



**FREDERICK COUNTY GOVERNMENT
DIVISION OF COMMUNITY DEVELOPMENT**

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TO: Board of County Commissioners

FROM: Frederick County Planning Commission

THROUGH: Eric Soter, Division Director *els*

DATE: October 11, 2013

SUBJECT: Priority 4 Zoning Ordinance Text Amendments (ZT-13-01 through ZT-13-08)

A public hearing was held on October 10, 2013 by the Frederick County Planning Commission (FCPC) in order to consider the Priority 4 zoning ordinance text amendments which propose to amend certain sections of the Frederick County Code.

The amendments are intended to:

- Create Private-Commercial Use Aircraft Landing and Storage and allow in the A, LI and GI zoning districts
- Create Recreational Vehicle Storage and allow in the A, GC, LI and GI zoning district
- Provide that Directional Signs are not included in calculating maximum size sign permitted
- Amend the PDD Landscaping and Lighting language to provide consistency in zoning ordinance
- Amend the Institutional Floating Zone Size and Location Criteria to allow application to LDR, RurR and NR land use designations where they are a minor portion of the project
- Amend Moderately Priced Dwelling Unit provisions to require certain criteria be met to utilize reduced dimensional standards
- Allow Public and Private Schools in the A zoning district
- Allow Funeral Home as an Accessory use in the A zoning district

At their meeting the Planning Commission recommended the following:

1. On text amendment **ZT-13-01** Private Commercial Use Aircraft Landing and Storage a motion was made for a recommendation of approval of ZT-13-01. However, the vote resulted in a tie and no formal recommendation was made. No public comment was received on the text amendment.

Motioned: Bruschia, 2nd by Hall
Vote: 3-3-0-1
For: 3–Hall, Robbins, Bruschia
Against: 3–Wolfe, Lawrence and Hopwood
Abstain: 0
Absent: 1–Young

In addition to no formal recommendation, the Planning Commission forwarded the following recommendation on this text amendment for BOCC consideration:

A recommendation that the number of planes allowed would be lowered from 12 to 10 due to the increased intensity of the proposed development.

Motioned: Wolfe, 2nd by Lawrence
Vote: 5-1-0-1
For: 5– Wolfe, Hall, Lawrence, Robbins, and Bruschia
Against: 1–Hopwood
Abstain: 0
Absent: 1–Young

2. On text amendment **ZT-13-02** Recreational Vehicle Storage the Planning Commission recommended approval of the text amendment. No public comment was received.

Motioned: Hall, 2nd by Bruschia
Vote: 5-1-0-1
For: 5–White, Forrence, Lawrence, Floyd, and McClurkin
Against: 1–Hopwood
Abstain: 0
Absent: 1–Young

3. On text amendment **ZT-13-03** Directional Signs the Planning Commission recommended approval of the text amendment. No public comment was received.

Motioned: Hall, 2nd by Hopwood
Vote: 6-0-0-1
For: 6–Hall, Hopwood, Robbins, Lawrence, Wolfe and Bruschia
Against: 0
Abstain: 0
Absent: 1 –Young

4. On text amendment **ZT-13-04** PDD Landscaping and Lighting the Planning Commission recommended approval of the text amendment. No public comment was received.

Motioned: Robbins, 2nd by Hall
Vote: 6-0-0-1
For: 6– Hall, Hopwood, Robbins, Lawrence, Wolfe and Bruschia
Against: 0
Abstain: 0
Absent: 1–Young

5. On text amendment **ZT-13-05** Institutional Floating Zone Size and Location Criteria the Planning Commission recommended approval of the text amendment. No public comment was received.

Motioned: Robbins, 2nd by Wolfe
Vote: 6-0-0-1
For: 6– Hall, Hopwood, Robbins, Lawrence, Wolfe and Bruschia
Against: 0
Abstain: 0
Absent: 1–Young

6. On text amendment **ZT-13-06** Moderately Priced Dwelling Units the Planning Commission recommended approval of the text amendment. No public comment was received.

Motioned: Robbins, 2nd by Hopwood
Vote: 6-0-0-1
For: 6– Hall, Hopwood, Robbins, Lawrence, Wolfe and Bruschia
Against: 0
Abstain: 0
Absent: 1–Young

7. On text amendment **ZT-13-07** Public and Private Schools in the A Zone a motion was made for a recommendation of approval of the text amendment. The motion failed with a 2-4 vote. No public comment was received.

Motioned: Robbins, 2nd by Hall
Vote: 2-4-0-1
For: 2–Robbins, Hall
Against: 4–Lawrence, Wolfe, Bruschia, Hopwood
Abstain: 0
Absent: 1–Young

In addition to no formal recommendation, the Planning Commission forwarded the following recommendation on this text amendment for BOCC consideration:

A recommendation that private schools be allowed by special exception in the Agricultural zoning district and public schools be allowed with site development plan approval due to concerns with large schools proliferating in the Ag zone. Concerns were expressed that not all Agriculturally zoned properties are appropriate for schools.

Motioned: Lawrence, 2nd by Wolfe
Vote: 4-1-1-1
For: 4–Lawrence, Wolfe, Hopwood and Bruschia
Against: 1– Hall
Abstain: 1– Robbins
Absent: 1– Young

8. On text amendment **ZT-13-08** Funeral Home as an Accessory Use in the A Zone a motion was made for approval of the text amendment. The motion failed with a 2-4 vote. Public comment was received in support of the text amendment.

Motioned: Wolfe, 2nd by Robbins
Vote: 2-4-0-1
For: 2–Wolfe and Robbins
Against: 4–Lawrence, Hall, Hopwood and Bruschia
Abstain: 0
Absent: 1–Young

A second motion was made to send forward a recommendation of approval of the text amendment with no restrictions on the size of the cemetery. The motion failed with a 3-3 vote.

Motioned: Hall, 2nd by Robbins
Vote: 3-3-0-1
For: 3–Hall, Bruschia, Robbins
Against: 3–Lawrence, Wolfe, and Hopwood
Abstain: 0
Absent: 1–Young

No formal recommendation was made on text amendment ZT-13-08.

cc: Lori L. Depies, CPA, County Manager
Lori Follmer, Executive Assistant to County Manager
Joyce Grossnickle, Administrative Officer
File – ZT-13-01 through ZT-13-08