



Bill No. 20-19

Concerning: Sign Modification in PUD and MXD

Introduced: December 15, 2020

Revised: _____ Draft No. _____

Enacted: January 19, 2021

Effective: March 20, 2021

Expires: March 15, 2021

Frederick County Code, Chapter 1-19

Section(s) 10.500.9

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Kai Hagen

AN ACT to: provide for the modification of signs in PUD and MXD projects.

Executive: *[Signature]* Date Received: 1-28-2021

Approved: *[Signature]* Date: 1-28-2021

Vetoed: _____ Date: _____

By amending:

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

Other: _____

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law.</i>
[Single boldface brackets & Strikethrough]	<i>Deleted from existing law.</i>
***	<i>Existing law unaffected by bill.</i>

Bill No. 20-19

WHEREAS, the Frederick County Planning Commission may approve modifications to parking, loading, street design, landscaping, screening, buffering requirements, and general development standards for Mixed Use Developments (MXD) and Planned Unit Development (PUD) under certain conditions; and

WHEREAS, the sign regulations do not provide for the ability to modify sign standards in the same manner as the other community design elements noted above; and

WHEREAS, the County Council of Frederick County, Maryland finds it in the best interests of the County for the County laws and regulations to be amended to specifically provide the manner in which modifications to certain signs can be permitted; and

WHEREAS, the intent of this Bill is to provide for flexibility in the type, placement, and location of the signs that would otherwise be permitted within a PUD or MXD project including any individual lots or parcels therein, while acknowledging that the signs may be proposed in alternative locations and would not be considered an off-premise sign so long as the sign content remained limited to the respective PUD or MXD project; and

WHEREAS, in order to provide for the opportunity to limit sign clutter along our roadways and community entrances, and to promote an integrated design aesthetic among compatible uses, while maintaining appropriate wayfinding, the County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-19 (Zoning) of the Frederick County Code to address the opportunity to permit sign modifications under certain conditions.

NOW, THEREFORE, BE IT ENACTED, that the Frederick County Code be, and is hereby, amended as shown on the attached Exhibit 1.



MC Keegan-Ayer, President
County Council of Frederick County,
Maryland

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

(D) *Modifications.* As part of a Preliminary Plan or Site Development Plan [~~Planned Development Phase III~~] approval, the Planning Commission may approve modifications to parking, loading, street design, landscaping, screening, buffering requirements, signage (excluding billboards) and general development standards as provided in § 1-19-10.500.9(A), in accordance with the following:

- (1) Modifications to parking, loading, landscaping, screening, and buffering requirements shall be limited to modifications as provided for within Article VI: District Regulations.
- (2) All other modifications may be granted where the applicant or Planning Commission authorized representative can demonstrate need based on characteristics of the proposed use, physical site constraints, or other documentation as approved by the Planning Commission.
- (3) Where a modification has been granted, the Planning Commission may require alterations to building and site design to minimize negative impacts on surrounding properties that may result from the modification. The building and site design modifications may include: location of public access, buffering and screening, landscaping, lighting, outdoor recreation areas, building location and orientation.
- (4) The Planning Commission may approve a modification of §1-19-6.300 through §1-19-6.320 for a commercial, non-residential component of a PUD or MXD. The review and approval shall consider how the plan:
 - a) affects pedestrian and vehicular safety and wayfinding;
 - b) thematically represents the commercial/employment or community as a whole;
 - c) maintains and enhances the aesthetic environment by reducing visual clutter along a roadway and minimizing other adverse effects;
 - d) compares to the strict adherence of the sign requirement being modified, provided the overall total amount, type, and height of proposed signage is not greater than what would otherwise be permitted for the project; and
 - e) furtheres other county or state design goals or policies.

Underlining indicates matter added to existing law.

[Single boldface brackets and ~~Strikethrough~~] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.

