



AGENDA

Frostburg Planning Commission Meeting

7:00 PM - Wednesday, April 13, 2022

Frostburg Municipal Center Meeting Room - 37 Broadway

Page

1. CALL TO ORDER

2. ROLL CALL

Chair Conrad Best, Kristan Carter, Jayci Duncan, Karen Krogh, Ray Rase, Adam Ritchey, and Jeff Snyder

3. CHAIR'S PROCEDURAL STATEMENT; COMMENTS; ANNOUNCEMENTS

The Chair asks that anyone presenting business before the Commission, or any individuals who would like to comment on business before the Commission or other concerns, please come forward at the appropriate time and state your name and address for the record. Each meeting is recorded, so please speak clearly.

4. REVIEW AND APPROVAL OF THE MINUTES

3 - 9

- 4.1. ***Please note that the minutes from the last regular meeting (January 12, 2022) and the special meeting to discuss principal permitted uses in the T-LI zoning district (February 16, 2022) will be reviewed at the April meeting.***
[January 12 2022 Planning Commission Minutes](#)
[February 16 2022 Special Planning Commission Meeting Minutes](#)

5. CITIZEN COMMENTS

From Floor; intended for topics unrelated to the current agenda items

6. PROJECT PRESENTATIONS

- 10 6.1. 101 Pearson Street - Request for a recommendation to the BOZA for a Special Exception - Multifamily Unit Expansion
Public Comment
Motion
[5541-101 PEARSON ST - A1.0 Floor Plan](#)
- 11 - 12 6.2. Request for Approval of the 2021 Annual Report to be submitted to the Maryland Department of Planning

[Annual Report - Short Form - City of Frostburg](#)

7. DISCUSSION ITEMS

By Chair and Members of the Commission

8. ADMINISTRATIVE BUSINESS AND COMMUNICATIONS RECEIVED

9. STAFF REPORTS

10. ADJOURNMENT



MINUTES

Frostburg Planning Commission Meeting

Wednesday, January 12, 2022 - 7:00 PM

Frostburg Municipal Center Meeting Room - 37 Broadway

The Frostburg Planning Commission Meeting of the City of Frostburg was called to order on Wednesday, January 12, 2022, at 7:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

PRESENT: Adam Ritchey, Commissioner of Public Works
Conrad Best, Mr.
Jayci Shaw Duncan, Mrs.
Ray Rase, Mr.

EXCUSED: Jeff Snyder, Mr.
Karen Krogh, Mrs.
Kristan Carter, Mrs.

1. CALL TO ORDER

Chair Best called the meeting to order at 7:00 PM.

2. ROLL CALL

Commissioners Duncan, Rase, Ritchey, and Chair Best were present. Commissioners Carter, Krogh, and Snyder were absent. With four members present, a quorum was achieved, and the meeting continued as scheduled.

3. Chair's Procedural Statement; Comments; Announcements

4. REVIEW AND APPROVAL OF THE MINUTES

- 4.1. Commissioner Ritchey made a motion to approve the October 2021 minutes as presented. Chair Best seconded the motion. Commissioners Duncan and Rase abstained from the vote.

5. Citizen Comments

From Floor; intended for topics unrelated to the current agenda items

6. PROJECT PRESENTATIONS

6.1. **Text Amendment to the Zoning Ordinance - Section 4.1, Historic Preservation Overlay District**

Community Development Director, LJ Bennett, gave an overview of the final redline version of proposed changes to Section 4.1 of the City's Zoning Ordinance pertaining to the Historic Preservation Overlay District. Commissioner Rase recommended updating the definition of "Alley" to include the phrase "maximum right-of-way of 20 feet," and Director Bennett agreed the update would be made. With no further discussion, Commissioner Rase made a motion to approve the proposed text amendments with the updating of the "Alley" definition. Commissioner Ritchey seconded the motion, a vote was taken, and the motion passed unanimously.

Moved by Mr. Ray Rase, seconded by Commissioner of Public Works Adam Ritchey

Public Comment
Motion

Carried

6.2. Text Amendment: Short-Term Vacation Rentals

Community Development Director, LJ Bennett, gave an overview of the history of short-term vacation rental ordinances and why City staff feel these updates and text amendments are relevant. She also gave an overview of the changes proposed and noted that the City Attorney has reviewed the proposed text amendments as well.

Commissioner Duncan inquired about the use of "traditional" before "bed and breakfast" in sub-section C of the proposed ordinance. She noted that the phrase "traditional bed and breakfast" is not used elsewhere in the ordinance and should perhaps be removed. Director Bennett agreed that the word "traditional" should be removed. Chair Best also recommended that Section A. be named "Definitions," and that Section C. should be re-lettered.

Commissioner Rase inquired what would happen if a code violation were to take place at a short-term vacation rental property. Director Bennett advised that the violation would be handled the same way a Rental Housing violation would be, in which a warning letter is issued to the property owner and the designated owner's agent. She also noted that a provision is included which requires short-term vacation rental operators to comply with the Rental Housing Ordinance.

Commissioner Duncan questioned the 45-day time limit on short term vacation rentals and how the 45-day determination was made. Director Bennett offered that the 45-day timeframe was set by staff trying to delineate between maximum "traditional" bed (2 weeks, generally) and breakfast stays and residential renting situations (one semester, or 3 months, to 1 year are standard lease periods in our college town). The 45-day timeframe was also agreed upon due to feedback from current Airbnb operators in Frostburg.

Commissioner Rase asked for clarification about the provision pertaining to outdoor advertising signs. Director Bennett indicated that real estate signs are not regulated by the Zoning Ordinance, but that rental housing signs are regulated. Building identification signs would not be included in this provision.

Commissioner Duncan noted that with the current trends in the travel and tourism industries, this text amendment is timely and appropriate.

With no further discussion, Commissioner Duncan made a motion to approve the proposed text amendments with the edits and clarification points discussed. Commissioner Rase seconded the motion, a vote was taken, and the motion passed unanimously.

7. Discussion Items

By Chair and Members of the Commission

8. Administrative Business and Communications Received

9. Staff Reports

- 9.1. Director Bennett provided the update that the Building and Residential Housing Units Report had just been completed for the U.S. Census. In CY 2021, the City issued 9 building permits for single family dwellings with a combined value of \$6,665,000, an average value of \$200,000 per home. In 6 months, a report will be submitted to the Maryland Department of Planning showing the same values.

10. ADJOURNMENT

The meeting was adjourned at 7:33 PM.

L.J. Bennett, Community
Development Director



MINUTES

Frostburg Planning Commission Meeting

Wednesday, February 16, 2022 - 7:00 PM

Frostburg Municipal Center Meeting Room - 37 Broadway

The Frostburg Planning Commission Meeting of the City of Frostburg was called to order on Wednesday, February 16, 2022, at 7:00 PM, at the Frostburg Municipal Center, 37 Broadway, with the following members present:

PRESENT: Adam Ritchey, Commissioner of Public Works
Conrad Best, Mr.
Jeff Snyder, Mr.
Karen Krogh, Mrs.
Ray Rase, Mr.
Kristan Carter, Mrs.

EXCUSED: Jayci Shaw Duncan, Mrs.

1. CALL TO ORDER

1.1. Chair Best called the meeting to order at 6:58 PM.

2. ROLL CALL

2.1. Commissioners Krogh, Rase, Carter, Snyder, Ritchey, and Chair Best were present for the meeting. Commissioner Duncan was absent.

3. Chair's Procedural Statement; Comments; Announcements

The Chair asks that anyone presenting business before the Commission, or any individuals who would like to comment on business before the Commission or other concerns, please come forward at the appropriate time and state your name and address for the record. Each meeting is recorded, so please speak clearly.

4. REVIEW AND APPROVAL OF THE MINUTES

4.1. Minutes from the January 2022 meeting will be reviewed at the next regular Planning Commission meeting slated for March, 9, 2022. The regular February Planning Commission meeting was cancelled due to no presentations brought forward.

5. Citizen Comments

From Floor; intended for topics unrelated to the current agenda items

5.1. Public comment was solicited via the City's website, Facebook page, and through postings at the Municipal Center, but none was received.

6. PROJECT PRESENTATIONS

6.1. There were no project presentations at this special meeting.

7. Discussion Items

By Chair and Members of the Commission:

Principal Permitted Uses and Structures in the "[T-LI Technology and Light Industrial](#)" Zoning District

Frostburg Zoning Ordinance Section 1.18: [Board of Zoning Appeals](#)

- 7.1. Please be aware that Commissioner Rase abstained from voting on this matter.

Community Development Director, L.J. Bennett, explained that the meeting was called to discuss whether Commissioners would consider a concrete batch facility to be a principal permitted use in the T-LI zoning district.

Commissioner Krogh stated that an approval would be dependent upon site-specific features and the impact such a facility would have on air and water quality. She also expressed concerns about the impact of runoff from the facility on Braddock Run and suggested that a concrete batch plant would not be a principal permitted use and thus should go before the Board of Zoning Appeals to request a Special Exception. Chair Best stated that it would be easy for an engineer to make an argument that a concrete batch plant would be a principal permitted use in the T-LI zoning district and also suggested that the proposal be taken before the Board of Zoning Appeals.

Commissioner Ritchey noted that rocks, sand, and gravel are already sold at another location within the T-LI district and are similar to the materials used to manufacture concrete. Commissioner Snyder added that state- and federal-level environmental reviews, inspections, and permits offer sufficient oversight and believes that a concrete batch facility should be categorized as a principal permitted use. Commissioner Carter agreed that provisions already exist in the Zoning Ordinance for the manufacturing of similar products.

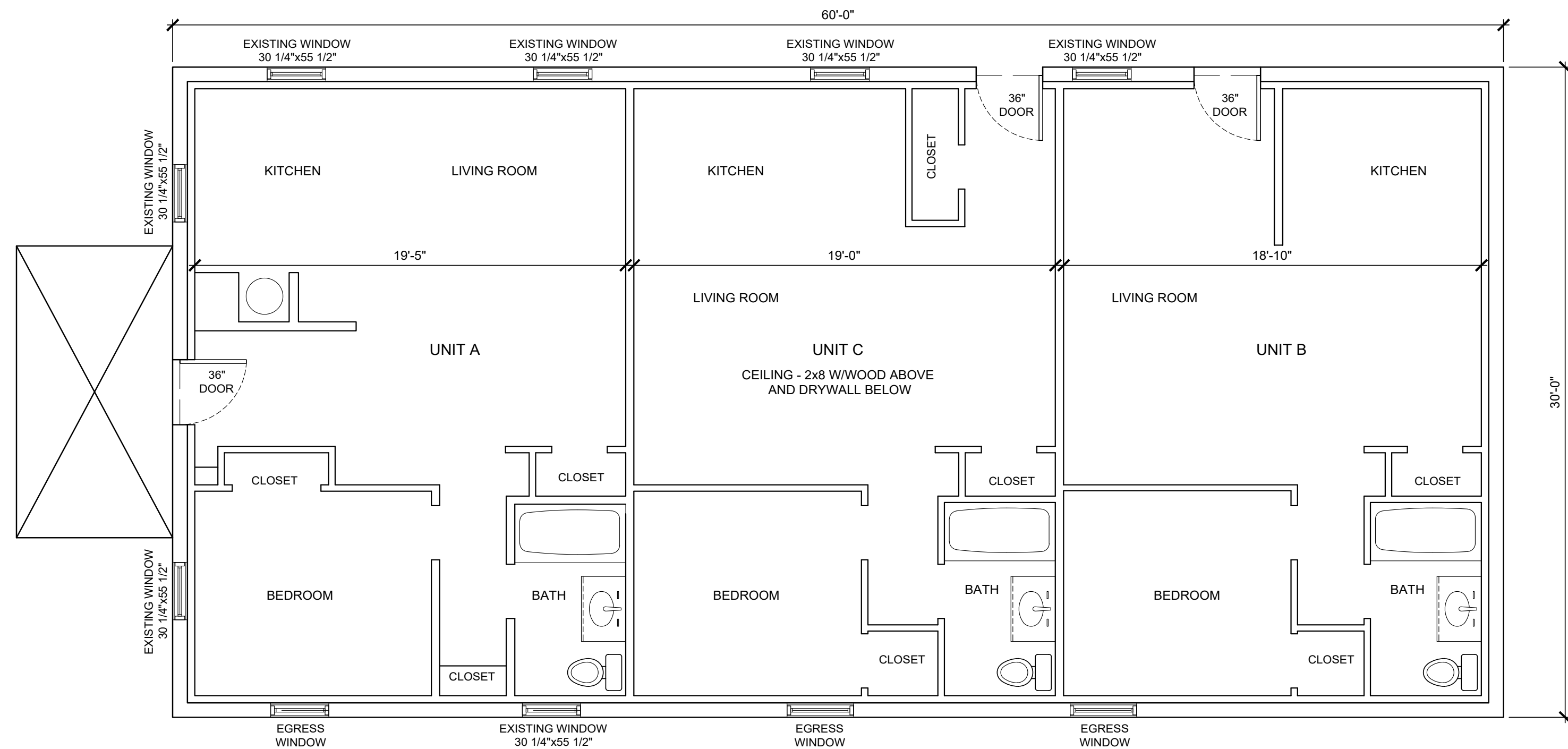
With no further discussion, Commissioner Carter made a recommendation/motion to proceed with the review of a concrete batching plant in the Frostburg Industrial Park, which is consistent with the intention of the ordinance as written in terms of principal permitted uses, and a Board of Zoning Appeals decision is not necessary. The motion was seconded by Commissioner Ritchey. A vote was taken, and the motion carried with a vote of 5 votes in favor, one abstention, and none opposed.

8. Administrative Business and Communications Received

9. Staff Reports

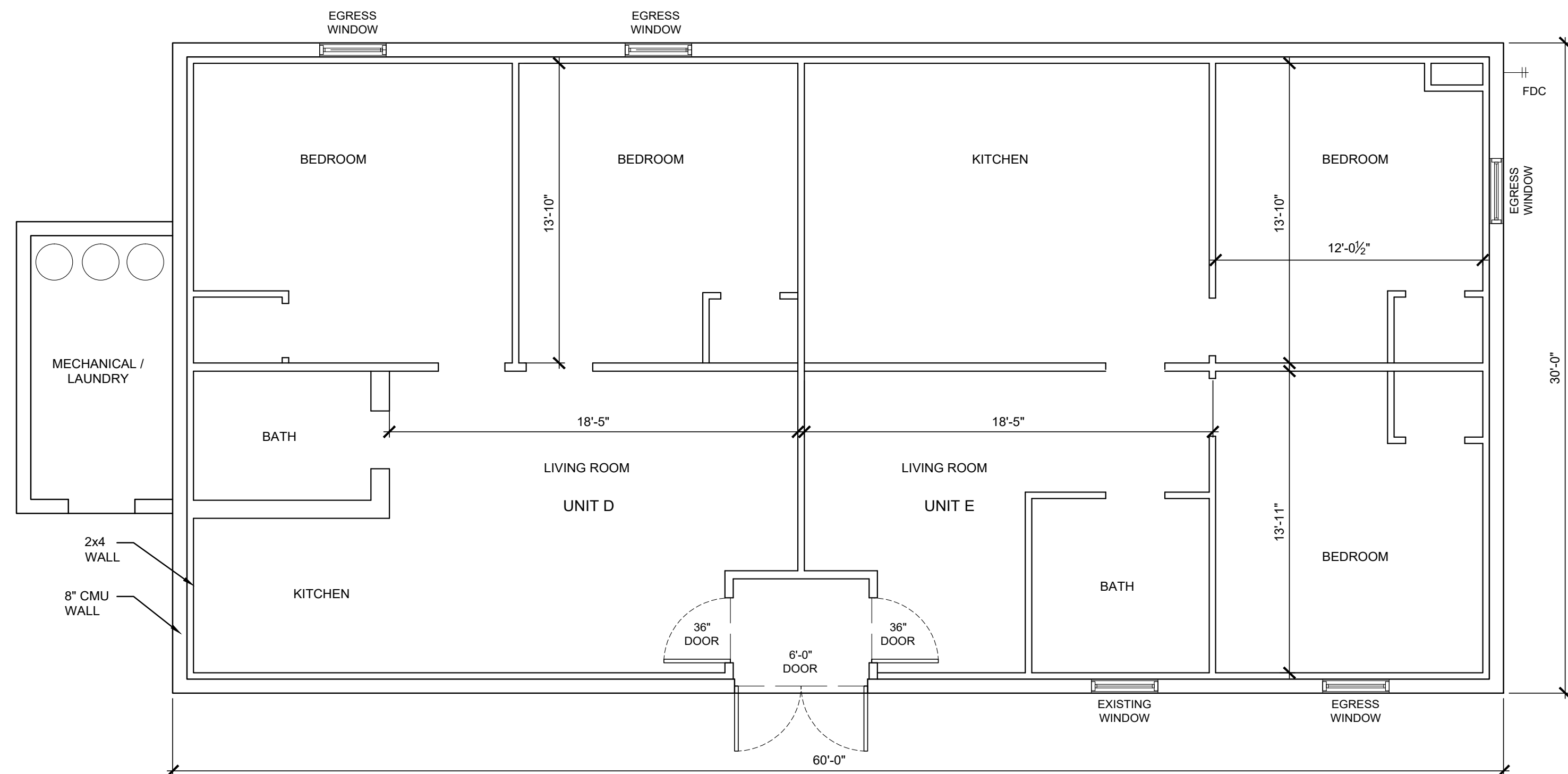
10. ADJOURNMENT

L.J. Bennett, Community
Development Director



MAIN FLOOR PLAN

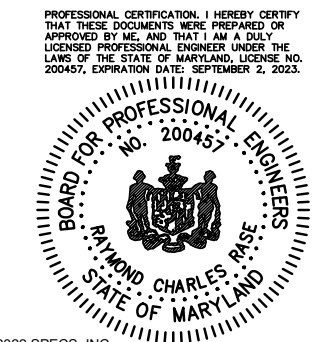
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BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

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No.	DESCRIPTION	DATE	BY

DESIGNED:	C.L.W.
CHECKED:	R.C.R.
APPROVED:	R.C.R.



PREPARED FOR:
PPM LLC - JUSTIN TIPPEN
31 S. GRANT STREET
FROSTBURG, MARYLAND 21532
(240) 284-2465

CODE DRAWINGS
101 PEARSON STREET - FROSTBURG, MARYLAND
FLOOR PLAN

JOB No. 5541	SHEET No. A1.0
DATE FEBRUARY 2022	DRAWING No. 2 of X



W. Robert Flanigan
Mayor

Commissioners

Donald L. Carter, Jr.
Commissioner of
Finance

Kevin G. Grove
Commissioner of
Public Safety

Nina Forsythe
Commissioner of
Water, Parks and
Recreation

Adam Ritchey
Commissioner of
Public Works

Elizabeth Stahlman
City Administrator

City of Frostburg

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 2021

Dear Mr. Dahlstrom:

The City of Frostburg Planning Commission approved the following Annual Report for the Reporting Year 2021 as required under §1-207(b) of the Land Use Article on April 13, 2022. In addition, this report has been filed with the local legislative body.

1. Number of new Residential Permits Issued 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)**

Residential – Calendar Year 2020	PFA	Non - PFA	Total
# New Residential Permits Issued	9	0	9

2. Is your jurisdiction scheduled to complete and submit to Planning a 5-Year Mid-Cycle comprehensive plan implementation review report this year, as required under §1-207(c)(6) of the Land Use Article? If yes, please submit the 5-Year Report as an attachment. Y ☐ N ☒

Note: To find out if your jurisdiction is scheduled to submit this report, please consult the Transition Schedule section located at:
<https://planning.maryland.gov/pages/OurWork/compPlans/ten-year.aspx>

3. Were there any growth related changes, including Land Use Changes, Annexations, Zoning Ordinance Changes, Rezonings, 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 or map. Y ☐ N ☒
4. Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction? If yes, please list.
Y ☐ N ☒
5. Are there any issues that Planning can assist you with in 2021? If yes, please list.
Y ☐ N ☒

6. 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,



L.J. Bennett
Community Development Director