



Town of Boonsboro

Planning

Proposed Text Amendment

DATE: 02/23/2025

TO: Planning Commission

FROM: Andrew J. Bowen
Staff Planner/Zoning Administrator

RE: **PROPOSED TEXT AMENDMENT TO ZONING CODE**
Site Plan Requirements

The Planning Commission requested Staff prepare draft language for a proposed Text Amendment to the Site Plan Requirements within the Town of Boonsboro Zoning Ordinance. Below are the existing regulations from the Town Zoning Ordinance AND the new language for review by the Planning Commission.

506 Site Plan Requirements⁺

- A. Requirements. Prerequisite to the issuance of a zoning permit, a site plan shall be submitted to the Planning Commission for approval for all new construction greater than 2,000 square feet, multiple family dwellings, townhouses, churches and other places of worship, schools and other educational facilities, hospitals and health care facilities, all new commercial and industrial structures and for all proposed construction that may result in a substantial change of use classification, alteration of on-site parking requirements, potential adverse impacts of off-site storm water drainage, increased demand for public water and sewerage or additions which will cause the rerouting of traffic circulation.
- B. When the submission is required under this section, approval of the site plan shall be based upon the design principles and standards and required improvements set forth in the Land Subdivision Ordinance and other Ordinances, Regulations, and Policies established by the Town.
- C. Submission Procedure. Site plans shall be prepared by a registered professional engineer, registered architect or landscape architect or professional certified planner (AICP) or registered land surveyor licensed to practice in the State of Maryland.
- D. In those cases where no subdivision of land is required under the Land Subdivision Ordinance, Boonsboro, Maryland, a minimum of eight (8) copies of the site plan shall be submitted to the Planning Commission for its review. The Planning Commission shall notify the Zoning Administrator of its approval or disapproval of the site plan within sixty (60) days from the date of submission to the Commission.

The site plan format, informational requirements and review procedures shall be the same as those required for preliminary plat review and preliminary plat approval pursuant to the Land Subdivision Ordinance, Boonsboro, Maryland. However, sites consisting of three (3) acres or less shall be drawn at a scale of one-(1) inch equals twenty (20) feet.

- E. The applicant shall furnish the Town Engineer and Zoning Administrator with As-Built Mylar reproducible drawings at the completion of the project.

Draft Text Amendment Language – Site Plan Requirements

1 Site Plan Required for Approval by the Planning Commission

A Site Plan shall be submitted to the Planning Commission for review and approval for all commercial, multifamily residential, institutional, and industrial buildings unless all of the following conditions are met:

- A. There is no change in the amount of parking needed;
- B. The intensity of the use has not changed;
- C. There are no exterior structural changes;
- D. The building or use has not been grandfathered;
- E. The building or site meets all existing regulations for the district in which it is located.

Parking requirements may be waived upon approval by the Planning Commission. The Zoning Administrator shall review all Change of Use permits to assure Site Plan requirements have been met.

2 Planning Commission Site Plan Review, Approval and Expirations

- A. All site plan approvals shall automatically expire three years after the date on which the planning commission approves the site plan, unless substantial construction of site improvements pursuant to a validly issued permit has begun in good faith. In the event a site plan approval was obtained from the planning commission prior to the enactment of this section, such site plan shall expire three years after the date on which this section was enacted, unless substantial construction of site improvements pursuant to a validly issued permit has begun in good faith.
- B. Upon written request submitted to the planning commission no later than one month prior to the expiration date, and for good cause shown by the applicant, a one-time extension for a period not to exceed six months may be granted by the planning commission. Extension of the site plan may be granted by the planning commission for delays attributable to town, county or state agencies.

3 Definition to be Updates in the Zoning Ordinance

- "Accessory use or building" means a use or building customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building. An accessory building is not attached by any part of a common wall or common roof to the principal building.
- "Active adult community" means a community designed and planned exclusively for independent home living by active adults with households occupied by at least one resident who is fifty-five (55) years of age or older. The community shall be designed to provide the following benefits:
 - An attractive environment for older active adults which is suitable for their special needs, including smaller dwelling units which are more appropriate for older adults without children, and smaller yards resulting in reduced privately owned property requiring homeowner maintenance;
 - Open space and recreation areas for active older adults to be owned and maintained by a homeowners' association;
 - A pattern of development which preserves trees, outstanding natural topography and geographical features and prevents soil erosion;
 - A creative and flexible approach to the use of land and related physical development which results in a community design and housing types uniquely different from other residential communities not specifically designed for active adults;
 - An efficient use of land resulting in smaller networks of utilities and streets and thereby promoting lower unit costs per house;
 - An environment in harmony with the overall subdivision and surrounding development.
- "Building" means a structure having one or more stories and a roof, designed primarily for the permanent shelter, support or enclosure of persons, animals or property of any kind.
- "Building setback line" means a line beyond which the foundation wall and/or any enclosed porch, vestibule or other enclosed portion of a building shall not project as determined by the yard requirements.
- "Demolition" means the destruction or partial destruction of buildings, structures, facilities or material by use of fire, water, explosives, mechanical or other means.
- "Development" means any activity, other than normal agricultural activity, which materially affects the existing condition or use of any land or structure.

- "Site development plan" or "site plan" means the plan showing the location of existing and proposed buildings, structures, paved areas, storm water management, walkways, vegetative cover, landscaping, screening and other matters which may be required with regard to a site proposed for development.
- "Story" means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above as illustrated in the below drawing.

