

**Commissioners and St. Michaels Planning Commission
Joint Workshop – Zoning Issues**

March 3, 2010

Present:

Commissioners Michael Brady, Joanne Clark, Robert Snyder, Donna Hunt and Phillip Dinkel, Planning Commission members Bill Rose, Bill Frost, Dorcas McGuiness, Glen Albrecht, Zoning Officer Deborah Renshaw, Administrative Clerk Sabrenia Yohn, and 7 members of the public.

Call to Order:

Commission President Michael Brady and Planning Commission President Bill Rose called to order the joint workshop of the Commissioners of St. Michaels and the St. Michaels Planning Commission at 5:25 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street.

Front Yard Setbacks:

Mr. Rose gave a summary of the Planning Commission meeting and Commissioners' meeting on September 16, 2009. Mr. Rose then gave an overview of the Planning Commission's review of maps and measurements of front yards in Town, and referred to a table of setback measurements. Mr. Rose said the Planning Commission found the maps to be consistent with the actual measurements. Discussion continued regarding set-back charts and measurements and the methodology for determining set backs. Mrs. Renshaw said that finding a more efficient way of determining setbacks would reduce requests for variances, which were time-consuming and expensive for the Town and for property owners. Mrs. Renshaw also said that the Historic District Commission supports the changes. The Commissioners agreed with the new process for determining setbacks. Mrs. Renshaw said the Planning Commission would be meeting with the Historic District Commission tomorrow night to discuss the setbacks further.

Base Zones:

Bill Frost provided a handout of Article IV (Base Zoning Districts) for the group, and explained that the Planning Commission had focused on issues affecting lot coverage - stormwater management, house scale, roof types, and height restrictions for primary and accessory structures. Sample measurements were taken from various residential site plans which were contained in the street files and used to determine what was reasonable and practical for the residential zones. Commissioner Dinkel questioned why the structure height changed from 17 to 20 feet, noting that he preferred 17 feet for accessory structures to prevent conversion to a second living space on the property. After some discussion, it was agreed to move forward with the proposed 20 feet to allow for useable storage or work space above the first floor, and to allow architectural options for roof lines. Mr. Frost then highlighted changes to lot coverage in the R-1 and R-2 zones. Mr. Frost said the change affected lots of more than 7200 sq. ft., which would now be limited to 30 percent lot coverage for all above-grade structures on the property, i.e., house, garage, shed, and/or improvements to structures. Mr. Frost said that previous surface percentages were also increased for each size lot, allowing for more open space. The Commissioners agreed that the rules for this section were much clearer than before. Mr. Frost said the only other issue for this section was an effort to conform roof lines/pitches to the rest of the surrounding neighborhood

Gateway Commercial Zone:

Mrs. Renshaw provided an overview of the changes to the commercial properties which lie to the South end of Town noting that this zone would replace the existing neighborhood commercial zone. The purpose of this zone is to allow for a wider range of commercial activities while providing standards regarding landscaped buffers and parking limited to the sides and rear of the property.

Expansion of the Central Commercial Zone:

Mrs. Renshaw said that the Planning Commission is proposing that those properties to the North of the existing Commercial Zone and currently zoned Limited and Neighborhood Commercial be reclassified as Central Commercial. In meetings with the business owners in that area, difficulties in leasing the properties has occurred due to the limited types of businesses permitted in the NC and LC Zones.

Commissioner Dinkel had suggested that Conner and Fremont Streets be rezoned back to Residential from Commercial, and proposed a multi-family use for structures on those streets. Mrs. Renshaw said that the Planning Commission had already added mixed uses back into the Central Commercial Zone that would address residential needs. Following some additional discussion about parking, the Commissioners agreed to the proposed changes in Article IV.

Land Use Table:

Glen Albrecht presented highlights of the changes to Article II (Permitted Uses), which included elimination of the Select Light Commercial Zone (making the end of Grace Street Residential-1), and designating the North end of town as Central Commercial. Mrs. Renshaw said that the Planning Commission would be holding workshops in the next two weeks, and she asked for comments from the Commissioners by March 10, 2010.

Langley Shook of the Chesapeake Bay Maritime Museum asked about uses and zoning in the Maritime Museum Zone and provided a letter to the Commissioners with proposals for the Museum. The Commissioners said that they would provide any comments to his letter by March 10, 2010.

Non-Conforming Structures, Uses and Signs:

Mrs. Renshaw noted that the biggest change in Article III (Nonconforming Lots, Uses, and Structures) is that effective with the enactment of this Ordinance, legally constructed residential structures, regardless of their failure to meet yard or lot coverage limitations shall be considered conforming in as far as yard and lot coverage is concerned. Bill Frost said that if a structure was destroyed it can be built back on the same footprint within an 18-month timeframe. Dorrie McGuinness added that any new structures would have to conform to proposed new standards for setbacks. The example of the businesses in the Pixel Post structure was discussed. If one of the current businesses were to move out of the structure, the owner would have nine months to find a permitted business or the property would convert back to its base zoning which is R-1 in this case. Mrs. Renshaw said she would revise the language in Article III based on the discussion.

Supplemental Document and Overlay Zones:

Mrs. Renshaw explained that the Supplemental Document before the Commissioners for discussion accompanies the Land Use Table and notes added provisions in alphabetical order, and the Overlay Zones document has been reorganized to clarify these Zones and eliminate the necessity of having to refer back to other sections for this information. Mrs. Renshaw added that

these two documents did not contain any new text, but were rather a re-organization of information already in the Code. Mrs. Renshaw then outlined the next steps in the process stating that with permission from the Commissioners, the Planning Commission will have two public working sessions on March 16, 2010 and March 18, 2010 at which times all documents and maps will be made available along with any comments submitted by the Commissioners. Mrs. Renshaw said the Planning Commission would then make a recommendation to the Commissioners and she would draft an ordinance to make the changes. Mrs. Renshaw said the final step would be that the Commissioners would hold public hearings and vote. Mrs. Renshaw said the goal was to have the process completed by the end of May, and prior to a change in the sitting Commission.

Historic Redevelopment Zone:

Bill Rose said that the Planning Commission has evaluated two options for the Mill Property which currently carries a PRA Overlay Zone Classification. The first option is to remove both the base zone of R-2 and the PRA overlay zone and replace them with a new base zone to be known as the Historic Redevelopment Zone or keep the base zone of R-2 and either amend the PRA overlay zone or create a new overlay zone which encompasses the vision of the development of the mill properties Mr. Rose said that the Planning Commission believes that the Mill development has been hampered by restricted uses, and therefore is proposing a Base Zone designation to simplify the development process. Discussion of the Mill property continued including questions about the types of entities that would be allowed on the property, deliveries, noise and employee parking. After a lengthy discussion, the Commissioners praised the Planning Commission's work on this section and agreed to submit any comments on the Planning Commission's proposals for this property to Mrs. Renshaw by March 10, 2010.

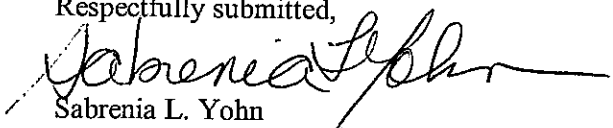
Maritime Museum Letter:

The Commissioners, Planning Commission and Mrs. Renshaw discussed a letter from the Maritime Museum. The discussion focused on the feasibility of a change of zoning for the skateboard parking lot, the two existing service buildings between the skateboard park and the Pinkett House and the Pinkett House itself. It was noted for the record that environmental issues relating to the Pinkett House has arisen, which makes it more difficult to utilize the building for residential purposes. The Commissioners agreed to review the Museum letter and discuss the matter further.

Adjournment:

There being no additional comments or questions, Commissioner Brady adjourned the joint working session at 7:40 p.m.

Respectfully submitted,


Sabrenia L. Yohn
Administrative Clerk