



**County Commissioners Hearing Room
400 High Street
Chestertown, Maryland**

AGENDA
December 2, 2021
1:30 p.m.

Members of the public are welcome to attend meetings in person, virtually, or via conference call. You may also listen to the meeting either online at <https://www.kentcounty.com/commissioners/meeting-live-video> OR via the audio-only phone number and conference identification number listed below. If listening to the meeting online, the way for members of the public to provide verbal comments during the meeting is via the audio-only phone number.

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **605 267 777#**

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment. Please note that if you are listening to the online livestream while waiting to call in to participate, there is an approximately 35-second delay. In order to avoid audio feedback issues, please mute the livestream before calling in.

MINUTES

November 4, 2021

PUBLIC HEARING

County Commissioners of Kent County, CHR 10-2021 – Zoning Text Amendment

An Act to amend Article V. District Regulations, Section 3. Rural Character District, § 3.2 Permitted Principal Uses and Structures, by adding a new number 15. *Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfer in accordance with these Regulations*

APPLICATIONS FOR REVIEW

- ALP 21-01 Redman Family Farms LLC – Ag Preservation District
8689 Bakers Lane, Chestertown, 118.31 acres..... Rec to CCs
- ALP 21-02 Goose Chase Farm LLC – Ag Preservation District
Edesville/Piney Neck Road, Rock Hall, 380.96 acres..... Rec to CCs
- ALP 21-03 B and K Family Farm LLC – Ag Preservation District
28260 Morgnec Road, Kennedyville, 202 acres..... Rec to CCs
- 21-50 Chris and Susan Pavon – Buffer Variance**
24188 Mac’s Lane – Third Election District – Zoned Resource Conservation District (RCD)..... Rec to BOA

CHR 10-2021 Zoning Text Amendment

An Act to amend Article V. District Regulations, Section 3. Rural Character District, § 3.2 Permitted Principal Uses and Structures, by adding a new number 15. *Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfer in accordance with these Regulations*..... Rec to CCs

Queen Anne’s County Draft Comprehensive Plan (PlanQAC 2021)

GENERAL DISCUSSION

STAFF REPORTS

ADJOURN

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Planning Commission meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the members. Breaks are at the call of the Chairman. Meetings are subject to audio and video recordings.

Projects will not be reviewed prior to their scheduled time. All applications will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.

Other business without assigned times may be discussed during the meeting.

MINUTES

The Kent County Planning Commission met in regular session on Thursday, November 4, 2021, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. It was a hybrid meeting, and the following members were in attendance: Chair Kim Kohl (remote), Vice Chair F. Joseph Hickman, Paul J. Ruge, Jr., James Saunders, William Sutton, and Cynthia L. McCann, Esq., Planning Commission Attorney. Staff in attendance were William Mackey, Director; Carla Gerber, Deputy Director; and Mark Carper, Associate Planner.

Because Ms. Kohl was participating remotely, she asked Mr. Hickman to chair the meeting. Mr. Hickman called the meeting to order at 1:30 p.m.

MINUTES

Mr. Sutton made a motion to accept the minutes for the October 7, 2021, meeting, as distributed.

Ms. Kohl seconded the motion; the motion passed with all in favor.

APPLICATIONS FOR REVIEW:

21-36 Mervin Lap – Major Subdivision (Final)

Ms. Gerber informed the Commission that Mervin Lapp requests final approval for a major subdivision of his 45.724-acre parcel into two lots. The lot with the existing farmstead will be 17.559 acres; the remainder will be 28.165 acres. The property is located on Coopers Lane, near the intersection with Still Pond Creek Road.

Ms. Gerber noted that:

- the proposed lot meets the minimum area, density, and width requirements.
- The applicants have paid the \$250 open space fee.
- A Forest Conservation Worksheet was submitted, and the forested areas were added to the plat. The forest conservation deed restrictions are under review.
- The application is consistent with the Comprehensive Plan. The property is located within a Tier III area of the adopted Growth Tier Map. Final review requires a public hearing.

Staff recommends granting final approval contingent upon approval of the forest conservation deed restrictions.

Ms. Gerber noted that the only comment received by the Department was a phone call from an adjacent property owner asking about any plans for additional development of the property.

Ms. McCann read the notice of public hearing that was published in the October 28, 2021, edition of the Kent County News.

At 1:39 p.m., Mr. Hickman entertained a motion to close the regular meeting and open the public hearing. All were in favor.

Michael Scott, surveyor, was sworn in, and Mervin Lapp, applicant, affirmed to tell the truth.

Mr. Scott clarified that only the forested areas on the proposed 17.559-acre lot were to be protected by the deed restrictions. Staff confirmed that only protecting those areas was acceptable.

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Leona Van Dyke of Worton, Maryland, was sworn in. Mrs. Van Dyke informed the Commission that the computer tax map errors still haven't been corrected and opined that errors in the tax maps may lead to future costs to property owners and the County. She stated that she has no concerns with Mr. Lapp's request to subdivide his property.

There were no other members of the public who wished to comment. At 1:47 p.m., Mr. Hickman entertained a motion to close the public hearing and reopen the regular meeting. All were in favor.

Mr. Ruge asked a question about the jagged property line, to which Mr. Lapp responded that the proposed property line follows an existing fence.

Ms. McCann reminded the Commission that they were making a resolution to approve the subdivision and must consider the cost of providing public services and potential environmental issues.

Mr. Hickman resolved to grant final subdivision approval contingent on Staff's recommendation based upon the following:

- The subdivision meets the density and setback standards.
- The general standards concerning open space and forest conservation have been addressed.
- The subdivision is consistent with the *Comprehensive Plan* and other regulations.
- There will be no effect on traffic patterns.
- There will be no tree removal and the use of the property will remain the same.
- The Health Department has approved the application.
- Per SB236, the subdivision will not cause an increase in the cost of providing public services and there are no environmental concerns.

Mr. Ruge seconded the motion, which was approved by the members.

20-41 Cliff Road Properties (Great Oak Manor) – Site Plan Review (Final – Cottages)

Ms. Gerber informed the Commission that the applicant is proposing improvements to expand and enhance their existing county inn use to construct two, free-standing cottages, which will have two guest rooms per cottage, associated pedestrian walkways, and expansion of the guest parking lot.

Ms. Gerber added that the 8.515-acre property is located at 10568 Cliff Road and is zoned Critical Area Residential. A citizen participation meeting was held on December 10, 2020.

The proposal complies with the lot coverage limits and a Major Buffer Enhancement Plan has been submitted. Ms. Gerber indicated the property meets density, area, height, width, and yard requirements, lot coverage limits, and parking and loading requirements. The Buffer Enhancement Plan has been corrected since preliminary review to reflect the correct square footage of new lot coverage and so that no more than 10% of the plantings are grasses.

Staff recommends granting final approval of the cottages with the following conditions:

- Final approval of the sediment control and stormwater management plans for this phase of the project.
- Submission of all required Letters of Credit or proof of other surety for this phase of the project.
- The extension and enlargement of the use is limited to the previously approved tent area and these two cottages.
- No permanent roof or other pavilion will be constructed over the approved tent area.

Ms. Gerber noted that all correspondence received by the Department had been included in the published packet.

DRAFT

Harry Reed, applicant, who was participating remotely, and Tom Davis, DMS and Associates, were sworn in. Lance Young, Esquire, with the McCleod Law Group, also appeared on behalf of the applicant.

Mr. Davis noted the corrections to the plans following the October meeting and an addition to the Statement of Purpose and Intent to include the condition that “no more cottages will be proposed and that no permanent pavilions will be proposed by Cliff Road Properties, LLC.” Mr. Davis also acknowledged that Mr. Reed’s bank is prepared to issue letters of credit upon final approval of the project.

There were no members of the public who wished to comment present at the meeting.

Mr. Ruge made a motion to approve the final site plan contingent on Staff’s recommendation based upon the following:

- The application is consistent with the Comprehensive Plan and other regulations.
- Great Oak Manor will not exceed the fifteen room limit for County Inns.
- The applicant has addressed the concerns of the neighbors.
- The property is supported by private well and septic.

The motion was seconded by Mr. Saunders. All were in favor.

STAFF REPORTS

Mr. Mackey informed the members that given current staffing issues meeting minutes may be simplified, and he asked for patience while we try to fill the openings. Some discussion ensued on reducing Task Force meetings in order to address current projects and needs of residents. There was also discussion on how to retain staff.

Carla Gerber noted that October was busy with normal routine business.

Mark Carper informed the members that he is becoming more engaged with Critical Area review and feels well supported by other staff members.

Ms. McCann mentioned that in reviewing forest conservation deed restrictions she has noticed a need for a standardized easement document. She hopes to have something to present at a future meeting.

GENERAL DISCUSSION

Mr. Ruge suggested the idea of staff creating a “motion template” ahead of meetings that would make it easier for any member to make a motion. Mr. Hickman raised a concern that he wouldn’t want something “too scripted.” Ms. Kohl opined that all of the elements for making motions are in the staff reports and suggested that staff could underline or highlight the pertinent findings. Ms. McCann suggested that a workshop might be appropriate, which was supported by several members.

ADJOURN

Mr. Saunders made a Motion to Adjourn which was seconded by Mr. Ruge. The meeting adjourned at 2:44 p.m.

Joe Hickman, Vice-Chair

Carla Gerber, Acting Clerk

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Kent County Department of Planning, Housing, and Zoning

To: Kent County Planning Commission
From: Bill Mackey, AICP, Director
Meeting: December 2, 2021
Subject: Zoning Text Amendment – Intrafamily Transfer of New Lots to Family Members in Rural Character

PRELIMINARY STAFF REPORT

DESCRIPTION OF PROPOSAL

On November 16, 2021, the County Commissioners adopted a resolution to consider a zoning text amendment to amend Article V. District Regulations, Section 3. Rural Character District, § 3.2 Permitted Principal Uses and Structures, by adding a new number 15. *Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfer in accordance with these Regulations*, in order to allow for one-acre parcels to be created for bona fide intrafamily transfers in the Rural Character zoning district. The proposed zoning text amendment is modeled on similar provisions in other sections of the Land Use Ordinance.

Adopted Resolution 2021-17 including Exhibit A that contains the text of Code Home Rule Bill 10-2021 is attached.

The proposal includes nine subsections (A through I) which set forth limitations on the use and require a process by which intrafamily transfers may occur in the Rural Character zoning district, which are similar to those processes for intrafamily transfers already provided for in the Employment Center, various Industrial zoning districts, and RCD.

APPLICABLE LAW

Article XII, Section 6 of the Kent County Land Use Ordinance establishes the standards for the review and approval of a zoning text amendment as follows.

Before taking any action on any proposed amendment, supplement, or change, the County Commissioners shall submit the proposal to the Planning Commission for review and recommendation. The Planning Commission may hold a hearing on any proposed amendment, supplement, or change before submitting its recommendation to the County Commissioners. The Planning Commission may request any pertinent data and information as it deems necessary. In its recommendation, the Planning Commission shall address:

- a) The public need for the proposed amendment; and
- b) The extent to which the proposed amendment complies with or deviates from the Comprehensive Plan and the Critical Area Law.

STAFF COMMENTS

The County Commissioners have discussed that provisions for intrafamily transfers could be appropriate and serve a community need in the Rural Character zoning district. This district provides for a transitional zone around existing development and the agricultural countryside. The Rural Character statement of intent explains its purpose.

The purpose of this district is to provide for the market demand for rural lots, including large estate lots, in a manner that maintains rural character and in a location that minimizes conflicts with agriculture. The District may function as a transition between towns, villages, residential developments, and the Agricultural Zoning District. To maintain the rural character, developments will follow strict design standards for protecting significant rural features, preserving scenic views and historic structures, designing with topography, and locating new buildings. Recreational uses such as golf courses, racquet courts, and stables are appropriate in this district. Public water and sewer will not be extended into this district except to correct a public health emergency (LUO, p. 45).

Providing for intrafamily lots serves a need in the district for flexibility in housing approaches similar to those offered in other zoning districts. In the future other districts could also be included, if there are community needs identified in those districts. The 2018 Comprehensive Plan does not address intrafamily transfers per se; however, flexibility in a broad approach to housing is addressed by the Comprehensive Plan. Another goal in the Comprehensive Plan is to retain young people in the County, which supports economic development as well as supporting the values of family in Kent County. Expanding opportunities where families may support their children with appropriate land to allow for home ownership would further this goal. The proposed legislation regulates the process to ensure that such actions to create new lots are within the parameters of the law for bona fide intrafamily transfers.

Strategy: Encourage more young people to live and work in Kent County.

Create opportunities for more young people to stay in or move back to Kent County without sacrificing their opportunities to earn a living wage (Comp Plan, p. 13).

Strategy: Encourage the development of housing for all income levels.

The County Commissioners will provide incentives to encourage private sector investment in the development of a variety of housing types. Incentives may include development at higher densities and development requirement variations without the purchase of development rights in villages and in designated growth areas (Comp Plan, P. 91).

STAFF RECOMMENDATION

Staff recommends sending a favorable recommendation to the County Commissioners.

RESOLUTION 2021-17

COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

A RESOLUTION TO INTRODUCE A TEXT AMENDMENT TO REVISE CHAPTER 222, ZONING, OF THE COUNTY CODE OF KENT COUNTY, MARYLAND, ALSO KNOWN AS THE KENT COUNTY LAND USE ORDINANCE TO INCLUDE INTRAFAMILY TRANSFER LANGUAGE IN THE RURAL CHARACTER (RC) ZONING DISTRICT

WHEREAS, the Board of County Commissioners of Kent County, Maryland (the Board) may exercise its right to amend the County Code of Kent County, Maryland (the Code), by legislative action in the form of a Code Home Rule Bill to create an Act and thus propose text amendments to the Code; and

WHEREAS, in Article XII, *Administrative Procedures*, Section 6, *Amendments*, §1, the Land Use Ordinance states regarding the Board and the Code that “The County Commissioners may amend, supplement, or change the boundaries of the districts or the regulations of this Ordinance. Any amendment may be initiated by resolution of the County Commissioners...”; and

WHEREAS, the Board finds that including intrafamily transfers in the Rural Character zoning district addresses a need in the community; and

WHEREAS, the Code does not currently include provisions for intrafamily transfers in the Rural Character zoning district; and

WHEREAS, the Board determines that including this option in the Rural Character zoning district serves to further the health, safety, and welfare of Kent County.

NOW, THEREFORE, BE IT RESOLVED, that on November 16, 2021, the Board does hereby introduce the proposed text amendment, attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Board refers the draft amendment for advisory review and recommendation to the Kent County Planning Commission.


ATTEST:

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND


Sallie Watson, Deputy Clerk, II


P. Thomas Mason, President


Ronald H. Fithian, Member


Robert N. Jacob, Jr., Member

ADOPTED: November 16, 2021

THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

**November 16, 2021
Legislative Session Day**

**Legislative Session Day
November 16, 2021**

**CODE HOME RULE
BILL NO. 10-2021**

INTRODUCED BY: P. Thomas Mason, President of the Board of County Commissioners for Kent County, Maryland.

AN ACT to amend Article V. District Regulations, Section 3. Rural Character District, § 3.2 Permitted Principal Uses and Structures, by adding a new number 15. Primary Residence Located on a New Lot Created by a Bona Fide Intrafamily Transfers of New Lots to Family Members in accordance with these Regulations, in order to allow for one-acre parcels to be created for bona fide intrafamily transfers in the Rural Character zoning district.

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND

P. Thomas Mason, President

INTRODUCED, read first time, _____, 2021, ordered posted and public hearing scheduled _____, 202X, at XX:00 a.m./p.m. in the County Commissioners Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland.

By order of:

Sondra M. Blackiston, Clerk

PUBLIC HEARING

HAVING been posted and notice of time and place of hearing and copies having been made available to the public and the press, a public hearing was held on _____, 202X. Reported favorably [with] [without] amendments; read a second time and ordered to be considered on _____, 202X, a legislative session day.

A BILL ENTITLED CHR 10-2021 INTRAFAMILY TRANSFERS OF NEW LOTS TO FAMILY MEMBERS IN RURAL CHARACTER ZONING DISTRICT

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND that the Kent County Land Use Ordinance is hereby amended as follows:

ARTICLE V.
DISTRICT REGULATIONS

SECTION 3. RURAL CHARACTER DISTRICT

...

3.2 PERMITTED PRINCIPAL USES AND STRUCTURES

A building or land shall be used for only the following purposes.

1. Agriculture including horticultural, hydroponics or general farming, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs.

...

14. Mobile homes existing and in use as of January 16, 1996 may be continued in use and may be replaced with another mobile home, provided the replacement mobile home complies with the Kent County Codes and all Health Department regulations. It is not the intent of this provision to allow additional mobile homes in the County, but rather to allow the continued use and improvement (including replacement) of mobile homes, existing as of January 16, 1996. A mobile home that remains idle or unused for a continuous period of two years shall not be used again except in conformity with these regulations.

15. PRIMARY RESIDENCE LOCATED ON A NEW LOT CREATED BY A BONA FIDE INTERFAMILY TRANSFER IN ACCORDANCE WITH THESE REGULATIONS.

- A. THE OWNER OF THE PARCEL SHALL ATTEST, IN WRITING, TO THE BONA FIDE FAMILY RELATIONSHIP AND THAT THE INTENT OF THE SUBDIVISION/USE IS NOT FOR ULTIMATE TRANSFER TO A THIRD PARTY.**

- B. ANY DEED FOR A LOT THAT IS CREATED BY A BONA FIDE INTRAFAMILY TRANSFER SHALL CONTAIN A COVENANT STATING THAT THE LOT IS CREATED SUBJECT TO THE PROVISIONS OF THIS**

SECTION AND THAT THE PROVISIONS OF THIS SECTION SHALL CONTROL AS LONG AS THE PROPERTY CONTINUES TO BE ZONED RURAL CHARACTER.

- C. **A LOT CREATED BY A BONA FIDE INTRAFAMILY TRANSFER MAY NOT BE CONVEYED SUBSEQUENTLY TO ANY PERSON OTHER THAN A MEMBER OF THE OWNERS IMMEDIATE FAMILY EXCEPT UNDER THE FOLLOWING PROCEDURES:**

THE KENT COUNTY PLANNING COMMISSION SHALL DETERMINE THAT:

- I. **THE LOT WAS CREATED AS A PART OF BONA FIDE INTRAFAMILY TRANSFER AND NOT WITH THE INTENT OF SUBDIVIDING THE ORIGINAL PARCEL OF LAND FOR PURPOSES OF ULTIMATE TRANSFER TO A THIRD PARTY; OR**
 - II. **THE OWNER OF THE TRANSFERRED PROPERTY DIES; OR**
 - III. **A CHANGE OF CIRCUMSTANCES HAS OCCURRED SINCE THE ORIGINAL TRANSFER WAS MADE THAT IS CONSISTENT WITH THE INTENT OF THIS ORDINANCE.**
- D. **THIS SUBSECTION SHALL NOT PREVENT THE CONVEYANCE OF SUCH A LOT TO A THIRD PARTY AS SECURITY FOR A MORTGAGE OR DEED OF TRUST OR SUBSEQUENT CONVEYANCES RESULTING FROM A FORECLOSURE.**
- E. **THE MAXIMUM LOT SIZE SHALL BE ONE ACRE OR, IF NEEDED IN ORDER TO ACCOMODATE THE DESIGN OF A SEPTIC RESERVE FIELD, REQUIRED SETBACKS, TOPOGRAPHY, ETC., UP TO TWO ACRES.**
- F. **LAND SHALL BE SUBDIVIDED AS INDICATED:**
- I. **A PARCEL THAT IS SEVEN (7) ACRES OR MORE AND LESS THAN TWELVE (12) ACRES IN SIZE MAY BE SUBDIVIDED INTO TWO LOTS; OR**
 - II. **A PARCEL THAT IS TWELVE (12) ACRES OF MORE AND LESS THAN SIXTY (60) ACRES IN SIZE MAY BE SUBDIVIDED INTO THREE LOTS. THE LOTS MAY BE CREATED AT DIFFERENT TIMES.**
- G. **ANY DEED OR SUBDIVISION PLAT FOR A LOT CREATED BY A BONA FIDE INTRAFAMILY TRANSFER SHALL CONTAIN A STATEMENT THAT**

THE ADJACENT PROPERTY IS ZONED RURAL CHARACTER.

- H. THE PARCEL IS CREATED FOR THE CONSTRUCTION OF A PRIMARY RESIDENCE ONLY; AND**
- I. THESE PROVISIONS APPLY TO THOSE INDIVIDUALS OWNING CURRENTLY RURAL CHARACTER ZONED LAND, WITH OWNERSHIP PRIOR TO DECEMBER 3, 2002.**

DRAFT

BE IT FURTHER ENACTED by the County Commissioners of Kent County that this Act shall take effect on the ___ day of _____.

Read Third Time _____

PASSED this ___ day of _____

Failed of Passage _____

By order of:

Sondra M. Blackiston, Clerk

(SEAL)

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND

P. Thomas Mason, President

Ronald H. Fithian, Member

Robert N. Jacob, Jr., Member

ORDERED a fair summary thereof of the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four-week period.



Kent County Department of Planning, Housing, and Zoning

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
FROM: Carla Gerber, Deputy Director
SUBJECT: Redman Family Farms LLC – Ag Preservation District (ALP 21-01)
DATE: November 24, 2021

Description of Proposal

Mary Ann Scott, Redman Family Farms LLC, wishes to create an Agricultural Preservation District on its 118.31-acre farm located on Bakers Lane in the Sixth Election District. The farm consists of 114.5 acres of crop land. Approximately 98.5% of the soils are considered Class I or II. There is one dwelling on the property and approximately 0.5 acres will be withheld for an existing cellular communications tower. The farm is zoned Agricultural Zoning District (AZD). It is outside the 10-year water and sewer plan.

The farm is adjacent to over 5,360 acres of districts and easements and is located within the Priority Preservation Area.

Relevant Issues

Agricultural Preservation District - Criteria

- A. Comprehensive Plan: "Large contiguous areas of prime agricultural land are critical to an expanding and prosperous agricultural industry. The preservation of such areas reduces the potential for conflicts between farmers and their non-farm neighbors, allows the diversification of agricultural operations and reduces the need for regulations governing the nuisances sometimes associated with agribusiness."
(p. 45)
- B. Applicable Laws: Code of Public Laws of Kent County in Chapter 171-5. Agricultural Preservation Districts, which sets forth the process and criteria for establishment of districts.
 - ☞ The Agricultural Preservation Advisory Board and the Planning Commission shall advise the County Commissioners as to whether the establishment of the district meets the criteria of the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and is compatible with existing County plans and overall County policy.
 - ☞ The application shall be consistent with the criteria to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF) established in the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and Maryland Regulations 15.15.01.
 - a. The minimum size is 50 acres, unless the property is contiguous to an existing Agricultural Land Preservation District or Easement property.
 - b. At least 50% of the land consists of Soil Capability Classes I, II, or III or Woodland Groups 1 or 2.
 - c. Generally, the land lies outside the 10-year water and sewer service area.
 - d. The property consists of land which is either used primarily for the production of food or fiber or is of such open space character and productive capability that continued agricultural production is feasible.

- e. In its consideration, MALPF is to evaluate the land for location in a priority preservation area of the county (§2-509(d)(6)).
 - f. The land must have development potential.
- C. Staff Comments: The acreage, soils capability, and location within the PPA, as well as the farming operation comply with MALPF criteria for selling an easement. Therefore, the property meets or exceeds the criteria for creating an Agricultural Land Preservation District and complies with the goal of the Comprehensive Plan to preserve large blocks of contiguous prime agricultural land.

Recommendation: The Agricultural Preservation Advisory Board has reviewed this application and recommends approval of the district. Staff recommends forwarding a favorable recommendation to the County Commissioners for the establishment of an Agricultural Preservation District.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT
STAFF REPORT SUMMARY**

FILE #: ALP- 21-01
LANDOWNER(S): Redman Family Farms LLC

LOCATION: 8689 Bakers Lane, Chestertown, MD 21620
TAX MAP, PARCEL #: Map 36, Parcels 4 and 44

SIZE: 118.31 acres

RELATIONSHIP TO OTHER PRESERVED LAND: This property is adjacent to over 5,360 acres of districts and easements.

TOTAL LAND USE:	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	114.5	0	0	0	3.5

DWELLINGS: One existing dwelling

GENERAL FARMING OPERATION: Grain and vegetables

PART OF LARGER OPERATION: Yes

OWNER OPERATED: Yes

TOTAL QUALIFYING SOILS:	<u>CLASS 1</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>CLASS IV</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	75.5	41.1	0.00	0.00	0.00	116.6
PERCENT:	63.8	34.7	0.00	0.00	0.00	98.5

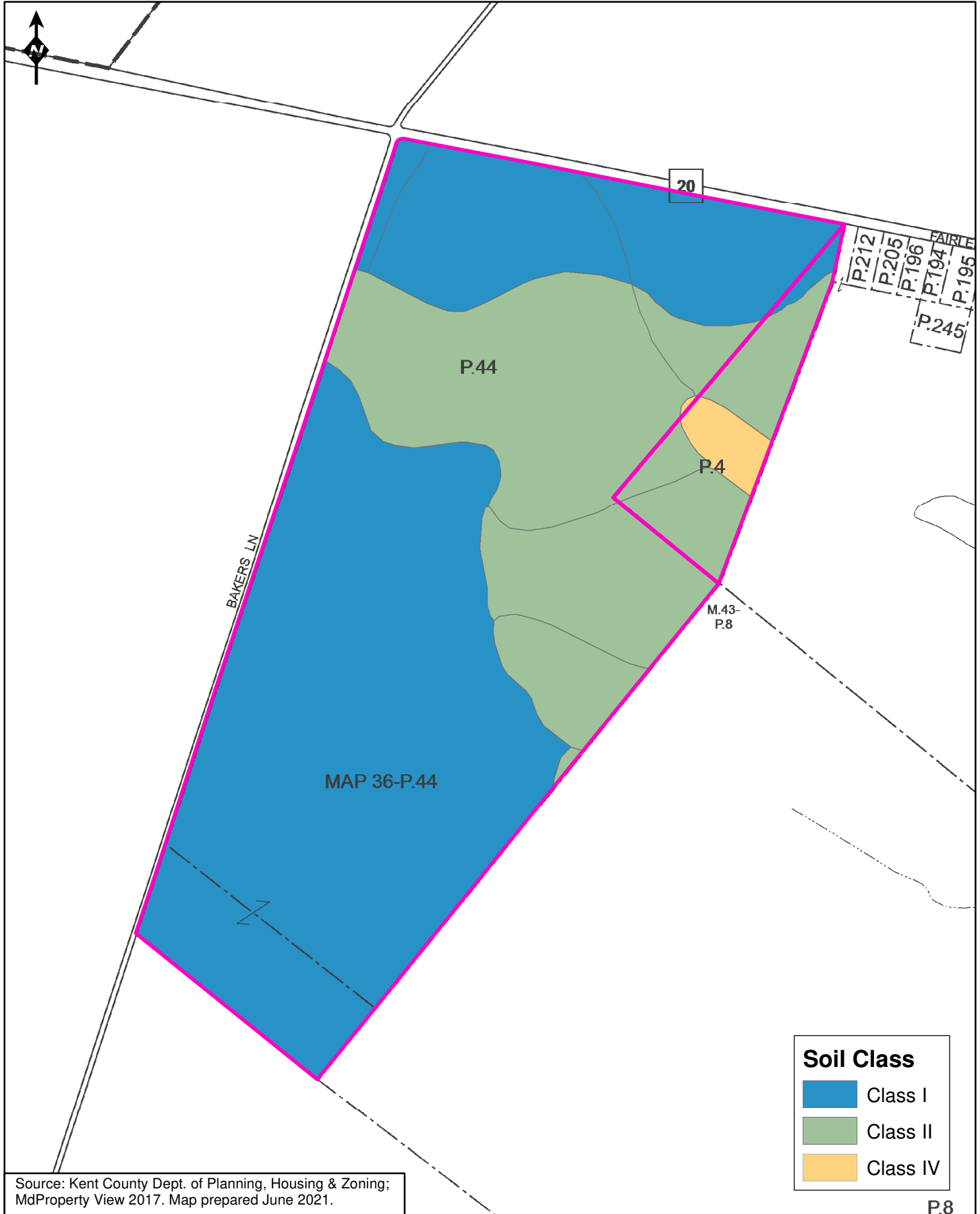
COUNTY ZONING/DENSITY: Agricultural Zoning District (AZD), base density 1:30

DEVELOPMENT PRESSURE: Moderate




ACREAGE WITHHELD: Cell tower compound – 0.5 acres

OTHER INFORMATION: Farm is located within the Priority Preservation Area. A Soil and Water Conservation Plan and Nutrient Management Plan are in effect.

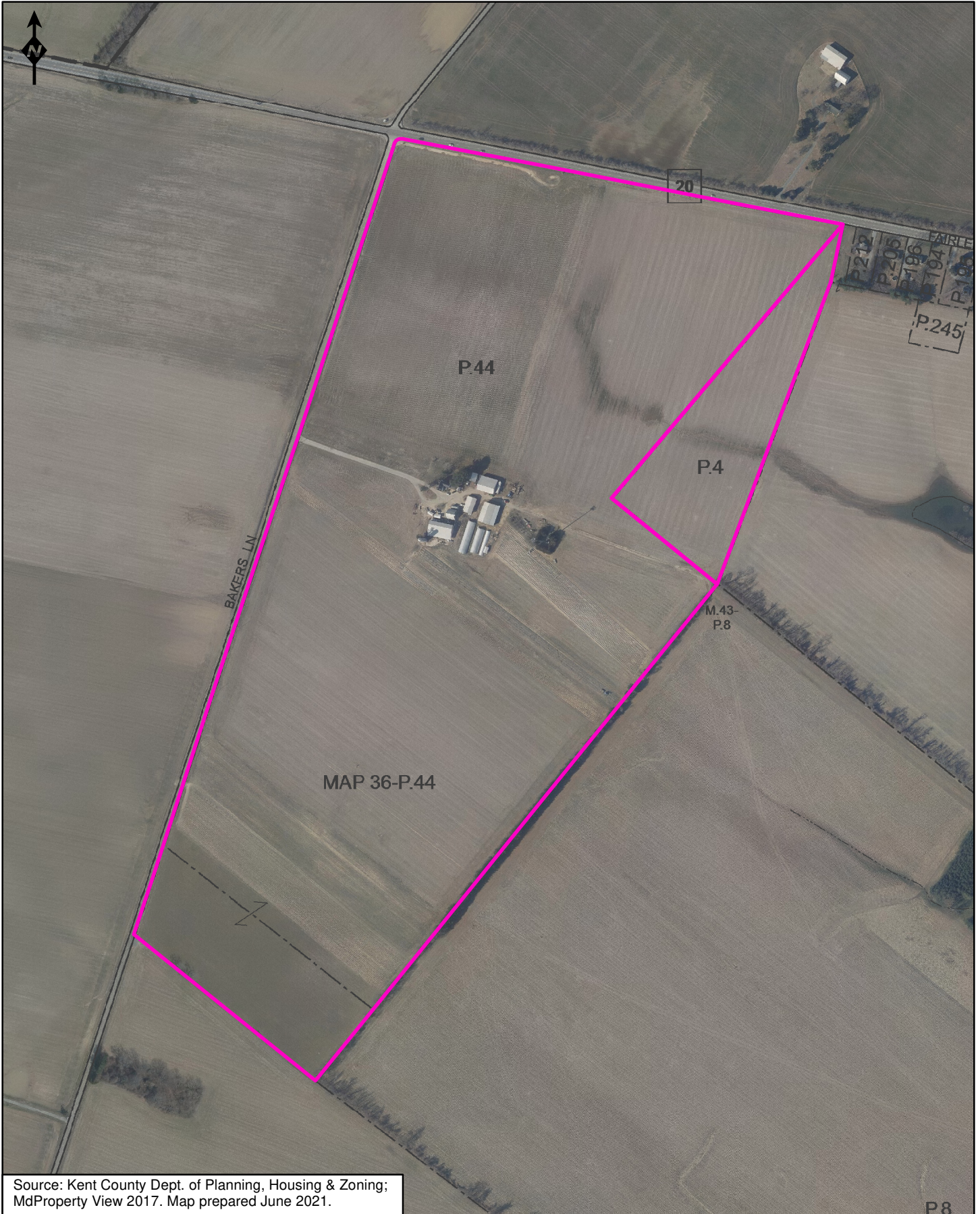
RECOMMENDATION: Staff recommends approval.



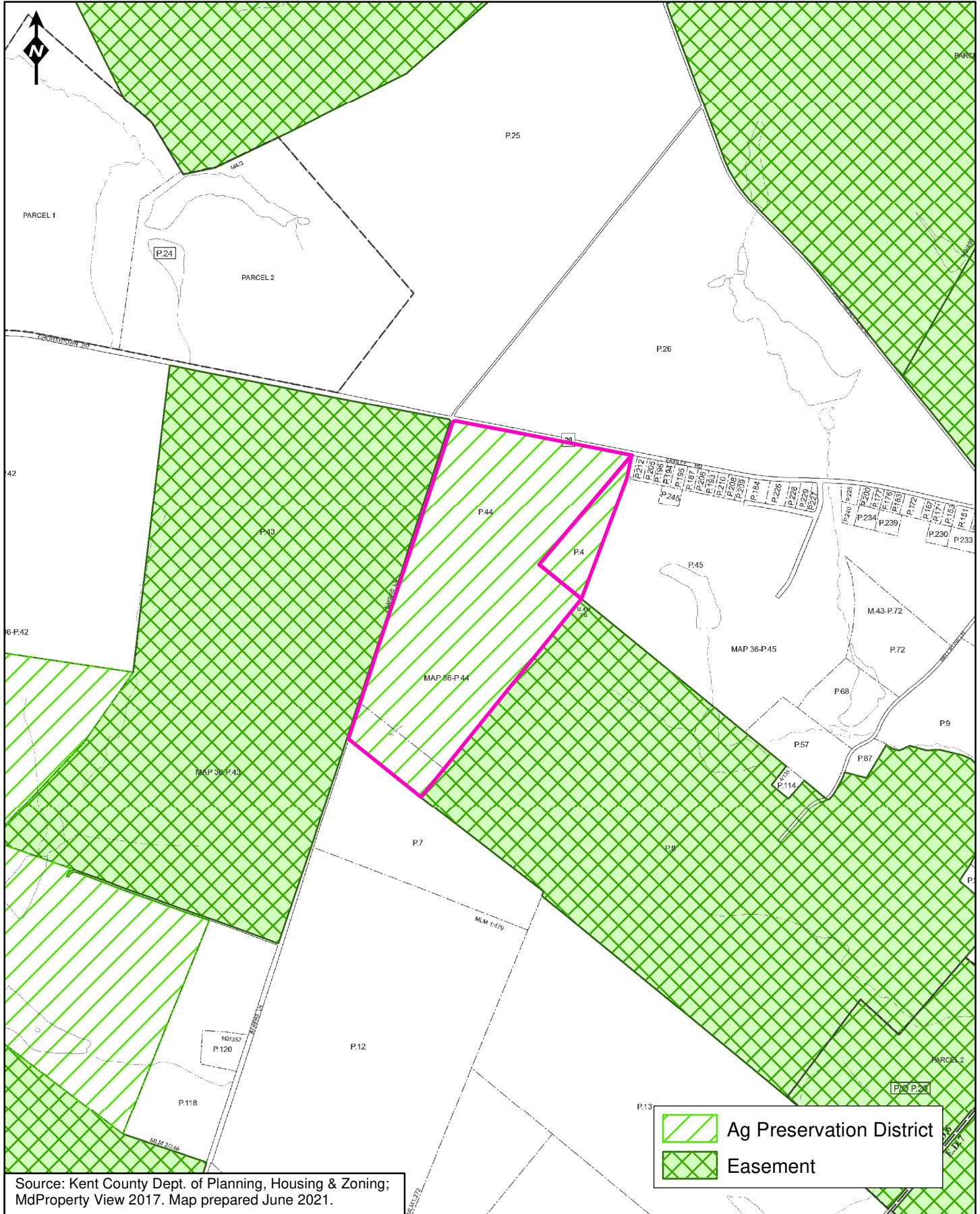
Source: Kent County Dept. of Planning, Housing & Zoning;
MdProperty View 2017. Map prepared June 2021.

Soil Class	
	Class I
	Class II
	Class IV

P.8



Source: Kent County Dept. of Planning, Housing & Zoning;
MdProperty View 2017. Map prepared June 2021.



Source: Kent County Dept. of Planning, Housing & Zoning; MdProperty View 2017. Map prepared June 2021.



Kent County Department of Planning, Housing, and Zoning

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
FROM: Carla Gerber, Deputy Director
SUBJECT: Goose Chase Farm LLC – Ag Preservation District (ALP 21-02)
DATE: November 24, 2021

Description of Proposal

Mark Miller, Goose Chase Farm LLC, wishes to create an Agricultural Preservation District on its 380.96-acre farm located on Edesville Road in the Fifth Election District. The farm consists of 200 acres of crop land, and 180 acres of woodland. Approximately 55.9% of the soils are considered Class II or III. There are no dwellings on the property. The farm is zoned Agricultural Zoning District (AZD). It is outside the 10-year water and sewer plan.

The farm is not adjacent to other protected lands and is located within the Priority Preservation Area.

Relevant Issues

Agricultural Preservation District - Criteria

- A. Comprehensive Plan: "Large contiguous areas of prime agricultural land are critical to an expanding and prosperous agricultural industry. The preservation of such areas reduces the potential for conflicts between farmers and their non-farm neighbors, allows the diversification of agricultural operations and reduces the need for regulations governing the nuisances sometimes associated with agribusiness."
(p. 45)
- B. Applicable Laws: Code of Public Laws of Kent County in Chapter 171-5. Agricultural Preservation Districts, which sets forth the process and criteria for establishment of districts.
 - ∞ The Agricultural Preservation Advisory Board and the Planning Commission shall advise the County Commissioners as to whether the establishment of the district meets the criteria of the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and is compatible with existing County plans and overall County policy.
 - ∞ The application shall be consistent with the criteria to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF) established in the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and Maryland Regulations 15.15.01.
 - a. The minimum size is 50 acres, unless the property is contiguous to an existing Agricultural Land Preservation District or Easement property.
 - b. At least 50% of the land consists of Soil Capability Classes I, II, or III or Woodland Groups 1 or 2.
 - c. Generally, the land lies outside the 10-year water and sewer service area.
 - d. The property consists of land which is either used primarily for the production of food or fiber or is of such open space character and productive capability that continued agricultural production is feasible.
 - e. In its consideration, MALPF is to evaluate the land for location in a priority preservation area of the county (§2-509(d)(6)).
 - f. The land must have development potential.

- C. Staff Comments: The acreage, soils capability, and location within the PPA, as well as the farming operation comply with MALPF criteria for selling an easement. Therefore, the property meets or exceeds the criteria for creating an Agricultural Land Preservation District and complies with the goal of the Comprehensive Plan to preserve large blocks of contiguous prime agricultural land.

Recommendation: The Agricultural Preservation Advisory Board has reviewed this application and recommends approval of the district. Staff recommends forwarding a favorable recommendation to the County Commissioners for the establishment of an Agricultural Preservation District.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT
STAFF REPORT SUMMARY**

FILE #: ALP- 21-02
LANDOWNER(S): Goose Chase Farm LLC

LOCATION: Edesville/Piney Neck Road, Rock Hall, MD
TAX MAP, PARCEL #: Map 51, Parcel 36

SIZE: 380.96 acres

RELATIONSHIP TO OTHER PRESERVED LAND This property is not adjacent to other preserved lands.

TOTAL LAND USE:	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	200	0	180	0	0

DWELLINGS: No dwellings

GENERAL FARMING OPERATION: Grain

PART OF LARGER OPERATION: Yes

OWNER OPERATED: No, cash lease

TOTAL QUALIFYING SOILS:	<u>CLASS 1</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>CLASS IV</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	0.00	164.0	49.1	0.00	0.00	213.1
PERCENT:	0.00	43.0	12.9	0.00	0.00	55.9

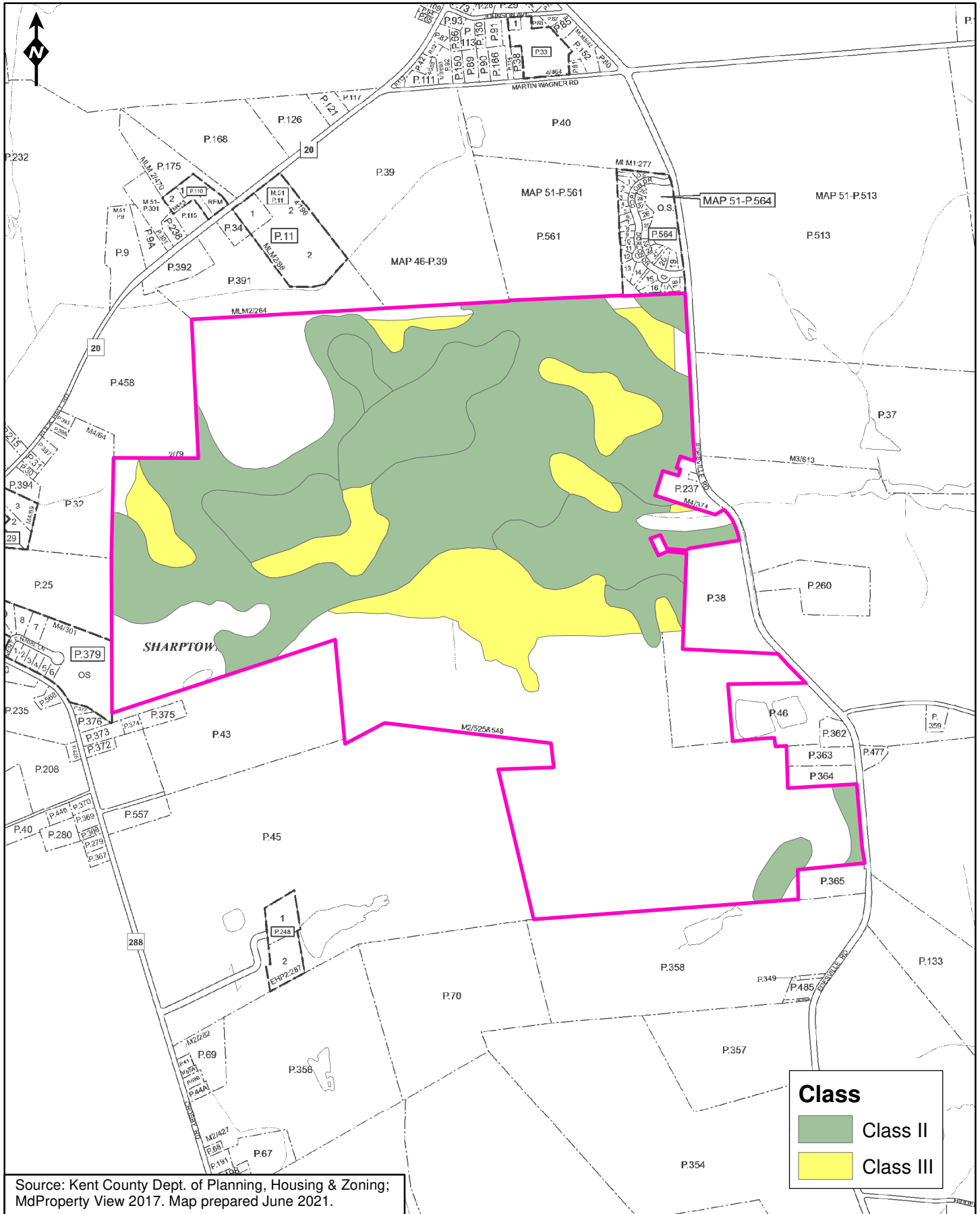
COUNTY ZONING/DENSITY: Agricultural Zoning District (AZD), base density 1:30

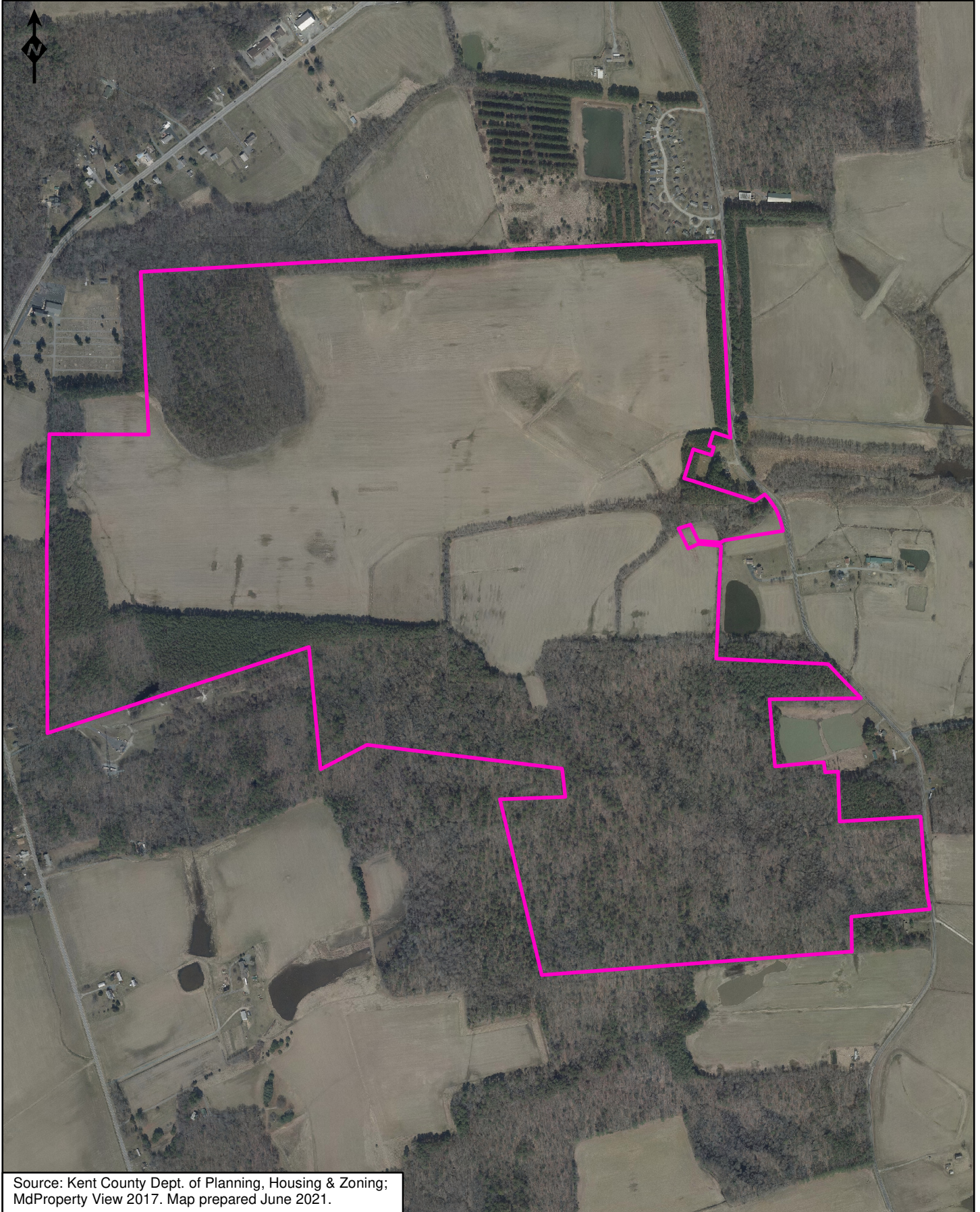
DEVELOPMENT PRESSURE: Moderate

ACREAGE WITHHELD: None

OTHER INFORMATION: Farm is located within the Priority Preservation Area. A Soil and Water Conservation Plan and Nutrient Management Plan are in effect.

RECOMMENDATION: Staff recommends approval.





Source: Kent County Dept. of Planning, Housing & Zoning;
MdProperty View 2017. Map prepared June 2021.



Kent County Department of Planning, Housing, and Zoning

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
FROM: Carla Gerber, Deputy Director
SUBJECT: B and K Family Farm LLC – Ag Preservation District (ALP 21-03)
DATE: November 24, 2021

Description of Proposal

Kevin Miller, B and K Family Farm LLC, wishes to create an Agricultural Preservation District on its 202-acre farm located on Morgnec in the Second Election District. The farm consists of 187 acres of crop land and 13 acres of woodland. Approximately 96% of the soils are considered Class II or III. There is one dwelling on the property. The farm is zoned Agricultural Zoning District (AZD). It is outside the 10-year water and sewer plan.

The farm is adjacent to over 480 acres of districts and is located within the Priority Preservation Area.

The owners have also received funding from MARBIDCO's Next Generation program. MARBIDCO provided a loan to help the owners purchase the farm. They then agreed to apply to sell an easement. If they don't sell an easement within 7 years, then MARBIDCO forgives the loan and seeks a qualified organization (most likely MALPF) to accept an easement on the farm.

Relevant Issues

Agricultural Preservation District - Criteria

- A. Comprehensive Plan: "Large contiguous areas of prime agricultural land are critical to an expanding and prosperous agricultural industry. The preservation of such areas reduces the potential for conflicts between farmers and their non-farm neighbors, allows the diversification of agricultural operations and reduces the need for regulations governing the nuisances sometimes associated with agribusiness."
(p. 45)
- B. Applicable Laws: Code of Public Laws of Kent County in Chapter 171-5. Agricultural Preservation Districts, which sets forth the process and criteria for establishment of districts.
 - ☞ The Agricultural Preservation Advisory Board and the Planning Commission shall advise the County Commissioners as to whether the establishment of the district meets the criteria of the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and is compatible with existing County plans and overall County policy.
 - ☞ The application shall be consistent with the criteria to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF) established in the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and Maryland Regulations 15.15.01.
 - a. The minimum size is 50 acres, unless the property is contiguous to an existing Agricultural Land Preservation District or Easement property.
 - b. At least 50% of the land consists of Soil Capability Classes I, II, or III or Woodland Groups 1 or 2.
 - c. Generally, the land lies outside the 10-year water and sewer service area.

- d. The property consists of land which is either used primarily for the production of food or fiber or is of such open space character and productive capability that continued agricultural production is feasible.
 - e. In its consideration, MALPF is to evaluate the land for location in a priority preservation area of the county (§2-509(d)(6)).
 - f. The land must have development potential.
- C. Staff Comments: The acreage, soils capability, and location within the PPA, as well as the farming operation comply with MALPF criteria for selling an easement. Therefore, the property meets or exceeds the criteria for creating an Agricultural Land Preservation District and complies with the goal of the Comprehensive Plan to preserve large blocks of contiguous prime agricultural land.

Recommendation: The Agricultural Preservation Advisory Board has reviewed this application and recommends approval of the district. Staff recommends forwarding a favorable recommendation to the County Commissioners for the establishment of an Agricultural Preservation District.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT
STAFF REPORT SUMMARY**

FILE #: ALP- 21-03
LANDOWNER(S): B and K Family Farm LLC

LOCATION: 28260 Morgnec Road, Kennedyville, MD 21645
TAX MAP, PARCEL #: Map 29, Parcel 8

SIZE: 202 acres

RELATIONSHIP TO OTHER PRESERVED LAND This property is adjacent to over 480 acres of districts.

TOTAL LAND USE:	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	187	0	13	0	2

DWELLINGS: One existing dwelling

GENERAL FARMING OPERATION: Grain

PART OF LARGER OPERATION: Yes

OWNER OPERATED: Yes

TOTAL QUALIFYING SOILS:	<u>CLASS 1</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>CLASS IV</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	0.00	138.2	52.5	0.00	4.0	194.7
PERCENT:	0.0	68.4	26.0	0.00	2.0	96.4

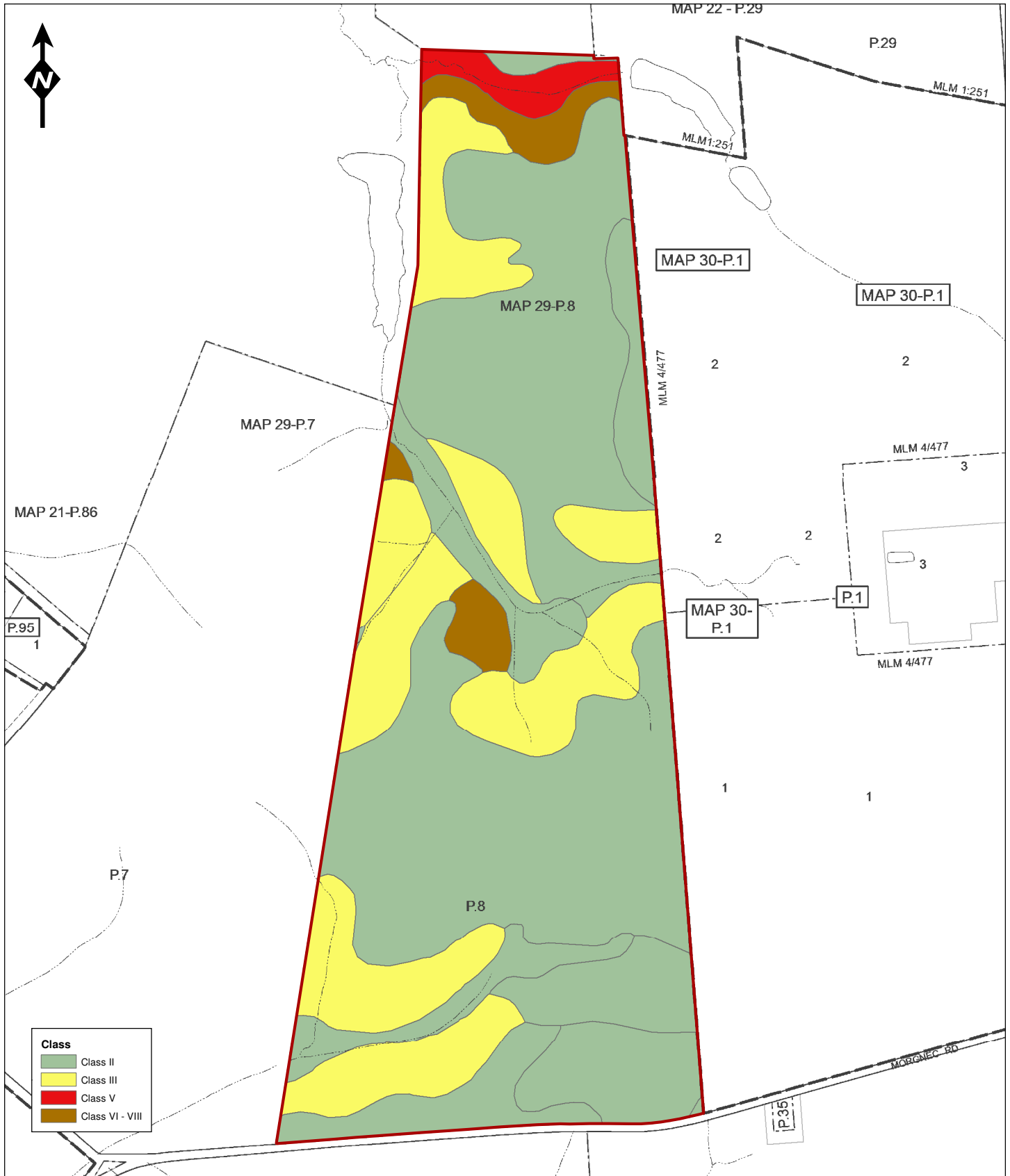
COUNTY ZONING/DENSITY: Agricultural Zoning District (AZD), base density 1:30

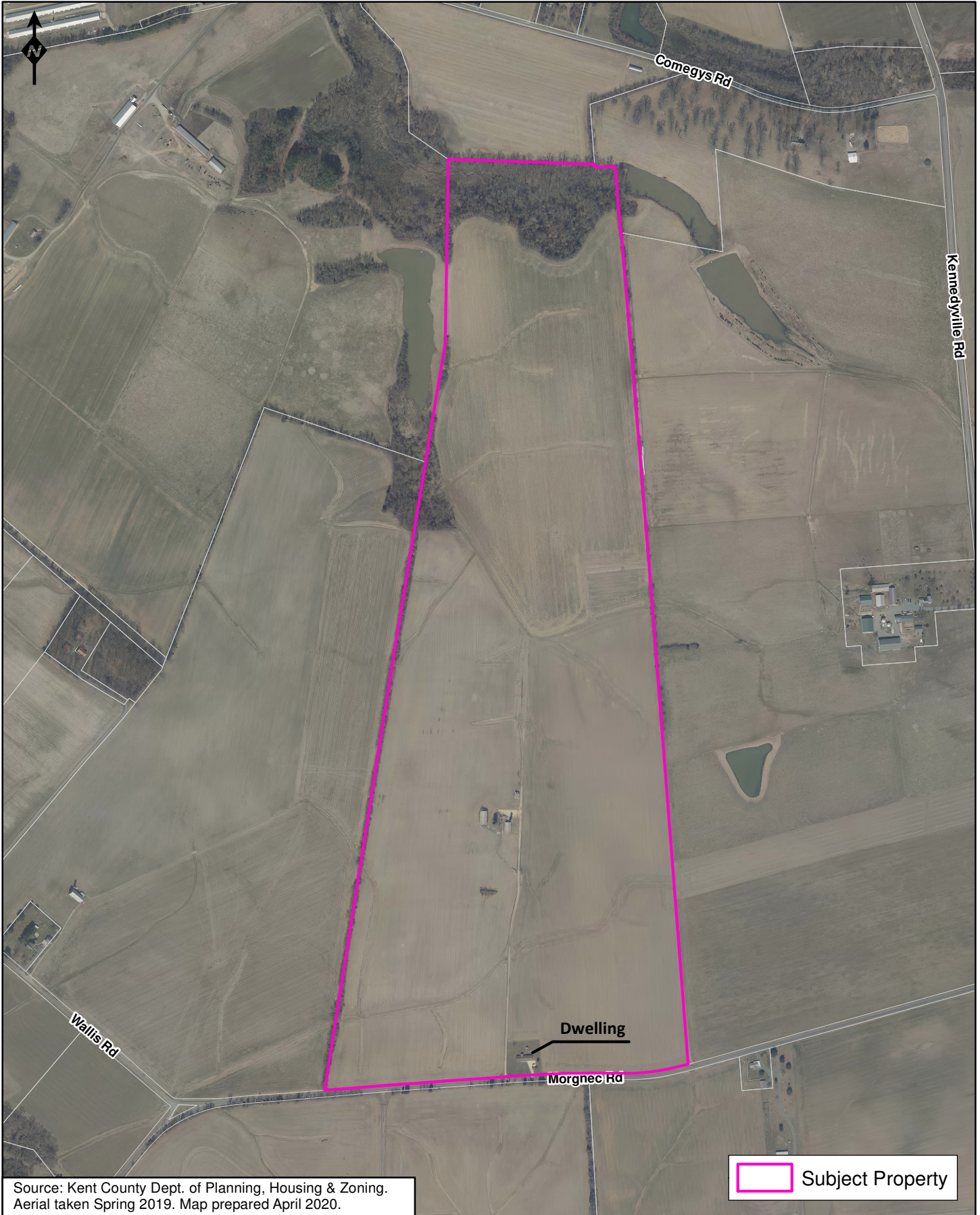
DEVELOPMENT PRESSURE: Moderate

ACREAGE WITHHELD:


OTHER INFORMATION: Farm is located within the Priority Preservation Area. A Soil and Water Conservation Plan and Nutrient Management Plan are in effect.

RECOMMENDATION: Staff recommends approval.





Source: Kent County Dept. of Planning, Housing & Zoning.
Aerial taken Spring 2019. Map prepared April 2020.

 Subject Property



Kent County Department of Planning, Housing, and Zoning

To: Kent County Planning Commission
From: Carla Gerber, Deputy Director
Meeting: December 2, 2021
Subject: Chris and Susan Pavon – Buffer Variance

EXECUTIVE SUMMARY

Request by Applicant

The applicants are requesting a buffer variance in order to remodel their house which is located entirely within the expanded buffer.

Public Process

Per Maryland State Law and Article VI, Section 5 of the Kent County *Land Use Ordinance* the Planning Commission shall review and approve Major Site Plans.

Summary of Staff Report

The 2.117- acre property, located at 24188 Macs Lane, is zoned Resource Conservation District and fronts onto Churn Creek. The surrounding area is a mix residential and agricultural uses. The applicants want to demolish and reconfigure an existing waterfront deck, add a small front porch, add a formal entrance to the “rear” of the house, expand the kitchen by five feet, and reconfigure an existing brick sidewalk. The proposed improvements will not be closer to the water and the top of the slope than the existing structure, and the net increase in lot coverage is only 206 square feet. The proposal complies with the lot coverage limits and a Buffer Mitigation Plan will be required.

Staff Recommendation

Staff recommends sending a favorable recommendation to the Board of Appeals.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: Chris and Susan Pavon– Critical Area Buffer Variance #21-50
DATE: November 23, 2021

DESCRIPTION OF PROPOSAL

Chris and Susan Pavon are requesting a variance to the Critical Area buffer standards in order to demolish and reconfigure an existing waterfront deck, add a small front porch, add a formal entrance to the “rear” of the house, expand the kitchen by five feet, and reconfigure an existing brick sidewalk. None of the work will be closer to the water or the top of the slope, and the reconfigured deck will be farther from the water. The house was built in 1973, and due to steep slopes along the shoreline, there is an expanded buffer which completely encompasses the house.

The parcel consists of a primary dwelling, detached garage, and small shed located on the mostly wooded property. Approximately 90% of the parcel is within the expanded buffer. The surrounding area is zoned Resource Conservation District (RCD) and Agricultural Zoning District (AZD) with moderately sized parcels for waterfront homes and agriculture.

APPLICABLE LAWS

I. Yard Requirements

- A. *Comprehensive Plan*: “Insure that all new development or redevelopment meets a high standard of planning, workmanship, and design.” (Page 31)
- B. *Applicable Law*: Article V, Section 2.5 of the *Kent County Land Use Ordinance* establishes the density, height, width, bulk, and fence requirements for the Resource Conservation District.

Front	50 ft
Side	15 ft
Rear	30 ft
Waterfront	Minimum 100-foot buffer

C. *Staff and TAC Comments*. From the applicant’s narrative:

The Pavon’s would like to remodel and update their home by adding four features:

1. Add a formal (rear) entrance that would be 203’ from the mean high water line and create 162ft² of additional Lot Coverage.
2. Add a front porch that would be 171.8’ from the mean high water line and create 181ft² of additional Lot Coverage.
3. Expand the kitchen northerly by 5’, that would be 191.4’ from the mean high water line and create 80ft² of additional Lot Coverage.
4. Remove the existing 453ft² wood deck and construct a new 516ft² wooden deck that would be reconfigured to avoid a 24” oak that is currently surrounded by the existing deck. The proposed deck would be 171.3’ from the mean high water line. This deck would not count toward lot Coverage because of gaps in the decking boards.
5. Remove 658ft² of existing brick sidewalk and replace it with 441ft² of sidewalk in a different configuration to make for a better approach from and to the house.

Staff notes that a buffer variance is required in order to complete any of this work.

II. Buffer Requirements

- A. *Comprehensive Plan*: “Maintain, enforce and if necessary, strengthen existing regulations for floodplains and buffers.” (Page 86)
- B. *Applicable Law*: Article V, Section 2.7.B.3.a of the Kent County Land Use Ordinance addresses development in the buffer:
 - i. Development activities, including structures, roads, parking areas, and other impervious surfaces, mining, and related activities, or septic systems shall not be permitted within the minimum 100-foot buffer. This restriction does not apply to activities necessarily associated water-dependent facilities.
- C. *Staff and TAC Comments*: Development activity of this nature is not permitted in the buffer; therefore, the applicants have applied for a buffer variance to remodel their house.

III. Variance

- A. *Applicable Law*: Article IX, Section 2.2 of the Kent County Land Use Ordinance authorizes the Board of Appeals to grant variances from the yard (front, side, or rear), height, bulk, parking, loading, shoreline cliff, 15% slope, pier length, impervious surface, stream protection corridor, and buffer requirements so as to relieve practical difficulties or other injustices arising out of the strict application of the provisions of this Ordinance.

...

In the Critical Area, for a variance of 15% slope, impervious surface, or buffer requirements, it being the purpose of this provision to authorize the granting of variation only for reasons of demonstrable and exceptional unwarranted hardship as distinguished from variations sought by applicants for purposes or reasons of convenience, profit, or caprice.

In order to grant a *variance*, the Board of Appeals must find all of the following:

- a. That the *variance* will not cause a substantial detriment to adjacent or neighboring property.
- b. That the *variance* will not change the character of the neighborhood or district.
- c. That the *variance* is consistent with the *Comprehensive Plan* and the general intent of this Ordinance.
- d. That the practical difficulty or other injustice was caused by the following:
 - i. Some unusual characteristic of size or shape of the property.
 - ii. Extraordinary topographical or other condition of the property.
 - iii. The use or *development* of property immediately adjacent to the property, except that this criterion shall not apply in the *Critical Area*.
- e. That the practical difficulty or other injustice was not caused by the applicants own actions.
- f. That within the *Critical Area* for *variances* of 15% *slope, impervious surface, or buffer* requirements:
 - i. The granting of a *variance* will be in harmony with the general spirit and intent of the *Critical Area* Law and the *regulations* adopted by Kent County
 - ii. That the granting of a *variance* will not adversely affect water quality or adversely impact fish, wildlife, or *plant habitat*.
 - iii. That the application for a *variance* will be made in writing with a copy provided to the *Critical Area* Commission.

- iv. That the strict application of the Ordinance would produce an *unwarranted hardship*.
- v. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- vi. The authorization of such *variance* will not be a substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the *variance*.
- vii. That a literal interpretation of this Ordinance deprives the applicant of rights commonly enjoyed by other properties in similar areas within the *Critical Area* of Kent County.
- viii. That the granting of a *variance* will not confer upon an applicant any special privilege that would be denied by this Ordinance to other lands or *structures*.
- ix. Due to special features of a site, or special conditions or circumstances peculiar to the applicant's land or *structure*, a literal enforcement of this Ordinance would result in *unwarranted hardship* to the applicant.
- x. The Board of Appeals finds that the applicant has satisfied each one of the *variance* provisions.
- xi. Without the *variance*, the applicant would be deprived of a use of land or a *structure* permitted to others in accordance with the provisions of the critical area program.
- g. In considering an application for a *variance*, the Board shall consider the reasonable use of the entire parcel or lot for which the *variance* is requested.
- h. In considering an application for a *variance*, the Board of Appeals shall presume that the specific *development* activity in the Critical Area that is subject to the application and for which a *variance* is required does not conform with the general purpose and intent of this Ordinance and the Critical Area Law.
- i. The Board may consider the cause of the *variance* request and if the *variance* request is the result of actions by the applicant, including the commencement of *development* activity before an application for a *variance* has been filed.

B. *Staff and TAC Comments:* The granting of the variance will not cause a substantial detriment to adjacent or neighboring properties, nor will it change the character of the district. The character of the surrounding area consists mostly of wooded, waterfront parcels with single-family dwellings.

The Comprehensive Plan encourages the protection of the buffer. A Buffer Mitigation Plan, at three times the permanent disturbance of the new construction, will be required. If there isn't enough room to plant onsite, then a fee-in-lieu will be required. Approximately 90% of the parcel is within the expanded buffer, and it is considered Forest Interior Dwelling Species habitat which has time of year restrictions for exterior construction. No vegetation removal is required for access, demolition, or construction.

The applicant's narrative indicates that lot coverage will increase by 206 square feet. A parcel of this size is allotted 15% in lot coverage, 13,833 square-feet. If the variance is granted, the lot coverage total will be 11,624 square feet, or 12.6% of their lot area. The existing lot coverage is 11,418 square-feet. With a Buffer Mitigation Plan and increased distance from the mean high water line, water quality should not be impacted.

Because the dwelling is located entirely within the expanded buffer, the applicant could not make any changes to the footprint, sidewalks, or decks without a variance being required.

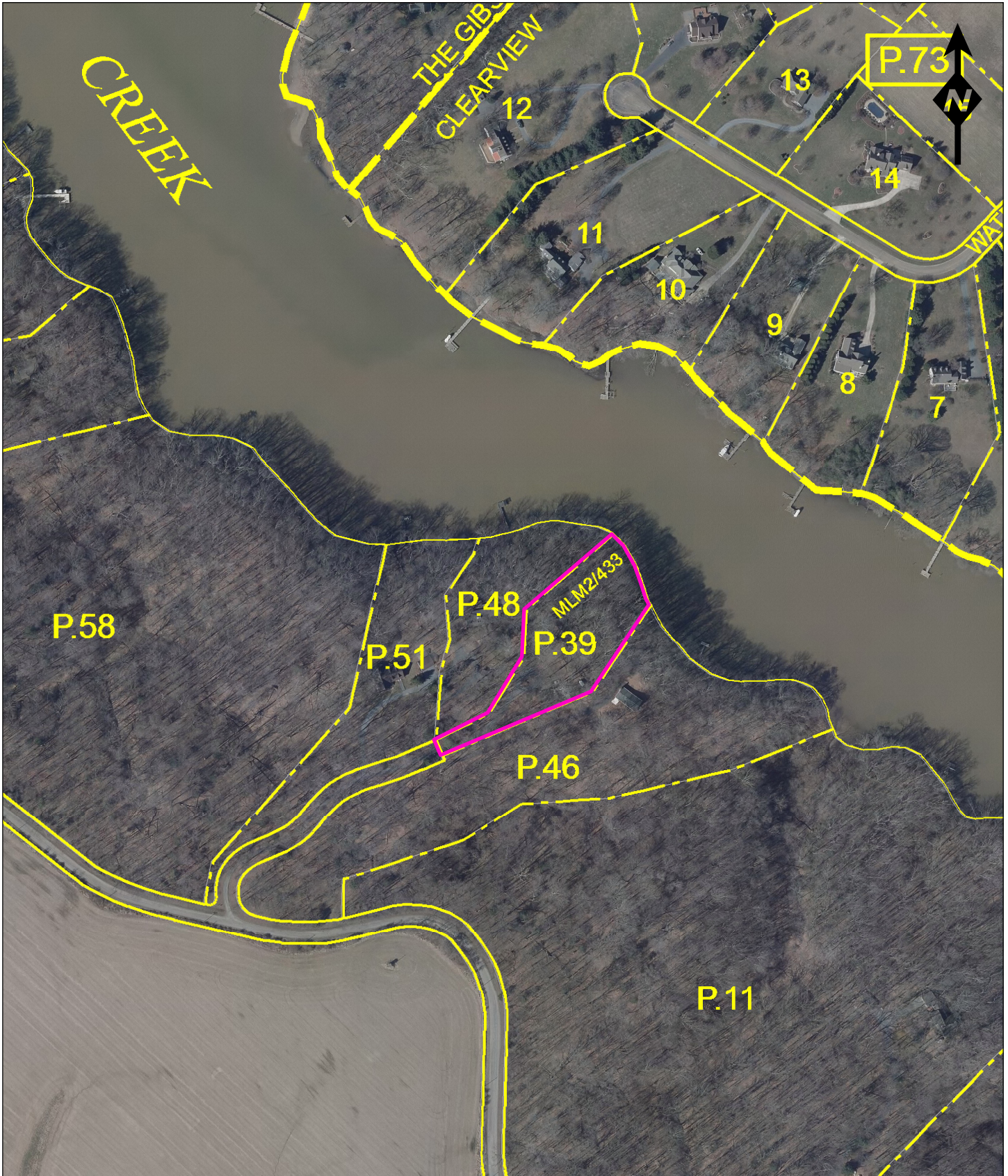
The literal interpretation of the Ordinance would allow the applicants to maintain the existing deck, but not reconstruct without the granting of a variance. Waterfront decks are commonly enjoyed by other

waterfront property owners within this zoning district and is a reasonable use of the property. The other remodeling requests will allow the applicants to modernize their home. The request for the variance has not been caused by the applicants' own actions. According to the State Department of Assessment and Taxation, the dwelling was constructed in 1973, which is prior to the adoption of the Critical Area Program.

STAFF RECOMMENDATION

Staff recommends approval of the buffer variance to demolish and reconfigure an existing waterfront deck, add a small front porch, add a formal entrance to the "rear" of the house, expand the kitchen by five feet, and reconfigure an existing brick sidewalk. Staff further recommends mitigation of 3:1 for permanent disturbance within the Buffer in the form of Native Maryland tree and understory plantings within the Buffer or payment of a fee-in-lieu.

Chris and Susan Pavon
#21-50 - Variance of Expanded Buffer



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2019. Map prepared November 2021.

1 inch = 300 feet

BOARD OF APPEALS APPLICATION

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7475 (phone) • 410-810-2932 (fax)

**IN THE MATTER OF THE APPLICATION OF:
(Name, Address and Telephone Number of Applicant)**

Chris & Susan Pavon

24188 Mac's Lane

Worton, MD 21678

Email: chrisp5982@gmail.com

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article _____ Section _____
of the Kent County Zoning Ordinance, as amended, request is hereby made for:

_____ Appealing Decision of Kent County Zoning Administrator X Variance
_____ Special Exception _____ Non-conforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 24188 Mac's Lane

In the 3 Election District of Kent County.

Size of lot or parcel of Land: 2.117 acres

Map: 11 Parcel: 39 Lot #: _____ Deed Ref: MLM 1145/278

List buildings already on property: Brick dwelling (2,037ft²) Frame Garage (521ft²) and shed

If subdivision, indicate lot and block number: _____

If there is a homeowners association, give name and address of association: Yes

President - Cindy Fulton 24284 Mac's Lane, Worton, MD 21678 cbowersfulton@gmail.com

PRESENT ZONING OF PROPERTY: Resource Conservation District

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires
the Appeal Hearing.) Add rear entrance, front porch, expand kitchen and reconfigure deck

If appealing decision of Zoning Administrator, list date of their decision: _____

Present owner(s) of property: Chris & Susan Pavon Telephone: 410-708-5443

If Applicant is not owner, please indicate your interest in this property: _____

Has property involved ever been subject to a previous application? No

If so, please give Application Number and Date: _____

For Office Use Only:	
Case Number/Date Filed:	_____
Filed by:	_____
Applicant:	_____
Planning Commission:	_____
Date of Hearing:	_____
Parties Notified:	_____
Notice in Paper:	_____
Property Posted:	_____

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.
List all property measurements and dimensions of any buildings already on the property.

Put distances between present buildings or proposed buildings and property lines.

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: Victor Fernandez 1920 Calvert St NW, Washington, DC 20009


Owner(s) on the South: Gelof Dara, Trustee 2732 Everetts Corner Road, Hartley, DE 19953

Owner(s) to the East: Churn Creek

Owner(s) to the West: Victor Fernandez 1920 Calvert St NW, Washington, DC 20009

Homeowners Association, name and address, if applicable: _____
President - Cindy Fulton 24284 Mac's Lane, Worton, MD 21678 cbowersfulton@gmail.com

BY SIGNING THIS APPLICATION I GRANT MEMBERS AND ALTERNATE OF THE BOARD OF ZONING APPEALS THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION OR APPEAL.


Signature of Owner/Applicant/Agent or Attorney

10/7/21
Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$350.00** filing fee made payable to the Board of Appeals. If you have any questions, contact Clerk at 410-778-7467.

NOTICE: Neither the Board of Appeals or the Planning Office is required to make out this Application. Application should be filled in by applicant or its agent. If the Planning Office assists you, they cannot be held responsible for its contents.

Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.

Narrative for:

Chris & Susan Pavon
24188 Mac's Lane
Worton, MD 21678
Tax Map 11, parcel 39
Deed Reference - M.L.M. 1145/278
Plat Book – M.L.M. 2/433
Zoned – RCD - Resource Conservation District

Mr. and Mrs. Pavon are requesting a Buffer Variance for an expansion of their home located at 24188 Mac's Lane, Worton, MD. The current use of the property is the primary residence of Mr. and Mrs. Pavon. The property currently contains a 2,037ft² brick one story dwelling with a 428ft² wood deck, a 521ft² detached garage, shed and stone driveway which is surrounded by mature hardwoods. The property is served by private well and septic.

Finding of fact.

The Pavon property is 2.117 acres fronts on the Churn Creek and is completely within the Critical Area. The lot was created in 1972. The closest corner of the house and the deck are both 165.6' from the mean high water line. The existing Lot Coverage totals 11,418ft², the maximum allowed (15%) is 13,833ft². Due to steep slopes along the 100' Critical Area Buffer, an Expanded Buffer extends back as much as 312' from the mean high water line, which covers 90% of the property and completely encompasses the house.

The existing brick dwelling was built in 1973 and is in original condition. The Pavon's would like to remodel and update their home by adding four features:

1. Add a formal (rear) entrance that would be 203' from the mean high water line and create 162ft² of additional Lot Coverage.
2. Add a front porch that would be 171.8' from the mean high water line and create 181ft² of additional Lot Coverage.
3. Expand the kitchen northerly by 5', that would be 191.4' from the mean high water line and create 80ft² of additional Lot Coverage.
4. Remove the existing 453ft² wood deck and construct a new 516ft² wooden deck that would be reconfigured to avoid a 24" oak that is currently surrounded by the existing deck. The proposed deck would be 171.3' from the mean high water line. This deck would not count toward lot Coverage because of gaps in the decking boards.
5. Remove 658ft² of existing brick sidewalk and replace it with 441ft² of sidewalk in a different configuration to make for a better approach from to the house.

Total proposed Lot Coverage would be 11,624ft². Limits of disturbance would be well under 5,000ft² and would avoid steep slopes.

The property is mostly covered in mature hardwoods and is only visible by the next door neighbors.

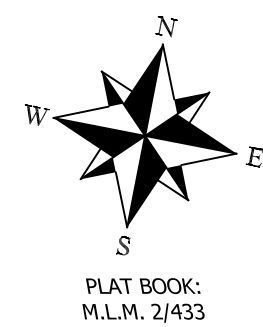
This site is approximately 3 miles north of Kent County High School and IU Episcopal Church .

This expansion will not increase the effect of noise, vibration, smoke, odor, fire and glare on the neighboring properties.

This proposal is in keeping with the neighborhood. The majority of the houses along Mac's Lane exceed 2,000ft². We feel that this is the best use of land and structure.

This proposal will not affect water quality or fish, wildlife or plant habitat by keeping disturbance to a minimum. No trees are proposed to be removed.

The landowners along Mac's Lane have an organized Homeowners Association of which the Pavon's are members. A copy of the Construction Plans, Site Plan and this narrative will be forwarded to each member and a report will be provided before final approval.



LANDS OF
PAUL A. MEID, et al
M.L.M. 920/16
PLAT BOOK: M.L.M. 2/433
& W.H.G. 2/137

EXISTING LOT COVERAGE SUMMARY

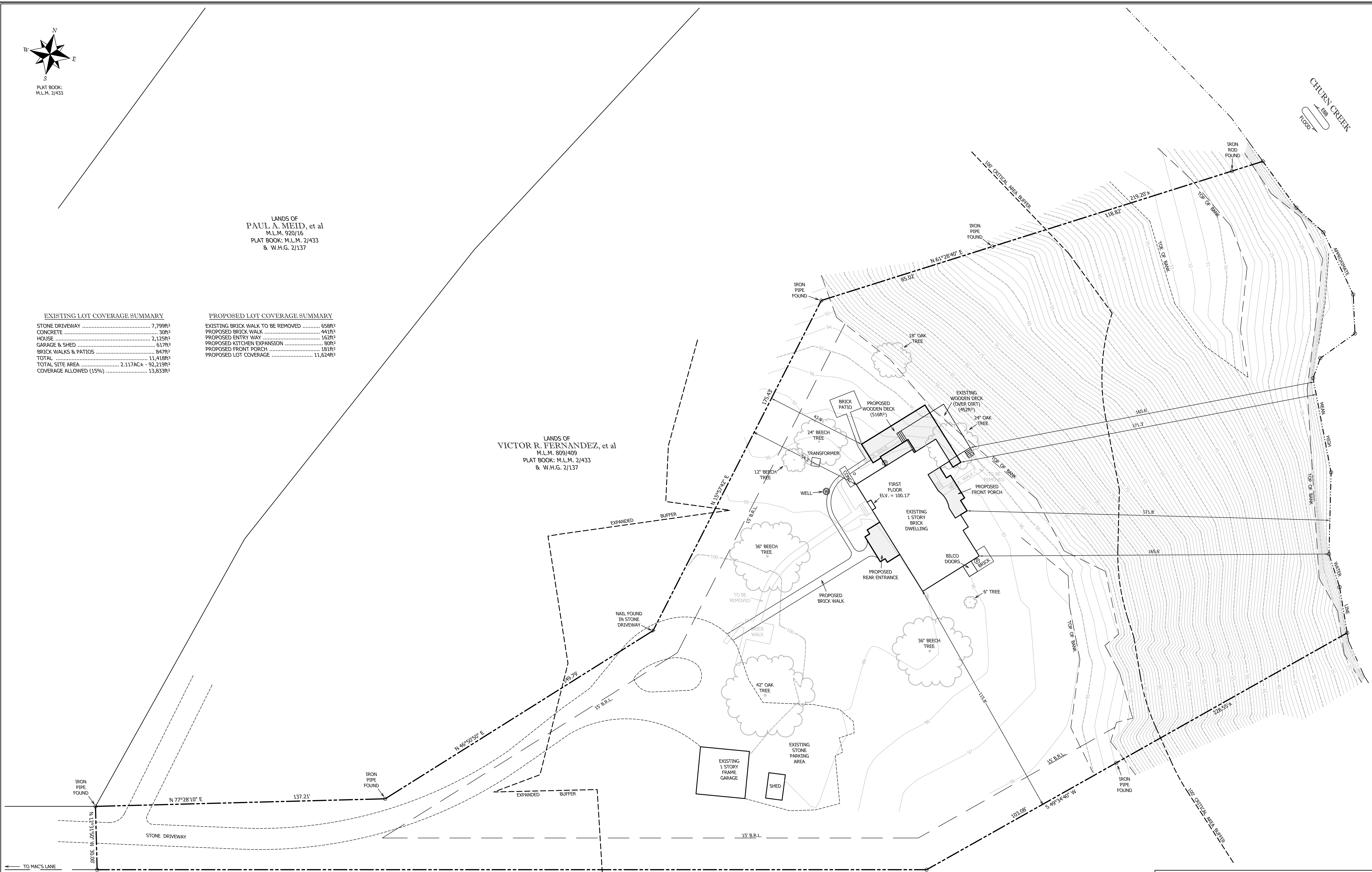
STONE DRIVEWAY 7,799R²
CONCRETE 30R²
HOUSE 2,125R²
GARAGE & SHED 617R²
BRICK WALKS & PATIOS 847R²
TOTAL SITE AREA 2,117AC± = 92,219R²
COVERAGE ALLOWED (15%) 13,833R²

PROPOSED LOT COVERAGE SUMMARY

EXISTING BRICK WALK TO BE REMOVED 658R²
PROPOSED BRICK WALK 441R²
PROPOSED ENTRY WAY 162R²
PROPOSED KITCHEN EXPANSION 80R²
PROPOSED FRONT PORCH 151R²
PROPOSED LOT COVERAGE 11,624R²

LANDS OF
VICTOR R. FERNANDEZ, et al
M.L.M. 809/409
PLAT BOOK: M.L.M. 2/433
& W.H.G. 2/137

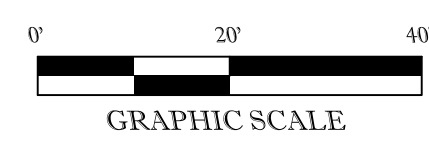
LANDS OF
DARA GELOF, Trustee
1156/111
PLAT BOOK: W.H.G. 2/137



NOTES:
DEED REFERENCE: M.L.M. 943/1
PLAT BOOK: M.L.M. 2/433
PLAT BOOK: W.H.G. 2/137
PREMISES ADDRESS: 24188 MACS LANE
WORTON, MD. 21678

THIS TOPOGRAPHICAL SURVEY WAS PREPARED BY A LICENSED LAND SURVEYOR OR A LICENSED LAND SURVEYOR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMAR 09.13.06.12.

ELEVATIONS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM



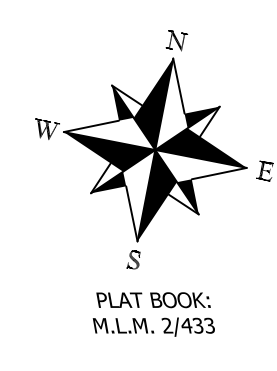
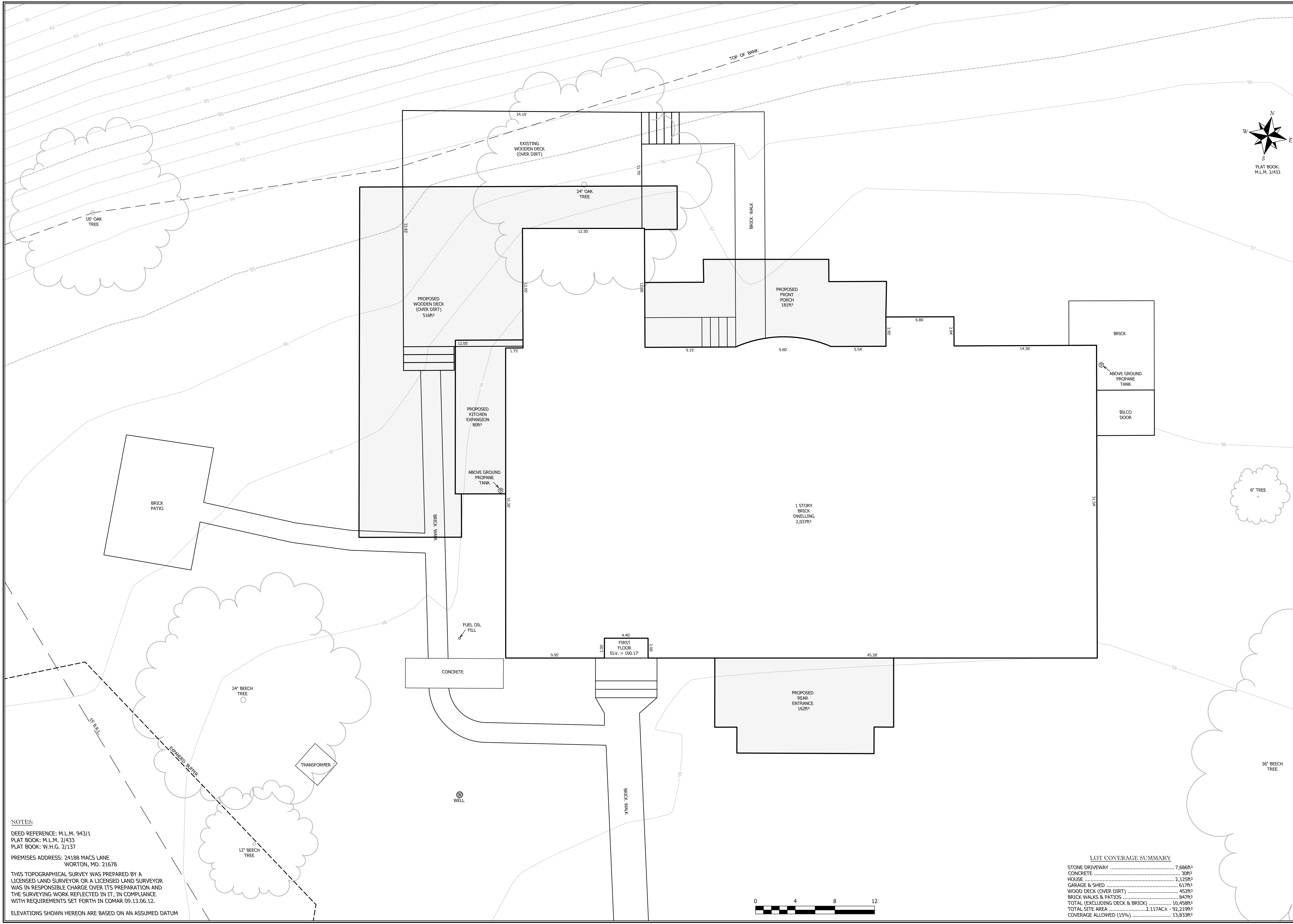
APPROVED: _____
DATE _____ KENT COUNTY PLANNING COMMISSION

APPROVED: _____
DATE _____ KENT COUNTY HEALTH DEPT. APPROVING AUTHORITY

EXTREME MEASUREMENTS
LAND SURVEYORS
Cheslerown, MD 21620
PHONE: 410-778-0147
www.extrememeasurements.com

SCALE	DATE BY	DATE
1"=20'	DRAWN BY	10/7/21
	JOB NO.	1281
	REVISIONS	

SITE PLAN
OF THE LANDS OF
D. CHRISTOPHER PAVON et ux.
THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND
MAP 11 PARCEL 39
SHEET 1 of 2



EXTREME
MEASUREMENTS
LAND SURVEYORS

Cheslerown, MD 21620
PHONE: 410-778-0147
www.extrememeasurementsllc.com

SCALE	DATE
1" = 40'	12/10/20
DRAWN BY	JOB NO.
WV	17051
DATE	REVISIONS
12/10/20	

SITE PLAN
OF THE LANDS OF
DANIEL CHRISTOPHER PAVON
THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND
MAP 11 PARCEL 39

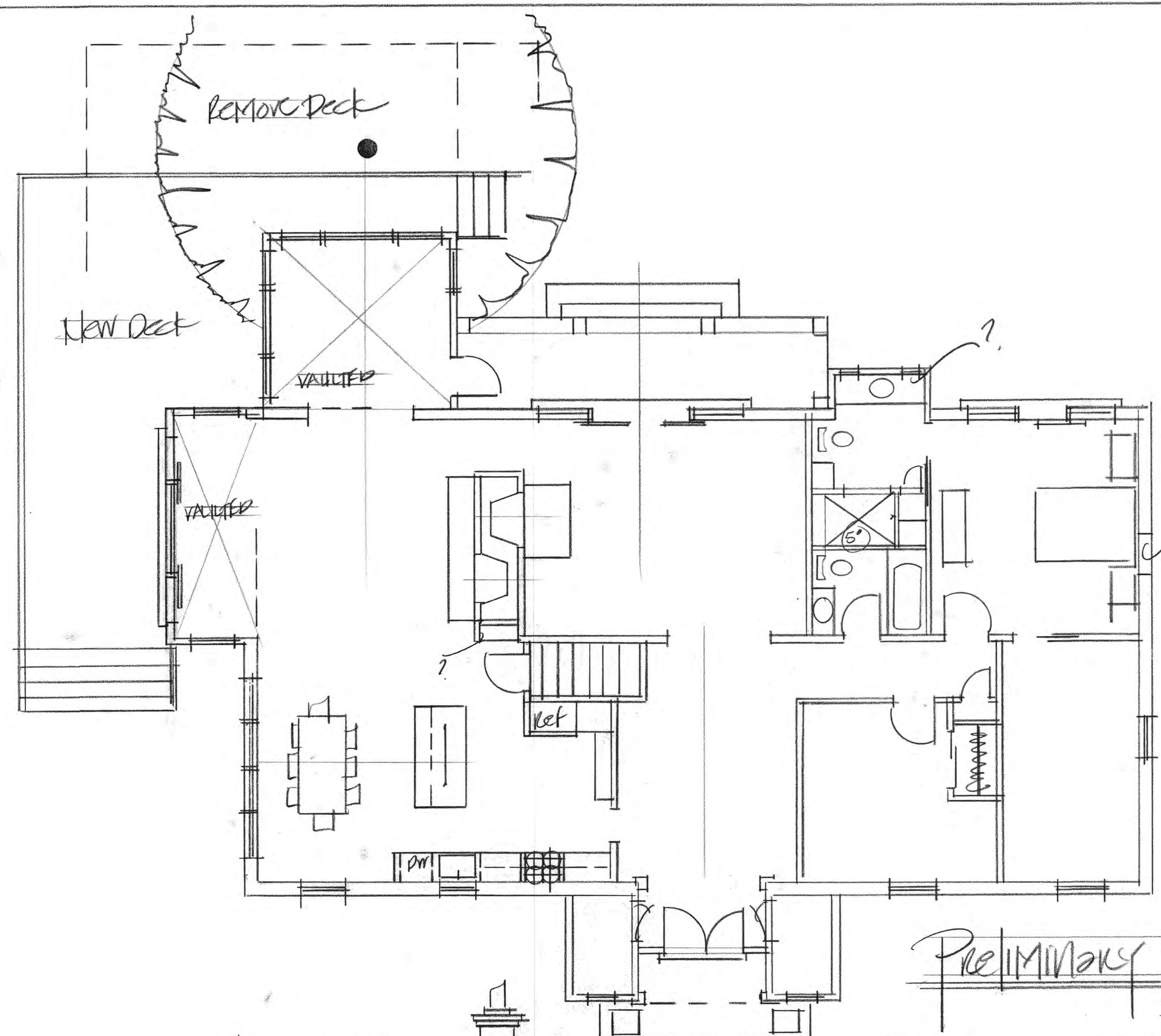
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DEED REFERENCE: M.L.M. 943/1
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PLAT BOOK: W.H.G. 2/137
PREMISES ADDRESS: 24188 MACS LANE
WORTON, MD. 21678

THIS TOPOGRAPHICAL SURVEY WAS PREPARED BY A LICENSED LAND SURVEYOR OR A LICENSED LAND SURVEYOR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMAR 09.13.06.12.
ELEVATIONS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM

LOT COVERAGE SUMMARY

STONE DRIVEWAY	7,686R ²
CONCRETE	30R ²
HOUSE	2,125R ²
GARAGE & SHED	617R ²
WOOD DECK (OVER DIRT)	452R ²
BRICK WALKS & PATIOS	847R ²
TOTAL (EXCLUDING DECK & BRICK)	10,458R ²
TOTAL SITE AREA	2.117AC+ - 92,219R ²
COVERAGE ALLOWED (15%)	13,833R ²





PRELIMINARY FLOOR PLAN REVISION
SCALE: 1/4" = 1'-0"



PRELIMINARY FRONT
ELEVATION
NOT FOR CONSTRUCTION

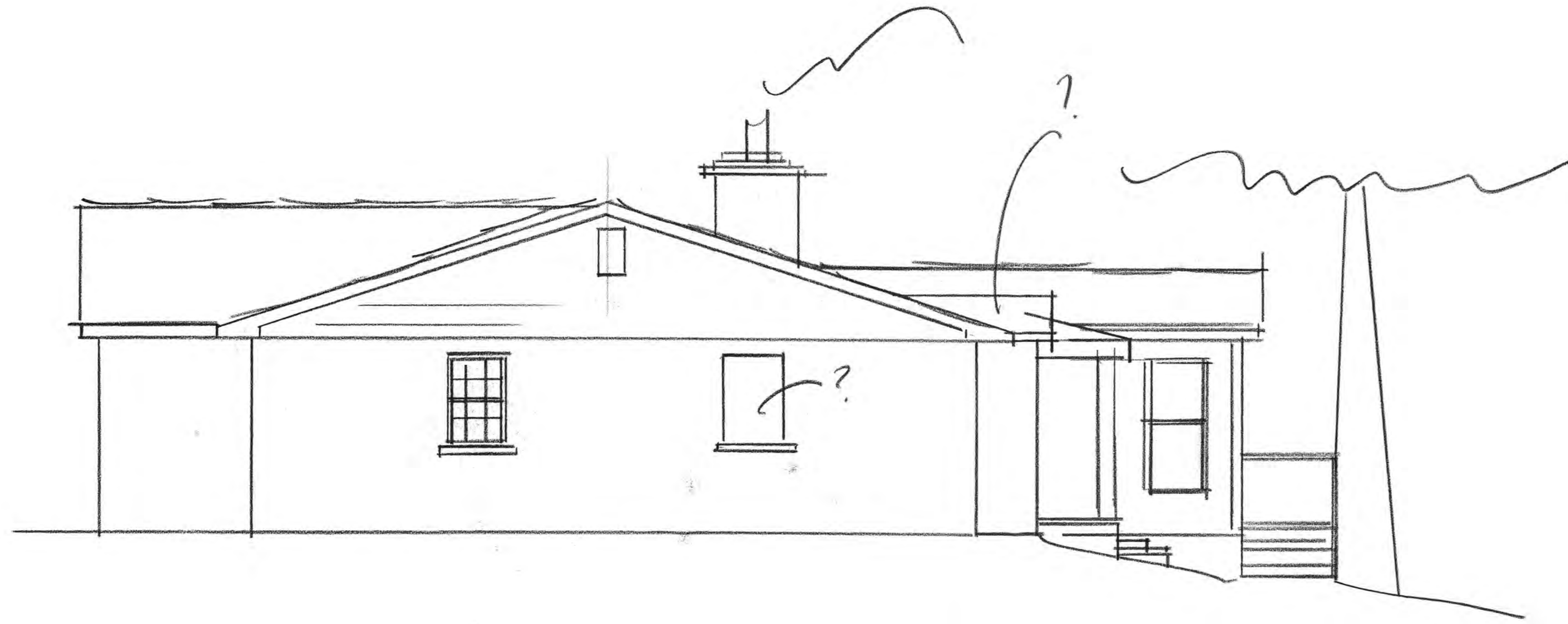
PRELIMINARY PLAN FOR PARON

2002

South & Main Designs LLC

P.O. Box 211 CHESTERDOWN MD 21622
410-715-4310

P-4



Preliminary Right Elevation



Preliminary Left Elevation

Not for construction

Preliminary Plan for Porch

South & Main Designs LLC.

PO BOX 217 CHESTERFIELD MD 21710
410-770-4300

PS

2004



Preliminary Real Elevation

NOT FOR CONSTRUCTION

Preliminary Plan for Porch

South & Main Designs LLC.

P.O. BOX 211 CHESTERDAM, MD. 21030
410-716-4300

2004

P-6



Kent County Department of Planning, Housing, and Zoning

To: Kent County Planning Commission
From: Bill Mackey, AICP, Director
Meeting: December 2, 2021
Subject: PlanQAC 2021 and Kent Narrows Community Plan 2021

PRELIMINARY STAFF REPORT

DESCRIPTION OF PROPOSAL

Queen Anne's County has provided Kent County with its draft Comprehensive Plan, PlanQAC 2021, and its draft Kent Narrows Community Plan 2021 for 60-day review. The draft plans may be viewed on the Queen Anne's County website ([here](#)).

PlanQAC states: "Planning to preserve connections from the past to create the future for the purpose of maintaining a quintessential rural community is the common theme of all Plan Elements (p. 1-11)."

The Plan utilizes a Venn diagram of Community Sustainability Indicators that include Health (Quality of Life), Safety (Environmental Health) and Welfare (Fiscal Health) to evaluate the successfulness of sustainability and implementation of the Twelve State visions. Along with this approach, the Plan's connections are further organized around five themes of fiscal responsibility, sustainable growth, community revitalization, resource preservation and conservation, and health and resilience.

The Plan addresses its vision in a 12-chapter document that includes major sections on State visions, community and public facilities, open space and recreation, existing and future land use, priority preservation, environmental resources, transportation, historic and cultural resources, economic development and tourism, housing, municipalities, community plans, and implementation.

The Plan's Vision Statement is:

PlanQAC's vision is to preserve the County as a quintessential rural community whose overall character exemplifies it as:

A GREAT PLACE TO LIVE—Queen Anne’s County is a predominantly rural county with small towns connected by creeks and county roads through fields and forests

A GOOD PLACE TO WORK—Queen Anne’s County encourages agriculture, seafood and maritime industries, tourism and outdoor sports, and small business and high-tech enterprise

A GOOD NEIGHBOR—Queen Anne’s County is a faithful steward of its natural and cultural heritage for the Chesapeake Bay and other Eastern Shore counties

A PROTECTIVE COMMUNITY—Queen Anne’s County cultivates its citizens’ expectations and opportunities, emphasizing that development should not impair the quality of life enjoyed by all

A SUPPORTIVE COUNTY—Queen Anne’s County supports the highest quality of education for its citizens, seeking to fully prepare them for the future.

REVIEW

The staff report from Queen Anne’s County highlighting changes is attached for your reference.

The Planning Commission’s review is requested. Comments, if any, are due on December 13.

Staff reviewed the plan and identified the following areas for further discussion, if so desired:

- **Chester River Bridge:** The Plan states under goal 6-2, “Enhance the transportation network for all users,” on page 6-31 in the first strategy the following recommendation: “8. Support MDOT SHA design and funding to replace the Chester River Bridge.” Kent County has pursued a specific right-of-way alignment that is not mentioned in PlanQAC.
- **Transportation Priorities:** The Plan describes the transportation priorities on page 6-15 under Transportation as follows: “As stated in its *FY 2022-2027 Transportation Priority Letter* to MDOT, the County listed its highest priorities as funding for additional capacity for the Bay Bridge, critical transportation improvements on Kent Island due to Bay Bride congestion, funding final engineering and construction of the US 50/MD 213 interchange, access controls along US 301, improvements for local transit, and support for bicycle and pedestrian improvements.”
- **Resource Limitations:** Throughout the Plan the following is stated in multiple locations: “During this planning cycle, the community finds itself nearing the limits of adequate public facilities, including transportation infrastructure on its state and local roads, the Chesapeake Bay Bridge, local school capacity, and sewerage capacity permit restrictions at the County’s Kent Narrows/Stevensville/Grasonville Wastewater Treatment Plant.”
- **US 301:** The Plan includes a section on growth within the US 301 Corridor, starting on page 8-3.

US 301 ECONOMIC IMPLICATIONS

The EDC, with the support of the Upper Shore Regional Council, commissioned a study to examine the implications to North County due to the widening of US 301 in Delaware. The Sage Policy Group's study, *The Likely Implications of an Improved US 301 in Queen Anne's County*, was completed in October 2018. The study found that the County's economic development potential is meaningfully bolstered by the improvements, especially along the US 301 corridor running throughout the heart of the County. It notes that the most desirable benefit for many stakeholders may be commercial development that expands employment opportunities and the local nonresident tax base. The most salient assets supporting commercial development include:

- An abundance of land zones for commercial and industrial development, with significant volume along the US 301 corridor stretching from Queenstown to Millington.
- Economic development zones (including the Opportunity Zone encompassing the Town of Church Hill and most of the MD 213 corridor and the Baltimore Foreign Trade Zone) create prescriptive benefits for investors and business owners (see Business Incentive Zones later in this chapter for specifics on the applicability of these programs).
- Recent activity and existing plans provide evidence of developer interest and components for future commercial development.
- § US 301 provides an alternative commercial route between Delaware and points north and the Baltimore-Washington region and points south.

It is important to note that implementation of any of the strategies outlined in this study must be weighed against the purpose and permitted uses in the Agricultural Zoning District, as well as the viability of continued agricultural preservation within the US 301 corridor.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the document. Usually, the plan review distribution is a courtesy for the information of neighboring jurisdictions. If there are substantive issues, then these can be noted in comments. DPHZ will transmit any comments to the QAC staff.



2021 COMPREHENSIVE PLAN UPDATE STATUS BRIEFING MEMO #15



DATE: October 4, 2021
TO: Amy Moredock, Director of Planning & Zoning
Planning Commission
FROM: Lauren Good, AICP—Wallace Montgomery Project Manager
SUBJECT: 2021 Comprehensive Plan Update Briefing Memo #15



This memo provides a status update on various work and topics related to the 2021 Comprehensive Plan that will be discussed at the October 14, 2021 Planning Commission meeting.

PlanQAC Draft for Public Release

Over the last two months, Wallace Montgomery has been revising initial drafts of all chapters reviewed by the Planning Commission, incorporating comments from the Planning Commission, Technical Committee, other County staff, stakeholders, and members of the public. We updated an interim draft that was shared and reviewed by the Technical Committee; we held a full-day, in-depth review of the draft with the Committee to obtain final comments and requested revisions. The Kent Narrows Community Plan was reviewed by representatives of the Kent Narrows Development Foundation. After receiving comments on the interim draft, we incorporated those revisions and performed final QA/QC. Planning & Zoning reviewed these updates and their final comments have been incorporated into the drafts included in your packets for review.

The following sections outline general topics covered, key issues, and major updates for each chapter.

Chapter 1—Introduction

Chapter 1 provides an overview and introduction to **PlanQAC**. The included sections primarily updated and expanded on information from the *2010 Plan*. Major changes from the *2010 Plan* include the addition of planning legislation enacted after the Plan's adoption, information on the various community outreach elements, and discussions of the plan themes. The updated Vision Statement and Guiding Principles are based on input from the public and Technical Committee.

General Topics Covered

- Welcome to PlanQAC
- Community Vision (Vision Statement)
- Guiding Principles
- Comprehensive Plan Role
- Policy & Legal Context (Economic Growth, Resource Protection & Planning Act; Smart Growth Legislation; Smart, Green & Growing; The Twelve Visions; Other Planning Legislation)
- Comprehensive Planning History
- Plan Update Process
- Community Outreach (Project Website; Public Opinion Survey; Workshops & Meetings; SWOT Analysis)
- Plan Elements (Elements Interrelationships; Preserving Connections through Sustainability; Plan Themes)

Key Issues Identified

- Updated Vision Statement & Guiding Principles

Major Changes from 2010 Plan

- Updated and expanded on information from 2010 Plan
- Added planning legislation enacted after Plan's adoption
- Included overview of community outreach process

Chapter 2—County Profile

Chapter 2 is a new summary chapter, intended as an overview of the County's geography and geographic makeup, as well as a collection of demographic trends, statistics, and comparisons. These items are referenced, and expanded analysis occurs in the relevant topic chapters.

General Topics Covered

- Overview
- County Geography (Location; Heritage; Transportation; Geography & Resources; Incorporated Towns; Unincorporated Communities; Growth Areas)
- Demographic Characteristics (Population; Population Projections; Race & Ethnicity; Educational Attainment; Age)

Major Changes from 2010 Plan

- New summary chapter
- Updated statistics – incorporated 2020 Census and 2015-2019 American Community Survey data
- Included brief information on unincorporated communities

Chapter 3—Community Facilities & Services

Chapter 3 provides information on community facilities and services, public utilities, and open space and recreation, all of which are requirements under the *Land Use Article*. This new chapter utilizes the *2010 Plan*'s Chapter 8.0—Community Facilities & Transportation as a baseline; however, it focuses solely on facilities, services, and parks/recreation, leaving transportation issues to a future chapter.

General Topics Covered

- Guiding Principles & Legislative Background (Adequate Public Facilities; Impact Fees)
- Governance & Administration (Government Structure; Elected Officials; Boards & Commissions; County Departments; Court System)
- Public Safety (Emergency Services; Law Enforcement; Volunteer Fire Departments; Detention Center)
- Utilities (Water Resources; Broadband; Solid Waste & Recycling)
- Education (Public Schools; Projected Enrollment; Facility Needs)
- Libraries
- Parks & Recreation (Facilities; Goals & Initiatives)

Key Issues Identified

- Adequate Public Facilities
- High-speed Telecommunications
- Pedestrian & Bicycle Linkages
- Impact of Traffic on Emergency Services Response Time
- Park & Recreation Facilities for all Ages & Abilities

Major Changes from 2010 Plan

- Added discussion on adequate public facilities and impact fees
- Updated public school enrollment projections
- Includes broader discussion of public safety facilities and services
- Condenses water/wastewater discussion, instead pointing to Chapter 5 & Appendix D for in-depth discussion

Chapter 4 – Land Use

Chapter 4 provides information on the County's land use and priority preservation efforts, including guiding principles and legislation; connection between land use and zoning; land use changes; issues, challenges, and opportunities surrounding agricultural and forest land preservation; preservation programs; scenic byway designation; growth management strategies; land use allocations; zoning; and BMPs, tools, and techniques.

General Topics Covered

- Guiding Principles & Legislation (Land Use Planning Process; Land Use & Zoning Connection)
- Existing Land Use (Land Use Change)
- Future Land Use (Growth Management Strategy; Preferred Allocations)

Key Issues Identified

- Limited Public Facility Capacity
- Success of Preservation Programs
- Preservation Funding Availability
- Growth Management
- Resiliency Planning

General Topics Covered (cont'd)

- Priority Preservation (Priority Preservation Area; Issues & Opportunities; Preservation Programs; Agricultural & Forested Lands; Benefits & Challenges; Scenic Byway Designation)
- Zoning
- BMPs, Tools & Techniques

Major Changes from 2010 Plan

- Broadly discussed adequate public facilities & capacity limitations
- Outlined plan for growth in light of limited adequate public facilities
- Sustained and projected MALPF Certification Goals
- Agricultural Scenic Byway Discussion

Chapter 5 – Environmental Resources

Chapter 5 provides information on environmental resources and sensitive areas, water resources, mineral resources, and fisheries, all of which are requirements under the *Land Use Article*. This chapter utilizes the *2010 Plan's* Chapter 2.0—Sensitive Areas and Appendix 3—Water Resources Analysis and Best Management Practices Toolkit as a baseline.

General Topics Covered

- Guiding Principles & Legislation
- Sensitive Areas & Natural Resources (Streams & Buffers; Chesapeake Bay Critical Area; Wetlands; Floodplain & Flood Hazards; Species Habitats; Conservation Lands; Hazard Mitigation; Climate Change)
- Water Resources (Water; Wastewater; Stormwater)
- Mineral Resources
- Fisheries Element
- BMPs, Tools & Techniques

Key Issues Identified

- Adequate Public Facilities Capacity Limitations
- Climate Change, Sea Level Rise & Increased Storm Severity
- Impervious Surface Impacts to Watershed Health
- NPDES & MS4 Stormwater Permit Requirements
- Hazard Identification & Mitigation

Major Changes from 2010 Plan

- Sensitive Areas vs. Priority Preservation
- Adequate public facilities discussion
- Incorporation of climate change and hazard mitigation
- Discussion of impervious surface coverages

Chapter 6—Transportation

Chapter 6 provides information on the County's roadway system, non-automotive facilities, and transportation network improvements, all of which are requirements under the *Land Use Article*. This new chapter utilizes the *2010 Plan's* Chapter 8.0—Community Facilities & Transportation as a baseline; however, it focuses solely on transportation issues, leaving community facilities, services, and parks/recreation to a previous chapter.

General Topics Covered

- Guiding Principles & Legislation
- Transportation Connections (Land Use; Economic Development; Land Preservation)
- Roadway System (Functional Classification; Maintenance & Operations; Traffic Volumes; Complete Streets; Non-Automotive Facilities; Bikeways & Pedestrian System; Transit Service; Waterways; Freight Systems; Air Transportation; Scenic Byway)

Key Issues Identified

- Chesapeake Bay Bridge
- Traffic & Congestion
- Multimodal Connection Needs
- Limited Public Transportation
- Increased Safety

General Topics Covered (cont'd)

- Network Improvements (State Capital Programming; Highway Needs Inventory; Transportation Studies; Chesapeake Bay Crossing Study)
- Organizations & Resources (Programs; Transportation Agencies; Baltimore Metropolitan Council; QAC BPAC)
- BMPs, Tools & Techniques (Indicators & Measures; Transportation Statistics; Environmental Justice; Major Trip Generators)

Major Changes from 2010 Plan

- Incorporation of Bay Bridge Crossing Study
- Identification of Multimodal Connection Needs
- Discussion of Improved Public Water Access
- Recognition of Priority Projects not Advancing by MDOT SHA
- Seasonal Traffic, Congestion & Safety

Chapter 7—Historic & Cultural Resources

Chapter 7 provides information on the County's history, preservation planning principles, benefits of historic preservation, relationship to economic development and an overview of County historic and cultural resources.

General Topics Covered

- County History
- Guiding Principles & Legislation (Preservation Principles; Smart Growth Context; Statewide Preservation Context; Legislation & Programs; Preservation in the County Code)
- Benefits of Historic Preservation (Relationships to Jobs, Economic Development & Sustainability; Heritage Tourism & Placemaking; History & Community Connections; Environmental Benefits)
- Historic & Cultural Resources (Historic Sites Inventory; National Register; MHT Easements; Districts; Chesapeake Country National Scenic Byway; Historic Train Facilities)
- Preservation Organizations
- BMPs, Tools & Techniques

Key Issues Identified

- Condition & Extent of County Resources
- Promotion of Historic Preservation
- Private Rehabilitation Investment Needs
- Loss of Historic & Archaeological Resources
- Resources to Keep Historic Sites Open

Major Changes from 2010 Plan

- Discussion of preservation progress and loss of resources
- Documentation needs of historic resources in advance of demolition
- Identification of the need for a Historic Preservation Commission
- Outline of preservation funding opportunities

Chapter 8— Economic Development and Tourism

Chapter 8 provides information on the County's economic characteristics, industries, economic centers, workforce development, and organizations.

General Topics Covered

- Guiding Principles & Legislation
- Related Planning Documents (EDC Strategic Action Plan; US 301 Economic Implications)
- Economic Characteristics (Employment; Commuting; Income & Poverty; Tax Base)
- Industries (Major Employers; Resource-Based Industries; Maritime Industry; Retail & Service; Construction; Manufacturing; Hospitality & Tourism)
- Economic Centers (Business Parks; Town Centers & Growth Areas; Business Incentive Zones)

Key Issues Identified

- Priority Industries & Sectors
- Business Retention & Expansion
- Workforce Retention, Attraction & Development
- Infrastructure Needs
- Emerging Markets

General Topics Covered (cont'd)

- Workforce Development (Business Retention & Expansion; Business Attraction; Small Business; Skilled Workforce; Workforce Readiness)
- BMPs, Tools & Techniques (Traditional Economic Tax Base; Balanced Tax Base; Business Incubators; Broadband Infrastructure; Teleworking Implications; Kauffman Indicators)

Major Changes from 2010 Plan

- Identification of emerging niche markets
- Discussion of preferred location for commercial growth in light of limited adequate public facilities
- Outline of differences due to geography

Chapter 9—Housing

Chapter 9 provides information on the County's housing inventory, housing challenges, affordable and workforce housing, public and assisted housing, special needs housing, and housing pipeline and needs analysis.

General Topics Covered

- Guiding Principles & Legislation
- Housing Inventory (Housing Stock; Unit Projections; Occupancy & Tenure; Age & Condition; Value & Affordability; Housing Challenges)
- Affordable & Workforce Housing (Affordable Housing; COVID-19 Impacts; Workforce Housing; Attainable Housing; Public & Assisted Housing; Special Needs Housing; Maryland Stability Indices)
- Housing Pipeline & Needs Analysis (Regional Housing Market; Land Use Development Policies; Development Incentives)
- Organizations & Resources
- BMPs, Tools & Techniques

Key Issues Identified

- Affordable Housing
- Workforce Housing
- Multi-family Housing
- Bonuses & Incentives
- Aging in Place

Major Changes from 2010 Plan

- Need for housing diversification
- Incorporation of recent Housing Study
- Discussions on affordable, missing middle, and workforce housing
- Identification of homeless shelter needs

Chapter 10 – Town Planning Framework

Chapter 10 provides information on the County/Town Planning Framework, which focuses on the relationship of County and Town planning efforts, provides an overview of the Regional Council of Governments (COG), and provides brief profiles for each of the County's eight incorporated towns including information on their most recently adopted comprehensive plans and required Municipal Growth Elements.

General Topics Covered

- Guiding Principles & Legislation
- Relationship of County-Town Planning (Council of Governments; Town Plan Consistency; Municipal Growth Elements; Municipal Annexation)
- Town Profiles (Barclay; Centreville; Church Hill; Millington; Queen Anne; Queenstown; Sudlersville; Templeville)
- BMPs, Tools & Techniques

Key Issues Identified

- Municipal Growth Element Coordination
- Availability of Adequate Public Facilities
- Funding Needs to Maintain & Enhance Infrastructure
- Municipal Annexation Considerations
- Coordinated & Consistent Land Use Policies

Major Changes from 2010 Plan

- Broader discussion of relationship between County and Town planning efforts
- Incorporation of Town profiles
- Updated information relating to Municipal Growth Elements

Chapter 11 – Community Plans

Chapter 11 discusses the County’s Community Plans including their planning background, public outreach, and community profiles. It also includes discussion on community planning issues and implementation strategies.

General Topics Covered	Key Issues Identified
<ul style="list-style-type: none">▪ Guiding Principles & Legislation▪ Community Planning Relationship▪ Community Plans Background▪ Community Profiles (Growth Area Descriptions; Demographics; Land Use; Environmental Resources; Economic Development)▪ Community Planning Issues (Chester/Stevensville; Grasonville; Kent Narrows)▪ BMPs, Tools & Techniques	<ul style="list-style-type: none">▪ Community Planning Relationship▪ Sewer Capacity & Adequate Public Facility Limitations▪ Affordable Housing▪ Bay Bridge Traffic▪ Climate Change & Sea Level Rise Resiliency▪ Community Connectivity▪ Public Water Access
	Major Changes from 2010 Plan
	<ul style="list-style-type: none">▪ Integrated Chester/Stevensville and Grasonville Plans; Kent Narrows Plan remains standalone▪ Identification of need for Main Street Corridor Redevelopment among all Community Growth Areas

Chapter 12 – Implementation

Chapter 12 provides an overview of PlanQAC’s implementation efforts. The format for the implementation items was changed to be more user-friendly and direct. A meeting with the Technical Committee was held in June 2021. The chapter reflects the implementation items identified in each of the earlier chapters.

Kent Narrows Community Plan

As part of the PlanQAC planning process, the Kent Narrows Community Plan was also updated, but kept as a standalone document at the request of the Kent Narrows Development Foundation. While the Community Plan is generally addressed in Chapter 11 (see section), it is only providing a synopsis of the revised standalone plan. The Community Plan includes a community profile, discussion of community planning issues, and planning recommendations and implementation strategies.

General Topics Covered	Key Issues Identified
<ul style="list-style-type: none">▪ Introduction (Guiding Principles & Legislation; Planning Process; Development Objectives)▪ Community Profile (Growth Area & Regional Context; Demographics; Land Use; Zoning; Environmental Resources; Transportation; Economic Development)▪ Community Planning Issues (Strengths & Assets; Weaknesses & Concerns; Community Opportunities; Infrastructure Improvement Needs; Summary of Identified Needs)▪ Planning Recommendations (Plan Concepts; Recommendations; Waterfront Village Design & Architectural Guidelines; Implementation Strategies)	<ul style="list-style-type: none">▪ Sewer Capacity & APFO Limitations▪ Multimodal Connections
	Major Changes from 2010 Plan
	<ul style="list-style-type: none">▪ Updated facts and figures to be consistent with existing conditions▪ Encouraged detailed strategies to be developed as part of KNDF annual strategic planning▪ Removed detailed Design & Architectural Guidelines, instead referring to standalone document or incorporation into County Code

Public Comment Period

Assuming the Planning Commission is in agreement, the Draft County Comprehensive Plan and Kent Narrows Community Plan will be released on Thursday, October 14, signifying the start of the official public comment period, which will last for 60 days, through Monday, December 13, 2021. We will provide detailed instructions during the October Planning Commission meeting. It is our intent to encourage the public to provide comments through the project website, which will be modified to reflect the public comment period) or through email to ensure consistency. Hardcopy comments will use the same format but will be directed to the County Planning & Zoning Department. We will also be forwarding copies of the drafts to the State, surrounding counties, and incorporated towns for their official review and comment.



QUEEN ANNE'S COUNTY

DRAFT COMPREHENSIVE PLAN

REQUEST FOR REVIEW & COMMENT

Queen Anne's County released the **DRAFT COMPREHENSIVE PLAN** on October 14, 2021 for public review and comment. The Planning Commission presentation and full Plan is located on the project website at <https://www.qacplan2021.com>. By providing valuable written comments in this format, it easily allows every comment received to be entered into our comment tracking database, reviewed for inclusion, researched for recommendations, and presented collectively for consideration in the final Plan.

Please be specific in your comments and provide detailed recommendations to ensure accuracy during our review for consideration. All comments should be entered on the project website or emailed to lgood@wallacemontgomery.com by Monday, December 13, 2021 at 5:00pm. Your input is appreciated in helping us shape the future of Queen Anne's County!

Name: _____ **Address:** _____

Email: _____ **Organization:** _____

CHAPTER #	PAGE #	PARAGRAPH #	COMMENT

