



**FREDERICK COUNTY PLANNING COMMISSION**  
**July 10, 2019 9:30 a.m.**

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**TITLE:** Bill #19-09 Automobile Filling and Service Stations and Convenience Stores

**FILE NUMBER:** N/A

**REQUEST:** Bill #19-09 Automobile Filling and Service Stations and Convenience Stores Public Hearing

**PROJECT INFORMATION:** N/A

**APPLICANT/REPRESENTATIVES:** Council Member Phil Dacey

**STAFF:** CM Dacey

**RECOMMENDATION:** That the Planning Commission provide a recommendation to the Frederick County Council regarding the Text Amendment.

**ATTACHMENTS:**  
Proposed Bill  
Summary Memorandum




**FREDERICK COUNTY GOVERNMENT**  
**DIVISION OF PLANNING & PERMITTING**

Jan H. Gardner  
County Executive

Steven C. Horn, Division Director

**To:** Frederick County Planning Commission

**From:** Steven C. Horn, Director, Planning & Permitting Division 

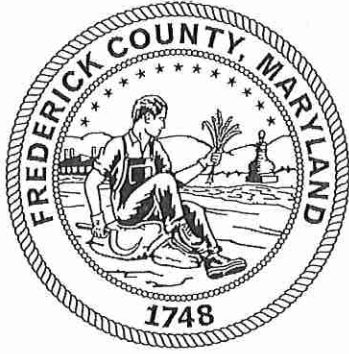
**Date:** June 19, 2019

**Subject:** Bill #19- 09 Automobile Filling and Service Stations and Convenience Stores

Attached, please find the proposed Bill and related fiscal and policy note received from Council Member Phil Dacey. The Council has requested a review and comment from the Planning Commission on this Bill.

Thank you for your attention to this matter.

Attachment  
Proposed Bill  
Council Memo



Bill No. 19-09  
Concerning: Automobile Filling and Service Stations  
And Convenience Stores  
Introduced: \_\_\_\_\_  
Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_  
Enacted: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Expires: \_\_\_\_\_  
Frederick County Code, Chapter 1-19  
Section(s) 5, 11

**COUNTY COUNCIL**  
**FOR FREDERICK COUNTY, MARYLAND**

By: Council Member Phil Dacey

**AN ACT** to: Address the evolving uses associated with Automobile Filling and Service Stations and Convenience Stores

Executive: \_\_\_\_\_ Date Received: \_\_\_\_\_

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

By amending:

Frederick County Code, Chapter, 1-19 Section(s) 5, 11

Other: \_\_\_\_\_

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law.</i>
[Single boldface brackets]	<i>Deleted from existing law.</i>
***	<i>Existing law unaffected by bill.</i>

Bill No. \_\_\_\_\_

WHEREAS, convenience store operators and automobile fuel providers have adapted their business models to meet the evolving needs of consumers; and

WHEREAS, the evolution of convenience stores and automobile fuel sales has created additional opportunities to provide needed services to Frederick County residents and employees of Frederick County businesses; and

WHEREAS, the County Council of Frederick County, Maryland finds it in the interest of the County for County laws and regulations to remain responsive to such evolution and to respond to market trends and conditions; and

WHEREAS, in order to promote economic development, job growth and sound planning, the County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-19 (Zoning Ordinance) of the Frederick County Code to address the evolving uses associated with Automobile Filling and Service Stations and Convenience Stores.

NOW, THEREFORE, BE IT IN ENACTED, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

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M.C. Keegan-Ayer, President  
County Council of Frederick County,  
Maryland

**§ 1-19-11.100. DEFINITIONS.**

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***AUTOMOBILE FILLING AND SERVICE STATION.*** Any building, structure or area of land that is used for the retail sales of motor vehicle fuels, oils and accessories and where repair service other than paint or body or fender work is incidental, or convenience store; and no junked autos or other vehicles are parked or otherwise stored on the premises. This does not include truck stops and filling station service facilities.

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***CONVENIENCE STORE.*** An establishment which sells packaged and/or prepared foods and beverages and other convenience items for consumption off of the premises by travelers and highway users.

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**§ 1-19-5.310. USE TABLE.**

(A) *Permitted uses and required development review.*

- P Principal permitted use subject to design regulations
- PS Principal permitted use subject to site development plan approval. See §§ 1-19-2.160, and 1-19-3.300 through 1-19-3.300.4
- E Principal permitted use as a special exception with site development plan approval. See §§ 1-19-8.320 and following
- T Permitted as temporary use as a special exception. See § 1-19-8.300
- X Permitted as temporary use only. See § 1-19-8.700
- SW Solid Waste Floating Zone

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Underlining indicates entirely new matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

\*\*\* - indicates existing law unaffected by bill

A blank indicates that the use is not permitted under any situation

	<i>Zoning Districts</i>													
<i>Uses</i>	<i>RC</i>	<i>A</i>	<i>RI</i>	<i>R3</i>	<i>R5</i>	<i>R8</i>	<i>R12</i>	<i>RI 6</i>	<i>VC</i>	<i>MX</i>	<i>GC</i>	<i>ORI</i>	<i>LI</i>	<i>GI</i>
<i>Commercial Uses - Retail</i>														
Convenience stores									PS	PS	PS		<u>PS</u>	<u>PS</u>

\* \* \* \* \*

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 [Single boldface brackets] indicates matter deleted from existing law.  
 \*\*\* - indicates existing law unaffected by bill



**FREDERICK COUNTY GOVERNMENT**  
**COUNTY COUNCIL**

**To:** County Council  
**From:** Council Member Phil Dacey  
**Date:** June 11, 2019  
**Subject:** Automotive Filling and Service Stations and Convenience Stores

**Issue:**

Should the Frederick County Council amend Chapter 1-19 (Zoning) of the Frederick County Code?

**Background:**

The evolution of convenience stores and automobile fuel sales has created additional opportunities to provide needed services to Frederick County residents and employees of Frederick County businesses. It is in the interest of the County laws and regulations to remain responsive to such evolution and respond to market trends and conditions.

**What will the new bill do?**

It will create a uniformity in definitions of automotive filling and service stations and conveniences stores.