

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS'
ZONING ORDINANCE WORK SESSION
Governmental Center
Thursday, September 6, 2001
6:30 p.m.**

Present: Commissioner President Julie B. Randall
Commissioner Joseph F. Anderson
Commissioner Shelby P. Guazzo
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Alfred A. Lacer, County Administrator
Jon Grimm, Director of Planning and Zoning
George Erichsen, Director, Department of Public Works & Transportation
Richard Rohrbaugh, Director, Facilities Management
Peggy Childs, Planning and Zoning (Recorder)

Also Present: Herb Redmond, Development Review Forum
Mike Pellegrino, Development Review Forum
Sonny Burch, Development Review Forum
Guy Curley, Development Review Forum

The work session convened at 6:30 p.m.

Article 6 – Development Standards and Approvals

The Commissioners discussed the Development Review Forum's comments on Article 6 and agreed to the following changes:

Chapter 60 – Site Plan Review

- Typos and cross-referencing errors or updates are needed.
- Page 60-2, Minor Site Plans – Add (Simplified Site Plans) to identify in this provision.
- Page 60-3, Major Site Plans – Atop of page after g. add new “h. Landscaping plans are required ...” After *old* s. add new “t. Elevation drawings that show any substantive changes from the original concept elevations.”
- Page 60-4, line 39 – Strike “aerial perspective” and replace with “3-dimensional architectural sketch.” Strike “post” and replace with “proposed.”
- Page 60-4, line 24 – Change “post” to “proposed.”
- Page 60-4, line 44 – After “complete” add “as in b. above”
- Page 60-5, line 12 – Begin sentence with “In order to approve the concept plan,”
- Page 60-5, line 15 – Add “d. is consistent with county-wide design objectives.”
- Page 60-5, line 30 – Strike or add parenthesis around “or driveways not less than 22 feet in width” Strike “Chapter 82” and replace with “the Road Ordinance.”
- Page 60-6, line 17 – Strike “Solid waste disposal stations” and replace with “Refuse storage areas”
- Page 60-6, line 18 – Add “as set forth in Section 61.6.” at the end of line
- Page 60-6, after line 18 - Add new line “14. In areas that are susceptible to high water table (perched or seasonal), the engineer shall provide pavement design and measures to assure dry basements and to preclude the ponding of water. Water cannot be disposed of in the public sanitary sewer system.”
- Page 60-6, line 36 – Strike “except Metropolitan Commission water and sewer”
- Page 60-6, line 38 – Strike “the” and replace with “any”
- Page 60-6, lines 38-39 – Strike “by the County Commissioners”
- Page 60-6, line 41 – Strike “& Transportation”
- Page 60-7, line 37 – Strike “applicant” and add “the owner or his agent” at the end of sentence beginning “Any deficiencies ...”

- Page 60-7, lines 37-41 – Strike “The applicant shall have 10 days in which to eliminate the deficiencies. If the applicant is unable to comply within the 10-day period, the applicant shall request, in writing, an extension of time for completion which shall not exceed 6 months. The written request shall state the extenuating circumstances causing the delay.”
- Page 60-7, line 44 – Strike “may” and replace with “shall”
- Page 60-7, lines 46-47 – Strike “by the County” and strike “the Planning Director and Director of the Department of Public Works & Transportation with”
- Page 60-7, line 24 – Strike “12 months” and replace with up to 24 months” Add first sentence of subparagraph c. (lines 25, 26, 27) to subparagraph b. above. Strike remaining portion or subparagraph c. in its entirety. The Development Review Form is to review this text.

Chapter 61 – General Development Standards

- Page 61-1, line 15 – After “all use categories” add “except for single-family detached dwellings.”
- Page 61-1, line 21 – Add “/Airport Environs” after “AICUZ” and add “in Article 4” after “overlay districts”
- Page 61-1, lines 17-19 – Strike entire section 61.2
- Page 61-1, line 22 – Add “Public Communications Towers Antenna” The Development Review Forum will take a look at this provision, including recommendations from county’s communication tower consultant. Commissioner Guazzo suggests using section from current ordinance.
- Page 61-1, lines 29-33 – Strike these lines completely.
Page 61-1, line 35 – Strike “be” and replace with “not exceed” Line 36 – Strike “70.1” and replace with “0.1”
- Page 61-1, lines 36-37 – Rewrite to show that light levels at the property line must be measured at a height of 6 feet.
- Move subparagraphs, a., b., c., and d., as amended, under paragraph 1. on Page 61-1, *General Requirements*.
- Page 61-2, line 7 – Strike “plan” Change paragraph number to “2.”
- Page 61-2, lines 11 and 13 – Strike “Background spaces” and “Foreground spaces” and replace with “Areas”
- Page 61-2, lines 18-22 – Delete both subparagraphs d. and e.
- Page 61-2, line 28 – Delete subparagraph g.
- Page 61-2, line 30 – Add qualifying phrase to the beginning of sentence, “Except for emergency equipment,” change Capital letter “N” to small “n” in “no”
- Page 61-3, lines 13-14 – Add qualifying phrase on line 14 to beginning of sentence on line 13, “For all multifamily residential, commercial, industrial, and semi-public uses,”
- Page 61-3, line 13 – Add the word “fence” after “6 foot solid wood”
- Page 61-3, line 15 – Strike last sentence requiring a minimum 4-foot wide gate. Put period after “occupancy.”
- Page 61-3, line 17 – Strike “Except as provided in paragraph 2. below,” Capitalize A in “All”
- Page 61-3, lines 23-25 – Strike item 2. Utility Meters
- Page 61-3, lines 17-22 – Development Review Forum to take a look at this language. Look at SMECO’S tariff, National Electric Code, Plumbing Code, and FPA and how they relate to mechanical equipment. Also consider prohibition on placement of electrical boxes next to front doors of multifamily housing. Get SMECO’s input.
- Page 61-3, lines 13-15 – Add language that refuse storage areas may not be placed in front yards.
- Page 61-4, line 23 – Strike “single-family detached”
- State applicability of every paragraph in Chapter 61 or add “unless otherwise stated.”
- Page 61-5, after line 6 – Add new paragraph “7. Unless prohibited by environmental constraints, drive aisles and/or parking lots shall provide for opportunity to connect to adjacent parcels. Easements or rights-of-way shall be established, aligned with and extended to property lines for the purposes of connecting to similar facilities on adjacent parcels.”
- Page 61-5, lines 21-23 – Strike “In general,” and add at beginning of second sentence “To the extent practicable,” Make this same change in Chapter 77.

Chapter 62 – Design

This chapter was discussed by the Development Review Forum, which unanimously passed a motion that the county-wide architectural design zoning provisions should be general and that specific design issues should be addressed in the area master plan process. The Forum felt that some of Chapter 62 was contradictory and confusing, and that applying it to the entire county would not serve the purpose of creating better housing or design, enhancement of the neighborhood, and to apply this section to the whole county is not appropriate at this time.

Commissioner Randall said she doesn't disagree, but some of our commercial corridors are not within a development center, particularly 235, but yet the zoning is commercial. Until we have the area plans in place, she said it seems to her that some sort of standards would benefit the county.

Commissioner Guazzo said she doesn't have a problem with this Chapter up to line 35 on Page 62-1. She provided comments on 62.4 – Multifamily residential, 62.5 – Commercial, Mixed-Use and Business Park, 62.6 – Industrial Development, and 62.7 – Development in Scenic Corridors, for consideration. Also provided was a new paragraph 61.11 – Building Exteriors. Commissioner Guazzo's suggestions were referred to the Development Review Form for comment. Commissioner Raley had problems with mandating under 62.5 that "Display windows shall use at least 40% of the main entryway façade."

Commissioner Randall directed the following:

- Page 62-1, lines 40-41 – Retain last sentence under 62.4, Multi-family Residential Development.
- Page 62-2, lines 8-10 – Retain this provision, paragraph (1).
- Page 62-4, lines 50-53 and Page 62-5, lines 1-2 – Retain this provision or provide similar provision for determining height limitations in commercial and mixed-use districts, when abutting single-family residential. Need to recognize and consider mixed-use development in this chapter.

Commissioner Anderson said he would like to know how the design standards being applied in Calvert and Prince George's Counties and many areas of the country compare to these, adding that he thinks they are pretty similar and they make sense to him. He said he thinks the trade-off for increasing the size of commercial retail should be adherence to design standards that address architectural character, site plan relationship to community and streets, and pedestrian flow. He referred to the article discussed before the big-box development discussion pertaining to the community in Colorado, stating he agrees with that approach.

Commissioner Randall stated she understands the Development Review Forum's motion, but she would appreciate the members' reviewing this section in light of tonight's discussion, including Commissioner Guazzo's suggestions, and providing general comments that will give us the quality we are trying to maintain until we have the small area plans in place.

Commissioner Anderson suggested the Forum also look at the First Colony PUD plan in their review. Mr. Pellegrino stated in order to institute design standards, you need to have a good idea of what you're trying to regulate and how you promote what you're trying to promote and, in his mind, generalized standards will give you generalized architecture.

Mr. Grimm referenced his memo of September 5th, in which he identified types of standards without defining what the standard would be, and said we can't forget about environmental protection. He said Ms. Guazzo has added some modified level of detail without getting into the specifics, and the Forum can use that kind of framework to suggest some general standards that have some local applicability. Commissioner Randall agreed that we need to state the goals and not get into the "how's." Another suggestion from Ms. Randall was that, for commercial properties that are adjacent to one another, we should encourage things like community stormwater management, that are attractive and suit several purposes. Commissioner Raley agreed that we need general standards, particularly in light of the mixed-use zoning, but said when we get as specific as telling a business owner how much window space he has to have on the front of the building, he thinks we have crossed the line.


Mr. Erichsen urged that the Sample Building Design Criteria be utilized and then the specifics that Commissioner Guazzo and other have brought out be used to supplement the county-wide design objective. He asked that the commissioners also review the Sample criteria and give the Forum a clear view of where we want to go and then they can work out the details. Commissioner Randall stated the commissioners want general design standards that will promote quality and take into account mixed-use zoning, but will not diminish creativity, that will provide standards that will enhance the community and meet the goals of the Comprehensive Plan, and that will allow the county to get from where we are now to the small area plans. Mr. Erichsen suggested using visuals to show examples of what we want, without mandating it. Mr. Curley asked that the commissioners think about cost in applying design standards.

Schedule

Commissioner Randall suggested coming back on September 20th to finish up with Article 6 and said she would get back to everyone if something else is scheduled for that date.

ADJOURNMENT

The meeting adjourned at 9:36 p.m.

Minutes Approved by the
Board of County Commissioners on 9/25/01


Judith A. Spalding, Administrative Assistant
to the Board of County Commissioners