



THE CITY OF FROSTBURG

Planning Commission Meeting Agenda

Wednesday, July 10, 2024 at 7:00 PM

Frostburg Municipal Center Meeting Room 100
37 S. Broadway, Frostburg, MD 21532

1. Call to Order

2. Roll Call

Chair Conrad Best, Karen Krogh, Ray Rase, Adam Ritchey, Richard Russo, Jeff Snyder, and Eric Stevens

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. Approval of the Minutes

A. Minutes from the June 2024 Planning Commission Meeting.

Motion and Second to Approve the Minutes for the June 2024 Planning Commission Meeting.

5. Citizen Comments

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

6. Project Presentations

A. MD Department of Planning - Annual Report

7. Discussion Items

By Chair and Members of the Commission

A. Classification of Permanent Makeup Services as Body Art or Beauty Salon Services

8. Administrative Business and Communication Received

A. Comprehensive Plan Update

9. Staff Reports

10. Adjournment



THE CITY OF FROSTBURG

Planning Commission Meeting Minutes

Wednesday, June 12, 2024 at 7:00 PM

Frostburg Municipal Center Meeting Room 100
37 S. Broadway, Frostburg, MD 21532

1. Call to Order

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

2. Roll Call

Chair Conrad Best, Karen Krogh, Ray Rase, Adam Ritchey, Jeff Snyder, and Eric Stevens were present. Richard Russo 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. Approval of the Minutes

A. Commissioner Snyder proposed a correction to the May 2024 Minutes to include a statement that Brian Alderton spoke on behalf of himself and Denny Delaney during the public comment period. Commissioner Rase made a motion to approve the May 2024 meeting minutes as amended. Commissioner Krogh seconded the motion, a vote was taken, and the minutes were unanimously approved with the proposed correction.

5. Citizen Comments

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

6. Project Presentations

7. Discussion Items

By Chair and Members of the Commission

A. 25 Centennial Street / 157 First Street

Staff presented an item for discussion regarding the potential lot merger of 25 Centennial Street and 157 W. First Street across a public right-of-way. The purpose of the merger would be to allow the property owner, Shawn Miller, to construct a garage on his property at 157 W. First Street and meet zoning requirements. Mr. Miller spoke to the commissioners about his proposal, and after discussing the proposal, Commissioner Rase stated that the merging of lots across a public right-of-way is not something that is normally done and that the garage construction proposal would be better handled through the Board of Zoning Appeals process. Mr. Miller requested that the Planning Commission make a recommendation to the Board of Zoning Appeals on his proposed project; Commissioner Rase made the motion to provide a favorable recommendation on the project to the Board of Zoning Appeals, the motion was seconded by Commissioner Ritchey, a vote was taken, and the motion was carried unanimously.

8. Administrative Business and Communication Received

A. Planning Intern

Staff discussed the hiring of a Planning Intern for the summer.

B. Comprehensive Plan Update

Staff discussed the status of the Frostburg Comprehensive Plan. Staff stated that a kickoff meeting for the Comprehensive Plan will be happening soon and that the list of steering committee members will also be finalized around the time of the kickoff meeting.

C. House Bill 805: Cannabis Licensee Locations & Restrictions

Staff presented their most recent findings regarding House Bill 805 which regulates cannabis licensee locations. Staff stated that they are still waiting on guidance from the State regarding these regulations. Staff presented a GIS map which showed the possible locations within the City that a cannabis dispensary could be located. Staff also read a public comment regarding House Bill 805 which was submitted by Brian Alderton; Mr. Alderton's comment was in favor of including a 100 foot buffer around residential zones in which cannabis dispensaries would not be able to be located. Commissioner Rase made a motion to table the discussion until the City receives more information and guidance from the State regarding these regulations. Commissioner Ritchey seconded the motion, a vote was taken, and the motion was carried unanimously.

9. Staff Reports

10. Adjournment

Commissioner Rase made a motion to adjourn, the motion was seconded by Commissioner Ritchey, and Chair Best called the meeting to a close at 7:49 PM.

Bethany Fife, Director of Community Development



City of Frostburg

Todd J. Logsdon
Mayor

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

Commissioners

Re: Annual Report Calendar Year 2023

Donald L. Carter, Jr.
Commissioner of
Finance

Dear Mr. Dahlstrom:

The Frostburg Planning Commission approved the following annual report for the reporting year 2023 as required under §1-207(b) and §1-208(c)(1)(i) and (c)(3)(ii) of the Land Use Article on 7/10/2024. In addition, this report has been filed with the local legislative body.

Kevin G. Grove
Commissioner of
Public Safety

1. Number of new Residential Permits Issued inside and outside of the Priority Funding Area (PFA):

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

Residential – Calendar Year 2023	PFA	Non - PFA	Total
# New Residential Permits Issued	6	0	6

Nina Forsythe
Commissioner of
Water, Parks and
Recreation

2. Is your jurisdiction scheduled to complete and submit to Planning a 5-Year Mid-Cycle comprehensive plan implementation review report this year? 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>

Adam Ritchey
Commissioner of
Public Works

3. Were there any growth-related changes, including land use changes, zoning ordinance changes, rezonings, new schools, changes in water or sewer service, or municipal annexations that changed municipal and unincorporated boundaries? **No.**

Elizabeth Stahlman
City Administrator

4. If yes, please list the annexation resolution(s), describe or attach a map of the changes, and provide a description of consistency of internal, state or adjoining local jurisdiction plans. Have you submitted copies of each adopted resolution been to: Georgeanne Carter, Legislative Counsel Municipal Resolution Reposition Department of Legislative Services, 90 State Circle, Annapolis MD, 21401-1991?

Y N

5. Did your municipality identify and/or implement recommendations, related to the following general planning topics, to improve the local planning and/or development process? Please select all that apply.

Y N

<input type="checkbox"/> Green Infrastructure	<input type="checkbox"/> Revitalization and Infill
<input type="checkbox"/> Zoning Reform	<input type="checkbox"/> Bike/Ped Planning
<input type="checkbox"/> Climate Change	<input type="checkbox"/> Commercial Redevelopment
<input type="checkbox"/> Affordable/Workforce Housing	<input type="checkbox"/> Sustainable Growth
<input type="checkbox"/> Equity	<input type="checkbox"/> Placemaking
<input type="checkbox"/> Resilience	<input type="checkbox"/> Aging Population
<input type="checkbox"/> Water/Air Quality	<input type="checkbox"/> Sensitive Area Preservation
<input type="checkbox"/> Water/Sewer Capacity	<input type="checkbox"/> Expedited Review for Preferred Projects
<input type="checkbox"/> Brownfield Remediation	

Please describe any other planning improvements identified or implemented in 2023.

N/A

6. Are there any issues that MDP can assist you with in 2024? If yes, please describe. Y N
Comprehensive Planning and guidance related to MD House Bill 805

7. Have all Planning (Commission/Board) and Board of Appeals members completed the [Maryland Planning Commissioners Association \(MPCA\)](#) training course? Y N

Sincerely,

Bethany Fife
Director of Community Development



City of Frostburg

MEMORANDUM

Todd J. Logsdon
Mayor

To: Frostburg Planning Commission
From: Bethany Fife, Director of Community Development ⁴³⁴
Subject: Permanent Makeup Services and Zoning
Date: July 10, 2024

Commissioners

Donald L. Carter, Jr.
Commissioner of
Finance

Purpose:

The purpose of this memo is to initiate a discussion regarding the zoning classification of permanent makeup services within Frostburg City limits. Specifically, staff seeks guidance on whether these services should be viewed as an accessory use to a beauty salon or categorized as a body art studio as the principal use.

Kevin G. Grove
Commissioner of
Public Safety

Background:

Recent conversations with current and prospective Frostburg business owners have spurred questions about how to appropriately classify permanent makeup services within our zoning regulations. These services involve the application of shallow “tattoos” or pigments to enhance facial features such as eyebrows, eyeliner, and lips. Clarifying their classification will ensure consistency and compliance within our zoning framework.

Nina Forsythe
Commissioner of
Water, Parks and
Recreation

Considerations:

1. Zoning Ordinance definition of “Body Art Studio”: A commercial use involving the marking of skin of persons with a design by process of pricking and/or ingrainin an indelible pigment or by raising scars, or similar method.
2. The State of Maryland regulates facilities offering permanent makeup services in the same manner that the State regulates general body art studios. This is likely due to the higher level of hygiene required in applying the permanent makeup.
3. Although very similar to traditional tattooing techniques (which use a three-prong needle), permanent makeup is often applied with a single-prong needle. Ink utilized in the application of permanent makeup contains a higher water content than traditional tattoo ink, causing it to fade faster. Permanent makeup has a much shorter life-span than traditional body art and typically fades after three years.

Adam Ritchey
Commissioner of
Public Works

Elizabeth Stahlman
City Administrator

Analysis:

1. Accessory Use to Beauty Salons:
 - a. Permanent makeup services are often provided within established beauty salons by licensed cosmetologists or estheticians.
 - b. They are typically viewed as complementary services that enhance the overall offerings of a salon, alongside hairstyling, manicures, and skin treatments.
 - c. Treating them as an accessory use to beauty salons align with their integration into existing commercial areas where beauty services are already permitted.
2. Body Art Studio as Principal Use
 - a. Alternatively, permanent makeup involves tattooing techniques, albeit on a smaller scale compared to traditional body art.
 - b. Body art studios are generally zoned separately due to their association with tattooing and piercing, which may involve additional regulatory considerations related to health, safety, and social perception.

Request for Recommendations:

Given the complexities involved, staff request the Planning Commissioners' recommendations on how to classify permanent makeup services within Frostburg's existing zoning regulations. Specifically, we seek your guidance on whether these services should be categorized as an accessory use to beauty salons or considered under body art studios as the principal use.

Your input and recommendations on this matter are crucial as we strive to ensure our zoning regulations reflect the evolving landscape of cosmetic services while maintaining public health and safety standards. Please prepare to discuss this topic further at the July 2024 Planning Commission meeting.