



OFFICE OF THE PLANNING AND ZONING COMMISSION

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**PLANNING & ZONING COMMISSION
AGENDA
OCTOBER 27, 2021**

- I. Call to Order**
- II. Approve the Agenda**
- III. Approval of the minutes of the September 22, 2021 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. Planning Administrator preview procedure for Public Hearing, summarize comments received to date, and the process for addressing received comments.**
- 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.**
- VII. Vice Chairman Blackwelder's Sep 27, 2021 Proposed Motions amending the Land Use Table (attached).**
- VIII. 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.**
- IX. Adjournment: At approximately 9:00PM, depending upon hearing progress, Chairman will request a motion to adjourn. If approved, the meeting/hearing will end.**



PLANNING AND ZONING COMMISSION

MINUTES OF THE PLANNING AND ZONING COMMISSION SEPTEMBER 22, 2021

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

Chairman Brown took the opportunity before beginning the meeting, to report that the Commission received Jeff Larsen's resignation letter, resigning from the Commission.

MOTION: Chairman Brown moved to accept Mr. Larsen's resignation and thank him for his service to the Commission. Seconded by Commissioner Greengold, all in favor.

Chairman Brown reported that the draft Comprehensive Plan update has been posted on the Town's website for public review and comment, and a public hearing has been set for November 9, 2021. Also, at the September Town Council meeting, a three (3) month extension on the moratorium was passed but the Council took no action on the 35-foot height limitation that the Commission recommended. Chairman Brown also noted that the Kellam's Revitalization Committee report is attached to tonight's agenda.

MOTION: Chairman Brown moved to confirm that nothing in the draft Comprehensive Plan is intended to conflict with the Kellam's Revitalization report dated June 29, 2021. Seconded by Commissioner Berault. After discussion, Chairman Brown withdrew his motion.

II. Approval of the Planning & Zoning Agenda.

MOTION: Commissioner Berault moved to approve the September 22, 2021 Agenda as presented. Seconded by Commissioner Greengold, all in favor.

III. Approval of the minutes of the August 25, 2021 Planning & Zoning Commission meeting.

MOTION: Commissioner Berault moved to approve the minutes of the August 25, 2021 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.** No comments were received.

V. Discussion and review of future Planning Commission meeting dates: October 27, November 9, November 24, and December 22, 2021.

MOTION: Chairman Brown moved to cancel the December 22, 2021 meeting. Seconded by Commissioner Greengold. Ayes, Chairman Brown. Opposed, Commissioners Berault, Blackwelder, and Greengold. **Motion Fails.**

MOTION: Commissioner Greengold moved to change the November 24, 2021 meeting date to November 23, 2021 and change the December 22, 2021 meeting date to December 21, 2021. Seconded by Commissioner Blackwelder, all in favor.

VI. 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) necessary to implement the draft consolidated Comprehensive Plan update.

At the Chairman's direction, Mr. Jakubiak began by addressing questions submitted by Commissioner Blackwelder to the Chairman prior to the meeting. Through a presentation of maps and other content he reviewed the differences between the Town's official Zoning Map and the draft plan's recommended future land use map and the role of each. He discussed the Residential Planned Community zoning district and where it applies in the Town and the use of the resource conservation land use designation as a planning tool to guide the long-term preservation of open spaces in Chesapeake Beach, especially environmentally sensitive open spaces. He then described the platting of open space within subdivisions and the protective covenant that applies to a 200-acre property set aside on the Richfield Station plat as forest interior dwelling bird habitat. He answered questions about the ownership of large tracts of open area contained within two recorded subdivision plats. A summary of each question and answer is as follows:

1. Will changing the zoning from Residential Planned Community to Resource Conservation provide more or less protection from development on associated plats? **It will provide more protection.**
2. How will rezoning affect who must be notified and who must approve changes to land use on plats that are currently part of RPCs after rezoning? **Re-zoning has no bearing on the plats. Open space lots will continue to exist as legal lots with the same restrictions that exist today. The zoning of the land does not remove the underlying legal protections that are in place.**
3. What would the draft Comprehensive Plan update allow on re-zoned open space, residential, and conservation plats in the newly zoned Resource Conservation zone? **The Comprehensive Plan recommends open space and conservation areas remain in open space and conservation. Those open space areas within subdivisions are already platted as open space and/or protected by conservation easements. Designated open space platted within a subdivision, can only be open space. It was noted that the draft Comprehensive Plan does recommend recreational trails within preserved forests as is the case in the deed of conservation for the 200-acre, "Forest Interior Dwelling Bird Habitat Protection Covenant and Agreement."**

MOTION: Commissioner Blackwelder moved to have the document known as "Forest Interior Dwelling Bird Habitat Protective Covenant and Agreement" included in the minutes. Seconded by Commissioner Greengold, all in favor.

Commissioner Blackwelder described her difficulty when trying to find the covenant and plat when attempting to research the property in Calvert County Land Records. She expressed concern that the Planning Commission would have difficulty knowing about the covenant if it were not documented in the Comprehensive Plan. Mr. Jakubiak agreed that land records can be difficult to follow, that the Planning Commission should make it more commonly known that the plat is protected, and that the Planning Commission should celebrate it as a public amenity. Mr. Jakubiak offered several suggestions during the conversation including, 1) the Planning Commission could have the Forest Interior Dwelling Bird Habitat Protective Covenant attached to the Comprehensive Plan, 2) the Planning Commission could give the entire area a name and designate it as a natural resource park, 3) the Planning Commission could include each protected plat that is currently located within a Residential Planned Community in the Appendix of the Comprehensive Plan for reference, and 4) the Planning Commission could point out on the record at the Comprehensive Plan public hearing that we would be making changes necessary to highlight this area on the map and to highlight existing protective easements.

Commissioner Blackwelder expressed her concerns regarding a parcel in the Chesapeake Village community along Route 261 that is currently zoned Low Density Residential and stated she would like to see this area protected and preserved.

Mr. Jakubiak began the discussion of the draft zoning amendments by presenting two maps. The proposed Land Use map, as recommended in the draft Plan by the Commission, showing land use in colored sections, and the other being the proposed zoning map showing zoning districts, (i.e., RV-1, RV-2, R-HD, MC) which is consistent with the proposed Land Use map. Mr. Jakubiak reviewed the proposed set of zoning changes, pointing out several newly recommended zones, namely, four new commercial districts which would replace the Commercial and Maritime Districts, and areas recommended to be zoned as Resource Conservation. Commissioner Blackwelder had concerns regarding possibly rezoning Captain's Quarters and Fishing Creek Apartments, which are existing multi-family communities, from Maritime (M) to Residential High Density (R-HD.) Mr. Jakubiak discussed the concern about creating non-conforming situations and offered alternative approaches to help implement the draft Plan. After much discussion, Commissioner Blackwelder recommended to keep them zoned Maritime with verbiage that would allow the continuation of existing housing units as permitted uses.

MOTION: Commissioner Blackwelder moved that Mr. Jakubiak provide language that would allow the continuation of existing housing units as permitted uses, within the proposed maritime commercial district. Seconded by Commissioner Greengold. Ayes, Commissioners Berault, Blackwelder, and Greengold. Opposed, Chairman Brown.

Motion Fails.

Mr. Jakubiak moved on to the Residential Village (RV) section. The draft Plan proposes to eliminate RV and replace it with the new districts RV-1 and RV-2. Mr. Jakubiak explained the proposed RV-1 district would allow primarily single-family detached houses while the proposed RV-2 would continue to allow a variety of housing types. Commissioner Blackwelder suggested that the portion of Town from 27th Street to 30th Street that is now proposed RV-2 district, now be changed to RV-1, allowing for a more restrictive area.

MOTION: Commissioner Blackwelder moved to change the proposed RV-2 section from 27th Street to 30th Street to a RV-1 district. Seconded by Commissioner Greengold. Ayes,

Commissioners Berault, Blackwelder, and Greengold. Opposed, Chairman Brown.
Motion Fails.

VII. Public Comment- None received.

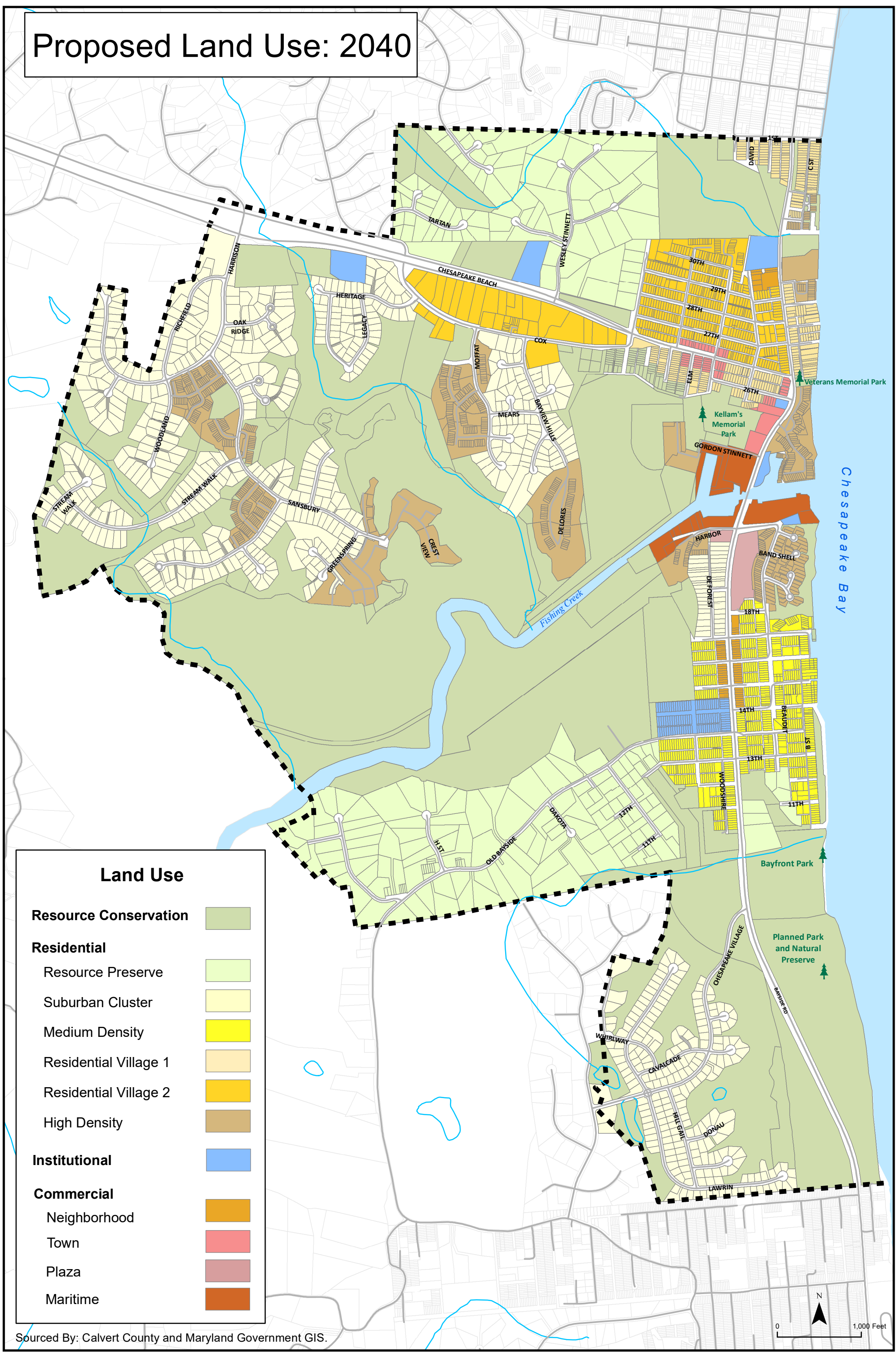
VIII. Adjournment:

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

Submitted by,

Sharon L. Humm
Commission Clerk

Proposed Land Use: 2040



Land Use

- Resource Conservation**
- Residential**
- Resource Preserve
- Suburban Cluster
- Medium Density
- Residential Village 1
- Residential Village 2
- High Density
- Institutional**
- Commercial**
- Neighborhood
- Town
- Plaza
- Maritime

**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 Overly 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. ~~R-V~~ RV-2 Residential Village District-2. The ~~R-V~~ 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	C	See § 290-11A
6. Dwelling unit in combination with commercial use				C	C	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		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					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	
14. Private club, lodge, dining club, yacht club not run as a private gainful business					P						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						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	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		P	
19. Therapeutic massage					C	C	C			See § 290-11K
20. Offices for business, professional, or governmental purposes				C	P	P	P		C	See § 290-11L
21. Artists, photographer's gallery, studio				C	P	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	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	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	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	
39. Automotive service station					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	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	C	See § 290-11Y
49. Home occupation (2 employees)	SE	SE	SE	C	C	C	C	SE	C	See § 290-11Z
50. Garage, yard, estate sale	C	C	C	C	C	C	C	C	C	See § 290-11AA
51. Carnival or similar transient enterprise					SC	SC	SC			See § 290-11BB
52. Temporary building incidental to construction					C	C	C			See § 290-11CC
53. Dwelling for resident watchman					P	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						P	
3. Townhouse dwelling			P	P	P						P	
4. Multifamily dwelling			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	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				
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 § 290-111
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	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	P	
19. Therapeutic massage						C	C	C	C	C		See § 290-
20. Offices for business, professional, or governmental purposes				C	C	P	P	P	P	P	C	See § 290-11L
21. Artists, photographer's gallery, studio				C	C	P	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	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	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	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	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	

Use	Zoning Districts											Conditions or Additional Use Regulations	
	R-LD	R-MD	R-HD	RV-1	RV-2	NC	TC	CP	MC	RC	RPC		
37. Animal hospital, veterinarian clinic									S C	S C	S C	SC	See § 290-11S
Automotive and Boat Service Uses													
38. Nonresidential parking area located in a residential district		SE	SE	SE E	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	S C	S C	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	P			

Craft and artisan assembly and manufacturing such as cabinet making, woodworking, glass making, blacksmithing, boat building and sail												P	SE		
												S E	SE		
												P			
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.

Vice Chairman Blackwelder's Proposed Motions amending the Land Use Table dated Sep 27, 2021:

1. Motion: Remove Multifamily dwelling from R-HD.
2. Motion: Make attached, townhouse, and multifamily dwellings conditional in order to include open space and density requirements
3. Motion: Remove Day Care Center, nursery school, kindergarten..... from the Maritime and Commercial Plaza zones and make these uses conditional in the Neighborhood and Town Commercial Zones
4. Motion: Allow as a conditionally permitted use, Professional school, studio for music or art instruction.... In the RV-1, Neighborhood, and Town Commercial Zones.
5. Motion: Allow Environmental science, research, and educational nature centers as a permitted use in the Town Commercial Zone
6. Motion: Make Private clubs, lodges, etc. conditional in order to address requirements such as parking, noise, hours, etc.
7. Motion: Permit Sailing schools, boat rentals, bike shops and similar water or recreational uses in the Town Commercial zone and make these uses conditional in the Neighborhood Commercial Zone.
8. Motion: Conditionally allow tree and plant nurseries in the RV-1, RV-2, NC, TC, and RC zones.
9. Motion: Conditionally allow Financial Services or a bank in the RV-1 and RV-2 zones.
10. Motion: Conditionally allow Business Services such as printing, copying, or a contractor's shop (plumbing, electrical) in the RV-1 and RV-2 zones
11. Motion: Conditionally allow appliance and furniture repair in the RV-1 and RV-2 zones.
12. Motion: For number 31, cross out the work "nightclub" and allow taverns conditionally instead of permitting them outright.
13. Motion: Do not allow motels, hotels, or tourist homes in the Commercial Plaza zone.
14. Motion: For number 35, add the phrase "or venue for gaming" as an unacceptable use.
15. Motion: Allow outdoor entertainment and recreation facilities operated as a business in the Town Commercial zone.
16. Motion: Do not allow Recreational camps or cottages for overnight accommodations in the RC zone.
17. Motion: Allow an animal hospital or veterinarian's clinic in the neighborhood commercial zone as a special exception with conditions.

18. Motion: Allow a repair garage, including paint..... As a special exception with conditions in the RV-2 and/or NC zones (or do not allow anywhere), but do not allow this in the Maritime Commercial Zone.
19. Motion: Conditionally allow rather than permitting outright micro-breweries in the TC, CP, and MC zones.
21. Motion: Conditionally allow craft and artisan assembly and manufacturing, such as cabinet making, woodworking, glass making, blacksmithing, quilting, boat building, etc. in the RV-1, RV-2, NC, TC, CP, and MC Zones.
22. Motion: Include the Town Commercial in areas that would allow a transient enterprise such as a carnival or market.
23. Motion: Conditionally allow a dwelling for resident watchman in the maritime, and town commercial zones.
26. Motion: Add as unclassified uses all items listed in Expressly Prohibited Uses and some additional items: Casino Gaming/Slot Machines; Casino Gaming/Table Games; Casino Gaming/Sports Betting; Bingo/single event; Bingo/regularly scheduled; Smoke and Vape shops, Sale of medical and/or recreational marijuana, cannabis and or its derivatives in any form; Massage Parlors; Strip Clubs/Adult Entertainment Venues; Adult bookstores; storage or accumulation of junk, scrap metal, salvage yards, inoperable vehicles. Give them the designation of SC (Special Exception with Conditions), GSC (Grandfathered/Special Exception with Conditions) or EP (Expressly Prohibited).