



Bill No. 17-08  
 Concerning: Considering Zoning Map Amendments  
During Election Year  
 \_\_\_\_\_  
 Introduced: April 4, 2017  
 Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_  
 Enacted: \_\_\_\_\_  
 Effective: \_\_\_\_\_  
 Expires: \_\_\_\_\_  
 Frederick County Code, Chapter 1-19-3  
 Section(s) 110.2.(E)

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

By: Council President Bud Otis on behalf of County Executive Jan Gardner

**AN ACT** to: provide that the County Council may not consider certain zoning map amendments for a period beginning six (6) months prior to through three (3) months after the general election for Council Members.

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

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

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

By amending:

Frederick County Code, Chapter, 1-19-3 Section(s) 110.2.(E)

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. \_\_\_\_\_

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend the County Code to provide that the County Council may not consider an application for zoning map amendment or floating zone reclassification during the time six months before and three months after the general election for Council Members.

NOW, THEREFORE, BE IT IN ENACTED, 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

Add new subsection 1-19-3.110.2.(E):

(E) The County Council may not consider an application for individual zoning map amendment or floating zone reclassification during the time six months before the general election for County Council Members and ending three months after this election.

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*ITALICS* indicate matter that shall remain in effect.  
Underlining indicates matter added to existing law.  
[Single boldface brackets] indicates matter deleted from existing law.



## FREDERICK COUNTY COUNCIL

### Local Government Fiscal Estimate of Legislation

#### CONTACT INFORMATION AND GENERAL INSTRUCTIONS

|                                 |  |
|---------------------------------|--|
| <b>Bill Number/Reference:</b>   | 17-08  |
| <b>Bill Title:</b>              | Considering Zoning Map Amendments During Election Year   |
| <b>Local Government Agency:</b> | Frederick County Divisions of Finance, Planning & Permitting   |
| <b>Prepared By:</b>             | Erin White and Steve Horn  |
| <b>Title:</b>                   | Deputy Director and Director   |
| <b>Phone Number:</b>            | 301-600-1193, 301-600-1151   |
| <b>E-Mail Address:</b>          | <a href="mailto:ewhite@frederickcountymd.gov">ewhite@frederickcountymd.gov</a><br><a href="mailto:shorn@frederickcountymd.gov">shorn@frederickcountymd.gov</a> |
| <b>Due Date:</b>                | April 25, 2017   |
| <b>Date Submitted:</b>          |  |

# FREDERICK COUNTY COUNCIL

## Local Government Fiscal Estimate of Legislation

|  |   |                       |                       |                       |                       |                       |
|--|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <b>Date:</b>   |   |                       |                       |                       |                       |                       |
| <p><b>Please respond to the questions below. If you prefer to provide responses or additional information in a separate file or document, send the file or document in a separate e-mail to <a href="mailto:rcherney@frederickcountymd.gov">rcherney@frederickcountymd.gov</a> with the bill number/reference in the subject line.</b></p> |   |                       |                       |                       |                       |                       |
| <b>1.</b>  | Describe the impact of this proposed legislation on your agency (operations, revenues, expenditures, etc). If there is no impact, <u>please explain why.</u>  |                       |                       |                       |                       |                       |
| This bill does not fiscally impact the County. This bill serves to help ensure that land use decisions remain independent and free from the appearance of political pressure during an election season.  |   |                       |                       |                       |                       |                       |
| <b>2.</b>  | Please indicate whether the proposed legislation will affect small businesses in Frederick County, and if it will, please provide any information you may have which could be useful in determining the economic impact on small businesses.  |                       |                       |                       |                       |                       |
| There is no fiscal impact to small businesses in Frederick County.   |   |                       |                       |                       |                       |                       |
| <b>FISCAL IMPACT SUMMARY – SHOW (DECREASE) IN PARENTHESES</b>  |   |                       |                       |                       |                       |                       |
| <b><u>REVENUES</u></b>   |   |                       |                       |                       |                       |                       |
| <b>3.</b>  | Analysis of <b>estimated increase (or decrease) in government revenues.</b> Please estimate below any anticipated increase (or decrease) in revenues resulting from this legislation. Please be aware of any delayed effective dates in the bill or other factors that may cause revenue increases/decreases to begin in later years. |                       |                       |                       |                       |                       |
|  | <b><u>Source</u></b>  | <b><u>FY 2017</u></b> | <b><u>FY 2018</u></b> | <b><u>FY 2019</u></b> | <b><u>FY 2020</u></b> | <b><u>FY 2021</u></b> |
|  | N/A   |                       |                       |                       |                       |                       |
|  | <b>TOTAL \$</b>   | \$                    | \$                    | \$                    | \$                    | \$                    |
|  | <p><b>Please explain how the above estimated increase(s) or decrease(s) were arrived at, including any calculations and/or assumptions made. Please also explain any variation if the revenue increase(s)/decrease(s) are not constant.</b></p>   |                       |                       |                       |                       |                       |
|  |   |                       |                       |                       |                       |                       |

# FREDERICK COUNTY COUNCIL

## Local Government Fiscal Estimate of Legislation

| <b><u>EXPENDITURES</u></b>                    |  |   |                       |                       |                       |                       |
|---|--|---|-----------------------|-----------------------|-----------------------|-----------------------|
| <b>4.</b>                                     | Analysis of <b>estimated increase (or decrease) in government expenditures</b> . Please estimate below any anticipated increase (or decrease) in expenditures resulting from this legislation. Please be aware of any delayed effective dates in the bill or other factors that may cause expenditure increases/decreases to begin in later years. |   |                       |                       |                       |                       |
| <b><u>A. Salaries &amp; Wages</u></b>         |  | <b><u>FY 2017</u></b>   | <b><u>FY 2018</u></b> | <b><u>FY 2019</u></b> | <b><u>FY 2020</u></b> | <b><u>FY 2021</u></b> |
| FTE Employees - _____ # of positions          |  |   |                       |                       |                       |                       |
| Fringe Benefits                               |  |   |                       |                       |                       |                       |
| N/A   |  |   |                       |                       |                       |                       |
| <b>TOTAL (Salaries, wages &amp; benefits)</b> |  | \$  | \$                    | \$                    | \$                    | \$                    |
|   |  | Please provide an explanation of the need for the number and type of any personnel listed above, including (1) what specific provision(s) of the bill necessitate additional staff; (2) what the duties of each type employee will be; and (3) why existing personnel cannot absorb the additional work. Please also certify the wage/salary rate and % fringe rate (if differing rates apply) for each personnel classification. |                       |                       |                       |                       |
| <b><u>B. Other Operating Expenses</u></b>     |  | <b><u>FY 2017</u></b>   | <b><u>FY 2018</u></b> | <b><u>FY 2019</u></b> | <b><u>FY 2020</u></b> | <b><u>FY 2021</u></b> |
| Technical/Special Fees, Grants/Subsidies      |  |   |                       |                       |                       |                       |
| Communications-Phone, Postage                 |  |   |                       |                       |                       |                       |
| Travel, Food, Auto, Fuel & Utilities          |  |   |                       |                       |                       |                       |
| Contractual Services                          |  |   |                       |                       |                       |                       |
| Supplies                                      |  |   |                       |                       |                       |                       |
| Equipment-Replacement                         |  |   |                       |                       |                       |                       |
| Equipment-Additional                          |  |   |                       |                       |                       |                       |
| Land & Structures, Fixed Charges              |  |   |                       |                       |                       |                       |
| Other (Please Specify on Extra Page(s))       |  |   |                       |                       |                       |                       |
| N/A   |  |   |                       |                       |                       |                       |
| <b>TOTAL (Expenditures)</b>                   |  | \$  | \$                    | \$                    | \$                    | \$                    |
|   |  | On the next page, please provide brief descriptions/breakdowns of the above "Other Operating Expenses."   |                       |                       |                       |                       |
|   |  | Please explain below any additional calculations or assumptions made in estimating the "Other Operating Expenses" that will help us to understand the amounts and timing of the expenses.   |                       |                       |                       |                       |
|   |  |   |                       |                       |                       |                       |

# FREDERICK COUNTY COUNCIL

## Local Government Fiscal Estimate of Legislation

4. (cont'd)

### C. Operating Expense Descriptions/Breakdowns

Please provide below a short description of the specific purpose of each expense listed under 4B. If any amount(s) listed under 4B represent(s) a total of multiple expenses, provide a breakdown of the fiscal 2016 amount with a short description of each expense (for example, if \$2,500 is listed for Communications – Phone, Postage, a statement such as “\$1,500 for cellphone charges for two new inspectors and \$1,000 for postage for mailings to permittees to notify them of changes to inspection requirements.”)

#### Fiscal 2017 Expenditures

|   |    |
|---|----|
| <b>Technical/Special Fees, Grants &amp; Subsidies</b><br>description/breakdown      | \$ |
| <b>Communications – Phone, Postage</b><br>description/breakdown                     | \$ |
| <b>Travel, Food, Auto Operations, Fuel &amp; Utilities</b><br>description/breakdown | \$ |
| <b>Contractual Services</b><br>description/breakdown                                | \$ |
| <b>Supplies</b><br>description/breakdown  | \$ |
| <b>Equipment-Replacement</b><br>description/breakdown                               | \$ |
| <b>Equipment-Additional</b><br>description/breakdown                                | \$ |
| <b>Land &amp; Structures, Fixed Charges</b><br>description/breakdown                | \$ |
| <b>Other (Please Specify)</b><br>description/breakdown                              | \$ |

Please submit BY E-MAIL to: Ragen Cherney, Legislative Director/Chief of Staff  
Frederick County Council • E-Mail: RCherney@FrederickCountyMD.gov