



Bill No. 18-09

Concerning: Location of Private Amenities and Recreational Facilities in Planned Development Districts

Introduced: February 20, 2018

Revised: April 24, 2018 Draft No. 1

Enacted: _____

Effective: _____

Expires: _____

Frederick County Code, Chapter 1-19

Section(s) 10.500.9 and 11.100

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Vice President M.C. Keegan-Ayer

AN ACT to: Amend Frederick County Code Chapter 1-19 of the Frederick County Code to specify that [[amenities and]] recreational facilities serving only the residents of a Planned Development District are located within the Planned Development District, and are not to be included in the Outdoor Sports Recreation Facility category.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, 1-19 Section(s) 10.500.9 and 11.100

Other: _____

Boldface

Underlining

[Single boldface brackets]

* * *

Heading or defined term.

Added to existing law.

Deleted from existing law.

Existing law unaffected by bill.

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The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend the Frederick County Code to require that ~~[[amenities and]]~~ recreational facilities such as clubhouses and pools exclusively serving residents of Planned Development Districts be located within the Planned Development District, and to clarify that private amenities including, swimming pools, for residential developments are not to be included in the Outdoor Sports Recreation Facility category.

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.

AND BE IT FURTHER ENACTED, that these provisions shall apply to all to Planned Unit Development or Mixed Use Development for which Phase II approval has not been received prior to the Effective Date of this Bill and to any swimming pool or clubhouse that has not received final site plan approval prior to the effective date of this Bill.

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

Exhibit 1

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

The following general development standards shall be met at the time of Phase II execution unless modified by the Planning Commission as provided in § 1-19-10.500.9(D).

(A) Site and building design.

* * * * *

{Subsections (A)(1) – (A)(20) remain unchanged.}

(21) [[Amenities and r]]Recreational facilities including, but not limited to, swimming pools and clubhouses, which require site plan approval and the issuance of a building permit for construction, and are intended [[designated]]to serve only the residents of a Planned Development District, must be located within the Planned Development District.

[(21)](22) Existing site structures and features shall be evaluated for the feasibility of preservation and integration into the proposed development. The evaluation shall include buildings, sites, structures, or other objects as listed on or eligible for the National Register of Historic Places, Frederick County Register of Historic Places, or as listed on the Maryland Inventory of Historic Properties.

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§ 1-19-11.100. DEFINITIONS.

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OUTDOOR SPORTS RECREATION FACILITY. The use of property for outdoor recreational activities where clearing is minimized including but not limited to field sports, paintball, laser tag, golf driving range, chip and putt, miniature golf, batting cage/range, or putting green or any combination thereof. This use may also include buildings accessory to the primary use of outdoor sports recreation facility, but does not include swimming pools or clubhouses designated to serve only the residents of a residential development or Planned Development District.

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