

Residential Districts Text Amendment

Why are we amending the residential development codes?

- Plan Implementation - The Adopted 2014 County Master Plan and 2018 Freedom Community Comprehensive Plan included recommendations to review and amend the County Zoning and Subdivision regulations to facilitate the implementation of the plans.
- A comprehensive review is needed to modernize, clarify, and make the development regulations in the County more consistent and user-friendly.
- A comprehensive review of the commercial and industrial code provisions was completed in December 2019; this is the next step.

How were the amendments developed?

- Staff Work began on the residential sections of the Code in Spring 2018 with the assistance of a citizen residential focus group
- In 2020, The staff expanded its public engagement by hosting in-person and virtual interactive meetings open to the public.
- Meetings were held with interested organizations and community groups, including the Freedom Area Citizens Association, Finksburg Planning and Citizens Council, County Surveyors' Group and Maryland Building Industry Association.
- Updates have been posted throughout on carrollrezoning.org, which included: working copies of most recent draft of changes; Webinar and other outreach videos; Concept Team meeting notes detailing staff discussions; community comments received; Planning Commission meetings and actions; and future schedules.

What Sections of the County Code are affected?

- Chapter 158 Zoning Regulations
- Chapter 155 Development and Subdivision of Land



What has been changed from the current code?

Chapter 158 – Zoning Regulations

- **Definitions** (pages 1-5) have been clarified where inexact, added to accommodate new uses, modified where updates were necessary, relocated to more appropriate sections, and deleted when obsolete or unnecessary.
- **Purposes** of the four residential districts (pages 10-20) were revised to make them consistent with land use definitions in adopted Plans. No new districts were created.
- **Principal Uses** were relocated from individual districts and reformatted into a Table of Land Uses (pages 24-26). Significant changes include:
 - Funeral Establishments are no longer permitted in the residential districts (page 24).
 - Medical and Dental Centers are no longer permitted in the residential districts (page 25).
 - Certain Indoor and Outdoor Recreational Facilities will require conditional use approval (page 25).
 - Multifamily age-restricted housing is no longer allowed in the R-40,000 and R-20,000 Districts (page 25). Existing uses are grandfathered.
 - Single-family and attached age-restricted housing development (now called Retirement Village) is no longer allowed in the R-40,000 District (page 25).
- **Accessory Uses** were relocated from individual districts to a new section applicable to all four residential districts. Significant changes include:
 - Codifying the regulation of fowl as an accessory use, the exact number allowed based on acreage (pages 2 and 28).
 - Replacing the requirement for a public hearing with an affidavit signed by the applicant for Family Day Care and Home Occupations (page 28).
 - Codifying the regulation of Private Stables as an accessory use, the number of animals allowed based on acreage (page 29).
 - Private Kennels, which is the keeping of more than three dogs accessory to a residence, will no longer be regulated as a zoning matter, making it solely an Animal Control (Chapter 90) responsibility (pages 3 and 6).
- **Bulk Requirements** (yard and height requirements) were relocated from individual districts to a new section applicable to all four residential districts. Significant changes include:



- Reducing the density for Retirement Villages from 5.8 dwellings/acre to 3.5 dwellings/acre, with the possibility for more than 3.5 if a specific finding is made by the Planning Commission (page 31).
- Disallowing variances from minimum lot size for private schools (page 31).
- **Zoning Administrator variance process** (adjustments to bulk and other dimensional requirements) currently has percentage limitations on what may be approved and a requirement for a public hearing. (pages 1, 4, 33-35) This proposal:
 - Removes the percentage limitations and allows the ZA to approve up to 100% of a variation from a requirement.
 - Changes the process that requires a public hearing to posting of the property and notification of adjoining property owners. If a hearing is requested after these notifications by any member of the public, a public hearing will be held.

Chapter 155 – Development and Subdivision of Land

- **Cluster Subdivisions provisions** were amended to remove the requirement for submittal of a conventional site plan on which to base maximum density for the cluster subdivision. Maximum density still may not exceed the maximum allowable density for the zoning district. It will now be calculated based on site plan requirements such as stormwater, open space, roads, and the new minimum lot size requirements.

