

Kent County Planning Commission

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Kent County Government Center
400 High Street
Chestertown, Maryland 21620

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July 13, 2020

P. Thomas Mason, President
County Commissioners of Kent County
400 High Street
Chestertown, MD 21620

Re: Zoning Text Amendment – Campground provisions in RCD, Critical Area Commission Conditions

Dear Mr. Mason:

At its July 2, 2020 meeting, the Kent County Planning Commission reviewed the application submitted by the County Commissioners of Kent County for proposed amendments to the *Kent County Land Use Ordinance*, Article V, Section 2.2 (Resource Conservation District, Permitted Uses and Structures), and Article V, Section 2.7.A (Resource Conservation District General Environmental Standards) to allow for expansion of campgrounds in existence before August 1, 1989 within the Resource Conservation District when receiving growth allocation.

At their June 3, 2020 meeting the Critical Area Commission reviewed adopted Code Home Rule 1-2020. The text amendment was determined to be a refinement of the County's Critical Area Program, which required approval by the Critical Area Commission. The Commission approved the refinement with conditions.

Specifically, the conditions and proposal to amend the *Kent County Land Use Ordinance* includes adding the language in **BOLD, CAPITAL LETTERS** and deleting the language in ~~strike through~~ as follows:

Article V, Section 2.2 (Resource Conservation District, Permitted Principal Uses and Structures)

...

17. Conference centers, resorts, retreats, ~~campgrounds~~, hotels, and motels existing and in use as of August 1, 1989 in the Resource Conservation District. It is the intent of this section to provide for the continued existence and operations as well as the expansion of conference centers, resorts, retreats, ~~campgrounds~~, hotels, and motels existing and in use as of August 1, 1989 in the Resource Conservation District. It is not the intent to permit the creation of new conference centers, resorts, retreats, ~~campgrounds~~, hotels, or motels, but rather to protect those enterprises that exist in the Resource Conservation District on August 1, 1989. An expansion shall require site plan review by the Planning Commission and shall require a net improvement in water quality at or leaving the site. An expansion may require growth allocation.
18. **CAMPGROUNDS EXISTING AND IN USE AS OF AUGUST 1, 1989, IN THE RCD. IT IS THE INTENT OF THIS SECTION TO PROVIDE FOR THE CONTINUED EXISTENCE AND OPERATION AS WELL AS THE INTENSIFICATION OR EXPANSION OF CAMPGROUNDS EXISTING AND IN USE AS OF AUGUST 1, 1989, IN THE RCD. IT IS NOT THE INTENT TO PERMIT THE CREATION OF NEW CAMPGROUNDS, BUT RATHER TO PROTECT THOSE ENTERPRISES THAT EXISTED IN THE RCD ON AUGUST 1, 1989. ANY EXPANSION OR INTENSIFICATION OF AN EXISTING**



CAMPGROUND, INCLUDING THE ADDITION OF SITES OR CONVERSION OF EXISTING SITES TO ALLOW FOR ADDITIONAL RECREATIONAL VEHICLES, SHALL REQUIRE GROWTH ALLOCATION.

Article V, Section 2.7.A (Resources Conservation District General Environmental Standards)

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7. GROWTH ALLOCATION

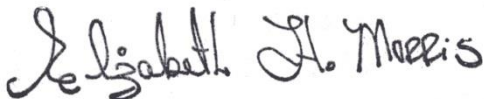
ANY PROPERTY THAT RECEIVES GROWTH ALLOCATION SHALL COMPLY WITH THE REQUIREMENTS OF COMAR 27.01.02.06, AS WELL AS, THE KENT COUNTY GROWTH ALLOCATION POLICY. IN ADDITION TO THE STANDARDS OF 2.7.B. BELOW, THE FOLLOWING STANDARDS APPLY:

- a. WATER QUALITY: WITHIN A NEW INTENSELY DEVELOPED AREA, NEW DEVELOPMENT OR REDEVELOPMENT SHALL REDUCE THE POLLUTANT LOADINGS LEAVING THE SITE BY AT LEAST 10%.**
- b. SETBACKS: A NEW INTENSELY DEVELOPED AREA OR LIMITED DEVELOPMENT AREA SHALL BE LOCATED AT LEAST 300 FEET BEYOND THE LANDWARD EDGE OF TIDAL WETLANDS OR TIDAL WATERS. AN APPLICANT MUST PROVIDE AN EQUIVALENT OFFSET IF THE SETBACK REQUIREMENT CANNOT BE MET.**
- c. LOT COVERAGE: PROPERTIES GRANTED GROWTH ALLOCATION IN ACCORDANCE WITH THE KENT COUNTY GROWTH ALLOCATION POLICY MAY BE EXEMPT FROM THE 15% LOT COVERAGE REQUIREMENT**

Following a discussion, the Planning Commission voted unanimously to send a favorable recommendation for the proposed amendments as presented based on the following findings:

- The Critical Area Commission (State of Maryland agency) required conditions upon approval of Code Home Rule 1-2020 address the public need. The campground language will be more consistent with the Critical Area Law per their conditions.
- The proposed changes are consistent with the following Comprehensive Plan goals and strategies:
 - Support existing businesses.
 - Enhance and expand locally-based tourism that is rooted in the unique natural, cultural, and historical features and qualities of Kent County.
 - Retain and promote existing businesses.
 - Promote and expand facilities, services, and activities that support natural resource-based economic development.

Sincerely,
Kent County Planning Commission



Elizabeth H. Morris
Chairman
EHM/sij