



CRU Task Force AGENDA

Wednesday, March 10, 2021, at 5 PM

I. Welcome and Roll Call

Al Nickerson	Buck Nickerson	Jim Rich	Pat Langenfelder
Bill Norris	Chikki Shajwani	Jim Saunders	Paul Ruge
Bill Sutton	Cindy Genter	Joe Hickman	Sam Shoge
Bryan Greenwood	Doug Megargee	Kim Kohl	Tom Mason

II. Approval of the Summary for the Task Force Meeting on February 10, 2021

III. OLD BUSINESS

- A. Presentation of [Structural Changes](#) by consultant ZoneCo – Mr. Sean Suder
- B. Discussion of [Structural Changes](#) by consultant ZoneCo – Task Force Members

IV. NEW BUSINESS

- A. Review of Task Force Members' requests for text changes to Zoning Code

BREAK – 15 minutes

- B. Continued Review and group discussion of Task Force Members' requests
- C. Discussion of Next Steps for Task Force and Initial List of staff suggestions

V. Public Comments

VI. Task Force Comments

VII. Adjournment



List of Proposed Text Changes submitted by Members of the Task Force

Please note some items are combined requests by more than one member.

1. Review the concept of reducing setbacks for agricultural structures to 200 feet except near current housing developments, incorporated towns, and villages.
2. Review elimination of the 10% rule (related to new agricultural subdivisions).
[Under this rule, if two brothers were to inherit a 198-acre farm, and they decide to part ways, they are not allowed to divide the farm into two, 99-acre parcels. The best they're allowed is to divide a 19.8-acre parcel from the farm.]
3. Review landscaping to reduce the requirements for trees (for example, one business site was required to have 185 trees and bushes on a 1.3-acre site).
4. Review allowing nonconforming structures that were conforming when built (to be granted a fully legal status as conforming vs. as legal, nonconforming).
5. Review concept of a reset to allow building sites up to 1 unit per 30 acres as of the approval of new zoning regardless of what has been subdivided previously.
6. Review allowing sustainable agricultural operations for production for farmers markets, personal use, or commercial sale on homesites in ag zoning districts [where such homesites do not meet the current requirements for 20 acres].
7. Review setbacks and required rights-of-way for roads, so the County, State or utilities do not have to maintain vegetation planted along rights-of-way.
8. Review allowing data centers on land in AZD at 0.5% of total land (about 630 acres) in order to let the landowners decide if they want to look at this option.
9. Review elimination of the County's maximum pier length of 150 feet.
[To construct a pier, one must apply to the MDE and Army Corps for a license. Before a license is granted, licenses are reviewed by seven agencies including Army Corps of Engineers, MDE, DNR, MHT, US Fisheries, US Fish & Wildlife.]
10. Review how to better define establishing a Modified Buffer, keeping in mind that not all waterfront properties are in a straight line.
11. Review how to better define an Expanded Buffer.
12. Review how to better define the term Structure (in the definitions section), as it applies to the establishment of the aforementioned Buffers.
13. Review streamlining the Cottage Industry process.
14. Review waterfront regulations. Waterfront is now considered the Front Yard. This causes issues such as pools are not allowed in the front yard and since the road is now considered the rear yard, accessory sheds can be 5' from the road.
15. Review size limitations on accessory structures currently limited to 1,200 ft² in most properties under five acres. This could be enlarged to at least 2,000 ft² as long as stormwater management and screening regulations are met.
16. Review Front Yard definition on corner lots; currently, it's the side with the smallest dimension. Review of the side where the driveway entrance is located is a better option. If there are two driveways, one could then be removed.

17. Review setbacks for buildings containing animals. Currently, this is 600 feet. Review for more flexibility. Maybe 600 feet from residential zoning districts or provide for an administrative variance process to reduce the required setback.
18. Review timelines. Currently, projects scheduled before Planning Commission and Board of Appeals must be submitted 20 days before meetings. For projects that require concept, preliminary and final review, this allows only a week for applicants to address comments and resubmit for the following meeting.

These Items to be Reserved for Another Meeting

Initial List of Proposed Text Changes suggested by the Departmental Team

Please note topics for discussion already included above are not repeated here.

1. Review overarching topics such as climate change and resiliency in the code.
2. Review allowed total points of water access (paths, piers, boat ramps, etc.).
3. Review topic of short-term vacation rentals as SFR uses (Airbnb, VRBO, etc.).
4. Review concept of tiny houses (clustering of tiny houses on a single property).
5. Review outdoor storage in the Commercial Critical Area.
6. Review width of waterway definition. [The State does not address how the measurement is taken; the County considers this to be the shortest distance. Marine section states 25% of waterway not 25% of the width of waterway.]
7. Review considering signs as accessory uses in all districts or change approach.
8. Review lot coverage of 25% plus 500; should match Annotated Code 8-1808.3.
9. Review current allowance for variances to remove vegetation in Critical Area. State allows for more than 30% removal of vegetation; Kent County currently does not. Please note that other jurisdictions allow more than 30% removal.
10. Review adding a process for modified buffer requests; there is none currently.
11. Review signs to allow 4'X8' (plywood) or 32 sf with a permit and an annual fee.
12. Review swimming pools definition of 18 inches; there is no way to enforce this.
13. Review hunting trailers to consider allowing them on ten acres, provided such trailers are not visible from any road or from any neighboring residential uses.
14. Review residential accessory structures setbacks. Three- to five-foot setbacks are insufficient, especially for pole sheds that may be 30 feet by 40 feet in area.
15. Review required public notice periods so these can be consistent and uniform.
16. Review historic preservation process; consider national standard of 50 years.
17. Review administrative special exceptions process for pools along waterfront.
18. Review adding a design review process to improve new building appearance.
19. Review the Growth Allocation designations linked to specific zoning districts. [There are no other Counties that utilize a zone approach at this point in time.]
20. Review the use of shipping and/or storage containers as accessory structures.
21. Review processes for rezoning, growth allocations, and buffer modifications.

COVID-19 Special Announcement Regarding Meeting Attendance

In response to the State of Emergency, the following options are provided for public participation at the Task Force meeting.

Members of the public may call in with comments, when the Chair opens the floor for comments.

To participate via Microsoft Teams:

1. Call **1-872-239-8359**
2. Enter Conference ID: 492 322 653#

Please mute your phone / computer / or other electronic device until the Chair opens the floor in order to invite the public's comments.

The Task Force meeting is livestreamed on the County's website at: <https://www.kentcounty.com/commissioners/meeting-live-video>

To submit comments in advance of the meeting, please email your comments to compzone@kentgov.org or mail your comments to:

Bill Mackey, AICP, Director
Department of Planning,
Housing, and Zoning
400 High Street, Suite 130
Chestertown, MD 21620

To view agendas, adopted summary minutes, and all meeting materials online, please visit <https://www.kentcounty.com/compzone>.

To receive printed copies of materials or review the materials on file in person, please contact Bill Mackey at 410-778-7423 ext. 9 (voice/relay), or at the email address above, or in writing at the address above.

Please allow time for USPS delivery, if corresponding by post.

Thank you for your participation!