**Meeting Minutes of Planning Commission**

**Town of Laytonsville**

**February 29, 2024**

Chair Wenger called the meeting of the Planning Commission to order at 7:32 p.m. Members Brian Kline, Obed Pellegrino, Tom Jackson, Brendan Deyo and Alternate Tim Shortley were present. Assistant Clerk James Schneider, Mayor Charles Hendricks, and approximately five citizens were also present.

The minutes of the Planning Commission meeting on January 25, 2024, were approved as amended/corrected per Chair Wenger’s request.

**Review of Zoning Moratorium and Comment**: Chair Wenger stated desired discussion outcomes. Planning Commission members received a copy of the Zoning Moratorium Ordinance. He pointed out some background info for commercial development in Laytonsville, and that the Zoning Ordinance was written quite a while ago. In 2014, the southern end of town was thought to be a future commercial zone. Now the town wants a moratorium on all commercial development until a new Comprehensive Plan is developed reflecting what is currently beneficial to Laytonsville. He explained that a main concern to residents is traffic congestion and tractor trailers in the circle and using Maple Knoll Drive. He further explained that even a small business such as a grocery store would result in traffic using Maple Knoll Drive and have tractor trailers delivering goods. He noted that there is a reference to the visions of the 2014 Comprehensive Plan which reflects their thinking at that time, which was to keep the Historic Commercial Zone as is and not necessarily the southern end of town.

Member Deyo disagreed and stated that the Planning Commission at that time wanted Laytonsville businesses to serve the community, and they did not think of the southern end as being different. He said that he remembers the thinking being to create a walkable town with businesses that are staffed by residents of Laytonsville and contributing to the community.

Chair Wenger stated that a business having many outside employees would benefit the town because these people will spend money and use the various businesses that are already in town. He then summarized that the concerns appear to be the type of business, the traffic in town, and the benefit to Laytonsville residents. He went on to question the language used in the proposed Zoning Ordinance. He asked what is the “unprecedented commercial development pressure” and what “desires to establish the status quo” means, asking if the status quo is zero development. He went on to explain that Citgo and Atco were down zoned to be residential and grandfathered in, so these businesses are stuck doing exactly what they are doing. They cannot develop further or expand in any way. There was also discussion about allowing other businesses in the Historic District, but with the requirement that business owners also live there. This may be an unreal expectation.

Member Kline reiterated that there is really only one lot to be developed, and the main concern is traffic which needs to be put into perspective.

Member Shortley said that he liked the idea of strategic reflection on the shopping center, the historic commercial businesses, and the one lot left to be developed. A strategic pause is a positive thing by trying to move forward and listen to the residents and think about the future.

Member Deyo said that by charging ahead with development, it is then hard to move back, so a moratorium is a good choice. When moving forward with development, there needs to be a contribution to the town. He does not want future generations to wish that things were done differently.

Member Pellegrino stated that he has worked with the Laytonsville Historic Center to learn about the commercial historic zone. He went on to say that this is a large area to consider for future generations by thinking about how to keep the historic feel and generate revenue.

Member Shortley added that looking to see what could be borrowed from other towns who moved strategically and learn from them.

Member Jackson said that “servicing and community needs” should be more specific. He stated that both C1 commercial and Commercial Historic zones need to be considered. He also said that “traffic impacts” and “walkable sidewalks” also need more specification, and that the CH zone businesses that were down zoned and grandfathered in need to be viable. Otherwise, they will become vacant lots.

Chair Wenger said now let’s think about recommendations. He shared his screen showing the current Zoning Ordinance section 110 C1 Commercial listing of suggested uses. He pointed out that this listing needs updating saying let’s define what is great for the community remember that businesses need to be successful. He asked what should we add to add to this list.

Planning Commission members suggested: an urgent care center, library, legal services, grocery store, florist, butcher, bakery, restaurant, ice cream shop, gym/fitness/yoga studio, strip mall, affordable mixed use multi shop.

Chair Wenger pointed out that letter g. commercial to make a recommendation to the Mayor and council that they look at letter G and define it more establishments devoted to sales, service, trade, and/or merchandising, which is being debated. He further stated that there is no description of what this sales, service, trade, or merchandising is. He asked if the Planning Commission wants precisely, so that it has understandable terms as to what it's referring to. All members agreed.

Chair Wenger suggested that he would type up a list of bullet points and comments from the Planning Commission to submit to the mayor and Town Council.

Member Deyo made a motion to move forward with this suggestion. Member Pelligrino seconded the motion. All members agreed to it.

Mayor Hendricks said that he was looking for a motion for approval, disapproval, or approval with some suggested changes to the proposed moratorium ordinance.

Chair Wenger asked each member of the Planning Commission if they were in favor of the Mayor and Town Council adopting a moratorium on commercial development.

Member Kline- No

Member Jackson- Yes

Member Pellegrino- Yes

Member Deyo- Yes

Member Shortley- Yes

Chair Wenger- No

Member Deyo made a motion that the Planning Commission recommends that the Mayor and Town Council move forward with the proposed moratorium. Member Jackson seconded the motion. Four members vote for the motion, and the motion passes.

Member Shortley asked Member Kline and Chair Wenger to explain why they objected to the proposed moratorium.

Member Kline responded that he believes that the moratorium looks to change what can be done on this property and seems to be targeting one business. The owner of this property has been approved by Montgomery County, and it seems development is being held up by residents of one community. This property has been zoned as C1 Commercial for longer than the residents have lived in the opposing community. The residents fear that the development of this property by this owner will increase traffic, but Route 108 is a state road and tractor trailers use this road every day.

Chair Wenger explained his objective as being the town made plans that included the commercial zoning for that property and altered agricultural land to create a housing development. Now that an owner of a commercially zoned property wants to develop it, the residents of the neighboring housing development are opposed. This seems to be causing the town to do spot zoning when a town enforces some of it, and the town does not enforce other aspects of its zoning ordinance. Then, when enough people get upset, the town says, no, we want to change the zoning. I don't think that's a good way to do planning or to administer.

Member Deyo stated that he is not a fan of spot zoning but feels that the town is doing what it should have done. The town has doubled in size and has not brought these new residents into the town’s ideology. The people who have put the current zoning into effect are no longer the majority of town residents.

Member Kline stated that a lot of opposition is coming from new residents who are now citizens. These new citizens are OK with their development but don’t want to change on one two-acre lot. This does not seem right to me.

Member Shortley restated that this is a temporary moratorium, as a pause for reflection and not definitive of future development.

Member Kline made a motion to adjourn. Member Pellegrino seconded. All members were in favor.

Meeting adjourned at 9:28 p.m.

Respectfully submitted,

James Schneider, Assistant Clerk

Town of Laytonsville