



OFFICE OF THE PLANNING AND ZONING COMMISSION

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**PLANNING & ZONING COMMISSION
AGENDA
FEBRUARY 23, 2022**

- I. Call to Order**
- II. Approve the Agenda**
- III. Approval of the minutes of the January 26, 2022 Planning & Zoning Meeting.**
- 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.**
- 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.**
- 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). See also attachments with draft zoning & map changes.**
 - Reduce the allowable maximum building height to 35 feet.
 - Remove all references to the Bonus Density Overlay District in their entirety.
 - Divide the Residential Village District into two new zoning districts, RV-1, and RV-2, and create purpose statements for each. Within the new RV-1 District remove multi-family housing and townhouses from the list of permitted uses but continue to allow these uses within the new RV-2 District.
 - Divide the Commercial Zoning District into multiple new zoning districts including, Neighborhood Commercial (NC), Town Commercial (TC), Commercial Plaza (CP), and create purpose statements for each.

- 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.
- Remove multi-family buildings and townhouses as permitted uses in the new NC and CP commercial districts. Within the new TC district, allow residential use above street level commercial and clarify that existing single-family dwellings will be permitted by-right.
- Convert the Maritime District to Maritime Commercial (MC) and remove all new housing types from the list of permitted uses.
- Within the Resource Conservation District (RC), retain all protective easements, overlays, and regulations such as critical area and forest conservation. Do not allow by right residential use in the RC by including it as a listed use in the district description and remove it as a permitted use in the Land Use Table.
- Evaluate the purpose statement of each zoning district and revise as may be needed to ensure each is properly aligned with the recommendations of this Plan.
- Consider removing tourist homes as a permitted use in the proposed new Maritime Commercial district.
- Institute standards for the amount and quality of common open space to be required of new development projects.

Amend the zoning map to bring it in concert with the Land Use Plan presented in Chapter V.

- Divide the Residential Village District (RV) into two separate districts, RV-1, and RV-2.
- Divide the Commercial District into separate districts: Neighborhood Commercial (NC) Town Commercial (TC), and Commercial Plaza (CP).
- Rename the Maritime district to Maritime Commercial (MC).
- Remove the bonus density overlay district from the map.
- Reclassify properties and/or redraw district boundaries guided by the recommended Land Use Plan in Chapter V

VII. Public Comment: NOTE: 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.

VIII. Adjournment: At approximately 9:00 PM, depending upon meeting progress, Chairman will request a motion to adjourn. If approved, the meeting will end.



PLANNING AND ZONING COMMISSION

MINUTES OF THE PLANNING AND ZONING COMMISSION JANUARY 26, 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.

Chairman Brown noted, in looking at the Commission's schedule, that the November and December meetings fall within the holidays. Chairman Brown has received approval from the Town that they can support changing the November 23rd meeting to the 9th of the month and the December 28th meeting to the 7th of the month. Chairman Brown will present these dates at the next Commission meeting for consideration.

For the record, Chairman Brown noted the Town website has updated its language to state that the Rod n Reel project, was reviewed and approved, by the Commission on December 15, 2020.

II. Approval of the Planning & Zoning Agenda.

MOTION: Commissioner Greengold moved to approve the January 26, 2022 Agenda as presented. Seconded by Commissioner Berault, all in favor.

III. Approval of the minutes of the January 5, 2022 Planning & Zoning Commission meeting.

MOTION: Commissioner Berault moved to approve the minutes of the January 5, 2022 Planning & Zoning meeting. Seconded by Commissioner Greengold, 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.

Comments were received from:

1. Eric Blitz, on behalf of the Rod n Reel, stated objections to the additions that have been made to the Comprehensive Plan subsequent to the required public hearing.

V. Planning Commission to consider final approval of the Comprehensive Plan Update and forwarding to Chesapeake Beach Town Council.

Chairman Brown stated the first six items on the Chairman's list are follow-up actions from the Commission's November 23rd and January 5th meetings of changes made to the Comprehensive Plan

based on comments from the public and other government agencies, along with several editorial changes submitted by Commissioner Blackwelder. The Commission has reviewed the Plan and it has been posted to the Town's website for public review. The following motion was made by Chairman Brown:

MOTION: Chairman Brown moved to approve a resolution approving the Comprehensive Plan. The Resolution was read into record by Chairman Brown. Seconded by Commissioner Berault.

MOTION: Commissioner Blackwelder moved to amend the motion to add to the fourth Whereas clause, the words "local businesses" after Chesapeake Beach citizens. Seconded by Commissioner Ruttkay, all in favor.

The Commission voted on the motion as amended, all in favor.

The Commission will forward to the Mayor and Town Council the approved resolution and Comprehensive Plan.

VI. Continue discussion of zoning ordinance changes (§ 290-15, § 290-9, § 290-10, § 290-11, Table of Land Use Classifications, and Land Use Map) necessary to implement the draft consolidated Comprehensive Plan update. (See Vice-Chairman Blackwelder's Sep 27, 2021 Proposed Motions amending the Land Use Table, attached).

Commissioner Blackwelder began discussion on her list of proposed motions to amend the Land Use Table. First, she presented a motion to modify the MC-Maritime Commercial District description. Commissioner Ruttkay seconded the motion. There was a lengthy discussion and Commissioner Blackwelder withdrew her motion along with all of her proposed motions listed on the Chairman's list.

In answer to Chairman Brown's inquiry, Mr. Jakubiak stated the priority of the Commission now would be to move forward with zoning text amendments and a new comprehensive rezoning map which could then be recommended to the Town Council. He also noted that the Commission will, in the near future, have to address and adopt a set of critical area regulations, which state law requires municipalities to update from time to time.

Commissioner Greengold inquired as to when the Commission would start working on architectural design elements of the Town. Chairman Brown recalled it was recommended in the Comprehensive Plan that an architectural design committee would take this on, so he doesn't see this on the Commission's table anytime soon. Mr. Jakubiak agreed, and noted, after the priority set of zoning amendments are addressed, (but before the design study is completed and specific standards are adopted) the Commission could take up text amendments that reference the need for applicants to demonstrate conformance with basic standards, creating process procedures, and submittal requirements.

VII. Public Comment-

1. Valerie Beaudin thanked the Commission for all their efforts over these past few years on the Comprehensive Plan.

2. Eric Blitz shared some historic knowledge in regard to the critical area program in Chesapeake Beach.

VII. Adjournment:

There being no further comments, Commissioner Blackwelder moved to adjourn the meeting at 8:05 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.

**PLANNING AND ZONING COMMISSION
PROPOSED ZONING ORDINANCE AMENDMENTS**

BUILDING HEIGHTS IN THE TOWN OF CHESAPEAKE BEACH

The following recommended set of amendments to Chapter 290 of the Town Code of Chesapeake Beach, Zoning Ordinance limit the height of all new buildings within all zoning districts within the Town to 35 feet.

Amendment 1

Amend Section 290-19A, Tables, Requirements, Exceptions as noted below to change the maximum building height in the Residential High-Density (R-HD) district from 50 feet to 35 feet and in the Maritime (M) district from 70 feet to 35 feet and a note to the table regarding the height of buildings in the designed floodplain.

		Setbacks, Open Space and Height						
		Zoning Districts						
		R-LD	R-MD	R-HD	R-V	C	M	RC
A.	Minimum front yard setback (feet) ¹	15	15	15	15	10	10	25
B.	Minimum side yard setback (feet) ²	8	8	8	8	8	8	75
C.	Minimum rear yard setback (feet) ³	20	20	20	20	20	20	25
D.	Minimum open space ⁴	40%	30%	15%	15%	15%	20%	60%
E.	Maximum building height (feet) ⁵	35	35	50	35	35	70	35
				<u>35</u>				<u>35</u>

Add the following note to the bottom of table and number it 4:

“4. For those buildings in the designated 100-year floodplain, the 35-foot building height limit may be exceeded by the required amount of the Flood Protection Elevation, as defined in the Floodplain Management Ordinance”.

[The Flood Protection Elevation is the base flood elevation plus two feet of freeboard....meaning the projected maximum height of flooding plus two feet of clearance required for a factor of safety. The base flood elevation is 4 foot in most places in the Town's floodplain, so the effect would be to allow buildings to reach 35 plus 6 feet.]

Amendment 2

Amend Section 290-19 to remove the method for measuring building height for multifamily and commercial buildings which allows building height to be taken from the first floor of the livable space when off-street parking is provided underneath that livable space, by deleting subsection (2) as follows:

- L. Height exceptions to maximum regulations.
 - (1) Church spires, chimneys, antennas, and other structures normally built or located above the roof and not devoted to human occupancy may exceed the height regulations of the district in which they are located by one foot for every one foot of setback of the structure (e.g., chimney, spire) from the closest side lot line.
 - (2) ~~For multiple family dwellings and commercial uses, the finished lot grade used to establish the maximum building height shall be considered the first floor of living space, measured at the front door, for any structure for which off-street parking is provided underneath the living space, so long as the off-street parking space is no higher than one foot for every one foot of setback of the structure from the closest lot line.~~

Amendment 3

Amend Section 290-15, Bonus Density Overlay District to eliminate the ability of the Planning Commission, through its authority to approve site plans, to authorize an increase in the height of a buildings located within the Bonus Density Overlay District up to 50 feet, by deleting subsection E as follows:

- ~~E. Building height. For the purposes of this section and provided that the conditions set forth in Subsection D above are met, the Planning commission may authorize an increase in height of multifamily buildings to a maximum of 50 feet measured to the eave, plus a habitable roof, provided that the side yard setbacks shall be not less than 25% of the building height, measure to the highest point on the roofline, or 10% of the building width, which is greater.~~

PLANNING AND ZONING COMMISSION
PROPOSED ZONING ORDINANCE AMENDMENTS

BONUS DENSITY OVERLAY DISTRICT

The following recommended set of amendments to Chapter 290 of the Town Code of Chesapeake Beach, Zoning Ordinance remove the bonus density overlay district.

Amendment 1

Repeal section Article IV, 290-15 Bonus Density Overlay District in its entirety and renumber the remaining two sections accordingly.

Amendment 2

Clerical change: Remove all references to the Bonus Density Overlay district wherever they may appear in the Zoning Ordinance.

PLANNING AND ZONING COMMISSION

PROPOSED ZONING ORDINANCE AMENDMENTS

NEW ZONING DISTRICTS AND PURPOSE STATEMENTS

The following recommended set of amendments to Chapter 290 of the Town Code of Chesapeake Beach, Zoning Ordinance would eliminate the Residential Village (RV) district and replace it with two districts, Residential Village-1 (RV-1) and Residential Village-2 (RV-2); eliminate the Commercial district and replace it with four separate commercial districts (Neighborhood, Town, Plaza and Maritime); eliminate the Maritime District; and revise the purpose statement of the Resource Conservation District.

Amendment 1

Amend Section 290-9, Purpose and Intent of Districts as noted below to add a purpose statement for a new district called Residential Village-1 (RV-1) and change the name associated with the existing purpose statement from Residential Village to Residential Village-2 (RV-2):

E. RV-1 Residential Village District-1. The RV-1 District is intended to provide for pleasant and safe residential neighborhoods, to allow primarily single-family detached houses on the smaller lots to help ensure that new residential uses are compatible and harmonize well with existing single-family uses.

F. ~~RV~~ RV-2 Residential Village District-2. The ~~RV~~ RV-2 District is intended to provide for pleasant and safe residential neighborhoods containing a variety of housing types and densities and certain nonresidential uses that are compatible with residential character, and to encourage and facilitate redevelopment and infill that is compatible in use, scale, and impact with residential use and the existing pattern of buildings, streets, and blocks.

Amendment 2

Amend Section 290-9, Purpose and Intent of Districts as noted below to eliminate the Commercial and Maritime Districts, replacing them with four new commercial districts and adding a purpose statement for each new district:

- F. ~~C Commercial District. The Commercial District is intended to provide locations for commercial and other non-residential uses that are compatible in scale and impact with nearby residential neighborhoods, and to protect and provide a safe and attractive environment for shopping, entertainment and community gathering.~~
- G. ~~M Maritime District. The Maritime Districts intended to promote a variety of land use that are water-related and/or benefit from location near the water while at the same time encouraging the gradual re-emergence of the natural systems found near the water and the protection of commercial marine activities that have become the Town's waterfront heritage.~~
- G. NC Neighborhood Commercial District. The Neighborhood Commercial District is intended to provide locations for small scale and low impact commercial uses that are designed and operated in a manner compatible in scale and impact with nearby residential neighborhoods.
- H. TC Town Commercial District. The Town Commercial District is intended to provide locations for commercial and other non-residential uses that are compatible in scale and impact with nearby residential neighborhoods, and to protect and provide a safe and attractive environment for shopping, entertainment and community gathering.
- I. TC Plaza Commercial District. The Plaza Commercial District is intended to sustain the Town's primary location for larger format locally serving retail uses such as grocery stores and shopping center, where extensive parking can be readily accommodated.
- J. MC Maritime Commercial. The Maritime Districts intended to promote a variety of land use that are water-related and/or benefit from location near the water while at the same time encouraging the gradual re-emergence of the natural systems found near the water and the protection of commercial marine activities that have become the Town's waterfront heritage.

Amendment 3

Amend the purpose statement for the Resource Conservation District in Section 290-9, Purpose and Intent of Districts to bring it into better conformance with the guidance of the 2021 update of the Comprehensive Plan as follows:

RC Resource Conservation District. The Resource Conservation District is intended to protect and maintain wetlands, surface waters, **steep slopes, forests, areas with elevated risks of flooding, and barren lands identified in the Town's Chesapeake Bay Critical Area Protection Program** and other environmentally sensitive areas; to provide locations for parkland, **flood management**, recreational activities, and access to the water and Bay; **and** to avoid intense development **and the placement of residential uses in areas** ~~on lands~~ not suitable for such development and uses **including areas subject to increased risk of flooding**; ~~to allow, under very stringent requirements, mixture of residential recreational and marine commercial activities through the Town's growth allocation method.~~

Amendment 4

Amend Section 290-11, Conditions and Standards for Conditional and Special Exception Uses as noted below to reflect that the change in the district names in association with the revisions to the Section 290-10, Table of Permitted Uses.

Note: This is the section of the Zoning Ordinance where use conditions (and restrictions) are placed on the listed permitted uses that are classified in the Table as either Conditional (C) or Special Exception with Conditions (SC). The changes here would be numerous reflecting the fact that the RV and the C Districts would be broken into multiple separate districts. Some of the changes would be substantive and many would be just clerical. I'd like to review these with the Planning Commission in the context of a brief talk about the differences between Permitted, Conditional, and Special Exception uses.

PLANNING AND ZONING COMMISSION PROPOSED ZONING ORDINANCE AMENDMENTS

REVISING THE USES PERMITTED BY ZONING DISTRICT

The following recommended set of amendments to Chapter 290 of the Town Code of Chesapeake Beach, Zoning Ordinance revise the table of permitted uses. To aid in the presentation of the changes, two tables are attached hereto: the Existing Table and the Proposed Table (IN COLOR). The proposed table highlights of additions but comparing the two tables is the most effective way to see all the changes.

Amendment 1

Repeal the Table of Permitted Uses in Section 290-10, (attached) and replace it with a new Table of Permitted Uses (also attached).

ZONING

290 Attachment 1

Town of Chesapeake Beach

**Table 1
Land Use Classifications**

KEY:

- P Permitted
- C Conditional Use - permitted use subject to conditions
- SE Special Exception
- SC Special Exception, subject to conditions

Use	Zoning Districts								Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	R-V	C	M	RC	RPC	
Residential Uses									
1. Single-family, detached	P	P	P	P			P	P	
2. Single-family, attached		P	P	P				P	
3. Townhouse dwelling			P	P	P	P		P	
4. Multifamily dwelling			P	P	P	P		P	
5. Dwelling, accessory	C	C	C	C	C	C	C	C	See § 290-11A
6. Dwelling unit in combination with commercial use				C	C	C		C	See § 290-11B
Institutional, Recreational and Educational Uses									
7. Churches and other places of worship, provided housing for religious personnel shall meet the minimum requirements of Uses 1 through 4 as	SC	SC		C	P	P		C	See § 290-11C

CHESAPEAKE BEACH CODE

Use	Zoning Districts								Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	R-V	C	M	RC	RPC	
applicable									
8. Public/Private schools	SC	SC		SC		SC		SC	See § 290-11D
9. Home day care	C	C	SE	C	C	C	SE	C	See § 290-11E
10. Day-care center, nursery school, kindergarten or other agency giving care to persons as a commercial operation	SC	SC		C	P	P		C	See § 290-11F
11. Professional school, studio for music or art instruction, dancing school, similar				SC	P	P		SC	See § 290-11G
12. Library, museum, community center, adult education center or similar open to the public or connected with a permitted use and not conducted as a private business				C	P	P	P	C	See § 290-11H
13. Public building or recreational facility owned and operated by Chesapeake Beach or other government agency	P	P	P	P	P	P	P	P	
14. Private club, lodge, dining club, yacht club not run as a private gainful business					P	P	SE	SE	
15. Orphanage, nursing home, or other licensed establishment for the care of aged, disabled, or convalescent persons, etc.	SE			C	P	P		C	See § 290-11I
16. Group home	SE	SE	SE	SE				SE	

ZONING

Use	Zoning Districts								Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	R-V	C	M	RC	RPC	
Office and Commercial Uses									
17. Professional office in residence, physician, architect, lawyer, similar				C	P	P		C	See § 290-11J
18. Office or clinic for medical or dental examination or treatment of persons as outpatient, including laboratories incidental thereto				P	P	P		P	
19. Therapeutic massage					C	C			See § 290-11K
20. Offices for business, professional, or governmental purposes				C	P	P		C	See § 290-11L
21. Artists, photographer's gallery, studio				C	P	P		C	See § 290-11M
22. Retail establishments carrying one type of interrelated goods, such as a bookstore, gift shop, florist shop, etc.; adult bookstores are prohibited				C	P	P		C	See § 290-11N
23. Retail convenience stores and retail establishments carrying commodities which tend to be purchased on a comparison basis, such as a food supermarket, department store, discount store, pharmacy, etc.					P	P			
24. Personal services, including barbershops, salons, laundry, dry cleaning (receiving stations), travel agency, insurance, real estate, repair shop for shoes, bikes, watches, locks,				C	P	P		C	See § 290-11O

CHESAPEAKE BEACH CODE

Use	Zoning Districts								Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	R-V	C	M	RC	RPC	
etc.									
25. Financial service, bank					P	P			
26. Business services, printing, copying, contractor's shop, plumbing shop					P	P			
27. Appliance and furniture repair, upholstery					P	P			
28. Restaurant – Class I; drive-up/drive-through windows at fast-food restaurants are prohibited					P	P			
29. Restaurant - Class II					P	P			
30. Restaurant - Class III					P	P			
31. Tavern, nightclub					P	P			
32. Bed-and-breakfast establishment	SC	C	C	C	C	C		C	See § 290-11P
33. Rooming, boarding-, lodging house					C	C			See § 290-11Q
34. Motel, hotel, tourist home					C	C			See § 290-11R
35. Entertainment and recreation facilities operated as a business within a building, with the exception of an adult bar, restaurant, or nightclub					P	P			
36. Outdoor entertainment and recreation facilities operated as a gainful business					P	P			
37. Animal hospital, veterinarian clinic					SC			SC	See § 290-11S

ZONING

Use	Zoning Districts								Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	R-V	C	M	RC	RPC	
Automotive and Boat Service Uses									
38. Nonresidential parking area located in a residential district		SE	SE	SE		SE		SE	
39. Automotive service station					SC	SC			See § 290-11T
40. Sale or rental of automobiles						SC			See § 290-11U
41. Repair garage, including paint spraying and body and fender work or car washing facility						SC			See § 290-11V
42. Marina, including fuel service for watercraft, boat storage and repair yard, boat sales and service						C			See § 290-11W
Utilities, Communications, Transportation									
43. Transformer station, structure housing switching equipment and regulators, power transmission line right-of-way, radio, television transmitter tower, cellular tower, etc.	SC	SC	SC	SC	SC	SC	SC	SC	See § 290-11X
44. Bus station, intermodal transit center						SE			
Industrial Uses									
45. Light industrial uses						SE			
46. Water-dependent processing, fishing activities						SE	SE		
47. Warehousing and storage in association with marine commercial						SE			

CHESAPEAKE BEACH CODE

Use	Zoning Districts								Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	R-V	C	M	RC	RPC	
activities									
Unclassified Uses									
48. Customary home occupation (1 employee)	C	C	C	C	C	C	C	C	See § 290-11Y
49. Home occupation (2 employees)	SE	SE	SE	C	C	C	SE	C	See § 290-11Z
50. Garage, yard, estate sale	C	C	C	C	C	C	C	C	See § 290-11AA
51. Carnival or similar transient enterprise					SC	SC			See § 290-11BB
52. Temporary building incidental to construction					C	C			See § 290-11CC
53. Dwelling for resident watchman					P	P			

AMENDED TABLE FOR PLANNING COMMISSION REVIEW

PROPOSED REVISION - 290 Attachment 1

Town of Chesapeake Beach Table 1

Land Use Classifications

KEY:

- P Permitted
- C Conditional Use - permitted use subject to conditions SE Special Exception
- SC Special Exception, subject to conditions

Use	Zoning Districts											Conditions or Additional Use Regulations	
	R-LD	R-MD	R-HD	RV-1	RV-2	NC	TC	CP	MC	RC	RPC		
Residential Uses													
1. Single-family, detached	P	P	P	P	P	P	P					P	
2. Single-family, attached		P	P		P							P	
3. Townhouse dwelling			P		P							P	
4. Multifamily dwelling			P		P							P	
5. Dwelling, accessory	C	C	C	C	C	C	C					C	See § 290-11A
6. Dwelling unit in combination with commercial use					C		C					C	See § 290-11B
Institutional, Recreational and Educational Uses													
7. Churches and other places of worship, provided housing for religious personnel shall meet the minimum requirements of Uses 1 through 4 as applicable.	SC	SC		C	C	P	P	P	P			C	See § 290-11C

Use	Zoning Districts											Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	RV-1	RV-2	NC	TC	CP	MC	RC	RPC	
8. Public/Private schools	SC	SC		SC	S				S		SC	See § 290-
9. Home day care	C	C	SE	C	C	C	C		C		C	See § 290-11E
10. Day-care center, nursery school, kindergarten or other agency giving care to persons as a commercial operation	SC	SC		C	C	P	P	P	P		C	See § 290-11F
11. Professional school, studio for music or art instruction, dancing school, similar					S C	P	P	P	P		SC	See § 290-11G
12. Library, museum, community center, adult education center or similar open to the public or connected with a permitted use and not conducted as a private business				C	C	P	P	P	P		C	See § 290-11H
Environmental science, research and educational uses, nature centers									P	P		
Game, wildlife, and nature preserves										P		
13. Public building or recreational facility owned and operated by Chesapeake Beach or other government agency	P	P	P	P	P	P	P	P	P	P	P	
Parks, playgrounds	P	P	P	P	P	P	P	P	P	P	P	
14. Private club, lodge, dining club, yacht club not run as a private gainful business						P	P	P	P	SE	SE	
Sailing schools, boat rentals and storage and similar water oriented recreational uses									P	P		

15. Orphanage, nursing home, or other licensed establishment for the care of aged, disabled, or convalescent persons, etc.	SE			C	C			P	P		C	See § 290-11I
16. Group home	SE	SE	SE	SE	SE	SE	SE	SE			SE	

Use	Zoning Districts											Conditions or Additional Use Regulations
	R-	R-MD	R-	RV-1	RV-2	NC	TC	CP	MC	RC	RPC	
Office and Commercial Uses												
17. Professional office in residence, physician, architect, lawyer, similar				C	C	P	P	P	P		C	See § 290-11J
18. Office or clinic for medical or dental examination or treatment of persons as outpatient, including laboratories incidental thereto					C	P	P	P	P		P	
19. Therapeutic massage						C	C	C	C			See § 290-
20. Offices for business, professional, or governmental purposes				C	C	P	P	P	P		C	See § 290-11L
21. Artists, photographer's gallery, studio				C	C	P	P	P	P		C	See § 290-
22. Retail establishments carrying one type of interrelated goods, such as a bookstore, gift shop, florist shop, etc.; adult bookstores are prohibited				C	C	P	P	P	P		C	See § 290-11N
23. Retail convenience stores and retail establishments carrying commodities which tend to be purchased on a comparison basis, such as a food supermarket, department store, discount							P	P	P			
Tree and plant nurseries, landscape supply and contracting, greenhouses									P	P		
24. Personal services, including barbershops, salons, laundry, dry cleaning (receiving stations), travel agency, insurance, real estate, repair shop for shoes, bikes, watches, locks, etc.				C	C	P	P	P	P		C	See § 290-11O

	Zoning Districts											Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	RV-1	RV-2	NC	TC	CP	MC	RC	RPC	
25. Financial service, bank						P	P	P	P			
26. Business services, printing, copying, contractor's shop, plumbing shop						P	P	P	P			
27. Appliance and furniture repair, upholstery						P	P	P	P			
28. Restaurant – Class I; drive-up/drive-through windows at fast-food restaurants are prohibited								P	P			
29. Restaurant - Class II						P	P	P	P			
30. Restaurant - Class III						P	P	P	P			
31. Tavern, nightclub							P	P	P			
32. Bed-and-breakfast establishment	SC	C	C	C	C	C	C	C	C		C	See § 290-
33. Rooming, boarding, lodging house												See § 290-
34. Motel, hotel, tourist home							C	C	C			See § 290-11R
35. Entertainment and recreation facilities operated as a business within a building, with the exception of an adult bar, restaurant, or nightclub							P	P	P			
Recreational and fitness studios						P	P	P	P			
36. Outdoor entertainment and recreation facilities operated as a gainful business									P	SE		
Recreational camps and cottages for overnight accommodations										SE		

37. Animal hospital, veterinarian clinic							S C	S C	S C		SC	See § 290-11S
Use	Zoning Districts											Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	RV-1	RV-2	NC	TC	CP	MC	RC	RPC	
Automotive and Boat Service Uses												
38. Nonresidential parking area located in a residential district		SE	SE	SE	S E						SE	
39. Automotive service station							S		S			See § 290-11T
40. Sale or rental of automobiles							S		S			See § 290-11U
41. Repair garage, including paint spraying and body and fender work or car washing facility									S C			See § 290-11V
42. Marina, including fuel service for watercraft, boat storage and repair yard, boat sales and service									C	C		See § 290-11W
Utilities, Communications, Transportation												
43. Transformer station, structure housing switching equipment and regulators, power transmission line right-of-way, radio, television transmitter tower, cellular tower, etc.	SC	SC	SC		S C	S C	S C	S C	S C	SC	SC	See § 290-11X
44. Bus station, intermodal transit center									S			
Industrial and Related Uses												
45. Light industrial uses												
Aquaculture									P	P		
Micro Brewery, Micro-distillery							P	P	P			

Craft and artisan assembly and manufacturing such as cabinet making, woodworking, glass making, blacksmithing, boat building and sail									P	SE		
46. Water-dependent seafood processing, fishing activities									S E	SE		
Data center									P			
Bio manufacturing									P			
47. Warehousing and storage in association with permitted marine									S E	SE		

Use	Zoning Districts											Conditions or Additional Use Regulations
	R-LD	R-MD	R-HD	RV-1	RV-2	NC	TC	CP	MC	RC	RPC	
Unclassified Uses												
48. Customary home occupation (1 employee)	C	C	C		C	C	C	C	C	C	C	See § 290-11Y
49. Home occupation (2 employees)	SE	SE	SE		C	C	C	C	C	SE	C	See § 290-11Z
50. Garage, yard, estate sale	C	C	C		C	C	C	C	C	C	C	See § 290-11AA
51. Carnival or similar transient enterprise								S	S			See § 290-11BB
52. Temporary building incidental to construction						C	C	C	C			See § 290-11CC
53. Dwelling for resident watchman									P			

PLANNING AND ZONING COMMISSION

PROPOSED ZONING ORDINANCE AMENDMENTS

EXPRESSLY PROHIBITED USES

The following recommended set of amendments to Chapter 290 of the Town Code of Chesapeake Beach, Zoning Ordinance would add a section listing expressly prohibited uses in the Town.

Amendment 1

Amend Section 290-10 by adding the following new paragraph at the end of the section.

Expressly Prohibited Uses. The following uses are noxious to the health, safety, and general wellbeing of the community and have impacts which require that they be prohibited from locating within any zoning district within the boundaries of the Town of Chesapeake Beach through their express listing here to clarify that no section of this Ordinance shall be interpreted to allow them:

1. The storage or accumulation of junk, junked vehicles, or scrap of any kind; junk yards and salvage yards.
2. Adult entertainment venues, establishments, and adult bookstores.
3. Massage parlors.
4. The sale or distribution of medical and/or recreational marijuana, cannabis, and/or its derivatives in any forms, either as a principal or accessory use.
5. Casino gambling venues and establishments.
6. Smoke and vape shops.
7. Industrial uses.

290-19 Tables; requirements; exceptions

A. Tables of dimensional requirements. The regulations for each district pertaining to minimum lot area, minimum lot area per dwelling unit, minimum lot width, maximum height, and minimum required yards shall be as specified in the Table of Dimensional Requirements set forth below.

	R-LD	R-MD	R-HD	RV-1	RV-2	€	NC	TC	PC	¶	MC	RC
A. Minimum lot size (sq. feet <i>except where noted</i>) ¹	10,000	7,500	5,000	6,000	6,000	5,000	5,000	5,000	5,000	5,000	5,000	43,560 5 acres
B. Average minimum lot area per dwelling unit (sq. ft.) ²	-	-	2,500	6,000	5,000	3,600	n/a	3,600	n/a	3,600	n/a	n/a
C. Minimum lot width (feet) ³	75	50	50	50	50	25	50	50	50	25	50	150

¹Lot areas must conform to State and County Health Department requirements.

²~~Applies only to townhouse and multifamily dwellings.~~ The average lot area of all dwellings on the lot shall equal or exceed that set forth above, provided that no lot is created with a lot area less than 2,000 square feet. **Dwellings in the TC District are permitted within a building in combination with a permitted commercial use.**

³The minimum lot width for lots with single-family dwellings without public water and sewer is 100 feet.

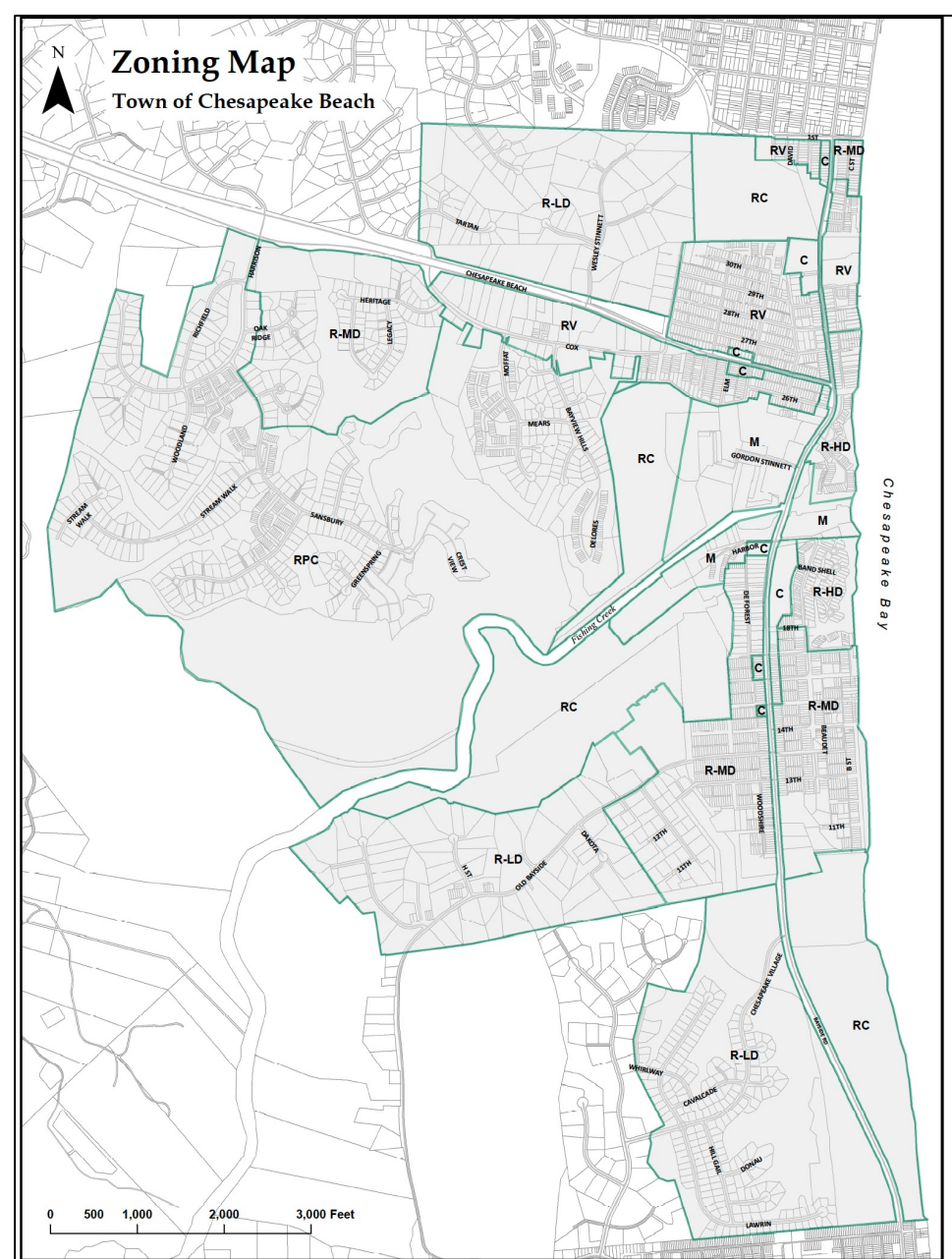
	R-LD	R-MD	R-HD	RV-1	RV-2	€	NC	TC	PC	¶	MC	RC
A. D. Minimum front yard setback (feet)	15	15	15	15	15	10	10	10	10	10	10	25
B. E. Minimum side yard setback (feet)	8	8	8	8	8	8	8	8	8	8	8	75
C. F. Minimum rear yard setback (feet)	20	20	20	20	20	20	20	20	20	20	20	25
D. G. Minimum open space	40%	30%	15%	15%	15%	45%	15%	15%	15%	20%	15%	60% 85%
E. H. Maximum building height (feet)	35	35	50 35	35	35	35	35	35	35	70	35	35

Changes are shown: **in red**
 Removed Text is shown as: ~~in red with strikethrough~~
 New text is shown as: **in red and Bold**

Planning Commission Meeting February 23, 2022

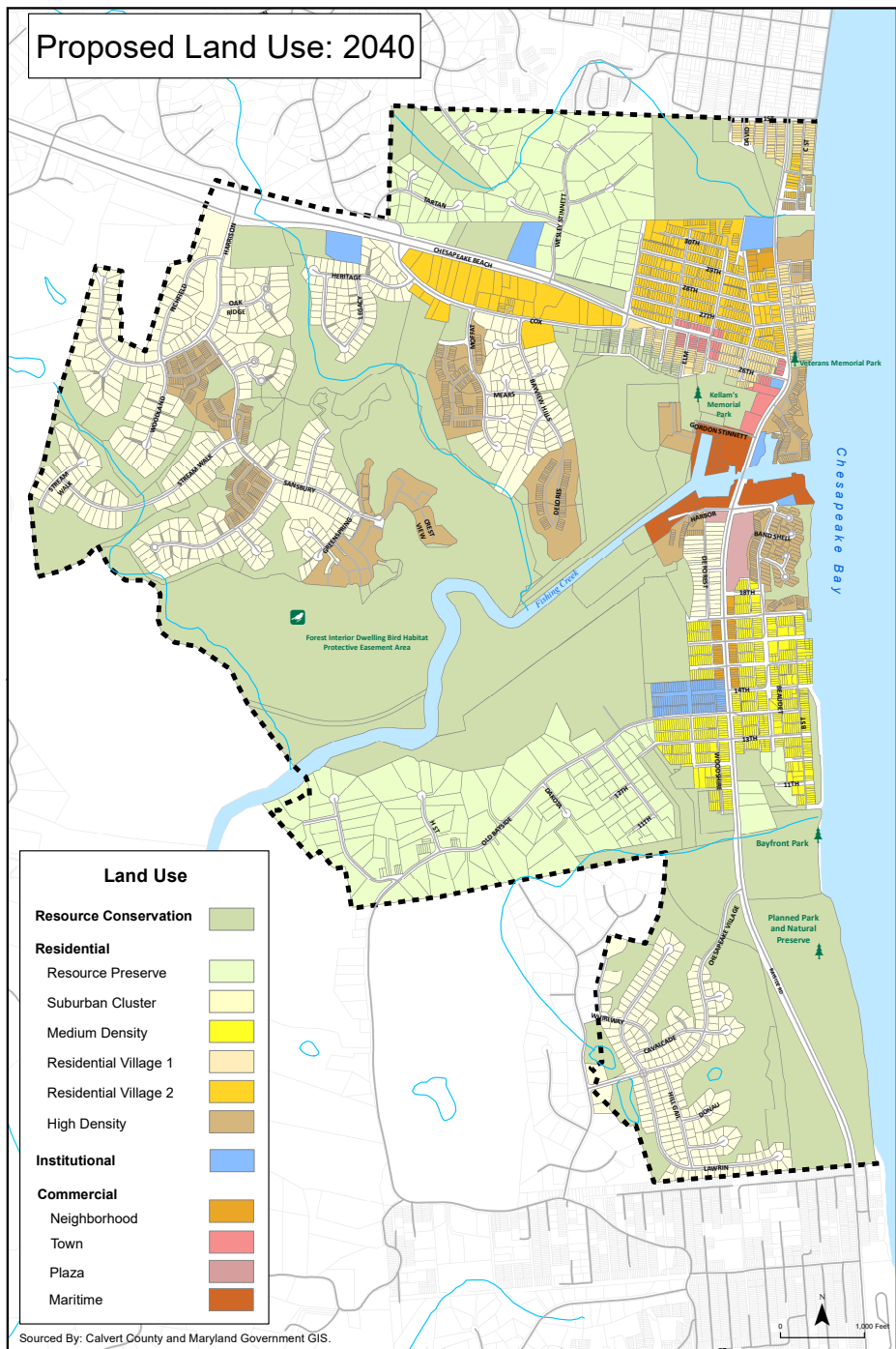
Discussion of Comprehensive Zoning Map Amendments

This is the existing zoning map.

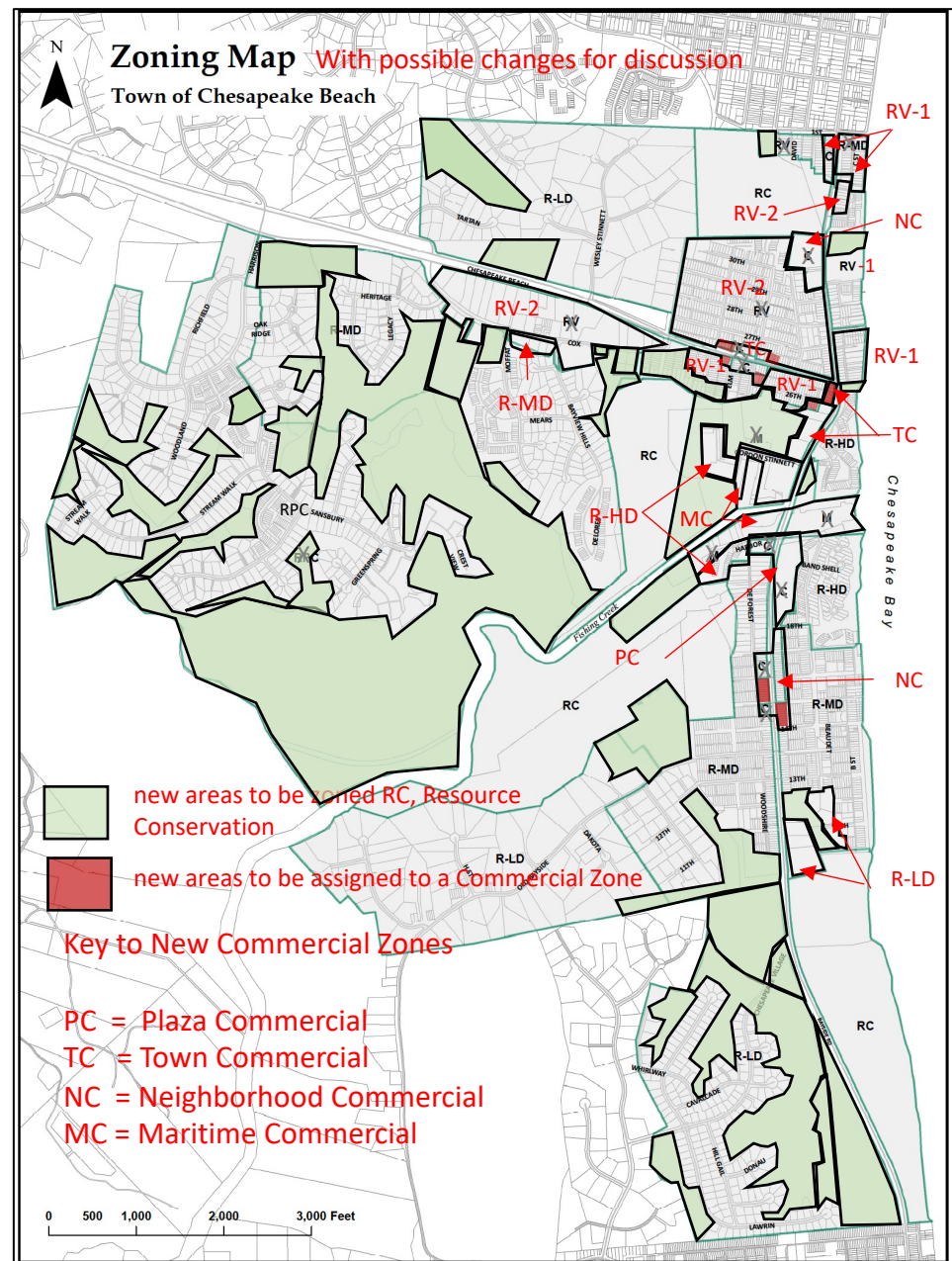


Zoning Districts

RC	Resource Conservation	R-HD	Residential, High Density
R-LD	Residential, Low Density	RPC	Residential Planned Community
R-MD	Residential, Medium Density	C	Commercial
RV	Residential Village	M	Maritime

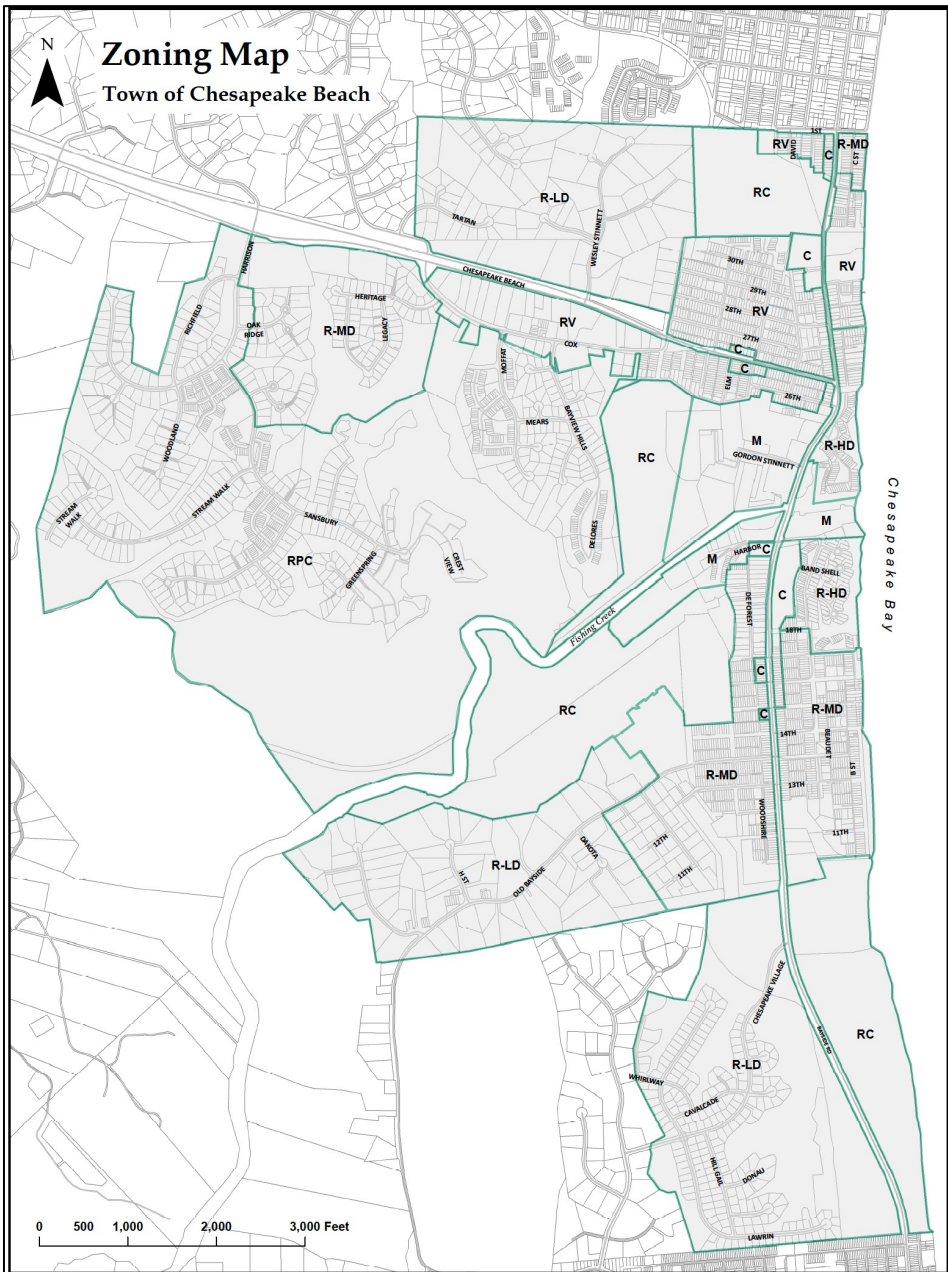


This is the PC Approved Land Use Plan Map and the Existing Zoning Map with proposed changes shown.



Zoning Districts

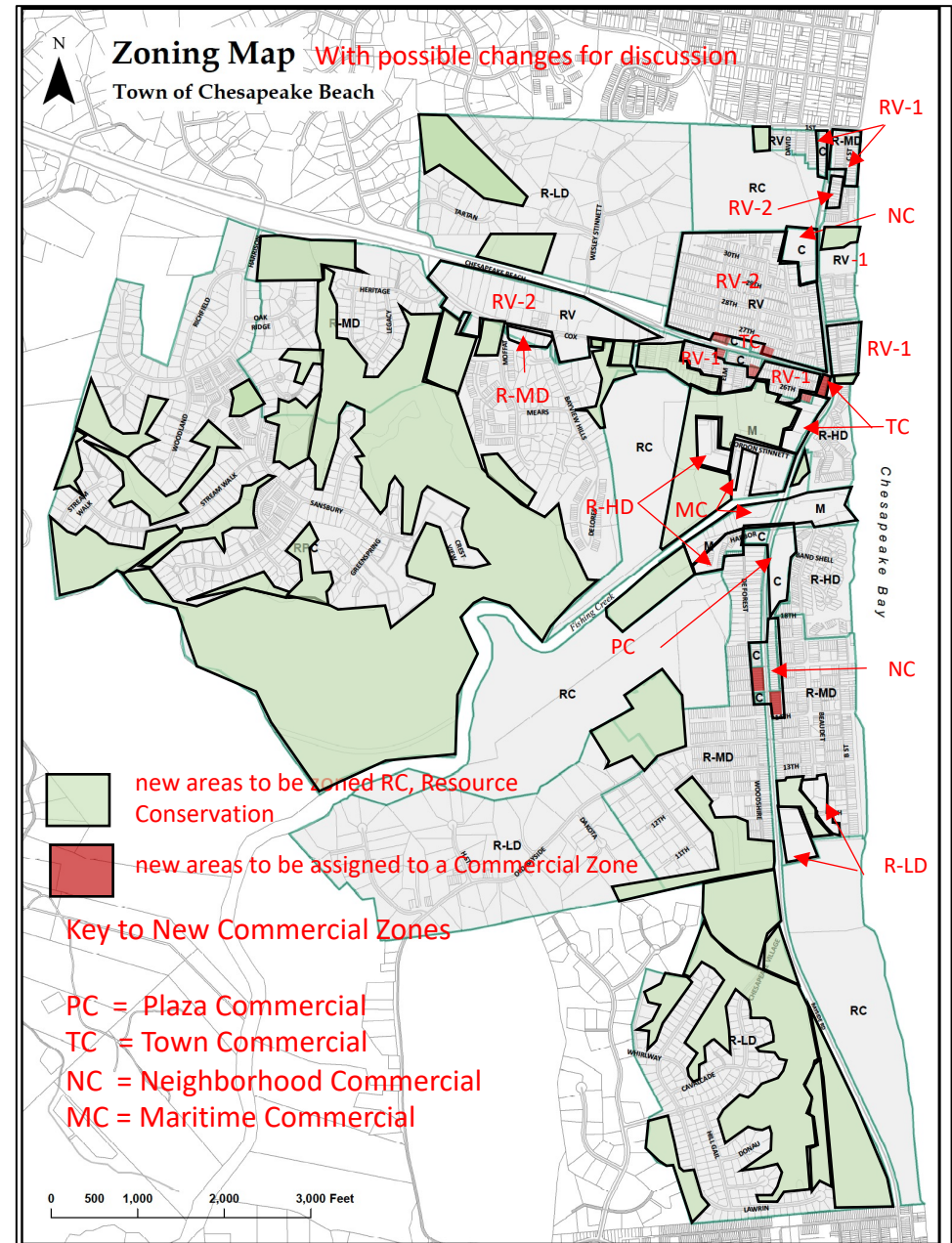
RC	Resource Conservation	R-HD	Residential, High Density
R-LD	Residential, Low Density	RPC	Residential Planned Community



Zoning Districts

RC	Resource Conservation	R-HD	Residential, High Density
R-LD	Residential, Low Density	RPC	Residential Planned Community
R-MD	Residential, Medium Density	C	Commercial

This is the Existing Zoning Map as is and as proposed to be changed.



Zoning Districts

RC	Resource Conservation	R-HD	Residential, High Density
R-LD	Residential, Low Density	RPC	Residential Planned Community



Zoning Districts

RC	Resource Conservation	RPC	Residential Planned Community
R-LD	Residential, Low Density	TC	Town Commercial
R-MD	Residential, Medium Density	MC	Maritime Commercial
R-HD	Residential, High Density	PC	Plaza Commercial
RV-1	Residential Village 1	NC	Neighborhood Commercial
RV-2	Residential Village 2		