

Board of County Commissioners of Calvert County
Calvert County Courthouse, Commissioners' Hearing Room

TUESDAY, March 16, 2010

Invocation – Pastor Dan Leary

Jesus the Divine Word, Huntingtown, Maryland

Pledge of Allegiance

Approve Agenda

Approve Minutes of February 23, 2010

AGENDA

- I. PRESENTATIONS/PROCLAMATION** **10:05 a.m.**
1. American Council of Engineering Companies – Solomons Roundabout
 2. Chesapeake Bay Chapter of American Institute of Architects and Construction Magazine – Annemarie Garden Arts Building
 3. Maryland Tributary Team's Annual Watershed Hero – Dr. Brownlee
 4. American Red Cross Month
- II. PUBLIC HEARINGS**
- Department of Planning and Zoning **10:30 a.m.**
1. Memo from Gregory A. Bowen, Director, 3/10/10
Re: Rural Legacy Grants
- Department of Finance and Budget **10:45 a.m.**
2. Memo from Sharon Strand, Capital Projects Coordinator, 3/10/10
Re: Maryland Energy Administration Energy Efficiency Grant
Budget Adjustment
- III. APPOINTMENTS** **11:00 a.m.**
1. Planning Commission
One vacancy due to a term expiration
 2. Tourism Advisory Commission
Three vacancies due to a term expiration and resignations
- IV. NEW BUSINESS** **11:10 a.m.**
- County Administrator's Office
Memo from Terry L. Shannon, County Administrator, 3/10/10
Re: Department of Public Works Management Structure
- V. WORK SESSION** **11:15 a.m.**
- Department of Planning and Zoning
Memo from Gregory A. Bowen, Director, 3/09/10
Re: Follow-up Work Session Regarding Pending Text Amendments
- VI. PUBLIC COMMENT** **12:45 p.m.**
- There is a time limit of 5 minutes per speaker. No additional minutes or allotting unused minutes to an additional speaker will be permitted.*
- VII. RECOGNITION AWARDS** **2:00 p.m.**
- Team Blizzard 2010
Calvert Pines Senior Center, West Dares Beach Road, Prince Frederick

*This agenda is subject to change and the times listed are approximate.
If any items are added for consideration, they will be included on a
revised agenda that will be issued prior to the closed session.*



Board of County Commissioners
Summary of Actions
March 16, 2010

1. Recognized the Calvert County Department of Public Works for receiving the 2010 Honor in Small Projects Award from the American Council of Engineering Companies, Maryland, for the Solomon's Island Roundabout.
2. Recognized Anmarie Garden for their award-winning Arts Building. The Anmarie Garden Arts Building was the recipient of the 2009 Honor Award from Chesapeake Bay Chapter of the American Institute of Architects and the 2009 Building of the Year Finalist from Construction Magazine.
3. Recognized Dr. David Brownlee for receiving the Maryland Tributary Team's Annual Watershed Hero award for his work with the Patuxent River.
4. Presented a proclamation declaring the month of March as *American Red Cross Month*, urging all citizens to support the American Red Cross' noble humanitarian mission by helping prepare their families and this community for emergencies by continuing to give their volunteer time, financial contributions, and blood donations.
5. Held a public hearing, approved Budget Adjustment #391 in the amount of \$1,583,589.79, to implement the grant agreements with the Maryland Department of Natural Resources in the amount of \$750,000 for Calvert Creeks Rural Legacy and \$833,589.79 for the Northern Calvert Rural Legacy Area, and signed the related resolution.
6. Reappointed RoxAnne Riddle Cumberland to the Planning Commission.
7. Appointment Dr. Richard Fleming to the Tourism Advisory Commission.
8. Held a public hearing, approved Budget Adjustment #433 to accept the Maryland Energy Administration's Energy Efficiency and Conservation Block Grant in the amount of \$438,000, and signed the related resolution.
9. Approved Option 1 of the management structure for the Department of Public Works in order to enhance the organizational/reporting structure of the Department.
10. Granted an easement for Morgan and Catherine M. King of North Beach to extend their sewer line and connect it to the existing North Beach sewer system.
11. Held a work session regarding the pending text amendments to the Calvert County Zoning Ordinance. Commissioners took the following actions:

Case	Z.O.	Summary of Proposed Amendments	Action Taken by
------	------	--------------------------------	-----------------

No.	Section(s)		Board
09-2a	2-6 & Article 12	<ul style="list-style-type: none"> • Non-conforming Uses and Structures – separate the requirements for non-conforming “uses” from those imposed for “structures” (similar to the changes made in the Solomons Town Center Zoning Ordinance); • Amend definitions in Article 12; • Require that sites be brought into conformance when nonconforming uses or structures are expanded; • Address circumstances when a change in use causes an existing structure or site to no longer conform to the regulations; • Add “retaining walls” to the provisions which allow the Zoning Officer to approve the expansion of a non-conforming building wall, and specify that building walls may be expanded by the construction of a porch or deck. 	Take to public hearing.
09-2b	2-8.08.D	Clarify that the use of Development Agreements is allowed in Town Centers.	Take to public hearing
09-3a	3-1.01 & 3-1.02	<ul style="list-style-type: none"> • Allow certain agricultural and Agritourism uses in subdivisions with conditions addressing private roads. • Allow the sale of bagged or bulk mulch, topsoil, and soil amendments at nurseries and greenhouses, per recommendation by the Dept. of Economic Development 	Take to public hearing with the: <ul style="list-style-type: none"> ▪ option of 2/3 majority of property owners consent OR if the private owner maintains the road. ▪ addition of “pavers”
09-3b	3-1.02, Use #4a and 4b; 3-1.05, Use #14a; Article 12	Amend the definition of “Commercial Kennel” to include grooming and breeding services & allow as home occupation.	Take to public hearing
09-3c	3-1.01, Use #7	a Change definition of “Farm” by adding “and/or within a recorded APD” at the end.	Take to public hearing
09-3d	3-1.03, Use #1a	Clarify when an apartment is considered to be contained within a dwelling for the purpose of determining allowable size.	Take to public hearing
09-3e	3-1.04, Use #8d	Allow Watermen’s Markets to operate in conjunction with approved Farm Stands, subject to conditions.	Take to public hearing. Commissioner Parran directed staff to ask the Watermen’s Association.
09-3f	3-1.09, Use #11a & 11b and Use #17a & 17b; 3-3, 5-1.11, 6-2.02, and the all TCZO’s	<ul style="list-style-type: none"> • Regulate Wind Energy Systems (Windmills) by adding them as a new use on the Land Use charts; • Add conditions to Section 3-3, Tower and Antenna Regulations; • Amend the height regulations contained in Articles 5 & 6 so that windmills are no longer exempt; • Amend the definitions in Article 12; and • Amend all Town Center Zoning Ordinances to match the County Ordinance. 	Take to public hearing, removing the 100 kilowatt requirement.
09-4a	4-2 & 4-2.01	Make the following changes to the regulations regarding Plot Plan & Site Plan Review: <ul style="list-style-type: none"> • Amend language regarding consistency of development plans with the Comprehensive Plan to match recently-adopted State law (Section 4-2). • Require site plan review for all commercial uses that 	Take to public hearing

		intensify the use or alter the traffic pattern (not only accessory uses); <ul style="list-style-type: none"> • Add “mixed use” to list of projects requiring Category I Site Plans (Section 4-2.01.B.3) • Specify that the Zoning Officer determines when a plot plan requires site plan review. Move paragraph regarding modifications to plot plans to this Section (Section 4-2.01.E) 	
09-4b	4-2.04	Address expiration and vesting of site plan approvals.	Take to public hearing
09-4c	4-4.02.A	Require that plot plans show existing and proposed uses, buildings and structures, as well as any natural features required by Article 8 and human burial sites.	Take to public hearing
09-5a	5-1.09	Correct reference to setbacks for previously-recorded residential lots.	Take to public hearing
09-5b	5-1.10 (Table 5-5)	Correct classification for structures containing 500 square feet or more.	Take to public hearing
09-6a	3-1.05, Use #10b, Table 6-2, & Article 12	Clarify parking requirements for eating establishments; amend definition of “Eating Establishment With Outdoor Patron Area”	Take to public hearing with clarification. Commissioner Clark directed staff to provide the parking formula used in Town Centers.
09-6b	6-8.02.L	Clarify conditions for signs displayed on vehicles.	Follow-up work session to be scheduled
09-6c	6-8.05.G.3.e	Correction: Delete requirement for permit (portable signs are listed under “Signs Permitted Without a Zoning Permit”)	Follow-up work session to be scheduled
09-6d	6-8.06.B.2.a	Directional Signs Erected by the County – allow each Town Center to customize such signs.	Take to public hearing
09-6e	6-8.03.B & Article 12	Limit the number of additional freestanding signs to only one and require that the sign must advertise only on-site businesses or institutional uses; Amend the definition of “freestanding sign” and add a definition for “billboard.”	Follow-up work session to be scheduled
09-7a	7-1/06.D.4	Request by Planning Commission to require that land reserved for future rights-of-way to adjoining properties be platted.	Follow-up work session to be scheduled
09-7b	7-1.07.B.8	Request by Planning Commission staff to clarify the period of validity for preliminary subdivision approval.	Follow-up work session to be scheduled
09-8a	11-1.03	Delete examples of other allowable appeals to the Board of Appeals.	Take to public hearing
09-8b	5-1.12.C.3 & 11-3.01	Specify that unenclosed carports are counted as a parking space; and allow Administrative Variances for residential parking (single family dwellings and accessory apartments only).	Take to public hearing

12. Attended a ceremony recognizing “Team Blizzard,” consisting of Calvert County Government employees and the State Highway Administration, for their outstanding service during the winter storm of February 5 – 10, 2010.