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)

<table>
<thead>
<tr>
<th>Residential – Calendar Year 2016</th>
<th>PFA</th>
<th>Non - PFA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td># New Residential Permits Issued</td>
<td>10</td>
<td>11</td>
<td>21</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Local Preservation Program Type</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Transfer of Development Rights</td>
<td>131.5</td>
</tr>
<tr>
<td>Example: Building Lot Retirement</td>
<td></td>
</tr>
<tr>
<td>Example: Land Purchase</td>
<td></td>
</tr>
<tr>
<td>Example: Local Land Trust</td>
<td></td>
</tr>
<tr>
<td>Example: Easement</td>
<td></td>
</tr>
<tr>
<td>Example: Other</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>131.5</strong></td>
</tr>
</tbody>
</table>
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? 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,

[Signature]
Steve K. MacGray
Chairman
Allegany County Planning and Zoning Commission
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