

**PLANNING AND ZONING COMMISSION
MINUTES
January 20, 2016**

ATTENDEES:

Members

Lauren Taylor
John Staley
Pam Buckley
Joel Brous
Palmer Gillis

Staff

Bill Neville
Blaine Smith
Kay Gordy
Will Esham

6:00 PM

I. COMPREHENSIVE PLAN UPDATE

Planning Director Bill Neville introduced Merry Mears, Director of Economic Development for Worcester County. Ms. Mears discussed these 4 key issues that Worcester County is excited to be developing in conjunction with the local towns and municipalities within the County:

1. Excursion Train – this endeavor is a Polar Express operation, which has the potential to bring thousands of visitors to Ocean City via the municipalities of Berlin and Snow Hill which are linked by rail lines. Ocean City, though not directly involved, would see some tourism benefit. A joint meeting of private investors and county staff will take place in February, 2016.

2. Sports Arena – This project is in the feasibility study phase which could see Worcester County as the home of a new arena and potential ice hockey team. Currently the County is exploring where to locate this arena and if one could peacefully coexist with major arenas and centers in Ocean City and on the Lower Shore.

3. Off-Shore Wind – This project represents a great opportunity for economic development for Ocean City and the county, with this proposed wind farm which is not typical, being of a greater magnitude and stands alone for its type in the U.S. Mears stated that if all continues accordingly, wind turbines could be in the water by 2020. She expressed that it is

vital that as many local businesses get onboard as possible to prevent this operation from becoming based in another area of the state.

4. Brewing Industry - The craft brewing industry is already going strong in Ocean City and the county, and Mears stressed that it is important to recognize this industry in the comprehensive plans to market it and attract visitors in the off-season.

She ended her presentation by assuring the Planning Commission that Bill Neville and the Planning & Zoning Commission would be kept firmly in the loop on the major economic development projects and Worcester County would welcome Ocean City to be at the table for all these major discussions.

II. MINUTES

Minutes of November 17, 2015 – deferred at January 5, 2016 meeting

MOTION/Gillis **SECOND/Staley** Motion made to accept the minutes as presented. Those attending voted (3-0-2-2), with Commissioners Lauren Taylor and Joel Brous abstaining since they were each absent on November 17, 2015, and Commissioners Chris Shanahan and Peck Miller absent for the vote.

Minutes of December 15, 2015

MOTION/Taylor **SECOND/Brous** Motion made to accept the minutes as presented. Those attending voted (4-0-1-2), with Commissioner Pam Buckley abstaining since she was absent on December 15, 2015, and Commissioners Chris Shanahan and Peck Miller absent for the vote.

Minutes of January 5, 2016

MOTION/Brous **SECOND/Taylor** Motion made to accept the minutes as presented. Those attending voted (4-0-1-2), with Commissioner Palmer Gillis abstaining since he was absent on January 5, 2016, and Commissioners Chris Shanahan and Peck Miller absent for the vote.

III. SITE PLAN

Site Plan Review of six (6) proposed townhouse units each consisting of three (3) bedrooms. The site of this application is described as an unnumbered lot, Parcel 5750 of the Bunting, Scott Plat, further described as located on the south side of 25th Street on the bayside, and locally known as 220-25th Street (formerly 218-25th Street).

APPLICANT: NOLEN GRAVES (FILE #15-18100013)

Zoning Administrator Blaine Smith explained to the Commission that the revisions submitted since the Technical Review Committee meeting on January 7, 2016 were not yet adequate for the Fire Marshal's recommendation to advance to site plan review. Mr. Graves anticipates asking to be placed on the February 2, 2016 agenda once all issues are resolved.

STAFF/ATTORNEY COMMENTS

In the time remaining before the advertised public hearing, Planning Director Bill Neville led further discussion of the Comprehensive Plan Update process and relayed that the Mayor and City Council had suggested tentative dates to meet jointly with the Commissioners to determine priority points for the Strategic Plan and Comprehensive Plan updates. These dates begin as early as January 26, 2016 after the Mayor and City Council work session. He noted the new City Manager, Doug Miller, would be able to join in when he comes aboard on February 8, 2016.

In order to more concisely order business for the joint meeting, the Mayor has requested that Mr. Neville work with the Commissioners to draft an agenda with priorities, keeping the main issue at the front of the report. Discussion items submitted by the Commissioners included undergrounding utilities in priority areas, getting bicycles off of Coastal Highway, Rt. 90 dualization including traffic patterns/signals and visibility of reflective markers and painted lanes, the creation of the R-1A Residential Zoning District, Nonconformity and how it relates particularly to parking concerns, open space, revamping the resort's transit system for year-round efficiency, including use of the park & ride, gondola, water taxi, etc., sign regulation and control – advance north with updated regulations similar to those included in the Downtown and Upper Downtown Design Overlay zones, support countywide tourism.

The Strategic Plan is slated to be updated in February and March with consultants. The Planning Commission (or representatives) could possibly act as an arm/department of the City and participate with this update. The Strategic Plan solely affects the Town of Ocean City, whereas the Comprehensive Plan is a document that guides the City's interactions with the County and the State.

IV. PUBLIC HEARING 7:00 PM

To consider amending Code section 110-422(3), Permitted Uses within MH, Mobile Home Residential Districts, to change the maximum 7/12 roof pitch to the maximum 9/12 roof pitch.

APPLICANT: PLANNING & ZONING COMMISSION (FILE #15-14100006)

Zoning Administrator Smith presented the staff comments including the history of the evolution of dwelling units from single-wide mobile homes to double-wide mobile homes to manufactured housing through today's custom-built stick-built residential dwellings in the MH, Mobile Home, Residential, zoning district. The referenced Code Section 110-422 was silent on roof pitch until 2010, which addressed habitation under a maximum roof pitch of 7/12. The remainder of the zoning code has established a 9/12 roof pitch as the standard throughout the Town. The staff report also recommended that the Planning Commission favorably recommend the amendment to the Mayor and City Council based on architectural appropriateness, consistency of design, and it not being binding on any park or association's bylaws.

All testimony was given by residents of Montego Bay, the Town's largest mobile home park, but not the only MH district.

Mike Donnelly, President of the Montego Bay Civic Association, testified in favor of the code amendment, stating that there is currently an outstanding ballot among property owners asking

if they are in favor of amending their bylaws to allow a 9/12 roof pitch. This vote will be finalized in April of this year. Linda Hopkins, property owner of 105 Sea Lane and 807 Gulfstream Drive, also testified in favor of the amendment, stating that the diversity is good for the community and property values.

Residents Andrea Albrecht of 131 Seabreeze Drive and Charlie Herbert of 100 Sandy Hill Drive testified in opposition to the proposed code amendment. Ms. Albrecht cited concerns over inadequate parking and life safety issues for her opposition, stating that Montego Bay was intended to be a community of mobile homes due to the limited parking available per platted lot. Mr. Herbert stated that he felt the reason this had been brought to public hearing was to fix the mistake that had resulted in at least one dwelling unit being built in Montego Bay with a 9/12 roof pitch, though the owners have signed an affidavit that they will not allow habitation in the attic area. He also believes Montego Bay is bringing this to the Planning Commission prematurely since the vote has not yet been closed in that community.

The hearing was closed at 7:50 pm for commissioner deliberation. Commissioners were in support of the staff recommendations for the reasons given and in favor of future growth.

MOTION/Taylor SECOND/Gillis Motion made to send a favorable recommendation to the Mayor and City Council to adopt the code amendment as presented. Those attending voted unanimously (5-0-2) and Commissioners Chris Shanahan and Peck Miller absent for the vote.

ADJOURNMENT – 7:55 PM

John Staley 2/2/2016
JOHN STALEY, SECRETARY DATE