

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR TUESDAY FEBRUARY 24, 2009

Commissioner Jan Gardner, *President*, reconvened a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, February 24, 2009, at 1:00 p.m. Present were Commissioners David Gray, *Vice President*, Kai Hagen, Charles Jenkins and John L. Thompson, Jr. Also present were Ron Hart, County Manager and Patti Morrow, Recording Secretary.

(Official Minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes are available on the County's website. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the County's website at www.co.frederick.md.us)

NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.

WORKSESSION

Agriculture (A) and Resource Conservation (RC) Use Table and Definitions – Eric Soter, Larry Smith and Shawna Lemonds, Planning Division

Mr. Soter noted the discussion would not include the places of worship section of the text amendment. The Places of Worship, Civic Service Club and Civic Community Center would move forward in a separate text amendment, as directed by the Board.

Mr. Soter also noted all text amendments would be tracked on a log sheet and put on the county website.

A discussion was held on Section 1-19-8.327 - Rustic Retreat/Camp/Outdoor Club in RC and A districts. Mark Depo, Planning Division, contributed to the discussion. By unanimous consent the following would be amended/added:

- *The impervious surface requirement would relate to acreage rather than square footage;*
- *Section G: Parking shall be limited to that number required by zoning ordinance and co-located adjacent to the access **drive**.*
- *Section J would apply to both A and RC zoning districts.*

Public comment regarding rustic retreats was heard from:

- Joseph Kerner, Executive Director, The Bishop Claggett Center
- Derrick Trautman, Executive Director, Mar-Lu-Ridge

By unanimous consent the Board directed staff to remove the set of asterisks from the use classification table in Section 1-19-6-100 - Design Requirements for Specific Districts.

By unanimous consent regarding the animal incinerator issue, the Board voted to agree with the staff recommended language for Section 1-19-8-220 Accessory Use of a Crematory:

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(A) Animal incinerator operations are permitted as an accessory use to cemetery/memorial garden in the A district.

By unanimous consent, the Board supported option two (2) in the public park section.

A discussion was held on continuing care retirement communities (CCRC).

Michael Chomel, Office of the County Attorney, commented on the age restriction included in the definition of a CCRC.

The Board indicated the last sentence of the CCRC definition referring to the age requirement would be eliminated:

~~The facility is restricted to persons 60 years of age or older or couples where a spouse is 60 years of age or older.~~

In Article X: Optional Methods of Development General provision of a planned unit development (PUD), (F) Land Use Activities, by unanimous consent the Board supported the following language:

*(1) All residential uses are permitted within the PUD including single-family detached, duplex, triplex fourplex, townhouses, patio houses, apartments high rise apartments or zero lot line dwellings **or a CCRC.***

By unanimous consent CCRC's would be added to various sections of Euclidian zoning.

Public comment was heard from:

- Mark Jenkins
- Carlos Fernandez
- Noel Manalo, Esquire, Miles and Stockbridge
- Tom Lynch, Esquire, Miles and Stockbridge
- Collier Baird, Executive Director, Buckingham's Choice Retirement Community

The Board directed staff to bring back a redraft of the "rustic camp" section with the changes recommended, followed with the "places of worship" section.

Commissioner Jenkins presented a proposed resolution to the Board regarding the spending of federal economic renewal grants.

It was indicated the resolution would be added to the Thursday, February 26, administrative business meeting.

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COMMISSIONER COMMENTS

Commissioner Gardner stated the FY 2010-2015 Capital Improvements Program (CIP) would be discussed Thursday, February 26, at 1:30 p.m. Commissioner Gardner also noted she and Commissioner Gray would be accompanying representatives from the Maryland Clean Energy Center as they toured several sites in Frederick County.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 3:30 p.m.

Respectfully submitted,

Patricia A. Morrow
Recording Secretary