



PLANNING AND ZONING COMMISSION

MINUTES OF THE PLANNING AND ZONING COMMISSION OCTOBER 27, 2021

- I. Commission Chair Larry Brown called the meeting to order at 7:00 pm. In attendance were Kathleen Berault, Laura Blackwelder, Cynthia Greengold, Jan Ruttkay, Commission Members, Christopher Jakubiak, Planning & Zoning Administrator, and Sharon Humm, Commission Clerk.

II. **Approval of the Planning & Zoning Agenda.**

MOTION: Commissioner Berault moved to approve the October 27, 2021 Agenda as presented. Seconded by Commissioner Greengold.

MOTION: Commissioner Blackwelder moved to amend the agenda to remove item “#VII-Vice Chairman Blackwelder’s September 27, 2021 Proposed Motions amending the Land Use Table”. Seconded by Commissioner Greengold. The Commission unanimously approved the agenda as amended.

III. **Approval of the minutes of the September 22, 2021 Planning & Zoning Commission meeting.**

MOTION: Commissioner Berault moved to approve the minutes of the September 22, 2021 Planning & Zoning meeting. Seconded by Commissioner Greengold, all in favor.

Chairman Brown took the opportunity to inform the Commission, that moving forward, the written minutes will reflect decisions approved during a meeting by the Commission. Chairman Brown also wanted to caution the Commission on sending emails addressed to all Commission members, which could possibly lead to a violation to the Maryland Open Meetings Act.

- IV. **Public Comment on any item on the agenda: Public comment will be accepted by dialing (301) 715-8592 and enter Meeting ID 869 755 7180. NOTE: There will be a 2-minute limit on comments received.**

1. Eric Blitz, on behalf of the Rod n Reel, inquired if there will be a time-limit set on comments during the upcoming Comprehensive Plan public hearing.

- V. **Planning Administrator preview procedure for public hearing, summarize comments received to date, and the process for addressing received comments.** Chairman Brown directed Mr. Jakubiak to preview the procedure for the November 9th Comprehensive Plan public hearing. Mr. Jakubiak stated the Chair will open the meeting with a brief introductory statement, and then he would follow up with a brief overview of the Plan. The Chairman would then open the public hearing up to public comment and once all comments have been received then the public hearing

would be closed, and the meeting adjourned. Any written comments will be entered into the record as well.

MOTION: Chairman Brown moved that once the public hearing has concluded that the Commission continue on with its regular Commission meeting. Seconded by Commissioner Berault, all in favor.

MOTION: Commissioner Blackwelder moved to include a list of items to put on record at the November 9th public hearing that the Planning Commission plans to address. Seconded by Commissioner Greengold.

Commissioner Blackwelder presented her list of items to the Commission. Commissioner Greengold stated she would be adding to that list as well.

The Commission voted on Commissioner Blackwelder's motion to include a list of items to put on record at the public hearing that the Commission would address. Ayes, Commissioners Blackwelder and Greengold. Opposed, Commissioners, Berault, Brown, and Ruttkay. **Motion Fails.**

Mr. Jakubiak will, however, include during his introduction of the Plan, two non-substantive items discussed under Commissioner Blackwelder's list, that will be added to the Plan; 1) documentation of the existing land use map and all overlays, in existing conditions section of the Land Use Chapter, and 2) addition of a bird icon and the words "Covenant Protected Forest Interior Dwelling Bird Habitat" on the proposed Land Use map.

VI. Continue discussion of Zoning Administrator's proposed zoning map and zoning ordinance changes (§ 290-15, § 290-9, § 290-10, § 290-11, Table of Land Use Classifications, and Land Use Map - attached) necessary to implement the draft consolidated Comprehensive Plan update.

Mr. Jakubiak presented to the Commission the proposed zoning ordinance amendments.

BONUS DENSITY OVERLAY DISTRICT

- 1) Two amendments were presented to Chapter 290 of the Town Zoning Code, 1) to remove the bonus density overlay district in its entirety, and 2) remove all references to the Bonus Density Overlay district wherever they may appear in the Zoning Ordinance. **Commission agreed.**

NEW ZONING DISTRICTS AND PURPOSE STATEMENTS

Mr. Jakubiak presented to the Commission a set of amendments to Chapter 290, Section 290-9, Purpose and Intent of Districts, of the Town Zoning Code.

- 1) Eliminate the Residential Village (RV) district and replace it with two districts, Residential Village-1 (RV-1), and Residential Village-2 (RV-2). Add a purpose statement for the new RV-1 and change the name associated with the existing purpose statement of Residential Village to Residential Village-2 (RV-2). **The Commission suggested removing the word "primarily" from the RV-1 purpose statement. Mr. Jakubiak will re-word the paragraph and bring back to the Commission.**

- 2) Eliminate the Commercial and Maritime districts and replace with four (4) new separate commercial districts (Neighborhood (NC), Town (TC), Plaza (PC), and Maritime, (MC) and add a purpose statement for each new district.
 - a) NC-Neighborhood Commercial District – incorporate the word “professional” in the purpose statement.
 - b) TC-Town Commercial District – incorporate in the purpose statement a reference to residential, such as, “limited to residences above ground floor commercial.”
 - c) PC-Plaza Commercial District – Ok as written
 - d) MC-Maritime Commercial – Commissioner Blackwelder stated she would be presenting proposed language to this statement for consideration.Mr. Jakubiak will take the Commissioner’s recommendations, tweak the purpose statements, and bring back to the Commission for further review.
- 3) Amend the purpose statement for the Resource Conservation District to bring it into better conformance with the guidance of the 2021 update of the Comprehensive Plan. The Commission discussed and had concerns as to the language of the statement proposing it be amended to eliminate the possibility of development, eliminate any new residential use, and uphold existing land protective easements.

VII. Public Comment- None received.

VIII. Adjournment:

There being no further comments, Commissioner Blackwelder moved to adjourn the meeting at 9:36 pm. Seconded by Commissioner Ruttkay, all in favor.

Submitted by,



Sharon L. Humm
Commission Clerk

Note: This meeting can be viewed in its entirety on the Town website on the Planning Commission page www.chesapeakebeachmd.gov.