

**FREDERICK COUNTY PLANNING COMMISSION**

**April 12, 2017 9:30 a.m.**

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**TITLE:** Limited Private Event Venues in the Agricultural Zone

**FILE NUMBER:** N/A

**REQUEST:** Bill 17-05 Limited Private Event Venues in the agricultural Zone Public Hearing

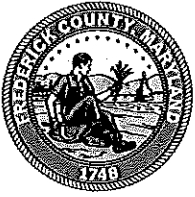
**PROJECT INFORMATION:** N/A

**APPLICANT/REPRESENTATIVES:** N/A

**STAFF:** Steve Horn, Director, Planning & Permitting Division

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

**ATTACHMENTS:**  
Proposed Bill



**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 *SCH*

**Date:** February 27, 2017

**Subject:** Bill 17-05 Limited Private Event Venues in the Agricultural Zone  
Zoning Text Amendment (By: Council Member Tony Chmelik)

Attached, please find the proposed Bill and summary memorandum from Council Member Tony Chmelik.

Thank you for your attention to this matter.

Attachment  
Proposed Bill 17-05  
Council Summary Memorandum



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

**To:** County Council  
**From:** Tony Chmelik, District 2  
**Date:** February 21, 2017  
**Subject:** Limited Private Event Venues

**Issue:** Should the Frederick County Code be amended to allow Limited Private Event Venues to be established as an Accessory Use in the Agricultural Zone?

**Background:** This is an entirely newly defined category added to the use table.

**What would the new Bill do?**

The new Bill defines **limited private event venue**, as a property used for **private social activities or functions including but not limited to weddings, birthday and graduation celebrations, reunions, and other non-public events.**

It is considered an **accessory use as a special exception with concept plan approval** in the agricultural zone. Several provisions apply including:

- A minimum parcel size of 25 acres, that must be actively used for agricultural activity;
- A building/temporary structure used for such event must be at least 150 feet from any adjacent residential lot and 50 feet from any other lot line;
- Lot width, yard requirements and height limitations must be the same as those for an Institutional use in the Agricultural zone;
- Prohibited parking in setback areas;
- Frontage on and access to a paved public road must have at least a 20 foot pavement width;
- Maximum of 500 attendees, or capacity determined appropriate by the Board of Appeals pursuant to the following section;
- The Board of Appeals will consider recommendations of all reviewing agencies and public comments, and include in its special exception decision if approval is granted, conditions and limitations on the approval necessary for the protection of public health, safety and welfare, including but not limited to:



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

- Hours of operation;
- Maximum number of attendees per function;
- Frequency and number of functions which may be held;
- Location and surface type for each access point and parking area;  
and
- Water and wastewater access and disposal protocols acceptable to  
the Health Department.
- The Board of Appeals will also consider:
  - Increased setbacks; and
  - Buffering and screening along adjacent residential properties.



Bill No. 17-05

Concerning: Limited Private Event Venues in the  
Agricultural Zone

Introduced: February 21, 2017

Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_

Enacted: \_\_\_\_\_

Effective: \_\_\_\_\_

Expires: \_\_\_\_\_

Frederick County Code, Chapter 1-19

Section(s) 5.310, XXX, 11.100

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

By: Council Member Tony Chmelik

**AN ACT** to: Amend Chapter 1-19 of the County Code to allow Limited Private Event Venues to be established in the Agricultural Zone as an Accessory Use, and to include standards governing that use.

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

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

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

By amending:

Frederick County Code, Chapter, \_\_\_\_\_ Section(s) \_\_\_\_\_

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. 17-05

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend the County Code to allow Limited Private Event Venues to be established as an Accessory Use in the Agricultural Zone, and to set forth standards governing that use.

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

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Harold F. (Bud) Otis, President  
County Council of Frederick County,  
Maryland

**1-19-5.310. USE TABLE.**

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

- AS Accessory Use as a special exception with concept plan approval
- 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

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

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Uses	Zoning Districts													
	RC	A	R1	R3	R5	R8	R12	R16	VC	MX	GC	ORI	LI	GI
<i>Commercial Business and Personal Services (Cont'd)</i>														
<u>Limited Private Event Venue</u>		<u>AS</u>												

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**1-19-XXX. LIMITED PRIVATE EVENT VENUE IN THE AGRICULTURAL ZONE.**

The following provisions apply to a Limited Private Event Venue in the Agricultural District.

(A) The minimum parcel size is 25 acres, and must be actively used for agricultural activity.

(B) Any building or temporary structure utilized for an event shall be at least 150 feet from any adjacent residential lot and 50 feet from any other lot line.

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Underlining indicates matter added to existing law.

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

(C) Lot width, yard requirements and height limitations shall be same as those for an Institutional use in the Agricultural zone.

(D) Parking is not allowed in the setback areas.

(E) The lot must have frontage on and access to a paved public road having at least a 20 foot wide pavement width.

(F) Capacity shall not exceed 500 attendees, or the capacity determined by the Board of Appeals pursuant to subsection (G).

(G) The Board of Appeals will consider the recommendations of all reviewing agencies and public comments, and include in its special exception decision if approval is granted, conditions and limitations on the approval necessary for the protection of the public health, safety and welfare, including but not limited to:

(1) Hours of Operation;

(2) Maximum number of attendees per function;

(3) The frequency and number of functions which may be held;

(4) Location and surface type for each access point and parking area; and

(5) Water and wastewater access and disposal protocols acceptable to the Health Department.

(H) The Board of Appeals will consider the recommendations of all reviewing agencies and public comments and include in its approval of the concept plan for the site, conditions and limitations necessary for the public health, safety and welfare, including but not limited to:

(1) Increased setbacks; and

(2) Buffering and screening along adjacent residential properties.

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#### **1-19-11.100. DEFINITIONS.**

\* \* \*

**LIMITED PRIVATE EVENT VENUE.** A property used for private social activities or functions including but not limited to weddings, birthday and graduation celebrations, reunions, and other non-public events.

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Underlining indicates matter added to existing law.

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

Bill No. 17-05