



Bill No. 17-21

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>

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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.

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(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.

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