

Bill No. 22-24

Concerning: Private Park in the RC District

Introduced: September 6, 2022

Revised: October 3, 2022 Draft No. _____

Enacted: October 25, 2022

Effective: December 24, 2022

Expires: December 5, 2022

Frederick County Code, Chapter 1-19

Section(s) 5.310, 6.100, 8.432 and 11.100

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President MC Keegan-Ayer on behalf of County Executive Jan Gardner

AN ACT to: add to Chapter 1-19 a definition of Private Park, add Private Park to the Use Table, Design Requirements, and add specific criteria for Private Parks in the RC district.

Date Council Approved: 10/25/2022 Date Transmitted to Executive: 10/27/2022

Executive: Jan Gardner Date Received: 10/27/2022

Approved: ✓ Date: 10/27/2022

Vetoed: _____ Date: _____

Date returned by County Executive with no action: _____

By amending:

Frederick County Code, 1-19

5.310, 6.100, 8.432 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.

1 Bill No. _____

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3 The County Council of Frederick County, Maryland, finds it necessary and appropriate to
4 amend Chapter § 1-19 of the County Code to include a definition of Private Park, add Private
5 Park to the Use Table, Design Requirements, and add specific criteria for Private Parks in the
6 RC District.

7 NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF
8 FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,
9 amended as shown on the attached Exhibit 1.

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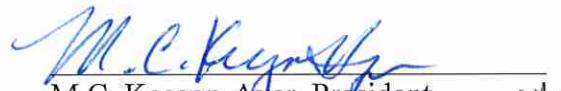
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M.C. Keegan-Ayer, President
County Council of Frederick County,
Maryland

Exhibit 1

§1-19-5.310. USE TABLE

| <i>Zoning Districts</i> | | | | | | | | | | | | | | |
|---|------------------|----------|-----------|-----------|-----------|-----------|------------|------------|-----------|-----------|-----------|------------|-----------|-----------|
| Uses | RC | A | R1 | R3 | R5 | R8 | R12 | R16 | VC | MX | GC | ORI | LI | GI |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| <i>Open Space and Institutional</i> | | | | | | | | | | | | | | |
| Airports, public **** | | | | | | | | | | | | | PS | PS |
| Cemetery/memorial gardens | | PS | PS | | | | | | | | | | | |
| Fairground | | | | | | | | | | | PS | | PS | PS |
| Shooting range/club - trap, skeet, rifle, archery | E | E | | | | | | | | | | | PS | PS |
| Aircraft landing and storage areas, private | | E | | | | | | | | | | | E | E |
| Aircraft landing and storage areas, private - commercial use | | E | | | | | | | | | | | E | E |
| Tent campground | E | E | | | | | | | | | | | | |
| Rustic retreat/camp/out door club | E | E | | | | | | | | | | | | |
| <u>PRIVATE PARK</u> | <u>PS</u> | | | | | | | | | | | | | |

1 **§1-19-6.100. DESIGN REQUIREMENTS FOR SPECIFIC DISTRICTS**

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| Use Classification | Minimum Lot Area | Minimum Lot Area per Unit | Lot Width | Front Yard | Side Yard | Rear Yard | Height |
|--------------------|------------------|---------------------------|-----------|------------|-----------|-----------|--------|
|--------------------|------------------|---------------------------|-----------|------------|-----------|-----------|--------|

5 **Resource Conservation District RC**

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| | | | | | | | |
|-------------------------------|------------------|----------|------------|-----------|-----------|-----------|------------|
| Natural Resources | 10 acres | | 300 | 50 | 50 | 50 | 30' |
| Residential | | | | | | | |
| Single family | 10 acres | 10 acres | 300 | 50 | 50 | 50 | 30' |
| Mobile Home | 10 acres | 10 acres | 300 | 50 | 50 | 50 | 30' |
| Animal Care & Services | 10 acres | | 300 | 50 | 50 | 50 | 30' |
| Open Space Uses | 10 acres | | 300 | 50 | 50 | 50 | 30' |
| Institutional | 10 acres | | 300 | 50 | 50 | 50 | 30' |
| Governmental & Public Utility | 10 acres | | 300 | 50 | 50 | 50 | 30' |
| Nongovernmental Utility | 10 acres | | 300 | 50 | 50 | 50 | 30' |
| PRIVATE PARK | <u>100 ACRES</u> | | <u>300</u> | <u>50</u> | <u>50</u> | <u>50</u> | <u>30'</u> |

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10 **§1-19-8.432. PRIVATE PARK IN THE RC DISTRICT**

11 The following provisions shall apply to Private Parks in the Resource Conservation
12 District

13 1) The minimum lot area, lot width, yard setbacks, and heights shall be as provided
14 for in 1-19-6.100.

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16 2) The subject property must have road frontage on and access to a 20-foot-wide
17 paved public road.

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19 3) The requirements of 1-19-7.200, and where applicable, 1-19-7.700 (Sugarloaf
20 Rural Heritage Overlay District) of this Code must be met.

Underlining indicates entirely new matter added to existing law.

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

*** - indicates existing law unaffected by bill

Double underlining boldface indicates matter added by Amendment.

[[Double bracket]] boldface and strikethrough indicates matter deleted by Amendment.

4) A Private Park may include natural or paved trails, scenic viewing areas, parking facilities, forestry activities, tot lots, temporary or occasional tent camping, a caretaker residence, and private offices for the operation of the Private Park.

5) The following **COMMERCIAL** uses and facilities are not permitted in or accessory to a Private Park: recreational vehicle campground, golf course, golf driving range, swimming pool, fairgrounds, zoo, hotel, motel, or lodge.

6) After the establishment of a Private Park, The following accessory uses are permitted with site development plan approval: a visitors' center, gift shop, walk-up concession stands, pavilions or open structures for gatherings.

ARTICLE XI: DEFINITIONS

§1-19-11.100. DEFINITIONS

PRIVATE PARK. A parcel or contiguous parcels containing 100 or more acres, owned by a non-governmental entity or organization, managed primarily for environmental conservation, and maintained in a natural landscape condition. A Private Park may be open for use by the public, **INCLUDING FOR USES CONSISTENT WITH MD. CODE ANN., NATURAL RESOURCES ART. § 5-1102(A).** [and the public may be charged an admission fee for access.]

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