



ALLEGANY COUNTY

DEPARTMENT OF COMMUNITY SERVICES

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BOARD OF COMMISSIONERS

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May 24, 2017

Office of the Secretary
Maryland Department of Planning
Attn: David Dahlstrom, AICP
301 W. Preston St.
Baltimore, Maryland 21201-2305

Re: Annual Report Calendar Year 2016

Dear Mr. Dahlstrom:

The Allegany County Planning and Zoning Commission approved the following Annual Report for the Reporting Year 2016 as required under [§1-207\(b\)](#) of the Land Use Article on May 24, 2017. In addition, this report has been filed with the local legislative body.

1. The County issued the following number of new Residential Permits inside and outside of the Priority Funding Area (PFA), [§1-208\(c\)\(1\)\(i\)](#) and [\(c\)\(3\)\(ii\)](#):

Table 1: New Residential Permits Issued Inside and Outside the Priority Funding Area (PFA)

<u>Residential – Calendar Year 2016</u>	PFA	Non - PFA	Total
# New Residential Permits Issued	10	11	21

2. The County preserved the following number of acres using local agricultural land preservation funding, [§1-208\(c\)\(iv\)](#), (if applicable):

Table 2: Locally Funded Agricultural Land Preservation Acres

Local Preservation Program Type	Acres
Example: Transfer of Development Rights	131.5
Example: Building Lot Retirement	
Example: Land Purchase	
Example: Local Land Trust	
Example: Easement	
Example: Other	
Total	131.5

3. The County is scheduled to complete a 5-Year Mid-Cycle comprehensive plan implementation review and submit to Planning a 5-Year Report this year, as required under [§1-207\(c\)\(6\)](#) of the Land Use Article? Y N

Note: To find out when your jurisdiction is scheduled to submit this report, please consult the Transition Schedule (Counties) section located at: Planning.Maryland.gov/OurWork/compPlans/ten-year.shtml

If yes, please include the 5-Year Report as an attachment.

4. The County is scheduled to updated its' Development Capacity Analysis this year, as required under [§1-208\(2\)\(c\)\(iii\)](#) of the Land Use Article? Y N

Note: A Development Capacity Analysis is required at least once every three years. Please contact your [Regional Planner](#) if you require assistance.

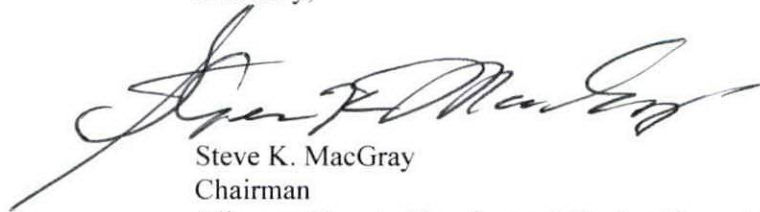
If yes, please include the Development Capacity Analysis.

5. Were there any growth related changes, including Land Use Changes, Zoning Ordinance Changes, New Schools, Changes in Water or Sewer Service Area, etc., pursuant to [§1-207\(c\)\(1\)](#) of the Land Use Article? If yes, please list below or on a separate page. Y N

During CY2016 Staff developed a Comprehensive Text Amendment of County Zoning Code that was made effective April 23, 2017. The attached text of a PowerPoint presentation explains the highlights of the new Code. The Planning Commission involvement and Hearing occurred in CY2016.

6. Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, list. Y N
7. Have all members of the Planning Commission/Board and Board of Appeals completed an educational training course as required under [§1-206\(a\)\(2\)](#) of the Land Use Article? Y N

Sincerely,



Steve K. MacGray
Chairman
Allegany County Planning and Zoning Commission

Code Home Rule Bill No. 2-17
Part 4 Zoning
Comprehensive Text Amendment

Why amend Part 4 Zoning text?

- One business-friendly zoning code
- Integrate 2 ordinances into one
- Improve format for user-friendliness
- Address needed updates
- Implement 2014 Comprehensive Plan Recommendations
- Integrate two ordinances into one

Define and implement a mixed use development category (§360-59, §360-80E, §360-93)

Add small scale product development and technological innovation enterprise use in A and C Districts to create small business opportunities in rural areas (§360-59, §360-80E)

Updates

Remove provision for temporary mobile homes

Remove provision for bonding of engineered plans, construction bonding remains (§360-75E)

Improve/clarify definition of planned residential developments (§360-59, §360-80E, §360-86, §360-135D6)

Implement 2 buffer definitions (§360-59)

“screening buffer” with intent to screen

“vegetative buffer” with intent to remain vegetated/undeveloped

Address/regulate concentrated animal feeding operations (§360-59, §360-80E, §360-103)

Increase garage size threshold from 900 SF to 1,200 SF to reduce number of projects needing Board of Appeals approval (§360-80E)

Clarify setback requirements for on-site signs (§360-137, §360-128)

10-ft front

5-ft side and rear

Increase maximum on-site sign height to 72.5 ft along I-68 in commercial districts (§360-137)

Implement simpler way to calculate parking space requirements for office buildings (§360-139C)

Remove provision for a garage permit to be issued prior to a dwelling unit on a residential lot

Update Index of Arterial Highways table for consistency with SHA (§360-142)

Regulate variable messaging signs for traffic safety (§360-137)

LaVale Overlay District preserves some LaVale characteristics

Billboards, mobile homes on individual lots and mobile home parks to remain prohibited

Cellular, relay, repeating and transmitting towers to remain permitted in R-2 District in LaVale

Notable Changes in LaVale

Uses becoming more restrictive in R-1 (RA) Residential

- Animal husbandry (e.g. backyard chickens) will be prohibited on lots less than 2 acres in size, currently unaddressed
- Surface mining, quarrying and related haul roads will be prohibited, currently permitted with Board of Appeals approval
- Uses becoming more restrictive in R-2 (RR) Residential
 - Golf courses will be prohibited, currently permitted
 - Surface mining, quarrying and related haul roads will be prohibited, currently permitted with Board of Appeals approval
 - Neighborhood commercial and greenhouses and nurseries will require Board of Appeals approval, currently permitted
- Uses becoming more restrictive in B-2 (CB) Major Commercial
 - Single family dwellings will require Board of Appeals approval for lots <2 acres and will be prohibited on lots >2 acres, currently permitted
 - Duplex units will require Board of Appeals approval, currently permitted
 - Light and heavy industry including research or manufacturing and golf courses will be prohibited, currently permitted
- Uses becoming less restrictive in R-1 (RA) Residential
 - Institutional uses (fire stations, churches, schools and public recreation areas) and subsurface mineral extraction will be permitted, currently requires Board of Appeals approval
- Uses becoming less restrictive in R-2 (RR) Residential
 - Animal husbandry (e.g. backyard chickens) will be permitted, currently requires Board of Appeals approval for lots <20,000 SF
 - Subsurface mineral extraction, cemeteries and swimming pools will be permitted, currently requires Board of Appeals approval
- Uses becoming less restrictive in B-1 (CA) Neighborhood Commercial
 - Used car lots, contractor's storage yards, lumberyards and solid or liquid fuel storage for wholesale trade will be permitted with Board of Appeals approval, currently prohibited
 - Mini storage permitted, currently prohibited
- Amendment #1: Small-scale product development & technological innovation enterprises
 - Intent to provide small business opportunities in rural areas
 - Proposed definition too broad; conflicts with agricultural operations and private commercial recreation
 - Amendment #1: reduce scope of definition to
 - "A land use that includes research and design and other light manufacturing."
- Amendment #2: Private commercial recreation areas and structures
 - Receptions and concerts on farms currently administered as private commercial recreation
 - Amendment #2: add private commercial recreation areas and structures to capture intent of current language in new Table 1 format
- Hydraulic Fracturing ("Fracking")
 - Not specifically addressed in current or proposed
 - Would be administered as subsurface mineral extraction in both current and proposed
 - Subsurface mineral extraction permitted in all districts (not changing)
 - Once State adopts regulations, County will evaluate need to further address