




**DIVISION OF PLANNING  
FREDERICK COUNTY, MARYLAND**

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To: Frederick County Planning Commission

FROM: Eric Soter, Director, Division of Planning 

DATE: April 14, 2009

RE: Discussion of Ag and RC Zoning District Use Table/Definitions *Draft* Text Amendment

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In July of 2003 the Citizens Zoning Review Committee (CZRC) Report was transmitted to the BOCC. The CZRC represented a diverse group of stakeholders from the county who met over several months and reviewed the Zoning Ordinance by theme. The CZRC Report summarizes recommended amendments and revisions to the Zoning Ordinance that were identified by the Committee. The Report provides the basis for review of themes, additional research, and eventual presentation of recommendations to the BOCC for text amendments to the Zoning Ordinance. The prior BOCC reviewed the report and voted on those recommendations to provide direction to Staff.

In April of 2007, the BOCC initiated their FY2007 – FY2011 Strategic Plan. A key objective of the Land Use Goal was to *examine the zoning ordinance to determine priorities and initiate a phased approach for zoning text amendments*. In the summer of 2007 staff presented a thematic/topical approach to phase an overall rewrite. One of the first priorities would be the Use Table and Definitions, and specifically the RC and Ag Zoning districts. Due to outstanding zoning text amendments in the queue as well as other workplan items, staff did not begin in earnest on this work until early 2008.

In September of 2007 the current BOCC provided additional direction to Staff regarding the permitted uses in the Agricultural (A) and Resource Conservation (RC) zoning districts as well as the appropriate scale and intensity for those uses.

Based on this information as well as the existing purpose statements for the A and RC zoning districts, Staff reviewed definitions, the Use Table, and existing special exception criteria within the zoning ordinance. Recommendations were made to provide definitions for all existing and proposed uses permitted within the A and RC zoning districts and definition of related terms. In addition, Staff made recommendations for editing the Use Table to remove specific uses as permitted within the A or RC zoning districts, change the processing of specific uses, and/or the addition of new uses. This has resulted in the A/RC Use and Definitions *Draft* Text Amendment.

Over the past year, Staff has conducted worksessions with the BOCC on April 10, April 17, May 6, September 30, November 13, 2008, February 24, and April 7, 2009 to provide for review and direction on the draft text amendment. In addition, Staff conducted worksessions with the Frederick County Planning Commission (FCPC) on April 16 and May 21 2008.

To facilitate the participation of the FCPC in this process, Staff will present an overview of the recommendations and subsequent BOCC direction given since the last FCPC worksession on the draft text amendment.

Major changes to the text amendment since the last FCPC worksession include the following:

- All amendments related to Place of Worship, Civic Service Club, and Civic Community Center were removed from the overall A/RC draft text amendment as they moved forward in a separate Place of Assembly draft text amendment due to concerns on the extent of the proposed amendments. However, since the BOCC recently (April 7, 2009) held a worksession and gave direction to staff on what limited changes they were willing to take to public hearing, these changes may get folded back into the overall text amendment.
- All amendments related to individual power generation devices (wind turbines, solar array, and solar collection devices) have been removed from the overall A/RC draft text amendment and are moving forward through the public hearing process as a separate text amendment

#### EXHIBITS

Exhibit 1 - A/RC Use and Definitions *Draft* Text Amendment