

Kent County Land Use Ordinance Diagnostic Report

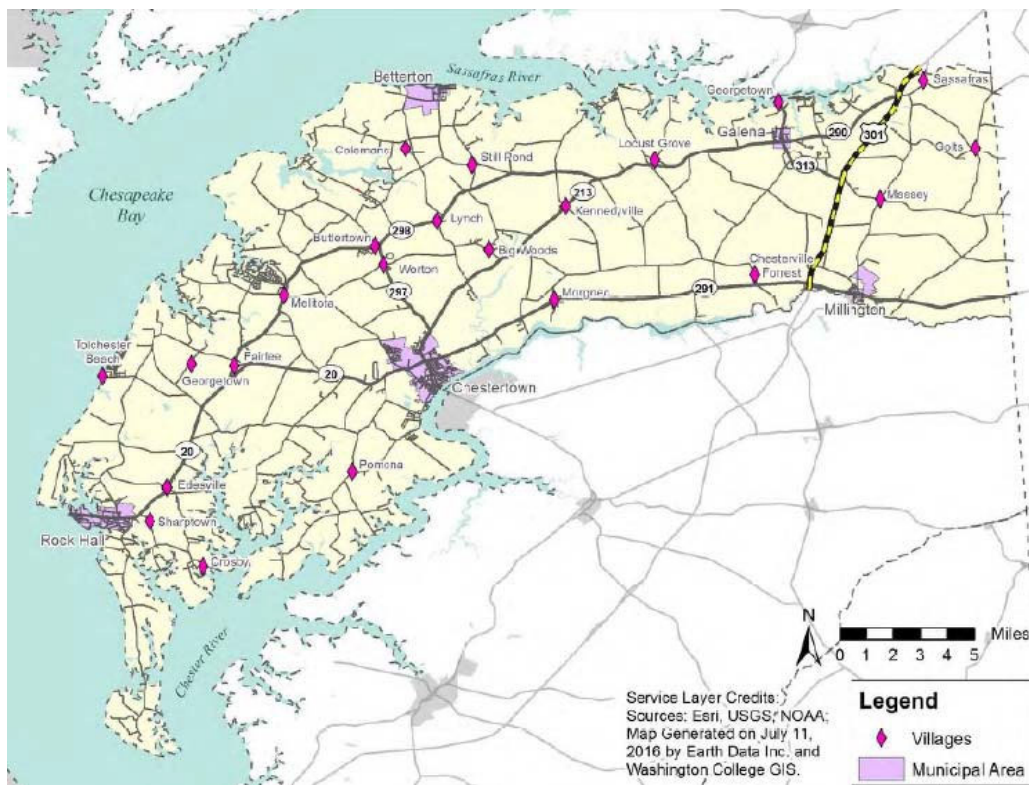
May 2020

Introduction

This diagnostic report is an assessment of the extent to which the Kent County, Maryland Land Use Ordinance (the "Ordinance") advances or serves as a barrier to County's planning vision adopted in the 2018 Comprehensive Plan (the "Plan"). Ultimately, the development vision set forth in the Plan can be summarized through four land use goals and their corresponding strategies (collectively, the "Land Use Goals"). While the world has changed since the adoption of the Plan due to COVID-19, the Land Use Goals remain relevant and are even more salient as the County charts its future course.

As the County undertakes to update the Ordinance, this report is an important first step to informing, highlighting and coalescing the County around those regulations that are not advancing the Land Use Goals. The analysis and recommendations in this report are not scientific and are based on our best professional judgment and experience and regional and national best practices. In this report we include general and specific recommendations for amended regulations that will better advance the Land Use Goals and encourage the outcomes contemplated by the Plan.

We hope that you find this report useful and illuminating as the County considers and determines a modern approach to its zoning regulations.



General Principles Applied

The analysis, conclusions and recommendations in this report are guided by three general principles:

1. Zoning Should Respect Existing and Reflect Desired Development Patterns.

Regulations that fail to relate or respond to existing development patterns or that fail to promote the community's vision for future development patterns erode the relevance and sustainability of both the built and natural environment. Places that lose relevance or overtax natural resources can become inhospitable, unsustainable and unattractive for residents and visitors alike.

Zoning should be a tool to implement the community's vision set forth in its plan. Homogeneity should not be confused for order. Zoning districts should be focused less on simple use segregation, which can lead to disjointed development patterns, and more on the finer details of the desired character and amenities of the unique geographies of the County.

2. Zoning Should Regulate Only What Actually Needs to Be Regulated and Focus on Desired Outcomes.

Regulations that do not justify government intervention or merit investment of precious local government resources should be reconsidered and removed if possible. First and foremost, zoning regulations that no longer relate to any public interest or are not relevant to advancing the plan may not be enforceable if challenged.

Even if they are not challenged, such regulations are unlikely to be enforced since they do not address any actual or potential public harm. Expending resources to administer zoning regulations that do not address actual or potential public harms can create unproductive friction in the process and unnecessary expenditure of local government resources.

3. Zoning Should Be the Implementation of the Plan Rather Than a Barrier to Achieving the Vision.

Outdated, confusing, inconsistent and disorganized zoning regulations are often cumbersome to use and administer and can be an impediment to achieving a community's economic development goals and planning vision. Because zoning



regulations are the implementation of a plan, the plan should lead and the regulations follow. Often much effort has been expended on the plan, but the zoning regulations are overlooked or revised in a disjointed or piecemeal manner. Zoning regulations that make it more difficult, or even impossible, to achieve the planning vision should be reconsidered.

For example, zoning regulations that are inconsistent, unclear, poorly worded, disjointed, disorganized, or confusing can create unnecessary process friction, discourage investment, be indefensible and result in undesirable outcomes. Cumbersome approval and administrative processes can add significant time and expense to property development and redevelopment and discourage investment.

If the regulations and processes are based on the community's vision in the plan, then the public should be comforted in knowing that the regulations are setting the plan in motion. Clear, usable, defensible, and consistent regulations operate to protect the public visioning process while balancing the needs of property owners.

[Land Use Goals and Strategies to Follow]



Land Use Goals and Strategies

Benchmark Land Use Goals and Strategies

1. Support Agriculture as a Permanent Preferred Land Use

- Promote Kent County as agriculture-friendly
- Retain the Agriculture Zoning District
- Review the Rural Character District

2. Locate Employment Centers and Expand and Provide More Diversity in the Size and Type of Business

- Encourage development of cottage and home-based businesses
- Expand regulatory flexibility for the creation of employment centers and industrial uses
- Encourage the development of farm-based businesses including agritourism

3. Create a Wide Range of Housing Opportunities to Meet the Needs of Kent County Residents

- Assist in the rehabilitation of substandard units
- Continue to allow the creation of accessory dwellings in specified zoning districts
- Permit migrant labor camps
- Address the need of housing for special populations

4. Ensure that Future Growth Complements and Enhances the Character of the Existing Villages

- Explore the creation of a limited number of additional village zoning districts to improve the relationship between the district character of certain villages and their zoning
- Assure that new development complements the County's rural and historic character
- Evaluate design guidelines

[General Observations to Follow]



General Observations

Before analyzing the specific provisions of the Ordinance, the following are general observations of its overall format and usability:

General Observations	
Organization	The presentation of the district regulations is not intuitive. Permitted uses and permitted structures are combined and create confusion. Lot development standards are not aligned with those for permitted structures.
Graphics	There are very few graphics which makes it very difficult to visualize the desired character in the various districts. The lack of graphics also inhibits the illustration of complex concepts.
Tables	Development standards are presented in lists rather than easy-to-use tables.

Plan Goal Consistency Review and Analysis

Our analysis includes general observations, a review of permitted uses, and an assessment of each provision of the Ordinance as it relates to the Land Use Goals. The attached consistency matrix contains the data underlying the conclusions and recommendations in this report.

The consistency matrix appended to this report includes specific comments and notes relative to each provision of the Ordinance. The matrix analyzes whether each section of the Ordinance either (i) actively promotes each Land Use Goal, (ii) serves as a barrier to each Land Use Goal, or (iii) has no effect on or plays a necessary supporting role to each Land Use Goal.

It is important to note that those regulations identified as having no effect, or that play a necessary supporting role, should be reviewed and considered just as carefully as other regulations to determine if there are ways that they may be amended or improved to more actively promote the Land Use Goals.

Each provision of the County's new ordinance should support at least one of the Land Use Goals, including those provisions that are administrative or procedural.

Scoring Summary

The Ordinance scores highest relative to **Land Use Goal #1 – Support Agriculture as a Permanent Preferred Use**. This Land Use Goal is advanced most directly through the incorporation of agricultural uses as permitted principal uses in a range of districts, including the Agricultural Zoning District (AZD), the Resource Conservation District (RCD), and the Rural Residential District (RRD). Land Use Goal #2 is also promoted through regulations that prevent the fragmentation of property that is currently used for agricultural purposes.

The Ordinance scores the lowest relative to **Land Use Goal #2 – Locate Employment Centers and Expand and Provide More Diversity in the Size and Type of Businesses**. This appears to stem from a prior desire to limit new industrial and commercial development within the County’s commercial corridors and more specifically its priority funding areas. Moreover, generally applicable regulations such as minimum parking requirements and lot and building standards are not specifically and intentionally calibrated to promote new development and may serve to hinder the approval of otherwise desirable uses in these locations.

Overall, based on our review and analysis, the Ordinance generally does not advance the Land Use Goals and could be more effective in actively promoting them. This is not surprising considering that the last comprehensive rewrite of the Ordinance took place in 2002 and approximately 30 piecemeal amendments have been made to it since.

Scoring by Land Use Goal

1. Support Agriculture as a Permanent and Preferred Land Use

Scoring Summary (out of 272)

=	+	-
242	23	7



Summary

Land Use Goal #1 states that the County “[should] promote itself as an agriculturally-friendly place through its land use policies as well as economic and tourism efforts.”¹ To achieve Land Use Goal #1, the Plan proposes several interventions, including retaining the Agricultural Zoning District (AZD) and reviewing the framework of the Rural Character District (RCD).² The Plan also proposes supporting agriculture through outreach and education, which is a best practice that is beyond the scope of this report and project. The Ordinance generally advances Land Use Goal #1 but could be more intentional, direct, and strategic.

Positives

Approximately 91% of land in the County is forest, wetlands or devoted to agriculture uses.³ To this end, the AZD, the RCD and the RRD districts account for more land area than any other zoning classification or land use. This alignment between the actual land uses of the County and the development vision for Land Use Goal #1 is positive.

Also, the “10% rule” in Section 1.5 of the Ordinance directly advances Land Use Goal #1 by limiting the extent to which any property over 100 acres can be subdivided into smaller lots. It acts to prevent the conversion of agricultural lands into smaller parcels for other principal uses such as single-family residential dwellings.

Agriculture is a permitted principal use in the RCD District, the RRD District, the Critical Area Residential District, and the Community Residential District. This promotes agricultural uses outside of strictly agricultural zones. The ability to use property in these districts for agricultural activities allows for a transition between the traditional large-scale farms in the AZD and the more village-like development patterns in the County’s rural towns and villages.

Barriers

The Ordinance does not include many barriers to achieving Land Use Goal #1. If anything, it oversubscribes agricultural uses by permitting them in districts intended for commercial development such as the Employment Center District and the Industrial District.

¹ Plan, Page 43.

² Plan, Page 46.

³ Plan, Page 6.

One specific barrier to Land Use Goal #1 is the classification of “adaptive reuse of historic structures” as a special exception under Section 3.3 of the Ordinance. Land Use Goal #1 contemplates that the Rural Character District will “satisfy the market demand for rural lots . . .”⁴ including a limitation on adaptive reuse precludes the use of rural lots due to an unpredictable special exception process. To fully embrace the Plan’s vision for the Rural Character District, the reuse of historic structures should be reclassified as a permitted principal use.

2. Locate Employment Centers and Expand and Provide More Diversity in the Size and Type of Businesses

Scoring Summary (out of 272)

=	+	-
39	217	16

Summary

Land Use Goal #2 calls for supporting flexible and innovative development in key economic development focus areas, including the Worton area and the Route 301 Corridor.⁵ To achieve this goal, the Plan encourages agricultural-supportive businesses and cottage-based and home-based occupations compatible with agricultural operations. Additionally, the Plan proposes to promote regulatory flexibility for the creation of employment centers and industrial uses. While the Ordinance effectively confines non-agriculture uses to specific locations in the County, it does not advance Land Use Goal #2 particularly well because it does not incorporate modern uses and building forms that could be attractive for economic development.

Positives

The Employment Center District and the Industrial District are appropriately mapped along the County’s primary thoroughfares. The location of these districts leverages the

⁴ Plan, Page 47.

⁵ Plan, Page 12



infrastructure available along Route 301 to create an economic development corridor that is consistent with the Plan's vision.

The Employment Center District and Industrial District each include principal permitted uses that promote increased employment opportunities through manufacturing, research and development and distribution. The incorporation of these permitted uses promotes economic growth in the County.

The lot standards applicable to development in the Commercial District and Crossroads Commercial District are also positive relative to Land Use Goal #2. Specifically, there is no minimum lot size for new development in either district, which allows property owners to undertake projects of varying sizes without the need for a variance, which promotes the flexibility contemplated under Land Use Goal #2.

Barriers

The Employment Center District currently allows as principal permitted uses too many non-commercial uses, including single-family detached dwellings and agriculture uses. More specifically, these uses increase the likelihood of conflict between the desired industrial and commercial uses and agricultural and residential uses. To this end, our recommendation is that because these uses are not contemplated for this area under the Plan, they should be eliminated as permitted use or, alternatively, reclassified as special exceptions.

The lot and building standards for the Employment Center District. More specifically, the minimum lot size for individual industrial projects is 20 acres, which is a prohibitively large for smaller-scale projects that would may not otherwise require this amount of land.

Moreover, the current development standards contemplate only an "industrial building" but do not contemplate other building types such as a distribution center or a manufacturing "flex" building. The absence of these more desirable building typologies serves as a barrier to achieving Land Use Goal #2.

3. Create a Wide Range of Housing Opportunities to Meet the Needs of Kent County Residents

Scoring Summary (out of 272)

=	+	-
227	12	33

Summary

The Plan calls for a range of housing densities, types and sizes to provide residential options for residents of all ages and incomes.⁶ To accomplish this goal, the Plan encourages the rehabilitation of substandard housing units for low-income and moderate-income families. The Plan also calls for accessory dwelling units to be permitted in certain zoning districts.⁷

Currently, 79% of all housing in the County is single-family detached housing.⁸ Detached single-family housing is a permitted principal use in nine of the County's zoning districts. Other forms of housing such as two-family dwellings, multi-family apartments and townhouses are permitted principal uses in only the village districts. Overall, the Ordinance serves as a barrier to achieving Land Use Goal #3 due to its failure to fully embrace a range of housing types across all districts.

Positives

The stated purpose of the Intense Village District is to provide "a well-designed mix of commercial, office and residential areas with an emphasis on uses and intensities that make efficient use of public facilities and limit sprawling development."⁹ As it pertains to Land Use Goal #3, this statement is consistent with the County's planning vision for providing a range of housing opportunities for residents.

Relative to advancing Land Use Goal #3, the regulations governing the Intense Village District incorporate detached single-family dwellings, two-family dwellings, townhouses, and multi-family dwellings as principally permitted uses. This diversity of housing opportunities is consistent with the vision of Land Use Goal #3 and provides residents with a range of housing options in this district.

⁶ Plan, Page 4.

⁷ Plan, Page 91.

⁸ Plan, Page 6.

⁹ Plan, Page 43.



The inclusion of accessory dwelling unit as a permitted accessory use in a number of zoning districts increases the supply of housing within the County consistent with Land Use Goal #3.

Barriers

While there are a handful of positive provisions, the Ordinance does not go far enough to promote Land Use Goal #3. To effectively promote a range of housing options in the County, the Ordinance should include a broader range of housing-types as permitted principal uses in certain locations in the County. For example, two-family dwellings and townhomes could be added as permitted principal uses to the Community Residential District, which is currently limited to single-family detached dwellings.

The current maximum density allocations in each of the higher-density development forms in the Intense Village District also serve as a barrier to achieving Land Use Goal #3. Rather than a raw number, density should be controlled through the establishment of a building envelope through building height, width and depth standards. Under the existing regulations the Intense Village District permits a maximum of eight units per acre. This permitted density ultimately limits housing options for residents in the County and thus is contrary to Land Use Goal #2.

The minimum off-street parking requirements represent another barrier to Land Use Goal #3. For example, under the current off-street parking regulations, a two-bedroom multi-family development would require a minimum of five parking spaces per dwelling unit, which would net a total of 40 required off-street parking spaces for an eight-unit development. New apartment development is likely to be auto-oriented due to the layout of the County. As it stands, the current off-street parking requirements applicable to the Intense Village District impose an undue burden on the future residential development in the County.

Finally, with respect to cultivating a mixed-use environment in proximity to transit stops, the Intense Village District does not include any commercial uses as permitted principal uses or conditional principal uses. This failure is a significant barrier to achieving Land Use Goal #3 and should be addressed through an overhaul of the use regulations applicable to these focus areas. The updated use table should incorporate retail, restaurant and office uses as permitted principal uses in the focus areas. These changes will ensure that Land Use Goal #3 is fully embraced as development moves forward on key sites under the updated Ordinance.



4. Ensure that Future Growth Complements and Enhances the Character of the Existing Villages.

Scoring Summary (out of 272)

=	+	-
230	18	24

Summary

The Plan envisions development in the County’s village reflecting the historic character of the area.¹⁰ To accomplish this goal, the Plan proposes evaluation of the unique development character of each village with respect to traditional design elements such as building scale, massing, materials and orientation to the street. It also contemplates envisions the development of general design elements fir each village with corresponding guidelines.¹¹

Currently, the Village District and the Intense Village District are the only zones in the Ordinance that address Land Use Goal #4. Overall, the Ordinance serves as a barrier to achieving Land Use Goal #4 due to its failure to fully embrace mixed-use, character-based development in key village areas.

Positives

The stated purpose of the Village District is for “providing high quality residential, neighborhood business and office development . . .¹²” Likewise, the purpose statement for the Intense Village District is for “providing a high quality and well-designed mix of commercial, office and residential areas with emphasis on uses and intensities that make efficient use of public facilities and limit sprawling development . . .”¹³ As it pertains to Land Use Goal #4, these purpose statements are consistent with the County’s planning vision for village areas.

¹⁰ Plan, Page 29.

¹¹ Plan, Page 29.

¹² Ordinance, Section 7.1.

¹³ Ordinance, Section 8.1.



The Intense Village District also includes higher-density housing-types such as two- family dwellings, townhouses, and multi-family dwellings, which are all positive provisions relative to advancing Land Use Goal #4. For example, mid-rise apartments and townhouses or garden apartments are included as conditional principal uses. Likewise, the inclusion of the same principal permitted uses in the Village District also advances Land Use Goal #4.

Barriers

It is our assessment that while there are a handful of positive provisions, the Ordinance does not go far enough to promote Land Use Goal #4. To effectively promote character-based development in the County’s rural villages, the updated Ordinance must include increased density. The limitation on a gross density of four dwelling units per gross acre in the Village District and eight dwelling units per gross acre in the Intense Village District will not result in the housing supply or diversity of housing type that is envisioned in the Plan.

With respect to cultivating a mixed-use environment, the village districts do not expressly permit any mixed-use development. This omission is a significant barrier to achieving Land Use Goal #4 and should be addressed through an overhaul of the use regulations applicable to the village district.

[Summary Conclusions and Recommendations to Follow]



Summary Conclusions and Recommendations

The following is a summary of our conclusions along with summary recommendations for consideration:

- The consolidation of permitted principal uses and permitted principal structures unnecessarily complicates the district regulations.
- The restatement of the same generally applicable standards under each zoning district leads to additional unnecessary volume in the Ordinance.
- While historic preservation is stated as a goal throughout the Ordinance, the classification of “adaptive reuse of a historic structure” as a special exception is contrary to this goal.
- The Ordinance appropriately integrates agriculture and related uses and structures throughout the relevant districts and locations in the County.
- The regulations governing home occupations are outdated and require an overhaul to reflect current best practices.
- The development regulations governing residential development in the Village District require calibration to provide for a greater variety of permitted development types.
- All parking minimums must be carefully calibrated to appropriately reflect the actual needs of the applicable uses.
- The Employment Center District and Industrial District are duplicative and fail to promote the development flexibility contemplated under Land Use Goal #2.

To build upon the above conclusions, this report makes the following recommendations for a new and improved ordinance:

- The Rural Character District (RCD) and the Rural Residential District (RRD) should be consolidated as they are intended to serve the same purpose and the



differentiation between permitted uses and building form is not significant enough to warrant separate districts.

- The building forms in the Village District and Intense Village District should have unique lot and building standards that correspond to each form (i.e. townhomes, apartments, and two-family buildings).
- To facilitate the development of the County's commercial corridors the use table should be overhauled to incorporate modern industrial and commercial uses as well as mixed-use developments.
- Comprehensive parking reduction standards should be incorporated into the off-street parking chapter and should incentive factors such as shared parking arrangements and bicycle parking.
- The Employment Center District and the Industrial District should be consolidated as the permitted principal uses in each district are nearly identical and they are often mapped adjacent to each other.
- Accessory dwelling units should be included as a permitted accessory use in all districts with customized standards based on the development context within each district.

Conclusion

Our recommendations are both structural and substantive. Structurally, the updated Ordinance would benefit from new graphics and tables along with a total reorganization to assist with user-friendliness and navigability. Substantively, the Land Use Goals provide a roadmap for establishing a set of land use regulations that removes the barriers to advancing the County's vision.



DIAGNOSTIC CONSISTENCY MATRIX

Article I Title and Applicability	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Title					This provision has a neutral impact on each of the Land Use Goals.
Applicability					This provision has a neutral impact on each of the Land Use Goals.
Article II. Purpose					
Purpose					This provision has a neutral impact on each of the Land Use Goals.
Article III. Districts and District Maps					
Establishment of Districts					This provision has a neutral impact on each of the Land Use Goals.
Establishment of District Map					This provision has a neutral impact on each of the Land Use Goals.
Annual Revision of the District Map					This provision has a neutral impact on each of the Land Use Goals. Considering the map on an annual basis is a best practice and should be carried forward.
Periodic Review					This provision has a neutral impact on each of the Land Use Goals. The periodic review of the ordinance is a best practice and should be carried forward.
Interpretation of District Boundaries					This provision has a neutral impact on each of the Land Use Goals.



Article IV General Provisions	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Compliance with Regulations					This provision has a neutral impact on each of the Land Use Goals.
Conflict with Ordinance					This provision has a neutral impact on each of the Land Use Goals.
Conflict with Other Regulations					This provision has a neutral impact on each of the Land Use Goals.
Uses Not Listed					This provision has a neutral impact on each of the Land Use Goals.
Accessory Structures; Prior Construction					This provision has a neutral impact on each of the Land Use Goals.
Parcel of Record Required					This provision has a neutral impact on each of the Land Use Goals.
Encroachment or Reduction of Height, Bulk, and Area Requirements					This provision has a neutral impact on each of the Land Use Goals.
Density Determination					This provision has a neutral impact on each of the Land Use Goals. Consider incorporating standards that control density through the building envelope rather than a gross density or a net density measurement. In the alternative, consider increasing density thresholds in certain districts as described below.
Subdivision					This provision has a neutral impact on each of the Land Use Goals.



Article V: District Regulations

SECTION 1. Agricultural Zoning District

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose statement for this district reflects the goals and strategies set forth under Land Use Goal #1.
Permitted Principal Uses and Structures					The consolidation of permitted uses and permitted structures unnecessarily complicates the implementation and interpretation of the district regulations. Consider aligning permitted structures with lot and yard standards.
Special Exceptions					Similar to permitted principal structures and uses, the inclusion of structures under the special exception category may create confusion. Bifurcate structures and uses and include standalone regulations pertaining to structures. Consider permitting accessory storage structures larger accessory structures as of right on lots of 5 acres or less with an upper threshold.
Accessory Uses and Structure					Consistent with prior comments—bifurcate structures and uses.
Density, Area, Height, Width and Yard					The location of these provisions makes it difficult to identify development standards in the AZD. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
Agricultural District General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Agricultural Zoning District Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Agricultural Zoning District Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



SECTION 2. Resource Conservation District

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This provision has a neutral impact on the Land Use Goals.
Permitted Principal uses and Structures					The delineated uses are generally appropriate for this district and the Land Use Goals. As noted throughout this matrix, consider reorganizing this section to remove references to permitted structures. Consider adding the adaptive reuse of historic structures as a permitted principal use to promote the creation of housing.
Special Exceptions					Examine whether accessory storage structures should be reclassified as a permitted use. Also, the inclusion of farm employee housing as a special exception could be reclassified as a permitted use to help support both Land Use Goal #1 and #3.
Accessory Uses					The inclusion of accessory dwelling units can be a positive provision for purposes of meeting land use goal #3; however, the standards pertain to accessory dwelling units may be arbitrary,
Density, Area, Height, Width and Yard Requirements					The location of these provisions makes it difficult to identify development standards in the AZD. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
RCD General Standards					Several of the standards could be included under the purpose statement or under generally applicable standards in a separate chapter. The inclusion of these provisions under this chapter makes the RCD chapter difficult to navigate.
RCD Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
RCD Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 3. Rural Character District

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This statement accurately captures the purpose of the district as a buffer zone between the village areas and agricultural districts.
Permitted Principal Uses and Structures					These provisions have a neutral impact on the Land Use Goals.
Special Exceptions					Consider moving the adaptive reuse of a historic structure as a permitted use rather than a special exception. If there is concern about undesirable uses, then qualify this use so that the end-use can only be a use that is otherwise permitted in the zoning district. Consider whether “agritourism” should be included in this district. Some potential uses are incorporated under the Rural Residential District.
Accessory Uses					These uses are generally appropriate for this district however the factors permitting certain uses should be closely examined.
Density, Area, Width and Yard Requirements					The location of these provisions makes it difficult to identify development standards in the AZD. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
Rural Character District General Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Rural Character District Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Rural Character District Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 4. Rural Residential					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose of this district is appropriately stated. Consider whether this district can be consolidating this district with the Resource Conservation District as the differentiation between the two districts is not significant.
Permitted Principal Uses and Structures					It would be appropriate to incorporate additional forms of residential development in this district such as attached townhomes. Additionally, the adaptive reuse of historic structures should also be incorporated as a permitted use to help maintain the character of the County.
Special Exceptions					The inclusion of cottage industries and adaptive reuse projects is contrary to Land Use Goals #2, #3 and #4.
Accessory Uses					The inclusion of accessory dwelling units as a permitted accessory use promotes Land Use Goal #3 through making additional housing available. Consider refining the standards for ADUs to remove subjective criteria such as the perception of neighbors.
Density, Area, Height, Width and Yard					The location of these provisions makes it difficult to identify development standards in the AZD. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
Rural Residential District General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Rural Residential District General					Consider incorporating these standards within a generally applicable environmental standards chapter.
Rural Residential District General Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 5 Critical Area Residential					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose of this district is appropriately stated. Consider whether this district can be consolidating this district with the Resource Conservation District as the differentiation between the two districts is not significant.
Permitted Principal Uses and Structures					It would be appropriate to incorporate additional forms of residential development in this district such as attached townhomes. Additionally, the adaptive reuse of historic structures should also be incorporated as a permitted use to help maintain the character of the County.
Special Exceptions					The inclusion of cottage industries and adaptive reuse projects is contrary to Land Use Goals #2, #3 and #4.
Accessory Uses					The inclusion of accessory dwelling units as a permitted accessory use promotes Land Use Goal #3 through making additional housing available. Consider refining the standards for ADUs to remove subjective criteria such as the perception of neighbors.
Density, Area, Height, Width and Yard Requirements					The location of these provisions makes it difficult to identify development standards in the AZD. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
Critical Area Residential District General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Critical Area Residential District					Consider incorporating these standards within a generally applicable environmental standards chapter.
Critical Area Residential					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 6 Community Residential District					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose statement for this district is contrary to Land Use Goal #2 and should be expanded to encompass forms of housing beyond single-family dwellings.
Permitted Principal Uses and Structures					The permitted uses in this district effectively advance agriculture as a preferred and permanent use pursuant to Land Use Goal #1. The residential options and commercial options are too limited and actively impeded Land Use Goals #2, #3, and #4. Adaptive reuse of historic structures should be included as a permitted use.
Special Exceptions					The special exceptions impede nearly all of the Land Use Goals. Additional housing-types should be considered for inclusion and adaptive reuse projects should be included as permitted uses.
Accessory Uses					Consider updating the home occupation provisions to establish more objective criteria for establishing.
Density, Area, Height, Width and Yard Requirements					The location of these provisions makes it difficult to identify development standards in the AZD. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
Community Residential District General					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Community Res. District Environ. Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Community Residential District Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 7 Village District					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					The permitted principal uses, and structures are generally positive and advance Land Use Goals #1, #3, and #4. With respect to Land Use Goal #3, the principal permitted uses embrace a range of housing types, including single-family detached, townhomes and apartments.
Special Exceptions					The special exceptions in the Village District would benefit from the removal of adaptive reuse projects. These projects help to preserve the character of the district and can also be an opportunity to create new housing or interesting locations for businesses. To accomplish some level of oversight.
Accessory Uses and Structures					The home occupation regulations should be carefully reviewed to ensure that barriers to home-based businesses are limited. The current standards include a number of objective criteria that might otherwise be deemed unenforceable.
Density, Area, Height, Width, and Yard Requirements					The minimum lot size of 9,500 square feet and maximum density of 4 units per gross acre may not promote the increased density contemplated in the Plan for these areas. Consider adopting requirements based on development type rather than a one-size-fits all approach.
Village General Standards					Some of the standards are simply policy statements that would be more appropriately included under the purpose statement. Other provisions could be included under a generally applicable section for all chapters. Finally, provisions such as open space should be applied to individual development typologies consistent with other lot standards.
Village Environ. Standards					These standards generally have a neutral impact on the Land Use Goals however a generally applicable environmental standards section of the updated code would improve the structure of the code
Village Design Standards					The Village design standards work to advance Land Use Goals #2, #3, and #4 through strong guidelines that promote the character of development that the Plan contemplates. Some of the guidelines can be further refined to serve an even greater role with respect to the Land Use Goals.



Section 8 Intense Village					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					The incorporation of a mix of housing types is a positive provision for the Land Use Goals as a critical mass of residents can be established in the district to patronize businesses and restaurants in the district. These uses also advance the character of the district and in turn the County.
Special Exceptions					Uses such as adaptive reuse of historic structures and Cottage industries are otherwise desirable uses that should be moved to permitted uses in order to fully embrace the Land Use Goals.
Accessory Uses					Accessory housing is listed as an accessory use however the standards for this use are not clearly established. Incorporate more elaborate standards for ADUs consistent to what is included under the RR district. Likewise, the home occupation regulations should be carefully parsed in order to make this a more desirable use.
Density, Area, Height, Width, and Yard Requirements					The lot standards are appropriately calibrated to the range of housing types in the district. Likewise, the density is also appropriately calibrated.
Intense Village General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Intense Village Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Intense Village Design Standards					These standards are positive for the advancement of Land Use Goals #1, #2, and #3.



Section 9 Intense Village Critical Area					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					The incorporation of a mix of housing types is a positive provision for the Land Use Goals as a critical mass of residents can be established in the district to patronize businesses and restaurants in the district. These uses also advance the character of the district and in turn the County.
Special Exceptions					Uses such as adaptive reuse of historic structures and Cottage industries are otherwise desirable uses that should be moved to permitted uses in order to fully embrace the Land Use Goals.
Accessory Uses					Accessory housing is listed as an accessory use however the standards for this use are not clearly established. Incorporate more elaborate standards for ADUs consistent to what is included under the RR district. Likewise, the home occupation regulations should be carefully parsed in order to make this a more desirable use.
Density, Area, Height, Width, and Yard Requirements					The lot standards are appropriately calibrated to the range of housing types in the district. Likewise, the density is also appropriately calibrated.
Intense Village General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Intense Village Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Intense Village Design Standards					These standards are positive for the advancement of Land Use Goals #1, #2, and #3.



Section 10 Crossroads Commercial District					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					The permitted principal uses fail to reflect a mix of modern uses that are consistent with best practices. There is no opportunity for a mixed-use building. Uses such as artisan shops should be promoted to permitted uses rather than special exceptions.
Special Exceptions					Cottage industries and artisan shops should be permitted uses and will build interest in the district as well as a critical mass of employees.
Accessory Uses and Structures					The inclusion of apartments as an accessory use promotes Land Use Goal #3. Consider including offices as an accessory to a permitted use.
Density, Area, Height, Width and Yard Requirements					The flexibility of minimum lot sizes in the district allows for range of new development opportunities, which promotes Land Use Goal #2 and also promotes unique character consistent with Land Use Goal #4.
Crossroads Commercial General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Crossroads Commercial Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Crossroads Commercial Design Standards					These provisions have a neutral impact on the Land Use Goals.



Section 11 Commercial District

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals. Examine whether this district is necessary or can be incorporated into the Crossroads Commercial District.
Permitted Principal Uses and Structures					The current list of permitted uses does not directly advance the objectives of Land Use Goals #2 or #4. The inclusion of agriculture as a permitted use is a positive provision for the continued advancement of Land Use Goal #1, but potentially at the expense of the other goals. Consider incorporating limited housing options as a permitted use.
Special Exceptions					Uses such as single-family dwellings and cottage industries should be considered for inclusion as permitted uses.
Accessory Uses and Structures					These provisions have a neutral impact on the Land Use Goals.
Density, Area, Height, Width and Yard Requirements					The flexibility of minimum lot sizes in the district allows for range of new development opportunities, which promotes Land Use Goal #2 and also promotes unique character consistent with Land Use Goal #4.
Commercial General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Commercial Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Commercial Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 12 Commercial Critical Area					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals. Examine whether this district is necessary or can be incorporated into the Crossroads Commercial District.
Permitted Principal Uses and Structures					The current list of permitted uses does not directly advance the objectives of Land Use Goals #2 or #4. The inclusion of agriculture as a permitted use is a positive provision for the continued advancement of Land Use Goal #1, but potentially at the expense of the other goals. Consider incorporating limited housing options as a permitted use.
Special Exception					Uses such as single-family dwellings and cottage industries should be considered for inclusion as permitted uses.
Accessory Uses and Structures					These provisions have a neutral impact on the Land Use Goals.
Density, Area, Height, Width and Yard Requirements					The flexibility of minimum lot sizes in the district allows for range of new development opportunities, which promotes Land Use Goal #2 and also promotes unique character consistent with Land Use Goal #4.
Commercial Critical Area General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Commercial Critical Area Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Commercial Critical Area Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 13. Marine District

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal uses and Structures					The permitted uses in this district have a neutral impact on the Land Use Goals.
Special Exceptions					To complement the predominant marine uses, consider allowing certain retail and restaurant uses as permitted principal uses.
Accessory Uses and Structures					The incorporation of limited housing options is a positive provision with respect to Land Use Goal #2.
Density, Height, Width, Bulk and Fence Requirements					These standards are appropriate for the character of the district and therefore advance Land Use Goal #4.
Marine Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Marine District Design Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.



Section 14. Employment Center District					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					While the permitted uses generally reflect some of the objectives with respect to Land Use Goal #2, this list should be more permissive so as to promote an even wider array of modern uses, including mixed-use development. The incorporation of single-family-dwellings is contrary to the overarching goal of economic development and should be removed as a permitted use.
Special Exceptions					These uses have a neutral impact on the Land Use Goals.
Permitted Accessory Uses					The accessory uses help to promote a number of Land Use Goals.
Density, Height, Width, Bulk and Fence Requirements					The location of these provisions makes it difficult to identify development standards in the district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.
Employment Center District Performance Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Employment Center District General Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Employment Center District Design Standards					The location of these provisions makes it difficult to identify development standards in the district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.



Section 15 Industrial District					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					Incorporate cottage industries and light manufacturing to expand the suite of manufacturing uses in the district.
Special Exceptions					These provisions have a neutral impact on the Land Use Goals.
Permitted Accessory Uses					Generally, these accessory uses have a neutral impact on the Land Use Goals. Consider incorporating restaurants as a permitted principal use to allow for a restaurant to be established independent of a principal use.
Density, Height, Width, Bulk and Fence Requirements					The location of these provisions makes it difficult to identify development standards in this district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards. The requirement to include 20 acres in any new development is prohibitive to smaller scale projects.
Industrial Performance Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Industrial General Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Industrial Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Industrial District General Design Standards					The location of these provisions makes it difficult to identify development standards in the district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.



Section 16. Industrial District—Critical Area—LDA					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					Incorporate cottage industries and light manufacturing to expand the suite of manufacturing uses in the district.
Special Exceptions					These provisions have a neutral impact on the Land Use Goals.
Permitted Accessory Uses					Generally, these accessory uses have a neutral impact on the Land Use Goals. Consider incorporating restaurants as a permitted principal use to allow for a restaurant to be established independent of a principal use.
Density, Height, Width, Bulk and Fence Requirements					The location of these provisions makes it difficult to identify development standards in this district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards. The requirement to include 20 acres in any new development is prohibitive to smaller scale projects.
Industrial—Critical Area—LDA Performance Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Industrial—Critical Area—LDA General Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Industrial critical Area—LDA Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Industrial Critical Area—LDA District Design Standards					The location of these provisions makes it difficult to identify development standards in the district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.



Section 17. Industrial District—Critical Area

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					Incorporate cottage industries and light manufacturing to expand the suite of manufacturing uses in the district.
Special Exceptions					These provisions have a neutral impact on the Land Use Goals.
Permitted Accessory Uses					Generally, these accessory uses have a neutral impact on the Land Use Goals. Consider incorporating restaurants as a permitted principal use to allow for a restaurant to be established independent of a principal use.
Density, Height, Width, Bulk and Fence Requirements					The location of these provisions makes it difficult to identify development standards in this district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards. The requirement to include 20 acres in any new development is prohibitive to smaller scale projects.
Perf. Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Gen. Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Environ. Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Industrial Critical District Design Standards					The location of these provisions makes it difficult to identify development standards in the district. Consider reformatting to better communicate lot standards and building dimensions. Add graphics to illustrate building placement under the standards.



Article VI. Special Provisions.

Section 1. Parking and Loading Requirements

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Purpose					This provision has a neutral impact on the Land Use Goals.
Off-Street Parking					While the parking reduction standards under certain circumstances are a positive concept, the implementation of this concept can be improved. Consider incorporating a more defined reduction standard based on specific circumstances. Also, once reduction criteria are more clearly delineated, these approvals can be administrative approvals rather than Planning Commission approvals.
Parking Requirements					While there may not be a desire to completely eliminate parking minimums, consider closely evaluating these standards to ensure that they are not a barrier to development in particular districts or for particular development forms. For example, the parking requirement for multi-family development or townhomes effectively requires 5 parking spaces for a 2 bedroom apartment or townhome unit. Likewise, the requirement of 4 parking spaces per professional person for office development is excessive.
Off-Street Loading					The off-street loading standards have a neutral impact on the Land Use Goals.
Bicycle Parking					The bicycle parking requirements have a positive impact on the goals related to business development housing development. Consider incentivizing additional bike parking through a parking reduction standard as described above.



Section 2. Signs					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					The purpose statement for the sign code has a neutral impact on the Land Use Goals.
Definitions					While the definitions have a neutral impact on the specific Land Use Goals, they should be closely analyzed in light of the most recent cases involving sign matters. Likewise considering moving these definitions to a consolidated glossary.
General					With respect to preserving the character of the County and promoting economic development, the permitting requirement for painting signs is burdensome and should be removed.
Exemptions					All exemptions should be carefully parsed for content neutrality in accordance with <i>Reed</i> .
Permitted Signs					The regulation of incidental permitted signs may be overly burdensome and otherwise regulate incidental signage that should be exempt from permitting requirements. Also, carefully assess whether the home occupation signage is sufficient to advertise and promote these businesses.
Inspections, Removal, and Safety					These provisions are positive with respect to maintaining the character of the County and ensuring that signage is well-maintained.
Criteria for Bonus Sign Area					These provisions are generally positive with respect to establish and maintain the character of the County. These standards also promote a higher quality of signage throughout commercial corridors.



Section 3. Supplementary Regulations

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Modification of Height Regulations					These provisions have a positive impact on maintaining the character of the County while also promoting new development to foster economic development.
Yards and Open Space Generally					These provisions have a neutral impact on the Land Use Goals.
Front Yards					These provisions have a neutral impact on the Land Use Goals.
Rear Yards					These provisions have a neutral impact on the Land Use Goals.
Accessory Buildings and Structures					Examine whether the setback requirements for Agricultural Accessory buildings are appropriate or can be further refined to allow closer placement to lot lines under certain circumstances such as when adjacent land is undeveloped greenspace or forest .
Special Requirements for Water Dependent Uses					These provisions generally have neutral impact on the Land Use Goals; however, these provisions should be carefully assessed and calibrated to determine that the relevant standards are still desirable and appropriate given the desired development pattern in these areas.
Habitat Protection Areas					These provisions generally have neutral impact on the Land Use Goals; however, these provisions should be carefully assessed and calibrated to determine that the relevant standards are still desirable and appropriate given the desired development pattern in these areas.
Forest Dwelling Birds					These provisions generally have neutral impact on the Land Use Goals; however, these provisions should be carefully assessed and calibrated to determine that the relevant standards are still desirable and appropriate given the desired development pattern in these areas.
Shore Erosion Protection Works					These provisions generally have neutral impact on the Land Use Goals; however, these provisions should be carefully assessed and calibrated to determine that the relevant standards



Section 4. Shoreline Cliff Area					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Purpose					This purpose statement has a neutral impact on the Land Use Goals.
Conditions for New Subdivisions and Existing Lots of Three Acres or Greater					These provisions are generally positive for developing new housing in sensitive areas. Consider adding cross-reference to these provisions under relevant sections throughout the Code.
Section 5 Site Plan Review					
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
General Requirements					While the concept of these various layers of approval is positive, in practice it appears that the exceptions are internally inconsistent. For example, while Adaptive Reuse projects are subject to minor site plans, they would also be subject to major site plan review based on their classification as special exceptions under many districts. The consistency of these provisions should be evaluated and reworked.
Site Plan Review Procedures					These procedural provisions generally have a neutral impact on the Land Use Goals.
Plat Requirements					These procedural provisions have a neutral impact on the Land Use Goals; however, the procedures should be carefully parsed to ensure consistency and enforceability. Lists of materials that are to be submitted at various stages of site planning can be abbreviated through the incorporation of references to requirements on file with the Planning Department.
Site Plan Amendment					This procedural provision has a neutral impact on the Land Use Goals. Consider more carefully defining the circumstances under which an amendment will constitute a “significant change” warranting referral to the TAC.



Section 6. Subdivision					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement Intent					This purpose statement has a neutral impact on the Land Use Goals.
General Requirements					These procedural provisions generally have a neutral impact on the Land Use Goals.
Subdivision Review Procedures					These procedural provisions have a neutral impact on the Land Use Goals; however, the procedures should be carefully parsed to ensure consistency and enforceability. Lists of materials that are to be submitted at various stages of site planning can be abbreviated through the incorporation of references to requirements on file with the Planning Department.
Plat Requirements					These procedural provisions have a neutral impact on the Land Use Goals; however, the procedures should be carefully parsed to ensure consistency and enforceability. Lists of materials that are to be submitted at various stages of site planning can be abbreviated through the incorporation of references to requirements on file with the Planning Department.



Section 7. Floodplain Management

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals but otherwise appropriately summarizes the goals of the management program.
Establishment of Floodplain District					These provisions have a neutral impact on the Land Use Goals but otherwise advance the floodplain management objectives of the County.
Development Regulations					These provisions have a neutral impact on the Land Use Goals but otherwise advance the floodplain management objectives of the County.
Design Standards					These provisions have a neutral impact on the Land Use Goals but otherwise advance the floodplain management objectives of the County.
Accessory Structures					These provisions have a neutral impact on the Land Use Goals but otherwise advance the floodplain management objectives of the County.
Permits					These procedural provisions have a neutral impact on the Land Use Goals. Consider eliminating extensive lists through cross-references to applications on file with the Planning Department.
Dam Safety					These provisions have a neutral impact on the Land Use Goals but effectively advance the Floodplain Management goals of the County.
Conditional Permits					These procedural provisions have a neutral impact on the Land Use Goals. The flexibility of property owners to conditionally install accessory structures is generally positive.
Enforcement					These procedural provisions have a neutral impact on the Land Use Goals but are otherwise positive with respect to achieving the County's Floodplain management goals.
Liability					These procedural provisions have a neutral impact on the Land Use Goals but are otherwise positive with respect to achieving the County's Floodplain management goals.



Section 8. Forest Conservation					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals. As described below, this section generally promotes Land Use Goal #4 through preserving the character of the County.
Applicability					The exemptions outlined under this section are extensive and appear to potentially undo the regulatory framework set forth throughout the section. Each exception should be evaluated to determine if it is either required as a matter of state law and/or desirable from a policy perspective.
General Requirements					These provisions are generally positive. The ability to conserve forest land generally maintains the character of the County as desired under this chapter.
Plan Requirements					These provisions are generally positive and have a neutral impact on the Land Use Goals.
Section 9. Erosion and Sediment Control.					
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Applicability					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Procedures					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
General Requirements					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Steep Slope Requirements					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Vegetative Requirements					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Structural Requirements					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Review and Approval of Erosion and Sediment Control Plans					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.



Section 9 Erosion and Sediment Control continued...	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Contents of Erosion and Sediment Control Plans					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Securities					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Hazardous Conditions					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Inspections					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Section 10. Stormwater Management					
Intent					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Authority; Explanation of Provisions					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Incorporation by References					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Grandfathering					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Scope					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Exemptions					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Redevelopment					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.



Section 10 Stormwater Management continued...	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Stormwater Minimum Control Standards					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Specific Design Criteria					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Stormwater Management Plans—Review and Approval					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Contents of Stormwater Management Plans					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Preparation of Stormwater Management Plans					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Permits					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Permit and Review Fees					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Suspension and Revocation					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Conditions for Approval					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.



Section 10 Stormwater Management continued...	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Performance Bonds					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Inspections					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
As-Built Plans					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Notice to the Maryland					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Maintenance					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Appeals					This procedural provision has a neutral impact on the Land Use Goals and otherwise advances the County's goals related to erosion and sediment control.
Article VII. Special Exceptions					
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Standards					These standards for special exceptions while largely procedural in nature have a neutral impact on the Land Use Goals. The focus on consistency with the Comprehensive Plan and Village Master
Conditions and Guarantees					This provision is neutral with respect to the Land Use Goals.
Approval Valid for One Year					This provision is neutral with respect to the Land Use Goals.
Reconsideration, One Year Limit					This provision is neutral with respect to the Land Use Goals.



Article VII. Special Exceptions Continued...	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Procedures					Consider assigning more uses for approval by the Administrator to reduce lengthy application processes. For example, certain agricultural uses located in the district could be administratively approved in order to promote Land Use Goal #1. The requirement to review residential housing as a special exception is contrary to Land Use Goal #3.
Special Exceptions					The special exceptions and the corresponding conditions are generally positive for the Land Use Goals. Each use should be separately analyzed to confirm that it is appropriately calibrated based on the County's most current development vision for the corresponding use.
Article VIII. Nonconformities					
Nonconforming Uses					This provision is a standard nonconforming provision in similar chapters and has a neutral impact on the Land Use Goals.
Nonconforming Structures					This provision is a standard nonconforming provision in similar chapters and has a neutral impact on the Land Use Goals.
Nonconforming Lots					This provision is a standard nonconforming provision in similar chapters and has a neutral impact on the Land Use Goals.
Nonconforming Signs					This provision is a cross-reference to the nonconforming sign provisions contained under the sign chapter.
Article IX. Variances and Waivers					
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Variances					The inclusion of an administrative variance is a positive provision that helps to streamline the approval process while maintaining certain conditions and standards.
Waivers					The waiver provisions provide flexibility for property owners under certain circumstances. Ultimately these procedural provisions have a neutral impact on the Land Use Goals.



Article X. Boards and Commissions					
	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Board of Appeals					This procedural provision has a neutral impact on the Land Use Goals. Consider adding a comprehensive table providing an overview of various approvals and the corresponding reviewing body.
Planning Commission					This procedural provision has a neutral impact on the Land Use Goals. Consider adding a comprehensive table providing an overview of various approvals and the corresponding reviewing body.
Article XI. Definitions					
General Rules of Construction					This provision has a neutral impact on the Land Use Goals.
Definitions					Many of the definitions are outdated and should be revised to reflect updated uses and concepts, including concepts related to economic development, residential development and agriculture.
Article XII. Administrative Procedures					
Statement of Intent					These provisions generally have a neutral effect on the land use goals.
General					These provisions have a neutral impact on the Land Use Goals. From any organizational perspective consider consolidating all procedures and boards into a consolidated chapter.
Permits					This provision has a neutral impact on the Land Use Goal. Staff has noted the challenges related to the review of historic structures. Evaluate the process to ensure timely processing while maintaining the historic record.
Enforcement					These provisions are procedural in nature and have a neutral impact on the Land Use Goals.



Article XII. Administrative Procedures Continued...	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Amendments					These provisions are procedural in nature and have a neutral impact on the Land Use Goals.
Grandfathering in the Critical Area					These provisions are procedural in nature and have a neutral impact on the Land Use Goals.
Validity					These provisions are procedural in nature and have a neutral impact on the Land Use Goals.
Repeal of Conflicting Ordinances					These provisions are procedural in nature and have a neutral impact on the Land Use Goals.
Negative Provisions	7	39	33	24	
Neutral Provisions	242	217	227	230	
Positive Provisions	23	16	12	18	

