



FREDERICK COUNTY PLANNING COMMISSION
January 13, 2021 9:30 a.m.

TITLE: Bill #20-19 Sign Modification in PUD and MXD

FILE NUMBER: N/A

REQUEST: Bill #20-19 Sign Modification in PUD and MXD Public Hearing

PROJECT INFORMATION: N/A

APPLICANT/REPRESENTATIVES:

STAFF: Council Member Kai Hagen

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

ATTACHMENTS:

Proposed Bill
CM Hagen's Memo
Staff Memo



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Jan H. Gardner
County Executive

Steven C. Horn, Division Director

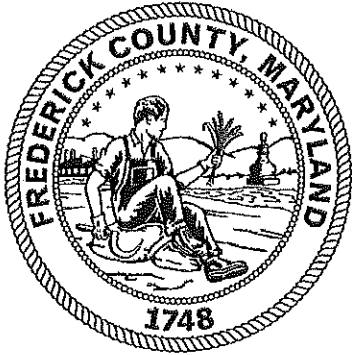
To: Frederick County Planning Commission
From: Steven C. Horn, Director, Planning & Permitting Division
Date: January 5, 2021
Subject: Bill #20-19 Sign Modification in PUD and MXD

SAH (YUB)

Attached, please find the proposed Bill, Council Member Hagen's memo and Staff's memo. 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
CM Hagen's Memo
Staff Memo



Bill No. 20-19

Concerning: Sign Modification in PUD and MXD

Introduced: December 15, 2020

Revised: _____ Draft No. _____

Enacted: _____

Effective: _____

Expires: March 15, 2021

Frederick County Code, Chapter 1-19

Section(s) 10.500.9

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Kai Hagen

AN ACT to: provide for the modification of signs in PUD and MXD projects.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, 1-19 Section(s) 10.500.9

Other: _____

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

Bill No. 20-19

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3 WHEREAS, the Frederick County Planning Commission may approve modifications to
4 parking, loading, street design, landscaping, screening, buffering requirements, and general
5 development standards for Mixed Use Developments (MXD) and Planned Unit Development
6 (PUD) under certain conditions; and

7 WHEREAS, the sign regulations do not provide for the ability to modify sign standards in
8 the same manner as the other community design elements noted above; and

9 WHEREAS, the County Council of Frederick County, Maryland finds it in the best
10 interests of the County for the County laws and regulations to be amended to specifically provide
11 the manner in which modifications to certain signs can be permitted; and

12 WHEREAS, the intent of this Bill is to provide for flexibility in the type, placement, and
13 location of the signs that would otherwise be permitted within a PUD or MXD project including
14 any individual lots or parcels therein, while acknowledging that the signs may be proposed in
15 alternative locations and would not be considered an off-premise sign so long as the sign content
16 remained limited to the respective PUD or MXD project; and

17 WHEREAS, in order to provide for the opportunity to limit sign clutter along our roadways
18 and community entrances, and to promote an integrated design aesthetic among compatible uses,
19 while maintaining appropriate wayfinding, the County Council of Frederick County, Maryland,
20 finds it necessary and appropriate to amend Chapter 1-19 (Zoning) of the Frederick County Code
21 to address the opportunity to permit sign modifications under certain conditions.

22 NOW, THEREFORE, BE IT ENACTED, that the Frederick County Code be, and is
23 hereby, amended as shown on the attached Exhibit 1.
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30 _____
31 MC Keegan-Ayer, President
32 County Council of Frederick County,
Maryland

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§ 1-19-10.500.9. GENERAL DEVELOPMENT STANDARDS WITHIN THE PLANNED DEVELOPMENT DISTRICTS.

(D) *Modifications.* As part of a Preliminary Plan or Site Development Plan ~~[Planned-Development Phase III]~~ approval, the Planning Commission may approve modifications to parking, loading, street design, landscaping, screening, buffering requirements, signage (excluding billboards) and general development standards as provided in § 1-19-10.500.9(A), in accordance with the following:

- (1) Modifications to parking, loading, landscaping, screening, and buffering requirements shall be limited to modifications as provided for within Article VI: District Regulations.
- (2) All other modifications may be granted where the applicant or Planning Commission authorized representative can demonstrate need based on characteristics of the proposed use, physical site constraints, or other documentation as approved by the Planning Commission.
- (3) Where a modification has been granted, the Planning Commission may require alterations to building and site design to minimize negative impacts on surrounding properties that may result from the modification. The building and site design modifications may include: location of public access, buffering and screening, landscaping, lighting, outdoor recreation areas, building location and orientation.
- (4) The Planning Commission may approve a modification of §1-19-6.300 through §1-19-6.320 for a commercial, non-residential component of a PUD or MXD. The review and approval shall consider how the plan:
 - a) affects pedestrian and vehicular safety and wayfinding;
 - b) thematically represents the commercial/employment or community as a whole;
 - c) maintains and enhances the aesthetic environment by reducing visual clutter along a roadway and minimizing other adverse effects;
 - d) compares to the strict adherence of the sign requirement being modified, provided the overall total amount, type, and height of proposed signage is not greater than what would otherwise be permitted for the project; and
 - e) furtheres other county or state design goals or policies.

Underlining indicates matter added to existing law.
[Single boldface brackets and ~~Strikethrough~~] indicates matter deleted from existing law.
*** - indicates existing law unaffected by bill.
BILL NO. 20-19



FREDERICK COUNTY GOVERNMENT
COUNTY COUNCIL

To: County Council
From: Council Member Kai Hagen
Date: December 1, 2020
Subject: Sign Regulations in the PUD and MXD

Issue:

Should the Frederick County Council amend Chapter 1-19 (Zoning) of the Frederick County Code to modify sign regulations in the PUD and MXD?

Background:

The current County Code provides for a number of options to modify certain design standards. In the Mixed Use Developments (MXD) and Planned Unit Development (PUD), the Planning Commission is permitted to modify parking, loading, street design, landscaping, screening, buffering requirements, and general development standards for under certain conditions. However, the regulations are silent on modifications to sign standards.

An initial workshop was held on January 28, 2020 where the Council, staff and the public discussed the initial draft bill and provided comments on both the introductory clauses as well as the draft text amendment itself. To that end, the attached draft bill addresses those comments in an effort to simplify and clarify the text amendment being proposed. Those clarifications include:

- Modifying or removing altogether two of the 'whereas' clauses;
- Providing for the modifications to be requested at Preliminary Plan or Site Development Plan;
- Adding language to include a 'conceptual sign package' as part of the review and approval; and
- Adding reference to '§1-19-6 Division 3 Signs' of the code

What will the new bill do?

The bill would allow for review and approval of sign modification as part of a Preliminary or Final Site Plan review and approval will consider how the plan affects pedestrian and vehicular safety, maintains and enhances the aesthetic environment, and compares to the strict adherence of the sign requirement being modified.

**Frederick County Division of Planning and Permitting
Livable Frederick Planning & Design Office**

**STAFF REPORT
January 4, 2021**

SUBJECT: Proposed Bill 20-19 – Sign modification for PUD and MXD projects

ISSUE

Does the proposed bill support the Livable Frederick Master Plan, undermine the Livable Frederick Master Plan, or is it neutral?

BACKGROUND

The Frederick County Planning Commission may approve modifications to parking, loading, street design, landscaping, screening, buffering requirements, and general development standards for Mixed Use Developments (MXD) and Planned Unit Developments (PUD) under certain conditions. The proposed bill would allow the modification of sign standards in the same manner.

The bill will provide flexibility in the type and location of signage for PUD and MXD projects. As stated in the bill, this flexibility is intended to provide an opportunity to limit sign clutter and promote integrated design while maintaining appropriate wayfinding.

FINDING

Considering the limited scope of the proposed bill (signage for PUD and MXD projects) and the nature of the bill (allowing for modifications), staff finds that this legislation neither advances nor undermines the Livable Frederick Master Plan. It is neutral. The impact of this legislation will depend upon how it is applied.

