

Mayor and Commissioner Work Session  
November 15, 2016 at 6:30 pm  
Town Hall Meeting Room

Special Meeting Minutes

Mayor Eberhardt, Commissioner Linkey, Commissioner Fox, Commissioner Ryan, Commissioner Ashby, Denise Breder; Town Administrator, Mary Ann Skilling; Director of Planning, Dianna Battaglia; Planning & Zoning Coordinator, Amy Yackanech; Administrator Supervisor

Mayor Eberhardt called Special Meeting to order at 8:31pm.

I. Introduction – Zoning Code Ordinance

Mayor Eberhardt stated we are introducing Chapter 84 Zoning Ordinance proposed amendments. And asked Ms. Skilling to read the amendments.

Ms. Skilling stated the following. We are introducing the Chapter 84 Zoning Ordinance Amendments for Mayor and Commissioners consideration.

Amended due to State of Maryland code changes, from article 66B to land use article:

1. Section 2,
2. Section 3,
3. Section 62,
4. Section 78,
5. Sections 315 and 316.

Corrections within the Zoning Ordinance

1. Section 116-7, 2.C.
2. Section 154 – Zoning permits are issued by the Zoning Administrator
3. Section 162, C –added clarification that farm type animals are not permitted in any residential district; residents have questions whether a horse, pig, goat and chickens are allowed in their backyards
4. Section 181 – drive-in banks are permitted in the CEMUD District.
5. Section 187-to process applications for outdoor festivals or event promptly.
6. Section 205 and 216.5-consistency with Section 161 Table of Permissible Uses.

Consistency with Cecil County regulations:

1. Section 9, Definitions: Clinic, Clinic Services, Medical Treatment Facilities, State Licensed Medical Clinic.
2. Section 165, 4.
3. Section 193.

Definitions added to Section 9:

1. Dwelling Unit – eliminate duplicates.
2. Farm Market, Farm Products, and Producer – clarification with Farmer's Market events.
3. General Development Plan- clarification.
4. Grocery Store/Market – to attract a user for a small market in Town center, such as seafood or deli.
5. Municipal Infraction.

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New Part IV-B. Planned infill and Redevelopment District (PIRD), Sections 116-20 through 31:  
New floating zone for projects that involve compatible new uses created through redevelopment, adaptive re-use, demolition, reconstruction and infill; discussed at September work session.

Section 167 Art or Cultural Center:

Long term plans for revitalization, Main Street designation and Smart Growth principles promote and support small businesses, arts and crafts, cultural centers and antique shops to stimulate pedestrian activity; to provide more opportunity for these uses and Town support of these ventures.

Section 197 Spas and Health Centers:

This is current wellness trend and the proposed changing continue Town support.

Section 206 Restaurants, Standard:

To provide opportunity in the Residential Marine district that includes Rodgers Tavern and the marina area.

New Section 207 Restaurant Accessory Uses:

To provide for an outdoor food service area, anticipating future opportunities in and around the water front area.

Section 208 Taverns, Bar, Places Serving Alcoholic Beverages:

Clarification related to the service of alcoholic beverages as an accessory to a restaurant and the possibility of a Micro-brewery. An example would be redevelopment of the Muller-Thyme building to include a restaurant with Micro-brewery that utilize the tall ceilings in the existing building.

Section 216 Special Development Standards in the C-2 Commercial District:

Revised item 1. To allow open air drive-in theaters.

Section 233 Building Requirements, 8 Walls and Fences:

Prohibits wire fencing and deletes specific types: poultry and turkey wire.

New Section 223 Tattoo Service:

Add specific use for clarification and designate zoning district locations.

Review of submitted applications for tattoo services classified the use as 'Personal Services' by the Board of Appeals per provisions in Section 155, 8..."may use..... North American Industrial Classification System as a guide to determining the appropriate classification..."

Section 263 Certain Temporary Signs:

To allow temporary wire yard signs for advertising events.

Section 314 Planning Commission Consideration of Proposed Amendments:

To remove the Town's requirement of holding two public hearing, first by the Planning Commission and again by the Mayor and Commissioners; the State requirements is that one public hearing is held.

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Chapter A86 Fees:

A fee is added for a driveway to an existing home, to follow the same process as installing a fence, shed, or other structure to a property; requires communication with the Department of Public Works for works in the right-of-way should storm water piping need to be provided.

Section 161 Table of Permissible Uses:

Supplement section numbers were added to various uses for clarification; minimal changes in various zoning districts.

Mayor Eberhardt stated this is introduced and it will be online and we will hold a Public Hearing before December Town Meeting.

Ms. Skilling also stated we are amending the amendment to change the age under section 196 house for elderly and handicap to people that meet the federal and state guidelines. Also, Section B- husband or wife meets guidelines and handicap who meet federal and state guidelines.

Mayor Eberhardt stated to include the amendment to follow Federal and State guidelines to the amendment. Motion made by Commissioner Fox and seconded by Commissioner Linkey. All in favor; Motion Carried.

Commissioner Fox made a **motion** to adjourn Special meeting and go into Closed Session at 8:39pm and it was seconded by Commissioner Linkey. **All in Favor; Motion Carried**

Respectfully Submitted by:



Tara Dvorak