

Bill No. 23-20
Concerning: Limited Landscape Contractor
Parking and Storage
Introduced October 3, 2023
Revised: _____ Draft No. _____
Enacted: November 21, 2023
Effective: January 20, 2024
Expires: January 1, 2024
Frederick County Code, Chapter 1-19
Section(s) 5, 8, and 11

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Steve McKay

AN ACT to: Create a new use within the Agricultural District to allow limited commercial vehicle parking and material and equipment storage associated with a landscape contractor business.

Date Council Approved: 11/21/2023 Date Transmitted to Executive: 11/21/2023

Executive: Yvonne M. Bryant Date Received: 11/22/2023

Approved: ✓ Date: 11/28/23

Vetoed: _____ Date: _____

Date returned to Council by County Executive with no action: _____

By amending:

Frederick County Code, 1-19 Section(s) 5, 8, and 11

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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2 The County Council of Frederick County, Maryland, finds it necessary and
3 appropriate to amend Chapter 1-19 of the Frederick County Code (Zoning), sections 5, 8,
4 and 11 to provide a new use which allows limited commercial vehicle parking and material
5 and equipment storage associated with a landscape contractor business in the Agricultural
6 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
9 hereby, amended as shown on the attached Exhibit 1.

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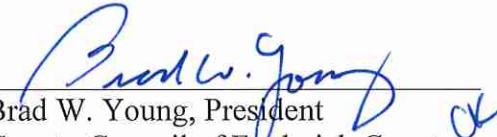
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Brad W. Young, President
County Council of Frederick County,
Maryland

§ 1-19-8.442. LIMITED LANDSCAPE CONTRACTOR PARKING AND STORAGE IN THE A DISTRICT.

The following provisions apply to limited landscape contractor vehicle parking and material and equipment storage in the agricultural zoning district:

(A) The subject property must have a minimum lot area of 80,000 square feet.

(B) Setback and height requirements are the same as natural resource uses in the A District.

(C) A combined total of no more than 5,000 square feet of accessory structures is permitted.

(D) Total impervious surface area, excluding driveways, for parking and storage of equipment exterior to any structures is limited to 25,000 square feet.

(E) All equipment and materials must be screened from adjacent properties and public roads with plantings of evergreens, at least 5 feet in height, or a fence of equal height, or demonstrate the extent that existing landscaping, hedgerows/tree cover or other natural features that are located on the subject property provide similarly effective screening. Such landscaping and plantings shall emphasize species that are native to Frederick County.

(F) Parking under this section is limited to no more than 10 licensed commercial vehicles that are used in the furtherance of a commercial enterprise owned or controlled by the owner of the subject property.

(G) The maximum number of on-site employees is 5.

(H) Parking and equipment storage may occur in the setback area but shall not be closer to the property line or right-of-way line than one-half the normally required setback, provided that the screen required by subsection E is composed of fencing with a minimum height of 6 feet, is visually opaque in construction, is in combination with landscaping, and is located outside of the right-of-way.

(I) Retail activities, other than those allowed under § 1-19-8.240, are not allowed.

(J) The subject property must have frontage and access to a paved public road with a minimum pavement width of 16 feet.

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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2 (K) The proposed use shall comply with § 1-6-50 (Wellhead Protection Ordinance) prior to
3 site plan approval.

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5 (L) This use is not allowed on properties where a residential dwelling unit on an adjacent
6 property is within 150' of the property line of the proposed use.

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8 **§ 1-19-5.310. USE TABLE**

9 ...

10 **Commercial Business and Personal Services**

Uses	RC	A	R1	R3	R5	R8	R12	R16	VC	MX	GC	ORI	LI	GI
<u>Limited</u> <u>Landscape</u> <u>Contractor</u> <u>Parking &</u> <u>Storage</u>		PS												

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14 **§ 1-19-11.100. DEFINITIONS**

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17 **LANDSCAPE CONTRACTOR.** A business principally engaged in the designing, installing,
18 planting or maintaining of yards, gardens or other grounds offsite to include the following:
19 landscape installation, care and maintenance services; lawn care services (i.e., fertilizing,
20 mowing, seeding, sod laying, spraying); plant, shrub and tree services (i.e., bracing, planting,
21 pruning, removal, spraying, trimming); seasonal property maintenance services (i.e., snow
22 plowing in winter, landscaping during other seasons).

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24 ...

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26 **LIMITED LANDSCAPE CONTRACTOR PARKING AND STORAGE.** A site used solely
27 for the parking of licensed commercial vehicles and storage of material and operational
28 equipment owned by and used in support of a **LANDSCAPE CONTRACTOR** business.

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

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