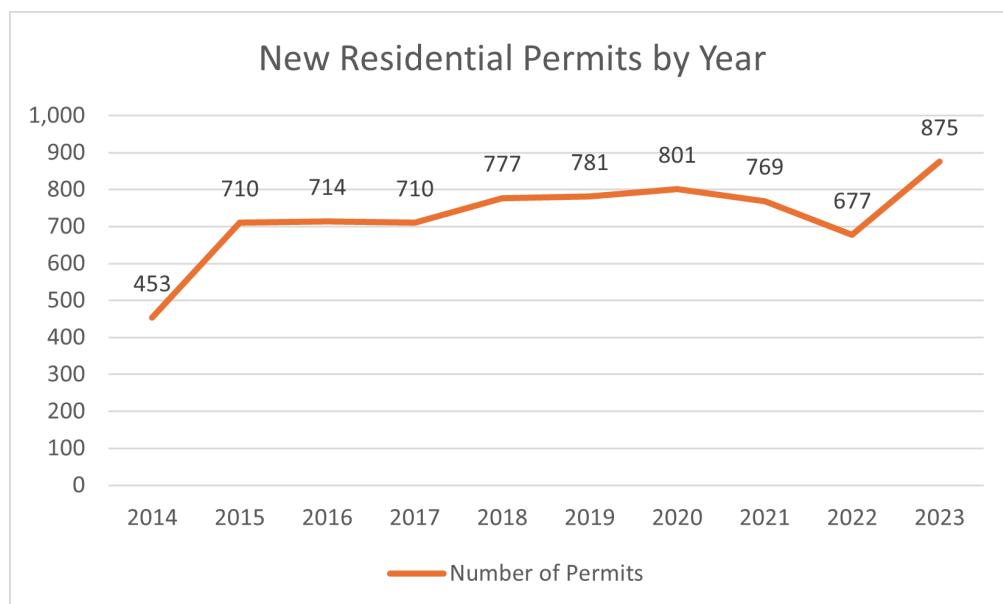
SFD = Single-family detached

SFA = Single-family attached (townhomes)

MH = Mobile Home

MF = Multi-family (apartments)

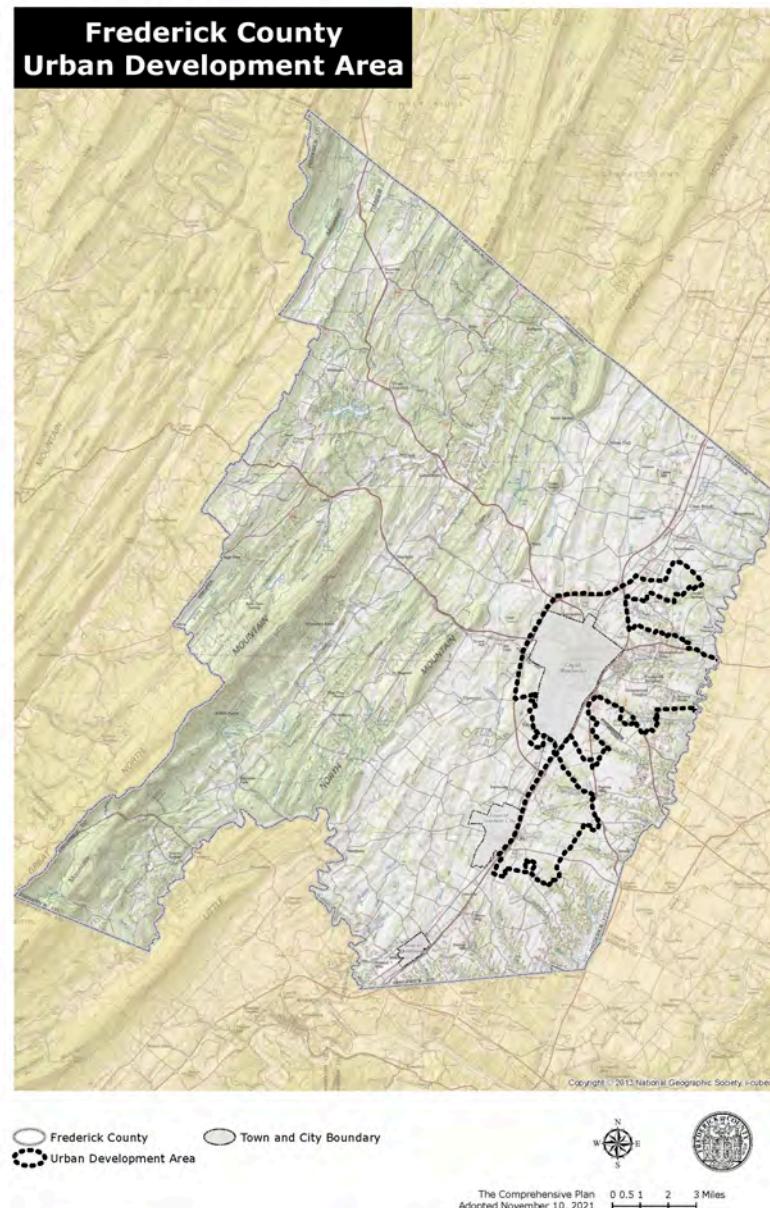
In 2023, the Magisterial Districts with the most residential permits issued were Back Creek, Opequon, and Red Bud. The chart below shows the number of new residential permits approved annually since 2014.



Urban Development Area (UDA)

Frederick County maintains an Urban Development Area (UDA) report that tracks residential building permits and Subdivisions within the UDA and identifies the potential number of future residential units. This potential number is calculated by applying permitted densities on vacant land, adding the maximum number of units of zoned land with an approved General Development Plan (GDP) per proffered densities, adding the number of Master Development Plan (MDP) units, and adding the number of platted but vacant lots in Subdivisions that are under construction. Based on this report, there is the potential for **12,249** additional residential housing units in the UDA as of December 31, 2023.

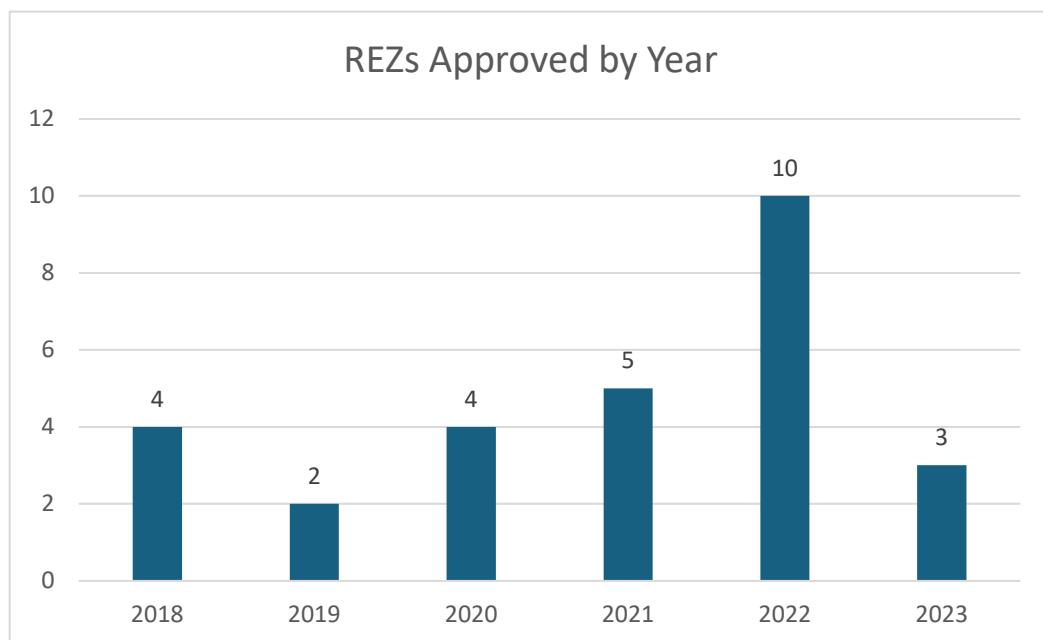
Note: A complete analysis of residential building permits and potential residential units is available in the UDA report, updated at the end of each month.



Rezoning (REZ) Applications

Zoning refers to the rules that determine how a parcel of land may be used, such as for residential, commercial, or industrial activities. Each zoning district has a list of permitted uses as well as a list of conditional uses that require an approved Conditional Use Permit (CUP). When owners want to develop or use their property for uses other than those permitted, they must apply for a change of the zoning district, referred to as a Rezoning. Rezoning applications are evaluated on their conformance with the Comprehensive Plan and their impact of the County.

In 2023, **six (6)** Rezoning applications were submitted, of which **three (3)** were approved by the Board of Supervisors. The chart below shows the number of Rezoning applications approved annually since 2018.



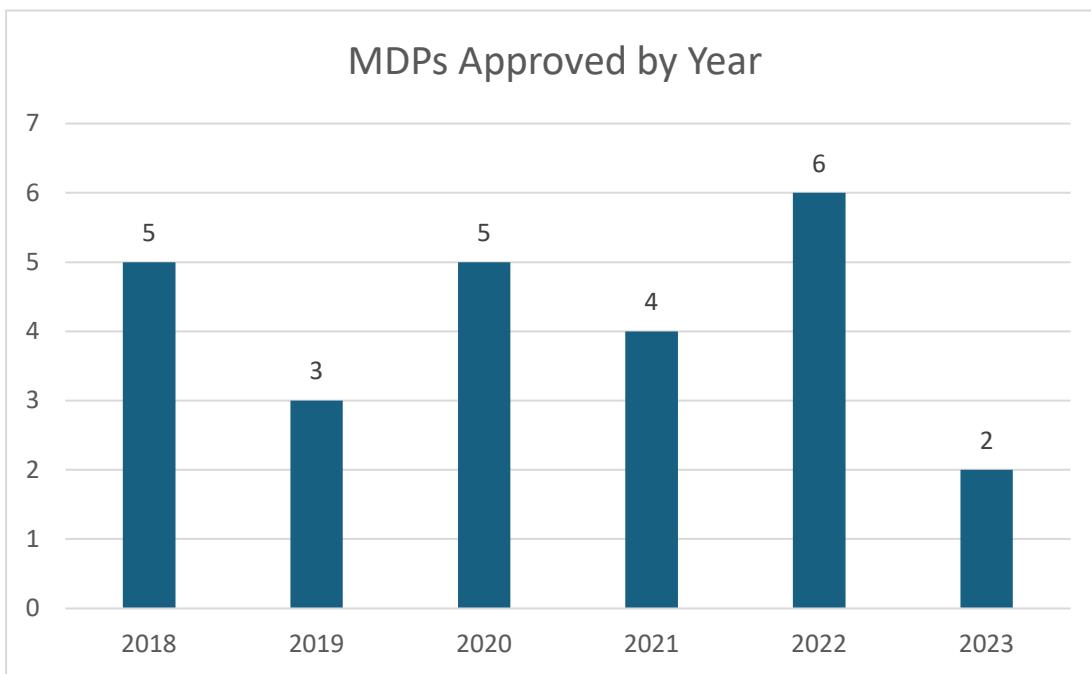
Rezonings Approved in 2023					
Application Number	Name	Description	Acres	District	Approval Date
01-23	Car Credit Nation	RA (Rural Areas) to B2 (General Business)	1.35	Shawnee	3/8/2023
02-23	Global Headquarters (Bowman Trucking)	M2 (Industrial General) to B2 (General Business) and B2 to B2 with proffers	2.13	Opequon	9/27/2023
03-23	O-N Minerals (Carmeuse)	RA (Rural Areas) to EM (Extractive Manufacturing)	391.87	Stonewall	11/8/2023

Master Development Plans (MDP)

A Master Development Plan is a general plan of development approved administratively for new developments in certain zoning districts. MDPs are required before a subdivision or site plan can be approved. MDPs are presented to the Planning Commission and Board of Supervisors for informational items.

In 2023, **(2)** MDP applications were submitted and approved. Generally, the number of MDPs approved each year has decreased as many developments meet the criteria for a MDP waiver signed by the Director of Planning and Development.

The chart below shows the number of MDPs approved annually since 2018.



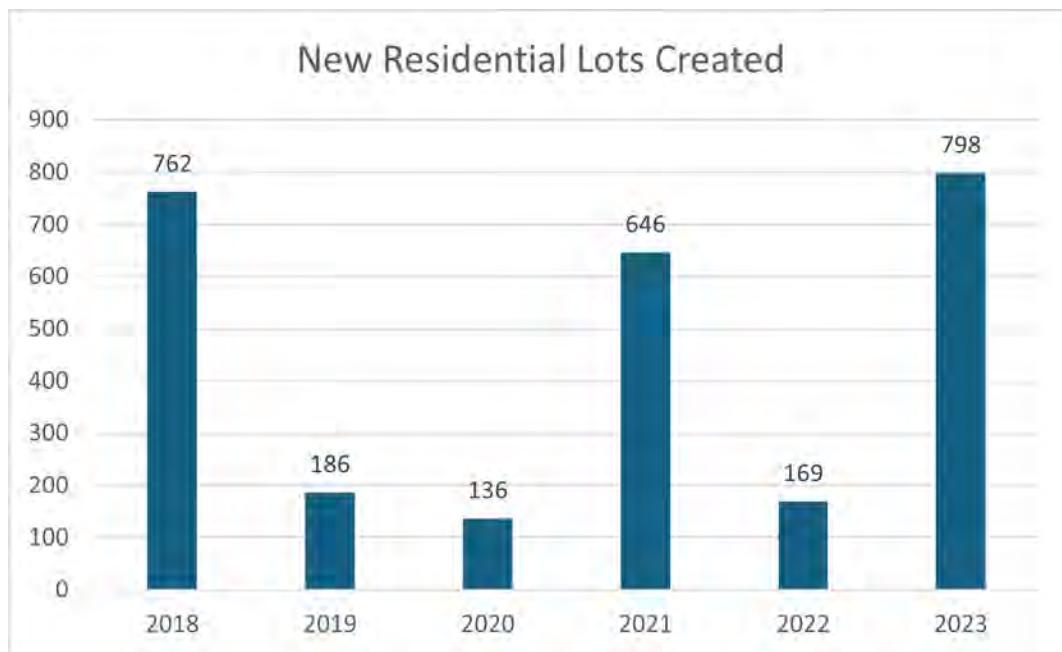
MDPs Approved in 2023						
Application Number	Name	Description	Acres	District	Approval Date	
01-23	Winchester Townhomes	43 townhomes	8.40	Red Bud	8/22/2023	
02-23	Opequon Crossing	708 units (single family & townhomes)	212.21	Red Bud	9/12/2023	

Subdivision of Land

A Subdivision is the act of dividing land into pieces (i.e. lots) that are easier to sell or otherwise develop. All land divisions are shown on plats, which show new lot boundaries and must be signed and recorded to be considered approved. Subdivision(SUB) design plans are required for new residential developments showing new lots to be created, housing types, open space, and community amenities, prior to approval of plats. Subdivisions approved in 2023 include Opequon Crossing Phase 1 with 173 single-family dwelling lots and 136 townhome lots as well as several sections of Stephenson Village II with a total of 70 single-family dwelling lots and 178 townhome lots, Senseny Village with 107 single family dwelling lots and 41 townhome lots, and Fairfax Downs with 93 single-family dwelling lots.

In 2023, 798 new residential lots were created in the residential zoning districts including RA (Rural Areas), RP (Residential Performance), R4 (Residential Planned Community), and R5 (Residential Recreational Community). This figure also includes family lots, Minor & Major Rural Subdivisions, and Boundary Line Adjustments resulting in new lots.

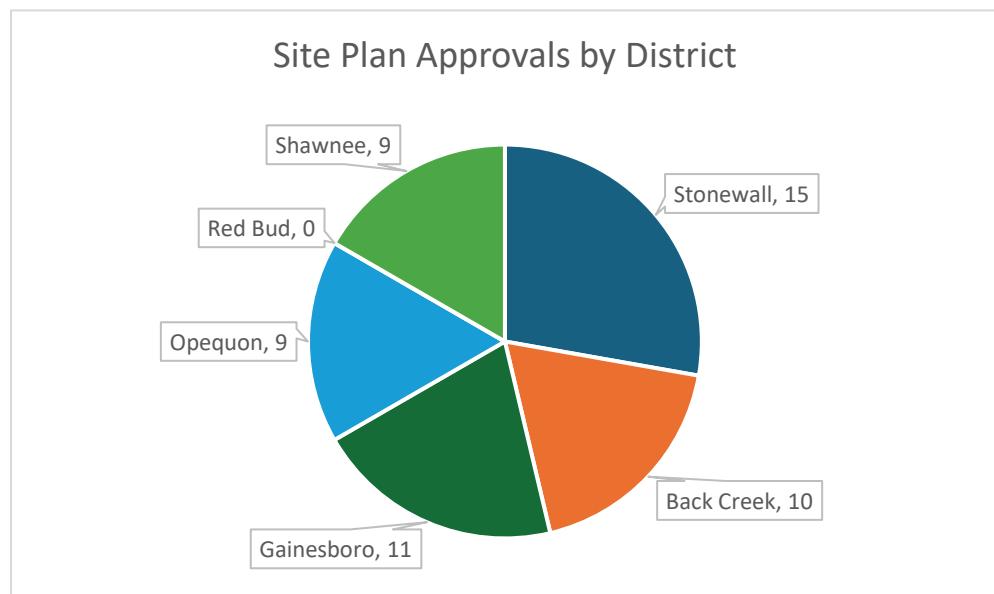
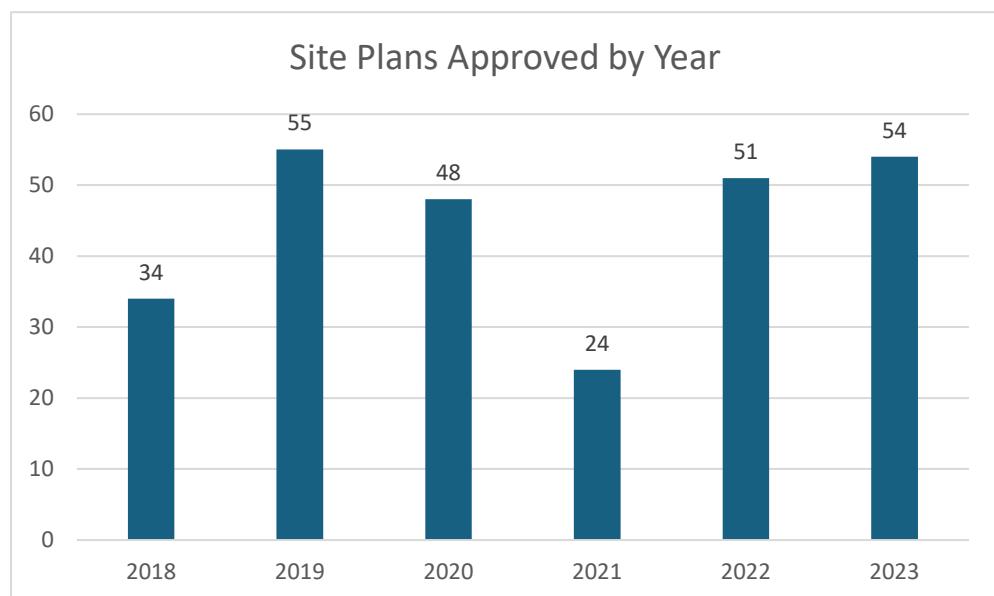
The chart below shows the number of residential lots approved annually since 2018.



Site Plans (SP)

A Site Plan is a detailed engineered drawing of proposed improvements to a lot. A Site Plan usually shows a building footprint, travel ways, parking, drainage facilities, sanitary sewer lines, water lines, trails, lighting, landscaping, and property lines.

In 2023, **fifty-four (54)** Site Plans were approved. **Twenty-three (23)** pending applications have not yet been approved. A complete list of applications approved in 2023 is included on the subsequent pages. Approximately 302,943 square feet (SF) of commercial buildings (retail/office/restaurant) and industrial buildings, not including self-storage facilities were approved. Other approval highlights include **three (3)** Frederick County Public School additions totaling approximately 8,312 SF, **four (4)** pickleball courts at Sherando Park, and a 176+/- acre utility-scale solar facility. The chart below shows the number of Site Plans approved annually since 2018.



2023 Site Plan Approvals

Application Number	Name	Description	District
12-22	Front Royal Pike Self-Storage	115,878 (2 buildings) SF self-storage facility	Shawnee
13-22	Wawa (Amoco Lane)	6,049 SF convenience store with canopy & 24 fueling stations	Stonewall
19-22	Foxglove Solar (Switchyard)	Switchyard for solar facility	Back Creek
32-22	84 Lumber	35,250 SF truss plant expansion (5 buildings total)	Stonewall
34-22	TFC Poultry	Parking area revision - add paved parking (8 spaces)	Stonewall
36-22	Church of Christ at Mountain View	4485 SF classroom addition (5 modular units)	Back Creek
42-22	Winchester Secure Storage	61,200 SF self-storage facility (3) buildings	Stonewall
43-22	411 Victory Road	4,267 SF storage building	Shawnee
48-22	Redbud Run Solar	176-acre (disturbed) utility-scale solar power generating facility on 477 total acres	Stonewall
50-22	Volta	Electric Vehicle Charging at Martins Stephens City	Opequon
51-22	Hackwoods - Shenandoah Valley Westminster Canterbury (SVWC)	Minor site plan - phasing revision for 6 multi-family buildings (58 total units, senior residential)	Stonewall
54-22	Hang-10 Car Wash/Route 50 Sheetz	6,139 SF convenience store & automated car wash	Gainesboro
56-22	Foxglove Solar	Utility-scale solar power generating facility (416.28-acres)	Back Creek
58-22	118 Fairfax Pike Self Storage	Change of use of 15,884 SF retail area to self storage facility	Opequon
59-22	Sheetz Middletown (Reliance Road)	6,879 sf convenience store w/20 truck fueling and 16 car	Opequon
60-22	Sherando High School	3,553 SF modular classroom	Opequon
63-22	310 Tyson Drive Warehouse	4,250 SF loading dock addition + parking lot expansion	Gainesboro

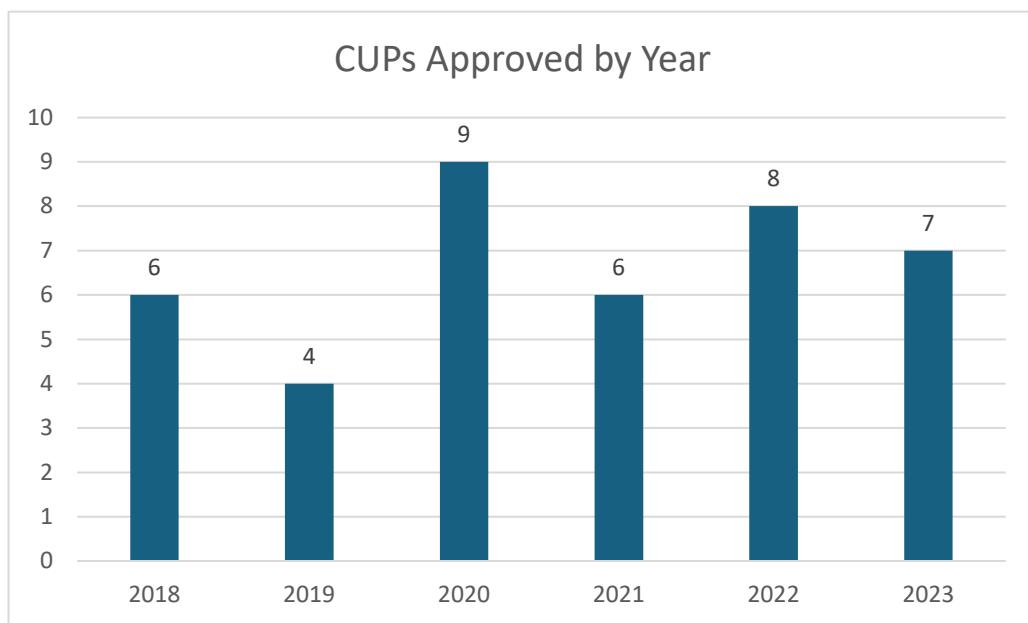
64-22	Dawson Industrial Park Lot 3	2,100 SF office & storage building & outdoor storage	Back Creek
66-22	Madison Village Phase 3 Revisions	Revises Phase 3 layout from SP #45-14; adds apartments and removes townhomes	Shawnee
67-22	GSA Winchester IMD (FBI)	Improves commercial site with parking lot area, proposed path, lighting improvements, and canopies	Shawnee
68-22	Go Virginia LLC	3,922 SF automated car wash tunnel (revision)	Opequon
01-23	Back Seat Event Center	12,000 SF building with additional parking	Stonewall
03-23	Winchester Mitsubishi	1,317 SF service bay addition and relocation of parking	Back Creek
04-23	The Caterer LLC	230 SF building addition, parking lot and commercial entrance	Shawnee
05-23	Winchester Regional Airport	Reconstruct Terminal Apron - Phase 2	Shawnee
06-23	Pine Creek Camp Inc.	Six cabins (1036 SF) and 3 gravel RV parking spaces	Gainesboro
07-23	Hang-10 Car Wash (Farrow Drive)	4,185 SF Car wash with vacuum stalls	Shawnee
09-23	Trex Company Inc.	Construction of 1,865 SF building addition and four 14' diameter x 50' high silos	Back Creek
11-23	Monoflo, Inc.	600 SF Building "D" Dumpster Enclosure Addition	Stonewall
12-23	Graystone Lot 1A	Relocate pedestrian trail, picnic area, and gas line	Stonewall
13-23	Jordan Springs Elementary School	Six 793 SF temporary classroom trailers (total of 4,759 SF)	Stonewall
16-23	Faith Baptist Church	Covering existing sidewalk	Opequon
18-23	Sherando Park	Four (4) Pickleball Courts	Opequon
19-23	Abundant Life Church	Garage (484 SF)	Opequon
20-23	TSM - Eastern Supply	18,000 SF building addition and 5,000 SF new building	Gainesboro

23-23	HP Hood Inc	Construction of two storage silos	Back Creek
24-23	Capon Valley Bank - Snowden Bridge Station	New 3,787 SF bank - entrance on Ezra Lane	Stonewall
25-23	Shenandoah Storage Connection	Storage Units and RV Storage	Stonewall
28-23	Airport Parc Building F	New warehouse (116,000 SF)	Shawnee
29-23	HP Hood Inc 96 OZ expansion	24,411 SF expansion of existing automated storage and retrieval system (ASRS). 4,619 SF process building expansion	Back Creek
32-23	Flying J 752	2 EV Charging Stations and Small Equipment Yard	Stonewall
33-23	McDonald's Restaurant Remodel (Aylor Road)	Remodel existing 4,540 SF restaurant and add a second drive-thru lane	Opequon
35-23	Carmeuse	Rock crusher, conveyor belt, and aggregate stacker	Stonewall
36-23	GSE Holding Company (Golden Seal)	Accessory Garage 24'x25' (600 SF)	Shawnee
38-23	North Mountain P25 Tower	199' monopole tower	Back Creek
40-23	Hang-10 Car Wash/Route 50 Sheetz	Realignment of entrance for 6,139 SF convenience store & automated car wash	Gainesboro
41-23	Poorhouse Road P25 Tower	250' lattice tower	Gainesboro
43-23	Hang-10 Car Wash Route 50 West	Subdivison to create independent lot	Gainesboro
44-23	Armor Fence LLC	Addition of outdoor storage area and 6' chain link fence	Back Creek
45-23	Gainesboro P25 Tower	350' Lattice tower	Gainesboro
49-23	Stephenson Village II (Snowden Bridge)	5,964 SF active adult recreation center with a pool and related utility/parking lot construction	Stonewall
50-23	GT Archery	Archery sales and range	Gainesboro
53-23	Sheetz Route 50 W	Subdivison to create independent lot	Gainesboro

Conditional Use Permits (CUP)

A Conditional Use Permit (CUP) is a legislatively approved application to allow for certain uses on a property that are not permitted by-right. As part of the application process, a Public Hearing is required by the Planning Commission and Board of Supervisors.

In 2023, **twelve (12)** CUPs were scheduled for Public Hearings, **seven (7)** applications were approved, and **two (2)** applications were denied. The chart below shows the number of conditional use permits approved annually since 2018.



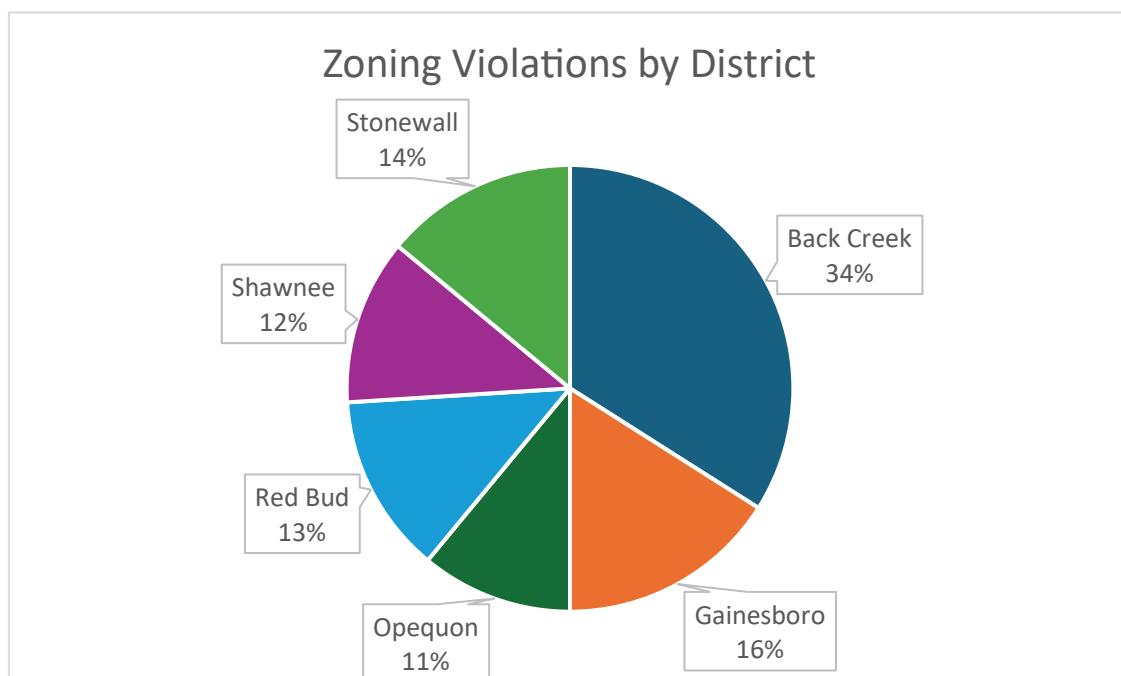
Application Number	Name	Description	Approval Date	District
13-22	Seven Bends Nursery (I. Lacher)	Retailing Nursery Stock & Related Products	1/25/2023	Opequon
01-23	Frederick-Winchester Service Authority and D.R. Horton	Off-Site Residential Subdivision Entrance Sign	4/12/2023	Red Bud
03-23	Candace Lundin	Dog Kennel and Breeding	8/9/2023	Opequon
04-23	Lee Ebert, LLC	Tractor Trailer Truck Parking	9/27/2023	Stonewall
05-23	GT Archery, LLC	Indoor/Outdoor archery range	10/11/2023	Gainesboro
09-23	Getaway House Inc.	Campground Use with Mobile Cabins & Pavilion	11/8/2023	Gainesboro
10-23	Michael and Brenda Rose (Roses Plumbing)	Cottage Occupation - Plumbing Business	12/13/2023	Back Creek

Zoning Violations

Zoning enforcement involves responding to inquiries and complaints concerning land use and development. Formal complaints are registered, investigated, and appropriate enforcement action is taken. These complaints typically include inoperable vehicles, high grass, junk/debris and illegal uses on a property. Department staff attempts to work with landowners to ensure compliance of an ordinance violation; however, some of the violations cannot be resolved and criminal charges are filed. Once criminal charges are filed, resolution of the violation is determined by the court system.

In 2023, there were **197** Zoning Ordinance Notice of Violation (NOV's) issued by Frederick County. **84** complaints received in 2023 are still under "active" investigation, **107** violations were "closed" and/or the complaint has been resolved and **4** complaints were found to have no violation. For comparison there were a total of **134** violations recorded in 2022. The tables below show the number of violations by type and by Magisterial District.

Violation Type	Count
Inoperable Vehicles	45
Trash	32
Short-term Lodging	27
Tall Grass	13
Other (animals, illegal uses/structures, etc.)	80



Other Planning Applications

Variances and Appeals

A Variance is a deviation, granted by the Board of Zoning Appeals (BZA) from the provisions regulating shape, size, or area of a lot or parcel of land, or the size, height, area, massing (bulk), or location of a building or structure. There were **thirteen (13)** Variance applications submitted in 2023, **six (6)** were approved by the BZA, **two (2)** were withdrawn, and **one (1)** required no action. The approved Variances are listed below. There were no approved Appeals in 2023.

Application Number	Name	Request	Approval Date	District
01-23	Donald & Mandy Lang	Variance	03/21/2023	Opequon
02-23	Chad Greathouse	Variance	03/21/2023	Stonewall
06-23	Chad Greathouse	Variance	08/15/2023	Stonewall
09-23	Jeanette Shaffer	Variance	12/19/2023	Stonewall
10-23	Jenna Hawkins	Variance	12/19/2023	Red Bud
11-23	Javier Ventura (Pedro Jose)	Variance	12/19/2023	Shawnee

Comprehensive Plan Amendments (CPPA)

Comprehensive Plan Amendments are changes to the adopted *2040 Comprehensive Plan, Area Plans and/or Long-Range Land Use Plans*. During the yearly CPPA process, which accepts applications once a year, applicants can submit individual requests to amend the Comprehensive Plan. Once submitted, CPPA's are evaluated by the Comprehensive Plans and Programs Committee (CPPC), Planning Commission and Board of Supervisors. Ultimately the Board of Supervisors determines if the CPPA request merits further study by the County. Requests that are sent forward for further study are scheduled for discussions and ultimately Public Hearings by the Planning Commission and Board of Supervisors.

Six (6) Comprehensive Plan Amendment (CPPA) reviews were submitted in 2023, of which **three (3)** were approved, **two (2)** were withdrawn, and **one (1)** is pending as of the date on this report.

Committees & Other Department Functions

Street (Road) Sign Replacement Program

Frederick County re-installs missing or vandalized street name signs throughout the County. In 2023, **fifty-six (56)** signs were replaced through this program, including **fifty-two (52)** units installed (units include the road signs plus mounting poles). Missing or damaged street signs can be reported through the County's *At Your Service* feature on the website or by contacting the Department of Planning and Development directly.

Comprehensive Plans and Programs Committee (CPPC)

The Comprehensive Plans and Programs Committee (CPPC) is a Committee of the Planning Commission whose primary responsibility is to formulate land use policies that shape the location and timing of development throughout the County. In addition, the CPPC conducts studies of specific areas to develop guidelines for future land uses within those areas. The CPPC also considers requests for amendments to the *Comprehensive Plan*.

The CPPC was involved in several projects during 2023. There were **six (6)** Comprehensive Plan Amendment (CPA) applications submitted and reviewed in 2023. The CPPC also was involved in draft text and map updates to the Northeastern Land Use Plan (NELUP), which was completed in 2023. The CPPC also reviewed the proposed 2023-2028 Capital Improvement Plan (CIP).

Development Review and Regulations Committee (DRRC)

The Development Review and Regulations Committee (DRRC) is a Committee of the Planning Commission whose primary responsibility is to assess and formulate proposed changes to the Frederick County Zoning and Subdivision Ordinances that cover a broad range of topics. This year, the DRRC reviewed **nine (9)** items including: conversion of the allowed uses table to the North American Industrial Classification System (NAICS), overhead utilities waivers, shipping containers as accessory uses, home occupations and cottage occupations, accessory dwellings, sign ordinance revisions and setback waiver requirements for telecommunication facilities. Proposed changes, as supported by the DRRC, may go forward to the Planning Commission and Board of Supervisors for additional discussion and action (approval, denial, or no action).

Transportation Committee (TC)

The Transportation Committee met monthly and is responsible for oversight of County transportation projects, seeking transportation funds at the State and Federal level, transportation planning on a continuous basis and dealing with any additional transportation planning or implementation issues as they arise or are assigned by the Board of Supervisors. Some of the issues considered by the Transportation Committee in 2023 included:

- Update of Interstate, Primary, and Secondary Road plans
- Render input on VDOT Six Year Improvement Plan
- Render input on MPO Unified Planning Work Program
- Coordination with VDOT and public safety officials on transportation safety concerns
- Conduct Fall Transportation Forum
- Oversight of County Transportation projects including:
 - Renaissance Drive Phase II
 - Gainesboro Road/Route 522 Intersection Improvements
- Address safety concerns by numerous citizens throughout the County
- Funding application finalization and submittal
 - Exit 317 Diverging Diamond
 - Exit 313 Partial Median U-Turn
 - Route 522 at Costello Drive Intersection Improvements
 - Route 11 at Shawnee Drive Intersection Improvement and NB Widening
 - Transportation Alternatives Application Warrior Drive
 - Transportation Alternatives

Historic Resources Advisory Board (HRAB)

The Historic Resources Advisory Board is a Board established in 1987 by the Board of Supervisors. The Board consists of **nine (9)** members, including one from each Magisterial District in the County and three at-large members. The Board also has a Planning Commission liaison and an architectural historian.

The HRAB reviews land use applications that involve properties that are historically significant or may impact historic resources. The HRAB reviews Rezoning, Master Development Plan, and Conditional Use Permit applications and provides comments and suggestions for proposals that would impact historic resources. In 2023, the HRAB reviewed and provided comments for **four (4)** Rezoning applications, **two (2)** Conditional Use Permit Applications, and **three (3)** Comprehensive Plan Amendments. The HRAB also administers a historic plaque program and awarded **five (5)** plaques to historically significant properties.

Conservation Easement Authority (CEA)

The Conservation Easement Authority was established in 2005 by the Board of Supervisors. It contains **nine (9)** members, including one Planning Commissioner and one Board Member. The CEA focuses on conservation easement education for landowners. The County co-holds one 89-acre conservation easement with the Potomac Conservancy which was acquired in 2009. The CEA meets as needed and there was **one (1)** meeting held in 2023.

Board of Zoning Appeals (BZA)

The Board of Zoning Appeals (BZA) is comprised of **seven (7)** members that are recommended by the Board of Supervisors and appointed by the Circuit Court. The primary purpose of the BZA is to hear and decide Appeals, Variances, and interpretations of Chapter 165, Zoning, of the Code of Frederick County. Variance applications predominately pertain to requests for reductions from standards such as setbacks outlined in the Zoning Ordinance. The BZA also hears Appeals from applicants for interpretations by the Zoning Administrator for Zoning Ordinance regulations. A summary of applications reviewed by the BZA is provided in the preceding section.

Geographic Information Systems (GIS)

GIS in Planning and Development continues to offer mapping and database support for department projects and public inquiries. There are on-line mapping applications available to both the planning staff and public that allow any user to look up relevant information. These applications are constantly in a state of development and advancement to better assist the user, whether it is a staff member or citizen.

2023 was another year where the Mobile GIS application that allows users to easily search parcel information was available, and newer applications are constantly in development that will continue to aid in the daily operations of the staff. One application that is available is an updated Planning Access Terminal map. Along with viewing property information and planning layers (ex. Zoning, Land Use, Agricultural & Forestal Districts, TDR Properties, and Conservation Easements), the public can view current Planning Applications and their corresponding documents.

Our ArcGIS Story Maps continue to evolve and provide helpful information. Story Maps are a way to tell a story digitally, and can include interactive maps, static maps, photos, and more. Our most popular Story Map is the Transportation Projects Story Map, which shows the current transportation projects within the County.

The Northeast Land Use Plan (NELUP) saw some significant map updates this year, and draft maps have been produced for the next area plan update of the Comprehensive Plan; the Western Frederick Land Use Plan (WFLUP).



Story Maps are a way to tell a story digitally, and can include interactive maps, static maps, photos, and more. Depicted is the Transportation Story Map which shows current transportation projects in Frederick County.