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

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
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
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:

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<thead>
<tr>
<th>Boldface</th>
<th>Heading or defined term.</th>
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<tbody>
<tr>
<td>Underlining</td>
<td>Added to existing law.</td>
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<tr>
<td>[Single boldface brackets]</td>
<td>Deleted from existing law.</td>
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<tr>
<td>***</td>
<td>Existing law unaffected by bill.</td>
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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.

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

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

<table>
<thead>
<tr>
<th>Uses</th>
<th>RC</th>
<th>A</th>
<th>R1</th>
<th>R3</th>
<th>R5</th>
<th>R8</th>
<th>R12</th>
<th>R1 6</th>
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<th>MX</th>
<th>GC</th>
<th>ORI</th>
<th>LI</th>
<th>GL</th>
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</table>
| Commercial Uses - Retail
| Convenience stores |   |   |    |    |    |    | PS  | PS  | PS | PS | PS | PS  |    |    |
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.