



## **PLANNING AND ZONING COMMISSION**

### **MINUTES OF THE PLANNING AND ZONING COMMISSION FEBRUARY 23, 2022**

- 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 February 23, 2022 Agenda as presented. Seconded by Commissioner Greengold, all in favor.

III. **Approval of the minutes of the January 26, 2022 Planning & Zoning Commission meeting.**

**MOTION:** Commissioner Berault moved to approve the minutes of the January 26, 2022 Planning & Zoning meeting. Seconded by Commissioner Ruttkay, all in favor.

- 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.** None received.

- V. **Chairman's Motion to modify the 2022 Commission Meeting schedule: cancelling the meetings on November 23rd and December 28th and adding meetings on November 9th and December 7th.**

**MOTION:** Commissioner Berault moved to modify the 2022 Commission meeting schedule to cancel the November 23<sup>rd</sup> and December 28<sup>th</sup> meetings and reschedule them for November 9<sup>th</sup> and December 7<sup>th</sup> 2022. Seconded by Commissioner Ruttkay, all in favor.

- VI. **Continue discussion of zoning ordinance changes necessary to implement the following recommendations for immediate term text amendments in the draft Comprehensive Plan – 2021 Update (pages 125-126).**

Chairman Brown stated tonight's discussion would consist of text amendments and the zoning map. He stated he had attended the Town Council's February work session and Town Council meeting and wanted to relay to the Commission, the Council's compliments on the work done, to bring about a very impressive Plan. The Council however noted several things they would like to receive from the Commission:

- One complete package - Comprehensive Plan, with all the zoning changes.
- Would like to see all the decisions that were not unanimous by the Commission.
- Reasons behind recommendations being presented, for example, the 35-ft height limit.

Chairman Brown suggested it might be helpful for the Town Council, if with each of the changes being proposed, the Commission could reference the page number in the Plan where the change is being recommended.

**Reduce the allowable maximum building height to 35 feet.** Chairman Brown stated this item was previously submitted to the Town Council for consideration. This is a recommendation that the Council would like to see reasons explaining why the Commission wants the allowable maximum building height to be thirty-five feet. Commissioner Greengold, as the original maker of the recommendation, will work with Mr. Jakubiak to outline the logic behind this.

**Remove all references to the Bonus Density Overlay District in their entirety.**

Mr. Jakubiak stated this comes with two amendments, 1) to repeal section Article IV, 290-15 Bonus Density Overlay District in its entirety and renumber the remaining sections accordingly and 2) remove all references wherever it appears in the zoning ordinance. Commissioner Blackwelder suggested, rather than renumbering the remaining sections, just leave it marked “reserved.” Mr. Jakubiak concurred with the suggestion and also noted that the zoning map lifts all reference to the Bonus Density Overlay District as well.

**Divide the Residential Village District into two new zoning districts, RV-1, and RV-2, and create purpose statements for each.**

Mr. Jakubiak addressed the Residential Village District, which is proposed to be divided into two new zoning districts, RV-1 and RV-2 and presented each with a purpose statement. After discussion, the Commission felt the RV-1 statement seemed too vague and proposed a more constrained statement that would allow for only single-family detached houses. Mr. Jakubiak noted that some permitted uses should be considered, such as churches, and home daycare. Mr. Jakubiak will modify this statement along with minor revisions to the RV-2 and present at the Commission’s next meeting.

**Divide the Commercial Zoning District into multiple new zoning districts including, Neighborhood Commercial (NC), Town Commercial (TC), Commercial Plaza (CP), Maritime Commercial (MC), and create purpose statements for each.**

Mr. Jakubiak stated the Commercial and Maritime Districts would be eliminated and replaced with four new commercial districts. He presented each one along with a purpose statement for discussion.

NC Neighborhood Commercial District – The Commission had no objection to this purpose statement.

TC Town Commercial District – The Commission had concerns relating to the wording of “non-residential” uses in this statement. Mr. Jakubiak will modify and present at the next Commission meeting.

CP Commercial Plaza – The Commission had no objection to this purpose statement.

MC Maritime Commercial – The purpose statement presented was an amended statement suggested by Commissioner Greengold. After discussion, the Commission **unanimously approved** the amended statement, with the addition of a suggested statement from Mr. Jakubiak, and the inclusion of the last three bullets under Maritime Commercial in the Comprehensive Plan, (page 67).

### **RC Resource Conservation District**

Mr. Jakubiak presented an amended purpose statement for the RC District that would conform with the guidance of the 2021 update of the Comprehensive Plan for the Commission's consideration.

Commissioner Greengold suggested the mention of "public safety" in the statement, and Commissioner Blackwelder requested the following be inserted:

"to acquire or otherwise prevent from further development, all parcels that were dedicated for open space, forest conservation, stormwater management, and wildlife habitats, as a condition for the development of previously approved Residential Planned Communities or for communities built on lands annexed through the Town's Growth Allocation Floating District". **The Commission unanimously agreed.**

**Modernize the list of permitted uses by District** as may be needed to reflect changing land uses, building types and businesses activities and expressly prohibits uses that are found to be inherently adverse and incompatible with the public health and welfare of the Town.

It was noted throughout the evening's discussions that the Commission may need to consider the conditions that pertain to certain of the uses that are listed in the table of permitted uses and "conditional" uses. **The Commission will address this at its next meeting.**

Mr. Jakubiak stated two other changes were added to the Comprehensive Plan that he will address at the next meeting:

- Eliminate from the Maritime Commercial District a land use called "tourist homes."
- Institute standards related to open space requirements for new development within the Town.

**VII. Public Comment-** None received.

**VII. Adjournment:**

There being no further comments, Commissioner Ruttkay moved to adjourn the meeting at 9:00 pm. Seconded by Commissioner Greengold, 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](http://www.chesapeakebeachmd.gov).