



COMMUNITY DEVELOPMENT DIVISION FREDERICK COUNTY, MARYLAND

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TO: Board of County Commissioners

THROUGH: Eric Soter, Director

FROM: Shawna Lemonds, Project Manager

DATE: May 3, 2011

RE: ZT-11-01 Priority 1 Zoning Ordinance Text Amendments

ISSUE

The Board of County Commissioners (BOCC) has received requests for review of specific sections of the zoning ordinance for possible revision through the text amendment process. The potential text amendments were prioritized with direction by the BOCC to move forward with amendments to address the priority 1 issues. During administrative business on March 24, 2011 the BOCC initiated a text amendment and directed Staff to move forward through the public hearing process with the Priority 1 amendments. A public hearing was held with the Frederick County Planning Commission (FCPC) on April 13, 2011 which was continued, with a final recommendation to be made on May 11th. Staff requests a decision from the BOCC regarding ZT-11-01 Priority 1 Zoning Ordinance Text Amendments.

BACKGROUND

A list of potential text amendments was created for BOCC review on February 24, 2011 based upon a combination of BOCC discussion, citizen input, and Staff discussion. The list was ranked by priority 1=High (processed within 90-120 days), 2=Medium (processed within 120-180 days), 3=Low (processed beyond 180 days), based upon Staff ability to formulate and present solutions in a rapid manner. The full list of potential text amendments reviewed by the BOCC on February 24th can be found at the following link: www.FrederickCountyMD.gov/textamendments. At the February 24th meeting the BOCC directed Staff to move forward with those text amendments listed as a number 1 priority. The priority 1 amendment concepts were presented to the FCPC on March 9, 2011 for review and input. Staff then proceeded to prepare the draft text amendment. On March 24, 2011 the BOCC reviewed the draft text and unanimously directed Staff to move forward through the public hearing process.

To that end, Staff has prepared several amendments attached as Exhibit 1 – ZT-11-01 Priority 1 Text Amendments based upon, BOCC direction, FCPC review and input, as well as public comment. The FCPC held a public hearing on April 13th which was continued for a final recommendation to be made on May 11th. The FCPC received public testimony in the form of verbal and written comment. Written public comment submitted for the April 13th public hearing has been attached as Exhibit 2 – FCPC Public Comment. The FCPC Transmittal memo containing the May 11th recommendation will be provided to the BOCC on May 12th during the agenda briefing.

TEXT AMENDMENT OVERVIEW

Within Exhibit 1, new text is shown in **BOLD CAPS** with text for removal shown in ~~striketrough~~. The overview section below provides a summary of the draft language for each issue, including the corresponding page number within Exhibit 1 where proposed amendments can be located.

Landscape Contractor [page 1]

In June of 2009 the A/RC Use Table and Definitions (ZT-09-03) text amendment became effective. As part of that text amendment 'Commercial greenhouses and nurseries' was replaced with 'Nursery retail', 'Nursery wholesale', 'Landscape contractor' and 'Hardware/garden center' in an effort to define and separate landscape contracting from nursery uses. In addition, the changes provided a more simplified approval process for purely nursery wholesale and/or nursery retail uses.

As adopted 'Landscape contractor' is currently permitted through site development plan approval (PS) in the GC, LI, and GI zoning districts and as a special exception (E) in the Agricultural zoning district, consistent with what had been permitted previously. Although the current processing and criteria were developed in conjunction with several public meetings and input from the landscape contractor community, certain elements of the special exception criteria have proved to be difficult to achieve for a small user. Based on public input and feedback, amendments have been proposed to create a new land use term 'Limited landscape contractor' permitted through site development plan approval (PS) in the Agricultural zone, with specific limitations on the size and intensity of the development. The draft amendments to specific sections of the zoning ordinance to address these issues have been summarized below.

ARTICLE V: ZONING MAP AND DISTRICTS

DIVISION 3. USE TABLE

§ 1-19-5.310. USE TABLE.

The land use term 'Limited landscape contractor' has been added to this section of the zoning ordinance within the heading of Commercial Business and Personal Services with the proposed use permitted through the site development plan review process (PS) in the Agricultural District.

ARTICLE VIII: SPECIFIC USE REGULATIONS

DIVISION 4. PERMITTED USES

§ 1-19-8.441. LIMITED LANDSCAPE CONTRACTOR IN THE A DISTRICT.

Regulations are proposed in a new section of the zoning ordinance (§1-19-8.441 limited landscape contractor in the A district) to provide for development of a limited operation. The proposed criteria are similar to existing special exception criteria for landscape contractor in the A district (§1-19-8.331) with changes as described below.

Subsection (E) provides that the maximum number of employees shall be 10, which differentiates between the larger landscape contractor and the limited use. The maximum number of employees will limit the trips to the site per day, as well as limit the activity on-site and therefore the intensity of the development.

During the March 9th worksession with the Planning Commission it was discussed that the type of employees should be specified (part-time or full-time), that the limited operation should certify to the Zoning Administrator annually that the operation continues to comply with approvals, the storage and screening of materials is a needed requirement, and the proposed text limiting vehicle operation on-site to one ton or less, and delivery of materials by dump trucks only, may be too restrictive.

It was noted that a one ton vehicle may not be able to accommodate delivery or transfer of the type of materials associated with landscape contracting (for example rocks or bricks). However, it was also noted that tractor trailer activity is an issue and should be restricted especially in light of the proposed reduction in minimum pavement width. Therefore subsection (F) has been edited to prohibit tractor trailer deliveries rather than limit on-site vehicle operation to one ton or less. However, during discussions on March 24th, the BOCC noted that the tractor trailer restrictions may also be too restrictive and inconsistent with the proposed commercial vehicle storage which could include tractor trailers as well as other agricultural operations that utilize tractor trailers for certain deliveries of goods. After discussion, the BOCC directed that the tractor trailer limitation should remain in the text amendment in order to gain public feedback and will be considered through the hearing process.

Subsection (G) reduces the paved road width to 16' rather than 20' required by special exception. The special exception option of meeting a permitted distance to an arterial roadway has been removed from the proposed criteria.

Subsection (K) of the special exception criteria was removed from the proposed permitted use regulations as it would require a vehicle circulation plan which is no longer needed due to the limitation on the overall use of the site and anticipated limited impacts.

Lighting and signs shall be permitted per existing zoning ordinance provisions (§1-19-6.500 and §1-19-6.320 item (12), respectively).

Private and Municipal Parks [Page 3]

As the practice of development has changed to meet the demands of the changing economy, it has been noted that the zoning ordinance does not provide a streamlined review process for public-private partnerships that are becoming a more common occurrence in constructing public park facilities. To respond to these changes in development practices, the zoning ordinance should be updated.

The zoning ordinance currently includes two land use terms to provide for processing of park and recreational facilities developed by entities other than County government: 'Indoor sports recreation facility' and 'Outdoor sports recreation facility'. The two land use terms were created as part of the A/RC Use Table and Definitions (ZT-09-03) text amendment to separate primarily indoor uses from those that are primarily outdoor, and to direct the indoor uses to those zoning districts intended for higher intensity development. In addition, 'Outdoor recreation center' was created to consolidate the processing of various golf activities (golf driving range, chip and putt, miniature golf, batting cage/range or putting green) and bring clarity to how specific golf related uses were previously permitted or prohibited in certain zones.

'Indoor sports recreation facility' is permitted in the GC and LI zoning districts through site development plan approval (PS). 'Indoor sports recreation facility' provides for a building primarily operated for the purpose of providing indoor sports and recreation. The use may also include associated outdoor recreation fields.

'Outdoor sports recreation facility' is permitted solely through the Open Space Recreation floating zoning district, as provided in §1-19-10.1000, on parcels of land with a County Comprehensive Plan land use designation of Agricultural/Rural. 'Outdoor sports recreation facility' provides for outdoor recreational activities where clearing is minimized. By current definition, construction of buildings associated with the 'Outdoor sports recreation facility' is limited.

'Outdoor recreation center' is permitted through site development plan approval in the GC, LI, and GI zoning districts. The land use is also permitted through the Open Space Recreation floating zoning district as provided in §1-19-10.1000, on parcels of land with a County Comprehensive Plan land use designation of Agricultural/Rural.

A floating zone is applied only through specific request by an applicant, as it serves to provide an opportunity for evaluation of compatibility, and to limit development of a specific use to only those parcels with appropriate size, access, and location. However, the floating zone requires an increased processing time and application fee.

Staff reviewed and evaluated the existing regulations to identify opportunities to provide for the processing of parks and recreational facilities by entities other than County government in a straightforward manner without confusing existing provisions. As proposed, the new 'Outdoor sports recreation facility' would be a permitted use in the Agricultural zoning district, eliminate confusion between outdoor recreational activities that are golf/entertainment related and those that are sports field related, eliminate the floating zone processing, and maintain the more intensive 'Indoor sports recreation facility' land use as permitted within the GC and LI zoning districts.

ARTICLE V: ZONING MAP AND DISTRICTS

DIVISION 3. USE TABLE

§ 1-19-5.310. USE TABLE.

As proposed, the land use terms 'Outdoor recreation center' and 'Outdoor sports recreation facility' would be combined in §1-19-5.310 Use Table within the heading of Commercial Amusements and permit the combined term 'Outdoor sports recreation facility' through the site development plan review process (PS) in the Agricultural zone.

ARTICLE X: OPTIONAL METHODS OF DEVELOPMENT

DIVISION 10. OPEN SPACE RECREATION FLOATING ZONING DISTRICT

§ 1-19-10.1000. OPEN SPACE RECREATION FLOATING ZONING DISTRICT.

This existing section of the zoning ordinance contains provisions for the development of large-scale recreational uses in areas with an Agricultural/Rural County Comprehensive Plan land use designation.

The floating zone provides for location and siting of these types of facilities to areas contiguous to a community growth boundary to provide a transition between growth areas and existing agricultural uses, to mitigate or minimize impact to surrounding properties, mitigate or avoid traffic congestion which improves pedestrian and roadway safety, and to maintain the purpose of the Agricultural/Rural areas identified in the County Comprehensive Plan.

The proposed revisions would remove 'Outdoor sports recreation facility' and 'Outdoor recreation center' from §1-19-10.1000 Open Space Recreation floating zone provisions consistent with the changes proposed in §1-19-5.310 above.

It should be noted that the intent of the floating zone is to restrict development of large recreational facilities on parcels with a Agricultural/Rural Comprehensive Plan land use designation to those that meet the specific size and location requirements (minimum parcel size, roadway standards, within or contiguous to a community growth boundary). Removing the uses from the floating zone will permit private development of those facilities meeting the definition of 'Outdoor sports recreation facility', as proposed in §1-19-11.100 below, and meeting standard zoning ordinance provisions on all parcels with Agricultural zoning. However, by definition buildings would be limited to those that are accessory to the primary use of an outdoor sports recreation activity. The more intensive 'indoor sports recreation facility' would be maintained as permitted only in the GC and LI zoning districts.

ARTICLE XI: DEFINITIONS
DIVISION 1. DEFINITIONS
§ 1-19-11.100. DEFINITIONS.

The definitions for 'Outdoor sports recreation facility' and 'Outdoor recreation center' in §1-19-11.100 have been combined with the addition of text to provide that the use may also include buildings as an accessory use to the primary use of 'Outdoor sports recreation facility'.

Village Center [Page 5]

Four specific issues have been identified within the Village Center zoning district for potential amendment: **1-** Duplex and Two-family dwellings as permitted through site development plan approval, **2-** setback calculations, **3-** Concept Plan requirements, and **4-** footprint limitation for commercial buildings.

1-The zoning ordinance currently requires 'Duplex' and 'Two-family dwelling' to be processed through site development plan approval. Due to the commercial nature of these land uses, the intent of the requirement was to subject the uses to the overlay standards in §1-19-7.500. However, upon further review of existing provisions it is unnecessary to require site development plan approval for these specific land uses to achieve these results. Therefore, the two land uses could be permitted subject to design regulations similar to single-family detached.

2-Setbacks within the Village Center zoning district are based upon provisions in §1-19-7.500(B)(3) which require calculation of average setbacks for structures located on all lots facing and adjacent to the proposed development. For the most part, this average calculation ensures new development is compatible with existing historic development patterns.

However, in those cases where an existing development includes a very large or small setback that is not reflective of the overall pattern in the zoning district, it may create a hardship when calculating average setbacks. For these reasons, proposed changes will provide the opportunity for the zoning administrator to eliminate anomalies when calculating averages.

3-A concept plan is required for all Village Center zoning district development permitted by site plan review (§1-19-7.500(D)). The intent of the text is to demonstrate the manner in which the Village Center zoning district design standards will be met by the proposed development. However, there has been confusion regarding the minimum necessary to meet this provision. For existing development where minor modifications are proposed, a fully developed “plan” is above and beyond what is necessary to meet the intent of the requirement. Amendments to the existing text will provide flexibility in meeting this section.

4-The zoning ordinance currently limits commercial buildings within the village center zoning district to no more than 5,000 square feet, except within growth area communities where the Planning Commission may grant an increase up to 8,000 square feet (§1-19-7.500(C)(4)(d)). An increased footprint above 8,000 square feet may be appropriate on specific parcels with Village Center zoning based on review and approval by the Planning Commission.

To address the four identified issues, the following amendments are proposed.

ARTICLE III. REVIEW AND APPROVAL PROCEDURES

DIVISION 3. SITE PLAN REVIEW

§ 1-19-3.300.2 CONCEPT PLAN.

This existing section of the zoning ordinance will be amended to provide consistency with changes to the Concept Plan requirements as discussed further in section 1-19-7.500(D) below.

ARTICLE V: ZONING MAP AND DISTRICTS

DIVISION 3. USE TABLE

§ 1-19-5.310. USE TABLE.

Amend §1-19-5.310 Use Table to permit ‘Duplex’ and ‘Two-family dwelling’ to be processed subject to design regulations ‘P’.

ARTICLE VII: SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 5. COMMERCIAL DISTRICTS

§ 1-19-7.500. VILLAGE CENTER ZONING DISTRICT OVERLAY STANDARDS.

This existing section of the zoning ordinance contains regulations specific to the Village Center zoning district including density, height, setbacks, mixed use provisions, design standards and concept plan requirements. The intent of the provisions are to acknowledge the fact that village center zoning has been applied within rural well and septic areas as well as public water and sewer growth areas while ensuring that new development is compatible with the unique historic characteristics of each community.

Subsection (B) includes provisions for density, height, setbacks, and mixed use development within the zone. The proposed amendments to subsection (B)(3) would permit the Zoning Administrator to approve an increase or decrease in the minimum setback requirements or approve the elimination of an existing setback where it is significantly inconsistent with other setbacks within that Village Center zoning district.

Several instances have arisen where average setback calculations result in a setback that is not representative of the majority of existing structures, is illogical, or prohibits the applicant from achieving desired results. Many of the existing Village Center parcels are small and restrict building placement. For these reasons amendments have been proposed that will provide Staff with the flexibility to process development applications that better reflect the intent of existing Village Center Overlay Standards, increase flexibility in building siting, and better reflect the historic nature of the districts.

Over the last few years, the BOCC has received several requests to increase the maximum building footprint permitted in the Village Center zoning district. The issue has been contentious in the past, with requests from property owners to increase the maximum footprint, and testimony by community members not to approve the increase.

In general, those requesting the increase maintain that the 8,000 square foot maximum has had a negative economic impact on the potential to fully develop larger parcels within the VC zoning districts. Those opposing the text amendment have stated concerns regarding the potential negative impact to the character of the communities.

When the Village Center zoning district Overlay Standards were adopted in June of 2007, the intent of the maximum footprint was to maintain the historic character of the districts by requiring new development to reflect the massing of existing buildings. The 8,000 square feet permitted in growth areas by Planning Commission approval was created based upon an examination of existing structures within Village Center zoning districts across the County. Although the 8,000 square feet is larger than most buildings within these zoning districts, there are instances of existing buildings larger than 8,000 square feet.

While increasing the maximum footprint may permit development of buildings that alter the characteristic massing of the Village Center district within which they sit, it should also be noted that the remaining overlay standards, including the design standards, will continue to apply. The design standards found in subsection (C) were developed to ensure that new development is compatible with existing development by requiring shape, height, massing, roof shapes, and door and window placement to be reflective of existing neighborhood characteristics.

The proposed amendments would permit the Planning Commission to approve an increase in square footage where the increase is compatible with existing development on adjacent parcels, where there is a transition between existing structures on adjacent lots and the proposed development, and preservation of historic resources.

In addition, proposed text in (C)(4)(d)4 would establish a maximum total square footage for the increased footprint. This topic was discussed by the Planning Commission and was a topic of concern during previous versions of a text amendment to increase the footprint. During the Administrative Business discussion on March 24th the BOCC agreed that the proposed text to establish a maximum square footage should remain in the proposed text to provide an opportunity for feedback during the public hearing process.

At Planning Commission discussions on March 9th it was also noted that it should be required that Planning Commission approve increases in square footage and that the option to rezone larger parcels should be considered.

The last issue to be addressed within proposed amendments to the Village Center Overlay Standards is the issue of Concept Plan approval. As required by current provisions a Concept Plan must be submitted as the first step in the development process for applications requiring site plan review within the Village Center zoning district. In many cases a concept is sufficient in meeting the requirements rather than a complete plan. Therefore subsection (D) has been amended to delete the term "Plan" from the existing text. This change will permit flexibility in the submission documents acceptable in meeting this requirement. In addition companion amendments to §1-19-3.300.2 have been proposed to achieve the desired results.

ARTICLE VIII: SPECIFIC USE REGULATIONS

DIVISION 6. OTHER

§ 1-19-8.620. MODERATELY PRICED DWELLING UNIT

§ 1-19-8.620.5 LOT AREA, WIDTH AND YARD MEASUREMENTS

This existing section of the zoning ordinance contains provisions for the County's Moderately Priced Dwelling Unit (MPDU) program. The program permits increased density above the total number of dwelling units permitted by the standard method of development. The increased density is established in section 1-19-8.620.5 which contains provisions for each zoning district where the MPDU program is implemented. The proposed text in this section contains MPDU lot area, width, and yard measurements which at some point were inadvertently removed from the zoning ordinance during the reorganization and renumbering accomplished in 2008. The proposed MPDU text is reflective of the original text with no changes proposed as part of this text amendment.

Site Plan Review [Page 9]

The zoning ordinance currently provides for Type II - Limited and Type III – Administrative processing of applications in §1-19-3.300.1. Both processes permit Staff review and approval of an application that does not require review of adequate public facilities, forest resource ordinance, or stormwater management requirements. However, the Type II – Limited provisions include limitations to footprint modifications which have proven difficult to implement based on applications received.

ARTICLE III: REVIEW AND APPROVAL PROCEDURES

DIVISION 3. SITE PLAN REVIEW

§1-19-3.300.1 REVIEW AND APPROVAL PROCEDURES.

To provide increased flexibility the existing Type II – Limited provisions in §1-19-3.300.1 (A)(2)(c) and Type III – Administrative provisions in §1-19-3.300.1 (A)(3)(b) were originally proposed for deletion. Upon further study it was found that only the provisions in (A)(2)(c)1 and 2 were necessary to delete. The provisions in (A)(3)(b) provide a minimal threshold for footprint modifications for those projects permitted as a Type III single agency review.

The difficulties associated with processing applications through this section have been with the text in (A)(2)(c) 1 and 2 which is a multi-agency review with restrictions on the project not needing Planning Commission Adequate Public facilities, Forest Resource Ordinance, or Stormwater management review. Maintaining provisions in (A)(3)(b) and deleting those in (A)(2)(c) 1 and 2 provides the necessary flexibility to address footprint modifications while maintaining the standards for those smaller projects that require only single agency review.

Commercial and Industrial Zones, Multiple Structures [Page 9]

The zoning ordinance currently includes separate lot requirements (§1-19-4.500) which limit commercial and industrial districts to only 1 principal structure and customary accessory structures on a single lot. The zoning ordinance also contains development provisions within other sections that permit multiple principal structures on an individual lot (shopping center, Village Center mixed uses text, Planned Development Employment, etc.) however, each of these provisions are restricted to limited situations.

Although provisions for Planned Commercial/ Industrial development exist in (§1-19-10.300) the text is also limited and confusing. In an attempt to provide increased flexibility, the Planned Commercial/ Industrial development standards could be updated which would provide an additional opportunity for development of commercial and industrial properties with multiple structures on a single lot.

ARTICLE X: OPTIONAL METHODS OF DEVELOPMENT

DIVISION 3. PLANNED COMMERCIAL/INDUSTRIAL DEVELOPMENT

§ 1-19-10.300. PLANNED COMMERCIAL/INDUSTRIAL DEVELOPMENT.

The heading in this section has been amended to reflect the development method term within the following text.

The majority of the Planned Commercial/Industrial Development text is existing however additions and deletions have been made to generalize the text to apply in the GC, ORI, LI, and GI zoning districts and to provide the flexibility to ensure adequate review of multiple structure development.

A preapplication requirement has been added to subsection (B)(2) to allow the applicant and Staff to meet prior to a formal application to provide an opportunity to discuss development opportunities and constraints.

Subsection (C) has been updated to include text to provide for review of multiple structures within the context of the existing neighborhood, the underlying zoning, planned development, and future subdivision. During discussions at the Planning Commission public hearing Staff noted that the text as proposed in subsection (C)(1)(b) should be clarified to state that “however this does not require the project to meet future subdivision requirements”. This language should be added to the existing proposed text to clarify the intent of the proposed regulations in considering future subdivision.

Remaining edits were made to provide consistency between this section and other existing sections of the zoning ordinance and to remove reference to split zoning and overlapping uses. In addition to the proposed changes, Staff will develop companion policies and procedures (outside of the Zoning Ordinance) addressing process and requirements to provide flexibility and ease implementation of the proposed text.

Variable/Electronic Message Signs [Page 12]

The zoning ordinance does not currently provide for the review and approval of electronic message signs although requests for this type of sign have been made. Text has been created to address limited application of static message displays. If the need arises and direction is given, a future text amendment could address increased levels of electronic message sign displays.

ARTICLE VI: DISTRICT REGULATIONS

DIVISION 3. SIGNS

§1-19-6.340 ELECTRONIC MESSAGE SIGNS.

A new section in the zoning ordinance has been created to provide for the approval of electronic message signs. To provide for motor vehicle operation safety, sign message movement (such as frequency and type), and sign design (such as brightness) have been addressed. Generally, electronic message signs will be reviewed and approved based on existing standard sign provisions.

Limited Roadside Stand Signs [Page 12]

Signs for 'Limited roadside stands' are currently permitted 16 square feet within the A and RC zoning districts (§1-19-6.320). Requests have been received to increase the maximum size to 32 square feet which is more consistent with surrounding jurisdictions. It has also been noted that sign setbacks for agricultural uses should be similar. Text changes have been proposed to address these issues.

ARTICLE VI: DISTRICT REGULATIONS

DIVISION 3. SIGNS

§ 1-19-6.320. SIGNS PERMITTED AND REGULATED IN THE ZONING DISTRICT.

The permitted signage for 'Limited roadside stands' has been increased from 16 square feet to 32 square feet within item (6) of this section.

New text as proposed in item (6), "Business identification for those natural resource uses...as provided in §1-19-5.310", will standardize sign provisions and setbacks for Agriculturally related uses. The proposed text combines 'Limited roadside stand' provisions with those uses permitted subject to design regulations 'P' within the Natural Resource heading of the Use Table (§1-19-5.310) which would include: Agricultural activities, Agricultural value added processing, Agritourism enterprise, Nursery wholesale, Farm winery, Farm brewery, and Forestry.

Commercial Vehicle Storage [Page 13]

Requests have been received to permit commercial vehicle storage on Farms. As defined by the zoning ordinance (§ 1-19-11.100), Farms are a minimum of 25 acres on which an agricultural activity is being actively conducted. Therefore, permitting commercial vehicle storage on farms will allow a fairly low intensity income-generating source on larger parcels that meet the specific criteria.

ARTICLE VIII: SPECIFIC USE REGULATIONS

DIVISION 2. ACCESSORY USES

§1-19-8.205.7. COMMERCIAL VEHICLE PARKING AS AN ACCESSORY USE TO A FARM

A new section has been created within the zoning ordinance to provide for the review and approval of commercial vehicle storage on farm parcels. The proposed regulations limit the number of vehicles to 5, outline the types of vehicles that would be permitted, and require that the vehicles be stored outside of a 50' setback area for all yards.

Miscellaneous items [Page 14]

Staff has added two items to the Priority 1 text amendment list that include minor editing of existing zoning ordinance text to correct an error and update a reference.

ARTICLE IV: REGULATIONS APPLICABLE TO ALL DISTRICTS

DIVISION 5. GENERAL LOT REQUIREMENTS

1-19-4.530. AREAS OF LOT WHICH DO NOT SATISFY LOT AREA REQUIREMENTS.

This existing section of the zoning ordinance contains minimum lot area requirements applicable in all zoning districts. An existing reference to the 'County Master Highway Plan' needs to be updated to refer to the 'County Comprehensive Plan' which is the correct document containing established and proposed roads in the County.

ARTICLE VII: SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 6. INDUSTRIAL DISTRICTS

1-19-7.610. INDUSTRIAL DISTRICT PERFORMANCE STANDARDS.

This existing section of the zoning ordinance provides Industrial District performance standards which include a 'Maximum permitted sound level' chart. An error exists in the '700' decibels permitted in the LI zoning district when measured to a Commercial District, where it should state '70' decibel. To reflect the correct number, the extraneous zero has been eliminated.

LI/GI Industrial Standards

The issue of LI/GI Industrial Standards and the restriction of flammable liquids and gases within the LI and GI zoning districts was initially included in the Potential Text Amendment list as a Priority 1. However, additional research is needed to fully consider this topic therefore it will be addressed in the future and has not been included as part of this text amendment.

STAFF RECOMMENDATION

Staff is requesting a decision from the BOCC regarding the proposed amendments in ZT-11-01 Priority 1 Text Amendments.

EXHIBITS

Exhibit 1 – ZT-11-01 Priority 1 Text Amendments

Exhibit 2 – FCPC Public Comment