



FREDERICK COUNTY PLANNING COMMISSION
January 10, 2018 9:30 a.m.

TITLE: Additional Uses in the Mixed Use
Development District

FILE NUMBER: N/A

REQUEST: Additional uses in the Mixed Use
Development District Public Hearing

PROJECT INFORMATION: N/A

APPLICANT/REPRESENTATIVES: Council President Bud Otis

STAFF:

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

ATTACHMENTS:
Proposed Bill
Council Summary Memorandum




FREDERICK COUNTY GOVERNMENT

Jan H. Gardner
County Executive

DIVISION OF PLANNING & PERMITTING

Steven C. Horn, Division Director

To: Frederick County Planning Commission

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

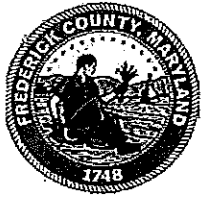
Date: December 19, 2017

Subject: Additional Uses in the Mixed Use Development District (By: Council President Bud Otis)

Attached, please find the proposed Bill and summary memorandum from Council President Bud Otis.

Thank you for your attention to this matter.

Attachment
Proposed Bill
Council Summary Memorandum



FREDERICK COUNTY GOVERNMENT
COUNTY COUNCIL

To: County Council
From: Council President Bud Otis
Date: December 19, 2017
Subject: Additional Uses in the Mixed Use Development District

Issue:

Should the County Council adopt provisions expanding flexibility in the Mixed Use Development District (MXD) and specify additional permitted uses in the MXD?

Background:

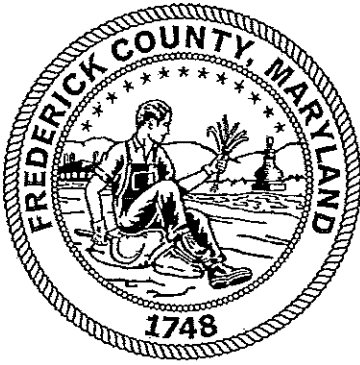
Currently the Frederick County Zoning Code allows for employment in the MXD however, it is limited to those uses permitted within the Office Research Industrial Zoning District which, includes office space for businesses.

What would the new bill do?

The need for office space has declined in recent years and is evidenced by vacant office parks throughout the county. Further, innovation and technology have stimulated new methods and mechanisms for the delivery of goods in the modern economy. This bill would expand the land use in the MXD zone to include wholesaling, warehouse and/or distribution facilities. The bill further specifies solid building construction, and permits property owners or developers in Development Rights and Responsibilities Agreements (DRRAs) as of January 1, 2018, the OPTION to ELECT to have its MXD zoned property subject to the new zoning provision allowing

for wholesaling, warehouse and/or distribution, or not. This will not, however, effect such other development laws in effect at the time of the DRRA's effective date.

It is in the best interest of Frederick County for its laws and regulations to remain responsive to ever-evolving innovation and technological growth. Therefore, in order to promote economic development and job growth, it is necessary to facilitate flexibility of the MXD and update its permitted uses.



Bill No. _____

Concerning: Permitted uses in MXD

Introduced: December 19, 2017

Revised: _____ Draft No. _____

Enacted: _____

Effective: _____

Expires: _____

Frederick County Code, Chapter 1-19

Section(s) 10.500.7, 10.500.9, 10.500.11

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Bud Otis

AN ACT to: amend the Zoning Ordinance to specify additional permitted uses in the Mixed Use Development District.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, 1-19 Section(s) 10.500.7, 10.500.9, 10.500.11

Other: _____

Boldface	<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. _____

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-19 of the Frederick County Code to facilitate the flexibility of the Mixed Use Development District (MXD) and specify additional permitted uses in the MXD.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

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

ARTICLE X: METHODS OF DEVELOPMENT

Division 5: Planned Development Districts

§ 1-19-10.500.7. LAND USE, MIXTURE, AND DESIGN REQUIREMENTS WITHIN THE MXD DISTRICT.

(A) *Land use permitted within the MXD District.* General land use type and location shall be established by the County Council in concept at Phase I and specifically by Planning Commission through site development plan review at Phase II. Land uses permitted with the MXD District are limited to:

(3) *Employment.* Employment shall be limited to those uses permitted within the Office Research Industrial Zoning District, as well as wholesaling, warehouse and/or distribution.

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

(A) Site and building design.

(6) Buildings shall predominantly be designed and constructed to include finishes and materials of consistent quality and design on all sides such as: changes in building plane, windows, doorways, entrances, overhanging eaves, and shutters. Buildings may not include large expanses of undifferentiated façades and long plain wall sections. For buildings planned for wholesaling, warehouse and/or distribution uses in an MXD project, such buildings shall be constructed predominantly of non-metallic material.

§ 1-19-10.500.11. TRANSITIONAL PROVISIONS FOR MIXED-USE DEVELOPMENTS (MXD) WITH DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENTS (DRRAS).

(A) For Mixed-Use Developments (MXD) that are subject to a valid Development Rights and Responsibilities Agreement (DRRA) as of January 1, 2018:

Underlining indicates matter added to existing law.

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

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

(1) The property owner or developer may elect to have its MXD subject to the provisions of § 1-19-500.7.(A)(3) & § 1-19.500.9.(A)(6) above, notwithstanding the development laws in effect at the time of the subject DRRA's effective date.

(2) Such election under § 1-19-10.500.11.(A)(1) above shall be effective upon application by the property owner or developer to the Planning Department, without need for amendment of the subject DRRA under Frederick County Code, Chapter 1-25.

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