

Joining and Participating in the Planning Commission Meeting VIA ZOOM - February 4, 2021

Zoom is a web-based application that offers the ability to join and participate in a meeting in a variety of ways. Below we will provide you with the instructions for joining the meeting by telephone, by computer, or both. You can also download the Zoom Mobile App for iOS or Android and the Zoom desktop app for Windows and Mac users, however THIS IS NOT REQUIRED.

NOTE: **There will not be any video participation as a part of the meeting.** The only visual that may be provided will be a copy of the agenda on the screen. A computer is not required to virtually attend the meeting. All staff reports, site plans and exhibits will be provided in the meeting “packet” which can be found on the Worcester County website in the Meeting File Archives:

<http://www.co.worcester.md.us/departments/commissioners/minutes>

NOTE: **PRE-REGISTRATION IS REQUIRED FOR ALL PARTICIPANTS.** Please register by Noon the day of the meeting which can be completed with a valid email address by using the below link: (please note that where there appears to be a space below it is an underscore like this: __)

https://us02web.zoom.us/webinar/register/WN_AWVrO2iYRD6_GQWDwVaGwQ

Once registration has been complete, you will receive a follow up email providing instructions on how to join the meeting. You may join the meeting by telephone only, by computer or both. ***Please do not forward the link received in your confirmation email;** this link is tailored specifically to the registered individual. If another individual would like to join the meeting, they must pre-register as well.

If you have concerns or would like clarification on the process, please contact our office as soon as possible. We will be unable available to assist you at the time of the meeting.

To Join by Telephone:

1. Please dial the telephone number provided in the Webinar Confirmation email, received after you have registered.
2. When prompted, please enter this Webinar ID to join the meeting: **844 2965 3889**
3. When prompted, please enter this password: **212490**
4. If you have first joined by computer or mobile device, you will be prompted to enter your unique Participant ID. To skip this step, press #.

To Join by Computer:

Click on the link provided in your Webinar Confirmation email. Please do not forward this individualized link. If another individual would like to join the meeting, they will need to pre-register as well.

If you have a computer with a microphone and speakers, you can participate directly on your computer. If you do not have these features built in, a pop-up screen should automatically provide you with the information needed to call into the meeting following the same steps above. If it doesn't, please follow the instructions below:

- Click “Join Audio” in the meeting controls at the top of the screen.
- Click “Phone Call” and follow the instructions provided for dialing in: If this is your first time using Zoom, select the country you're calling from in the flag drop-down menu, and call one of the numbers provided.
- Enter the Webinar ID **844 2965 3889** followed by #.
- Enter your unique participant ID followed by #.

Joining and Participating in the Planning Commission Meeting VIA ZOOM - February 4, 2021

Participating:

To prevent background noises during the presentation, everyone is automatically muted upon joining the meeting.

Applicants:

If you are an applicant or presenter, when it is your turn to participate your project will be read aloud. You will be asked to **raise your “virtual” hand by pressing *9 if you joined the audio by telephone.** **If you have joined the meeting through the computer, please click the Raise Hand button.** Once your hand has been raised the Host can unmute you.

Once staff has read the project, you will be asked to state your full name. The Chairman will then prompt you to explain your request. **Please be sure to review and address the Planning Commission considerations, waivers, or necessary findings that is outlined in your staff report where applicable.**

Following your presentation, the Chairman will ask if the Board has any questions for you. Once all comments have been heard, you will be given an opportunity to make closing remarks. The Chairman will then request a member of the Board make a motion on your request. When your project is complete, you will be muted and may leave the meeting.

Receiving Public Comment:

Please note that the Planning Commission meeting is not a public hearing; therefore, persons listening in that would like to comment on a particular project must be approved by the Chairman prior to the meeting. **Please contact Kristen M. Tremblay at least one day prior to the meeting if you would like to comment on a particular project.**

For any questions regarding this process, please contact Kristen M. Tremblay at ktremblay@co.worcester.md.us or Stuart White at swhite@co.worcester.md.us.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL:410.632.1200 / FAX: 410.632.3008
<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

TO: Worcester County Planning Commission
FROM: Department of Development, Review and Permitting
DATE: January 29, 2021

Please be reminded that the next Planning Commission meeting will be held on **Thursday, February 4, 2021, at 1:00 P.M.** via Zoom. For your review prior to the meeting, please find enclosed the agenda for that meeting, as well as all site plans, subdivision plats, etc. which are scheduled to be considered and their associated staff reports. For review at your convenience are the agendas for the forthcoming meetings of the Technical Review Committee and Board of Zoning Appeals.

CC:

Development, Review and Permitting
Fire Marshal's Office
Department of Emergency Services
Department of Environmental Programs
Department of Public Works
County Roads Division, DPW
Maureen Howarth, County Attorney
Maryland Department of Planning
Terri Smith, Assessments and Taxation
Blaine Smith, Town of Ocean City
Hal Adkins, Town of Ocean City
Dan Brandewie, City of Pocomoke
Kelly Pruitt, Town of Snow Hill
David Engelhart, Town of Berlin
Ocean Pines Association, Inc.
Dan Wilson, SHA
Ace Adkins, MDE
Joe Kincaid, MDE
Paul Ferreri, MDE
Edward Watson, MDE
David Dorr/Verizon-MD Inc
Jim Smith/ Delmarva Power
Patrick Dubinski/ Delmarva Power
Thomas Brady, Delmarva Power

John Willey, II/ Peninsula Propane
Steve Ashcraft/Eastern Shore Gas
Jerod Shelton/ Chesapeake Utilites
Woody Francis/US ACOE
Joe Price /Board of Education
Ocean City Volunteer Fire Company
Ocean Pines Volunteer Fire Dept, Inc.
Pat Hynes/ Comcast Cablevision
Greg Denston /Chesapeake Utilities
John Shermer/Choptank Electric
Joe Sise/Choptank Electric
Greg Fentress/ Sharp Energy
Assateague Coastkeeper
Ayes, Jenkins, Gordy & Almand, PA
Bayside Gazette
Becker Morgan Group
Betty Tustin, The Traffic Group
Booth, Booth, Cropper & Marriner, PC
Burbage Properties
Coastal Compliance Solutions, LLC
Coastal Realtors
Coates, Coates & Coates, PA
Davis, Bowen & Friedel, Inc.
Delmarva Veteran Builders

Fox Theatres
Gregory P. Wilkins Surveyor, Inc.
Hampshire, Hampshire & Andrews, Inc.
J.W. Salm Engineering, Inc.
Lower Shore Land Trust
Monogram Building and Design
Ocean City Today
R.D. Hand & Associates, Inc.
Vista Design Inc.
Whispering Woods HOA
Worcester County Times
Carol Ann Beres
Charles Nichols
Darl Kolar
Duverese Scarlett
Jeanne Lynch
Jim Keitt
Mark Wagner
Mitch Parker
Rota Knott
Tom Stauss
Troy Purnell

Copies to applicants - It is required that the applicant(s) and/or their representative attend this meeting.

cc: Salt Grass Point Farms, LLC. & R.D. Hand & Associates

WORCESTER COUNTY PLANNING COMMISSION AGENDA
Thursday February 4, 2021

Pursuant to the provisions of the Worcester County Zoning Ordinance and due to the current COVID-19 pandemic, and in lieu of public appearance, notice is hereby given that the public meeting will be held remotely by conference call with the Planning Commission for Worcester County. Directions for joining and participating in the hearing will be posted on the County website.

***** ALL PARTICIPANTS ARE AUTOMATICALLY MUTED UPON JOINING THE MEETING.**

AFTER THE AGENDA ITEM HAS BEEN CALLED, APPLICANTS WILL BE PROMPTED TO RAISE THEIR VIRTUAL HAND BY DIALING *9 IF SPEAKING FROM THE TELEPHONE, OR SELECT THE “RAISE HAND” BUTTON IF PARTICIPATING FROM THE COMPUTER.

Thursday, February 4, 2021

Est. Time

- | | | |
|-----------|------|--|
| 1:00 P.M. | I. | <u>Call to Order</u> |
| 1:00 P.M. | II. | <u>Administrative Matters</u>

A. Review and approval of minutes – December 3, 2020
B. Board of Zoning Appeals agenda – January 14, 2021
C. Technical Review Committee agenda – February 10, 2021 |
| 1:05 P.M. | III. | <u>Site Plan Review (§ZS 1-325)</u>
A. <u>Salt Grass Point Farm LLC, 611 Self Storage Project</u> – Proposed construction of eight (8) buildings containing 75,018 square feet of mini storage and an associated office, with a proposed two (2) lot subdivision, located at the easterly side of Stephen Decatur Highway (MD Route 611), approximately 410 feet south of Snug Harbor Road, Tax Map 33, Parcels 136, District 10, C-2 General Commercial District, Salt Grass Farms, LLC., Owner and R.D. Hand & Associates, Applicant and Planner. |
| 1:10 P.M. | IV. | <u>FOR DISCUSSION ONLY</u> - Proposed Critical Area Ordinance Amendment Combining Chesapeake and Atlantic Coastal Bays Critical Area Programs (and other updates). A public hearing will need to be held with the County Commissioners as well as the Critical Area Commission prior to any amendments taking effect. The Planning Commission is requested to review and comment, but no action or public hearing is required. |
| 1:20 P.M. | V. | Adjournment |

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – December 3, 2020**

Meeting Date: December 3, 2020

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair
Rick Wells, Vice Chair
Marlene Ott, Secretary
Mike Diffendal
Betty Smith
Mary Knight
Brooks Clayville

Staff

Roscoe Leslie, County Attorney
Ed Tudor, Director
Jennifer Keener, Deputy Director
Kristen M. Tremblay, Zoning Administrator
Robert Mitchell, Director of Environmental Programs

I. Call to Order

Chairman Barbierri welcomed Ms. Mary Knight to the Planning Commission.

II. Administrative Matters

A. Review and approval of minutes, November 5, 2020 — As the first item of business, the Planning Commission reviewed the minutes of the November 5, 2020, meeting. Following the discussion, it was moved by Mr. Diffendal and seconded by Ms. Ott and carried unanimously, to approve the minutes as presented.

B. Board of Zoning Appeals agenda, December 10, 2020 — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for December 10, 2020. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Sketch Plan Review

A. Wave Holdings, LLC

The Planning Commission received word that the applicants for the sketch plan review asked for a continuance to discuss the proposed site plan until a later time as some elements of the plan were intended to change. The Planning Commission did not discuss the proposal.

IV. Site Plan Review (§ZS 1-325)

A. GCR Development

As the next item of business, the Planning Commission reviewed a site plan associated with the proposed construction of a four (4) story, 45-unit golf motel/hotel. Mr. Mark Cropper, Esquire, presented the application that had been approved in September of 2018 but had expired. The applicants were requesting approval with the same terms and conditions as the previous approval. There was no discussion by the Planning Commission. A motion was made by Ms. Ott and seconded by Mr. Diffendal, and carried unanimously to approve the site plan subject to the previously approved terms and conditions.

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – December 3, 2020**

B. Buas Mini Storage

As the next item of business, the Planning Commission reviewed a site plan associated with the proposed construction of three (3) buildings containing 106,000 square feet of mini-storage, associated office, and one (1) 5,000 square foot maintenance building associated with a three (3) lot subdivision. Mr. Regan Smith represented the Buas family and presented the proposal and requested waivers on design standards. Also representing the applicants were Mr. Brock Parker and Mr. Patrick Angel whom provided information to the Planning Commission on project specifics.

Upon an emergency at home, Mr. Diffendal left the meeting.

The Planning Commission discussed the requests for Design Guideline waivers. Ms. Tremblay informed the Planning Commission that its overall role was to ascertain general alignment with the guidelines in its review of the proposed site plan and architectural renderings.

A motion was made by Mr. Wells and seconded by Mr. Wells, and carried unanimously to accept the design as presented.

V. Subdivision

A. Triple Crown Estates, LLC

As the next item of business, the Planning Commission reviewed a final plat associated with a proposed 30 lot subdivision consisting of single family homes (Residential Planned Community). The Planning Commission briefly discussed the application including response times for emergency services.

A motion was made by Ms. Ott and seconded by Ms. Smith, and carried unanimously to reapprove the Triple Crown Subdivision.

VI. Text Amendment

A. §ZS 1-342(c) Signs, Lawrence Perrone, Ocean Pines Association, Applicant

A proposed text amendment was reviewed by the Planning Commission that was submitted by Lawrence T. Perrone, on behalf of the Ocean Pines Association to amend a provision addressing internal community signs within an established community or subdivision. Staff has worked with the applicant over the course of a year to draft language that could be supportable by staff that would allow for internal community signs solely for the purpose of conveying community events, amenity and emergency information and would not be permitted to include any commercial advertising unassociated with the community.

Ms. Colette Horn spoke on behalf of the Ocean Pines Association. After presenting their request, the Planning Commission discussed the existing signage in Ocean

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Pines, and how if approved, the text amendment was be applicable throughout the County in addition to Ocean Pines subdivision.

A motion was made by Ms. Ott and seconded by Ms. Smith to amend the proposed text amendment from four (4) to six (6) allowable signs, and carried unanimously to approve the proposed text amendment as amended.

VII. Map Amendment – Case No. 431

- A.** Case No. 431 – As the next item of business, the Planning Commission reviewed a request to rezone 1.2 acres out of a total of six (6) acres on Tax Map 26, Parcel 158, 0.2 acres of RP Resource Protection District and 0.1 acres of R-2 Suburban Residential District to C-2 General Commercial District with Mr. Hugh Cropper, Esquire, and Chris McCabe representing the applicants.

Hugh Cropper, IV, applicant’s attorney, Kathleen Clark, property owner, and Chris McCabe, environmental consultant, were present for the review. Mr. Cropper testified that the request is being made based upon a mistake in the assigned zoning districts.

Mr. Cropper stated that the subject property is located along US Route 50, is almost entirely within the Commercial Center Land Use Category of the Comprehensive Plan and is impacted by a tributary of Herring Creek. The overall parcel has three different zoning designations; the applicant is seeking to eliminate all of the R-2 Suburban Residential District from the property (consisting of 1.0 acre of land), and modify the RP Resource Protection District boundary line based upon a formal delineation of the tidal wetlands (consisting of 0.2 acres). The petitioned area would be rezoned to C-2 General Commercial District, consistent with the majority of the remainder of the subject property.

Mr. McCabe testified that the delineation of the tidal and non-tidal wetlands has been approved by the Maryland Department of the Environment (MDE). While the actual boundary of the wetlands is undulating, the proposed zoning boundary line is straight as shown on the survey provided as an exhibit with the application. Mr. McCabe explained that the proposed boundary line was a conservative estimate well to the south of the actual wetland boundary line.

Mr. McCabe stated that the purpose and intent of the Resource Protection District is to protect existing sensitive areas such as the tidal and non-tidal wetlands, therefore the zoning designation was intended to follow the wetland boundary line, especially when a property was located in a Commercial Center land use category. He agreed with Mr. Cropper’s assessment that this was more of a refinement of the zoning boundary line, rather than a mistake. In his former position as Natural Resources Administrator for Worcester County, he worked with the Comprehensive Plan and agreed with Mr. Cropper that this request is consistent with the plan. He also agreed that the Resource Protection District boundary line was fairly accurate on a high-level analysis until one were to drill

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down into the actual site (soil) conditions. Mr. McCabe also noted that the sensitive areas of the property will still be protected by the application of wetland buffer and the Critical Area buffer for any development project.

The RP Resource Protection District boundary bisects the subject property practically in half. In regards to the R-2 Suburban Residential District, Mr. McCabe noted that it would be challenging to develop this area for residential purposes. Mr. Cropper also stated that the bisection of the property by the RP District would make it difficult to use the property for commercial purposes with a single commercial entrance, as there would be no area to allow for an internal driveway or interparcel connector. They would be required to file an application with Maryland Department of Transportation State Highway Administration (MDOT SHA) for two separate commercial entrances if the requested map amendment was not approved.

In summary of the findings that the Planning Commission must consider, Mr. Cropper stated that there has been no change in the population; that the property is within the West Ocean City Sanitary Service Area with sewer available; there would be no impact to the school system since the use of the property would be for commercial purposes; that access to the property from US Route 50 would be improved because they would only need one commercial entrance instead of two; and the property is located between two existing commercial condominium developments, so it is compatible with surrounding development.

Following the discussion, a motion was made by Ms. Knight seconded by Ms. Ott, and carried unanimously to find the map amendment consistent with the Comprehensive Plan and forward a favorable recommendation to the Worcester County Commissioners based on the findings as outlined above.

VIII. Administrative Matters

IX. Adjourn – The Planning Commission adjourned at 1:50 P.M.

Jerry Barbierri, Secretary

Kristen M. Tremblay, Zoning Administrator

**NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS**

AGENDA

THURSDAY, FEBRUARY 11, 2021

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Masks and social distancing will be required.

6:30 p.m.

Case No. 21-7, on the application of Carroll DelGavio, on the lands of Stephen & Laurie Lyons, requesting a variance to the Ordinance Prescribed rear yard setback from 30 feet to 13.3 feet (an encroachment of 16.7 feet) associated with a proposed single family dwelling, in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-207(b)(2), and ZS 1-305 located on Jefferson Avenue, approximately 58 feet south of Hayes Avenue, Tax Map 5, Parcel 1, Lot 176 in the Tenth Tax District of Worcester County, Maryland.

6:35 p.m.

Case No. 21-8, on the application of Arlette Bright, on the lands of M Arline Grantham Revocable Trust, requesting a special exception to allow an Agritainment facility in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-201(c)(9) and ZS 1-305(b), located on the north side of Ocean Gateway (US Route 50), approximately 900 feet east of Hall Road, Tax Map 14, Parcel 84, in the Third Tax District of Worcester County, Maryland.

6:40 p.m.

Case No. 21-9, on the lands of Brian & Tracie Young, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 9.7 feet (an encroachment of 20.3 feet) associated with the proposed removal and reconstruction of an existing deck and steps in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 17 Waters Edge Court, approximately 92 feet east of Keyser Point Road, Tax Map 16, Parcel 41, Section 4, Lot 190, of the Ocean Pines Subdivision, in the Third Tax District of Worcester County, Maryland.

6:45 p.m.

Case No. 20-1, on the application of Hugh Cropper, IV, Esq., on the lands of Bruce & Nichole Krasner, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 369 feet for a

proposed 469 foot walkway over tidal wetlands, in the E-1 Estate District & RP Resource Protection District, pursuant to Zoning Code Sections ZS 1-116(n)(2), ZS 1-203(d)(5), ZS 1-215(d)(4) and Natural Resources Section NR 3-125(b)(1), located at 6333 South Point Road, approximately 302 feet south of Cove Court Road, Tax Map 50, Parcel 37, Lot D1, of the Genezer Estates West Subdivision, in the Tenth Tax District of Worcester County, Maryland.

6:50 p.m.

Case No. 21-10, on the application of Mark Cropper, Esq., on the lands of Susan Picciotti, requesting a variance to the Ordinance Prescribed rear yard setback from 30 feet to 15.95 feet (an encroachment of 14.05 feet) on the easterly side and 18.35 feet (an encroachment of 11.65 feet) on the southerly side, associated with a proposed single family dwelling, in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-206(b)(2), and ZS 1-305 located on the southerly of the terminus of Snug Harbor Road (12416), at the Tax Map 33, Parcel 346, Lot 42 in the Tenth Tax District of Worcester County, Maryland.

ADMINISTRATIVE MATTERS

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE
AGENDA**

Wednesday, February 10, 2021 at 1:00 p.m.

I. Call to Order

II. Site Plan Review (§ ZS 1-325)

a. EJF Real Estate - Office Building (Minor Site Plan Review)

Construction of one (1) 5000 sf building with two (2) office spaces. Each office space will be 2500 sf. Located at 10135 Worcester Highway, approximately 150 feet northwest of the intersection of Pitts Road and Old Worcester Highway, Tax Map 15, Parcel 177, Tax District 3, C-1 Neighborhood Commercial District, EJF Real Estate, LLC, owner; Vista Design, Inc., Engineer

b. Bishopville Materials, LLC - Storage Areas (Minor Site Plan Review)

Construction of two (2) gravel storage areas, 36,799 sf and 21,398 sf, 58,197 sf total, and associated site improvements. Located at 11935 Worcester Highway, approximately 1100 feet northwest of the intersection of Peerless Road and Worcester Highway, Tax Map 15, Parcel 79, Tax District 5, I-1 Light Industrial District, Schuster Concrete, owner; Lane Engineering, LLC, Engineer

c. Main Street Storage - Self-Storage (Minor Site Plan Review)

Construction of three (3) self-storage buildings (buildings L, M, & N), 2400 sf each, 7200 sf total. Located at 9842 Main Street, Berlin, approximately 1300 feet northeast of the intersection of Old Ocean City Blvd. and N. Main Street, Tax Map 25, Parcel 54, Tax District 3, C-2 General Commercial District, Arden Center, LLC, owner; J.W. Salm Engineering, Inc., Engineer

d. B & C Business Park – Contractor Shops (Minor Site Plan Review)

Construction of one (1) 9600 sf contractor shop building with 300 sf attached shed, 9900 sf total. Located at 11640 Worcester Highway, approximately 50 feet east of the intersection of Pitts Road and Worcester Highway, Tax Map 15, Parcel 114, Tax District 3, C-2 General Commercial District, Bruce & Cheryl Clark, owner; J.W. Salm Engineering, Inc., Engineer

III. Adjourn

Governor Larry Hogan has issued an Executive Order that limits public gatherings to no more than 10 persons in a further effort to reduce the spread of the COVID-19 virus. All in-person meetings have been suspended for the time being.

To facilitate the review of current projects, county staff will be holding a teleconference that will be open to the public during the regularly scheduled meeting time.

Please review the attached page following the agenda that outlines the call number and procedures for the meeting

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: February 4, 2021

PURPOSE: Major Site Plan Review

DEVELOPMENT: Salt Grass Point Farms Mini Storage

PROJECT: Proposed construction of three (8) buildings containing a total of 75,018 square feet of mini storage and a 900 square foot associated office on two (2) lots (subdivision required). The total square footage for all structures is 75,918.

LOCATION: Located on the E/S of Stephen Decatur Highway (MD Route 611), approximately 410 feet south of Snug Harbor Road, Tax Map 33, Parcel 136, District 10, Salt Grass Farms, LLC, owner / R.D. Hand and Associates, applicant and planner.

ZONING DESIGNATION: C-2 General Commercial District

BACKGROUND: The proposed project went before the Technical Review Committee (TRC) on September 9, 2020 and submitted a revised set of plans on January 19, 2021 for review by the Planning Commission. Another revised set was received **electronically** on January 29, 2021 which incorporated minor changes that had been discussed with the applicant and staff in recent days. These items are detailed below.

**Please note that the revised sheets have been provided electronically and have been included in all digital packets. The hardcopies the Planning Commission will receive via mail will include two (2) replacement sheets (Sheets SP-1 and LP-1) on 11x17 inch paper along with the full set (January 19, 2021 version) as a printed revised full set (January 29, 2021) has not been received by the Department as of this writing.*

Changes made to January 19, 2021 version as depicted in January 29, 2021 version:

- Adjustment of notation - which no longer indicates that chain link fence will have slats;
- Second Handicapped (ADA) parking space has been added to 'Lot 2';
- Added Date of BZA Approval (Case No. 21-5);
- Minor Spelling Correction on sheet LP – 1: Title Irrigation System

BOARD OF ZONING APPEALS – VARIANCE:

On January 14, 2021, the Board of Zoning Appeals heard Case No. 21-5 in which Salt Grass Point Farms, LLC. requested a variance to the front yard setback from 50 feet off a minor collector to 45 feet (an encroachment of 5 feet – of which 3 feet would be permitted by the ordinance as the proposed encroachment consists of architectural features). The Board of Zoning Appeals granted the variance. Items provided by citizens David and Susun Lane the Board of Zoning Appeals in opposition to the variance are attached.

Further, a subdivision of (2) lots is required in order to develop the proposal. Once complete, the subdivision will create Parcel 136 Lot 1 and Parcel 136 Lot 2.

PROPOSED BUILDINGS: Eight (8) structures are proposed:

1. Building 1-A is comprised of 240 insulated storage units and one office on Lot 1.
2. Building 1-B is comprised of 40 non-insulated storage units on Lot 1.
3. Building 1-C is comprised of 21 non-insulated storage units on Lot 1.
4. Building 2-D is comprised of 44 non-insulated storage units on Lot 2.
5. Building 2-E is comprised of 60 non-insulated storage units on Lot 2.
6. Building 2-F is comprised of 56 non-insulated storage units on Lot 2.
7. Building 2-G is comprised of 74 non-insulated storage units on Lot 2.
8. Building 2-H is comprised of 36 non-insulated storage units on Lot 2.

The mini storage may be accessed by users primarily from the outside, however there are units that may be accessed from the inside in Building 1-A.

PARKING: A parking tabulation has been provided on the site plans and staff has confirmed the accuracy of the calculation. A total of seven (7) spaces are required as a minimum per lot, which has been the number provided (all meeting code requirements for dimensions).

The proposed surface treatment for the parking areas and travel ways is asphalt. Parking spaces are intended to be demarcated with painted stripes and supplied with concrete parking bumpers.

LOADING ZONES: No loading zone has been provided in accordance with §ZS 1-321, as the development is designed to allow for the receipt or distribution of materials or merchandise by the inherent nature of the proposed land use.

TRAFFIC CIRCULATION: The site may be accessed from either direction off of MD Route 611 (Stephen Decatur Highway) through a proposed entrance. Once on the site, users will need to stop to enter a gated area before driving into the facility.

REFUSE REMOVAL: A dumpster pad is shown on the site plan on each lot on the southern property line, to the south and east of the proposed storage buildings and is proposed to be ADA compliant. Visual shielding is proposed consisting of six (6) foot tall stockade fences around three (3) sides. It is not anticipated that the dumpster locations will be visible from Route 611.

PEDESTRIAN AND BICYCLE CONNECTIVITY: A bike rack is provided per the requirements of §ZS 1-320 for the office located in building 1-A.

Sidewalks as required by the County Code have been delineated along Rt. 611 for the entire property boundary and leading to the proposed office located in building 1-A.

LIGHTING: Lighting consists of full cut-off LED wall packs and a series of pole mounted LED Autobahn Series ATB2's throughout the site. Light locations are depicted on the site plan and created lighting is not anticipated to spill off-site.

LANDSCAPING: A landscape plan has been provided in accordance with §ZS 1-322 and Section 17 of the *Design Guidelines and Standards for Commercial Uses*. Landscaping is proposed along all boundaries of the site as well as a proposed berm along the front of the

property. A complete and automated irrigation system is also included on the site plan.

A maintenance and replacement bond for required landscaping is mandatory for a period not to exceed two (2) years in an amount not to exceed one hundred and twenty-five percent (125%) of the installation cost. A landscape estimate from a nursery will also be required to be provided at permit stage to accurately determine the bond amount.

FENCING: A six (6') foot high chain link perimeter fence without barbs/barbed wire is proposed on the site plan.

SIGNS: A sign indicating '611 Self Storage' is depicted on the architectural drawings on Building 1-A in addition to a monument sign proposed at the entrance. All parties should be aware that approval of the architectural plans in no way represents that the proposed sign complies with Section ZS 1-324 of the Zoning Code. A permit application and detailed schematics of the proposed sign will be required for review and approval prior to the issuance of a building permit.

FOREST CONSERVATION LAW: This property is subject to the Forest Conservation Law. Written confirmation from the Department of Environmental Programs will be required prior to signature approval to verify that all requirements have been met.

STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL: Confirmation of final approval will be required prior to the Department granting signature approval for the site plan.

WATER SUPPLY AND WASTEWATER SERVICES: Staff will require written confirmation from the Department of Environmental Programs that their requirements have been met prior to signature approval.

ADDITIONAL POINTS TO CONSIDER: [*Graveyard*] – As the Planning Commission may see on the site plan, there is an existing graveyard in the eastern side of the property. While staff had concerns that family members may not have access, after speaking with the applicants, they conveyed that they intend to have a separate secure gate to the graveyard with an open invitation to family members to access through the driveway including the code to the entrance.

ARCHITECTURAL JUSTIFICATION: As a major site plan over 10,000 square feet, this project is subject to the *Design Guidelines and Standards for Commercial Uses*. The proposal is located within the area designated as an Agricultural and Seaside blend architectural tradition based upon the staff policy. The surrounding neighborhood consists of the Bethany United Methodist Church, Sun Signs, Inc., and Assateague Pointe Community sales center.

The proposed facility has attempted to meet the standards required in the Design Guidelines, however a small number of waivers will be required which are detailed in the 'Planning Commissioner's Considerations.' Under Section 2(b), the Planning Commission is able to grant a waiver to the requirements contained within where it finds that the proposed alternative building or site design features generally achieve the overall objectives of the guidelines or standards that

apply to the waiver being requested.

A variety of color options have been presented for the proposed project, all of which meet the requirements of the *Design Guidelines and Standards for Commercial Uses*. Durability of the color choice is currently under consideration by the applicants with hopes that a final decision will be made in time to present at the Planning Commission meeting. Currently, two (2) options are shown in the attachments – dark green and crème as well as dark blue and white.

OWNER: Salt Grass Point Farms, LLC

ENGINEER: R.D. Hand and Associates, Inc.

ARCHITECT: R.D. Hand and Associates, Inc.

PREPARED BY: Stuart White, DRP Specialist and Kristen M. Tremblay, Zoning Administrator

**PLANNING COMMISSION CONSIDERATIONS – DESIGN GUIDELINES
SALT GRASS POINT FARMS MINI STORAGE**

During the review of the Design Guidelines, it was found that a number of waivers will be required and are depicted below. The proposed land use: mini-storage, does not typically have advanced architectural profiles and staff is of the belief that a strong effort was made to comply with the guidelines.

Design Guidelines: Waivers Requested

Sec 6(b)(1)	General Site and Building Compatibility
Sec 8(b)(1),(2),(4),&(5)	Roofs
Sec 10(b)(1)(B,C,D,E,F,H,J,M)&(b)(2)(A)	Facades
Sec 13(b)(1),(2),(3)	Details
Sec 19(b)(1),(2),(3)	Community Features and Spaces

Section 6: General Site and Building Compatibility. Staff found that the proposal is generally inconsistent with the surrounding natural features, however adjacent parcels are comprised of commercial/institutional land uses, wetlands, and forest and this standard would be difficult for any proposal to meet.

Section 8: Roofs. Flat roofs have been proposed for the mini-storage buildings **with the exception of building 1—A**, which is the building located at the primary public entrance, most visible from Rt. 611. While not prohibited, flat roofs are typical of mini-storage facilities.

- The appearance of flat roofs is prohibited in areas other than Town Center tradition. In this instance, the architectural style of the area has not been met and a waiver will be required.

Section 10. Facades. In this proposal, the Planning Commission should be aware that there is a significant difference between the public facing facades and the remainder of the facades within the facility. Great attention has been paid to the public facing areas, however the remaining sides are reminiscent of a traditional mini-storage. Had the standards been applied to only the public facing facades, many could have been met without requesting a waiver. However, the Planning Commission may wish to treat each element separately.

- The following waivers for this section are being requested:
 - No interruption in in the width of the façade greater than 60 feet in width (public façade accomplishes this standard while the other sides do not);
 - Facades greater than 60 feet in width should have a wall plane projection or recess with a depth of 2 feet or 3% of the façade whichever is greater (a 2-foot projection is proposed, but should be 6 feet) and with a width of at least 12 feet or 20% of the façade whichever is greater (a 30-foot extension is proposed, but should be 40 feet);
 - Buildings greater than 200 feet in length must be broken into modules (No module is proposed; however, a visual attempt has been created on building 1-A);
 - Each module must be treated as a separate façade (no module is proposed);

- Facades shall include at least 2 continuous details of 12 inches or less (not proposed);
- A minimum of one (1) significant detail needs to be repeated at least 3 times (along the public facing façade, this was accomplished, however was not proposed for the remaining sides);
- Transparent features need to be included over a minimum of 25% of the surface;
- The proposal must have a clearly identifiable base, body, and cap (the proposal consists of a base and body only);
- Side and rear facades do not generally exhibit the similar level as the public façade;
- The façades less than 75 feet from all property lines are not treated as a public façade (only on sections viewable from Route 611).

Section 13. Details. A repeating pattern of two (2) items including color, texture, material or architectural bay is required every 30 feet. In this proposal, a repeating pattern on the public facing facades has been provided, but is absent in the remaining sides of the facility.

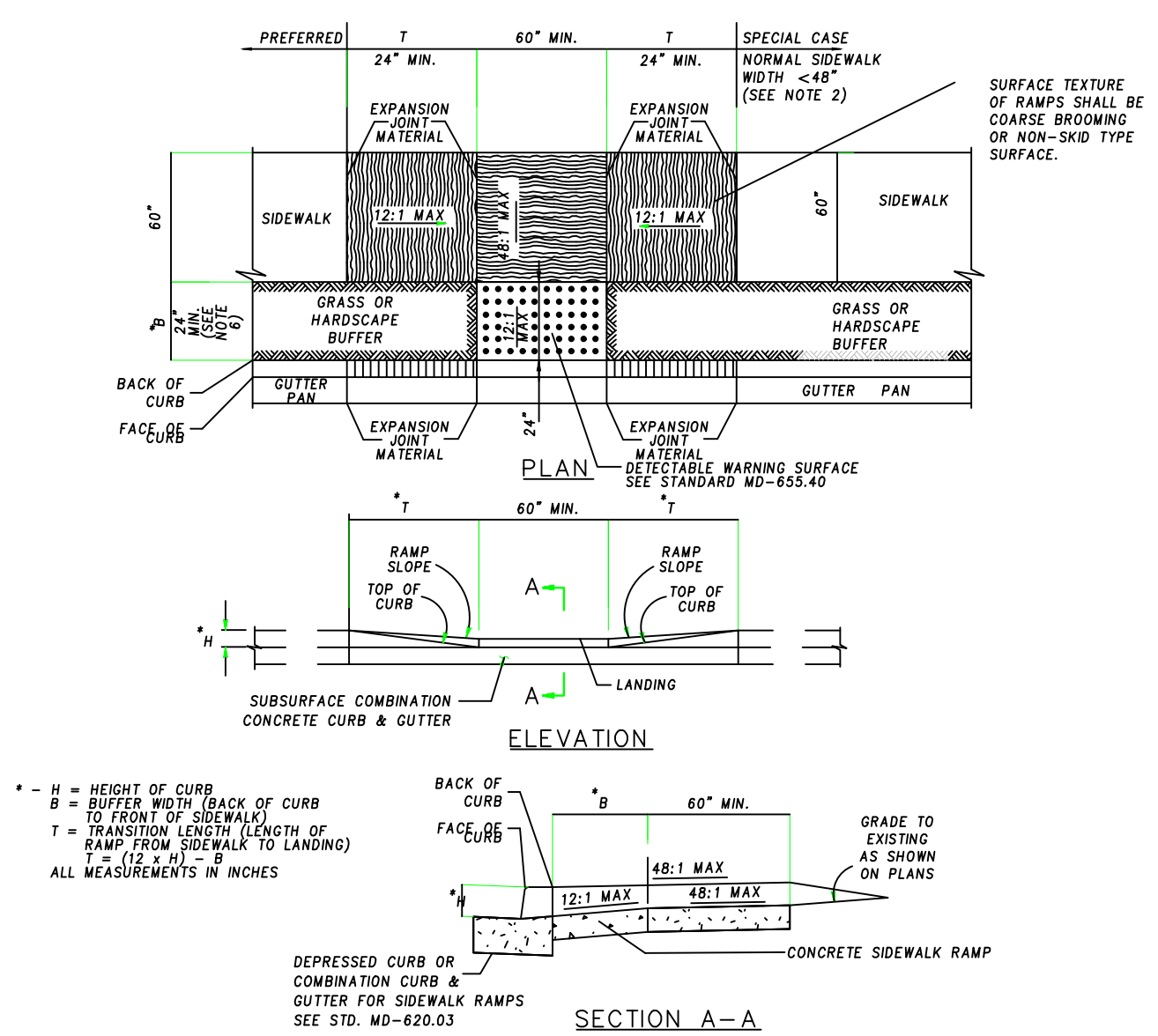
- Fenestration of faux windows was provided on the public facing facades but not the remainder of the facility.
- The doors proposed either are in a similar style to the window as shown in the office entry door, but the doors to main structure are of a different style.

Section 19. Community Features and Spaces. No community features or spaces are provided. Waivers for all standards in this section are being requested. This includes the contribution to the improvement of public spaces, a requirement that a feature be at least 800 feet square, and having additional community spaces for each additional customer entrance.

RECOMMENDATION:

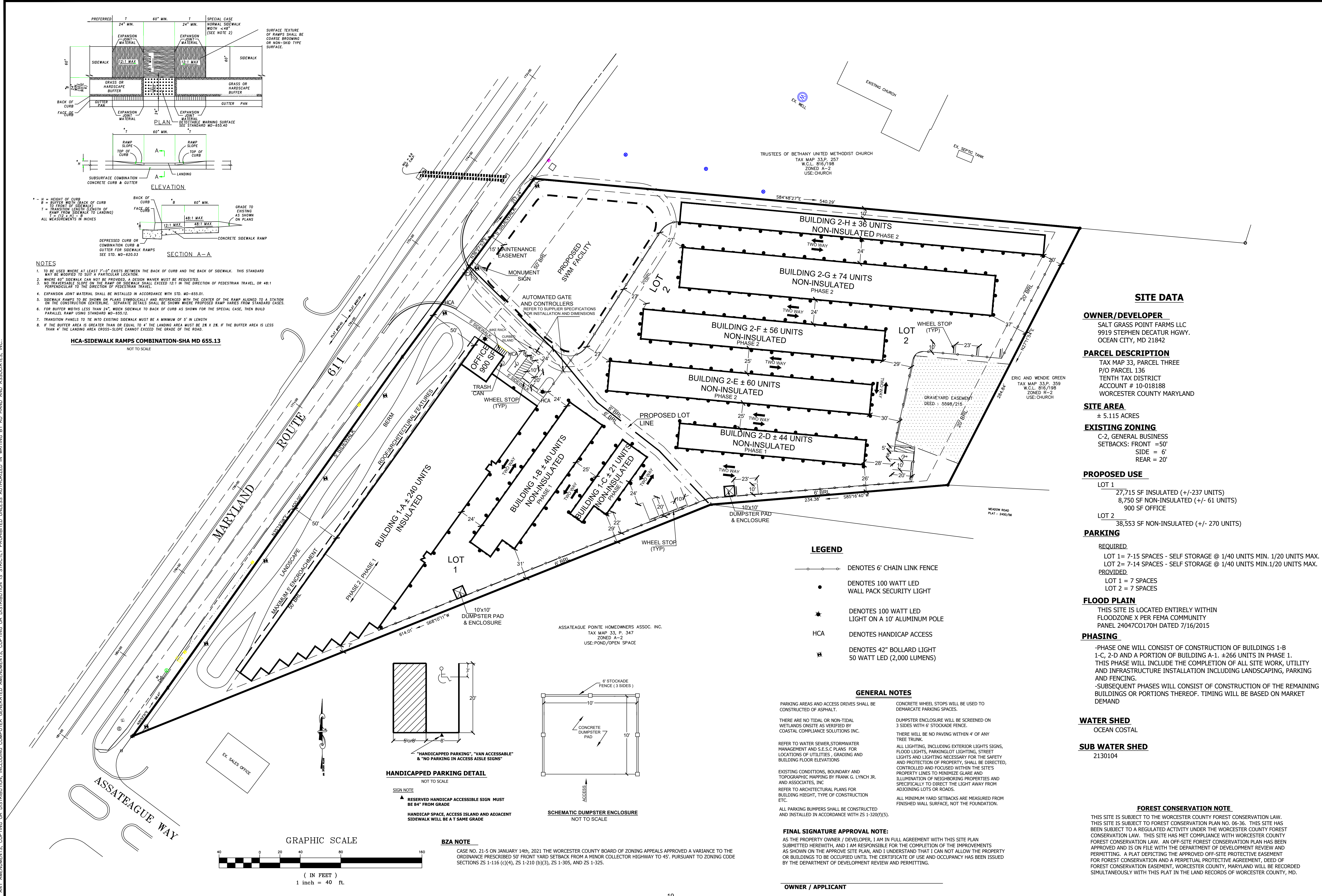
It is recommended that the Planning Commission review the materials provided and determine if the waivers requested are appropriate for the proposed mini-storage facility.

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- NOTES**
1. TO BE USED WHERE AT LEAST 7'-0" EXISTS BETWEEN THE BACK OF CURB AND THE BACK OF SIDEWALK. THIS STANDARD MAY BE MODIFIED TO SUIT A PARTICULAR LOCATION.
 2. WHERE 60" SIDEWALK CAN NOT BE PROVIDED, A DESIGN WAIVER MUST BE REQUESTED.
 3. NO TRAVERSABLE SLOPE ON THE RAMP OR SIDEWALK SHALL EXCEED 12:1 IN THE DIRECTION OF PEDESTRIAN TRAVEL, OR 48:1 PERPENDICULAR TO THE DIRECTION OF PEDESTRIAN TRAVEL.
 4. EXPANSION JOINT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH STD. MD-655.01.
 5. SIDEWALK RAMP TO BE SHOWN ON PLANS SYMBOLICALLY AND REFERENCED WITH THE CENTER OF THE RAMP ALIGNED TO A STATION ON THE CONSTRUCTION CENTERLINE. SEPARATE DETAILS SHALL BE SHOWN WHERE PROPOSED RAMP VARIES FROM STANDARD CASES.
 6. FOR BUFFER WIDTHS LESS THAN 24", WIDEN SIDEWALK TO BACK OF CURB AS SHOWN FOR THE SPECIAL CASE, THEN BUILD PARALLEL RAMP USING STANDARD MD-655.12.
 7. TRANSITION PANELS TO THE INTO EXISTING SIDEWALK MUST BE A MINIMUM OF 5' IN LENGTH.
 8. IF THE BUFFER AREA IS GREATER THAN OR EQUAL TO 4' THE LANDING AREA MUST BE 2X X 2X. IF THE BUFFER AREA IS LESS THAN 4' THE LANDING AREA CROSS-SLOPE CANNOT EXCEED THE GRADE OF THE ROAD.

HCA-SIDEWALK RAMP COMBINATION-SHA MD 655.13
NOT TO SCALE



SITE DATA

OWNER/DEVELOPER
SALT GRASS POINT FARMS LLC
9919 STEPHEN DECATUR HWY.
OCEAN CITY, MD 21842

PARCEL DESCRIPTION
TAX MAP 33, PARCEL THREE
P/O PARCEL 136
TENTH TAX DISTRICT
ACCOUNT # 10-018188
WORCESTER COUNTY MARYLAND

SITE AREA
± 5.115 ACRES

EXISTING ZONING
C-2, GENERAL BUSINESS
SETBACKS: FRONT = 50'
SIDE = 6'
REAR = 20'

PROPOSED USE

LOT 1
27,715 SF INSULATED (+/- 237 UNITS)
8,750 SF NON-INSULATED (+/- 61 UNITS)
900 SF OFFICE

LOT 2
38,553 SF NON-INSULATED (+/- 270 UNITS)

PARKING

REQUIRED
LOT 1 = 7-15 SPACES - SELF STORAGE @ 1/40 UNITS MIN. 1/20 UNITS MAX.
LOT 2 = 7-14 SPACES - SELF STORAGE @ 1/40 UNITS MIN. 1/20 UNITS MAX.
PROVIDED
LOT 1 = 7 SPACES
LOT 2 = 7 SPACES

FLOOD PLAIN

THIS SITE IS LOCATED ENTIRELY WITHIN FLOODZONE X PER FEMA COMMUNITY PANEL 24047C0170H DATED 7/16/2015

PHASING

-PHASE ONE WILL CONSIST OF CONSTRUCTION OF BUILDINGS 1-B 1-C, 2-D AND A PORTION OF BUILDING A-1. ±266 UNITS IN PHASE 1. THIS PHASE WILL INCLUDE THE COMPLETION OF ALL SITE WORK, UTILITY AND INFRASTRUCTURE INSTALLATION INCLUDING LANDSCAPING, PARKING AND FENCING.
-SUBSEQUENT PHASES WILL CONSIST OF CONSTRUCTION OF THE REMAINING BUILDINGS OR PORTIONS THEREOF. TIMING WILL BE BASED ON MARKET DEMAND

WATER SHED

OCEAN COSTAL

SUB WATER SHED

2130104

FOREST CONSERVATION NOTE

THIS SITE IS SUBJECT TO THE WORCESTER COUNTY FOREST CONSERVATION LAW. THIS SITE IS SUBJECT TO FOREST CONSERVATION PLAN NO. 06-36. THIS SITE HAS BEEN SUBJECT TO A REGULATED ACTIVITY UNDER THE WORCESTER COUNTY FOREST CONSERVATION LAW. THIS SITE HAS MET COMPLIANCE WITH WORCESTER COUNTY FOREST CONSERVATION LAW. AN OFF-SITE FOREST CONSERVATION PLAN HAS BEEN APPROVED AND IS ON FILE WITH THE DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING. A PLAT DEPICTING THE APPROVED OFF-SITE PROTECTIVE EASEMENT FOR FOREST CONSERVATION AND A PERPETUAL PROTECTIVE AGREEMENT, DEED OF FOREST CONSERVATION EASEMENT, WORCESTER COUNTY, MARYLAND WILL BE RECORDED SIMULTANEOUSLY WITH THIS PLAT IN THE LAND RECORDS OF WORCESTER COUNTY, MD.

LEGEND

- ○ ○ ○ ○ DENOTES 6' CHAIN LINK FENCE
- DENOTES 100 WATT LED WALL PACK SECURITY LIGHT
- ★ DENOTES 100 WATT LED LIGHT ON A 10' ALUMINUM POLE
- HCA DENOTES HANDICAP ACCESS
- ⊠ DENOTES 42" BOLLARD LIGHT 50 WATT LED (2,000 LUMENS)

GENERAL NOTES

PARKING AREAS AND ACCESS DRIVES SHALL BE CONSTRUCTED OF ASPHALT.

THERE ARE NO TIDAL OR NON-TIDAL WETLANDS ON-SITE AS VERIFIED BY COASTAL COMPLIANCE SOLUTIONS INC.

THERE WILL BE NO PAVING WITHIN 4' OF ANY TREE TRUNK.

REFER TO WATER SEWER, STORMWATER MANAGEMENT AND S.E.S.C PLANS FOR LOCATIONS OF UTILITIES, GRADING AND BUILDING FLOOR ELEVATIONS

EXISTING CONDITIONS, BOUNDARY AND TOPOGRAPHIC MAPPING BY FRANK G. LYNCH JR. AND ASSOCIATES, INC.

REFER TO ARCHITECTURAL PLANS FOR BUILDING HEIGHT, TYPE OF CONSTRUCTION ETC.

ALL PARKING BUMPERS SHALL BE CONSTRUCTED AND INSTALLED IN ACCORDANCE WITH ZS 1-320(f)(5).

CONCRETE WHEEL STOPS WILL BE USED TO DEMARCATATE PARKING SPACES.

DUMPSTER ENCLOSURE WILL BE SCREENED ON 3 SIDES WITH 6' STOCKADE FENCE.

ALL LIGHTING, INCLUDING EXTERIOR LIGHTS SIGNS, FLOOD LIGHTS, PARKING/LIGHTING STREET LIGHTS AND LIGHTING NECESSARY FOR THE SAFETY AND PROTECTION OF PROPERTY, SHALL BE DIRECTED, CONTROLLED AND FOCUSED WITHIN THE SITE'S PROPERTY LINES TO MINIMIZE GLARE AND ILLUMINATION OF NEIGHBORING PROPERTIES AND SPECIFICALLY TO DIRECT THE LIGHT AWAY FROM ADJOINING LOTS OR ROADS.

ALL MINIMUM YARD SETBACKS ARE MEASURED FROM FINISHED WALL SURFACE, NOT THE FOUNDATION.

FINAL SIGNATURE APPROVAL NOTE:

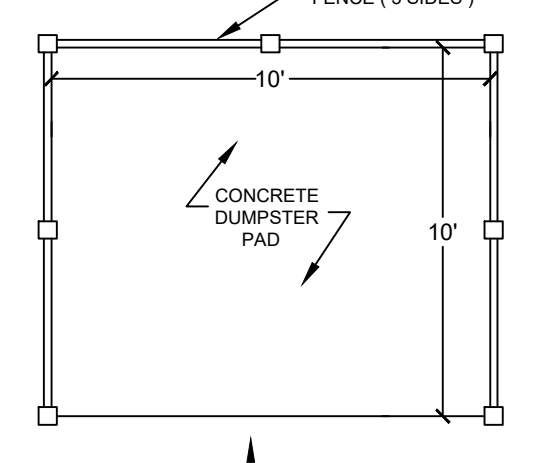
AS THE PROPERTY OWNER / DEVELOPER, I AM IN FULL AGREEMENT WITH THIS SITE PLAN SUBMITTED HERewith, AND I AM RESPONSIBLE FOR THE COMPLETION OF THE IMPROVEMENTS AS SHOWN ON THE APPROVE SITE PLAN, AND I UNDERSTAND THAT I CAN NOT ALLOW THE PROPERTY OR BUILDINGS TO BE OCCUPIED UNTIL THE CERTIFICATE OF USE AND OCCUPANCY HAS BEEN ISSUED BY THE DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING.

OWNER / APPLICANT



HANDICAPPED PARKING DETAIL
NOT TO SCALE

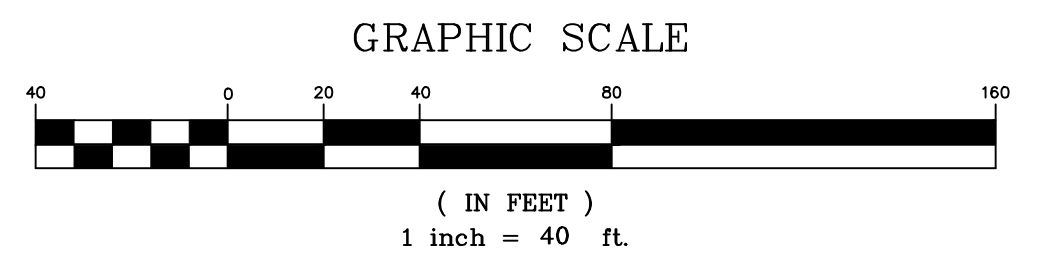
SIGN NOTE
▲ RESERVED HANDICAP ACCESSIBLE SIGN MUST BE 4" FROM GRADE
HANDICAP SPACE, ACCESS ISLAND AND ADJACENT SIDEWALK WILL BE AT SAME GRADE



SCHEMATIC DUMPSTER ENCLOSURE
NOT TO SCALE

BZA NOTE

CASE NO. 21-5 ON JANUARY 14th, 2021 THE WORCESTER COUNTY BOARD OF ZONING APPEALS APPROVED A VARIANCE TO THE ORDINANCE PRESCRIBED 50' FRONT YARD SETBACK FROM A MINOR COLLECTOR HIGHWAY TO 45'. PURSUANT TO ZONING CODE SECTIONS ZS 1-116 (c)(4), ZS 1-210 (b)(3), ZS 1-305, AND ZS 1-325.

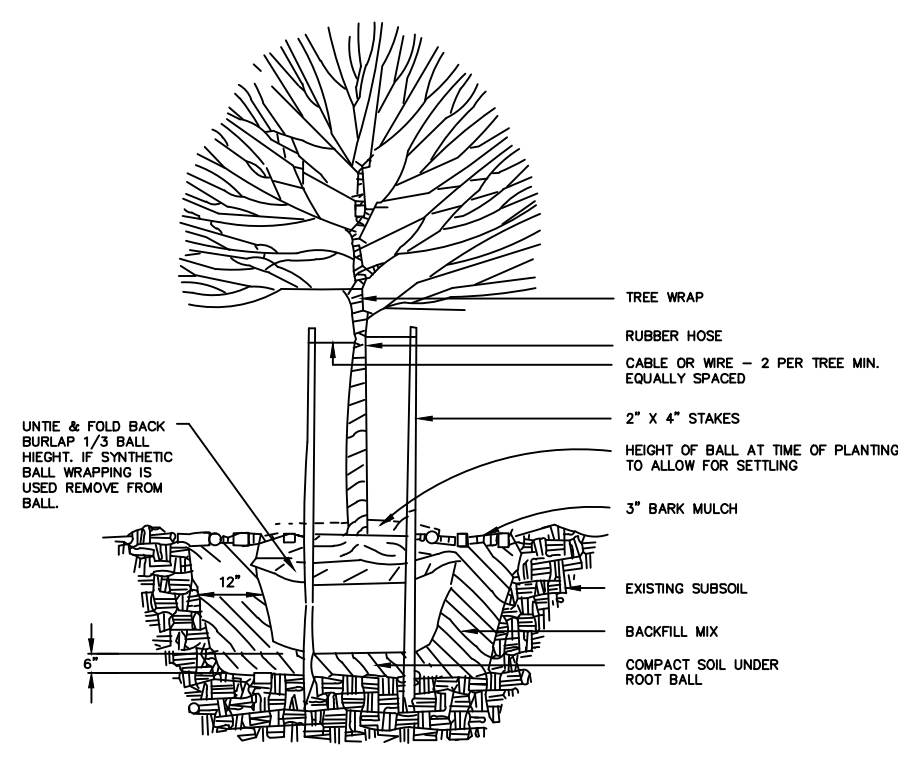
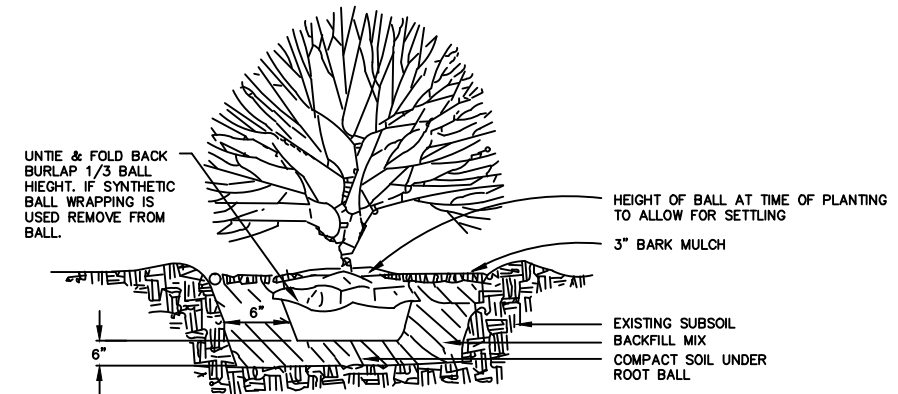


SITE PLAN
TAX MAP 33, PARCEL 3 OF P. 136
WORCESTER COUNTY MARYLAND

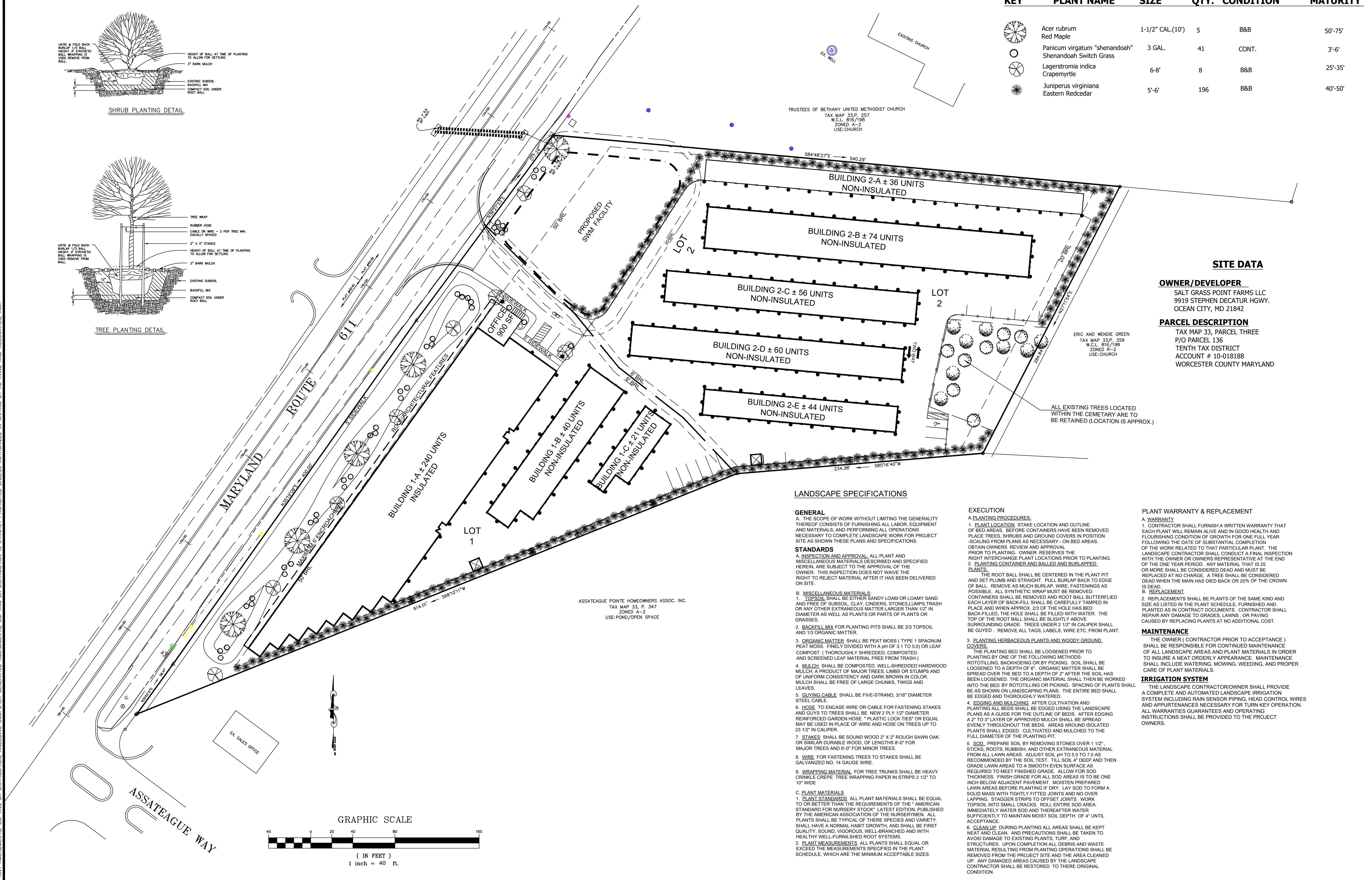
R.D. HAND AND ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY
12302 COLLINS ROAD BISHOPVILLE, MD. 21813 410-352-5623

DATE 1/29/2020
REV. DATE 1/29/2021
DRAW BY R.D.HAND
CHK'D BY R.D.HAND
DRAWING SP-1
SCALE 1"=40'
SHEET
SP-1

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KEY	PLANT NAME	SIZE	QTY.	CONDITION	HEIGHT AT MATURITY
	Acer rubrum Red Maple	1-1/2" CAL.(10')	5	B&B	50'-75'
	Panicum virgatum "shenandoah" Shenandoah Switch Grass	3 GAL.	41	CONT.	3'-6"
	Lagerstromia indica Crapemyrtle	6-8'	8	B&B	25'-35'
	Juniperus virginiana Eastern Redcedar	5'-6"	196	B&B	40'-50'



SITE DATA

OWNER/DEVELOPER
SALT GRASS POINT FARMS LLC
9919 STEPHEN DECATUR HWY.
OCEAN CITY, MD 21842

PARCEL DESCRIPTION
TAX MAP 33, PARCEL THREE
P/O PARCEL 136
TENTH TAX DISTRICT
ACCOUNT # 10-018188
WORCESTER COUNTY MARYLAND

LANDSCAPE SPECIFICATIONS

GENERAL
A. THE SCOPE OF WORK WITHOUT LIMITING THE GENERALITY THEREOF CONSISTS OF FURNISHING ALL LABOR, EQUIPMENT AND MATERIALS, AND PERFORMING ALL OPERATIONS NECESSARY TO COMPLETE LANDSCAPE WORK FOR PROJECT SITE AS SHOWN THESE PLANS AND SPECIFICATIONS.

STANDARDS
A. **INSPECTION AND APPROVAL:** ALL PLANT AND MISCELLANEOUS MATERIALS DESCRIBED AND SPECIFIED HEREIN ARE SUBJECT TO THE APPROVAL OF THE OWNER. THIS INSPECTION DOES NOT WAIVE THE RIGHT TO REJECT MATERIAL AFTER IT HAS BEEN DELIVERED ON SITE.

B. **MISCELLANEOUS MATERIALS:**
1. **TOPSOIL:** SHALL BE EITHER SANDY LOAM OR LOAMY SAND AND FREE OF SUBSOIL, CLAY, CINDERS, STONES, LIMBS, TRASH OR ANY OTHER EXTRANEANOUS MATTER LARGER THAN 1/2" IN DIAMETER AS WELL AS PLANTS OR PARTS OF PLANTS OR GRASSES.
2. **BACKFILL MIX:** FOR PLANTING PITS SHALL BE 2/3 TOPSOIL AND 1/3 ORGANIC MATTER.
3. **ORGANIC MATTER:** SHALL BE PEAT MOSS (TYPE 1 SPAGNUM PEAT MOSS, FINELY DIVIDED WITH A pH OF 3.1 TO 5.0) OR LEAF COMPOST, THOROUGHLY SHREDDED, COMPOSTED, AND SCREENED LEAF MATERIAL, FREE FROM TRASH.
4. **MULCH:** SHALL BE COMPOSTED, WELL-SHREDDED HARDWOOD MULCH; A PRODUCT OF MAJOR TREES, LIMBS OR STUMPS AND OF UNIFORM CONSISTENCY AND DARK BROWN IN COLOR. MULCH SHALL BE FREE OF LARGE CHUNKS, TWIGS AND LEAVES.
5. **GLUYING CABLE:** SHALL BE FIVE-STRAND, 3/16" DIAMETER STEEL CABLE.
6. **HOSE:** TO ENCASE WIRE OR CABLE FOR FASTENING STAKES AND GUY'S TO TREES SHALL BE NEW 2 PLY 1/2" DIAMETER REINFORCED GARDEN HOSE. "PLASTIC LOCK TIES" OR EQUAL MAY BE USED IN PLACE OF WIRE AND HOSE ON TREES UP TO 2 1/2" IN CALIPER.
7. **STAKES:** SHALL BE SOUND WOOD 2" X 2" ROUGH SAWN OAK OR SIMILAR DURABLE WOOD, OF LENGTHS 8'-0" FOR MAJOR TREES AND 6'-0" FOR MINOR TREES.
8. **WIRE:** FOR FASTENING TREES TO STAKES SHALL BE GALVANIZED NO. 14 GAUGE WIRE.
9. **WRAPPING MATERIAL:** FOR TREE TRUNKS SHALL BE HEAVY CRINKLE CREPE TREE WRAPPING PAPER IN STRIPS 2 1/2" TO 10" WIDE.

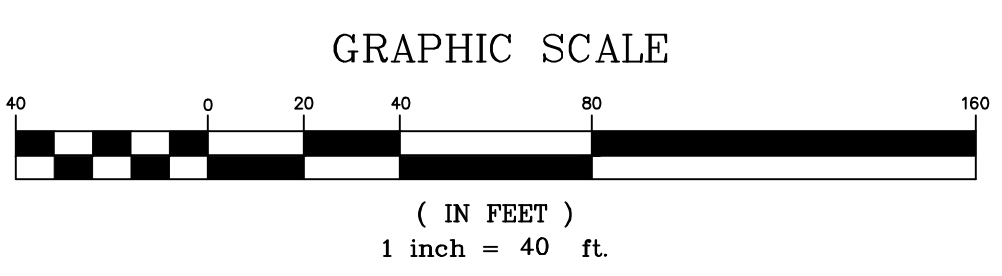
C. **PLANT MATERIALS**
1. **PLANT STANDARDS:** ALL PLANT MATERIALS SHALL BE EQUAL TO OR BETTER THAN THE REQUIREMENTS OF THE "AMERICAN STANDARD FOR NURSERY STOCK" LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF THE NURSERYMEN. ALL PLANTS SHALL BE TYPICAL OF THERE SPECIES AND VARIETY, SHALL HAVE A NORMAL HABIT GROWTH AND SHALL BE FIRST QUALITY, SOUND, VIGOROUS, WELL-BRANCHED AND WITH HEALTHY WELL-FURNISHED ROOT SYSTEMS.
2. **PLANT MEASUREMENTS:** ALL PLANTS SHALL EQUAL OR EXCEED THE MEASUREMENTS SPECIFIED IN THE PLANT SCHEDULE, WHICH ARE THE MINIMUM ACCEPTABLE SIZES.

EXECUTION
A. **PLANTING PROCEDURES:**
1. **PLANT LOCATION:** STAKE LOCATION AND OUTLINE OF BED AREAS, BEFORE CONTAINERS HAVE BEEN REMOVED PLACE TREES, SHRUBS AND GROUND COVERS IN POSITION SCALING FROM PLANS AS NECESSARY - ON BED AREAS. OBTAIN OWNERS REVIEW AND APPROVAL.
PRIOR TO PLANTING, OWNER RESERVES THE RIGHT INTERCHANGE PLANT LOCATIONS PRIOR TO PLANTING.
2. **PLANTING CONTAINERS:** AND BALLED AND BURLAPPED PLANTS.
THE ROOT BALL SHALL BE CENTERED IN THE PLANT PIT AND SET PLUMB AND STRAIGHT. PULL BURLAP BACK TO EDGE OF BALL. REMOVE AS MUCH BURLAP, WIRE, FASTENINGS AS POSSIBLE. ALL SYNTHETIC WRAP MUST BE REMOVED. CONTAINERS SHALL BE REMOVED AND ROOT BALL BUTTERFLIED EACH LAYER OF BACK-FILL SHALL BE CAREFULLY TAMPED IN PLACE AND WHEN APPROX. 2/3 OF THE HOLE HAS BED BACK-FILLED, THE HOLE SHALL BE FILLED WITH WATER. THE TOP OF THE ROOT BALL SHALL BE SLIGHTLY ABOVE SURROUNDING GRADE. TREES UNDER 2 1/2" IN CALIPER SHALL BE GUYED. REMOVE ALL TAGS, LABELS, WIRE ETC. FROM PLANT.
3. **PLANTING HERBACEOUS PLANTS AND WOODY GROUND COVERS:**
THE PLANTING BED SHALL BE LOOSENEED PRIOR TO PLANTING BY ONE OF THE FOLLOWING METHODS: ROTOTILLING, BACKHOING OR BY PICKING. SOIL SHALL BE LOOSENEED TO A DEPTH OF 6". ORGANIC MATTER SHALL BE SPREAD OVER THE BED TO A DEPTH OF 2" AFTER THE SOIL HAS BEEN LOOSENEED. THE ORGANIC MATERIAL SHALL THEN BE WORKED INTO THE BED BY ROTOTILLING OR PICKING. SPACING OF PLANTS SHALL BE AS SHOWN ON LANDSCAPE PLANS. THE ENTIRE BED SHALL BE EDGED AND THOROUGHLY WATERED.
4. **EDGING AND MULCHING:** AFTER CULTIVATION AND PLANTING ALL BEDS SHALL BE EDGED USING THE LANDSCAPE PLANS AS A GUIDE FOR THE OUTLINE OF BEDS. AFTER EDGING A 2" TO 3" LAYER OF APPROVED MULCH SHALL BE SPREAD EVENLY THROUGHOUT THE BEDS. AREAS AROUND ISOLATED PLANTS SHALL EDGED, CULTIVATED AND MULCHED TO THE FULL DIAMETER OF THE PLANTING PIT.
5. **SOD:** PREPARE SOIL BY REMOVING STONES OVER 1 1/2" STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEANOUS MATERIAL FROM ALL LAWN AREAS. ADJUST SOIL pH TO 5.0 TO 7.0 AS RECOMMENDED BY THE SOIL TEST. TILL SOIL 4" DEEP AND THEN GRADE LAWN AREAS TO A SMOOTH EVEN SURFACE AS REQUIRED TO MEET FINISHED GRADE. ALLOW FOR SOD THICKNESS. FINISH GRADE FOR ALL SOD AREAS IS TO BE ONE INCH BELOW ADJACENT PAVEMENT. MOISTEN PREPARED LAWN AREAS BEFORE PLANTING IF DRY. LAY SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS AND NO OVER LAPPING. STAGGER STRIPS TO OFFSET JOINTS. WORK TOPSOIL INTO SMALL CRACKS. ROLL ENTIRE SOD AREA IMMEDIATELY WATER SOD AND THEREAFTER WATER SUFFICIENTLY TO MAINTAIN MOIST SOIL DEPTH OF 4" UNTIL ACCEPTANCE.
6. **CLEAN UP:** DURING PLANTING ALL AREAS SHALL BE KEPT NEAT AND CLEAN. AND PRECAUTIONS SHALL BE TAKEN TO AVOID DAMAGE TO EXISTING PLANTS, TURF, AND STRUCTURES. UPON COMPLETION ALL DEBRIS AND WASTE MATERIAL RESULTING FROM PLANTING OPERATIONS SHALL BE REMOVED FROM THE PROJECT SITE AND THE AREA CLEANED UP. ANY DAMAGED AREAS CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE RESTORED TO THERE ORIGINAL CONDITION.

PLANT WARRANTY & REPLACEMENT
A. **WARRANTY:**
1. CONTRACTOR SHALL FURNISH A WRITTEN WARRANTY THAT EACH PLANT WILL REMAIN ALIVE AND IN GOOD HEALTH AND FLOURISHING CONDITION OF GROWTH FOR ONE FULL YEAR FOLLOWING THE DATE OF SUBSTANTIAL COMPLETION OF THE WORK RELATED TO THAT PARTICULAR PLANT. THE LANDSCAPE CONTRACTOR SHALL CONDUCT A FINAL INSPECTION WITH THE OWNER OR OWNERS REPRESENTATIVE AT THE END OF THE ONE YEAR PERIOD. ANY MATERIAL THAT IS 25% OR MORE SHALL BE CONSIDERED DEAD AND MUST BE REPLACED AT NO CHARGE. A TREE SHALL BE CONSIDERED DEAD WHEN THE MAIN HAS DIED BACK OR 25% OF THE CROWN IS DEAD.
B. **REPLACEMENT:**
2. REPLACEMENTS SHALL BE PLANTS OF THE SAME KIND AND SIZE AS LISTED IN THE PLANT SCHEDULE, FURNISHED AND PLANTED AS IN CONTRACT DOCUMENTS. CONTRACTOR SHALL REPAIR ANY DAMAGE TO GRADES, LAWNS, OR PAVING CAUSED BY REPLACING PLANTS AT NO ADDITIONAL COST.

MAINTENANCE
THE OWNER (CONTRACTOR PRIOR TO ACCEPTANCE) SHALL BE RESPONSIBLE FOR CONTINUED MAINTENANCE OF ALL LANDSCAPE AREAS AND PLANT MATERIALS IN ORDER TO INSURE A NEAT ORDERLY APPEARANCE. MAINTENANCE SHALL INCLUDE WATERING, MOWING, WEEDING, AND PROPER CARE OF PLANT MATERIALS.

IRRIGATION SYSTEM
THE LANDSCAPE CONTRACTOR/OWNER SHALL PROVIDE A COMPLETE AND AUTOMATED LANDSCAPE IRRIGATION SYSTEM INCLUDING RAIN SENSOR/PIPING, HEAD CONTROL WIRES AND APPURTENANCES NECESSARY FOR TURN KEY OPERATION. ALL WARRANTIES GUARANTEES AND OPERATING INSTRUCTIONS SHALL BE PROVIDED TO THE PROJECT OWNERS.

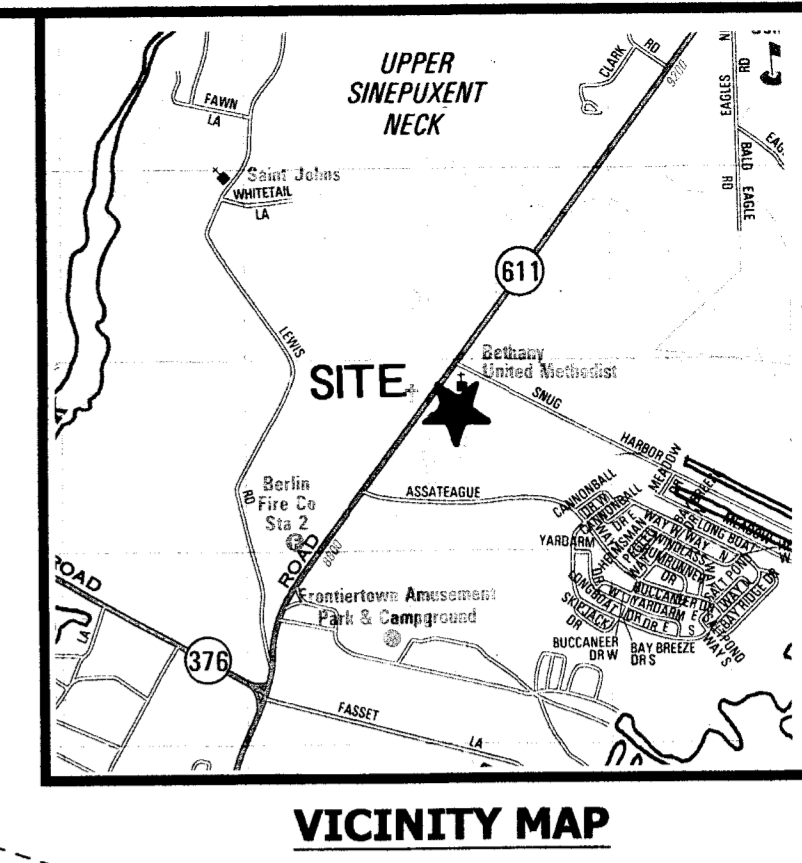
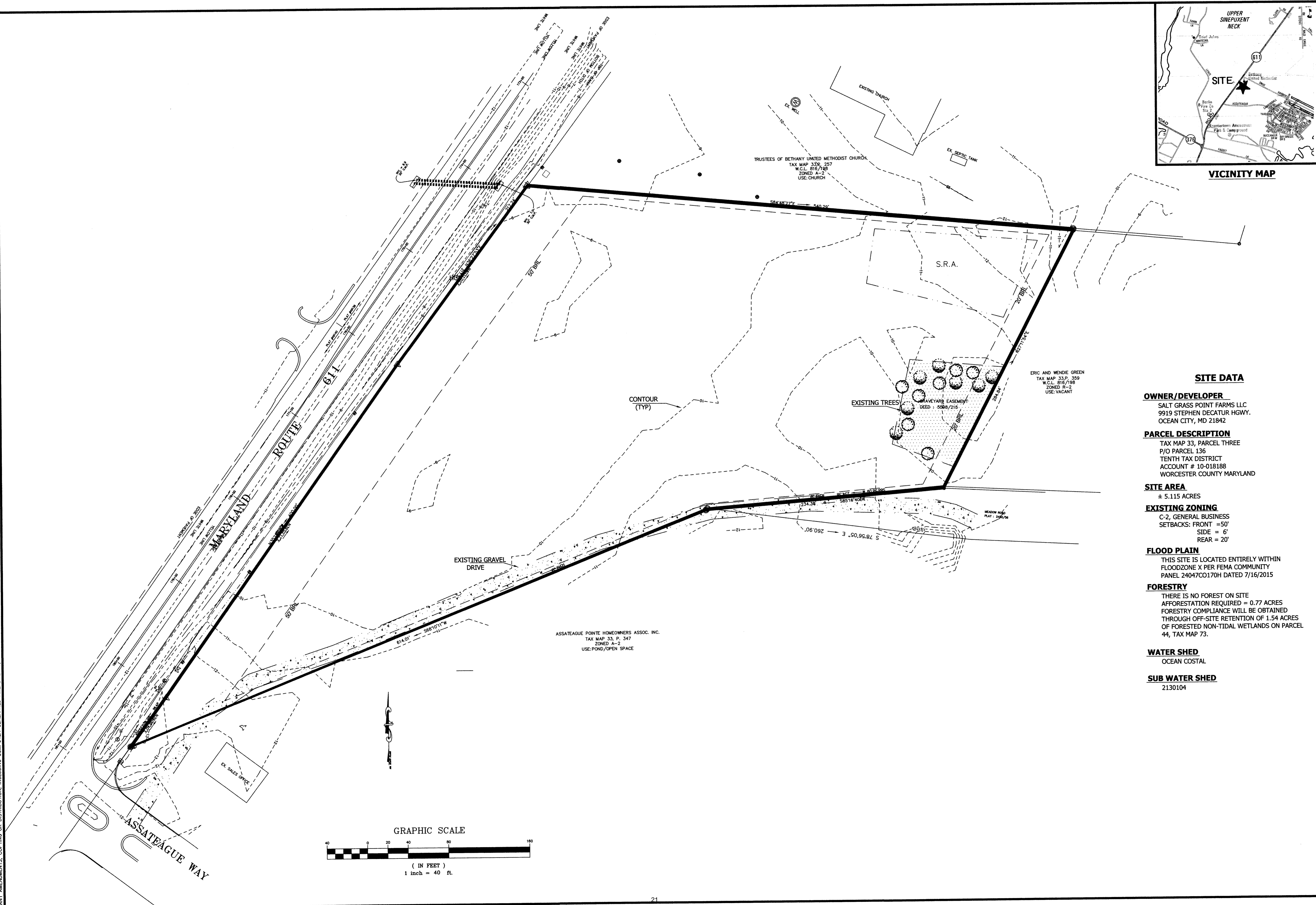


LANDSCAPE PLAN
TAX MAP 33, PARCEL 3 OF P. 136
WORCESTER COUNTY MARYLAND

R.D. HAND AND ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY
12302 COLLINS ROAD BISHOPVILLE, MD. 21813 410-352-5623

DATE 1/29/2020
REV. DATE 1/29/2021
DRAW BY R.D.HAND
CHK'D BY R.D.HAND
DRAWING LP-1
SCALE 1"=40'
SHEET LP-1

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PARCEL DESCRIPTION
TAX MAP 33, PARCEL THREE
P/O PARCEL 136
TENTH TAX DISTRICT
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SITE AREA
± 5.115 ACRES

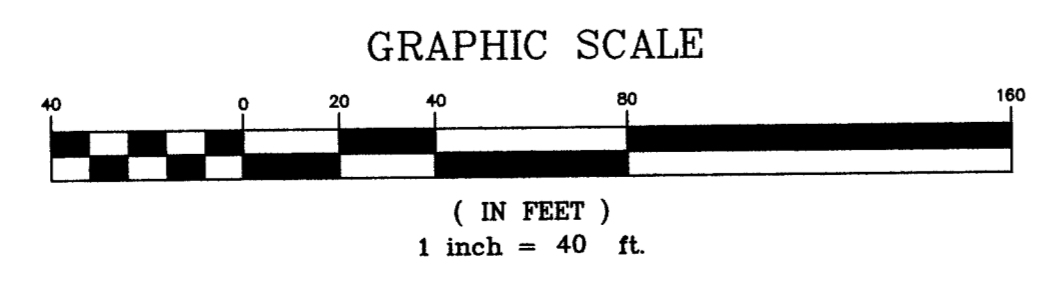
EXISTING ZONING
C-2, GENERAL BUSINESS
SETBACKS: FRONT = 50'
SIDE = 6'
REAR = 20'

FLOOD PLAIN
THIS SITE IS LOCATED ENTIRELY WITHIN
FLOODZONE X PER FEMA COMMUNITY
PANEL 24047CO170H DATED 7/16/2015

FORESTRY
THERE IS NO FOREST ON SITE
AFFORESTATION REQUIRED = 0.77 ACRES
FORESTRY COMPLIANCE WILL BE OBTAINED
THROUGH OFF-SITE RETENTION OF 1.54 ACRES
OF FORESTED NON-TIDAL WETLANDS ON PARCEL
44, TAX MAP 73.

WATER SHED
OCEAN COSTAL

SUB WATER SHED
2130104

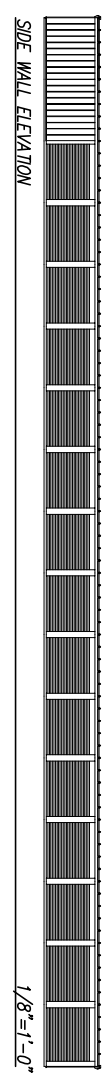
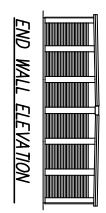
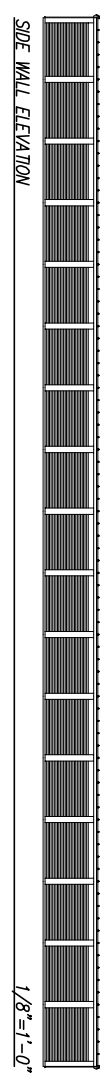
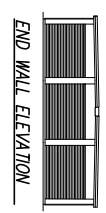
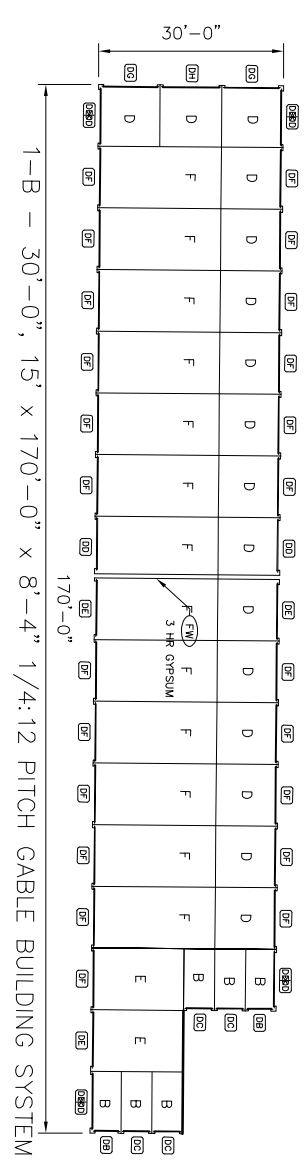
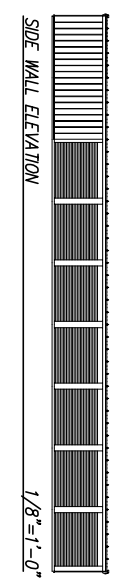
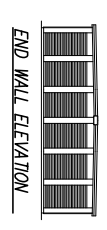
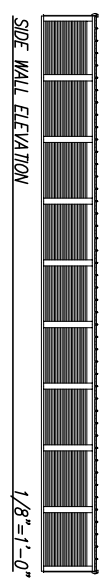
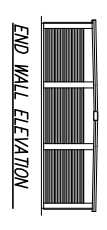
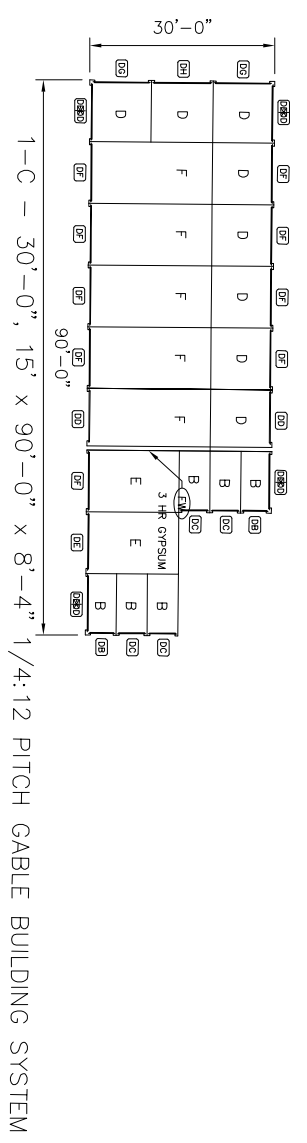


EXISTING CONDITIONS PLAN
TAX MAP 33, PARCEL 3 OF P. 136
WORCESTER COUNTY MARYLAND

R.D. HAND AND ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY
12302 COLLINS ROAD BISHOPVILLE, MD. 21813 410-352-5623

DATE 1/29/2020
REV. DATE 8/11/2020
DRAW BY R.D.HAND
CHK'D BY R.D.HAND
DRAWING E-1
SCALE 1"=40'

SHEET
E-1



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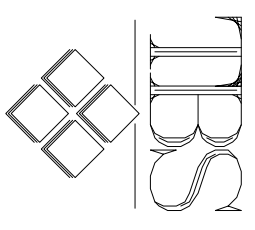
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- ____ APPROVED AS NOTED - RELEASE FOR FABRICATION
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SIGNATURE _____
 COMPANY _____
 DATE ____/____/____

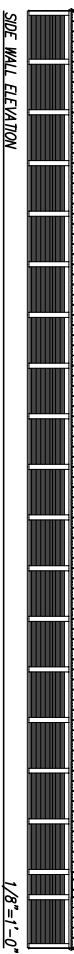
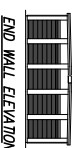
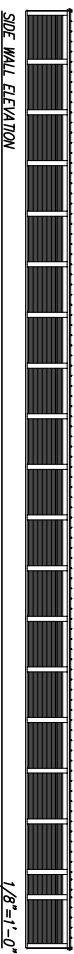
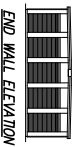
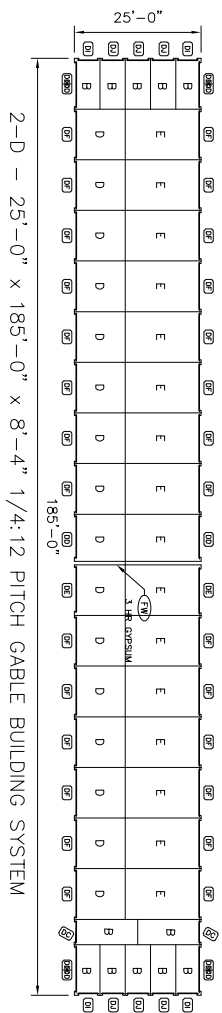
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Revisions:		By:	Job Description:
			PROPOSED STORAGE: CHRIS LARMORE MARYLAND ROUTE BERLIN, MD
Name: Tanner	Scale: 1 = 40'	Date: 8/17/20	Sheet Title FLOOR PLAN
			Plan # 51576
			BLDG B&C



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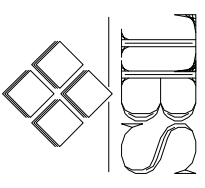
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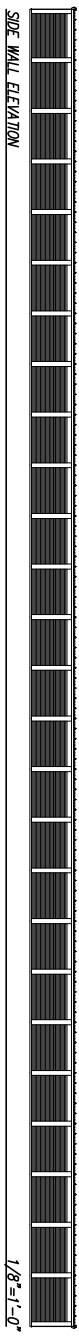
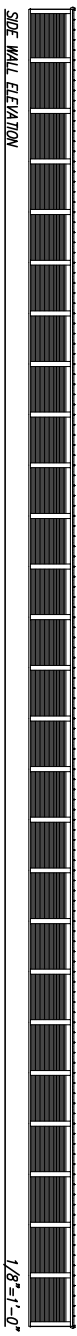
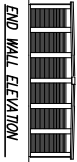
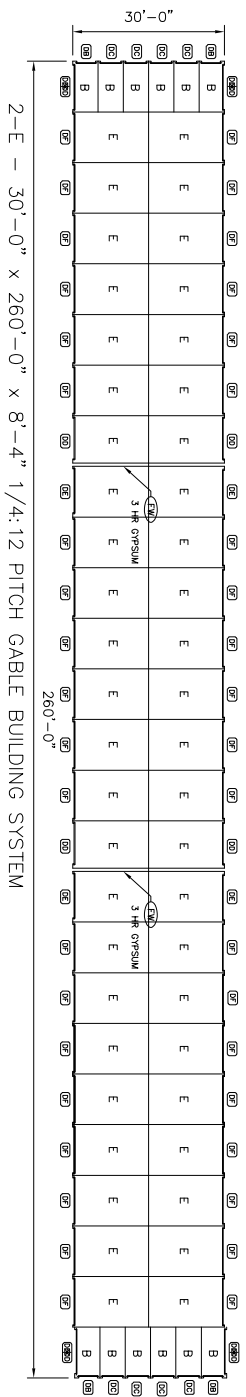
Job Description:

PROPOSED STORAGE: CHRIS LARMORE
 MARYLAND ROUTE
 BERLIN, MD

BLDG D

Sheet Title
FLOOR PLAN

Plan #
 51576



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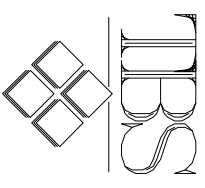
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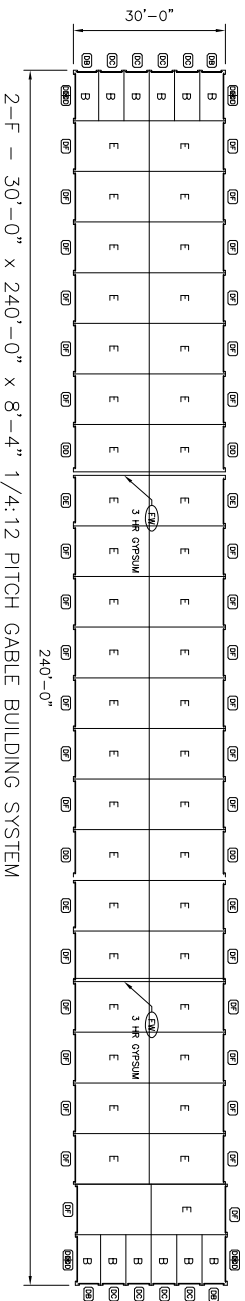
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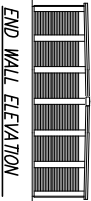
PROPOSED STORAGE: CHRIS LARMORE
 MARYLAND ROUTE
 BERLIN, MD

Name: Tanner	Scale: 1 = 40'	Date: 8/17/20
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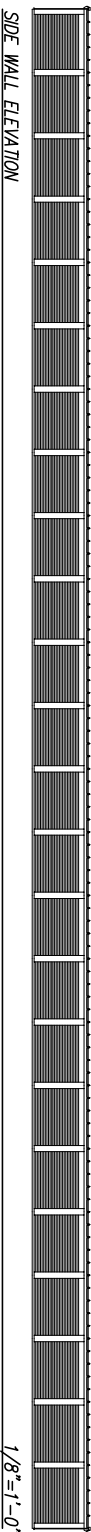
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 Plan #: 51576



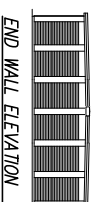
2-F - 30'-0" x 240'-0" x 8'-4" 1/4:12 PITCH GABLE BUILDING SYSTEM



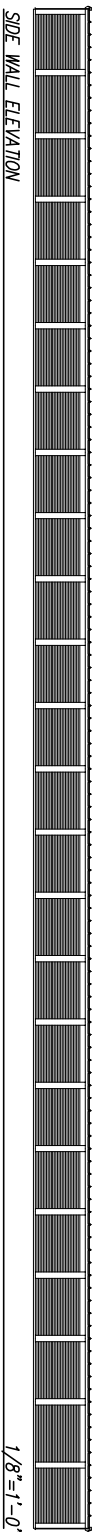
END WALL ELEVATION



SIDE WALL ELEVATION



END WALL ELEVATION



SIDE WALL ELEVATION

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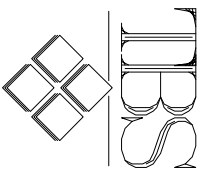
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Tanner	1 = 40'	8/17/20	

Job Description:

PROPOSED STORAGE: CHRIS LARMORE
 MARYLAND ROUTE
 BERLIN, MD

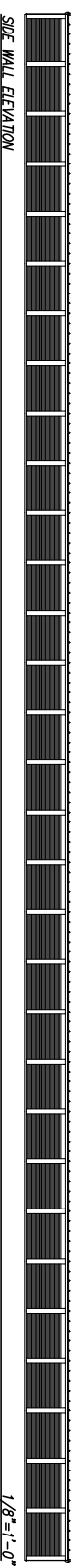
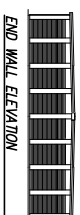
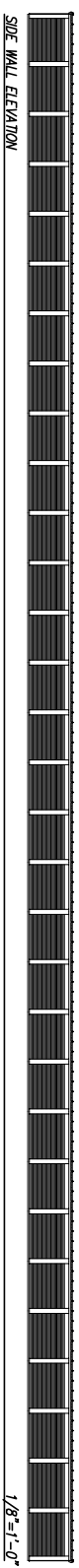
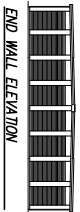
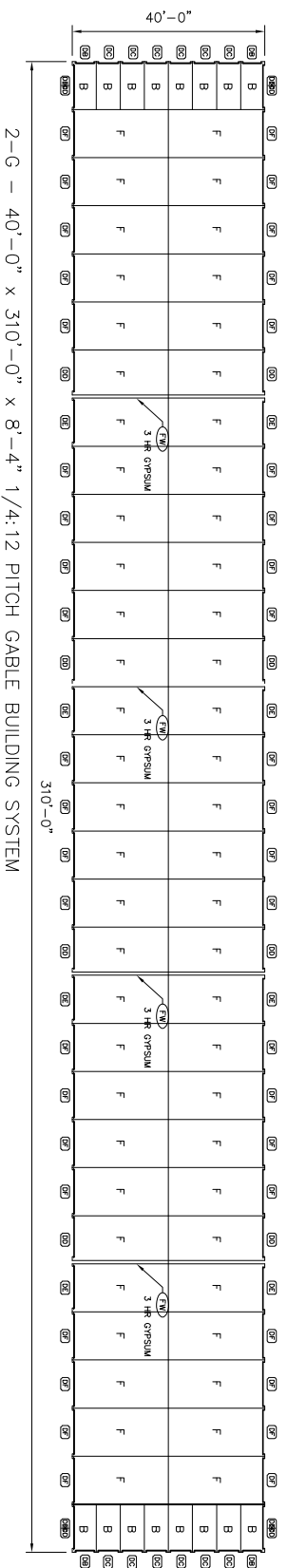
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Sheet Title

FLOOR PLAN

Plan #

51576



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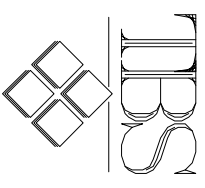
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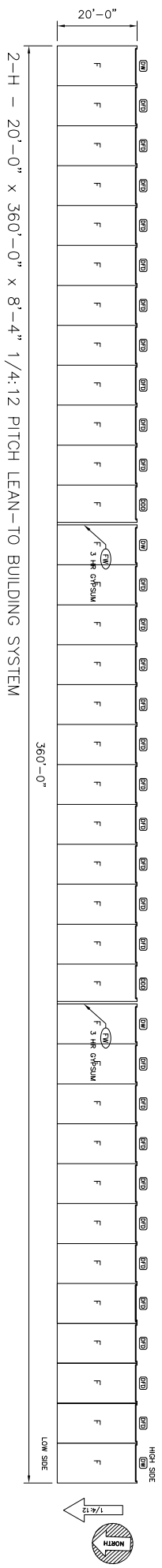
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PAGE 1 of 2

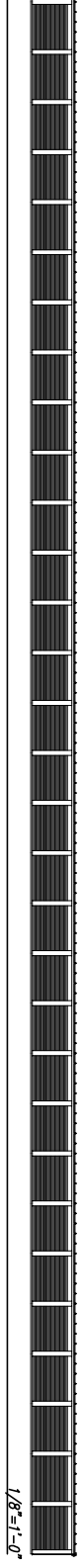
PROPOSED STORAGE: CHRIS LARMORE
 MARYLAND ROUTE
 BERLIN, MD

Name: Tanner	Scale: 1 = 40'	Date: 8/17/20
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Sheet Title
FLOOR PLAN
 Plan # 51576



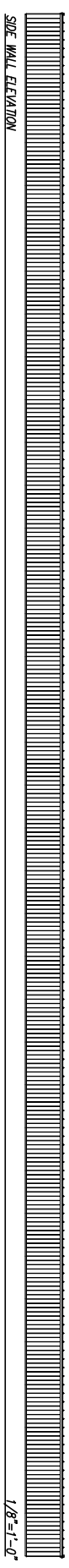
END WALL ELEVATION



SIDE WALL ELEVATION



END WALL ELEVATION



SIDE WALL ELEVATION

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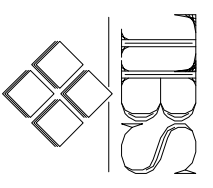
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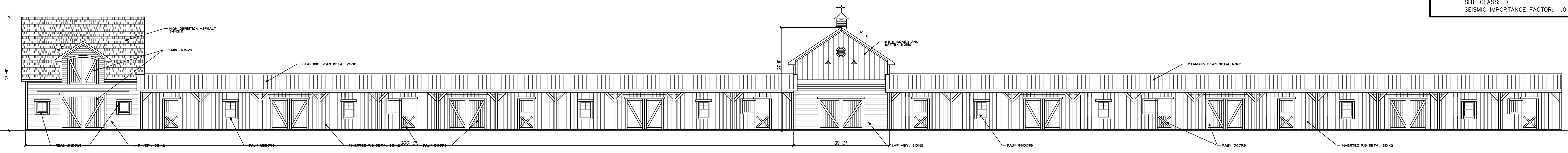
Job Description: BLDG H

PROPOSED STORAGE: CHRIS LARMORE
 MARYLAND ROUTE
 BERLIN, MD

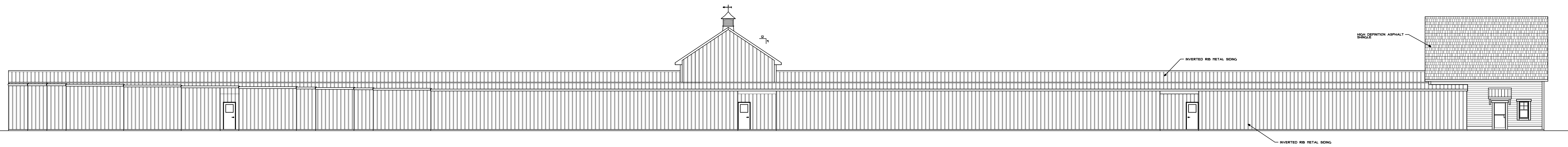
Sheet Title: FLOOR PLAN
 Plan #: 51576

CODE ANALYSIS:
 2018 INTERNATIONAL BUILDING CODE
 2018 INTERNATIONAL ENERGY CODE
 2018 INTERNATIONAL MECHANICAL CODE
 2017 NEC
 MARYLAND ACCESSIBILITY CODE
 2010 STANDARDS FOR ACCESSIBLE DESIGN

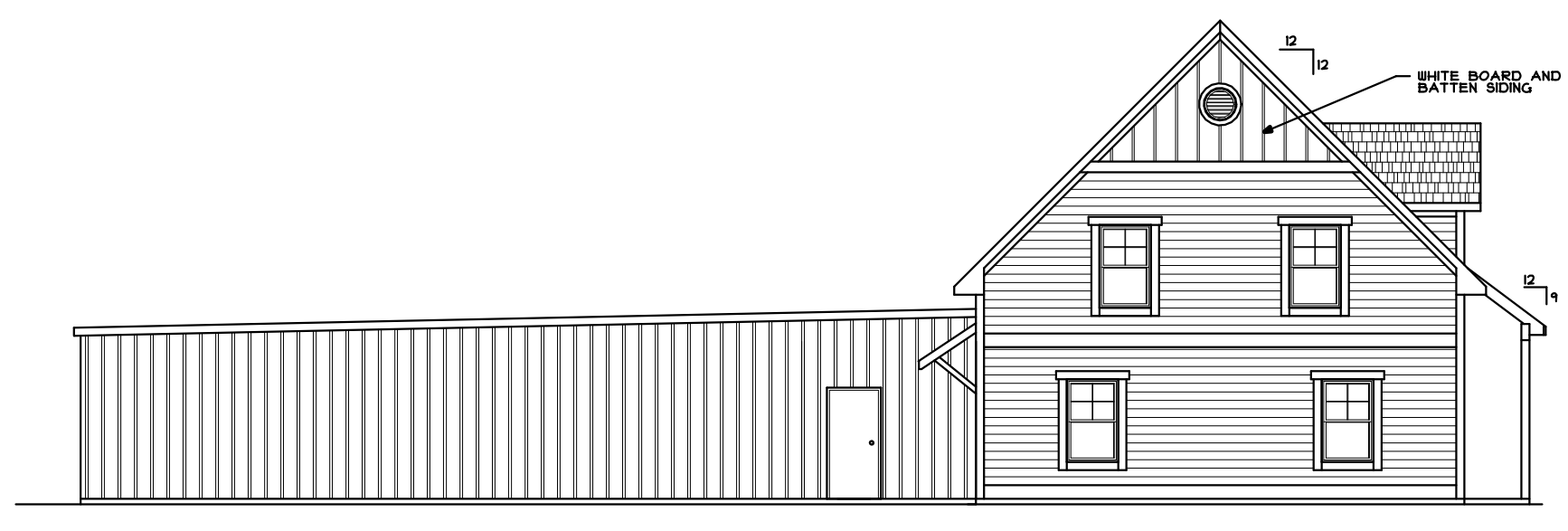
USE GROUP: S-1 (Storage) B (Business)
 DESIGN LOADS: INTERNATIONAL BUILDING CODE 2018
 WIND LOADS:
 BASIC WIND SPEED: 126MPH
 EXPOSURE CATEGORY: C
 RISK CATEGORY II
 LIVE LOADS:
 FLOOR: 100 PSF
 ROOF: DEAD LD 20 PSF LIVE LOAD 20 PSF
 LOAD BEARING VALUES OF SOIL:
 A BEARING OF 2000 PSF IS ASSUMED
 SEISMIC LOADS:
 DESIGN CATEGORY: 1
 SITE CLASS: D
 SEISMIC IMPORTANCE FACTOR: 1.0



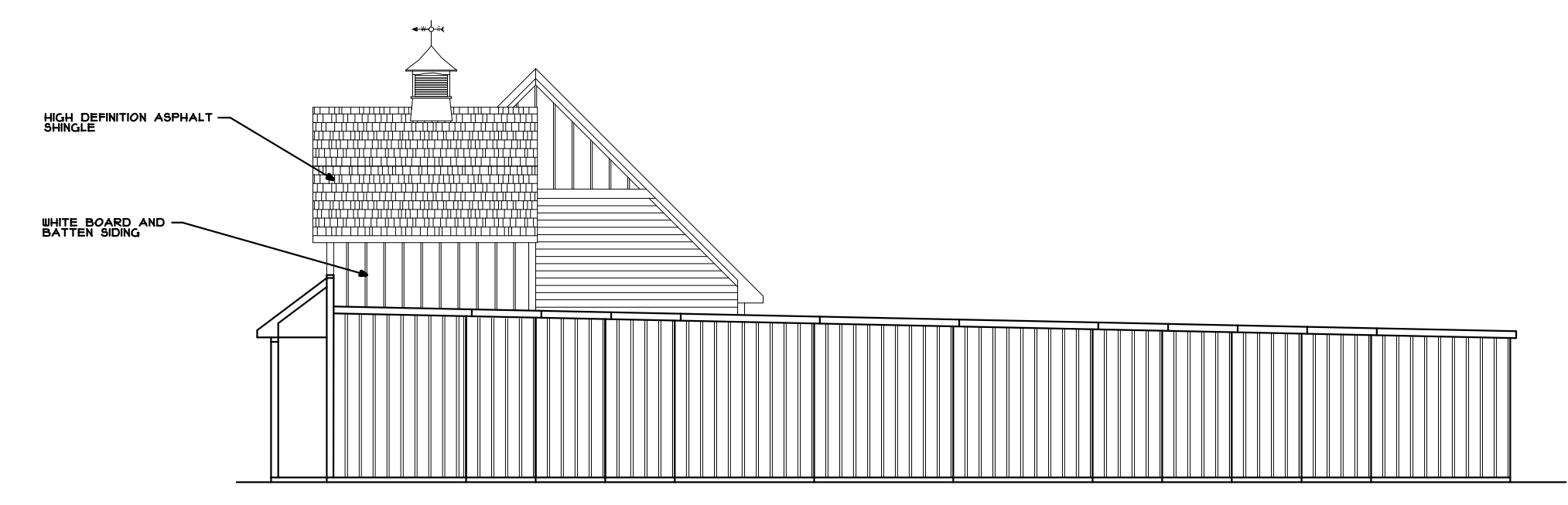
1 FRONT ELEVATION
 A-1 3/32" = 1'



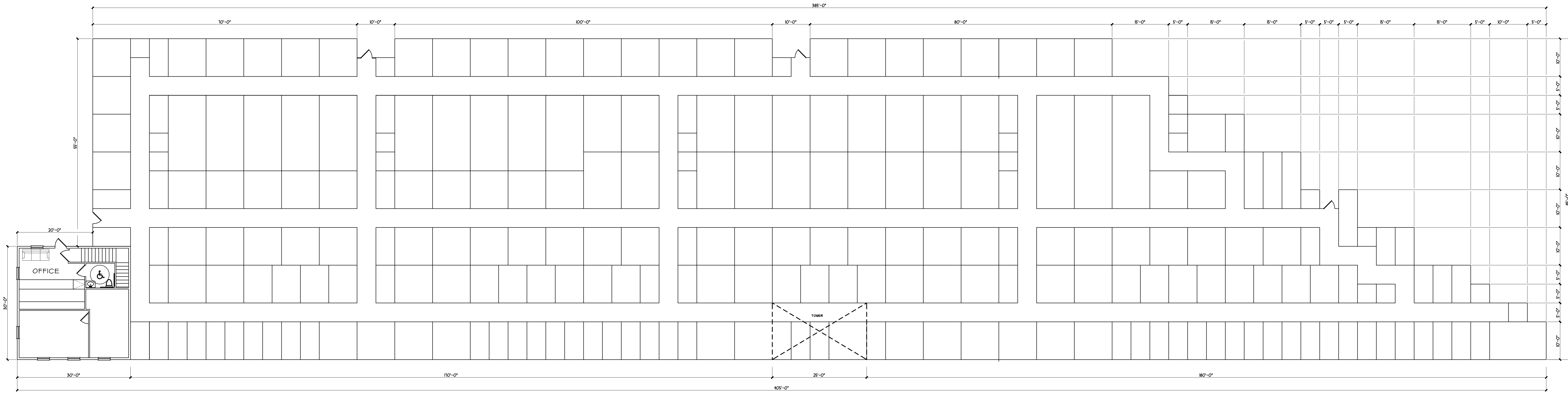
2 BACK ELEVATION
 A-1 3/32" = 1'



3 LEFT ELEVATION
 A-1 3/32" = 1'



4 RIGHT ELEVATION
 A-1 3/32" = 1'



5 FLOOR PLAN BLDG. A
 A-1 3/32" = 1'

STEPHEN J. KANSAK, Inc.
 stephenkansk.com
 P.O. BOX 620
 OCEAN CITY, MD.
 410.213.8314
 stevesplans@aol.com

SALT GRASS POINT FARMS, LLC
 STEPHEN DECATUR HIGHWAY
 BERLIN, MD. 21811
 TAX MAP 33 PARCEL 136

FLOOR PLAN ELEVATIONS

DATE 12/14/20

A-1 SHEET 1 OF 1

Salt Grass Point Farm, LLC 611 Self-Storage Project









611 Self-Storage



01/12/2021

Sun Signs, Inc.
David and Susun Lane
8621 Stephen Decatur Hwy.
Berlin, MD 21811

re: Case No. 21-5 Salt Grass Farms, LLC

Worcester County Board of Zoning Appeals,

As is, we do not approve of the setback being reduced to 45' across the street from our property. In the off season it would not be a problem, but during the tourist season traffic becomes really bad. Having a reduced setback is dangerous without turn lanes, and their driveway directly situated across from ours. That 5' setback reduction could only add to a problem area.

They are proposing to put their driveway across the road from our driveway. This would be very problematic as there have already been many accidents. We have had four cars go sailing off the highway into the ditch in front of our property. Accidents have taken out our mailbox twice. Having their driveway across from an already problematic area would not be good. We would like to see their driveway moved to their SW corner to avoid more accidents. We have included photos to illustrate the area. If the driveway dilemma is ameliorated, we would go along with the setback reduction.

Sincerely,
David Lane, President

Susun Lane, Vice President

SPEED
LIMIT
50

You can still see tire tracks
where one of the cars landed.
Four cars have driven off the road here.
One has flipped over.





Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Worcester County Planning Commission

From: Jenelle Gerthoffer, Natural Resources Administrator

Subject: Planning Commission Text Amendment

Date: January 26, 2021

The Department of Environmental Programs has finished drafting the Comprehensive update of the Worcester County Atlantic Coastal Bays and Chesapeake Bay Critical Area programs, which includes the combination of the two programs into a single code. This Comprehensive update has been reviewed by Worcester County Natural Resources, the Worcester County Attorney, and the State Critical Area Commission. It should be noted that the Critical Area Commission is currently conducting one of many informal reviews to the Code, but only minor changes are expected. All changes made reflect what is currently enforced by the Department through the Code of Maryland Regulations (COMAR) and will reflect the Model Ordinance written by the State Critical Area Commission.

Unlike other text amendments reviewed by the Planning Commission, per NR 3-110(b)(3), all Critical Area amendments other than request for growth allocation shall be reviewed and acted upon by the County Commissioners. Per the Code, Critical Area text amendments do not require Planning Commission review; however, this Department felt it important for Commission members to be provided an opportunity to review the Comprehensive update. Per the update, growth allocation request will continue to be first reviewed by the Planning Commission, then by the County Commissioners.

Should you have any questions or concerns, you can reach me at extension 1147 or via email at jgerthoffer@co.worcester.md.us. Thank you.

cc: Bob Mitchell, Director of Environmental Programs
David Bradford, Deputy Director of Environmental Programs



Worcester County Critical Area Law

Combining the Chesapeake & Atlantic Coastal
Bays Critical Area Programs



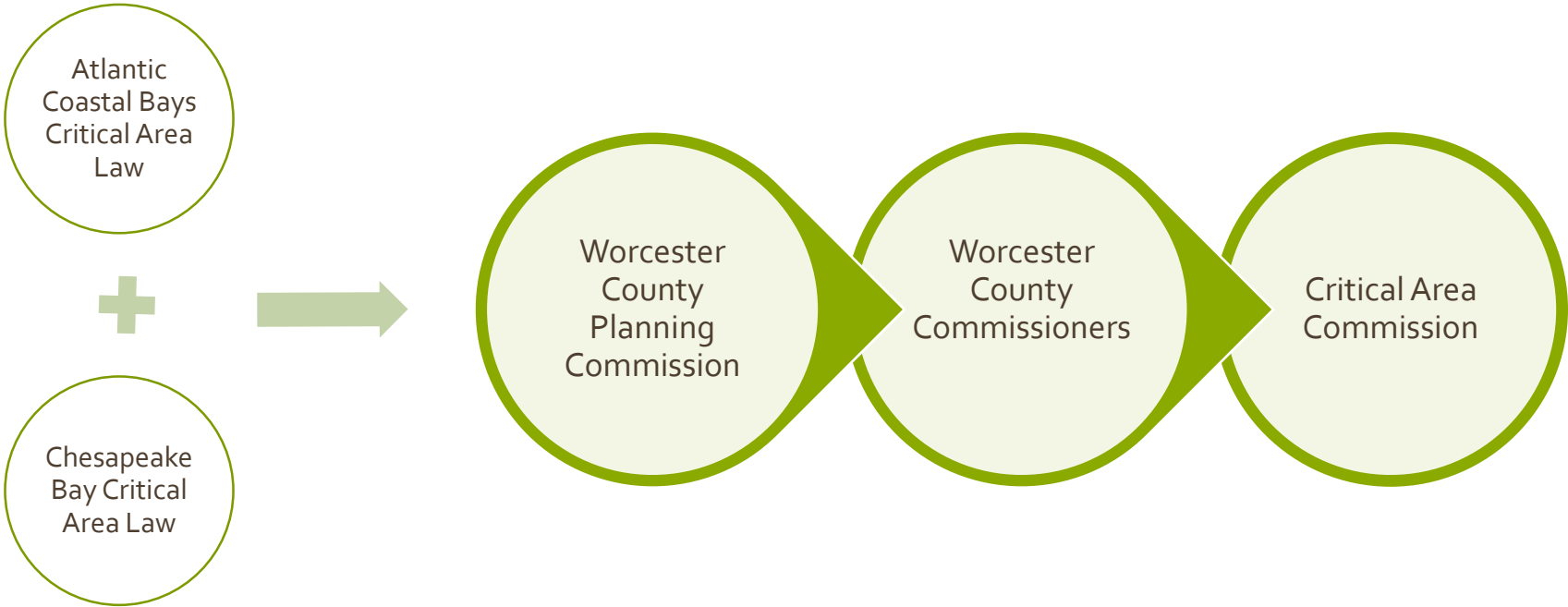
History

- What is the Critical Area?
- Critical Area within Worcester County:
 - Chesapeake Bay Critical Area Program: Adopted by the County Commissioners on May 30, 1990
 - Atlantic Coastal Bays Critical Area Program: Adopted by the County Commissioners on March DAY, 2003

Amendments

- Chesapeake Bay Critical Area
 - NR 3-203(d): Activities not permitted in the Critical Area (Oct. 2006)
 - NR 3-206(c)(10): Additional dwelling units on a lot or parcel in the RCA (Sept. 2004)
 - NR 3-211(d): BZA Board Procedures (Sept. 2004)
- Atlantic Coastal Bays Critical Area
 - NR 3-101(f)(a): Territory affected (May 2008)
 - NR 3-103(e): Activities not permitted in the Critical Area (Oct. 2006)
 - NR 3-108(c)(10): Additional dwelling units on a lot or parcel in the RCA (Sept. 2004)
 - NR 3-108(d)(8): Land Use in the RCA for a public or private non-commercial dock or piers and passive recreational areas (March 2015)
 - NR 3-108(d)(9): Land Use in the RCA for an office and/or establishment utilized by a nonprofit environmental conservation and presentation organization (April 2016)
 - NR 3-111(d): BZA Board Procedures (Sept. 2004)
 - NR 3-114(c): Additional Penalties (Sept. 2004)
 - Buffer Management Area Appendix (March 2003)

The Process



Program Amendments

Code Section	Summary of Code Amendment and Justification
NR 3-101 Intent; Purpose; Findings; Severability	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-102 Definitions	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations (i.e. provide definition for lot coverage which took the place of the term impervious surface). Definition for "Special Events" added per text amendment.
NR 3-103 Development in the Critical Area	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations
NR 3-104 The 100-Foot Buffer	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations. Changes also made to bring in language from other Code sections (specifically the BMA Appendix section), that make more sense to place within the 100' Buffer section.
NR 3-105 Grandfathered Uses Structures and Density	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.
NR 3-106 Intensely Developed Areas	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-107 Limited Development Areas	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations. Some language changes made to reflect new terminology (i.e. lot coverage vs impervious surface)
NR 3-108 Resource Conservation Areas	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Special Event text amendment language added.

Program Amendments

NR 3-109 Implementation of the Critical Area Provisions	Changes made to combine the Chesapeake and Atlantic Coast Bays sections and to update current State regulations.
NR 3-110 Amendment and Refinements	Changes made to update current State regulations.
NR 3-111 Variances	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations, including After the Fact variance requests, per COMAR
NR 3-112 Growth Allocation	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-113 Intrafamily Transfers	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.
NR 3-114 Administration and Enforcement	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations. Unauthorized clearing section originally from NR 3-116(g) moved to this section as it makes more sense to be placed within the enforcement section.
NR 3-115 Cutting and Clearing of Trees/ Lot Consolidation and Reconfiguration	This section was entirely placed within NR 3-114, then Lot Consolidation and Reconfiguration section (from COMAR) was added to the Worcester County Code; therefore, the language in this section is completely new and added to update to current State regulations.
NR 3-116 Forest and Woodland Protection	Parts of this section were deleted because they are not in COMAR. Other parts of this section (g-Enforcement) were placed in NR 3-114 as it makes more sense to be placed within the enforcement section.
NR 3-117 Commercial Timber Harvesting	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.

Program Amendments

NR 3-118 Surface Mining	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-119 Agriculture	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections.
NR 3-120 Habitat Protection	No changes.
NR 3-121 Threatened and Endangered Species and Species in Need of Conservation	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Removed section on Bald Eagles as they are no longer considered an endangered species.
NR 3-122 Plant and Wildlife Habitat Protection Plan	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Removed "wetlands" from section because this is now under the jurisdiction of MDE.
NR 3-123 Anadromous Fish Propagation Waters	Changes made to combine the Chesapeake and Atlantic Coastal Bays Sections and to update current State regulations.
NR 3-124 Water Dependent Facilities	Changes made to combine the Chesapeake and Atlantic Coastal Bays.
NR 3-125 Individual Private Piers and Docks	No changes.
NR 3-126 Non-water Dependent Structures on Piers	This is a completely new section, taken from COMAR/State regulations.
NR 3-127 Shore Erosion Protection Works	This section was renumbered from NR 3-126. Changes made to combine the Chesapeake and Atlantic Coastal Bays sections and to update current State regulations.
NR 3-127 (old code section)	This section was removed because MDE now oversees all Non-Tidal Wetlands.

Lot Coverage (NR 3-102 and NR 3-107)

- The percentage of a total lot or parcel that is:
 - Occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway;
 - Or covered with a paver, walkway gravel, stone, shell, impermeable decking, a paver, permeable pavements, or other manmade material;
 - The ground area covered or occupied by a stairway or impervious deck.
- Lot coverage does not include:
 - .A fence or wall that is less than one foot in width that has not been constructed with a footer
 - A walkaway in the Buffer or Expanded Buffer, including a stairway, that provides direct access to a community or private pier;
 - A wood mulch pathway;
 - Or a deck with gaps to allow water to pass freely.

Improvements Necessary to Accommodate a Disability (NR 3-103)

- The alterations will benefit persons with a disability within the meaning of the Americans with Disabilities Act;
- Literal enforcement of the requirement of this chapter would result in discrimination by virtue of such disability to deprive a disabled resident or user of the reasonable use and enjoyment of the property;
- A reasonable accommodation would reduce or eliminate the discriminatory effect of the requirements or restore the disabled resident's or user's reasonable use and enjoyment of the property;
- The accommodation requested will not substantially imply the purpose, intent, or effect, of the provisions of this ordinance as applied to the property; and
- The accommodation would be environmental neutral with no greater negative impact on the environment than the literal enforcement of the ordinance or allow only the minimum environmental changes necessary to address the needs resulting from the particular disability of the applicant

The 100 Foot Buffer (NR 3-104)

- Include development activities allowed in the Buffer (Moved from BMA Appendix).
- Include need for expanded Buffer within the RCA.
- Include Buffer Establishment, as already enforced, from the Model Code.
- Include Buffer Mitigation ratios, as already enforced, from the Model Code.

ACTIVITY	MITIGATION RATIO	
	PERMANENT DISTURBANCE	TEMPORARY DISTURBANCE
SEPTIC ON A LOT CREATED BEFORE LOCAL PROGRAM APPROVAL IF LOCATED IN EXISTING GRASS OR IF CLEARING IS NOT REQUIRED	NOT APPLICABLE	0
SEPTIC SYSTEM IN A FOREST OR DEVELOPED WOODLAND ON A LOT CREATED BEFORE LOCAL PROGRAM APPROVAL IF CLEARING IS REQUIRED	1:1	NOT APPLICABLE
SHORE EROSION CONTROL	1:1	1:1
RIPARIAN WATER ACCESS	2:1	1:1
WATER-DEPENDENT FACILITY	2:1	1:1
VARIANCE	3:1	1:1

The 100 Foot Buffer (NR 3-104)

- Include language to allow for minor grading and filling of existing lawn within the Buffer, as already permitted in COMAR and BMA Appendix



The 100 Foot Buffer (NR 3-104)

VEGETATION TYPE	MINIMUM SIZE ELIGIBLE FOR CREDIT	MAXIMUM CREDIT ALLOWED (SQUARE FEET)	MAXIMUM PERCENTAGE OF LANDSCAPE STOCK CREDIT
LARGE Canopy TREE	2-INCH CALIPER	200	NOT APPLICABLE
SMALL Canopy TREE	¾-INCH CALIPER	100	NOT APPLICABLE
Understory Tree	¾-inch caliper	75	Not Applicable
LARGE SHRUB	3 IN HEIGHT feet high	50	NOT APPLICABLE 30%
SMALL SHRUB	2 FEET HIGH 18 inches high	50 25	30% 20%
HERBACEOUS PERENNIAL	1 GALLON quart OR BASED ON THE AREA COVERED BY PLUGS OR SEED MIX	2	10%
PLANTING CLUSTER FOR BUFFER ESTABLISHMENT OR MITIGATION OF LESS THAN ½ ACRE	1 CANOPY TREE; AND 3 LARGE SHRUBS OR 6 SMALL SHRUBS OF SIZES LISTED ABOVE	300	NOT APPLICABLE
PLANTING CLUSTER FOR BUFFER ESTABLISHMENT OR MITIGATION OF LESS THAN ½ ACRE	2 UNDERSTORY TREES; AND 3 LARGE SHRUBS OR 6 SMALL SHRUBS OF SIZES LISTED ABOVE	350	NOT APPLICABLE

Clearing Limits in the LDA (NR 3-107) & RCA (NR 3-108)

Clearing Percentage of Lot	Mitigation Planting Ratio
Less than 20%	1 to 1
20%-30%	1.5 to 1
More than 30%	3 to 1 (only with a variance from BZA)

Variations (NR 3-111)

- Added language from the Model Ordinance for After-the-Fact variance request.
- Samples of recent ATF variance requests in 2020:
 - Request for an ATF patio and walkway in the IDA in a 15' BMA → this request was granted and mitigation was required at a 7:1 ratio per COMAR
 - Request for an ATF patio at a 7:1 ratio per COMAR
 - Request for an ATF stone wall and patio in the LDA in a 100' Buffer → this request was granted and mitigation was required at a 7:1 ratio per COMAR

Growth Allocation (NR 3-112)

- What is a Growth Allocation → A request to change a specific acreage of upland from a Resource Conservation Area (RCA) to a Limited Development Area (LDA) or to change a specific acreage of upland from Limited Development Area (LDA) to Intensely Developed Area (IDA)
- An applicant must meet 9 requirements for a request (see NR 3-112(b)(1-9))
- When a growth allocation is proposed in the RCA, a 300 foot naturally vegetated buffer is required per COMAR (and this Code update)



Violations & Enforcement (NR 3-114)

Additional remedies. If a person cuts or clears or plans to cut or clear trees within the Critical Area in violation hereof or any program adopted by the Commissioners, the Commissioners shall may bring an action:

- (1) To require the person to replant trees where the cutting or clearing occurred in excess of that amount approved on the plan prepared by the State Forester, a registered professional forester or a registered landscape architect;
- (2) To restrain the planned violation; or
- (3) For damages:
 - A. To be assessed by the Circuit Court in an amount equal to the estimated cost of replanting trees; and
 - B. To be paid to the Commissioners by the person found to have violated the provisions of this subsection.

Lot Consolidation and Reconfiguration (NR 3-115)

- Applies to all consolidations and reconfigurations of any NONCONFORMING legal grandfathered parcel or lot.
- Does not apply to conforming parcels or lots.

NR 3-120 to NR 3-123

- Significant Habitat Areas within the Chesapeake Bay Critical Area:
 - Pocomoke Sand Ridge
 - Poorhouse Branch
- Natural Heritage Areas within the Chesapeake Bay Critical Area:
 - Hickory Point Cypress Swamp
 - Lower Nassawango Creek
 - Mataponi

Critical Area Map Update

- In 2008, legislation was passed and signed into law that required the State to work with local governments to update the Critical Area Maps.
- DNR must prepare a Statewide Base maps that includes a State- determined shoreline, landward boundary of tidal wetlands, and the 1,000 foot Critical Area boundary, all of which is integrated into a GIS map.
- Process: Worcester County's mapping update has not yet been started; however, most of the other Counties been either started or completed.
- The State is working in conjunction with the Eastern Shore Regional GIS Cooperative (ESRGC), a local outreach entity of Salisbury University.

The Critical Areas and the Comprehensive Plan

- Channel growth and development away from habitats of threatened and endangered species
- Continue to work with Coastal Bays Sensitive Areas task force and other initiatives aimed at identifying and protecting sensitive species
- Preserve and provide natural areas that are large and circular with a minimum dimension of 300 feet as a general rule for habitat protection
- Preserve existing and create forested riparian corridors

Worcester County Critical Area Code Update

Roadmap for Changes and Updates- 12/29/2020

Code Section	Summary of Code Amendment and Justification	Notes and Comments
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NR 3-108 Resource	Changes made to combine the Chesapeake and Atlantic Coastal Bays sections. Special Event text amendment language added.	

Worcester County Critical Area Code Update

Conservation Areas		
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Worcester County Critical Area Code Update

Harvesting		
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Worcester County Critical Area Code Update

section)	Wetlands.	
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