

Kent County Agriculture Advisory Commission Meeting Summary
September 6, 2023, 6:00 PM

An official recording of the Kent County Agriculture Advisory Commission meeting is available for viewing in its entirety on the County's YouTube channel: Kent County Government (<https://www.youtube.com/watch?v=DZeNTTNzRC4>).

The Kent County Agriculture Advisory Commission met on Wednesday, September 6, 2023, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland, with the following members in attendance: Jennifer Debnam, Chair, Richard Winters, John "Buddy" Cahall, Catherine Abramavage, Valerie Mason, John Henry Myers, and Jeff Pettitt. Also present were Bill Mackey, Director, Carla Gerber, Deputy Director, and Campbell Safian, Clerk.

The meeting was called to order at 6:00 p.m.

MINUTES

The minutes of the meeting on May 11, 2022, were approved as submitted.

APPLICATION FOR REVIEW

23-40 Sandra Donnelly – Zoning Text Amendment

Sandra Donnelly proposes to add "outdoor retreat" as a special exception use in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) districts.

The proposed amendment would add a new use to the Land Use Ordinance. The proposed definition for an outdoor retreat is "a lot, tract, or parcel of land containing up to fifteen guest units, designed for and utilized for periodic, transient occupancy and not as a permanent residence, and which may contain outdoor recreational accommodations, dining facilities for guests, and bathroom accommodations for guests."

Staff recommends sending a favorable recommendation in general regarding the revised zoning text amendment to the Kent County Commissioners with an unfavorable recommendation regarding including Village in the list of zoning districts where an outdoor retreat may be considered and also clarifying that the special exception would be reviewed by both the Planning Commission and the Boards of Appeals.

When asked, Ms. Gerber noted that the guest units would be provided by the property owner. Guests would not bring their own tent or RV to the outdoor retreat location. Additionally, guest occupancy shall be limited to two weeks.

Ms. Abramavage queried whether the proposed zoning text amendment is dissimilar to short-term vacation rentals.

Ms. Gerber stated that an outdoor retreat would be more regulated than a short-term vacation rental. An applicant must receive special exception approval by the Board of Appeals, site plan approval by the Planning Commission, and approval by the Health Department.

Mr. Pettitt expressed concerns about the enforcement of the two-week limitation for each guest.

Ms. Gerber noted that enforcement of potential outdoor retreats would be complaint driven. The Department of Planning, Housing, and Zoning would have to be notified of a problem. Additionally, the

Board of Appeals will place conditions on the approval of the special exception. The conditions will set guidelines that the applicant must follow in order to remain compliant.

The following members of the public spoke in opposition to the Zoning Text Amendment as presented: Janet Christensen-Lewis, Judy Gifford, and Peter Braun.

Mr. Myers moved to remove the Agricultural Zoning District (AZD) from the list of zoning districts where an outdoor retreat may be considered.

Mr. Winters seconded the motion, and the motion passed unanimously, 7-0.

GENERAL DISCUSSION

Potential Applicant-Initiated Zoning Text Amendment

The Proposed Draft Land Use Ordinance for Review allows for the adaptive reuse of existing structures in the AZD on parcels under 20 acres through the special exception process.

An applicant is interested in purchasing the former animal shelter property and applying for the adaptive reuse of the existing structure under this proposed process. The applicant would like to advance this section of the proposed Land Use Ordinance, so he may be able to apply under the new process in a timely fashion.

Mr. Winters spoke in favor of the special exception for the adaptive reuse of existing structures in the AZD on parcels under 20 acres.

Mr. Cahall moved that the zoning text amendment remain included in the proposed Draft Land Use Ordinance.

Ms. Abramavage seconded the motion, and the motion passed unanimously, 7-0.

Proposed DRAFT Land Use Ordinance for Review

Mr. Mackey and Ms. Gerber summarized the proposals in the Draft Land Use Ordinance that relate to agriculture.

Chair Debnam requested that the use labeled "Animal, husbandry, feedlot or confinement dairy" be changed to "Animal, husbandry, animal feeding operation."

Discussion ensued regarding animal husbandry uses in Article II Section 2.2.

The Board decided the next meeting will be Monday, October 23 at 6:30pm.

ADJOURN

There being no further business, the meeting adjourned at 7:17 p.m.

/s/ Jennifer Debnam
Jennifer Debnam, Chair

/s/ Campbell Safian
Campbell Safian, Planning Specialist