

Comprehensive Plan: 2040

Town of Rock Hall, Maryland

Planning Commission
Public Hearing Draft

August 11, 2023

Acknowledgments

Town of Rock Hall Mayor and Council

James Cook, Mayor

Eleanor Collyer

Tim Edwards

Carolyn Jones

Town of Rock Hall Planning and Zoning Commission

Victor Costa, Chair

Anthony Colache

Cathy Jayne

Allen Riley

Anna Rlggin

Robert Resele, Town Administrator

Cheryl Butler, Assistant Town Clerk

Christopher N. Jakubiak, AICP, Town Planner, Jakubiak & Associates, Inc.

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION	4
CHAPTER 2: POPULATION OF ROCK HALL	10
CHAPTER 3: NATURAL ENVIRONMENT	13
CHAPTER 4: WATER RESOURCES.....	25
CHAPTER 5: MUNICIPAL GROWTH	31
CHAPTER 6: LAND USE	44
CHAPTER 7: HOUSING	61
CHAPTER 8: TRANSPORTATION.....	71
CHAPTER 9: COMMUNITY FACILITIES.....	77
CHAPTER 10: HISTORIC AND CULTURAL HERITAGE.....	85
CHAPTER 11: IMPLEMENTATION	89

APPENDICES

- Appendix A: Full size versions of the maps used in this report.
- Appendix B: U.S. Census Population and Housing Data Sheets: 2010 and 2020.
- Appendix C: Rock Hall Waterfront Master Plan: Draft Plan, by the Rock Hall Waterfront Committee, Draft Version dated January 20, 2017

Chapter 1: Introduction

Background

In Rock Hall, all roads lead to water and all water flows to one of the world's greatest estuaries, the Chesapeake Bay. From the Town's establishment in 1707, the Bay and its tributaries have shaped local economic and cultural development. In the early years, water linked communities in the region and Rock Hall was an important shipping point for seafood and agricultural products. Fishing and seafood processing became the Town's largest industry, providing an economic base for Main Street's commerce and community life. In more recent decades recreation has emerged as an economic engine and the Town has become one of the largest charter boat fishing and sailing centers on Maryland's Eastern Shore.



EXHIBIT 1: ROCK HALL WITHIN THE REGION.

Looking to the future, two pressing changes are underway in Rock Hall. The first is demographic. The Town's population has decreased over the past 20 years, by nearly 200 people or 14%. For context, one in seven of the Town's residents in 2000 are no longer here. This reflects a term trend dating back some 50 years now, such that the Town's current population now approximates levels last seen in the 1970's. Chapter 2, [Population of Rock Hall](#), provides data on this and other demographic characteristics. Long term population loss has substantial implications for the viability of local businesses and institutions, the Town's fiscal health, and the maintenance of the housing stock.

Second, sea level rise is occurring throughout the coastal Chesapeake Bay region and its effects in Rock Hall include increased flooding, worsening drainage problems, and the migration of ground water and wetlands into previously dry areas. As discussed in Chapter 3, sea level rise is projected to continue throughout this century and to transform lower lying parts of the community. This will expose a greater area to nuisance flooding, make parts of Town far more vulnerable to major tidal and storm events, and complicate the essential task of maintaining roads and infrastructure.

Rock Hall has been and will continue to be shaped by the Chesapeake Bay. The Town's relationship to the water is centrally importance to its residents, its businesses, and its visitors. This Plan seeks to maintain the historic and cultural relationships to the Bay and the traditions that have influenced community character and development, while also guiding the Town's adaptation to the forces of change.

Authority and Purpose

The Comprehensive Plan of Rock Hall has been prepared in accordance the Land Use Article of the Annotated Code of Maryland. It is a 20-year plan to guide the Town's growth, development, and conservation. It updates the Town's 2011 Comprehensive plan and advances its recommendations to the year 2040.

The Comprehensive Plan is the principal document outlining Town direction, policy, and action regarding its development. It is a policy statement that can be valid in the face of change over many years. Properly used, the Plan is the basis for decision-making at all levels of government and can guide the private sector toward acceptable, beneficial, and profitable activities affecting the land and people.

The Comprehensive Plan is the statement of development policy for Rock Hall. The Plan presents goals and recommendations organized into separate but interrelated elements dealing with the natural environment, water resources, municipal growth, land use, housing, transportation, community facilities, and cultural heritage. Each section contains a summary of important issues and trends, a statement of objectives, and recommendations believed necessary to reach these goals.

The Plan requires public cooperation and support for its accomplishments. It also requires far-sighted and steadfast leadership by the Town's elected and appointed officials and other public agencies in support of the goals, to stick with the long-range view when it is attacked in the name of expediency or quick profit, and to promote this view in all matters dealing with planning and development.

In addition to serving as a guide to the expenditure of public funds in the acquisition of land and the construction of public facilities, the Plan forms the basis for the zoning and subdivision regulations. The Town's zoning ordinance and subdivision regulations are necessary to achieve orderly growth and an acceptable pattern of land use. Growth and change, guided by the good planning principles embodied in this Plan, will help achieve our vision for the future.

Relationship To Other Plans and Laws

Rock Hall has prepared, and continues to prepare, a variety of specific plans and ordinances. Among them are the Zoning Ordinance, Subdivision Regulations, Sediment Control Ordinance, Stormwater Management Ordinance, "Stories of the Chesapeake" Heritage Area Management Plan, the Chesapeake Country Scenic Byway Corridor Management Plan, and the Rock Hall Waterfront Master Plan. While providing more detailed information and policy guidance, all such plans and laws must follow and conform to this Comprehensive Plan.

Visions for the Future

The 2040 Vision for Rock Hall

The vision statement below, that emerged from the public engagement process, was written from the perspective of 20 years in the future. It animates this Plan and is meant to be a marker in time against which the future generation can evaluate how well this Plan was implemented.

In 2040, Rock Hall is a vibrant year-round community with an active downtown where both new and historic buildings are occupied with businesses and residents. After 50 years of declining population, the Town is growing its resident population again in a steady and balanced way. Rock Hall has conserved its unique town character and natural setting and expanded its maritime economy which has contributed to growth in tourism and economic development.

Central to achieving this vision, the Town remains committed to three overarching comprehensive planning goals:

- Rock Hall will build a sustainable community that meets the needs of townspeople, visitors, and the environment.
- Rock Hall will maintain its small town character and its sense of place while allowing planned change in a way that enhances the quality of life for residents and visitors of all income levels and ages.
- Rock Hall will establish a strong economic base.

To assure the achievement of these goals, the following principles, adopted as part of the last Comprehensive Plan will remain to guide decision-making in the future:

1. The traditional, small town character of Rock Hall with its active business district, working harbor, and closely connected residential areas will be maintained.
2. The Town is committed to the development of water-based businesses including marinas, marine suppliers and technicians, seafood harvesting, and recreational boating activities.
3. All new development and renovations will meet high quality design standards that are consistent with the eclectic character of Rock Hall in architecture, scale, and spacing and that retain the high quality of the public views of the water.
4. A diverse set of business and industry ventures compatible with the needs of the community and that provide well-paying jobs is essential for a healthy and balanced community.
5. New businesses should locate on Main Street to maintain the distinctive character of the Town Center.
6. The Town will be made more accessible and unified with the improvement of pedestrian and bicycle paths.
7. The Town is committed to maintaining a working harbor and assuring a place for local watermen in the Town's future.
8. The Town is committed to protecting its natural resources and amenities by maintaining and improving the quality of the natural environment and sensitive areas.

Maryland's Comprehensive Planning Vision Statements

The Town of Rock Hal conducts comprehensive planning within the context of Maryland's planning and growth management program, which is intended to encourage economic growth, limit sprawl, and protect natural resources¹. The overarching State planning framework is shaped by 12 Visions that are required by statute to be implemented as part of local comprehensive plans. This Comprehensive Plan adopts these Visions and is designed to achieve them.

¹ The State's planning statutes are found in the Land Use Article of the Annotated Code of Maryland.

- Vision - 1. A high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment.
- Vision - 2. Citizens are active partners in planning and implementing community initiatives and are sensitive to their responsibilities in achieving community goals.
- Vision - 3. Growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers.
- Vision - 4. Compact, mixed use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources.
- Vision - 5. Growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner.
- Vision - 6. A well-maintained multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers.
- Vision - 7. A range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes.
- Vision - 8. Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged.
- Vision - 9. Land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems and living resources.
- Vision - 10. Waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved.
- Vision - 11. Government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection.
- Vision - 12. Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure and transportation are integrated across the local, regional, state, and interstate levels to achieve these Visions.

Public Involvement

The Planning Commission conducted near monthly open work sessions between May 2022 and July 2023. At some of these work-sessions the Commission heard presentations from residents and concerned property owners on topics ranging from the Town's waterfront and maritime industries, local aging trends and needs for affordable housing for seniors, flooding and sea level rise, downtown revitalization, and land development and zoning issues. At each work session the Commission discussed the findings, goals, and recommendations that comprise this Plan.

On October 12, 2022, the Commission held a well-attended public workshop during which residents participated in developing the main subject areas of this document and in constructing the vision statement in this Chapter. On October 11, 2023, the Planning Commission held a public hearing and then on _____, after deliberating on the record of comments from the public hearing, the Commission voted to approve the Plan and transmit it to the Mayor and Town Council for adoption.

Chapter 2: Population of Rock Hall

This demographic overview compares Rock Hall’s population and housing to that of Kent County over time. The data are helpful in characterizing the population of Rock Hall, understanding the needs of existing residents, and in projecting growth and change. See Appendix B for recent U.S. Census data for the Town Rock Hall, sourced from the Maryland Department of Planning, State Data Center.

Population

Exhibit 2 charts the U.S. Census count of the Town’s population between 1960 and 2020. During this 60-year period the Town’s population steadily increased through 1990 and then steadily decreased each decade since. There are as many residents today as there were in the 1970’s. This long term population loss is attributed to a reduction in employment in the fishing and agriculture sectors of the economy, declining household sizes, and a gradual conversion of year-round housing to seasonal vacation homes. Over past decade (2010-2020), the Town’s population fell by 112 residents or by 8.5 percent to 1,198.

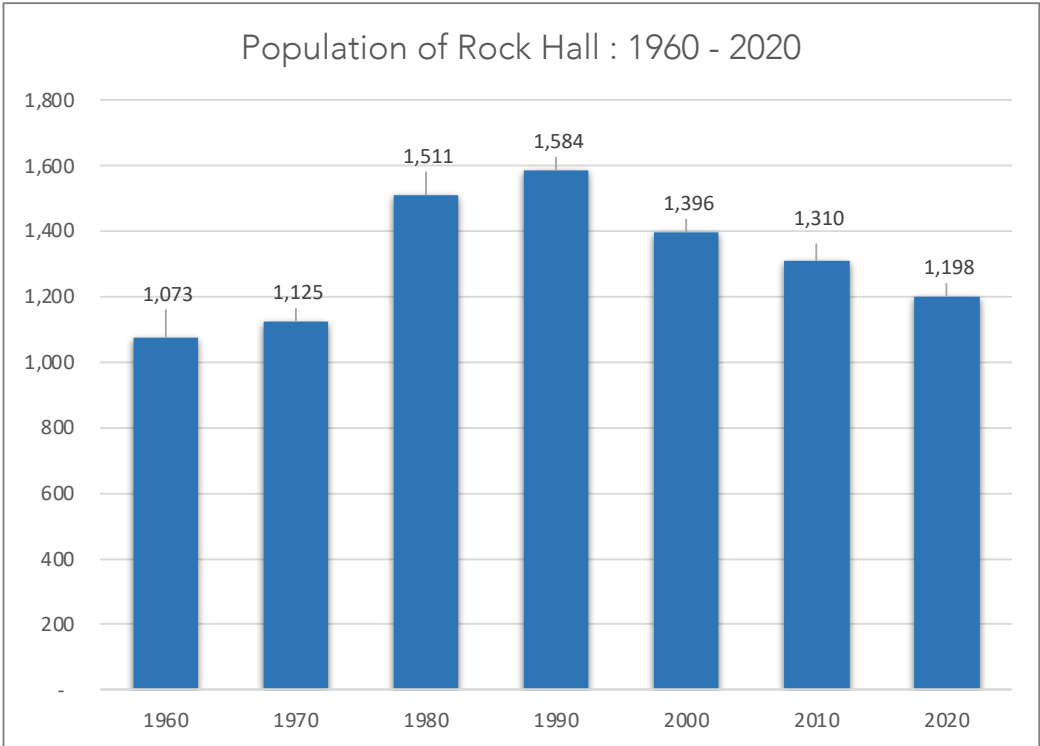


EXHIBIT 2

While Kent County’s population has grown since the 1970s (from 16,146 in 1970 to 19,198 in 2020), it has lost population over the last decade. Between 2010 and 2020 the County’s population fell by 999 residents or by 4.9 percent. Since 2000, there has been no population growth in Kent County; the Census recorded essentially the same population in 2020 as it did 20 years earlier.

Age

The Town’s population has aged considerably over recent decades and is measurably older than the population of Kent County at large. Rock Hall’s median age has increased from 47.3 in 2000 to 54.3 in 2010 to 57.7 in 2020.

Exhibit 3 shows the change within three major age cohorts: Under 18, 65 and older, and Everyone Else (i.e., 18 years to 64 years). As shown, since 2000 the population that is 65 years and older has grown from 24% of the total to 36% in 2020. Since 2000, the Town’s population under 18 years has fallen from 20 percent to 16 percent in 2020.

In Kent County, the median age has increased from 41 years in 2000 to 45.6 in 2010 and to 49.2 in 2020. Between 2010 and 2020, the share of the County population aged 65 years and older increased from 21.8% to 27.3%.

Households

A household is an occupied housing unit. The number of households in Rock Hall has decreased from 654 in 2000, to 630 in 2010, and then to 601 in 2020. As shown in Table 1, since 2000, the number of households with children (persons under 18) has fallen sharply both numerically and as a percent of total households. The table also shows that households with seniors (65 and older) has increased sharply.

EXHIBIT 3

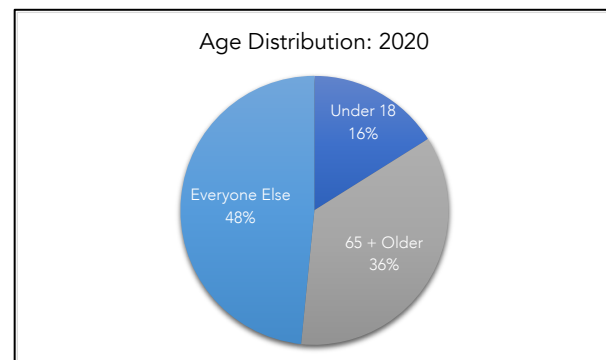
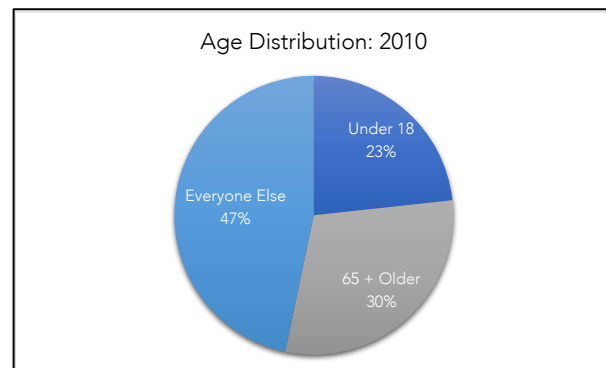
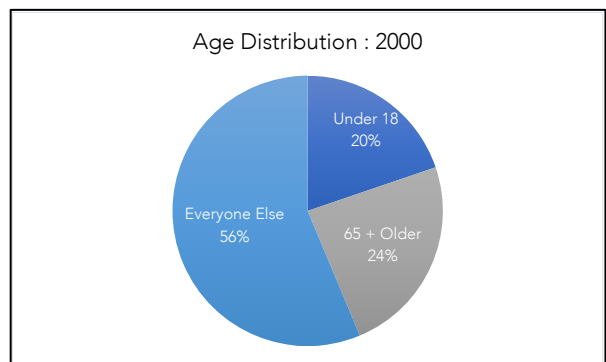


TABLE 1

Households in Rock Hall

	2000		2010		2020	
	#	% of total	#	% of total	#	% of total
Total Households	654	-	630	-	601	-
With Persons under 18 years	163	24.9%	121	19.2%	96	16.0%
With Person 65 years or older	257	39.3%	284	45.1%	325	54.1%

Source: U.S. Census

Over time, the average size of a household in Town has fallen from 2.13 person in 2000 to 1.96 persons in 2020—that is, the average household today has fewer than two residents. These data, along with Census data on age, suggest there are many persons living alone in Rock Hall. In fact, the Census records 135 households (or 22% of all households), headed by a person over 65 years of age without a spouse or partner present.

Housing Units

The number of housing units increased from 834 in 2000 to 930 in 2010 but then fell to 903 by 2020. The number of vacant housing units increased sharply between 2000 and 2010 from 180 to 300 and then remained little change, increasing to 302 by 2020. Among the reasons for housing unit vacancy, the largest reason is that the unit was being devoted to “seasonal, recreational or occasional” uses. Housing units so classified have increased from 124 in 2000, to 227 in 2010, and to 256 by 2020. As of 2020, 28.3 percent of all housing units in Rock Hall were devoted to “seasonal, recreational, or occasional” use.

Of the 601 occupied housing units in 2020, 428, or 71.2%, were owner-occupied and 173, or 28.8%, were rental occupied. This is about the same split between owner and rental housing recorded in both 2000 and 2010. For comparison, in 2020 owner occupied units comprised 70.5% of total occupied housing units in Kent County.

Chapter 3: Natural Environment

Rock Hall has been shaped by its natural environment, and the Town's future depends upon on a sustainable relationship with the natural cycles of the Chesapeake Bay. Natural resources and sensitive areas perform vital functions that can affect the Town's quality of life. Disturbance of these areas degrades or eliminates natural processes that provide clean water and air, wildlife habitat, flood control, and stormwater management.

The natural and scenic resources of Rock Hall demand protection not only for their intrinsic value, but for their ability to enhance the value of community development. These resources are the foundation of the Town's economy, generate tourist and recreational activity in the form of visitors seeking access to the Bay and boat owners wanting an overnight anchorage or a permanent port. These resources also strengthen the overall image and attractiveness of the Town as a place to live. They attract second-home buyers, retirees, and new residents and in doing so, enhance the local economy.



EXHIBIT 4: THE SWAN CREEK ESTUARY AS SEEN FROM WALNUT LANDING ROAD.

Existing Conditions – A Green Infrastructure

The Town is a waterfront community and a peninsula extending into the Bay, providing significant interaction with major coastal storm events and flooding, significant natural beauty, and great maritime advantage. The Swan Creek estuary lines the north side of the peninsula. Major tidal wetlands and the remaining stands of forest are dominant landscape features. The Town's environmentally sensitive areas are shown in Maps 1, 2, and 3. As recommended in the 2011 Comprehensive Plan, this Plan considers the whole set of separate sensitive areas as forming the Town's green infrastructure. In this chapter therefore, the functions of these sensitive areas are highlighted.

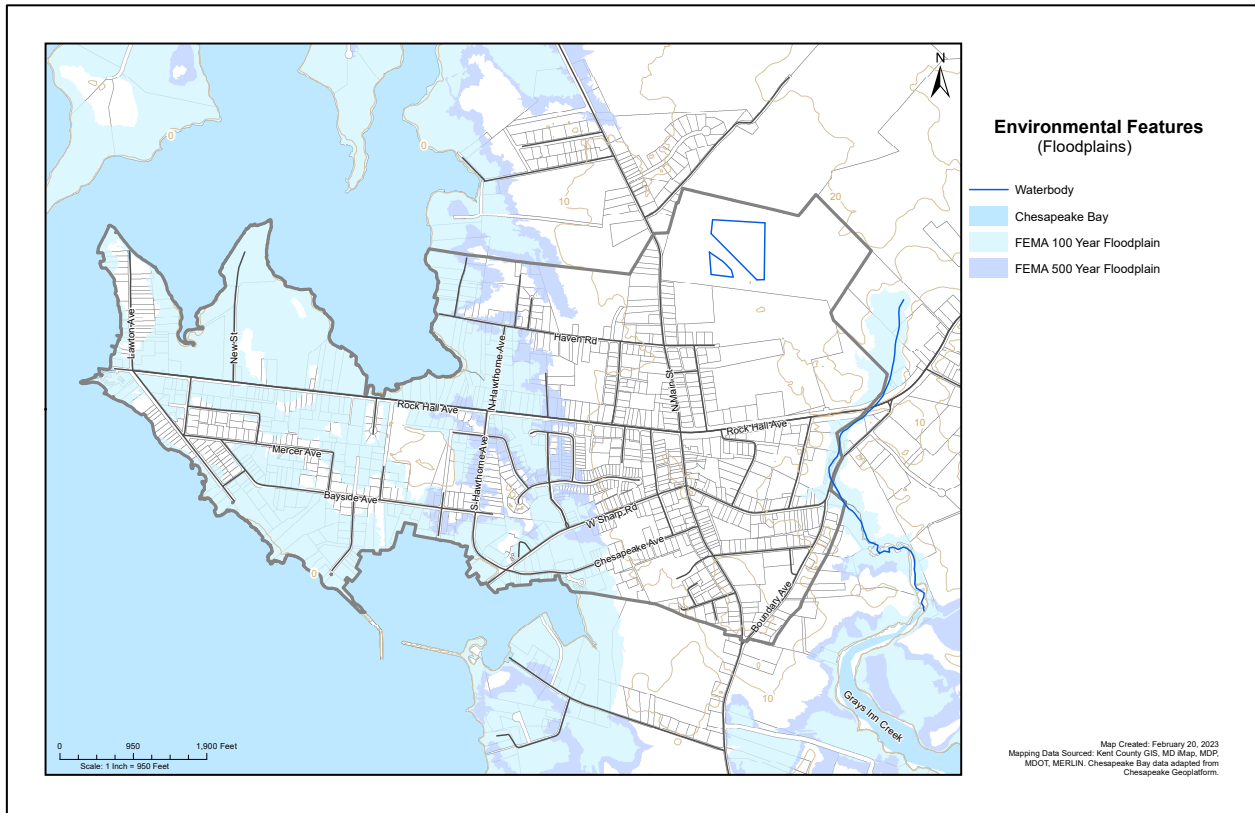
Streams and Stream Buffers

There is one named stream in Town, Gray's Inn Creek, which flows along the east side of Rock Hall crossing into Town just north of the Boundary Avenue / E. Sharp Street intersection and extending northward along the east side of the Fire Company (See Map 1). East of Boundary Avenue, the Creek is buffered in woody vegetation and wetlands. Within the Town boundaries, however, the natural buffer is largely missing.

A stream (riparian) buffer is an integral part of the stream resource. It is the area of land extending outward from the top of the stream bank. Wide and naturally vegetated buffers protect the health and vitality of streams, while narrow and urbanized buffers, lead to stream warming and allow excess pollutants and sediments to pass into the water. To achieve optimum protection of a stream's water quality, buffers would be naturally vegetated, fully encompass their floodplains and, where possible, be at least 100 to 300 feet wide.

Floodplains

Map 1 also shows the extent of floodplains in Rock Hall. The Federal Emergency Management Agency (FEMA) regularly maps the 100-year floodplain, which is the area having a 1% chance of flooding in any given year. Within its boundaries, the Town regulates development activities in the floodplain through the Floodplain Management Ordinance. The floodplain is directly associated with the Bay and its tributary streams including Swan Creek to the north and Gray's Inn Creek to the east.



MAP 1

As shown in the more detailed Exhibit 5 below, the floodplain generally extends from the Bay's shoreline as far east as Waterman's Way, though there are lands within this area that sit at higher elevations above the flood zone.

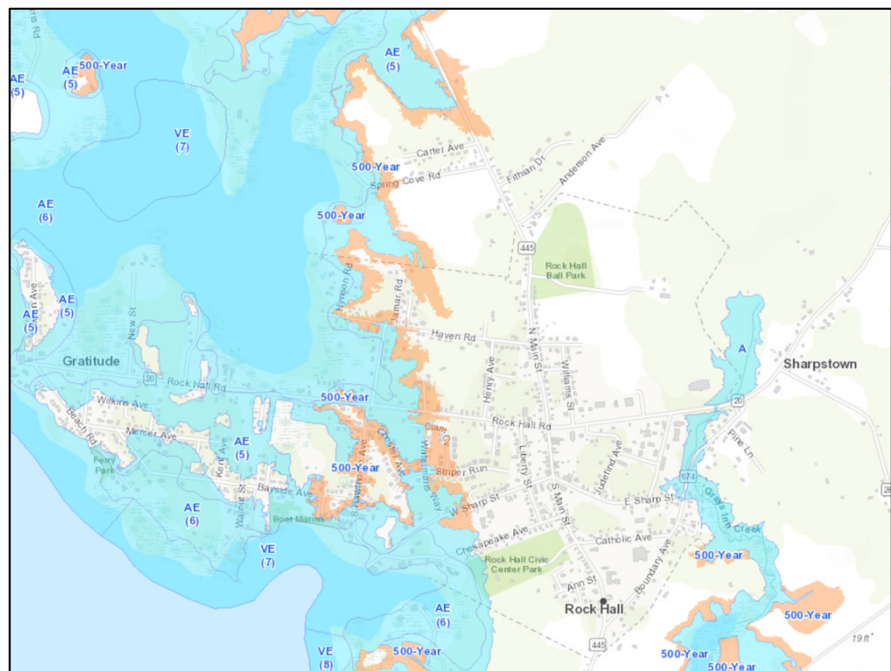
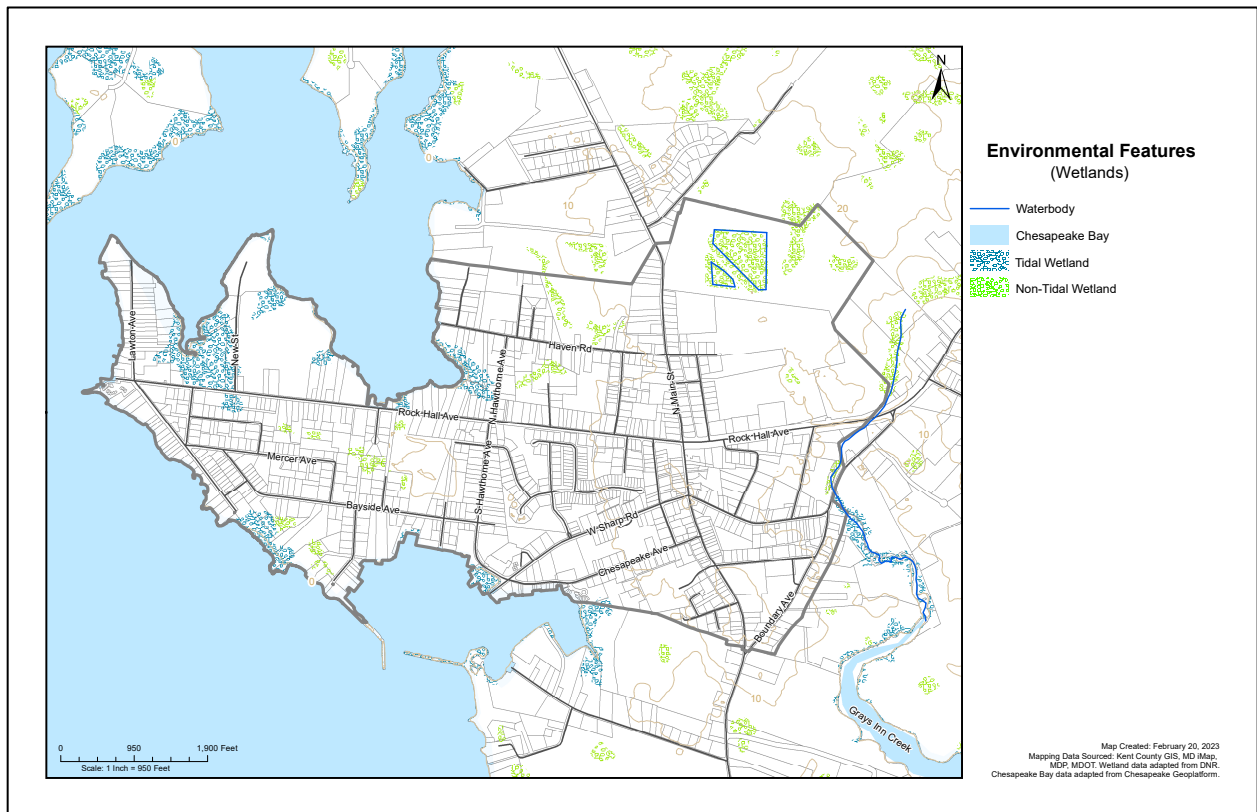


EXHIBIT 5: EXCERPT FROM THE FEMA FLOODPLAIN MAP FOR ROCK HALL AND VICINITY.

Wetlands

Major parts of floodplain are tidal wetlands (marsh). These wetlands attenuate flooding, prevent shoreline erosion, improve the water quality, and provide habitat for plants and wildlife. They are critical to the quality of life and public health and safety of existing residential communities especially in lower lying areas of Town. Map 2 shows tidal and non-tidal wetlands in Rock Hall.



MAP 2

The quality of tidal wetlands and their buffers directly impacts the Chesapeake Bay. Wetlands filter excess nutrients, sediments, and pollutants that flow from developed lands. Over nutrification and excess turbidity adversely impact water quality and the health of bay grasses. Many fish and shellfish, that are important to the local economy, are adversely impacted by water pollution. Rock Hall contains acres of coastal wetlands that support submerged aquatic plants. The value of submerged aquatic vegetation lies in their perennial root systems that minimize coastal erosion. They are a food source for waterfowl, nursery for newly hatched fish, and protective cover for crabs and fish.

The dominant wetlands in and around Rock Hall are Estuarine and Marine Wetlands, associated with the Bay and Swan Creek. This defining landscape feature consists of deep-water tidal habitats and marshes in which the bottom is both flooded and exposed by tidal action. These marshes are among the most scenic type of all natural resources in coastal Maryland.



EXHIBIT 6: TIDAL WETLANDS ALONG ROCK HALL AVE.

Map 2 also shows that there are wetlands located near tidal marshes and in isolated locations throughout Town. These non-tidal wetlands are generally forested and extend into slightly higher elevations at greater distances from tidal action.

The Town's non-tidal wetlands, whether populated by trees or just herbaceous plants, provide vital basins for retaining and filtering rainwater that flows from upland locations. These wetland areas also support important groundwater recharge functions.

The marshes in coastal Chesapeake Bay communities are changing as water levels in the Bay increase. As sea levels rise, Rock Hall's marshlands will gradually transform into open water and simultaneously grow, where they can, in response to both higher surface and ground water levels. Wetlands and marshes are dynamic; as they fill with water, they can migrate and establish themselves where conditions are right.

Forests

Map 3 shows areas covered in forests including large remnants of major forest resources and small stands including wooded backyards. The Town's forests provide many ecological benefits including producing oxygen, protecting surface and groundwater quality, moderating localized temperatures, and providing habitat for wildlife and birds.

The remaining forested lands in and around Rock Hall are sometimes associated with wetlands, typically these are areas that could not readily be developed. The most significant forest resource extends through the central part of Rock Hall from W. Sharp Street to the Town's northern boundary and beyond as shown in Exhibit 7. This forest has been somewhat fragmented by housing developments but largely remains intact as a natural resource.

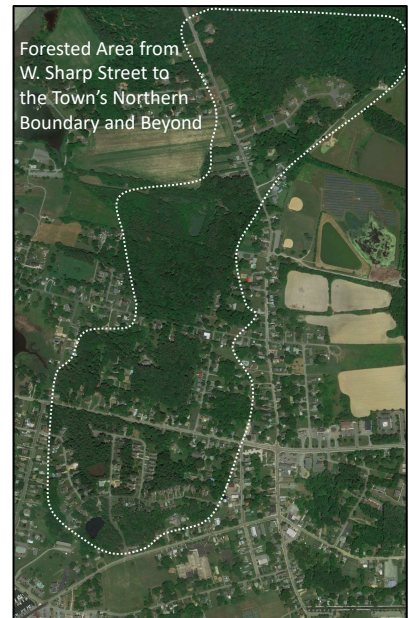
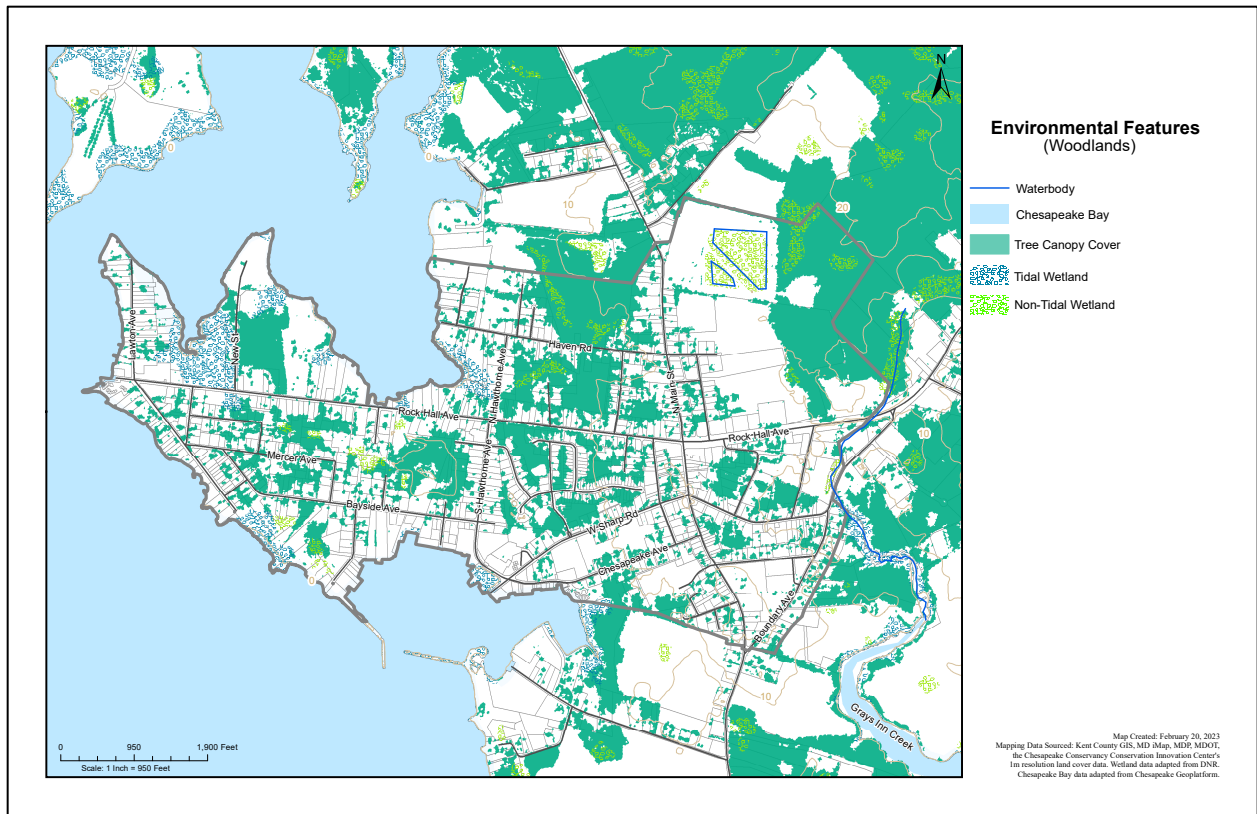


EXHIBIT 7



MAP 3

Wildlife

Around and within Rock Hall, wildlife is abundant. Various species of open land wildlife such as quail, dove, and rabbits thrive. There is also no lack of woodland wildlife, such as nesting birds, squirrels, fox, raccoon, and deer. Wetland wildlife and numerous kinds of waterfowl are also plentiful. Canada and snow geese, swan, and many species of duck winter in the area.

Surrounded by the Harbor, the Haven and the Chesapeake Bay, there are soft-shell clams, oysters, blue crabs, eels, and catfish. Among the fish which spawn locally are rockfish, herring, catfish, and white and yellow perch. These local spawning species are especially vulnerable to changes in water temperature and nutrient loadings. Other fish which frequent the waters are bluefish, spot, weakfish, and the Atlantic silverside.

Chesapeake Bay Critical Area

The Town is required by State law to administer regulations limiting the use and development of land within the Critical Area (see Exhibit 8). All lands within 1,000 of the Bay, its tributaries, and tidal marshes are designated as the Critical Area. Properties therein are designated as either: Intensely Developed Area (IDA), Limited Development Area (LDA), or Resource Conservation Area (RCA). Rules and criteria for classifying properties are set forth in the Critical Area regulations (found in the Town's Zoning Ordinance).

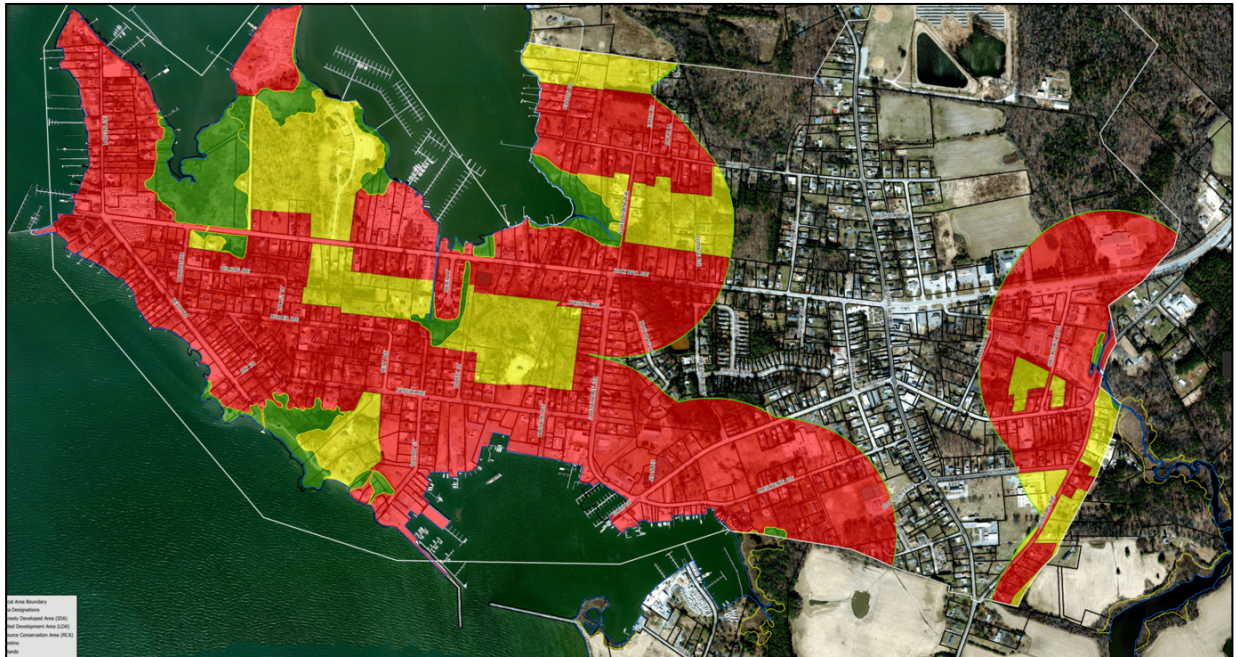


EXHIBIT 8: TOWN OF ROCK HALL CRITICAL AREA.

Intensely Developed Area: The IDA is meant for the intensely developed areas where houses, businesses, marinas, parking lots, etc. were constructed mostly before the State's adoption of the Critical Area Program in the 1980's. The IDA generally coincides with development that has substantially altered the natural capability of the land to protect water quality. This area is shown in red on Exhibit 8. The IDA classification does not significantly restrict development but does require that applicants put measures into place when developing land to reduce stormwater pollutant runoff by at least 10% below pre-development conditions.

Limited Development Area: The LDA designation is meant for those areas where limiting the amount of land development will protect water quality. This coincides with areas of less intensive development than the IDA and is shown in yellow on the Exhibit 8. The LDA classification places significant limitations on development, requiring for example that no more than 15% of a certain lots be covered with impervious surfaces and requiring the preservation or replanting of forests.

Resource Conservation Area: The RCA is meant to cover the most sensitive parts of the Critical Area, such as intact riverine forests, natural shorelines, wetlands, and wildlife habitats; areas that function naturally to protect the Bay's water quality and wildlife. These areas are shown in green on Exhibit 8.

Sea Level Rise

The Chesapeake Bay is rising, and the Town is very vulnerable to the effects of sea level rise like other coastal communities². Sea level rise will impact the Town's shorelines, wetlands, and floodplains. Impacts may include shoreline erosion, deterioration of tidal wetlands, rising groundwater, and increased frequency and severity of nuisance flooding in lower lying areas.

Exhibit 9 is from the National Oceanographic and Atmospheric Administration (NOAA) Sea Level Rise Viewer. The image shows expanded open water associated with a projected 2-foot rise in sea level (over the level recorded in 2000). Note that the Maryland Commission on Climate Change projects, with high confidence, that by 2050 sea levels will rise 2.1 feet over the levels measured in 2000 in the Bay region. Should this come to pass, the Town could expect that floodplains will be enlarged, flooding will be more severe and frequent, tidal marshes will be inundated year-round with open water, and if given a chance, wetlands will extend further upland as hydrologic conditions come to favor wetland vegetation. As a general guide, protecting natural areas over the next decades will become increasingly important.

The image uses shades of the color blue to indicate the location of projected open water. With a 2-foot rise in sea level, open water would cover what are today the Town's major tidal wetlands, likely degrading this essential natural feature that now defends the Town against severe coastal flooding and storm surge. The Exhibit also shows that open water would extend well into lower lying coastal areas throughout Rock Hall. Also, worth noting are the green shaded areas on the image; low lying areas projected to be regularly flooded.

² In its 2018 report, Sea Level Rise Projections for Maryland, the Maryland Commission on Climate Change (MCCC) noted that the Bay's water levels have been rising for a long time, since Last Ice Age actually, as the Bay filled up and coastal Maryland settled (which is still happening). But during the 20th century, with warming waters and glacial melt, the oceans began to expand their volumes steadily and rise. Now, well into the 21st century, the warming of the earth is accelerating and so is the rise of the tidal water throughout the Chesapeake Bay region.

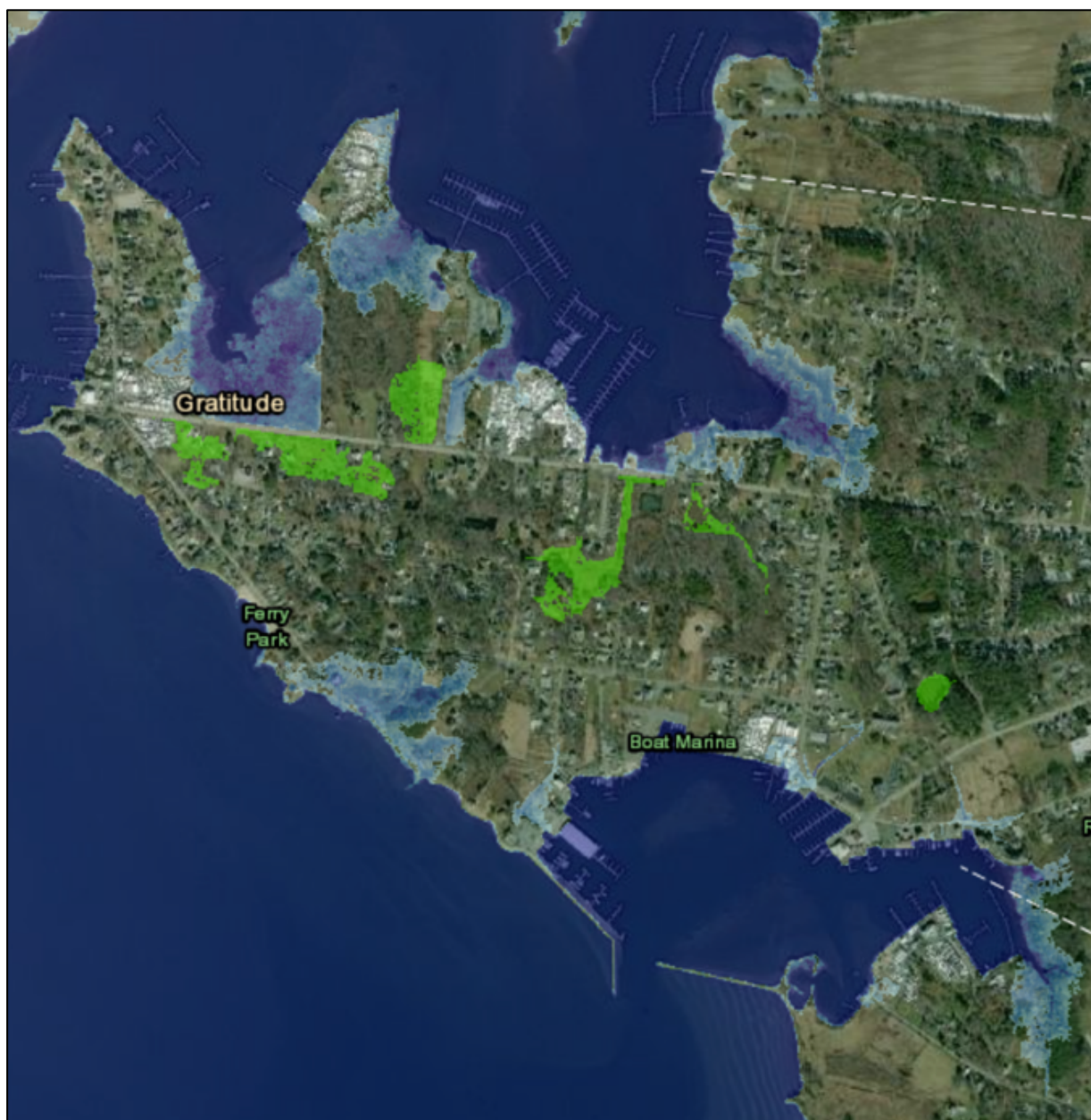


EXHIBIT 9: OPEN WATERS WITH A PROJECTED 2-FT SEA LEVEL RISE (NOAA).

To put the sea level rise projection into perspective, all land at elevations two feet or less above sea level and associated in some way with an inlet to the Bay, is at heightened risk of being permanently submerged over the next two or three decades. These lands are impacted directly by sea level rise and tidal action. However, these are not the only areas at risk. Sea level rise affects ground water making those parts of Rock Hall built on filled wetlands especially vulnerable. While modern construction techniques using deep piles may support buildings, the ground surface and public infrastructure on or under that surface cannot be similarly stabilized.

Lastly storm surges associated with major storm events can be more severe when the base elevation of the water is higher. Future hurricanes and storms matching those of the Town's past can be expected to have far greater impacts on Rock Hall and place more people at a greater risk.

A Plan For Natural Resources

Objectives

- As new development occurs, every effort should be made to ensure that it is designed and built to avoid and/or minimize adverse impacts to environmentally sensitive areas and hazards related to flooding.
- Preserve, protect, and grow the remaining natural resource features and sensitive areas and the key roles they play in sustaining life and property in and around Rock Hall.
- Use the preservation of natural areas as a means of linking the Town as it grows with natural and recreational assets.
- As Bay water levels rise, where possible accommodate the natural migration of wetlands and natural vegetation so that the land can continue to function to improve water quality and minimize flooding.

Recommendations

Sustain the Town's Green Infrastructure

Nature shorelines, streams and adjoining natural buffers, habitats of threatened and endangered species, wetlands, and forests shown on Maps 2 and 3 should be protected from the adverse effects of development. These resources are interrelated and operate as essential "green infrastructure" for Rock Hall.

With respect to each of these "sensitive areas" some level of protection is already in place through either local, state, and/or federal regulations. While these regulations generally minimize the effects of development or require that impacts, to some extent, be mitigated, these regulations do not contemplate the entirety of Rock Hall's green infrastructure or its role in protecting Town citizens, property owners, businesses, and institutions. These regulations can be carefully applied and still the remaining forests may be removed, and its wetlands permanently lost.

To ensure that the green infrastructure is around for future generations, the Town must insist that land development proceed only through high quality site design, professionally engineered land planning, and thoughtful early reviews of concept plans so that sensitive areas (including non-tidal wetlands) can be identified, and plans drawn up to offer the greatest protection. Because of the Town's unique coastal setting and vulnerabilities, thoughtful land planning in Rock Hall must promote the growth and resilience of natural areas, for example by designating open area adjacent to existing wetlands for land preservation and future flood protection. The Land Use Plan in Section V provides supporting guidance by designating areas for "Resource Conservation".

Over the long term, this Plan recommends that the Town guide community development into high value ecologically sustainable ways: for example, through forest and wetland preservation and regeneration, accommodating the migration of wetlands, clustering future home sites where applicable to minimize the coverage of the land in impervious surfaces, using the most advantageous stormwater practices designed to treat stormwater associated with the most significant rainfall events not just typical rain events, and retrofitting stormwater management infrastructure. The Town has a role to play in this regard by doing marsh restoration, stormwater retrofits, and tree planting on its public land holdings.

Prepare A Master Plan for Coastal Resiliency

At the earliest date possible, it is advisable that the Town prepare and adopt a plan for flood risk reduction or coastal resiliency (See Chapter 6, Land Use for more information). This plan could include land use and infrastructure guidance for risk reduction and be adopted as an amendment to this Comprehensive Plan. The purpose of the plan would be to evaluate and select flood mitigation techniques at both parcel and area wide levels. The plan could advance specific land use policies, landscape design measures to lower the risk of flooding, architectural guidance for new buildings and structures, and civil engineering recommendations. Measures which may flow from plan could include building seawalls and revetments, creating wetlands, artificial flood retention ponds, floodwater diversion channels, shoreline and inland berms, and other measures that can both mimic natural drainage patterns as well as structurally hold back floodwaters.

Town Forestry Program

Institute a town forestry program aimed at growing the town-wide tree canopy by planting street trees, requiring a minimum native tree canopy coverage on newly created lots, encouraging the planting of native tree and shrub species on existing lots, and preserving wooded areas throughout Rock Hall to the extent possible. Also work to protect and sustain native vegetation in parks and publicly owned spaces.

Stream Buffers

The Town could adopt stream buffer protection regulations in the Zoning Ordinance that will encompass lands outside of the Critical Area as well as within. To the extent possible, a 100-foot no-disturbance buffer should be adopted for perennial streams. This would have the most relevance over the long term in the Town's planned growth area if land were annexed (See Chapter 5, Municipal Growth).

Modernize the Critical Area and Forest Conservation Regulations

The Town should continue to update its Critical Area Program and Ordinance, as required by State law, to be consistent with statutory changes and to reflect the unique context of Rock Hall. Likewise, the Forest Conservation Ordinance needs to be updated especially considering the opportunities arising from development in the Town and other recommendations related to forest regeneration and stream protection.

Promote Flood Hazard Awareness

As discussed, much of the Town is located within the floodplain and the floodplain is projected to expand with sea level rise. In addition, the Town is subject to high coastal winds and tidal surges. The Town will continue to work to implement the Kent County Hazard Mitigation Plan which it first adopted in 2004. Specifically, the Town will work to implement an enhanced flood warning system and an evacuation route. As discussed elsewhere in this Plan, part of good flood hazard preparation is using the Zoning Ordinance to discourage the placement of specialized housing for the disabled and elderly, such as assisted living, nursing homes, and group homes, in flood hazard areas.

Chapter 4: Water Resources

This chapter identifies drinking water and water resources adequate for the Town’s development. The essential purpose is to ensure that future land use is balanced with the opportunities and limitations presented by water resources. This means there must be balance between water supplies in the underlying aquifer and the demands for such water. It also means there must be a balance between the capacity of area waterways to safely accommodate the pollutant loadings naturally associated with a developing Town. This Plan is aligned with the green infrastructure recommendations of Chapter 3. This Plan emphasizes ensuring adequate and safe drinking water for future generations and improving water quality over time in the Lower Chester River Watershed and by extension in the Chesapeake Bay. This section synthesizes data and analyses from other sources and coordinates with the recommendations of the Kent County Comprehensive Plan and the Kent County Comprehensive Water and Sewer Plan.

Existing Conditions

The Town’s infrastructure related to the supply, production, and distribution of drinking water is discussed in the Chapter 9, Community Facilities. The Town’s natural resources including wetlands are discussed in Chapter 3, Natural Environment. This chapter introduces information on the source of the Town’s potable water and on the Town’s position within the Lower Chester Watershed.

Water Source

Groundwater is the sole source for domestic water in Rock Hall. As a general matter, the layers of sediments underlying Kent County contain an abundance of water for wells. The layers are generally deeper in the eastern part of the County and shallower in the northwestern portion. There are four aquifers that supply nearly all groundwater in Kent County: the Aquia, Monmouth, Magothy, and Raritan Patapsco Formations.

As shown in Exhibit 10, the Atlantic Coastal Plain aquifer system consists of an alternating series of aquifers and confining units that descend and widen as they extend toward Maryland’s coastline with the Atlantic Ocean. Rock Hall’s three wells draw water from the Magothy Aquifer.

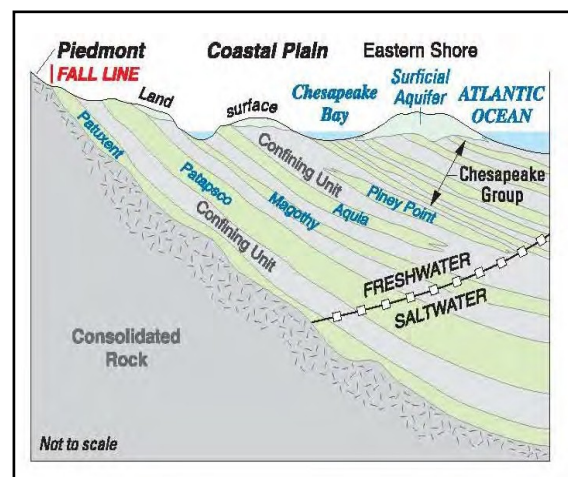


EXHIBIT 10

The present consumption of groundwater in Kent County is about 4.81 million gallons per day (gpd). The estimated ongoing groundwater recharge is much less, at about 0.4 to 0.6 million gallons per square mile per day. The quantity of groundwater appears to be substantial, however. The quality of the groundwater is generally good, although water from several aquifers contains iron in sufficient quantity to cause some problems to domestic users necessitating iron removal systems for satisfactory domestic use. Within Rock Hall, water treatment consists in aeration, chloritization, and lime and alum addition, in conjunction with sand filtration.

Municipal Water System

The Town's existing water system is described in Chapter 9, Community Facilities along with an exhibit showing the location of water towers, the treatment facility, and the boundaries of the service area. Water is sourced from three wells, located on the Town's Water Treatment Plant property on Liberty Street. The Liberty Street property is not within the 100-year floodplain. It is at an elevation greater than eight feet above sea level which is above the 5 foot floodplain elevation and the added three feet of freeboard which is a design criterion intended to protect such infrastructure³.

The Town's is permitted to withdraw 230,000 gpd and a maximum daily flow of 300,000 gpd during the month of highest use⁴. The current demand (representing an average use during 2019, 2020, and 2021) is 181,000 gallons per day, leaving an available capacity of 49,000, which is equivalent to that needed for 196 housing units.

The entire Town is served by municipal water as well as Haven Harbor Marina South and many properties in the MD Route 20 corridor east of Town. The water distribution system in Edesville is operated by Kent County but the water is supplied by the Town. There are no active individual wells within Rock Hall.

Lower Chester River Watershed

Rock Hall is located within the northwestern portion of the Lower Chester River Watershed, the boundaries of which are shown in Exhibit 11. The watershed also includes the village of Edesville, the Eastern Neck and National Wildlife Refuge, and small communities along the Chester River and its tributaries. While the south side of the watershed extends into portions of Kent Island, land use within the watershed is overwhelmingly agricultural.

³ Town of Rock Hall, Preliminary Engineering Report, Rock Hall Water System, October 2022, George, Miles & Buhr, LLC.

⁴ Water Appropriation Permit No. KE1971G004 (rev05).

In 1996, the State added the Chester River to Maryland's list of impaired waters⁵ and no streams within or near Rock Hall qualify as high quality (Tier II) streams under State and federal water quality standards⁶. The sources of water pollution within a watershed are classified as point sources and non-point sources. Point sources include facilities that directly discharge treated water into a waterbody such as the Rock Hall wastewater treatment plant (WWTP). Non-point sources refer to pollutants that are carried off the land by rain and washed into the Harbor directly or into streams or that make their way into groundwater. There is no single discharge point for these pollutants and their



EXHIBIT 11

sources in the Lower Chester Watershed primarily include farm fields. Within Rock Hall the sources of non-point pollution include parking lots, streets, roofs, and other impervious surfaces. Nutrients, including fertilizers, are the principal pollutants from non-point sources and the nutrients most frequently associated with water pollution are nitrogen and phosphorus. Excessive concentrations of these can grow algae and deplete oxygen making water unsuitable for most aquatic life.

⁵ In 1996 the State of Maryland placed the Chester River on the State's Section 303(d) list of impaired waterways with the following water quality impairments throughout sections of the River: nutrients, sediments, and bacteria. Also, a bacterial impairment listing was added in 2022 for three restricted shellfish harvesting areas of the Chester River Basin including a small part of the Lower Chester River Basin. The Rock Hall wastewater treatment plant is not an identified point source of pollutants to this area since its discharge is downstream from it. For more information: See the Maryland Department of the Environment and the Chester River TMDL, June 2008.

⁶ Tier II is a designation assigned to high quality streams to assist the State of Maryland in implementing federal stream anti-degradation regulations (40CFR131.12). The Maryland Department of the Environment maintains the list of all Tier II streams and considers the potential impacts of certain permitting activities on their quality including impacts associated with water and sewer plan amendments, non-tidal wetland and waterways permits, and new or modified pollution discharge permits. There are no Tier II streams in Rock Hall or its planned growth area, and none that would be impacted by development or permitting activities related to the Town.

Wastewater Treatment

The Town operates a public sewerage system with a wastewater treatment plant (WWTP) permitted to discharge an average of 480,000 gallons per day (gpd) of treated wastewater, though the plant is physically designed to treat 505,000 gpd. The WWTP currently discharges 236,700 gpd, operating at 49% of its permit capacity. The plant discharges to Gray's Inn Creek, which flows along the Town's eastern boundary southward beyond the Town to the Chester River. The Maryland Department of the Environment (MDE) has assigned Gray's Inn Creek a Use II Waterway classification (protected for shellfish harvesting).

The Kent County Comprehensive Water and Sewage Plan provides water pollution assessments related to all wastewater treatment plants in the County. That Plan documents the MDE established caps on annual allowable pollutant loadings from wastewater treatment plants. For the Rock Hall WWTP, the maximum allowable nitrogen and phosphorous pollution is capped at 15,615 and 461 pounds per year, respectively. In 2018 the WWTP was estimated to be contributing 9,082 pounds of nitrogen and 279 pounds of phosphorous, which are well below the allowable caps⁷.

The County Comprehensive Water and Sewage Plan also projects pollutant loadings assuming growth in the sewer service areas, to the year 2048. This projection shows that Rock Hall's WWTP loadings are expected to still be under MDE caps. This means that there is assimilative capacity to increase the discharge—that is, there is the ability for the Town to grow and increase the number of sewer connections without exceeding the caps on pollutant discharges.

It is important to note that the planned upgrade of the Rock Hall WWTP to Enhanced Nutrient Removal (ENR), which will reduce pollution concentrations in discharged water, will further ensure that MDE's caps are not exceeded. The planned upgrade will not increase the capacity of the plant to serve growth; it will only improve the treatment capabilities to levels required to meet MDE's standards for ENR-quality effluent⁸. The WWTP property is not within the 100-year floodplain. It is at an elevation greater than eight feet above sea level which is above the 5 foot floodplain elevation and the added three feet of freeboard which is a design criterion intended to protect such infrastructure⁹.

⁷ Kent County Comprehensive Water and Sewerage Plan, 2018. Estimates of the concentration of pollutant loadings were based on Discharge Monitoring Reports at the plant.

⁸ Town of Rock Hall, Preliminary Engineering Report, Rock Hall Wastewater System ENR Upgrade, October 2022, Revised May 2021, and July 2021), George, Miles & Burh, LLC.

⁹ Town of Rock Hall, Preliminary Engineering Report, Rock Hall Water System, October 2022, George, Miles & Burh, LLC.

A Plan for Water Resources

Objectives

1. Maintain a safe and adequate water supply and adequate wastewater treatment capacity to serve planned growth.
2. Contribute to the protection and improvement of water quality by implementing policies in coordination with the Kent County Watershed Improvement Plan.
3. Limit the impact of stormwater runoff through land use policies and the thoughtful application of the Rock Hall Stormwater Management Ordinance.

Recommendations

Wellhead / Source Water Protection

To optimally protect water sources, the Plan recommends that the Town prepare a source water protection plan or coordinate with Kent County when it undertakes such a plan¹⁰. Also important for the Town is adopting a municipal wellhead protection ordinance which would designate protection zones encompassing source water areas and regulate land uses activities to reduce the risk of contamination. The MDE has published a model ordinance which the Town could readily customize and adopt. The other aspect of wellhead protection is to mitigate, to the extent possible, any identified contamination sources.

Ensure Abandoned Wells are Closed

Coordinate with the Kent County Department of Environmental Health and the State of Maryland to document all abandoned wells and ensure they are properly and permanently sealed to prevent the potential for pollutants to enter the Town's water supply. This includes wells in the designated growth area (see Chapter 5, Municipal Growth).

Protect Remaining Forest Areas

Forests left in a natural condition are optimally suited to protect water quality, both surface water and groundwater reserves. In Rock Hall, forests coincide with wetlands and are like sponges that absorb water. Where possible, the Town should work to prevent them from being cleared, graded, and developed. Chapter 6, Land Use, introduces a new land use category that reflects the values forests and wetlands provide and the vulnerabilities they create for future occupants if lost to development.

¹⁰ The adopted 2018 Kent County Comprehensive Plan recommends undertaking a county source water protection plan.

Modern Stormwater Management

Development and redevelopment under modern stormwater management regulations can improve the quality and reduce the quantity of runoff. The Town will continue to enforce its stormwater management regulations. In the early or conceptual parts of site development, the Town must guide applicants for development approval to use low impact development (LID) and Environmental Site Design (ESD) which is required by Town Code.

- LID focuses on the natural environment and non-structural stormwater management systems to manage stormwater at its source. LID approaches include preserving the landscape and restoring natural features as part of development. This approach seeks to minimize impervious surfaces and to use bio-retention, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.
- ESD techniques also optimize the conservation of natural features, minimize impervious surfaces, slow runoff to maintain discharge timing and increase infiltration and evapotranspiration. Very importantly, ESD also emphasizes early planning of development sites, when natural conditions can still inform site design so that key elements of the site are identified, preserved, and integrated into stormwater management. This Plan recommends that the Planning Commission review stormwater concept plans as a preliminary step in the review and approval of development plans.

Minimize New Impervious Surfaces

Over the next 20 years, as development or redevelopment takes place in Rock Hall, the Town must aim to minimize the amount of new impervious surface area created. In this regard, the Town could consider, requiring pervious parking lots and sidewalk materials where practical and encouraging optimal subdivision design. For instance, the clustering of houses on smaller lots can reduce the length of streets and driveways. Other ways that can be considered to reduce impervious coverage include prioritizing the use of pervious materials in parks and incentivizing the use of green roofs and the removal of unused lot coverage. Lastly the Town should consider upgrading its lot coverage and open spaces standards contained in the Zoning Ordinance.

Chapter 5: Municipal Growth

Over time, a growing share of the Town's housing stock has been converted to second homes, seasonal housing, and vacation rentals. The year-round population and number of occupied housing units (households) has thus fallen. The Town's 2020 population was just 75% of the population it had in 1990. As discussed elsewhere in this report, this Plan seeks to reverse declining population levels and to establish conditions more favorable to development and the production of new houses. Rock Hall will be intentional and purposeful in its decisions about growth and development.

This chapter presents alternative growth projections, evaluates the capacity within the Town for new housing, and assesses the impact of planned growth on community facilities. It also, for the first time in Rock Hall's long term planning, designates a municipal growth area—that is, an area into which the Town may expand its boundaries through annexation in the years ahead. This chapter also includes general land use recommendations for the growth area.

Development Capacity

The Town has the capacity to absorb new housing and population growth. The term "development capacity" refers to the space within the Town's current boundaries for new housing where the land would likely support development and zoning regulations would allow it. A good estimate of development capacity helps answer questions like: Is there enough buildable land in Town to meet future demands for housing? "Buildable land" refers to land that is undeveloped (or under-developed), unencumbered by environmental constraints, and zoned to permit development.

Table 2 shows that there are 76 platted vacant lots where houses could be built. It also shows there are 78 acres available within all districts for new residential use and this acreage could accommodate up to 203 new housing units. The vacant parcels in combination with the large tracts could yield up to 279 housing units if fully developed under current zoning regulations.

In answer to the question -- "Is there enough buildable land in Rock Hall to meet future demands for housing"-- there certainly appears to be. Table 2 shows there is room for 279 new housing units, while the highest of the three growth scenarios, discussed in the next section, shows a 20-year projection for 174 households.

Growth: Potential and Planned

When this chapter refers to "households" it means occupied (year-round) housing units, including single-family houses, condominium units, and apartments. Households are important because they drive the demand for community facilities such as schools, libraires, and water and sewer facilities. Understanding changes in population and household levels helps the Town plan for community needs.

The extent of seasonal housing in Rock Hall presents a challenge when planning.

Because so many houses have been converted to seasonal or vacation housing, the year-round resident population is far lower than a simple count of housing units would suggest. As noted in Chapter 2, there are an estimated 903 housing units in Rock Hall according to the 2020 U.S. Census, and 28 percent of them, or 256 units are vacation/seasonable/occasional units. (If these units were instead occupied year-round, at rate of 1.96 persons per household, the Town's total population would approximate 1,700 people.) As a matter of public policy, it is prudent that public facilities be capable of serving the demand generated by the total housing base. Second homes and vacation rentals can revert to full time residency without land development or permit approvals, so for planning purposes, the Town must remain cognizant that a latent potential exists to increase the demand for facilities over the use that exists today.

TABLE 2

Residential Development Capacity by Zoning District

	Max. Density by Code (units/acre)	Total Available Acreage	Potential Net New Housing Units	Estimated Gross Density (units/acre)
Vacant Platted Lots				
R-1			52	
R-2			20	
C-1			1	
WMD			1	
MC			2	
			subtotal	76
Developable Tracts				
R-1	4.15	36.4	92	2.5
R-2	4.59	17.1	31	1.8
R-3	8.71	4.7	30	6.4
MREC	4.15	15.2	37	2.4
MC	4.15	4.3	13	3.0
			subtotal	203
			subtotal	279
Total			279	

Alternative Projections for 2040¹¹

This section describes alternative population projections. These are meant to establish reasonable bounds within which the Town might grow through the year 2040. These are 20-year predictions based on trends and current data, irrespective of the policies or recommendations presented in this Plan. The base year for these projections is 2020. In that year, the Town's population was 1,198 and the number of households (occupied dwelling units) was 601.

Later in this section, a 2040 "forecast" is presented, and in contrast to these projections, the forecast signifies a desired outcome based on the goals and recommendations of this Plan. But for now, three alternatives are established, described below, and graphed in Exhibit 12.

1. The first projection, called the "7.3% Share of County" scenario, assumes the Town regains the same share of Kent County's population it had in 2000, which was 7.3%. Since 2000, the Town's share of the County population has dropped to 6.5% in 2010 and then again to 6.25% in 2020. This projection thus represents a reversal of trends. In this scenario, the Town's population would grow by 347 residents over the next 20 years at an average annual rate of 1.3%. By 2040, the population would approximate 1,545 and the number of households would increase by 174 to 775 households. This projection would place the Town on the path to regain the population it had in the early 1990's.
2. The second projection, called the "Mirror County Change" scenario, assumes the Town grows at the same rate Kent County is projected to grow through 2040. In this regard, the Maryland Department of Planning (MDP) projects that the County will add 2,052 residents and grow at an average annual rate of 0.51% between 2020 and 2040. As noted in Chapter 2, the County has over recent decades grown quite slowly, even losing population between 2010 and 2020. As a result, under this projection, the Town's population would grow slowly too. It would grow by only 128 residents by adding 64 households, over the next 20 years. By 2040 the population would approximate 1,326 and the number of households would approximate 665 households. While this is slow growth, it is still a reversal of longer term trends.

¹¹ These projections use a base year of 2020 and the 2020 U.S. Census population count of 1,198. They assume a 2020 estimate for the number of households (which are year-round occupied dwelling units) of 590. This estimate is lower than the 5-year 2017-2021 U.S. Census American Community Survey (ACS) estimate of 650, which we judge to represent a significant overstatement in the number of occupied housing units when one considers the extent of housing unit vacancy, including that one in four housing units are vacant, being in seasonal or vacation use (source 2010 Census) and the actual 2020 Census count of group quarters population (18). However, the 2020 household estimate used in this Plan is well within the ACS's stated margin of error (+/-120). In converting population into households, the group quarters population is assumed to remain at 2020 levels and all new population is assumed to come about through the addition of new households (either through full-time occupancy of existing seasonable housing units or through new construction), not through growth in family size. The average household size used is 2.0 persons per household. For comparison, the ACS 2021 estimate for Rock Hall is 2.08 (+/-0.2) and for Kent County is 2.13 (+/-0.6). (Note: the 2020 U.S. Census count for Rock Hall, released on May 25, 2023, recorded 601 households and an average household size of 1.96 persons per household. The data presented here was updated to reflect this.)

- The third projection, called the "Historic Rate 1990-2020" scenario, assumes the Town's population decreases at the rate it did over the previous 30-year period (i.e., between 1990 and 2020). In this scenario, the Town's population would fall by 293 residents over the next 20 years at an average annual rate of 1.4%. By 2040, the population would approximate 905.

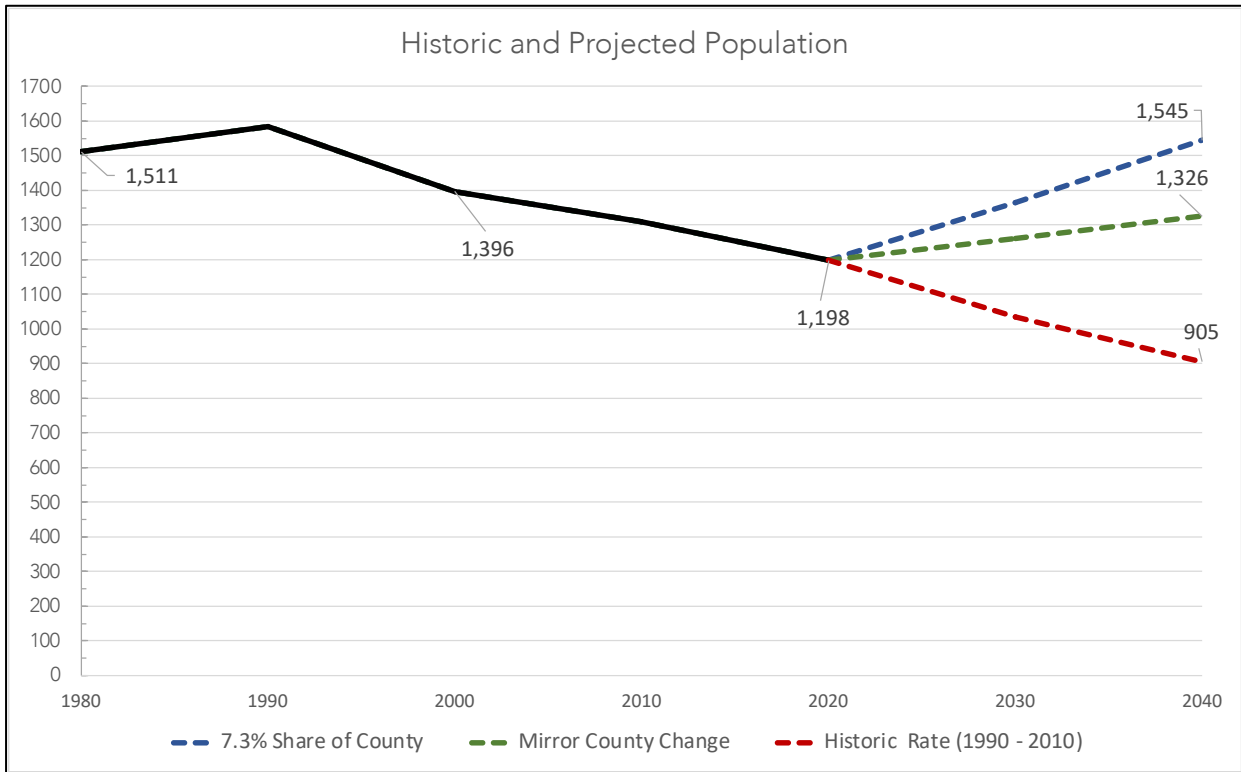


EXHIBIT 12

Forecast 2040

While the previous discussions of growth projections and development potential are descriptive and useful, they do not say what the Town wants to do. The answer to that question is embodied in the vision statement in Chapter 1, Introduction and in the goals and recommendations of this Plan. In short, the Town wants to capitalize on its natural, economic, and cultural resources to become more economically vibrant and to add year-round residents to help secure the essential institutions, businesses, and sense of community that embodies Rock Hall. But long established trends are not to be taken lightly and there are factors which caution against anticipating strong population growth in Rock Hall over the next 20 years, including:

- The long term trend of declining population since the 1970's.
- The reduction in the number housing units in Rock Hall, by 2.9 percent between 2010 and 2020.

- The trend of under-enrollment in public schools in Kent County, and the school district's facility master plan which projects in part continued enrollment declines through the next decade¹².
- Between 2010 and 2020, Kent County lost nearly 1,000 residents and its 2020 population was about the same as it was 20 years prior.
- MDP projects slow growth for Kent County through 2040 of about 2,052 people.
- Between 2010 and 2020, Kent County lost 1,725 jobs, representing a decrease of 13.6% over 10 years¹³. Its current employment base now is just 710 jobs greater than in 1990.
- MDP employment projections show that Kent County, by 2040, will have only just regained the employment levels it had in 2010.

Looking at these trends, one might conclude it is possible that Rock Hall will see no population growth through 2040 or might even see continued population declines. The broad forces that have, for 50 years, moved Rock Hall gradually away from fishing and seafood processing toward an economy based on maritime recreation and tourism (and even toward a retirement community) seem firmly established.

On the other hand, it is quite possible that the Town will measurably grow its population and households over the next 40 years. It will that is, if it pursues a strong pro-growth planning and development approach. Growth can occur as the Town becomes an ever more economically productive center for maritime / maritime-tourism activity. Maritime service is Rock Hall's export industry, and it brings income into the community as people, businesses, and investors outside the Town purchase the goods and services produced here. But more is needed and to develop Rock Hall in line with this Plans' vision, the Town must work over the next two decades to bring about and sustain three conditions:

- First, a demand for housing. There must be a demand for housing in Rock Hall and this demand can come about through (1) increases in good paying jobs locally and within a reasonable commute distance; (2) community improvements that mark Rock Hall as a good place, relative to other places, to put down roots; and (3) the continued migration of residents (including retirees) from urban areas in the mid-Atlantic region to the Eastern Shore including from New Jersey, Delaware, and the urbanized parts of Maryland. Recent trends in work-from-home and towards better home-work balance might also support housing demand in smaller more beautiful places like Rock Hall. To capture the demand for housing, land use polices that support residential growth must be front and center.
- Second, growth in total local income. Of concern here is the total amount of income generated by all residents, businesses, and local governments (including grants and other intergovernmental transfers). Local income is needed to support year-round business and institutions, and it seeds the capital that can be invested in the assets that drive more demand.

¹² Enrollment at Rock Hall Elementary Schools is at 86% of current capacity but capacity itself has been reduced through the dedication of school space to other community needs. Enrollments at Kent County Middle and High Schools are at 56% and 50%, respectively.

¹³ Between 2010 and 2020, Kent County lost jobs in almost every industrial sector.

In Rock Hall, local income can be grown in part by increasing the income-earning population (as noted above) which can come about when: (1) seasonal homes and vacation rentals convert to year-round occupancies; (2) the length of residential occupancy (and amount local spending) by part-time residents increases; (3) accessory apartments are added to existing residences; (4) less productive space in downtown buildings is improved for apartments; (4) houses are built on vacant lots; and (5) multiple-family housing and new neighborhoods are developed. Policies that allow and encourage these actions contribute to an increase in local income. Equally important, income can also come about when: (1) the competitive advantages of local businesses increase; (2) local businesses become more profitable; (3) the earnings and benefits of local workers increase; and (4) the number of local businesses expands. To grow local income, land use policies that support commercial development especially activities, in and allied with, the maritime and maritime-recreational sector must be front and center.

- Third: preservation and enhancement of the natural and cultural heritage as a Chesapeake Bay coastal community. Investments in preserving and enhancing Rock Hall’s heritage, its traditional “town-plan” (i.e., the downtown and the waterfront), its historic buildings, and its “green-infrastructure” represent investments in securing the Town’s economic vitality for the long term¹⁴.

So, looking out to the year 2040, this Plan seeks to prepare the Town to accommodate growth associated with the first projection, the “7.3% Share of County” scenario described earlier in this chapter. Recall, under this scenario, the Town’s share of the County population would return to its 2000 level of 7.3 percent. This projection is also closely aligned with the base of housing that already exists in Town, and from a community planning standpoint, it is prudent to ensure essential facilities are sized to accommodate occupancy of the housing that has already developed, even if its currently not in year-round use. This Plan places the Town on course to grow the local population by 347 full-time residents by 2040. In terms of household formation, this would mean another 164 occupied housing units by 2040. The intent of this Plan is not to limit residential growth to this level but to establish this as a baseline target.

Impacts of Planned Growth on Community Facilities

This section provides an evaluation of the ability of local community facilities to serve the needs associated with future growth. As noted above, this Plan forecasts an increase of 347 year-round residents and 174 households between 2020 and 2040. By 2040, therefore the Plan anticipates a population of 1,545 residents and 764 households.

¹⁴ Green infrastructure refers to the forests, stream buffers, tidal wetlands, and non-tidal wetlands, the preservation of which protects the developed parts of the Town against flooding and reduces water pollution.

Public Schools

Table 3 below shows the estimated impact of the forecast increase of 174 households on the capacities in local schools. The table does not account for the potential impact of new households throughout the County in the three school catchment area. It is worth noting that the Kent County Six Year School Facilities Master Plan projects declining or steady enrollments through 2028 and utilization rates well below State rated capacities. As shown by 2040, the forecast net increase of 174 households in Rock Hall may be expected to bring the Rock Hall Elementary school close to its current state rated capacity. The existing school building can accommodate more students but is currently programed at a lower capacity.

Public Water and Sewer

Table 3 below also shows the estimated impact of an increase of 174 households on the capacities of the public water and sewer systems. The increased demand may be expected to approach the capacity remaining in the public water system, which will necessitate a capacity expansion. The Town is presently adding a new production well, which will hold potential to increase water supply, but its intended use now is to add redundancy to the production of potable water. Water allocation to future users beyond the current capacity will be contingent on an increased water appropriation from MDE. There is more than sufficient capacity in the wastewater treatment plant to meet the needs of planned growth¹⁵.

TABLE 3

Forecast Growth: Impact on Public Schools and Water and Sewer Capacity in 2040

Community Facility	Capacity	Existing Demand	Projected Increased Demand	Capacity Remaining in 2040	% Utilization in 2040
Schools¹					
Rock Hall Elementary	294	254	29	11	96%
Kent County Middle	678	380	15	283	58%
Kent County High	1,161	580	22	559	52%
Water and Sewer²					
Public Water System (gallons per day)	230,000	181,000	36,750	12,250	95%
Wastewater Treatment Plant (gallons per day)	480,000	236,700	36,750	206,550	57%

¹Source of school capacity and existing enrollment Kent County School Facilities Master Plan. The "Projected Increased Demand" (for student enrollment) reflects the following assumed pupil yields for new dwelling units: 0.2 students per unit (for elementary school), 0.1 students per unit (for middle school) and 0.15 students per unit (for high school).

²Source of Public Water and Wastewater Treatment Plant capacities and use: Town of Rock Hall. Current water capacity is set by MDE Water Appropriation Permit, No. KE197G004(Rev05). Note: of the WWTP capacity, 101,050 gallons per day is reserved for use by Kent County within a designated county sewer service area by Agreement with the Town of Rock Hall, which expires in 2023.

¹⁵ More information on water and sewer facilities is provided in Chapter 4, Water Resources and Chapter 9, Community Facilities.

Library Services

Kent County has three libraries branches located in Chestertown, Rock Hall, and Rock Hall. The Kent County Library System, established in 1962 and expanded in 1978, provides library services to residents in Kent, Northern Queen Anne's, and Southern Cecil Counties. The Rock Hall Branch is located on Main Street. The Rock Hall branch is adequately sized for Rock Hall's growth potential.

Police and Emergency Services

Police services in Rock Hall are provided by the Town's police force. There are three full-time police officers and one part-time officer. The Maryland State Police and Kent County Sheriff's Department are also available on an as-needed basis to assist. Actual police staffing and deployment decisions are not based on per capita ratios but on local context and goals. The Town will continue to ensure adequate police presence for the 20-year planning period.

The Town's fire, emergency, and rescue services are provided by the Rock Hall Volunteer Fire and Rescue Company, a totally volunteer company, located in a facility on MD Route 20 constructed in 2005. The Company serves the Town of Rock Hall and an area encompassing the village of Fairlee and Bayshore Road. The Company's apparatus set includes two engine trucks, a tower truck, a rescue pumper truck, a brush truck, two ambulances, and a rescue boat. It's size and equipment is adequate, but it is important to note as a volunteer agency, the Company will continue to need local volunteers and support from Kent County governmental agencies.

Parks

The Town's current parks and recreation facilities consist of a public beach known as Ferry Park located along the Bay, the Rock Hall Civic Center Park which consists of a community center, tot lots and ball fields, the Rock Hall Ball Park on North Main Street, the Blue Heron wetlands observation park on the west end of the Town, Bayside Public Landing Park (owned by Kent County), and a small passive ¼-acre park area on Judefind Avenue and MD Route 20. Additional public recreational space is located on the grounds of Rock Hal Elementary School. With its two active major parks, at Civic Center Park and Rock Hall Ball Park consisting of about 25 acres, the Town has ample developed recreational park open space through 2040.

Governmental Buildings

Town offices are in a commercial building on Rock Hall Avenue along with the police department and public meeting are presently accommodated in the St. John Church community hall on S. Main Street. The current situation is not adequate, and the Town is presently studying options for locating or developing a new building. The Town's Department of Public Works is located on municipally owned property on Liberty Street

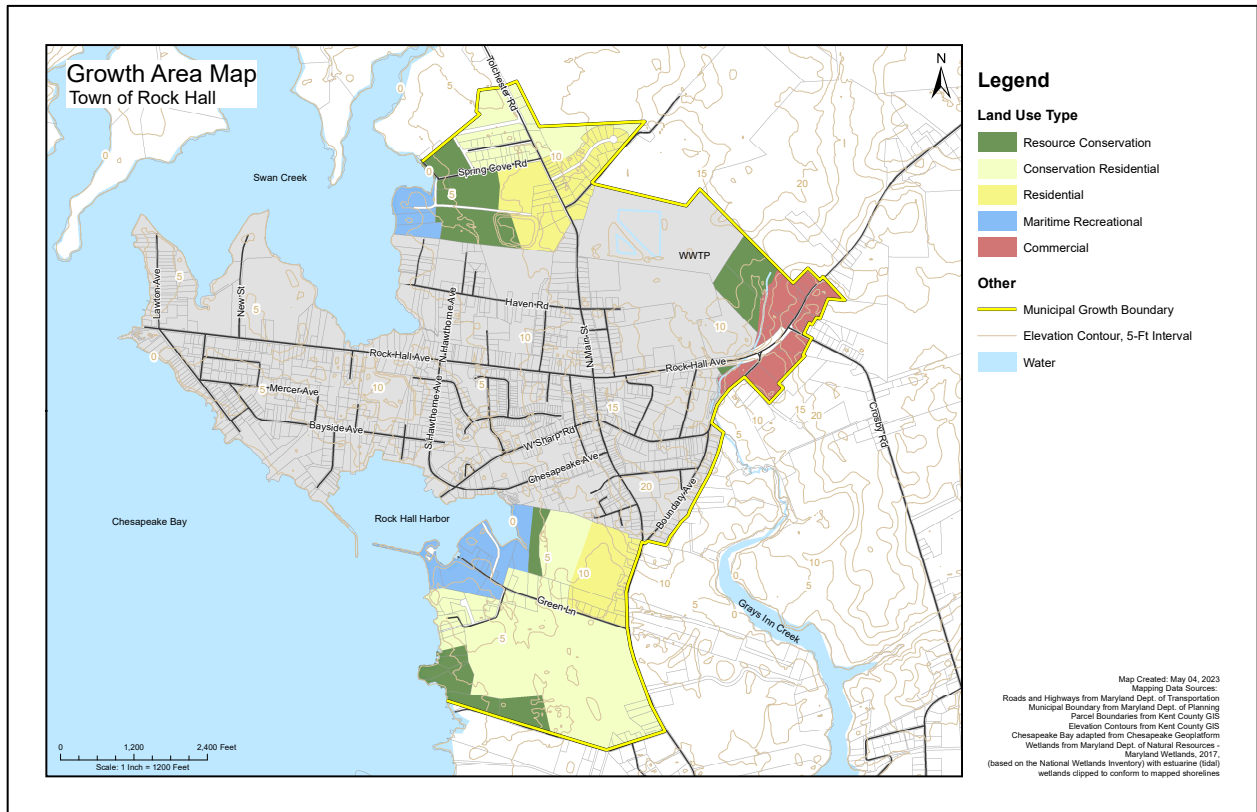
A Plan for Municipal Growth

Objectives

1. To reverse decades of population loss and grow in a measured way, through deliberate and strategic planning, to maximize the benefits that accrue to both existing and future residents.
2. To grow only in a manner that assures essential public facilities and infrastructure remain adequately sized and equipped with capacities to deliver exceptional and economical services without compromise to existing residents, institutions, and businesses.
3. Through the physical expansion of the Town, promote planned development that brings economic and fiscal well-being to Rock Hall.
4. As a part of expanding the Town, protect, conserve, and even restore where possible natural resource lands, such as forests, wetlands, floodplains, and the services they provide.
5. Ensure there is sufficient land for development to support long term growth.

A Designated Growth Area

The designated growth area is shown on Map 4. It comprises properties which are eligible for annexation into Rock Hall and its area encompasses 435 acres. Eventual annexation of the entire growth area would expand the Town from its current size of 833 acres (1.3 square miles), to 1,265 acres (or about two square miles). Proposed expansions are shown on the north, east, and south sides of Town. The proposed land uses for the properties in the growth area are described below. The goals for drawing the growth area as shown are to incorporate areas into Town which could be developed for residential and commercial uses, to increase the assessable tax base, and to align the provision of public water and sewer services with the municipal boundaries where possible.



MAP 4

Resource Conservation

The Resource Conservation designation identifies natural lands, open spaces, and low lying areas that are vulnerable to flooding, that generally cannot safely support development, would be irreparably harmed by development, or whose loss would impair local water quality, flood management, wildlife habitat, and scenic beauty. It also includes areas for parks and recreation. About 83 acres of the growth area are shown as Resource Conservation. These areas should remain undeveloped, but if developed in some very limited way, there should be no disturbance to undying natural resources.

Conservation Residential

The Conservation Residential designation identifies areas that may be developed in the future for housing while also signaling a need for ecologically sensitive development practices. To the extent possible new development should be clustered to preserve open space and allow for efficient provision of municipal water and sewer services. Please see Chapter 6, Land Use for more information on this land use designation.

About 193 acres of the growth area are shown as Conservation Residential. This designation also encompasses an existing subdivision north of Spring Cove Road, and a collection of residential lots south of Town, along S. Main Street and the north side of Green Lane. The existing developed lots are presently provided public sewer service by Kent County under an Agreement with the Town of Rock Hall, but they are not provided with public water service. The Town should require that any requests from property owners for new or increased water or sewer allocations be accompanied by commitments to annex into Rock Hall.

Residential

The Residential designation identifies areas that may be developed for housing. As a general guide, the optimal net density of new residential development in these areas would approximate five housing units per acre¹⁶. Housing types allowed would be limited to single-family detached houses and other housing types, such as duplexes and triplexes that are architecturally compatible in scale and design with single-family houses. About 78 acres are designated for this use on the Growth Area Map. Portions of the land in this designation are located within planned or existing water service areas. The Town should require that any requests from property owners for new or increased water or sewer allocations be accompanied by commitments to annex into Rock Hall.

Maritime Recreational

This designation identifies areas that could be developed or redeveloped in ways similar to the Town's existing Maritime Recreation (MREC) zoning district. The intent of this designation is to allow certain key properties on the waterfront to be used for marinas, boat docking, maritime related sales and services, and water related recreation and tourism including hotels, inns, and restaurants. About 44 acres are designated for this use in the Growth Area including the current site of Haven Harbor South. The land so designated is within planned and existing sewer service areas. The Town should require that any requests from property owners for new or increased water or sewer allocations be accompanied by commitments to annex into Rock Hall.

Commercial

This designation identifies areas that could be developed, redeveloped, or intensified for commercial uses located at the Town's eastern edge along Rock Hal Avenue and Crosby Road (MD Route 288). The Town provides public water to these areas now and the County provides sewer services. The Town should require that any requests from property owners for new or increase water allocations be accompanied by commitments to annex into Rock Hall.

¹⁶ Net density is expressed in housing units per developable acre. It is calculated once the overall acreage is reduced to account for land that either cannot be developed because of environmental constraints or must be set-aside for major open spaces and other non-residential uses.

Coordination with the County

Coordination with Kent County will be important to realize the municipal expansion, planned land use development, and the public benefit potential that this Growth Area holds for both Rock Hall and Kent County. The County has its own land use goals and even has zoning in place to support certain types of land use development along the edges of the Town boundary, so working together with the County will be beneficial. As future annexations are considered, the Town may also need to process amendments to the Water and Sewer Master Plan that is maintained by Kent County. This would involve direct coordination between the Town and County and MDE. Even before annexations are proposed, the Town would benefit from systematically evaluating and as needed, amending the water and sewer agreements it has with Kent County.

Guiding Principles for the Growth Area

The complete build-out of the growth area would only occur in the distant future, beyond this Plan's time horizon of 2040. The Town does not want the growth area to develop in an uncoordinated or haphazard way. Mindful of the eventual planned and coordinated development of the growth area, individual development projects must be designed and oriented towards advancing the Town's long-range goals, so Rock Hall expands logically and efficiently. The following principles are intended as guides for how the Town will expand within its growth area.

- Land development in the growth area should occur only through annexation, through the provision of municipal services, and under the Town's land use rules and regulations. All towns have vital interest in the pace, type, character, and impact of development on their periphery and within areas they may expand.
- Requests for new or expanded water and sewer (whether such services are considered County or Town) should only be approved when property owners commit to annexation. There are times when annexation in the near term is not feasible or advisable and in those instance petitioners for water or sewer services should sign pre-annexation agreements indicating their intent to be annexed at a time the Town decides is appropriate. Extensions and connections (or expansion of allocations) of water and sewer services to any property should not be made except when it is clear the property will be annexed.
- Natural areas should guide the location of future land development within the growth area. In all decisions about development, the underlying resource base and the assessment of long term flooding risk and sea level rise should be considered, and natural areas that are at risk of being harmed by development must be protected.
- Development within the growth area must look like it belongs in Rock Hall, support and advance the character of the Town, and fit compatibly with its surroundings. Development in the growth area must be found capable of providing a lasting benefit to the community.

Financing Infrastructure in the Growth Area

Financing infrastructure and service expansions in the growth area will be governed by the following policies:

- New development will pay its fair-share of the costs associated with community facilities, infrastructure, and transportation improvements.
- Current residents, businesses, and property owners will not be required to fund capital improvements for community facilities, infrastructure, and transportation improvements necessitated by demands solely generated by new development.
- No annexation and development will be approved unless it can be determined that adequate public facilities and infrastructure either already exist or have been planned and funded within a reasonable time in conjunction with the proposed development.

Chapter 6: Land Use

The term “land use” refers to the way people use land, and it reflects the cultural, economic, and environmental character of the Town. The land use maps in this chapter show the location of natural areas and the existing and planned distribution of residential, institutional, commercial, and maritime activities. Because the way the land is used is intertwined with demographics, economics, housing, natural resources, transportation and community facilities, this chapter is closely connected to all the other chapters of this Plan.



EXHIBIT 13: ROCK HALL HARBOR. SOURCE OF PHOTO IS MARINAS.COM, [HTTP: WWW.MARINAS.COM](http://www.marinas.com)

Rock Hall is framed by water and set within a landscape of forests and open fields. The Town was founded in 1707 and its natural harbor on the Chesapeake Bay developed as a shipping point for seafood and agricultural products. Over past 50 years or so, the Town has become a recreational center and charter boat fishing and sailing destination. Increasingly, over the past couple of decades, Rock Hall has also become a place for vacation homes and second-home buyers. Nearly 30 percent of the housing units in Town are now devoted to seasonable and vacation use. The year-round population has gradually, but consistency fallen since the 1970's when the Town reached its peak population.

Rock Hall has two distinct traditional centers that reflect the Town's enduring plan of development and the importance of the Chesapeake Bay to the Town's economy. The first is the Rock Hall Harbor and it is set only a ½ mile away from S. Main Street, the traditional downtown. Until the 1950's, Sharp Street, which extends from the Harbor directly through downtown was the only roadway connecting the Town to the regional highway system. That changed when MD Route 20 was improved and extended into Rock Hall, bypassing the northern edge of downtown as a straight line toward the landing at Gratitude.

Although the Town no longer has active seafood processing facilities, it still has a busy maritime economy and commercial watermen still sell and transfer their catch at the Harbor. Downtown has changed too over time and while it is still characterized by traditional storefronts, restaurants, and galleries, the historic streetscape of downtown has been fragmented by the loss of buildings that have not been replaced.



Existing Conditions

Map 5 shows the existing land uses in Rock Hall. This review addresses the general pattern within Town limits. Each land use category shown on the map is described below.

Natural Resource Lands

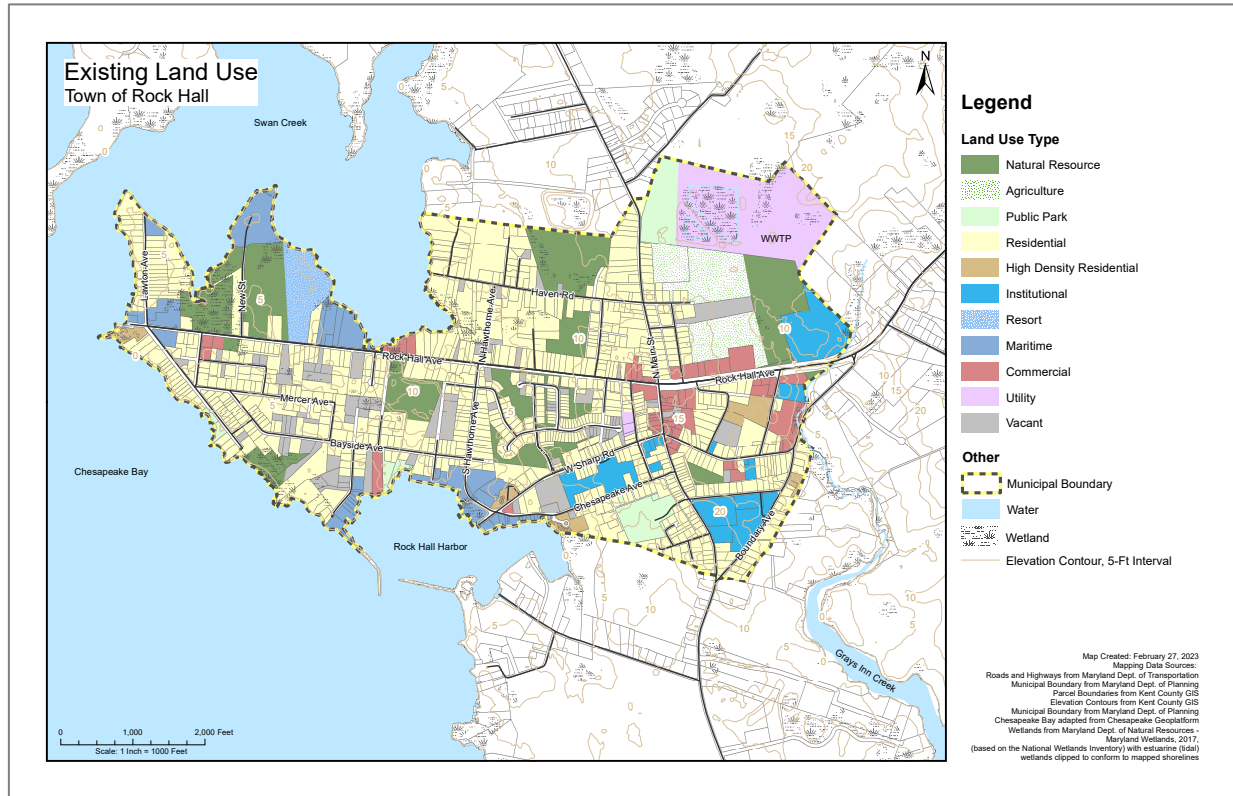
Environmental features, including floodplains, tidal marshlands, large non-tidal wetlands, woodlands, and streams extend throughout Rock Hall.

Agriculture

The undeveloped lands behind the Walgreens north of Rock Hall Road and east of Main Street are used mostly for field crops. The land in Town under cultivation area approximates 40 acres.

Public Park Lands

There are four areas designated as public parklands on the land use map: the Rock Hall Ball Park on N. Main Street; Civic Center Park and Rock Hall Playground located on Civic Center Road; Ferry Park on the waterfront at Beach Road; and Bayside Landing Park, which is owned by Kent County and located on the waterfront at Bayside Avenue.



MAP 5

Residential

Residential use covers more land than any other use on Map 5. There is not much variation in housing types in within the Town's main Residential areas; the main housing type is the single-family house. There are however duplexes in the Harbor Woods (formerly Waterman's Estates) Subdivision. This is a greater variation in the size of single-family lots as a close examination of Map 5 reveals. Lots vary in size from about 5,500 square feet in locations along Bayside Avenue to 1 and 2 acre parcels scattered throughout the Town.

High Density Residential

Land devoted to multi-family housing, such as apartment buildings, townhouse developments, and condominium buildings, is also shown on Map 5. There are five multi-family housing developments.

Institutional

Institutional uses such as churches and religious use buildings, public administrative sites, and cultural buildings are distributed throughout the Town and include among others the Rock Hall Volunteer Fire Company, the Rock Hall Elementary School, and the complex of buildings and grounds along S. Main Street south of Catholic Avenue.

Resort

The Resort land use category covers areas in one ownership designed to provide a combination of overnight accommodations, entertainment, and outdoor recreational venues. This designation applies to the Osprey Point property, which includes a recreational marina.

Maritime

This designation applies to properties on or near the waterfront that are now functionally related to or dependent upon a connection with the water. It includes most of the property fronting the Rock Hall Harbor and the other marinas in Town.

Commercial

As shown on Map 5, commercial lands are concentrated along S. Main Street in the traditional and walkable downtown and along Rock Hall Avenue. The downtown district extends along S. Main Street from Rock Hall Avenue south to Sharp Street. A more suburban and automobile oriented commercial district has emerged along Rock Hall Avenue from approximately the Main Street / Rock Hall Avenue intersection east to Chesapeake Villa Road. This area includes a bank, restaurants, and a variety of retail establishments and services. There are several other commercial uses located elsewhere in Town.

The zoning district which covers downtown (Town Center Commercial, C-3) effectively prohibits the mixing of residential and commercial uses and thus prevents building owners from adapting to market conditions that favor residential. This may discourage major reinvestment in or redevelopment of obsolete buildings. While some apartments above commercial floors are allowed, that potential is strictly limited by the Zoning Ordinance, and the costs of retrofitting buildings are significant relative to the number of apartments that might be created. The Zoning Ordinance effectively prohibits the creation of most housing types that could meet the needs and preference of people who would like to live in a historic downtown. It also prevents the conversion of long vacant storefronts into needed housing.

Utility and Vacant

The utility category includes the Town's water treatment facilities on Liberty Street and the wastewater treatment plant. The map also shows that there are many vacant parcels within the residential areas of Rock Hall. These include 76 platted lots that could potentially be improved with houses and many larger tracts which could be subdivided for residential development¹⁷. Development or improvement of many of these lots however is constrained to some degree by environmental conditions including high water tables, flooding, and the presence of wetlands and thus is subject to federal, state, and local environmental regulations.

¹⁷ See Chapter 5, [Municipal Growth](#) for a discussion of the available lots in Rock Hall and their development potential.

A Plan for Land Use

A land use plan is best thought of as a guide to the use and development of land, showing the preferred use of every parcel¹⁸. This land use plan seeks to conserve the Town's heritage, maintain a vibrant working waterfront, protect remaining forests and the tree canopy, sustain, and revitalize the downtown as a business and cultural center, promote residential growth and development, and meet the housing and social needs of residents. It also begins the long term work of adaptation to the rising level of the Chesapeake Bay (sea level rise). In this regard, this land use plan is a point of departure for an ongoing community planning process that will span many decades.

Objectives

These are the objectives this land use plan is intended to achieve:

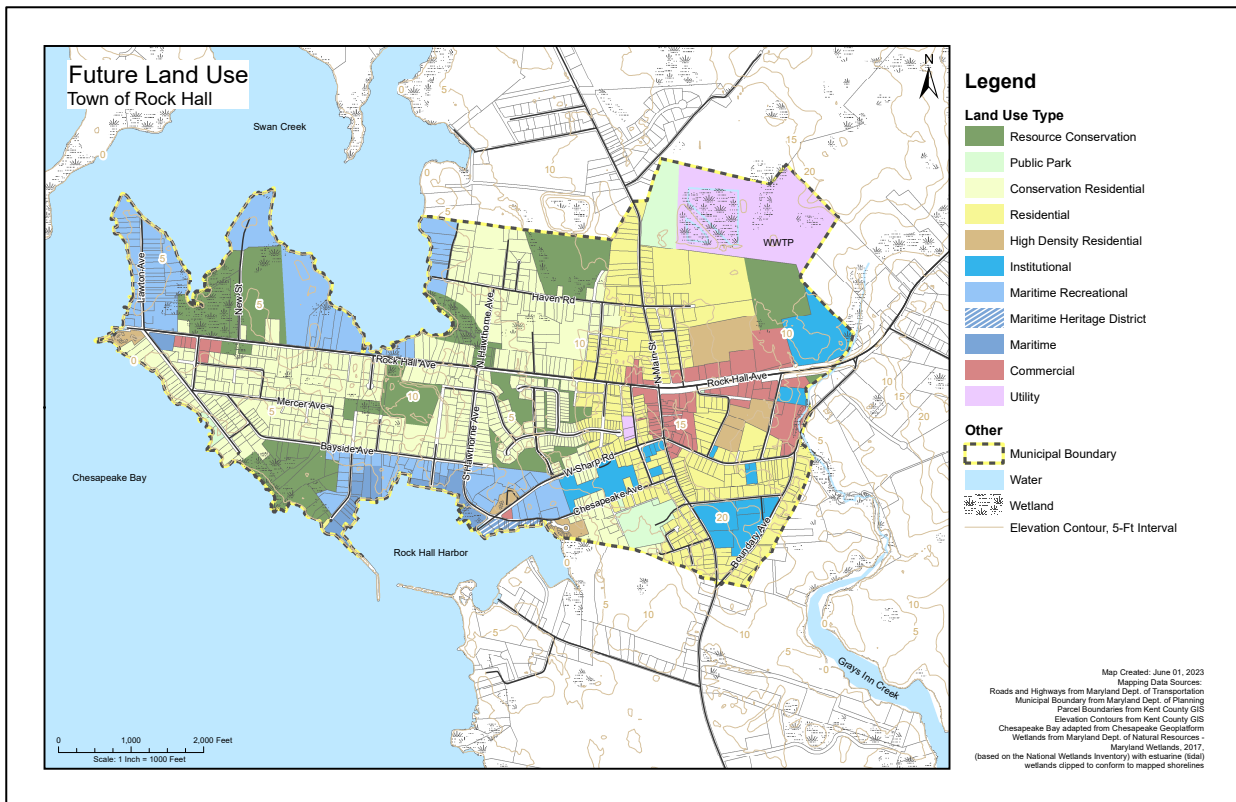
1. Protect the Town's unique small town waterfront character and setting while facilitating well planned development.
2. Promote a land use pattern that encourages housing development in areas that can be developed without loss or adverse impact to forests and wetlands.
3. Sustain and encourage a working waterfront and support development decisions that retain the maritime economy at the Rock Hall Harbor.
4. Promote the revitalization of downtown as a business and cultural center.
5. Adapt to the vulnerabilities of sea level rise and flooding in a way that incorporates the Town's heritage as a Bayfront destination and adds to the Town's scenic beauty and natural resources.
6. Minimize residential building and infrastructure development in lower lying areas of Town which are projected to be inundated in the decades ahead due to sea level rise. Protect tidal and non-tidal wetlands from loss to development because they are important to coastal resiliency. Generally, minimize residential use in areas projected to be impacted by or be vulnerable to flooding.

¹⁸ A land use plan is not a zoning map. Instead, it is a guide that should shape how the zoning map is drawn. The zoning map is part of the Town's zoning laws and it divides the Town into zones, each having its own set of use and development regulations. While a zoning map is not a land use plan, it is required to be consistent with a land use plan. Ultimately, many of the land use recommendations in this chapter would be codified into law through zoning amendments, which may include amending the zoning map. See Chapter 11, [Implementation](#) for a list of recommended amendments.

- Expand commercial development including tourism opportunities, foster the redevelopment and revitalization of commercial properties, and bring about an arrangement of shops, restaurants and commercial offices and services that improve the convenience and joy of living in and visiting Rock Hall.

Future Land Use

Map 6 designates the following general recommended (future) land use categories: resource conservation, public park, conservation residential, residential, high density residential, institutional, maritime recreational, maritime heritage district, maritime, commercial, and utility. They are described in Table 4 and discussed below. The Future Land Use Plan, shown on Map 6 is the Town’s official guide to the use and development through 2040 and the recommended basis for updating the Town’s official Zoning Map.



MAP 6

Resource Conservation

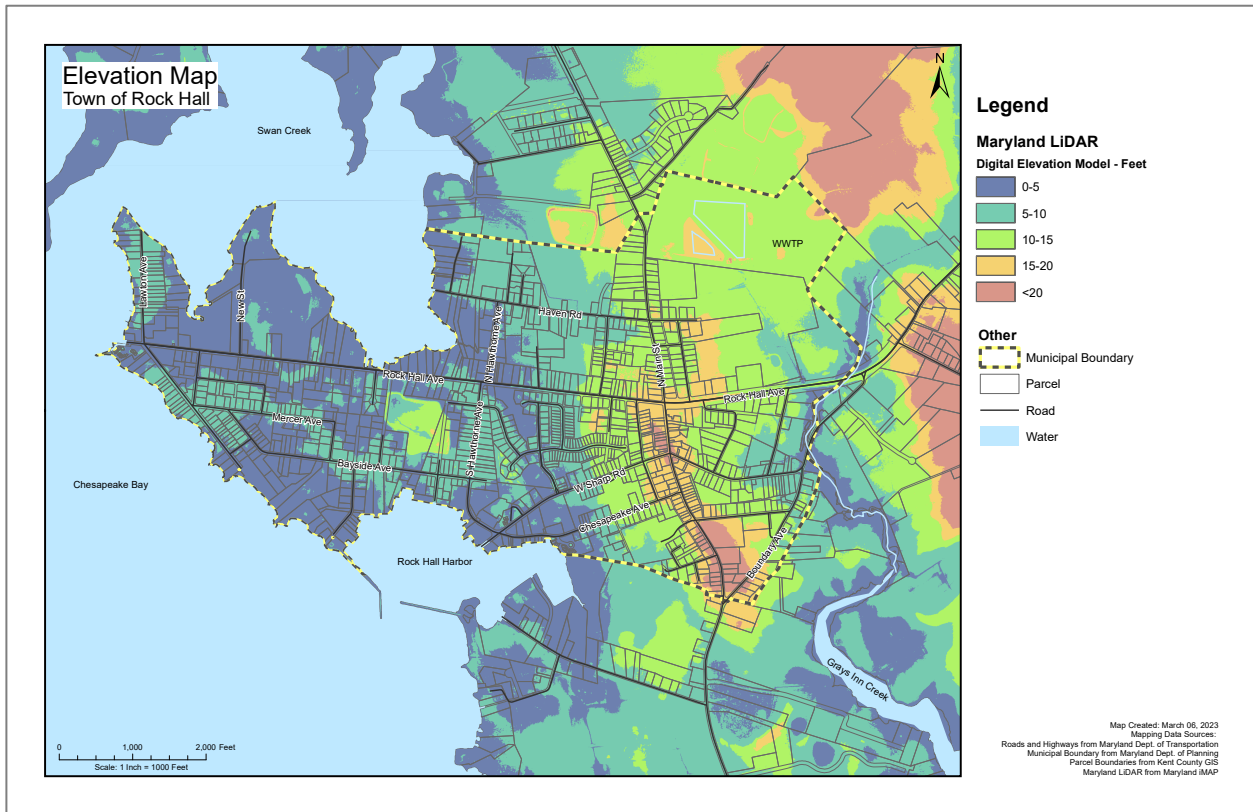
The Resource Conservation designation identifies natural lands, open spaces, and low lying areas that are vulnerable to flooding, that generally cannot safely support development, would be irreparably harmed by development, or whose loss would impair local water quality, flood management, wildlife habitat, and the Town's scenic beauty. It also includes areas for parks and recreation. (Note that Chapter 9, Community Facilities, builds on this land use recommendation, and includes recommendations for an interconnected park plan organized through "greenways". The greenways would connect neighborhoods and activities centers to natural areas.)

Sensitive natural areas play vital roles in sustaining the quality of life, public health, and the natural beauty of Rock Hall. Marshlands and wetlands help attenuate flooding, improve the water quality of the Chesapeake Bay, and provide habitat for native plants, fish and wildlife that are part of the character and beauty of Town. Forests help moderate local temperatures for nearby residents and provide habitat for the birds and wildlife that residents and tourists see. The preservation of these natural resources is also important to the Town's economy which is based in tourism, recreational boating, and fishing.

This land use designation can be implemented most effectively by creating a new zoning district for the Town's Zoning Map (call it the "Resource Conservation District", for example). It would permit only very low intensity uses and restrict development activities to those portions of a property that could be developed without disturbing the underlying resource. Within this new zoning district any existing residential uses could continue and the allowable density for any future development could be capped at a very low density such as two acres for every new residential unit.

Conservation Residential

Conservation Residential is a category that generally includes residential areas on lands below 10 feet in elevation. For an understanding on how this designation was assigned, please refer to Map 7 which shows elevations throughout the Town in five-foot intervals. Note how there appears to be a north-south demarcation line that separates areas above and below the 10 foot elevation. This line generally coincides with the 500-year floodplain which can be seen on Map 1 and Exhibit 5 in Chapter 3, Natural Environment. The Conservation Residential designation is a land use category that generally reflects the underlying long term vulnerabilities to sea level rise which happens to be mostly connected with lands at an elevation below 10 feet. Planning for sea level rise is discussed in Chapter 3 and later in this chapter under the heading "Adapting to Sea Level Rise".



MAP 7

Much of the area designated “Conservation Residential” on Map 6 is vulnerable to long term sea level rise and to an increase in flooding severity expected in the decades ahead. Some areas are actually set below a 5-foot elevation and these areas might, upon more detailed study, be found to be areas of high coastal hazard. In such areas, this Plan recommends that Town study and adopt regulations to protect public safety and minimize hazards to vulnerable residents for example by prohibiting nursing homes, hospitals, and similar institutions such as assisted living facilities and group homes for the disabled. For now, what differentiates the Conservation Residential designation from the general Residential designation is:

- (1) A heightened focus on the need for sensitive land use and development and practices to sustain the values of existing property and minimize the disruption caused by rising water tables, standing water, flooding, and storm events, and
- (2) Minimizing residential development to limit land disturbance and reduce the potential for new population in areas most vulnerable to sea level.

The character, density of houses, or patterns of development in neighborhoods presently developed in residential use either, at medium or lower densities, are not intended to change; these should be conserved and protected. But for new development activities on lands designated Conservation Residential, this Plan recommends that new standards for development be studied and adopted as amendments to the existing Zoning Ordinance and Subdivision Regulations. The following recommendations, for example, would apply:

- For proposed subdivisions or developments, substantially increase the required minimum lot size especially in areas at elevations at 5 feet or fewer feet above sea level.
- Strictly minimize any loss to wetlands and forest in all site developments.
- Establish standards for the maximum amount of lot coverage.
- Strictly apply the floodplain management regulations.
- Encourage builders to elevate the living areas of new buildings above the required flood protection elevations that generally apply elsewhere in the floodplain¹⁹.
- Prevent property owners from grading lots (cutting or filling) unless the proposal is supported by engineering studies proving no current or future adverse impacts to adjoining properties or community drainage.
- Actively manage and restore where necessary roadside drainage ditches and storm drains.
- Adopt technical specifications and standards for private driveways and require that all driveway connections to public streets be reviewed by a town engineer for the proper sizing and alignment of culverts.
- Plant trees on public open lands and spaces, encourage and incentivize private property owners to plant trees on their lots. Enforce forest conservation regulations.
- For new developments or subdivisions, require environmental site design (ESD), as described in Chapter 4, Water Resources.

¹⁹ In other words, increase the required flood protection elevation or “freeboard” over the current two feet that is required by the Rock Hall Floodplain Ordinance.

Residential

The Residential category, shown on Map 6, encompasses areas presently zoned R1 and R-2, or recommended to be zoned for residential use, not otherwise designated for Conservation Residential. The character, density of houses, or patterns of development in neighborhoods presently developed in residential use either, at medium or lower densities, are not intended to change; these should be conserved and protected.

For new developments, this Plan recommends that land be developed to create walkable intergenerational communities with quality open space and parks. As a general guide, the optimal net density of residential development in these areas would approximate five housing units per acre²⁰. Housing types allowed would be limited to single-family detached houses and other detached housing types, such as duplexes and triplexes that are architecturally compatible in scale and design with single-family houses.

The recommended exception to the above stated rule would be cottage housing communities, which are master planned communities of small houses whose residents may share common open spaces and parking lots (see Exhibit 14 below). A cottage housing community could only be developed under strict standards related to density and ownership and maintenance of common areas. This Plan recommends that the Zoning Ordinance be amended to encourage this manner of development as a means for delivering affordable housing options while creating larger open spaces and parkland.

The result of the recommended land use plan is that the base of land, within town limits, available for Residential would be increased by 31 acres. This could be accomplished by rezoning part of the Mixed Commercial Industrial (MCI) zone to a residential zoning district. This Plan recommends a new zoning district be created for this purposes, which may be called "R-4". For context, the potential for 90 to 100 housing units would be added if the standards of the Town's current R-1 zoning district were applicable.

²⁰ Net density is expressed in housing units per developable acre. It is calculated once the overall acreage is reduced to account for land that either cannot be developed because of environmental constraints or must be set-aside for major open spaces and other non-residential uses.



EXHIBIT 14: PHOTOGRAPH OF A COTTAGE COMMUNITY, SMALL HOUSES CLOSELY SET AROUND A VILLAGE GREEN AND COMMUNITY CENTER.

High Density Residential

This residential category encompasses areas presently zoned or recommended to be zoned R-3. The intent is to provide space for housing types such as townhouses, and multi-family buildings (apartments and condominiums). These development types can deliver housing at more affordable price points than single-family housing types while preserving quality ample open spaces.

This Plan increases the base of land available for high density residential development by 13 acres. This would be accomplished by rezoning part of the MCI zone to either R-3 (or a to new comparable zoning district). This would add the potential for about 80 to 90 housing units to the Town's residential base using the standards of the current R-3 zoning district.



EXHIBIT 15: EXAMPLE OF MODERN TOWNHOUSES ON SMALL LOTS ARRANGED ALONG THE STREET IN A TRADITIONAL WALKABLE PATTERN.

Maritime Recreational

Map 6 shows areas designated for Maritime Recreational uses. This designation generally coincides with the existing Maritime Recreation (MREC) zoning district. The intent of this designation is to preserve properties on and near the waterfront for marinas, boat docking, maritime related sales and services, and water related recreation and tourism including hotels, inns, and restaurants. These uses are generally of a lower intensity than found at the commercial and working waterfront.

Included in this designation are properties that front Lawton Avenue which are now zoned MREC, most of which are largely developed in single--family residential use. This plan acknowledges that there is a potential for land use conflicts between commercial and residential uses in this area including increased traffic, but the overarching goal for Maritime Recreational areas is to support the maritime and tourism related economy. Parts of the planned Maritime Recreational area, where the land is elevated at least 5 feet above sea level, can also be well suited for water view apartments and condominium buildings since they are far enough removed from the more restrictive working waterfront zone.

Maritime

Map 6 shows areas designated for Maritime. Compared to the Maritime Recreational designation, this designation allows for more intensive commercial maritime uses. The designation largely coincides with the existing Maritime Water-Dependent (MWD) district whose purpose is to preserve land for waterfront activities such as marinas, commercial docking, maritime storage, boat repair including dry docking, seafood packing, and seafood processing.

This Plan seeks to sustain a critical mass of working waterfront uses necessary to support the local maritime industry. This means in part that the land use activities allowed in the Maritime areas should generally remain limited to water dependent and water related activities, and that residential uses, new restaurants, and new hotels should be excluded. However, this Plan recommends that the Rock Hall Zoning Ordinance be amended to expressly designate existing restaurants as permitted by-right so they can continue, expand, and redevelop in the same manner as any other permitted use in the MWD district.

One proposed exception to the general exclusion of non-water dependent is the part of the Maritime area shown on Map 4 as " Waterfront Heritage District". The Rock Hall Waterfront Master Plan designated this area for a mix of commercial uses. It encompasses 15 properties and a total of 2.7 acres and is located east of W. Sharp Street and south of Chesapeake Avenue. The Waterfront Master Plan recommended this area be a target for heritage and tourism support uses including overnight accommodations, restaurants, museums, and general retail uses.

Commercial

Finally, Map 6 shows areas designated for Commercial use – that is, non-waterfront commercial use. This includes small commercial concentrations such as along Coleman Road and along Rock Hall Avenue. It also includes downtown which is discussed in the next section.

Other Recommendations

Downtown Revitalization

Within downtown (the C-3, Town Center zoning district), mixed-use development is really not encouraged, but it should be. Mixing residential and retail and service commercial uses together in a compact historic district creates vitality. It supports local businesses, provide opportunities for affordable housing options, it promotes walkability, it keeps the lights on in downtown after regular business hours, and provides an income source to building owners that can positively impact real estate investment including the rehabilitation of older buildings. This Plan recommends that a variety of housing types such as apartment and condominium buildings, senior housing, and townhouses be permitted and incentivized in downtown as a matter of right. Specifically, this Plan also recommends lifting restrictions on property zoned C-3 that limit apartments in commercial buildings to one unit per 2,000 square feet of commercial floor area up to a maximum of four units.

This Plan further recommends that the Town undertake a master plan for downtown that will involve (1) drawing the boundaries of a new Rock Hall Historic Downtown Development District, (2) adopting zoning amendments and design standards to bring about high-quality compatible revitalization within the district, and (3) adopting local property tax credits to incentivize real estate investment including the adaptive reuse of historic buildings. Further, as a matter of development policy, this Plan recommends the Town consider ways of reducing the up-front cost of water and sewer connections for downtown building proposals.

Development design guidance, or the lack thereof, can affect real estate values, community pride, and the overall investment climate. Regarding standards for development, this Plan recommends the Town consider adopting architectural and building design guidelines that will guide both infill development and redevelopment within the proposed Downtown Development District. One of the most important goals is to preserve and protect the remaining historic character.

Promoting compatibility between new and traditional buildings would help protect the Town's character. Promoting harmony and cohesiveness has always been an essential objective of town planning, one that was traditionally achieved in large part because property owners within a place (and local builders) shared a common design language. But that is hardly the case anymore.

Local properties can be owned by outside corporations that design their buildings to advance brands rather than to complement an established streetscape or a heritage of local building. Regretfully, many builders or land developers have their "models" whether the site is in a small coastal town or a new suburban shopping area, which means that, even in an historic downtown, landmark buildings could be replaced with new ones that bear no resemblance to the Town's unique history and setting. If property owners build with little regard for community character, the sense of place can be eroded over time, leaving fewer and fewer examples of traditional character remaining as guideposts. Even caring property owners, when they contend with the opportunities and constraints of land economics and finance, can lose sight of the shared building norms and ideas that shaped the character of Rock Hall's buildings and sites throughout history.

It is the Town's position that the essential character defining elements of buildings in downtown must be used as the model for future buildings and site improvements there. The Planning Commission rejects formulaic building design and franchise architecture, signage, and new buildings or site layouts that impair rather than complement the Town's historic character and natural setting and will not approve developments in downtown that are not well fitted to the historic character of downtown. It also however rejects the idea that builders should slavishly adhere to architectural styles or to a specific period in history. It is not important to mimic existing buildings; the important thing is that new buildings be compatible with the old, not that they look just like the old. New buildings should of course look like they belong in Rock Hall's downtown; they should have elements, scale, massing, colors, and materials that harmonize with the established community character.

As part of the recommended master plan for the Downtown Development District, the Town should evaluate the character of the buildings, signs, and structures and select those elements that set the standard for traditional architecture and design character. Upon completion of that master plan, the Town could create and adopt architectural, building, and site design guidelines that would shape both new buildings and building additions. Application of design standards is most appropriate where the physical and visual properties of buildings and sites can significantly influence the character of the Town; that is certainly the case in downtown.

Because buildings and community design cannot be separated from their unique physical setting and "sense of place", the above mentioned plan should also identify all character-defining landmarks and other things, like the best sight lines. The preservation of character-defining elements like sight lines could also then be protected through new development regulations and/or guidelines.

The Rock Hall Waterfront Master Plan

The prospects for downtown and the Rock Hall Harbor are linked as they have been since the Town's original settlement. The Harbor is an economic engine for the Town. Balancing the needs of a working waterfront with the demands of a growing tourism sector can be difficult but Rock Hall can do it. The Rock Hall Waterfront Master Plan, which is in the Appendix to this report, was a step in the right direction.

The Waterfront Master Plan contains extensive useful information including community input and concrete recommendations for improvements. Some of its broader land use and walkability recommendations are specifically and directly reflected in this Comprehensive Plan. However, while a draft plan was published in January 2017, it was never adopted by the Rock Hall Town Council. This Comprehensive Plan hereby incorporates the Rock Hall Waterfront Master Plan making it the official policy for the waterfront area in support of this Comprehensive Plan. This Plan also recommends that the Waterfront Plan be continually updated in the years ahead as conditions warrant and progress is made. Future Master Plan updates should then incorporate this Comprehensive Plan's policies and recommendations and refine and detail them as appropriate.

One of the most significant waterfront planning issues concerns the type of land use which should be permitted at the Harbor. This Comprehensive Plan addresses the question in the following ways:

- (1) It expands the Maritime-Recreational land use. As shown on Map 4, this land use designation now wraps around the outer edge of what is today zoned as Maritime Water-Dependent (MWD). It extends to Bayside Avenue to the north, Walnut Avenue to the east, and to W. Sharp Street and Chesapeake Avenue to the west. The Plan recommends that restaurants, hotels, and housing be allowed in this area. This therefore expands the area where “water-related” development can take place.
- (2) It incorporates the recommendation from the Waterfront Master Plan that the MWD be modified by including a Waterfront Heritage District overlay zone. Within this 2.7-acre zone, a variety of non-water dependent uses would be allowed. The Rock Hall Zoning Map should be amended to include this district using the boundaries shown on Map 4 as a guide.
- (3) It recommends that the Zoning Ordinance be amended to allow existing restaurants in the MWD to be permitted “by-right”, thus removing their non-conforming use status.
- (4) It recommends in the years ahead that the Town evaluate, and if found acceptable, adopt zoning changes to the WMD district to allow, under strict conditions, a certain amount of non-water dependent use on properties, employing the techniques and lessons learned from other waterfront towns like the City of Annapolis that have long faced similar challenges balancing competing goals along the waterfront.

With regard to item #4 above, the Planning Commission is reluctant as part of this Comprehensive Plan to recommend opening-up the Town's MWD District to non-waterfront uses beyond that recommended above. After detailed future evaluation and community input, the Planning Commission may be open to recommending zoning text amendments that could allow limited non-waterfront-dependent uses, but the zoning changes would need to contain guardrails to ensure the Harbor is primarily conserved for the maritime industry and waterfront-dependent uses. Placing restrictions, as the Rock Hall Zoning Ordinance now does, to prevent or limit certain businesses and real estate speculators is customary and entirely valid. One only needs to consider the Town's residential zones to see that zoning is used there to prevent and limit higher density housing, commercial activities, and real estate speculation in order to conserve areas for their traditional residential quality and uses. The same logic is applicable to the working waterfront. The City of Annapolis, as one example, adopted, and regularly updates, zoning standards that codify thoughtful consensus-based approaches for allowing a certain limited variety of uses and incentivizing public waterfront access, while preserving an underlying purpose of protecting the working waterfront for the public benefit it provides. If it weren't for the real risk that working waterfronts could be lost, these types of zoning codes would not be needed.

Adapting to Sea Level Rise and Flooding Vulnerabilities

Sea level rise presents a serious long-term challenge to Rock Hall. As discussed in Chapter 3, Natural Environment, sea level has been rising, and the effects are already evident in the lowest lying areas of Rock Hall. Sea levels are projected to rise throughout this century and beyond and will have a profound impact of the Town.

Sea level rise may be expected to make maintaining municipal infrastructure in and near low lying areas much more difficult and costly in the decades ahead including storm drains, water and sewer lines, and some streets. A much greater part of the Town will be exposed to nuisance flooding and will be vulnerable to severe flooding associated with major storms and tidal events. If the long term response to sea level rise is coordinated and planned, the Town can build on its heritage as a bayfront destination and bring about new and desirable land use patterns. A Comprehensive Plan is not the place to propose or design specific solutions. For now, it is enough to state that sea level rise will require new approaches to town planning, land development, and regulation in the decades ahead. This plan does however set down key principles to guide the Town's approach to addressing this issue and guidance on master planning for coastal resiliency, as noted in the next sections.

Principles to Guide Planning

Because sea level rise is a long-term challenge, this Plan adopts basic principles to guide the Town over the very long term, recognizing that once every 10 years, the Town would revisit them and the recommendations that flow from them during future plan updates. The principles are as follows:

- The low-lying land where the land meets the Chesapeake Bay and Swan Creek encompass the waterfront assets and natural resources that have shaped the Town's heritage. Continued use of this area in marina and working waterfront uses and even redevelopment is not necessarily incompatible with projections of increased flooding.
- The Town's natural environment itself can be a guide to how to manage rising water levels. The Town's marshes absorb storm surges and hold back floodwaters. The Town's remaining woodlands soak up rainwater reducing the severity of flooding.
- A long-term response to a rising Chesapeake Bay can be positive and aligned with a vision of harmonizing land with water. In a coastal town, plans to address rising water levels can be an opportunity to build upon the Town's heritage.

- Allowing space for wetlands to migrate within and around the Town allows nature’s role in holding back flood waters and buffering storm surges.
- Unplanned and uncoordinated efforts to raise the elevation of building lots or land generally or to build structural flood defenses including seawalls, raised bulkheads, and shoreline revetments can be counterproductive to public safety and quality of life. Such measures should be undertaken in a coordinated way consistent with an adopted plan.
- Rising water levels expand the area that is vulnerable to flooding. As the Bay rises, some areas that do not flood today may be prone to flood in the future and some areas that do in fact flood today may experience more frequent and severe flooding events.

A Master Plan for Coastal Resiliency

A master plan for coastal resiliency is needed. At its heart, a plan for coastal resiliency is a plan for the physical adaptation of the Town to the threat of sea level rise. Resiliency, as a term used in hazard planning generally, is more comprehensive than this recommend master plan would aim for. For context, the United Nations Office of Disaster Risk Reduction refers to resiliency as the ability of a community exposed to hazards to resist, absorb, accommodate to, and recover from the effects of hazard in a timely and efficient manner including by preserving and restoring essential structures and function. This and other definitions of “resiliency” embrace notions of hazard preparedness, emergency management, rescue, and rebuilding. While a Rock Hall plan for coastal resiliency would need to address these elements, its main focus must be on physically and organizationally adapting to the risks of living in areas projected to be inundated due to sea level rise. This master plan will be less about emergency response and recovery and more about long range community planning, civil engineering, and landscape and building design. Certainly, strategies for emergency response and recovery would be needed too.

Rising sea level presents an ongoing community development and conservation challenge for Rock Hall; one whose challenges and opportunities will evolve and thus cannot be fully understood now in 2023. The resources of current and multiple future generations will be called upon to address sea level rise and learning memory will need to be achieved. Therefore, the master plan would provide an organizational and policy framework, where solutions can be refined, implemented, extended, or even corrected as needed, over decades as residents, businesses, and property owners interact with the Town and its partners like Kent County, the Maryland Department of Natural Resources, and NOAA. In organizing for the master plan, the Town should need to assemble a team of citizen experts who can serve both as a steering committee and an ongoing advisory panel to the Mayor and Town Council. The Town Council may wish to formally create this body, enumerate its responsibilities, and establish the qualifications for its members, through an amendment to the Town Code.

Chapter 7: Housing

The Land Use Article of the Annotated Code of Maryland was amended in 2019 to require that comprehensive plans contain a housing element to address “affordable” and “low-income housing”. The Town of Rock Hall has had a housing element in its comprehensive plan that has encouraged the production of affordable and senior housing, and adoption of standards to ensure that new residential buildings on infill lots are compatible with existing houses. This updated housing chapter focusses mostly, but not exclusively, on affordable housing and the reader is encouraged to read Chapter 6, [Land Use](#) in combination with this chapter for its recommendations on residential land use.

Housing Affordability

Affordability is measured in relation to Area Median Income (AMI), which is set by the federal Department of Housing and Urban Development. The geographic “area” in the term “AMI”, for the Town of Rock Hall is Kent County, where the median annual income is currently \$78,500²¹. (For context, the 2021 U.S. Census American Community Survey, 5-Year reporting estimates the median household income for the Town is \$50,714).

The second element considered when documenting affordability is the share of household income devoted to housing expenses. A “housing cost burden” standard from the U.S. Department of Housing and Urban Development is the most frequently used measure of housing affordability in the United States²². According to the standard, households that are cost-burdened pay 30% or more of their gross income for housing expenses (such as rent, mortgage, utilities, condominium and HOA fees, and taxes). If a household pays 30% or more of its income on housing, the household has difficulty affording other necessities such as food, clothing, transportation, and medical care. Not surprising then, households that are most cost-burdened are those with the lowest incomes. The following findings are drawn from the Maryland Department of Planning’s Housing Data Dashboard and are intended for use in local comprehensive plans.

²¹ Maryland Department of Planning, Housing Data Dashboard. The data there are current to 2021.

²² This derives from the Brooke Amendment, Section 213(a) of the Housing and Urban Development Act of 1969, which amended the federal Housing Act of 1937. It capped the rent in public housing at 25% of a tenant’s income. It was revised to 30% in 1981 through another amendment. The 30% standard has since been commonly used as the criterion to measure the affordability of housing generally. This method of measuring housing affordability is mostly effective at describing the problem of affordability for lower- and middle-income households. Households with higher incomes generally have the capacity to take on higher housing costs without impacting the ability to provide for the other necessities. It is in this way that the standard can exaggerate the affordability problem so care must be taken to evaluate household incomes of those classified as “housing cost burdened”.

- In Kent County 57.4% of renter households, or 1,247 households, pay more than 30% of their income on housing and are thus considered cost-burdened. This is more than the State of Maryland, where statewide about one-half of renter households are cost-burdened. Relative to the State then, a higher share of the County's renter households is burdened by housing costs.
- For owner households, 37.6% or 1,222 households pay more than 30% of their income on housing and are thus considered cost-burdened. Again, this is higher than the State where 26.5% of households pay more than 30%. Relative to the State then, a higher share of the County's homeowner households is burdened by housing costs.
- Workforce rental housing is housing that is affordable to households making between 50% and 120% of AMI. For this Plan, this means an income of \$39,250 to \$94,200. Ideally households earning within this range would be able to find a home that rents for less than 30% of their income.
- For homeowners, workforce housing is housing affordable to households making between 60 and 120% of AMI. For this Plan, this means an income of \$47,100 to \$94,200. Ideally households earning within this range would be able to find a house to own with monthly costs less than 30% of their monthly income.
- Low income housing is housing affordable for a household making below 60% of AMI. A household earning below 60% of AMI in Kent County has an income of \$47,100 or less. An affordable rental or owner occupied unit would therefore cost less than \$1,018 and \$1,890 per month, respectively.
- There are 12 designated low income housing apartment communities with 547 housing units for rent within Kent County. The ones in Rock Hall are:
 - The Chesapeake Villa Apartments at 5795 Chesapeake Villa Road, owned by Rock Hall Elderly Housing, Inc. The 2.3 acre site contains 30 bedroom apartment units. The project used funding provided by HUD's Section 2020 Supportive Housing for the Elderly Program so residency is restricted to households earning below 50% of area median income and at least one person in each household must be over 62 years of age. Rent is based on household income, generally capped at 30 percent.
 - Brittany Bay apartments at 21390 Brittany Bay Drive. The property contains 40 housing units. This is a low income tax credit project and occupancy is income-restricted. Under the program, HUD grants state and local agencies authority to issue tax credits for the acquisition, rehabilitation, and construction of rental housing for lower income households. The units are set aside for households making less than 60 percent of the area median household income and rents are generally capped at 30 percent of a household's income.

Other Characteristics of Housing in Rock Hall

Housing Units

Housing units By Type: According to the 2020 U.S. Census, Rock Hall has 903 housing units. The housing stock is overwhelmingly made up of single-family detached houses, though there are townhouse and multi-family housing communities comprising about 119 housing units all of which were built prior to 1990. These include:

- Tilghman Landing townhouse condominiums at Gratitude (19 units)
- Rock Harbor condominiums at Rock Harbor Drive and W. Sharp Street (14 units)
- Rock Hall Landing condominiums at 21090 W. Sharp Street (8 units)
- Brittany Bay apartments at 21390 Brittany Bay Drive (40 units)
- Rock Hall Manor (Kent Housing Associates) apartments at 5761 Judefind Avenue (8 units)
- Chesapeake Villa at 5795 Chesapeake Villa Road (30 units).

Housing Units by Tenure: Of the 601 occupied housing units in 2020, 428, or 71.2%, were owner-occupied and 173, or 28.8%, were renter occupied. This is about the same split between owner and rentals recorded in both 2000 and 2010. For comparison, in 2020 owner occupied units comprised 70.5% of total occupied housing units in Kent County.

Vacant Housing Units: As noted in Chapter 2, Population of Rock Hall, an increasing share of the local housing stock is devoted to seasonal, recreational, or occasional use. The 2010 U.S. Census recorded that of the 930 housing units then in Rock Hall, 32.3% were vacant, and of those vacant units, 77.3% were for seasonable, recreational, or occasional use. In fact, the 2010 Census data showed that 25% of all housing units, or 232 units, were classified as seasonable or recreational. By 2020, the Census recorded that of the 903 housing units, 33.4% were vacant and of those vacant units, 84.8% were for seasonable, recreational, or occasional use. By 2020, 28% of all housing units, or 256 units, were classified as "seasonable, recreational, or occasional". A random on-line search of properties available for booking during the first weekend of May 2023, on the two leading short-term rental booking platforms, reveals at least 30 separate properties. These are among the many houses in Rock Hall no longer currently available for full time occupancy.

Average Household Size: The average household size is falling. In 2010, the average size of an occupied households was 2.05 persons per household. By 2020, it had fallen to 1.96 persons per household. This County's average households size is 2.13.

Group Quarters Housing: In 2020, the U.S. Census counted 18 Town residents living in a group housing situation. This is about the same as in 2010, when 21 group quarters residents were counted. Back in 2010, all but three such residents were 65 years and older and its expected the same applies in 2020. These residents live in one of the several senior living arrangements in Rock Hall. There are two assisted living group homes in Town, one at 5811 S. Hawthorne Ave and one at 20806 Bayside Avenue. Each is licensed for up to eight occupants.

Seniors and Senior Housing

According to the 2020 Census, the median age of Rock Hall residents reached 57.7 in 2020 and 36% of Town residents, or 431 residents, are 65 years of age or older (senior citizens). About 22 percent of all residents are 65 to 74 years of age and 13.9% are 75 years and older. In terms of households, 54.1% of all households include a person 65 years of age or older, and 22% of all households are occupied by just one senior citizen living alone.

There are three dedicated senior housing locations in Rock Hall. There are two group homes, previously mentioned, which are used as assisted living senior housing, each with a maximum occupancy of eight residents. The third location is the Chesapeake Villa income-restricted elderly housing which contains 30 apartment units.

Housing Types By Zoning District

Table 4 shows the distribution of permitted housing types by zoning district. The R-1 District restricts dwelling types to single-family houses. Both the R-2 and R-3 Districts allow duplexes, triplexes, and townhouses. Apartment buildings, even smaller buildings with more than four dwelling units, are not permitted by the current zoning ordinance in any district in Rock Hall. Accessory dwellings within the main house or separately on the lot (i.e., "echo housing" unit) are permitted in each of the residential districts. The Town Center Commercial District (C-3) permits apartments above commercial uses, in a limited way, and it and several of other non-residential districts do permit single-family detached houses.

Fair Housing

In 2021, the Land Use Article of the Maryland Annotated Code was amended to require that comprehensive plans contain a fair housing assessment to ensure they "affirmatively further fair housing". Fair housing refers to the ability of persons with similar incomes to have the same housing choices regardless of the following characteristics: race, color, religion, sex, age, national origin, familial status, or disability. "Affirmatively furthering fair housing", per Section 2-401 of the Housing and Community Development Article of the Maryland Annotated Code, means preventing discrimination and taking actions aimed at overcoming patterns of segregation and fostering communities free from barriers that restrict access to housing and opportunity based on the above mentioned characteristics. Here are a number of relevant findings:

TABLE 4

Housing Types Permitted by Zoning District

Zoning District	Description of Residential Uses Permitted
R-1, Low Density Residential	Permits single-family detached houses with min. lot area of 10,500 sq. ft. and an "echo" housing unit (accessory).
R-2, Mixed Residential	Permits single-family detached houses with min. lot size of 10,500 sq. ft. or 9,500 sq. ft. on tracts greater than 10 acres. Also permits duplexes, triplexes, townhouses and group homes. A mix of housing types is permitted on tracts over 10-acres in size and an affordable housing incentive is possible which can allow up to a 10% increase in the number of units provided 10% of all units are sold/rented as "affordable". An accessory echo housing unit is permitted.
R-3, High Density Residential	Permits single-family detached houses with min. lot size of 9,000 sq. ft. or 8,500 for developments that use an open space incentive. Also permits duplexes, triplexes, townhouses and group homes. An affordable housing incentive is possible which can allow up to a 10% increase in the number of units, provided at least 10% of all units are sold/rented as "affordable". An accessory echo housing unit is permitted.
C-1, Community Commercial	Permits single-family detached houses with min. lot area of 10,500 sq. ft.
C-2, Highway Commercial	Permits single-family detached houses with min. lot area of 10,500 sq. ft.
C-3, Town Center Commercial	Permits single-family detached houses with min. lot area of 8,000 sq. ft. and dwelling units in conjunction with a business use at the rate of 1 unit for every 2,000 sq. ft. of commercial floor area, up to 4 units. Also, permits "Housing for the Elderly" at up to 30 dwelling units per acre, as a "conditional" (i.e. special exception) use.
MCI, Mixed Commercial / Industrial	None permitted except dwellings for resident watchmen and caretakers employed on the premises.
MRC, Maritime Recreational	Permits single-family detached houses with min. lot area of 10,500 sq. ft.
MC, Maritime Commercial	Permits single-family detached houses with min. lot area of 10,500 sq. ft.
MWD, Maritime Water-Dependent	None, except a dwelling accessory to the operation of an otherwise permitted use is allowed as a conditional (i.e. special exception) use.

Town of Rock Hall Zoning Ordinance

- The Town of Rock Hall does not operate a housing authority, subsidize housing or the residents of any housing, develop property, or own property in use for housing. The Town’s Zoning Ordinance and Subdivision Regulations are the principal means for implementing land use and housing goals. The Town has a Housing Standards and Property Maintenance Code (Chapter 133 of Town Code) which sets minimum standards for livability and property maintenance.
- The term “group home” is defined in the Zoning Ordinance as “Any residential structure used to provide assisted community living for persons with physical, mental, emotional, familial, or social difficulties”. Occupancies in group homes are limited to eight persons by the Zoning Ordinance. In Rock Hall there are currently two group homes, and each provides assisted living for senior citizens. The zoning ordinance permits group homes only in the R-2 and R-3 zoning districts but not in the R-1 district. The vast majority of residential land is zoned R-1²³.
- “Housing for the Elderly” is a term defined in the Zoning Ordinance as “a structure or development which is designed for the needs of elderly persons, and which is subject to management or other legal restrictions that require at least 80% of the units...to be occupied by households of persons aged 62 or over.” While “Housing for the Elderly” is a residential use, Town zoning does not permit the use in any residential zoning district²⁴ and only allows the use in the C-3 district as a “conditional use” (that is, only by special exception approval of the Board of Appeals).
- The Town is geographically small. There is one elementary school to which all households are accessible. All households also have access to the middle school and high school, both of which are outside municipal limits. The Town’s parks are adequately sized to afford more than sufficient space for the Town’s households, and no parts of Town are excluded from the benefit of parks. Municipal water and sewer services are ubiquitous within the Town and no households are excluded from the benefits of this public service or facility. No household’s access to basic opportunities is inequitable or unfair relative to anyone else’s in Rock Hall.
- Income-restricted affordable housing in Rock Hall is concentrated within the R-3 zoning district between Chesapeake Villa Road and Judefind Avenue. All three of the income-restricted housing communities, each built in the 1980’s, are in this area: Brittany Bay Apartments at 21390 Brittany Bay Drive, Rock Hall Manor (Kent Housing Associates) Apartments at 5761 Judefind Avenue, and Chesapeake Villa at 5795 Chesapeake Villa Road.
- Neither the two group homes (in use as assisted senior living), Chesapeake Villa, or the two other income-restricted housing projects are located within mapped floodplains, or in areas that may become vulnerable to sea level rise flooding.

²³ In the review of a 2022 proposal for a group home for persons with disabilities in the R-1 district, the Town’s Zoning Administrator granted a reasonable accommodation request and allowed the proposed group home in compliance with State and federal law, however the project did not proceed to occupancy.

²⁴ The Chesapeake Villa multi-family senior apartment building, consisting of 30 income-restricted senior apartments, is a non-conforming use in a R-3 zoning district.

With respect to fair housing, the above assessment indicates that: (1) persons with disabilities and the elderly in need of assisted living are restricted from the vast majority of the Town's residential neighborhoods because of the Zoning Ordinance's exclusion of group homes from the R-1 zoning district, and (2) the limited use of the R-3 zoning district, has concentrated the Town's lowest income housing in just one part of the community.

A Plan for Housing

Objectives

1. Promote affordable housing in future residential developments, especially affordable options for senior citizens and persons employed in the local tourism industry.
2. Encourage a variety of housing types in Rock Hall to ensure affordable options to meet the housing needs of the community.
3. Remain flexible to accommodate changing housing needs over time in relation to both the production of new housing and the preservation and repurposing of existing units especially considering the aging trends in area population.
4. Promote a land use plan that encourages new housing development.
5. Preserve and enhance the quality of neighborhoods.
6. Be an intergenerational town where residents of all ages live in close knit neighborhoods where caring neighbors naturally support the special needs of the very young and the old.

Recommendations

Rethink the Affordable Housing Incentive Provisions in the Zoning Ordinance

Currently, within both R-2 and R-3 zoning districts, the maximum number of units permitted in a proposed subdivision may be increased by ten percent if at least ten percent of the total units are designated for rent or sale as affordable units. To accommodate the higher number of allowable units (i.e., the bonus density), the Zoning Ordinance allows single-family lots to be somewhat smaller than the standard minimum lot sizes. As a practical matter, the 10% bonus density incentive is quite small and the parcels eligible for development in the R-2 and R-3 districts, are very few. The technique has not been used. To promote the production of bonafide affordable units within market rate developments, the Town should evaluate the feasibility of providing higher bonus densities, making multi-family buildings more widely permitted (which can be delivered at lower per unit costs), and reducing the fees associated with housing development, when affordable housing is proposed, such as water and sewer connection charges.

Change Zoning to Allow a Greater Variety of Housing Types

Currently, the Zoning Ordinance does not allow multiple-family housing such as apartment buildings, except for elderly housing projects but elderly housing projects are only possible in the C-3 zoning district, which is mostly developed. This Plan recommends that zoning standards be adjusted to encourage the private market to deliver a greater variety of housing types: (1) in areas where higher density residential uses would be permitted (see Map 6 in Chapter 6), (2) in future annexation areas, and (3) in commercial areas such as the C-2 and C-3 districts. (For more information, see the Residential land use recommendations in Chapter 6, Land Use.) The images here show a variety of acceptable ways new housing could be accommodated in Rock Hall in a way consistent with this Plan.



3 to 3.5-story apartment or condominium buildings in areas planned for higher density housing and maritime recreational areas.



Buildings with the scale of large single-family homes but divided into two, three, or four separate residencies for residential use.



Buildings with commercial uses on the street level and residential apartments above on the second or third stories, for areas planned for commercial use.

Rethink the Zoning Restrictions on Group Homes

Group homes provide living arrangements for people who require special assistance because of mental or physical disabilities. The occupants of a group home are considered under law to be a single-family and as such applying zoning standards that impose higher requirements on group homes, than other single-family houses, can discriminate against persons who are disabled. The Zoning Ordinance is not intended to prevent people with disabilities, or the aged, from living in the Town's neighborhoods. Therefore, this Plan recommends that the Zoning Ordinance be amended to expressly permit group homes in all districts where single-family houses are permitted, and that the required minimum lots size for a group homes be no greater than that required for a standard single-family lot. The exception to this policy is that group homes, in addition to nursing homes and convalescent care centers, should be discouraged from areas prone to severe flooding or that may become inaccessible due to flooding.

Address Short-Term Vacation Rentals

Housing units that are used extensively for short-term rentals are not residential uses; they are vacation homes and serve the overnight accommodations market. Their presence in Town positively contributes to the tourism economy but also removes housing that could be sold or rented to residents, especially local residents earning incomes in the tourism sector. As noted earlier in this report, 28 percent of all housing units in Rock Hall are already classified by the U.S. Census as "seasonable, vacation or occasional". The share of the housing stock unavailable for consistent year-round residential purposes is likely higher when accounting for all the short-term rentals. The following is recommended:

- A zoning permit and payment of occupancy taxes should be required for each short-term rental unit. The Town has a hotel occupancy tax, and it should be applied to short-term rentals. With an occupancy tax, the owner of a short-term rental would be responsible for remitting the tax collected from guests. Documentation of occupancies and timely payment of occupancy taxes would be required to keep a zoning permit valid.
- The Town should adopt a rental housing code and conduct inspections of rental properties annually including short-term rentals.
- The Town should consider a cap on the number of housing units that can be converted to short-term rentals. The cap ought to be based on a radius or distance requirement as a means for limiting the concentration of short-term rentals. The proliferation and concentration of short term rentals can erode community values like neighborliness, community and civic involvement, and volunteerism and when houses are vacant during much of the year or have continual turnover in occupancies by non-residents, local businesses forego steady customers and residents forego the benefits of caring neighbors. Since over 1 in 5 households are made up of just one senior citizen living alone, a proliferation of vacation rentals is not compatible with the housing goals of this Plan. As recommended elsewhere in this Plan, the Town should consider adopting a new residential district (such as "R-4") and this new district should prohibit short-term rentals.

Building an Intergenerational Rock Hall

Local residents and members of the Kent County Commission on Aging spoke with the Planning Commission about the challenges seniors face with housing, transportation, and social isolation. Because solutions to important goals require long-term community attention, the Town might consider working with the Commission on Aging to study and recommend specific approaches for addressing existing and future housing needs for the Town's seniors. In the meantime, and as an overarching approach, this Plan strives for the Town to be and remain an intergenerational community.

Towns that are intergenerational will have housing and social options that allow older adults and young people and families to mix within neighborhoods and for the special social and mental health needs of seniors to be addressed. Policy options that favor intergenerational neighborhoods include allowing the repurposing of larger houses into senior living and care arrangements within all residential zoning districts, co-housing options where seniors can share expenses, and promoting architecture and universal design principles in new or rehabilitated housing to make it easier for seniors to live at home. Other policies to promote new senior housing within existing neighborhoods could be investigated and adopted if found workable. The conversion of existing commercial or institutional buildings for senior living is especially valuable especially where such buildings are highly accessible to the broader community and enable opportunities for independent living and social interaction. Absent innovations in the way the Town addresses senior housing, middle- and lower-income senior citizens may increasingly find housing difficult to afford as retirement savings fall short of housing and long-term care costs.

The Town, working with the Commission on Aging, could also study the full scope of the needs of older residents in Rock Hall, like the availability of and accessibility to specialized local medical care, shopping, community events, social interaction, transportation, and recreation.

Sustaining the Quality of Neighborhoods

This plan endorses several specific recommendations from the 2011 Town of Rock Hall Comprehensive Plan related to existing neighborhood quality.

- Budget and schedule an annual program of capital facility improvements to upgrade Town infrastructure, including swales and local drainage. Sidewalks, public open spaces, and community centers will improve the overall quality of life within the Town.
- Require open space and amenities as a component of major new developments as a means to increase property values and further enhance and provide facilities for the community.
- Develop and implement design standards to be met as part of the subdivision and site plan review process. Incorporate the need for sidewalks and trails during reviews.
- Initiate efforts to work with existing landowners on a voluntary program of site improvements. Provide incentives and design guidance.
- Ensure that incompatible land uses, and zoning map amendments, are not approved that will have a detrimental impact on existing residential neighborhoods or views of the water.
- Review existing ordinances and regulations, including the Zoning Ordinance, to insure that they are adequate for conserving, rehabilitating, and revitalizing housing.

Chapter 8: Transportation

The Towns' historic road pattern was described in Robert J. Johnson's book, Gravesend, and it remains evident in Rock Hall's current network of streets and highways:

"Plan after plan was scrapped, but finally one that suited both Tovey and Ringgold was developed. The Town was laid out on a forked plan; the incoming road split into three branches at the edge of town. The center branch went straight into the center and formed the main street; the left fork went to the northern Shipyard; and the right branch went to the wharf south of the Town's center. All three forks reconnected at the end with a street running along the shores of the creek. It was a beltway of sorts providing direct routing to selected destinations without passing through the center of town."

The emphasis and strong connection to water – so vital to Rock Hall's early history – remains a major component of the Town's current street system. Today, with renewed recreational interest, alternative transportation modes such as walking, bicycling, and the trolley have additional importance.

Existing Conditions

Street System

The existing network of streets lead from Maryland Routes 20 (Rock Hall Avenue) and 445 (Main Street) to the east, the Gratitude bay front area to the west, Tolchester Beach to the north, and Eastern Neck to the south. An excerpt from the Maryland Department of Transportation, State Highway Administration Kent County 2021 Traffic Volume Map is included below in Exhibit 16. MD Routes 20 and 445 from Rock Hall to Eastern Neck Island are part of the Chesapeake Country National Scenic Byway.

For the most part, developed streets are narrow with limited areas for on-street parking or loading. Pedestrians in some locations must compete with moving vehicles for a place to walk. Residential streets handle very low volumes of traffic and are generally adequate for their function. Some residential streets have been platted but never developed and others have been platted but encroached upon by adjacent uses and are probably not available for future use. These breaks in the street pattern are not a serious problem currently, but further encroachment could limit the Town's options for road or pedestrian / bike pathway construction.

The only road warranting designation as a primary highway is MD Route 20 from its intersection with Main Street easterly toward Chestertown. The 150-foot right-of-way which exists between Main Street and MD Route 288 (Crosby Road) is more than adequate for any street improvement. MD Route 20 between Edesville and MD Route 21 now carries 4,550 vehicles per day, which is only slightly more than it carried in the year 2000²⁵.

Collector streets are designed to collect traffic from the local street network and distribute it to the primary highway. Collector streets include MD Route 445 passing through the Town north and south, MD Route 20 westward from Main Street to Gratitude, and Boundary Avenue/East Sharp Street from MD Route 20 southward to MD Route 445. Average daily traffic volumes recorded on the State-owned collector streets have generally fallen or remained about the same since 2000.

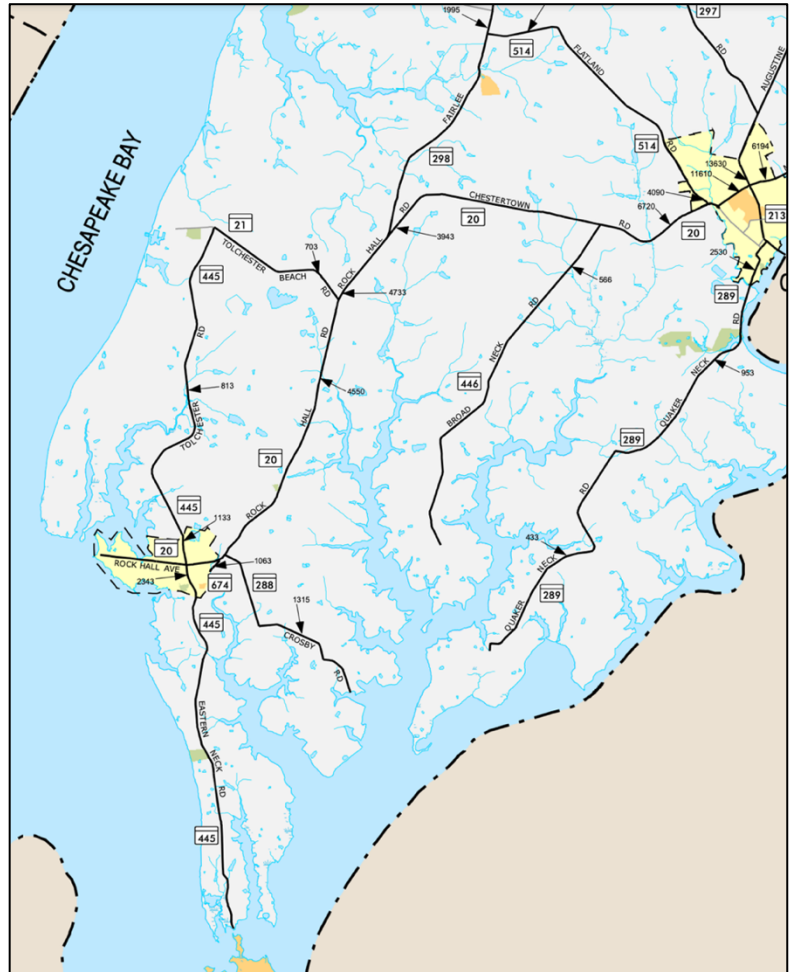


EXHIBIT 16

Sidewalk and Bikeways

Visitors and residents walk and bike on the streets of Rock Hall. In many locations walkers and bikers commingle with automobile traffic. For example, the sidewalk along MD Route 20 (which is only on the south side of the road) extends from just west of Chesapeake Villa Road only to Liberty Street, and beyond that point there are no sidewalks along this prominent east/west route. However, there is complete sidewalk on the south side of W. Sharp Street from Chesapeake Avenue north to Main Street, which connects the Harbor to downtown. MD Route 20 is also a priority for recreational bikers, however there is only a bikeable shoulder on the eastbound side of the road, no space on the westbound side.

²⁵ Maryland Department of Transportation, State Highway Administration. Traffic Volume Map, Kent County, 2021.

Prior to 2010, the State Highway Administration constructed streetscape improvements along Main Street and Rock Hall Road, including turning lanes, shoulder widening, sidewalks, crosswalks, street trees and drainage improvements. These improvements enhanced the aesthetics of downtown and made it safer to walk along Main Street.

Water Based Transportation

In the future development of Rock Hall, as much attention must be paid to the use of the area's waterways as to its streets and highways. The commercial and recreational opportunities offered by these waterways are the economic lifeblood of the Town and consideration of the needs of various marine activities is an important element in the planning program. Many of the present marine facilities are clustered around the Rock Hall Harbor where a nine-foot channel circling the Harbor was dredged by the Army Corps of Engineers in the early 1980's. Much of the shoreline around the Harbor has been bulkheaded. Commercial marine activities, including several seafood companies and a marine railway, are located at Rock Hall Harbor. Other facilities available in the Harbor include the Bayside Public Landing, restaurants, boat repair and storage, fuel, and marinas for recreational boats. Outside of the Harbor area, much of the shoreline is marshy and the water depth is only one to four feet with a grassy bottom. Water depths of five feet or more are available at the marinas located on The Haven and at Gratitude.

Transit

Delmarva Community Transit is the public transportation provider in Dorchester, Talbot, Kent, and Caroline counties. It presently operates a fleet of 50 busses six days a week to the public over mostly fixed routes. The Maryland Upper Shore Transit (MUST) Bus Route #4 currently operates on weekdays between Rock Hall, Chestertown, Centreville, and Easton. This service allows the bus driver to deviate from standard routes, up to 0.75 miles, to pick up passengers who pre-arranged for this special service. The local stop in Rock Hall is at Bayside Market at MD Route 20 and Main Street.

Parking

Within downtown public parking is available in two municipal parking lots and on-street. This system has served downtown well and should only be enhanced by other potential municipal/semi-private parking areas during the life of this Plan. Large scale parking lots are strongly discouraged. Outside of downtown, parking is very limited and the lack of commercial parking in some areas has imposed burdens on the residents of neighboring streets (most notably at Coleman Road and Wilkens Avenue); areas where properties are zoned for commercial use but were developed prior to the Town's site planning and parking standards.

A Plan for Transportation

Objectives

1. Ensure that streets are designed in a manner that is compatible with development.
2. Improve the quality of streets in Town.
3. Enhance walking and biking for residents and visitors.
4. Ensure multi-model transportation options are available to meet the needs of those arriving by boats and tourists generally.
5. Improve the Harbor for water based transportation.
6. Ensure parking is located where needed in a manner that fits harmoniously with neighborhood context.

Recommendations

Continue the Street Grid Pattern in Future Developments and Discourage Dead-End Arrangements

Cul-de-sacs and dead end streets tend to unravel the traditional small town feeling and interrupt the pattern of connecting streets, thereby decreasing accessibility between adjacent neighborhoods. Therefore, new streets should connect to other streets, both existing and planned. Exceptions of course are appropriate where connections would disturb wetlands, forest, or other important habitat. Where vehicular connections are not feasible, provision should be made for bikeway and foot path connections. For example, environmental constraints (numerous wooded wetlands) prevent the extension of north/south streets between Bayside Avenue and Rock Hall Avenue. However, bike and pedestrian trails could provide connectivity between the Haven Harbor Marina area and the Rock Hall Harbor and should be considered and constructed where feasible.

Ensure Local Streets Are Sized According to their Intended Function

Most existing streets are narrow and appropriate to the small scale residential character of the neighborhoods they serve. This helps reduce the incidence of speeding and unwarranted through traffic. Future street construction (in new developments, for example) should generally continue this pattern especially where adjoining lots provide ample off-street parking. However, many streets must be designed with space for on-street parking and incorporate other priorities into their designs. Thus, decisions about the width of new or improved streets must balance several functional factors including accessibility to lots, speed, traffic parking, walkability, emergency vehicle access, stormwater, and utilities. This Plan recommends that the Town adopt a set of street construction standards to guide the Town's planning and engineering decisions.

Require Street Trees

Street trees provide innumerable values to a community. These include softening the urban environment with their green foliage, reducing pollution by removing airborne dust and particulate matter, removing carbon dioxide (CO₂) from the air, cooling air temperatures in the summer by providing shade, soothing people's spirits by their natural beauty, elevating property values by enhancing neighborhood aesthetics, providing places for birds and other wildlife to live, and increasing neighborhood pride. New developments should provide street trees and the Town should investigate ways to begin a street tree planting program on existing streets.

Develop an Official Map of Streets

Rock Hall currently has a system of state highways, local collector roads, semi-public roads, and private lanes. In addition, there are numerous "paper" roads and alleyways which the Town may or may not want to retain in municipal ownership. The Town should establish the function, ownership and rights-of-way for all non-state roads and develop an Official Map of Streets to clearly identify all rights-of-way.

The Official Map of Streets would also identify the desired function of each existing street, and new development should be reviewed in accordance with this map. New development should not be permitted on private streets or lanes and new private streets or lanes should not be created. Limited development, appropriate to the scale of the existing users may be permitted on semi-public roads.

This Plan further recommends that this Official Map of Streets be used to develop a maintenance and street improvement program. This task would also be useful in deciding which streets are appropriate for bike and pedestrian ways.

Upgrade Existing Streets to Meet Future Drainage Needs

The Town must undertake a street drainage study which would identify those streets needing drainage improvements. The study should suggest an effective and environmentally sensitive manner to conduct these drainage improvements.

Prepare and Implement a Bike and Pedestrian Plan

The Town should prepare a plan to improve bike and pedestrian safety and convenience. The plan would:

- Identify opportunities for walking and bike paths; especially pathways help to separate automobile traffic from pedestrians and bikers.
- Develop a pedestrian and bicycle system to connect residential areas, community facilities, and the Town's tourism activity centers. Connections should be developed between marinas and restaurants or other visitor amenities, the marinas and downtown, and between the Harbor and Beach, the Haven, and the Civic Center Park with the Harbor.
- The Rock Hall Waterfront Master Plan (see Appendix C) laid out a plan to improve waterfront access to and along the Harbor; it should be evaluated and implemented.
- A high priority for walkability in Rock Hall is the construction of sidewalks (or a more prominent multi-purpose trail) along Chesapeake Avenue, Bayside Avenue, and Beach Road.

The Town should seek grant funding for the construction of a pedestrian and bicycle system, secure connections to and along the water's edge in the review and approval of site plans at the Harbor and other locations and ensure sidewalk and pedestrian and bicycle trails are made part of all subdivisions and site plans for development or redevelopment.

Investigate a Means of Improving the Function of the Harbor and Other Waterfront Areas.

The Town should consider initiating a harbor line study and program for the entire Town waterfront. This study would identify a harbor line for the extensions of marina slips and moorings, boater circulation patterns, natural areas to be preserved, areas appropriate for dredging and water quality initiatives.

Explore the Feasibility of Ferry Service to Baltimore / the Western Shore.

A consortium of local governments—City of Annapolis, Anne Arundel County, Calvert County, Somerset County, St. Mary's County and Queen Anne's County commissioned a study in 2023 on the feasibility of vehicle ferry service on the Bay. The results are not yet known but destinations that were to be under study included Rock Hall. As a matter of overall policy, this Comprehensive Plan recommends vehicle ferry service as a complement to the Town's economic development and tourism economy, but any proposal will require rigorous evaluation to ensure a compatible fit with the Town and its Harbor.

Enhance Transit

This Plan recommends that the Town coordinate with Kent County and the communities served by Delmarva Community Transit and explore options to enhance transit services. The transportation needs of Town residents especially the elderly may be addressed most effectively through non-bus demand responsive services--Uber-like car services funded in part by fares and in part by grants. The Town should consider all options to supplement formal bus routing sponsored by Delmarva Community Transit.

Improve Parking Conditions

While downtown, and large commercial developments, may have sufficient parking, this is not always the case at other commercial locations in Rock Hall. This Plan recommends that the Town study the street rights-of-way it has available to widen in order to make room for on-street parking in coordination with local businesses and residents. This Plan recommends that the Town evaluate all existing and potential parking shortage areas, assess the potential for widening public streets to provide on-street parking and sidewalks, assess the potential to supplement on-street parking with public parking lots that fit compatibly with the local context, and strengthen standards for on-site parking where necessary.

Chapter 9: Community Facilities

Effective planning for community facilities depends on coordination between multiple agencies and units of government to deliver benefits to all residents. Because of their complexity and the efficiencies that must be obtained, public facilities are provided to all residents within designated service areas. Community facilities, at least when they are operated optimally and provided fairly, are made available to everyone in the community and delivered in such a way that one person's enjoyment is not diminished by another person's use.

This section of the report focuses on public water and sewerage services, public schools, libraries, parks, and police and fire protection. These are the primary community facilities and services that benefit residents. This first section provides a summary and evaluation of existing conditions.

Existing Conditions

Public Water

Public water in Rock Hall is supplied by two active wells; and a third well is available for emergency use. The Maryland Department of the Environment (MDE) permits the Town to withdraw 230,000 gallons per day (gpd) on a yearly basis and an average of 300,000 gpd during the month of maximum use. The Town has identified a need to develop another operating well which will provide redundancy to ensure service continuation in the event of a planned or unplanned interruption at an existing well.

Daily current use is 181,000 gpd (or 79% of available capacity), leaving a remaining capacity of 49,000 gpd, which is equivalent to that needed for another 196 dwelling units. Water is stored in two elevated tanks of 125,000 gallons each within the Town and one elevated tank of 100,000 gallon capacity which is owned by Kent County in nearby Edesville Park. Exhibit 17 contains two maps: a map of the water distribution system within Town limits and a map that shows the water tower locations, treatment plant, and existing and planned water service areas. This map is part of the Kent County Comprehensive Water and Sewer Plan.

As shown, both Rock Hall and Kent County provide water service with the County only providing service to designated properties outside Town limits. The Town also provides water distribution outside municipal limits in the MD Route 20 corridor. The Town completed a Preliminary Engineering Report in 2022. It evaluated approaches for rehabilitating the Rock Hall water supply, treatment, and distribution system and recommended projects with an estimated cost of \$22 million.

Public Sewer

The Town owns and operates a wastewater treatment plant (WWTP), which was constructed in 1991 and expanded in 1994 to a hydraulic design capacity of 510,000 gpd²⁶. It is located on Town owned land accessible from N. Main Street beyond the Rock Hall Ballfields Park. The current mechanical state of the facility and the attrition of its equipment indicate the plant is in serious need of rehabilitation or replacement.

The Town completed a Preliminary Engineering Report in 2022 (Revised July 2021) which recommend a design approach to modernizing and upgrading the plant at an estimated cost of \$16.9 million. The project is now in final design. Upon construction, the Town will have a plant that meets the Maryland standards for Enhanced Nutrient Removal (ENR), meaning the pollution concentrations in its discharged water will be significantly reduced (See Chapter 4, Water Resources for more information). The planned upgrade will not increase the capacity of the plant to serve more users; it will only improve the treatment capabilities to levels required to meet MDE's standards for ENR-quality effluent²⁷.

The WWTP discharges to Gray's Inn Creek which flows along the Town's eastern boundary southward eventually to the Chester River. It has an MDE permit to discharge up to 480,000 gpd, somewhat less than is hydraulic design capacity²⁸. Data on the three-year average use shows the WWTP is treating about 236,700 gpd. In wet years, the inflow and infiltration into the plant can be significant, approximately 100,000+ gpd.

Exhibit 18 from the Kent County Water and Sewer Master Plan shows the areas currently served with public sewer service and the areas currently planned for the service. As shown, both Rock Hall and Kent County provide service with the County only providing services to designated properties beyond Town limits. About 32 percent of the WWTP's permitted discharge capacity is presently reserved for use by Kent County under a Wastewater Treatment Agreement that is set to expire this year (2023)²⁹. The County is currently using 52,150 gpd of it reserve.

²⁶ Prior to the current plant, which is an "activated sludge facility", the wastewater treatment consisted of a two-lagoon system.

²⁷ Town of Rock Hall, Preliminary Engineering Report, Rock Hall Wastewater System ENR Upgrade, October 2022, Revised May 2021, and July 2021), George, Miles & Burh, LLC.

²⁸ The plant is authorized at a capacity of 480,000 gallons per day by permit (NPDES permit MD0020303), which permit allows the plant to be operated at up to 505,000 per day, with certain load limit restrictions.

²⁹ A copy of the Wastewater Treatment Agreement between the Town of Rock Hall and Kent County is available upon request by contacting the Rock Hall Town Administrator. The Agreement expires in 2023.

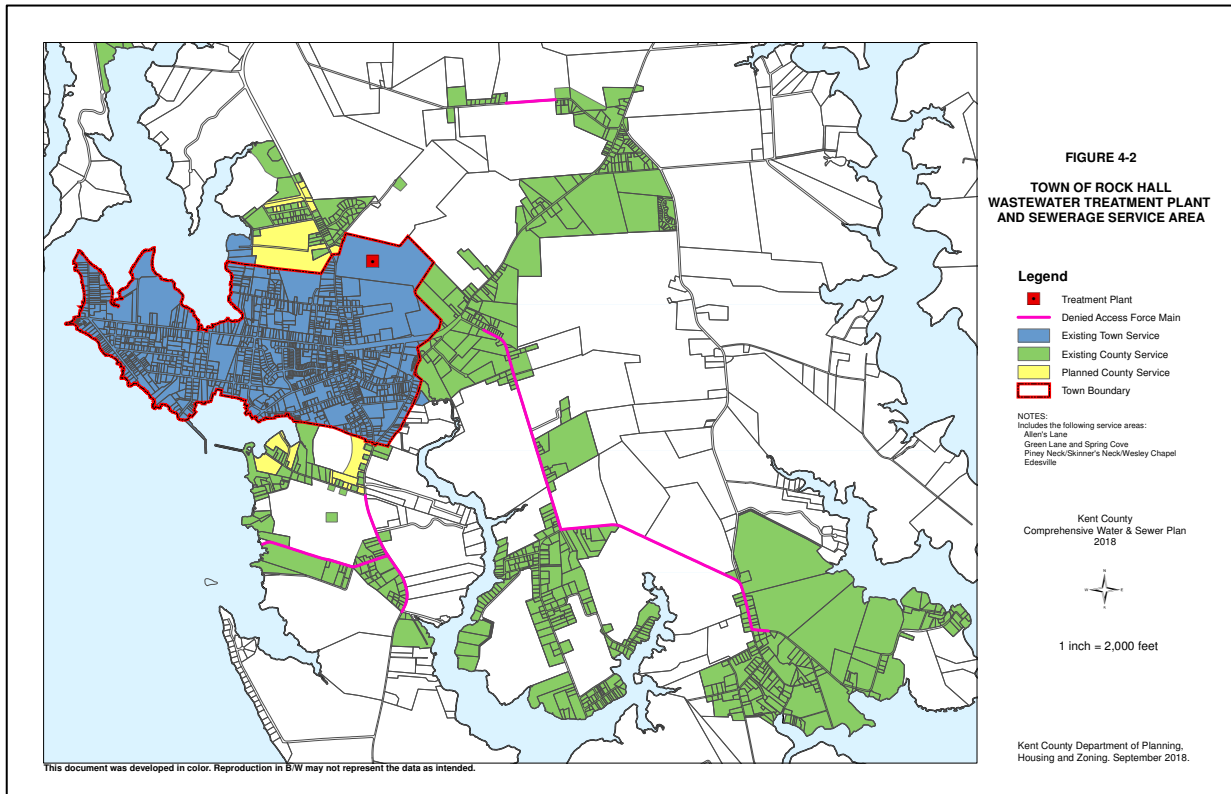


EXHIBIT 18

Public Schools

Children in Rock Hall (and in the respective school catchment areas) attend Rock Hall Elementary, Kent County Middle, and Kent County High. The middle and high schools are significantly under-enrolled, and the Kent County Public School's Six Year Facilities Master Plan has projected long term declines in student enrollment at all levels through the foreseeable future. The Rock Hall Elementary School can accommodate more students but is currently programed at a lower capacity with part of the building being used for a public health care clinic. Current enrollments and state rated capacities of the three schools are documented in Chapter 5, Municipal Growth.

Library Services

Kent County has three libraries branches. They are located in Rock Hall, Chestertown, and Galena. The Kent County Library System, established in 1962 and expanded in 1978, provides library services to residents in Kent, Northern Queen Anne's, and Southern Cecil Counties. The Rock Hall Branch is located on Main Street.

Police and Emergency Services

Police services in Rock Hall are provided by the Town's police force. There are three full-time police officers and one part-time officer. The Maryland State Police and County Sheriff are also available on an as-needed basis to assist.

Fire, emergency, and rescue services are provided by the Rock Hall Volunteer Fire and Rescue Company, a volunteer company, located in a facility on MD Route 20 constructed in 2005. The Fire Company serves the Town of Rock Hall and an area encompassing the village of Fairlee and Bayshore Road. The Company's apparatus set consists of two engine trucks, a tower truck, a rescue pumper truck, a brush truck, two ambulances, and a rescue boat. Its size and equipment are adequate for the Town. The fire house is made available for community use and is the site for many annual events.

Parks

The Town's current parks and recreational facilities consist of a public beach known as Ferry Park located along the Bay, the Rock Hall Civic Center Park which consists of a community center, tot lots and ball fields, the Rock Hall Ball Park on North Main Street, the Blue Heron wetlands observation park on the west end of the Town, Bayside Public Landing Park (owned by Kent County), and a small passive ¼ acre area on Judefind Avenue and MD Route 20. Additional public recreational space is located on the grounds of Rock Hall Elementary School. The two active parks alone, Civic Center Park and Rock Hall Ball Park, comprise 25 acres.

Government Buildings

The Town offices are in a commercial building on Rock Hall Avenue along with the police department. Public town meetings are presently conducted in the St. John Church Community Hall on S. Main Street. The current situation is not adequate, and the Town is presently studying options for developing a new building. The Town's Department of Public Works is located on municipally owned property on Liberty Street, the site of the three production wells, a water tower, and the water treatment facility.

A Plan for Community Facilities

Ensuring adequacy of and planning for the timely expansion of the Town's community facilities is essential. Chapter 5, Municipal Growth discusses the impacts that planned growth will have on the Town's facilities through 2040 and notes that the capacity of community facilities generally should be adequate to serve Town needs through the next 20 years. The Town's basic goal with respect to community facilities is that they be maintained and managed such that they remain equipped to deliver exceptional service to residents, institutions, and businesses.

Objectives

1. Protect and enhance the community's investments in infrastructure by thorough advanced planning and continuous maintenance.
2. Ensure infrastructure plans are balanced with the ability of residents and property owners to absorb the costs.
3. Ensure that future annexations expand community facilities as needed, as a condition for annexation.
4. Use growth management tools as needed to ensure levels of service are maintained as development occurs.
5. Build an exceptional and interconnected park system.

Recommendations

Prepare and Maintain Water and Sewer Allocation Plans

While capacities within the wastewater treatment plant and sewerage system are adequate to serve the Town's current users and planned growth, the Town should maintain a program for allocating future connections and regularly review and update it as needed. The same applies to the municipal water system; the use of public water is almost at 80% of available supply and thus the Town must now adopt and administer an allocation policy under MDE regulations. Allocation plans are important long-term tools for balancing growth and available capacities. Also worth noting, over the next 20 years lands within the growth area will be eligible for annexation so having a firm and enduring allocation policy will help the Town determine what conditions it would impose on landowners and developers seeking annexation. Future developers may need to establish production wells and water treatment facilities.

Continue to Upgrade the Municipal Water and Sanitary Sewer Systems

While this Plan forecasts a growth of 147 households through 2040, and there is sufficient water supply for these households, beyond that level of growth there will be very little remaining water to allocate to development under existing MDE permitting (See Chapter 5, Municipal Growth). This remaining capacity must also be available for future commercial water users as well. All future allocation decisions must be carefully decided until such time as water production is increased. At this time, there is no plan to develop another production well. In the years ahead, the Town will need to expand water production and supply and this Plan recommends that this be financed at least in part through developer contributions. Also, from now through the foreseeable future, all proposed development (and plans for the intensification of existing uses), should proceed to the Planning Commission only after a report is issued by the town engineer documenting the project's water use and its impacts on available capacity.

In terms of sewer service, the Town's two sanitary sewer pumps stations need upgrades, and such upgrades must be accomplished over the next decade. The Town will also increasingly need to monitor inflow and infiltration (I&I) of ground and surface water into the sewer lines. Presently I&I can contribute over 100,000 gpd, which can be a significant waste of the WWTP's capacity. Continued sea level rise will place added I&I pressure on the system and likely trigger a need to fund repairs overtime. This must be factored into the Coastal Resiliency Plan, which is recommended in Chapter 6, Land Use.

Support the Volunteer Fire Company

Both the Town of Rock Hall and Kent County fund the Rock Hall Volunteer Fire and Rescue Company through annual allotments, which the Company supplements with income from hosting an annual bazaar and regular dinners, and from conducting an annual fund drive³⁰. The Company is critical to the delivery of fire, medical, ambulance, and other emergency services to Rock Hall but reliance on an all-volunteer force may not be sustainable in the years ahead. To maintain the quality of service, the Town and County need now to evaluate strategies to fund professional fire fighters and emergency medical technicians and to assist in the recruitment and retention of volunteers. In the event that service deficiencies are identified due to the demands of new development, new development will need to contribute funds (impact fees) to offset its impacts, as a condition of permit approval.

Annexation Petitioners to Expand Community Facilities

The Town will use a team approach involving public works, town planning, engineering, and law to assess annexations to ensure that all required community facilities are addressed by a developer. The growth area includes large tracts of land whose owners are eligible to petition the Town to be annexed. The Town will strategically use annexation agreements and guide the timing and pace of annexations to ensure that public facilities are upgraded and improved by developers seeking annexation.

³⁰ In FY 2023, the Town allocated \$12,000. In the planned FY 2024 budget, \$10,000 is planned.

Support Residential Development Consistent with this Plan

Local rate payers shoulder much of the burden for upgrading, modernizing, and operating municipal wastewater and drinking water systems. Costs increase over time and focused management is needed to operate infrastructure efficiently and cost-effectively over the long term. In small communities there are fewer rate payers to share these costs so promoting sound and thoughtful new development can provide monetary relief to existing rate payers. New development also increases the assessable tax base and, provided Rock Hall remains conservative in its provision of services and conducts competent development plan review and inspections of streets, water mains, sewer mains, etc., then new development can readily improve fiscal conditions and be absorbed without undue municipal costs.

Continue to Work to Sustain the Rock Hall Elementary School

Rock Hall Elementary School is an important institution and asset for the community. Having an elementary school within Town adds to the quality of life. Planned residential growth can help ensure the long term viability of the School by providing a pipeline of enrollment. Through coordination between Kent County Department of Parks and Recreation and the Kent County Board of Education, Rock Hall Elementary school is also an important recreational asset for the Rock Hall community. Lastly, the School is presently the site of a federal health care clinic for residents.

Build an Exceptional and Interconnected Town Park System

Building on the recommendations of the 2011 Comprehensive Plan, the Town should prepare a park and recreational master plan and incorporate it onto the Kent County Park and Land Preservation Plan and then seek grant funding for its implementation over the next 20 years. The Plan should contain the following:

- A greenways program consisting of a network of parks and open spaces with pedestrian and bike trails, access ways and linkages between the downtown, the Harbor, Haven, residential areas, and existing parks and open spaces.
- The strategic development of public parks and open spaces through natural resource protection programs. Recreational amenities in natural resource areas allow for both active and passive recreation, such as walking trails, environmental education areas, and open space. Preservation of these areas for recreational use also can sustain groundwater recharge, flood attenuation, stream buffering, and the preservation of both tidal and non-tidal wetlands.
- Improved public access and to and views of the Chesapeake Bay and Swan Creek. The Town will pursue any opportunity to improve and expand the existing public landings to allow additional parking, picnic areas, beaches, and passive park and open space areas, and waterfront walkways.
- The development, expansion, and connectivity of a walking/biking trail throughout the Town.

Chapter 10: Historic and Cultural Heritage

Rock Hall is framed by the Harbor, Gray's Inn Creek, the Haven, Swan Creek, and the Chesapeake Bay, and its heritage is contained within those waterways. Founded in 1707, the town has evolved from an important tobacco port into a major fishing and crabbing center and into a unique sailing and boating destination. Offering traditional seafood fare and a vibrant arts, music, and entertainment culture, the Town continues to attract an eclectic gathering of residents and visitors.

Town residents have progressed with its industry and the inherent connectivity is apparent in the Town's historic buildings, old churches, and traditional working landscapes. These historic sites and structures remind residents and visitors of a cultural richness and provide a reassuring sense of time and place. Through public and private efforts, many houses, buildings, and landscapes have been restored and protected. New uses have been found for historic buildings.

The National Park Service has created the Chesapeake Bay Gateways program in which Eastern Neck Island, south of Rock Hall, participates. The Chesapeake Country National Scenic Byway Corridor Management Plan and the Stories of the Chesapeake Heritage Area Management Plan also promote the preservation and enhancement of the Town's rich historic and cultural resources. Rock Hall has three museums: one which honors the watermen who formed the heritage of the area and one which interprets elements of the general cultural history of the region. A third museum is dedicated to the former Tolchester Amusement Park.

Historic preservation is about much more than the preservation of historic buildings and structures—it is about the preservation of the context in which they are found. Preservation of the objects that possess integrity of location, design, setting, materials, and association preserves Rock Hall's character and promotes a sense of community. Preservation promotes the revitalization the Town, as well as individual structures of all types. The economic value of historic preservation has been proven again and again; it increases property values and provides for heritage tourism, the cleanest of clean industries.



A Plan for Historic and Cultural Preservation

Objectives

- Preserve Rock Hall's historic resources.
- Preserve the cultural, historical, and archeological resources of Rock Hall.

Recommendations

Support Rock Hall's Museums

There are three museums in Rock Hall. The holdings of the Rock Hall Museum are currently being transferred to a temporary facility at Tolchester until a new museum in Town, ideally at the Rock Hall Harbor, can be located. The Museum relies entirely on donations and is served by volunteer workers who keep the facility open for a few hours each day Wednesday through Sunday, or by appointment. The Museum houses a collection of Rock Hall and Chesapeake Bay memorabilia that evokes thoughts of another day and another way of life. It has also been designated by the State of Maryland as an Indian artifact museum.

The Rock Hall Watermen's Museum is located at Haven Harbor and is open daily except during the winter. It is privately owned; however, there is no admission charge. The museum includes exhibits on oystering, crabbing, and fishing. A reproduction shanty house is also on display, along with historical photographs, local carvings, and, of course, boats.

Tolchester Revisited is located at the corner of Main and Sharp Street and is open to the public on weekends. Located north of Rock Hall, Tolchester Beach, at its height, attracted as many as 20,000 visitors. After flourishing for eight-five years, Tolchester Beach passed from the scene, finally closing in 1962. This museum archives the heyday of one of the region's most memorable sources of amusement and nightlife.

Promote awareness of Rock Hall's history and culture

The museums should be marketed as points of interest to tourists. Schools and residents should be encouraged to visit the museums. Increased local awareness could lead to the donation of additional artifacts that are important to Rock Hall's history and culture. Explore alternatives to provide more space for the Museum at Town Hall to expand.

Expand the interpretation of the Town's history and culture

The abundance of natural, recreational, cultural, and historical resources in Rock Hall supports tourism as an important component of the local economy. The Town should attract new visitors, extend the stay of visitors, and welcome repeat visitors with new attractions, events, and programs. Success will require a focused marketing effort that includes cooperation with the development of an interpretive museum. This effort should encourage year-round tourist activities that promote the natural and cultural qualities of Rock Hall. History or natural resource-based tours and programs will help sustain year-round employment and economic opportunities. Investigate options for directional signage in the Town identifying key cultural and recreational sites.

Promote the oral history and photographic records of Rock Hall's maritime culture

Oral histories are an important component to understanding and archiving our historic and cultural past. Traditional lifestyles are disappearing, and the histories are slowly fading away as older community members pass on. Local watermen are already gathering oral histories and photographic records. The Town will encourage these individuals to work together and to coordinate with the Stories of the Chesapeake Heritage Area to establish a standard methodology and central depository for collected histories. Evidenced throughout Rock Hall, the working harbor is the core of the community's identity. Not only playing a vital role in the Town's economy, but also establishing a base for heritage tourism, the oral history and photographic record of area watermen are cultural and economic assets to the community.

Promote the Stories of the Chesapeake Heritage Area

The Town supports the Stories of the Chesapeake Heritage Area's environmental, recreational, and cultural value, as well as its role in identifying significant historic sites and districts on the National Register of Historic Places. The Stories of the Chesapeake Heritage Area Management Plan enhances these resources, improves linkages, advances economic development strategies, and provides for stewardship and preservation. The Town encourages local participation in the Management Plan.

Promote the Chesapeake Country National Scenic Byway

The Chesapeake Country National Scenic Byway, which extends into Town via MD Route 20, is one of the 126 Scenic Byways in the United States. It celebrates life on the Eastern Shore. The Town is rich in natural, cultural, and human resources. Quality soils, topography, climate, woodlands, the Chesapeake Bay with its tidal tributaries, wetlands, and marshes create an environment rivaled by few other areas. These natural features enrich our economy and the lives of our citizens. Rock Hall is also steeped in historic maritime tradition.

Investigate State and Federal Tax Credit Policies

Tax credits are a proven technique for promoting the restoration and rehabilitation of structures. The Town will identify the existing tax credit programs available from the state and federal governments, review the requirements of these programs, and explore policies that will enable its residents to take advantage of these programs.

Assure that new development complements and enhances the County's rural and historic character

New development can either enhance or erode the Town's historic character. Therefore, the Town will consider the applicant's effort to design developments to complement or enhance the town's cultural and historic nature.

Assist property owners in preserving historic sites

The Town of Rock Hall will work with local organizations to develop education and outreach programs to help citizens better understand the benefits and values of owning historic properties. This partnership will make owners of historic properties aware of tax credit, grant, and loan programs for restoring historic buildings and provide information on the proper maintenance and repair of historic buildings. The Town will continue to promote the compatible adaptive reuse of significant historic structures using flexible regulations.

Investigate "delay of demolition" Ordinance.

This Plan recommends that the Town adopt a "delay of demolition" ordinance to encourage owners of historic structures to explore options for avoiding demolition or at a minimum allowing time for documentation of the structure and salvage of reusable materials. The Town will investigate innovative programs which would result in the movement or preservation of these structures.

Develop marketing approaches to promote and encourage heritage tourism

Rock Hall will encourage local historic preservation groups to explore alternatives for promoting regional heritage tourism and the history and culture of the Town. They will initiate and promote local events and museums that celebrate our local heritage, as well as recognize state and national events such as National Historic Preservation Week.

Chapter 11: Implementation

Introduction

Plan implementation is about bringing people and resources together so that their interactions produce successful outcomes. That is what this Plan aims to do. It can be difficult to implement all parts of a 20-year comprehensive plan or to achieve all its objectives, but much progress can be achieved through sensible and practical actions and a municipal commitment to ongoing progress tracking. This chapter recommends such actions as amending zoning regulations, preparing studies and plans, using a capital improvements program, and coordinating with Kent County with regard to the planned development of the growth area especially. Yet there is still an essential and enduring role for citizens to play in plan implementation. This Plan is an invitation to all concerned residents, property and business owners, and all persons interested in the well-being of Rock Hall to participate with the Town to advance the objectives and achieve the vision of this 2040 Comprehensive Plan.

Comprehensive Re-Zoning

Immediately following adoption of this Plan, the Planning Commission should embark on a comprehensive rezoning of the Town. It is a necessary step to ensure the Zoning Ordinance and Official Zoning Map are consistent with and can implement this Plan. It would include zoning map changes several related text amendments. This recommended rezoning is not intended to be a complete modernization of the code. Instead, the more limited purpose is to bring the zoning map into conformance with the land use recommendations of this Plan. Once this is accomplished, the other zoning text amendments summarized in the next section should be considered.

The comprehensive rezoning should take about six months. This period will give the community an opportunity to weigh in on the changes being considered. At the conclusion of six months, the Commission should hold a public hearing and recommend a new zoning map and the supporting text amendments to the Mayor and Council for adoption. During this comprehensive rezoning, each zoning map change should be accompanied by a statement from the Commission of its consistency with this Plan, and property owners should be provided a notice of any proposed rezoning and an opportunity to discuss the new map with the Commission. Here are the main recommendations for amending the zoning map to bring it into agreement with the Future Land Use Map (see Map 6 in Chapter 6).

1. Create a new zoning district called Resource Conservation and using the Future Land Use Map as a guide, apply the new district to those areas planned for Resource Conservation.

2. Create a new zoning district called Institutional (I) and apply it to those areas mapped (on the current Zoning Map) as Town (T). Also, using the Future Land Use Map as a guide, apply the new district to those areas planned for "Institutional".
3. Create a new zoning district called Mixed Residential (R-4) and, using the Future Land Use Map as a guide, apply it only to those as yet undeveloped tracts of land recommended for "Residential" in the area bounded by the following: N. Main Street (on the west), Town owned property (on the north), the municipal limits (on the east) and Rock Hall Avenue (on the south).
4. Using the Future Land Use Map as a guide, apply the Town's Maritime Recreational (MREC) District to the areas around the outside perimeter of the current Maritime Water Dependent (MWD) District that are planned for "Maritime Recreational".
5. Create a new overlay district called the Maritime Heritage Overlay District and, using the Future Land Use Map as a guide, apply this new overlay district to the area planned for "Maritime Heritage District". For context, an overlay district is a special zoning district that sits on top of a regular zoning district and modifies that underlying district somewhat. In this case, the overlay district would sit on top of part of the Maritime Water Dependent (MWD) District and allow properties so designated certain uses not available to the entire MWD District.
6. Create a new overlay district called Conservation Residential and using the Future Land Use Map as a guide, apply it to those residentially zoned areas planned for "Conservation Residential". As noted above, an overlay district sits on top of a regular district(s) and modifies that underlying district or districts somewhat. In this particular case, the new overlay district would sit on top of areas zoned R-1 and R-2 that sit below a 10-foot elevation, and thus require higher standards for development due to the long-term risk from sea level rise (per Chapter 6).
7. Using the Future Land Use Map as a guide, apply the following zoning districts to the undeveloped tracts of land between N. Main Street (on the west), the Town owned property (on the north), the municipal limits (on the east) and Rock Hall Avenue (on the south): Resource Conservation (RC), Mixed Residential (R-4), High Density Residential (R-3), and Commercial (C-2).
8. In general, reclassify properties and/or redraw district boundaries guided by Map 6.

The following zoning text amendments would also be needed to support the new comprehensive rezoning map. In most cases these text amendments would create the new districts referenced above.

1. Create the Resource Conservation District, its purpose statement, permitted uses, and regulations.
2. Create the Institutional District, its purpose statement, permitted uses, and regulations.
3. Create a new overlay district called Maritime Heritage Overlay District. As noted previously, this overlay district would be placed on top of a small part of the existing MWD District as shown in the Future Land Use Plan. Its main purpose would be to allow a variety of non-water dependent uses as recommended in this Plan.

4. Create a new overlay district called Conservation Residential Overlay District. As noted previously, this district would be placed on top of the existing residential districts as shown in the Future Land Use Plan, and its purpose would be to require higher environmental performance standards as it relates to the risks of flooding and projected sea level rise.
5. Amend the list of permitted uses allowed in the R-3 District to include multifamily apartment and condominium buildings (not to exceed 3.5 stories). Incorporate standards for dimensional requirements including building height, open space, and landscaping.
6. Create a new zoning district called Mixed Residential (R-4) that would allow single family housing plus other compatibly sized residential building types with two, three, or four housing units, and require the dedication of ample open space for parks and recreational trails. The new district could also provide special housing options such as "cottage communities" as described in Chapter 6 of this Plan. The new R-4 district should prohibit short term vacation rentals.
7. Amend the list of permitted uses allowed in the C-2 and C-3 Districts and amend the regulations in these districts to permit multi-family housing and to increase the number of apartments that can be developed above street level commercial uses in the C-2 and C-3 Districts.
8. Amend the list of permitted uses allowed in the R-1 District to expressly permit group homes in a manner consistent with State and federal law.
9. Amend the list of permitted uses in all zones to prohibit any new group home, nursing home, or convalescent care center in areas prone to hazard flooding.
10. Amend the Maritime Water Dependent (MWD) District to classify existing and legally non-conforming restaurants as permitted by-right.

Long Term Zoning Text Amendments

The Town of Rock Hall Zoning Ordinance (Chapter 225 of the Town Code) regulates the use and development of land within Town boundaries. Among other things, it divides the Town into separate zoning districts (zones), establishes the purposes of each district, and provides standards addressing building heights, setbacks, parking, etc. The Ordinance also incorporates the Town's regulations governing land use and development activities in the Critical Area.

A comprehensive review and modernization of the Zoning Ordinance is needed. It would help implement this Plan but there are some other priorities which require attention in the nearer term. Amendments addressing several issues will require substantial study and collaboration and will take much time. Here are the main topic areas to be addressed along with the recommended timeframes for adoption.

- Within 2 years of Plan Adoption: Remove the ambiguity surrounding short-term vacation rentals in the Zoning Ordinance by expressly permitting them but only with conditions and under strict rules within residential zoning districts (except the proposed new R-4 district). The number allowed in each zoning district should be capped to limit their concentration and proliferation throughout the Town. The Town should require owners of all existing and new proposed short term rentals to obtain a zoning use permit, to comply with strict standards for operation and neighborhood compatibility, and through attrition the Town should reduce the number and/or concentration of short-term rentals to levels it finds acceptable. In association with this set of zoning changes, the Town should also: (1) adopt a rental housing code and required annual inspections of short-term rentals and (2) apply the occupancy tax to all short-term rentals.
- Within 2 years of Plan Adoption: Review and update as needed the affordable housing incentive provisions in R-2 and R-3 zoning districts as recommended in this Plan and consider applying similar incentives to the proposed R-4 district. After consideration, if the incentive provisions are ultimately determined to be unworkable or ineffective then eliminate them from the code.
- Within 3 years of Plan Adoption: Amend the Zoning Ordinance to create enhanced review procedures for annexations, to require Planning Commission review of proposed annexations and the transmittal of recommendations to the Mayor and Council, to require annexation petitioners to prepare conceptual development plans, to require future development of annexed lands be in substantial conformance with conceptual development plans, and to require annexation agreements that provide for developer contributions to infrastructure development.
- Within 5 years of Plan Adoption Adopt architectural, building, and site design guidelines and standards including for landscaping and signage. Downtown and high visibility commercial districts should be the priority.

Studies and Specific Plans

The Plan has identified challenges and opportunities which require further study before specific recommendations can be made. As has been the custom in Rock Hall with other projects, these ought to be prepared with public input and participation. The main plans and studies recommended in this Plan are listed below along with suggested time frames. Each can be funded with State grants, but each does require a local project manager to manage the project and to staff the Planning Commission and/or the citizen advisory task force that would be assembled to guide the work.

<u>Project</u>	<u>Timeframe</u>
Master Plan for Coastal Resiliency	2024 to 2025
Town-wide Park Plan with a Bicycle and Pedestrian Plan	2026 to 2027
Master Plan for Historic Downtown Rock Hall	2027 to 2029
Update to the Rock Hall Waterfront Master Plan	2029 to 2030

Interjurisdictional Coordination

Kent County Land Preservation, Parks, and Recreation Plan

This Plan recommends that the Town participate with Kent County in the regular five-year updates of the Kent County Land Preservation, Parks, and Recreation (LPPR) Plan. The Plan is required by the State of Maryland for the County, and the municipalities in the County, to be eligible for local Program Open Space (POS) grants. POS is a statewide program that funds the purchase and development of open spaces. In coordinating with the County, each year the Town can submit land acquisition or development projects for the State's consideration under the Open Space Annual Program which the County submits to the Maryland Departments of Natural Resources and Planning for approval.

Areas of Critical State Concern

The State of Maryland has prepared and adopted a statewide plan, A Better Maryland, which seeks to support a thriving economy and environmental stewardship throughout Maryland. The Plan's highlight is its commitment to collaboration between the State and its local governments by providing resources and tools for implementing long term plans. To facilitate this collaboration, A Better Maryland advances certain "areas of critical state concern". The most prominent areas of synergy between this Comprehensive Plan and A Better Maryland are shown in Table 5.

The State classifies several of the relevant programs as "spatially designated", meaning they are addressed to projects in areas contained within unique geographic areas, such as coastal flood risk areas, or within pre-defined boundaries. For implementation purposes, the most prominent and relevant pre-defined area for the Town is the State's Sustainable Communities (SC) Program designation. Continued enrollment in the program is a prerequisite to qualifying for certain grants and technical assistance.

Joint Planning Area

As recommended in Chapter 5, Municipal Growth, this Plan recommends that the Town coordinate with Kent County in the planning of community facilities including infrastructure in the designated growth area. This coordination can take the form of a Joint Planning Area Agreement for the area beyond Town boundaries, wherein the County and Town can assist each other in planning, developing, and operating services.

TABLE 5

General Policy Areas Overlap with Area of State Concern			
Rock Hall Comprehensive Plan Recommendation / Policy Area	Maryland Areas of Critical State Concern		
	Spatially Designated Program	Policy Program	Plan
Planning for flood mitigation, habitat and shoreline protections, Master Plan for Coastal Resiliency	Coastal Community Flood Risk Program	Chesapeake & Coastal Service Program	MD Hazard Mitigation Plan
Protecting water quality and preserving forests	Sustainable Communities Program	Chesapeake & Coastal Service Programs	
Developing neighborhood parks and playgrounds, extending trails		Program Open Space - Local	
Planting trees, expanding forested areas	MD Tremendous Program		
Addressing affordable housing and senior housing, senior activities and programming	Community Legacy Program	Home Ownership and Affordable Housing (DHCD)	
Tourism and related business development, programming, Downtown master plan, related	Community Legacy Program	Office of Tourism Development assistance	
Promoting business and economic development, downtown revitalization, in Downtown and at Rock Hall Harbor	Community Legacy Program		A Strategic Plan for Accelerating Economic Development
Building bikeways and sidewalks	Coordination with State Highway Administration		MD Bicycle and Pedestrian Master Plan
Transportation improvements	Community Legacy Program, Coordination with State Highway Administration	Office of Tourism Development assistance programs	MD Transportation Plan
Promoting projects that support the Town's historic and cultural heritage	Maryland Heritage Areas Authority		Stories of the Chesapeake Heritage Area Plan

Funding Mechanisms

The Town should maintain a five-year Capital Improvement Program (CIP). A CIP is a financial planning tool allowing the Town to schedule infrastructure priorities with available and projected revenues. It identifies capital projects and revenue sources, which may include general obligation bonds, the general fund, and County, State, or federal payments. The Town could use its CIP to schedule improvements recommended in this Plan and those that flow from the supporting studies described above. The Planning Commission would review this CIP annually and consider its consistency with this Comprehensive Plan.

Public sanitary sewer service and water supply are provided through an enterprise fund, meaning that expansions of Town capacity are financed by new system users and are not funded through the general fund of Town government. In the case of new development this should remain so.

The Town should continue to work cooperatively with the funding programs administered by State agencies to implement key priorities of this Plan. Each of these agencies has a long-term interest in promoting the harmonious and prosperous development of Maryland's towns including Rock Hall. As discussed above, this value is illuminated in the State's overarching blueprint for economic vitality and environmental stewardship, called A Better Maryland.

The State also has a program called Reinvest Maryland which it refers to as "an opportunity for all levels of government to work together and strengthen collaborative efforts to support revitalization and reinvestment³¹". The project includes a toolbox designed to encourage and ensure local communities consider redevelopment projects in partnership with the private sector that are supported by public program and resources. The Reinvest Maryland Toolbox includes information on over 100 state and federal funding and technical assistance programs for community development, which will be a vital resource for the Town in the years ahead as it works to implement this Comprehensive Plan.

A Continuing Planning Program

Town planning is a continuous process. The monitoring and review of public and private development projects is an essential task. This Comprehensive Plan provides a guide to the Town as it considers such new projects and programs. The Town's Planning Commission should also conduct a yearly assessment of growth and development in conjunction with its Annual Report. The Annual Report should be made available to Town residents, neighboring jurisdictions, and the State of Maryland. In five years, the Commission should conduct a thorough review of the implementation status and publish its findings along with recommendations needed to promote more progress as needed.

³¹ Information on Reinvest Maryland and the Toolbox can presently be found at: <https://apps.planning.maryland.gov/reinvestmd>.

Rock Hall should formally re-evaluate and update this Comprehensive Plan, as needed, no later than 10 years from the date of its adoption as required by the Land Use Article of the Annotated Code of Maryland. As the Town conducts special studies and specific area plans, this Plan could be amended to include their findings and recommendations.

All proposed capital projects in Rock Hall that affect physical growth and development should be referred to the Planning Commission for review per the Land Use Article of the Annotated Code of Maryland.

Lastly, this Plan recommends that the Planning Commission and Town Council coordinate to conduct quarterly work-sessions during which meetings the Commission can publicly report on implementation and advise the Council on needed zoning amendments, development trends, and the Town's progress on the projects and studies recommended in this Plan.

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