



Comprehensive Rezoning & Update 2020-2021 Task Force

MEETING SUMMARY

Hybrid In-Person/Remote Meeting
Wednesday, March 30, 2022, at 6:00 p.m.

I. Welcome and Roll Call

Chair Hickman opened the meeting at 6:00 pm, conducting member roll call.

The following Task Force members were in attendance: Chair Joe Hickman, Vice-Chair Paul Ruge, Al Nickerson (remote), Bill Norris, Bill Sutton (remote), Bryan Greenwood (remote), Cindy Genter (remote), Kim Kohl (remote), Pat Langenfelder, Ray Strong (remote), Sam Shoge (remote) and Tom Mason.

The following staff attended: Planning Commission Attorney Cynthia McCann Esq; DPHZ Director William Mackey, AICP; DPHZ Deputy Director Carla Gerber, AICP; Associate Planner Mark Carper; and Acting Clerk Michael Pelletier.

County staff who attended included: Jamie L. Williams, Director of Economic and Tourism Development.

Members of the public who attended in-person included: Janet Christensen-Lewis, Dr. Frank Lewis, Roy Hoagland, Paula Reeder, and Jim Smith.

II. Approval of the Summary

The December 8, 2021, Meeting Summary was adopted as presented.

III. Purpose - Fair and Open Discussion on Proposed Text Amendments

Outcome - Staff is to summarize Task Force positions in Meeting Summary

Ground Rules

- A. Everyone is encouraged to share ideas openly and freely.
- B. There are no right or wrong inputs for discussion purposes.

Norms

- Participants speak 'through the Chair'. This means raising your hand if you want to speak and waiting for the Chair to call on you.
- Don't interrupt other people.
- Don't talk/debate amongst yourselves.
- Respect other's views.
- Keep contributions short and to the point.

Adopted on May 25, 2022

- Start and end on time.
- If online or on the phone: have your video ON and mute ON. Wait for the Chair to call your name before you unmute.

IV. Old Business

A. ZoneCo presentation of the text changes related to the Diagnostic Report.

There were no comments from the Task Force or the public concerning Old Business.

V. New Business

A. Presentation of proposed new graphics for individual zoning districts

Mr. Mackey noted that to modernize and make the Land Use Ordinance more accessible to users, the consultants at ZoneCo and Hardesty & Hanover have proposed illustrative graphics for review by the Task Force. These graphics include a character diagram and a regulation diagram. The character diagram shows an example of how development could appear whereas the regulation diagram lays out the setbacks on an individual lot. There is a need to address the front and rear yard setbacks for waterfront properties. Mr. Mackey added that landscaping for buffers and parking lots are not yet included. Staff requests that the Task Force offer its comments and recommendations so they can be provided to the consultant.

A member inquired whether there would be a preface for every section. Mr. Mackey confirmed that is correct or it could be next to the dimensional standards.

Another member inquired as to whether the minimum setbacks could change. Mr. Mackey confirmed the setbacks are not yet finalized and that is a possibility.

Janet Christensen-Lewis of Millington had questions regarding the diagrams and lot sizes. Mr. Mackey confirmed that the minimum lot width and area were illustrated.

A third member was in support of the diagrams.

A fourth member noted that it looks like the street trees are on County property. Mr. Mackey indicated he would look into that further. The member also asked for further information regarding enclaves. An enclave is a limited development and creates small lots in the center of a farm while preserving the aesthetics of the farm. Ms. Gerber added it is basically a cluster subdivision. One or two County enclaves were briefly discussed amongst members and staff. Mr. Mackey noted there are few enclaves in the County.

B. Discussion to revisit topic of consolidation of limited zoning districts

Ms. Gerber indicated that this topic was being revisited as there were a few zoning districts that paired up well together and should be considered for consolidation.

1. Community Residential and Rural Residential

Ms. Gerber explained the track-changes that were set forth in the proposed text documents supplied to the Task Force. In 2002, the Rural Residential District was split to create the Community Residential

District. The idea of combining these two districts now is for simplification. If Rural Residential at three acres per residential dwelling unit becomes Community Residential at one acre per residential dwelling unit, this would represent upzoning, but it would not create a significant increase in the number of lots in the County. These are the two districts that are the closest in their requirements out of the proposed consolidated districts presented at this meeting. The topic of permitted uses, for example, public stables, should be discussed as part of the combination of the two districts.

A member inquired as to the density, and Ms. Gerber noted it would be one dwelling unit per acre. Ms. Gerber added that 2,300 acres would be upzoned based on current mapping.

Another member inquired as to whether re-subdivision would be prevalent with smaller lots now permitted. Ms. Gerber indicated many existing subdivisions have deed restrictions that restrict further subdivision of lots. Kinnards Point was mentioned as an example.

A third member inquired whether the County faces further subdivision going from one dwelling unit per three acres to one dwelling unit per one acre. Ms. Gerber indicated there are several variables such as slopes, streams, and forests that would make it difficult to determine how many subdivided lots could be created. Ms. Gerber added that there is also a significant amount of open space (40%) that is required to subdivide lots on a given parcel.

A fourth member stated it appears a larger lot could subdivide, still meet the 40% open space requirement, and build cottages or a family compound. Ms. Gerber indicated this was a possibility.

The Chair opened the floor to the public.

Jim Smith of Chestertown does not want development due to a nature trail that abuts his property. He was concerned that he would be subjected to a higher tax base with these changes. Ms. Gerber noted that his property was in neither of these two districts and would be unaffected.

Paula Reeder of Still Pond inquired as to the ratios for these two districts. Ms. Gerber noted the 1 to 3 and 1 to 1 ratios identified above. Ms. Reeder asked what effect this would have on the permitted uses in the Rural Residential District. Ms. Gerber indicated that would be a discussion the Task Force would have to undertake. Ms. Reeder indicated that it appears as though this could potentially have an impact. Ms. Gerber indicated that will always be the case with changes. It will have an effect on someone.

Ms. Reeder felt that different property owners in different districts would be given different opportunities that are not equal. Ms. Reeder was also concerned about the tax increase, and it was noted by a member that the tax is based on the use and not the district.

Mr. Mackey added that the goal is to try to consolidate the zoning code to make things simpler, based on the recommendations from the consultant and Ms. Gerber. Mr. Mackey noted that whether the Task Force chose to combine the two districts into the higher density or the lower density district was not the issue. The goal is simplification. Mr. Mackey also added that, other than the density, these districts are nearly identical, and they were one district prior to 2002.

The first member added that these changes are in the residential district, and the Health Department will have some say in further development.

A fifth member asked whether these properties were basically around the County towns. Ms. Gerber confirmed that this is correct.

A sixth member expressed their support for this change along with the first member.

The fourth member inquired as to whether staff could create an Excel spreadsheet with what is available in each district. Ms. Gerber indicated they have an unofficial matrix and will be receiving an appendix from the consultant, and Ms. Gerber would share the unofficial matrix via email.

2. Crossroads Commercial and Commercial

Ms. Gerber noted that previously there was only a Crossroads Commercial District until 2002. The new concept in 2002 was to split the district to allow for larger commercial uses immediately outside the Towns of Millington and Chestertown. Ms. Gerber added that staff would ask the Task Force to consider combining Crossroads Commercial with Commercial and designating the entirety as Commercial.

A member stated that many properties in Crossroads Commercial would not be eligible for certain development. Ms. Gerber indicated examples of Crossroads Commercial throughout the County, noting that they tend to be smaller properties, while Commercial properties are larger. In response to Task Force comments, Ms. Gerber noted that issues like sewer capacity would be a discussion for the mapping phase of Comprehensive Rezoning.

Another member inquired where Village and Commercial districts are located. Ms. Gerber described the differences, discussed the water and sewer capacity of each in general, and noted that in the past the Town of Chestertown had indicated that it would not provide any additional utility infrastructure without annexation.

The Chair opened the floor to the public.

Janet Christensen-Lewis of Millington stated that there is a lot of divergence between these two districts. Ms. Christensen-Lewis inquired as to what should be developed in Kennedyville versus the rest of the district. Ms. Gerber indicated that conditions could be set in the ordinance to provide additional uses for a particular portion of a district.

A third member indicated their support for this consolidation. General support was identified by the Chair, and it was clarified that combining uses would include all the uses in both districts.

3. Employment Center and Industrial

Ms. Gerber noted that the Employment Center and Industrial Districts were intended to generate different styles of “industrial” development. The Employment Center District is only along the US 301 corridor and was designed to promote industrial/office park development. The Industrial district has a few more uses than the Employment Center. Staff asks that the Task Force consider recommending elimination of the Industrial district and that it be rezoned Employment Center.

A member indicated that this consolidation is a good idea for property owners to have a consistent zoning district in the 301 Corridor.

The Chair opened the floor to the public.

Jim Smith of Chestertown inquired as to the width of the 301 corridor. Ms. Gerber stated that the corridor is one property deep, and the properties in question are all adjacent to the 301 right of way.

Paula Reeder of Still Pond inquired as to whether all of the uses of the district would be applied to the consolidated district. Ms. Gerber indicated that this was correct.

C. Discussion of Task Force Schedule

Mr. Mackey noted the proposed schedule is set for every other month including December. The proposed dates and topics are as follows:

March 30 – Review chapter graphics proposed by Consultant ZoneCo;

May 25 – Review new text change requests;

July 27 – Review Sign Code and Nonconformities proposed by Consultant ZoneCo;

September 28 – Review Land Use Ordinance changes incorporated by Consultant ZoneCo; and

December 14 – Hold Fourth Public Forum.

Mr. Mackey noted that with holidays in November and December it was difficult to coordinate a date at the end of either of those months. That is why the public forum will be in mid-December.

V. Adjournment

Chair Hickman adjourned the meeting at 7:24 p.m.