



Planning Commission MEETING AGENDA

Thursday, February 15, 2024 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

1. **Call to Order**

2. **Approval of Minutes.**

- a. Approval of the Decision Summary from the January 18, 2024 meeting.

3. **Old Business**

- a. **Applicant:** Shoregate of Cannery Commercial LLC
File No.: 2023 - 996
Location: 108 North East Avenue
Tax Map 103, Grid 0EA, Parcel 0753
Zoning District: BC
Nature of Request: Architectural approval of three (3) multifamily residential buildings and an amenity building.
- b. **Applicant:** Habitat for Humanity
c/o William B. Stagg
File No.: 2024 -1109
Location: 310 South Street
Tax Map 104, Grid 0EA, Parcel 1864, Lot 10
Zoning District: R-7A
Nature of Request: Amendment to a previously approved Planned Redevelopment (PR) Overlay application for a reduced side-yard setback. In July of 2022 the applicant received site plan approval for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback.
- c. **Applicant:** Armistead, Lee, Rust, & Wright, P.A. c/o Zachary A. Smith Esq.

File No.:	2021 - 473
Location:	29659 Matthewstown Road - Gannon Range
Zoning District:	Tax Map 026, Grid 0020, Parcel 0045 PUD with a base zoning district of A-1
Nature of Request:	Request for an extension of a previously approved Planned Unit Development (PUD) application through December 31, 2024 for the development of a mixed-use subdivision. The project was approved by the Town Council pursuant to Ordinance No. 773, with an effective date of March 13, 2022.

4. New Business

- | | |
|---|--|
| <p>a. Applicant:</p> <p>File No.:</p> <p>Location:</p> <p>Zoning District:</p> <p>Nature of Request:</p> | <p>Rise Up Dover Road LLC</p> <p>2023 - 1079</p> <p>618 Dover Road - Rise Up Coffee</p> <p>Tax Map 105, Grid 0EA, Parcel 1021</p> <p>CB</p> <p>Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road.</p> |
| <p>b. Applicant:</p> <p>File No.:</p> <p>Location:</p> <p>Zoning District:</p> <p>Nature of Request:</p> | <p>GLMV Architecture LLC</p> <p>c/o Rosa Paddock</p> <p>2024 - 1120</p> <p>8091 Ocean Gateway - Taco Bell</p> <p>Tax Map 105, Grid 000, Parcel 2844, Lot 2</p> <p>CG</p> <p>Architectural approval for reconstruction to the exterior of the property destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.</p> |

5. Discussion Item

- a.** Continued discussion of New Town Design Guidelines.

b. Draft review of the Inclusionary Zoning Ordinance.

c. Attainable Housing Task Force.

6. Adjournment.



**Town of Easton Planning Commission
Draft Decision Summary**

Thursday, January 18, 2024 at 1:00 p.m.

Town Hall Chamber 2

14 S. Harrison Street, Easton, Maryland

Archived video of the meeting is available at:

[Town of Easton Agendas and Minutes](https://www.eastonmd.gov/Agendas/Agendas%20and%20Minutes)
[\(eastonmd.gov\)](https://www.eastonmd.gov/)

Attendance:

Commission Members:

Jennifer Dindinger, Chairperson
Philip Toussaint, Vice Chairperson
Tom Klein
Victoria McAndrews
William Ryall
Michael Ports, Alternate

Absent:

Staff:

Lynn B. Thomas, Town Planner
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Planner
Sharon Van Emburgh Esq., Town Attorney
Rick Van Emburgh, Town Engineer
Samantha Smith, Administrative Specialist

Staff:

Miguel Salinas, Planning and Zoning Director

1. Call to Order — Chairperson Dindinger called the meeting to order at 1:00 pm.

2. Decision Summary Review —

a. December 21, 2023 - The Commission noted the following correction to the draft decision summary:

- i. Lines 265 and 274: Strike: “...massing and architectural enhancements” from motion and amended motion ; Add: “architectural design”.
- ii. Line 283: Correction to roll call vote.

Vice Chairperson Toussaint moved to approve the December 21, 2023 Decision Summary with amendments. Commissioner Ryall seconded the motion.

Vote 5 - 0

FOR: 5 - Dindinger, Toussaint, Klein, McAndrews, Ryall

AGAINST: 0

ABSTAIN: 0
ABSENT: 0

3. Old Business — None

4. New Business

- a. Applicant:** Rise Up Dover Road LLC
File No.: 2023 - 1079
Location: 618 Dover Road, Easton, MD 21601
Tax Map 105, Grid 0EA, Parcel 1021
Zoning: CB
Request: The request for Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located at 618 Dover Road has been withdrawn from the January 18, 2024 Planning Commission agenda.
- b. Zoning Requirements for Adult-Use Cannabis Dispensaries** — Pursuant to a recommendation to the Council to adopt new and/or revised cannabis regulations, staff presented a third draft of amendments to the Zoning Code to regulate the various cannabis-related uses. At their December 21, 2023 meeting, the Commission recommended language for the prohibition of sales restriction to be included in the supplemental standards for cannabis processing facilities; and for the addition of supplemental standards for various cannabis-related uses including visual displays and lighting/signage, drive-thrus, hours of operation and security, and the storage of fertilizers and pesticides.

Following a discussion of the third draft of amendments, the Commission made a recommendation to strike: “*There shall be no display of unpackaged cannabis visible to the general public*” from the proposed language in the supplemental standards for 19.e. under Cannabis Dispensaries, 7.f in Cannabis Growing Facilities, and 8.d. under Cannabis Processing Facilities. The Commissioners generally agreed that this language is broadly covered under the current State of Maryland legislation, and overreaches the extent of their authority. The Commission also recommended striking the language that requires the sharing of security measures with the Easton Police Department and Easton Planning Commission as referenced in 7.g.ii. under Cannabis Growing Facilities, and 8.d under Cannabis Dispensaries. The Commission further discussed various aspects of worker’s health and safety regulations that are preempted by the State and/or the Occupational Safety and Health Administration (OSHA), and subsequently recommended to strike the language in supplemental standard 7.g.i. of Cannabis Growing Facilities that requires a buildout strategy/plan to minimize the use of various synthetic toxins. Staff will do further research to ensure that any significant concerns for security and worker’s health/safety regulations that have

103 been raised are sufficiently satisfied under the State of Maryland licensing
104 requirements. Finally, in the Table of Permissible Uses, the Commission favored
105 the additional requirement for a dispensary with a drive-thru window to be
106 permitted via a Special Exception.

107
108 **Staff Presentation:**

109 Lynn Thomas, Town Planner
110 Sharon Van Emburgh *Esq.*, Town Attorney

111
112 **Public Comment** — None

113
114 **Commissioner Ryall moved to forward a favorable recommendation of the**
115 **proposed draft of zoning requirements for adult-use cannabis dispensaries to the**
116 **Town Council with the proposed amendments. Vice Chairperson Toussaint**
117 **seconded the motion.**

118
119 Vote 4 - 1
120 FOR: 4 - Dindinger, Toussaint, McAndrews, Ryall
121 AGAINST: 1 - Klein
122 ABSTAIN: 0
123 ABSENT: 0

- 124
125 c. Election of 2024 Officers — The Commission unanimously agreed to continue
126 the ongoing succession plan with a 2-year term limit for Officers.

127
128 **Victoria McAndrews moved to re-elect the current slate of Officers.**
129 **Tom Klein seconded the motion.**

130
131 Vote 5 - 0
132 FOR: 5 - Dindinger, Toussaint, Klein, McAndrews, Ryall
133 AGAINST: 0
134 ABSTAIN: 0
135 ABSENT: 0

136
137
138 **5. Discussion Items**

- 139
140 a. New Town Design Guidelines — Vice Chairperson Toussaint led an open
141 exercise
142 in an effort to revitalize the Town’s design guidelines and zoning regulations.
143 Inspired by the Roman architect Vitruvius’ Three Principles of Architecture, the
144 Commission explored conceptual ideas about design quality in aspects of
145 “durability”, “usefulness” and “beauty”. The Commission will continue
146 developing these desired characteristics, and will further develop language to be
147 easily interpreted within the Comprehensive Plan.

- 149 **b.** Attainable Housing - Follow up from the January 16, 2024 Joint Workshop —
150 The Commission reflected on the outcome of the Attainable Housing Joint
151 Workshop. The Commission agreed that occasional joint workshops are a
152 resourceful manner to address their recommendation to the Council for notable
153 projects, and suggested the appointment of a representative from the Commission
154 to the Attainable Housing Task Force.
155
156 **c.** The Park Advisory Board is anticipated to review draft findings of a park board
157 study at their January 22, 2024 meeting.
158
159
160 **6. Adjournment** — Chairperson Dindinger moved to adjourn. Vice Chairperson Toussaint
161 seconded the motion. The meeting was adjourned at 3:17 p.m.



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Meeting: February 15, 2024

3a

**PLANNING COMMISSION
SUPPLEMENTAL ITEM**

SUBJECT: **Multi-Family complex on the Lands of Shoregate of Cannery Commercial, LLC**

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

DOCUMENT CREATED ON: February 8, 2024

PURPOSE: The applicant is seeking architectural approval from the Planning Commission.

REQUEST: On December 21, 2023, the Town of Easton Planning Commission reviewed a Site Plan application for sketch site plan approval to construct three (3) multifamily residential buildings with a total of 96 units and an associated amenity building. The Commission voted to approve the sketch site plan with the following conditions:

1. The Applicant shall return to the Planning Commission for architectural approval, and to address all concerns regarding the massing, and architectural enhancements.
2. The Applicant shall examine the feasibility to provide a playground or tot lot within the Stormwater area.
3. The Applicant shall explore all options for a pedestrian crosswalk at North Street/Elizabeth Street with the Town Engineer and Commissioner Klein.

ISSUES: There are no outstanding issues.

RECOMMENDED CONDITIONS:

Staff recommends the Planning Commission approve the architecture as submitted.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the architecture as submitted.

OR

2. I move that the Planning Commission forward the application to the March 21st Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2023.11.30 PC Staff Report-Shoregate of Cannery, paper copy & PDF
2. 2024.01.09 Cannery Square Apartments - Design Version 2, paper copy & PDF
3. 2024.02.08 Staff Summary Report Cannery Square, paper copy & PDF



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Hearing: December 21, 2023

4b

**PLANNING COMMISSION
PUBLIC HEARING
STAFF REPORT**

SUBJECT: Multi-Family complex on the Lands of Shoregate of Cannery Commercial, LLC

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

APPLICANT: Shoregate of Cannery Commercial, LLC

DOCUMENT CREATED ON: December 11, 2023

PURPOSE: Shoregate of Cannery Commercial, LLC (Applicant), is seeking sketch site plan approval for the construction of three 3-story multifamily residential buildings comprising 110,043 square feet (SF) of gross floor area (GFA) with a total of 96 units. In addition, the Applicant is proposing a one-story amenity building comprising 3,080 SF of GFA. Associated site improvements include the demolition of an existing garage and storage building on the property located at 503 North Street.

RECOMMENDATION: Should the Planning Commission (Commission) approve the sketch site plan, staff recommends approval as submitted.

APPLICATION INFORMATION:	
APPLICANT: Shoregate of Cannery Commercial, LLC	REPRESENTATIVE: Lane Engineering, LLC: Brett Ewing Shoregate of Cannery Commercial, LLC
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 103, Grid 00EA, Parcel 753	3.19
Map 103, Grid 0000E, Parcel 756, Lots 3 & 4	
ACCEPTANCE DATE: November 27, 2023	LOCATION: 503 North Street & 108 East Avenue
EXISTING ZONING BC PUD Infill Boundary PR Boundary	EXISTING LAND USE: Commercial
HISTORIC DISTRICT: Not Applicable for Parcel 756 Applicable for Parcel 753	FUTURE LAND USE MAP: Redevelopment Area

CONTEXT:

Location/Site Access – The subject property is located at the corner of North Street and North East Avenue. The site's entrance will be accessed via North Street.

Existing Conditions – The subject property is vacant and can generally be described as approximately 3.19 acres consisting of an open field, an abandoned garage and storage building.

Surrounding Properties

- 504 North Street - BC
- 112 North Park Street - R-10A
- 101, 103, 105 & 107 Parris Lane - R-10A
- 117 Parris Lane - R-7A
- 119 & 129 Pennsylvania Avenue - CB
- 424 & 427 North Street - CB
- 501, 505, 507, 509, 511 & 513 Goldsborough Street - R-7A

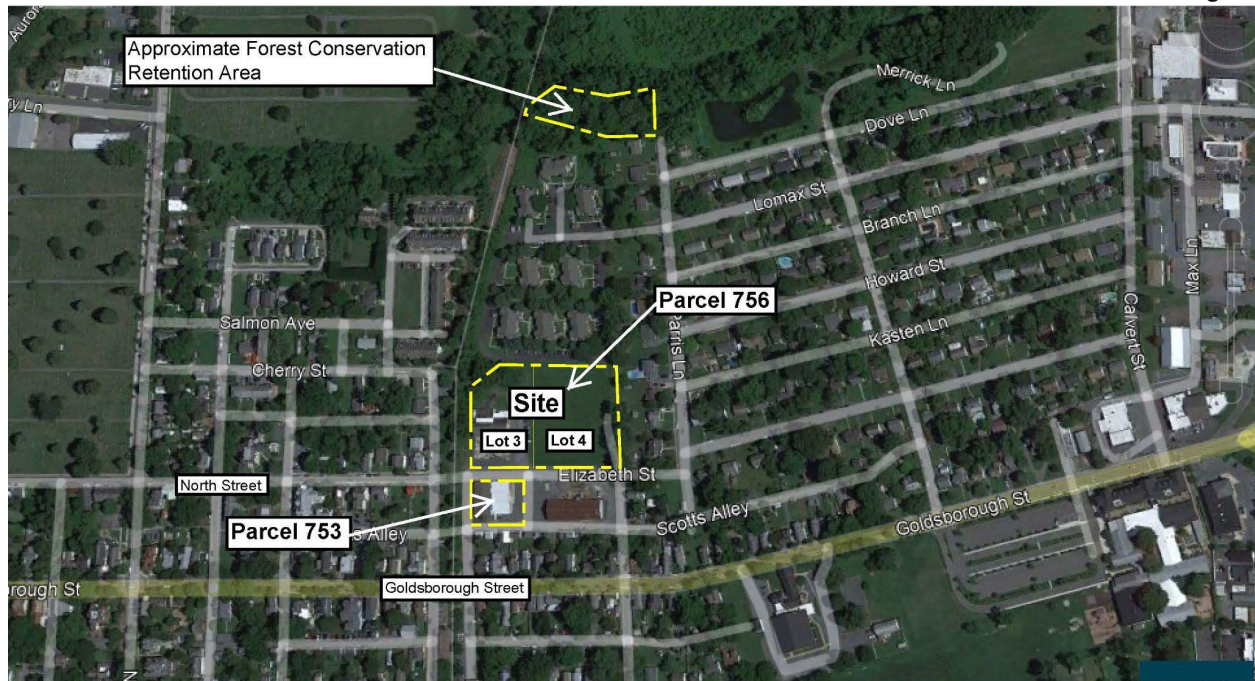


Figure 1: Vicinity Map

PROPOSAL: The applicant is proposing to construct three 3-story multi-family buildings with a total of 96 residential units and one amenity building with associated development infrastructure. The three-story buildings will include six (6) studio units, thirty-six (36) one-bedroom units, forty-two (42) two-bedroom units, and twelve (12) three-bedroom units. The current proposed density is 30.09 dwelling units per acre.

BACKGROUND: The subject property received Commission Planned Redevelopment (PR) Overlay District sketch site plan approval for three 3-story apartment buildings with a total of 30 units on February 16, 2017. The project was an expansion of the existing Cannery Apartments located directly to the north of the property. The Commission reviewed and voted 4-0 to approve the sketch planned redevelopment site plan with the following conditions: 1) the applicant shall construct a 6' privacy fence along the entire east and west property line boundaries and the east side fence shall remain outside the 30' wide utility easement, 2) the applicant shall enhance the landscape buffer along the east and west property lines with additional plantings and evergreens, 3) the applicant shall relocate the proposed dumpster to the west side of the project as described at the Commission meeting, 4) the applicant shall provide two access points to the Rails to Trails public area and the access along North Street shall be striped similar to a crosswalk as discussed at the Commission meeting, 5) the plan shall be revised to incorporate landscape islands in front of buildings "1" and "2". *Trees shall be located in parking bays so no more than 10 spaces form an uninterrupted row*, 6) the applicant shall execute a public works agreement or bond for improvements within the Town right-of-way (ROW) in a format acceptable to the Town Attorney, 7) the applicant shall provide community covenants for Town review and the document shall discuss perpetual maintenance of stormwater management (SWM), private roadways and common areas, 8) all easements proposed including but not limited to the shared parking easement along the north property line shall be executed and recorded prior to final approval, and

9) the applicant shall address all staff, staff report and Commission comments prior to Development Plan submittal.

The Applicant returned to the Commission on October 19, 2017. The Commission reviewed and voted 5-0 to modify the February 16, 2017 Planning Commission condition that "The applicant shall provide two access points to the Rails to Trails public area. The access along North Street Shall be striped similar to a crosswalk as discussed at the Planning Commission Meeting.". The modification was approved to only require one access point along the Northern property line as shown in their development site plans

Site Construction Plans were approved on December 29, 2017. Forest Conservation was satisfied for 0.24 acres of afforestation via a fee-in-lieu of \$1,045.44.

On November 27, 2023, a PR application was received from new owners Shoregate of Cannery Commercial LLA to revise the previous approval on subject property and also included the property located at 108 East Avenue. On October 9, 2023, the applicant received the Historic District Commission's Certificate of Appropriateness for the demolition of the existing warehouse located on the property at 108 East Avenue and to construct a new 1-story amenity building. The application for the new proposal was heard at the Easton Staff Development Review Committee meeting held on November 22, 2023.

Staff notes that the Applicant has addressed previous Planning Commission conditions: 1) the Applicant proposes to construct a 153' long 6' high privacy fence along the east property line boundary and will remain outside the 30' wide utility easement; there's no proposed 6' high privacy fence on the west side, 2) the Applicant proposes landscaping along the east and west property lines, 3) the proposed dumpster is on the west side of the project, 4) the Applicant is providing an access point to the Rails to Trails public area on the north side of North Avenue, 5) the Site Plan incorporates landscape islands in front of buildings and trees are located in parking bays so no more than 10 spaces form an uninterrupted row, 6) a public works agreement/bond is required for improvements within the Town ROW in a format acceptable to the Town Attorney will submitted prior to the issuance of a Grading Permit, 7) community covenants are designed for single family subdivisions and is not required for multi-family, 8) all easements are required to be recorded prior to recordation of the lot Line Revision Plat and issuance of the Grading Permit, and 9) any comments or conditions from the Planning Commission will need to be addressed prior to the submission of the Development Site Plan review.

OUTSTANDING ISSUES:

There are no outstanding issues.

ZONING ANALYSIS:

A. Purpose

Section 28-501 A.

The purpose of the Planned Redevelopment Overlay District (PR) is to provide a mechanism for the redevelopment, rehabilitation, and general improvement of certain older areas within the Town of Easton that have fallen into a somewhat neglected or dilapidated state or have simply been used for a purpose that no longer serves the health, safety or general welfare of the neighborhood. PR applications may be submitted only if the project is located within the Planned Redevelopment Overlay District. However, this mechanism is optional and shall not be required of all projects located within this zone. Projects not being developed in accordance with PR District standards shall be developed in accordance with the development standards of the underlying base zoning district.

The nature, size, scale or intensity of a proposed use may cause a particular site not to be suitable for a specific PR proposal. Therefore, there is no general presumption that an application for such a use at a particular location is valid, inures to the general benefit of the Town, is compatible with surrounding uses, or is in compliance with the Town's Comprehensive Plan. Instead, each application will be evaluated according to its particular location and the degree to which the developer is willing or able to propose a development plan which ameliorates possible adverse impacts and furthers the goals and objectives of this Section and the Ordinance generally

Analysis - The current process of the Town of Easton Zoning Ordinance is for the Planning and Zoning Commission to review the material submitted as described in § 28-501.C of the Town Code and shall represent the initial step in the PR review process. Successful applications shall subsequently follow the appropriate steps for the type of project submitted and the applicant shall prepare and submit for review by the Commission a development and a final site plan in accordance with the site plan requirements specified in § 28 – 901.3.B and C of the Town Code and the requirements of the Town of Easton Subdivision Regulations, if applicable.

B. Off-Street Parking

28-1001.3 Parking Requirements

	Use/Activity	Minimum Vehicle Spaces	Maximum Vehicle Spaces	Minimum Bicycle Spaces	Notes
--	--------------	------------------------	------------------------	------------------------	-------

	Residential Buildings				
4	Multifamily	1 per du	2 per du	0.5 per du	

Total Site Parking Required (when not proposed as a PR application):

Multifamily:

- 1 Space per dwelling unit required-Minimum
- 96 units x 1 = 96 spaces required-Minimum
- 2 Space per dwelling unit required-Maximum
- 96 units x 2 = 192 spaces required-Maximum
- Total spaces provided: 110**

Bicycle Spaces: 0.5 per dwelling unit required
 96 units x 0.5 = 48 bicycle spaces
Total bicycle spaces required: 48

Analysis- There are no minimum off-street parking spaces required within the PR Overlay Zoning District, although the adequacy of parking may be a consideration of site plan review. The Applicant is proposing 110 parking spaces and required bicycle spaces. There are 86 proposed off-street parking spaces and 24 proposed parallel on-street parking spaces along North Street, North East Avenue and Scott's Alley. The multi-family complex has a total of 6 studio apartments (6% of the complex), 36 one-bedroom apartments (37% of the complex), 42 two-bedroom apartments (44% of the complex) and 12 three-bedroom apartments (13% of the complex). The overall proposed parking spaces are 14.58% over the minimum required parking spaces for projects not developed under the PR Overlay Zoning District. The Applicant believes the proposed parking is adequate to support the daily operation of this multi-family complex.

Shoregate of Cannery Commercial, LLC has demonstrated that they can adequately provide parking spaces within the minimum and maximum requirements established in § 28-1001.3.A of the Town Code. Additionally, the Applicant owns the adjacent apartment complex, Cannery Square Apartments, located north of the site which may have room to add parking spaces along the drive aisles.

C. Business Commercial District Development Standards

Table 1. Development Standards		
BC Zoning District	Standard	Proposed (Planned Redevelopment Overlay)
Setbacks	Front = 40 feet Side = 10 feet Rear – 30 feet	Front = 15 feet Side = 10 feet Rear – 20 feet
Lot Size (min.)	40,000 square feet	Parcel 756 - 113,648 square feet Parcel 753 - 25,034 square feet
Lot Frontage (min.)	100 feet	Parcel 756 - 239 & 402 feet Parcel 753 - 117 & 213 feet
Building Envelope (min.)	30 feet x 80 feet	Parcel 756 - 231 & 382 feet Parcel 753 - 97 & 178 feet
Lot Coverage (max.)	50% (Lot Area)	Parcel 756 - 32.4% (Lot Area) Parcel 753 - 12.3% (Lot Area)
Height (max.)	35 feet	44 feet +/-

§ 308.2 of the Zoning Ordinance states that development within the Business Commercial District shall also meet these additional requirements:

- ***There shall be no open storage on any lot or open areas, nor shall any products be displayed in open areas. All outside storage shall be adequately screened and***

landscaped in accordance with provisions of Section 28 – 1014 of this Ordinance.

- ***All on-site lighting unless approved otherwise by the Planning and Zoning Commission shall be low cut-off shielded luminaries at 18' height and light shall not shine off-site at levels greater than 1-foot candle.***
- ***All off-street loading and unloading areas shall be screened from view by permanent decorative screens or natural planting, either of which shall be a minimum of eight (8) feet in height, in accordance with the provisions of Section 28 – 1014 of this Ordinance***
- ***All areas not devoted to buildings or parking areas shall be landscaped and maintained in a suitable manner, in accordance with the provisions of Section 28 – 1014 of this Ordinance.***

Analysis - The site falls under the BC - Business Commercial District Area and meets the § 28-308.2 Development Standards.

D. DEVELOPMENT STANDARDS

Section 28-501.B.

Development within the Planned Redevelopment Overlay District shall meet the following requirements:

(1) The area proposed for a planned redevelopment shall be in one (1) ownership, or, if in several ownerships, the proposal shall be filed jointly by all the owners of the property included in the development plan. Applicant's response: *The Property is owned by a single entity.*

(2) The site shall be of a configuration suitable for the development proposed. Applicant's response: *The site includes an aggregate of 3.19 acres and has direct access to North Street and N. East Avenue. The Property abuts the Cannery Square multifamily development to the north, the Rails to Trails projects to the west, a commercial building and use to the south (along with residences fronting on Goldsborough Street which are across the alley from the amenities building), and residential lots to the east. The planned layout and site design proposed provide for a functional and well-designed residential community. The configuration proposed focuses parking to the interior of the Property and provides for attractive and well-landscaped residential buildings.*

(3) Public water and sewerage shall be available. Applicant's response: *Adequate water and sewer services to serve the proposed Project exist and are adjacent to the Property. The Applicant will provide the utility extensions that are necessary to connect the Project to Town services and will work with Easton Utilities to ensure that all permits and approvals are granted.*

(4) The site shall be located adjacent to adequate transportation facilities capable of serving existing traffic and that are expected to be generated by the proposed development.

Applicant's response: The Project will access from N. East Avenue, North Street, and from the adjacent Cannery Square complex to the north. A Traffic Impact Study ("TIS") prepared by Lenhart Traffic Consulting, Inc. will be submitted to supplement this filing and for the Planning Commission and Town Engineering Department's review. The Maryland State Highway Administration ("SHA ") guidelines recommend that all intersections need to operate at a LOS of " D" or better. The TIS will incorporate all existing traffic flows, will utilize actual traffic count data in the area, and will incorporate traffic impacts from proposed or developing projects in the area. Any required improvements resulting from review of the TIS or Easton Engineering comments will be made to ensure adequate and safe transportation patterns. The existing roads and traffic signaling in the area are adequate to serve the Project and its residents and development of the Project will not place an undue burden on public roadways. The internal driving and parking surfaces serving the Project comply with applicable Town standards.

(5) The overall residential density of a Planned Redevelopment project shall not exceed forty (40) units per gross residential acre. For the purposes of this subsection, the gross residential area shall include all land within the area intended to be used for residences, residential parking space, and reservation for community recreation and education facilities. Any land mapped as floodway by the Federal Emergency Management Agency, and non-residential uses shall be excluded in computing the gross area. The Planning and Zoning Commission may require a lower density if review of the proposed development indicates that the maximum allowable density is excessive for the surrounding area. Applicant's response: The Applicant is proposing 96 total units, which is 31 units or 24% under the maximum density of 127 units permitted on the Property.

(6) For new infill development projects, the setback, lot size, lot coverage, height, and yard requirements shall be established for each individual project by the Planning and Zoning Commission. In establishing these requirements, the Planning and Zoning Commission shall consider such factors as the proposed intensity of the project and the existing character of the neighborhood. Applicant's response: The Planning Commission can apply, in its discretion, bulk standards such as setbacks and maximum height on a project-by-project basis. The Project proposes: (1) 15 ' front yard setbacks; (2) 10' side yard setbacks, (3) 15 ' rear yard setbacks, and (4) 44' maximum height. The Applicant and development team has worked to reduce the number of proposed units such that the buildings proposed are only three (3) stories and the site layout concentrates parking to the interior of the Property. Other site constraints imposed, such as stormwater management, drive aisles, dumpster enclosure, sidewalks, and landscaping, dictate that the most reasonable Project layout is the one proposed for the Project.

(7) Off-street parking is not required for projects proposed in the Planned Redevelopment Overlay District, although adequacy of parking may be a consideration of site plan review. Applicant's response: Despite the fact that the Code does not require any parking for the Project, Applicant recognizes that it should not impose unnecessary parking congestion or burden on the Town and nearby residents who may use public parking. Therefore, the Applicant is proposing a total of 110 parking spaces to serve the Project, which is fourteen (14) spaces above the ordinarily-prescribed 1:1 parking minimum applicable to multifamily development. The

Applicant is confident that this design will ensure that parking occurs on the Property. The parking lot and drive aisles internal to the Project are designed to accommodate emergency vehicles, trash trucks, school buses, and delivery trucks.

(8) Sidewalks shall be constructed along any public right-of-way (except for alleys) adjacent to the site along the entire frontage(s) of the property. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems. Applicant's response: *The Project design addresses this requirement by proposing sidewalks along the frontage of North Street and N. East Street. Sidewalks on the Property are proposed to ensure ease of access to roadways, apartment buildings, the amenities building, and the Rails to Trails project.*

Applications under the PR Overlay Zoning District for multi-family apartments are exempt from applicable supplemental use standard requirements as specified in § 28-1007.1.14 of the Town Code.

E. Forest Conservation

The Easton Forest Conservation Requirements of the Town Code, Article III, § 31-3.1, Forest Conservation Ordinance, Relevance, states that the requirements are applicable to any person making application for a subdivision, project plan, grading, or sediment and erosion control approval on units of land 40,000 square feet or greater after the effective date of the Ordinance.

Analysis - Required Afforestation on site is 0.47 acres or 20,473.2 square feet. Per the *Easton Forest Conservation Ordinance #718, Article III, § 31-7.2*, Forest Conservation will be addressed via off-site forest retention on the northern portion of Tax Map 103, Parcel 756, Lot 1 (the northern forested section of the existing Cannery Square Apartments property) and shall be placed under a long term protective easement and recorded within the Land Records of Talbot County. Forest Conservation Site Plan approval and recording of the Forest Conservation Easement Agreement is pending.

F. Traffic Impact Analysis

The Traffic Impact Analysis (TIA) was submitted by the applicant on December 4, 2023. The documents prepared by Lenhart Traffic Consulting, Inc. described that the primary access to the multifamily units will be provided with a full movement access point along North Street. A secondary access point will be provided with a connection to and through the Cannery Square Apartments development, located to the north. The amenities building, located on the south side of North Street, is also proposed to be accessed via North Street directly opposite the access to the multifamily units, and also Scotts Alley.

According to the study, the study area limits were agreed to in coordination with the Town of Easton and in conformance with the Maryland State Highway Administration's (SHA) Traffic Impact Study (TIA) Guidelines. Per SHA's Access Permit Manual, the study intersections were

evaluated using the Critical Lane Volume (CLV) operational analysis tool and Highway Capacity Manual (HCM) where all study intersections must maintain a Level of Service D or better to be considered adequate. Study intersections included:

- North Street at the site access
- North Street at North Park Street
- Goldsborough Street at East Avenue
- Goldsborough Street at North Park Street
- U.S. 50 at Goldsborough Street.

Morning and evening peak hour turn movement counts were conducted on November 8 and November 21, 2023. An annual growth rate in traffic of 3% was applied for 3 years to the existing peak hour volumes.

Projected Conditions, including Shoregate at Cannery

Taking into account the proposed 96 units, and using trip generation rates from the ITE Trip Generation Manual, the TIA anticipates that the majority of the site traffic will utilize North Street (as opposed through the Cannery Apartments) due to its more direct access to Goldsborough Street via North East Avenue. In addition, the TIA assumed that 50% of the trips to and from the existing Cannery Square Apartments will divert from its current access to Lomax Street and go through the proposed project to utilize the access along North Street. Further, the TIA assumes diversion of traffic due to the conversion of a segment of Park Street to a one-way (see below).

The CLV analysis indicates that all the study intersections operate at LOS “D” or better under existing, background, and total conditions using the CLV and HCM methodologies and are therefore considered to operate adequately per MDOT SHA and Town of Easton Guidelines. The TIA also indicates minimal impact on street delays at the *unsignalized* study intersections. According to Mike Lenhart of Lenhart Traffic Consulting, INC in an email dated December 7, 2023, the TIA results show that the site generated trips and the diversion traffic described above will add an additional 91 trips during the morning peak hour (with 50 of those trips attributed to the project) and 104 trips during the evening peak hour (with 59 trips attributed to the project). When combined with the existing conditions, this translates to one vehicle every 27 seconds in the morning peak period and one vehicle every 21 seconds in the evening peak period. In addition, the email noted that the proposed development will add 14 vehicles to the Goldsborough Street approach at U.S. 50 in the morning peak hour and 8 vehicles in the evening peak hour; resulting in one vehicle every two to three cycles of the traffic signal.

The TIA noted that an evaluation of sight distance for the southbound N. Park Street approach at its intersection with Goldsborough Street determined that the distance does not meet stopping sight distance for left turns from Park Street onto Goldsborough and cannot maneuver safely through the intersection. The TIA recommends making Park Street a one-way street in the northbound direction between Goldsborough Street and North Street to improve safety at the intersection of N. Park Street and Goldsborough Street. The TIA determined that doing so will not have a significant impact on travel patterns in the surrounding neighborhood (there is very

little southbound traffic on that portion of Park Street) and the existing southbound traffic on that segment of Park Street will be expected to divert to East Avenue.

In the conclusion of the findings contained in the report, it is recommended by Lenhart Traffic Consulting, Inc. that the proposed development be approved. In their letter dated December 14, 2023, the Town of Easton Engineering Department stated that they reviewed the analysis. After reviewing the TIA, they contacted Mr. Lenhart, discussed the conclusions and recommendations and requested additional information that he provided in the aforementioned email. The Department noted that the TIA is Acceptable to the Engineering Department.

POLICY ANALYSIS:

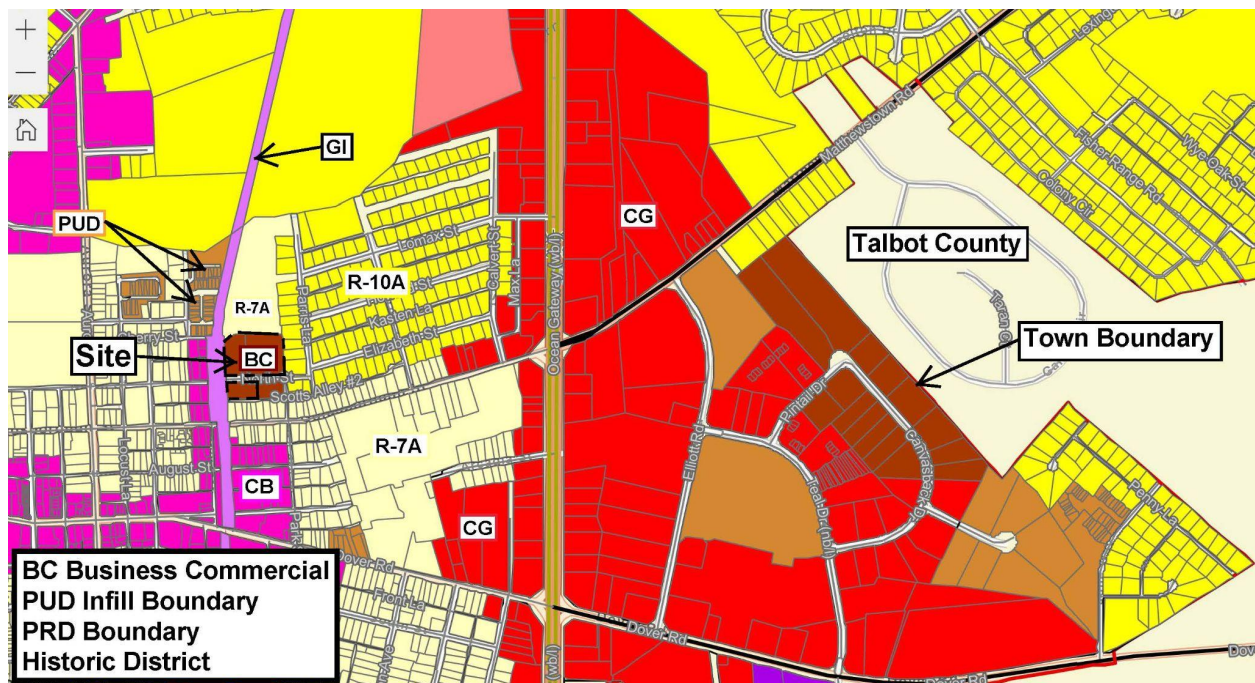


Figure 2: Zoning Map

Section 28-901.2.G of the Town Code states that the submission of a site plan for a proposed use or development activity shall not be approved unless it meets the factors below:

1. The site plan meets the design principles and standards and required improvements set forth in this Ordinance, the Town Comprehensive Plan, the Town of Easton Subdivision Regulations, and other ordinances, regulations, and policies established by the Town of Easton.

Analysis -

Town of Easton 2010 Comprehensive Plan Design Principles (Principle #1) Integrated uses are desirable- Applicant's response: *This development proposal provides residential development adjoining other residential land uses.*

Staff notes that this is an appropriate location for a walkable residential apartment complex within the Town of Easton's Business Commercial District. In addition, the proposed development is under the PR Overlay Zoning District, which includes properties adjacent to Rails-to-Trails to provide a mechanism for the redevelopment, rehabilitation, and general improvement of certain older areas within the Town of Easton, including properties that have fallen into a somewhat neglected or dilapidated state.

(Principle #2) Natural features should determine design – Applicant's response: *No compelling natural features; SWM integrated on site.*

Staff notes that there are no compelling natural features on site.

(Principle #3) Automobiles should not determine design – Applicant's response: *Parking for residents is important. The proposed parking areas have been designed to accommodate the building layout on-site.*

Staff notes that the applicant has provided adequate off-street parking interior to the site and it should be noted that there's proposed on-street parking along North Street, North East Avenue and Scott's Alley.

(Principle #4) Ample Open Space should be provided within & around neighborhoods – Applicant's response: *Usable open space not specifically applicable here; adequate buffering/screening provided. Potential access to Easton Rails to Trails provided.*

Staff notes that open space is not applicable.

(Principle #5) Architecture should respect Easton's Historical Development – Applicant's response: *The application proposes architecture compatible with existing buildings and compatible with existing architecture found in Easton.*

Staff notes that this project received Historic District Approval on 10/09/23 for the demolition of an existing building and the construction of a new amenities building to serve the residents of Shoregate at Cannery.

(Principle #6) Signs should inform but not dominate – Applicant's response: *Signage tasteful, simple and per code.*

Staff notes that any proposed monument sign will require a Signage Application to be submitted prior to installation. Signs should inform but not dominate the area.

(Principle #7) Neighborhoods should contain a diversity of housing types – Applicant's response: *This development proposes a multi-family apartment complex just west of existing single family residential dwellings.*

Staff notes that the multi-family use offers a diverse housing type. The Comprehensive Plan states that there is a demonstrated need for apartment units in Town, and that to the extent that it exists, the apartments are strictly segregated. The plan supports a diversity of housing types to enable people from a broad spectrum of economic levels to live within the same neighborhood.

(Principle #8) Residential neighborhoods should be interesting places – *Applicant's response: This development setting provides and enhances the residential community.*

(Principle #9) Neighborhoods should connect – *Applicant's response: The development proposed will extend the existing Cannery Square Apartment complex to the north.*

Staff notes that the Comprehensive Plan states that older historic areas of Easton are where you find a great variety of lot sizes, configurations, and housing types as opposed to the more recent homogenous subdivisions built over the last 30 years. In addition, the plan states that connected neighborhoods are a fundamental characteristic of the older parts of Easton that are essential to emulate in new development projects for four reasons: 1) to offer multiple travel options, 2) to promote community and increase the opportunities for social interactions and walking between adjacent developments, 3) connected neighborhoods are safer and urban gridded streets promote lower vehicular speeds, and 4) connected neighborhoods are more sustainable and can promote compact, vibrant, mixed-use neighborhoods where living in a mixed-use environment where residents are within walking distance of shops and services results in increased walking and biking.

The Comprehensive Plan's Community Character chapter, related to the role of infill development in Easton's growth strategy, states that infill development can accommodate growth without annexing land. Infill and redevelopment means:

- *decreased demand for new, undeveloped greenfields*
- *mobility for those who do not or cannot drive*
- *it's less expensive to provide services to infill sites versus greenfield sites*
- *An increased supply of smaller-sized housing units can offer more affordable and lower maintenance housing choices for smaller households*
- *new opportunities and improved quality of life for in-Town residents,*
- *savings on energy and the environment,*
- *development that is consistent with State Smart Growth Policies*

The plan does state that extra attention needs to be given to compatibility and neighborhood impact issues and the plan offers points for consideration with any infill or redevelopment project. These points include: ensure housing types that are compatible with existing types, employ appropriate traffic calming measures, and provide a continuous pedestrian network.

2. The site plan avoids or minimizes adverse impacts upon features (whether on-site or off-site) of historical, cultural or ecological significance.

Analysis - A portion of the proposed site is within the Historic District and has received architectural approval from the Historic District on October 9, 2023. The site is not within the Critical Area. This project would provide ninety-six residential units with improved amenities; adequate parking, stormwater management facilities and landscaping.

3. *The proposed use or development activity will not substantially increase traffic hazards due to traffic generated by the proposed use, the location of curb cuts or the layout of internal traffic circulation.*

Analysis - The proposed use and activity will not increase traffic hazards in the surrounding area. Adequate off-street and on-street parking is provided.

4. *The site plan and the proposed use or uses do not cause any adverse impact upon the health or safety of persons residing or working in the area surrounding the site or upon the character of the neighborhood surrounding the site; and*

Analysis - There would be no adverse impacts. The existing property is located within a Business Commercial Zoned District. Proposed use would provide a multi-family use with associated parking, stormwater management facilities and landscaping.

5. *The site plan improves the water quality of the Chesapeake Bay or its tributaries.*

Analysis - The proposed site would meet required design practices for stormwater management.

RECOMMENDED CONDITIONS:

Staff has no recommended conditions.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the sketch site plan as submitted.

OR

2. I move that the Planning Commission forward the application to the January 18th Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2023-07-27 Cannery Square - Prototype Apartment Building
2. 2023-09-13 Cannery Square Clubhouse - Schematic Design
3. 2023-10-09 HDC COA, paper copy & PDF
4. 2023-11-01 Concept SWM report, PDF

5. 2023-11-20 Revised-AerialContext, paper copy & PDF
6. 2023-11-20 Revised-Illustrative, paper copy & PDF
7. 2023-11-27 Application - ESDR Application & Determination Letter, paper copy & PDF
8. 2023-11-27 Application - Forest Conservation Application, paper copy & PDF
9. 2023-11-27 Application - Site Plan App, paper copy & PDF
10. 2023-11-27 Application - Subdivision Application, paper copy & PDF
11. 2023-11-27 Deed 2918-376, paper copy & PDF
12. 2023-11-27 PC PRD Memo ShoreGate Cannery, paper copy & PDF
13. 2023-11-27 Revised-SketchSitePlan, paper copy & PDF
14. 2023-12-04 Easton Multifamily TIA, PDF
15. 2023-12-07 Town of Easton Mail - Shoregate at Cannery, paper copy & PDF
16. 2023-12-14 Cannery Square Apartments COLORED RENDERINGS, paper copy & PDF
17. 2023-12-14 ReviewLetter-1-Sketch-TIS(Cannery), paper copy & PDF





FISHER
ARCHITECTURE



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

January 31, 2024

Dear Resident,

The Easton Planning Commission (Commission) will hold a public meeting on **Thursday, February 15, 2024 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Lane Engineering LLC has filed application 2023-996 on behalf of Shoregate of Cannery Commercial, LLC to request architectural approval for three (3) multifamily residential buildings with a total of 96 units and an associated amenity building. The property is located at 503 North Street, also known as Tax Map 103, Parcel 756, Lot 3 and an unaddressed adjacent parcel, also known as Tax Map 103, Parcel 756, Lot 4. On December 21, 2023 the applicant received Sketch Site Plan approval from the Commission for the residential buildings, including the demolition of an existing garage and storage building on the aforementioned properties, along with the demolition and construction of an amenities building located at 108 North East Avenue, also known as Tax Map 103, Parcel 753.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

APG Media of Chesapeake, LLC

29088 Airpark Drive
Easton, MD 21601

Phone: Fax:

INVOICE
01/29/24

Cust. AcctID:	Creation Date: 01/29/24
	Ad Date: 01/31/24
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Words: 427
Address: PO Box 520	Lines: 70
EASTON, MD 21601	Agate Lines: 324
	Depth: 9.0
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Planning Comm Meeting	

Other Charges:
Discount:
Surcharge:
Credits:
Bill Depth:

Total:
Paid Amount:
Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts
The Star Democrat	01/31/24	01/31/24	1

Ad Note:

Sign posted on January 31, 2024

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

Planning Commission MEETING AGENDA
Thursday, February 15, 2024 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Please continue to check our website at:
<https://eastonmd.gov/1294/agenda-minutes>
for agenda updates.

- Call to Order
- Approval of Minutes.
- Approval of the Decision Summary from the January 18, 2024 meeting.
 - Old Business
 - Applicant: Shoregate of Cannery Commercial LLC
File No.: 2023-1-999
Location: 108 North East Avenue
Tax Map 103, Grid OEA, Parcel 0763
Zoning District: B-C
Nature of Request: Architectural approval of three (3) multifamily residential buildings and an amenity building.
 - Applicant: Habitat for Humanity
File No.: 2024-1-109
Location: 310 South Street
Tax Map 104, Grid OEA, Parcel 1864, Lot 10
Zoning District: R-7A
Nature of Request: Amendment to a previously approved Planned Redevelopment (PR) Overlay application for a reduced side-yard setback. In July of 2023 the applicant received site plan approval for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback.
 - Applicant: Amistead, Lee, Rust, & Wright, P.A.
File No.: 2021-1-473
Location: 29659 Matthevestown Road - Gannon Range
Tax Map 105, Grid OGD, Parcel 0045
Zoning District: PUD with a base zoning district of A-1
Nature of Request: Request for an extension of a previously approved Planned Unit Development (PUD) application through December 31, 2024 for the development of a mixed-use subdivision. The project was approved by the Town Council pursuant to Ordinance No. 773, with an effective date of March 13, 2022.
 - New Business
 - Applicant: Rise Up Dover Road LLC
File No.: 2023-1-078
Location: 618 Dover Road - Rise Up Coffee
Tax Map 105, Grid OEA, Parcel 1021
Zoning District: CB
Nature of Request: Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road.
 - Applicant: GLM Architecture LLC
File No.: 2024-1-120
Location: 8021 Conant Gateway - Taco Bell Tax Map 105, Grid 005, Parcel 2844, Lot 2
Zoning District: C-2
Nature of Request: Architectural approval for reconstruction to the exterior of the property destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.
- Discussion Item
 - Continued discussion of New Town Design Guidelines.
- Adjournment.

3045402 SD 1/31/2024





TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Meeting: February 15, 2024

3b

**PLANNING COMMISSION
SUPPLEMENTAL ITEM**

SUBJECT: **310 South Street - to review and/or approve the amended side setback on the west of the property to five (5') feet.**

ELECTION WARD: Ward 4

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

DOCUMENT CREATED ON: February 8, 2024

PURPOSE: The applicant is seeking approval from the Planning Commission to address the need for the amendment to the previously approved building setback along the west side of the site from 6' to 5' feet.

RECOMMENDATIONS:

Planning Commission: The Commission, at their July 21, 2022 meeting, moved (4-0) to approve the application for 35, 40, 108 and 119 South Locust Lane and 310 South Street. In the case of 108 South Locust Lane, the additional requirement is that the proposed shed be moved such that one side is less than 3' from the property line and the building height be set at 35'. In addition, the correct lot size for 310 South Street is 2,277 square feet.

Staff: Staff supports Planning Commission approval of the proposed site plan subject to staff's recommended condition (see below).

UPDATE: On April 11, 2022, the Historic District Commission issued a Certificate of Appropriateness for a new single family dwelling at 310 South Street. The Certificate of Appropriateness has lapsed six (6) months after issuance of the certificate. The Applicant is returning to the Historic District Commission on February 12, 2024 seeking approval of a

two-story single-family structure. The scope of the work remains unchanged from what was originally approved by the Commission in 2022.

On July 21, 2022, the Planning Commission approved the site plan with setbacks, building height and overall lot size as shown thereon, pursuant to the Planned Redevelopment Overlay District review process with the following conditions for 310 South Street; the front setback is 6', the rear setback is 7', the right-side setback is 6', the left side setback is 8' and the lot size is 2,277 square feet.

On January 24, 2024, the Easton Staff Development Review (ESDR) Committee reviewed the Site Sketch Plan for a side setback revision to the previously approved Planned Redevelopment Overlay Application. It was determined that the Applicant will need to address agency comments as specified in the attached review letters and at ESDR.

ISSUES: There are no outstanding issues.

RECOMMENDED CONDITION:

Staff recommends the Planning Commission approve the sketch site plan with the following conditions; obtain Historic District Commission's approval and address any remaining ESDR review comments.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the revised setbacks, subject to staff's Conditions of Approval.

OR

2. I move that the Planning Commission continue the application to the March 21st Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2010.09.20 Deed, paper copy & PDF
2. 2021.07.27 Boundary Survey, paper copy & PDF
3. 2022.07.21 Planning Commission Minutes and 2022.07.14 Staff Report, paper copy & PDF
4. 2024.01.08 Amended Site Plan, paper copy & PDF
5. 2024.01.08 PRD Amendment Application & Narrative, paper copy & PDF
6. 2024.01.25 ESDR Determination 310 South Street, paper copy & PDF
7. 2024.01.31 EUC PC Plan Review Comments 2, paper copy & PDF



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: January 22nd, 2024
TO: Bill Stagg – Habitat for Humanity
Cc: Rick Van Emburgh – Town Engineer
Nancy Pinkney – Town of Easton
Aaron Goller – EUC
Kia Gibbs – EUC
FROM: Sierra Clem – Engineering Department
SUBJECT: ESDR 310 South Street – PRD Setback Revision

Our office has reviewed the subject application to revise the 6' setback to 5' through the PRD revision process. Our office has no comments on this application. Please note that no risers, stairs or encroachments are permitted to be installed within the Town ROW.



EASTON UTILITIES

Life. Made better.™

Easton Utilities Commission

Plan Review Comments

Date: Wednesday, January 31, 2024

To: Joe Mayer; Nicholas Johnson; Sierra Clem

From: Kia Gibbs on behalf of Aaron Goller, PE

No. of Pages: 1

Regarding: 310 South Street

Phase: PRD Amendment

SUBM: 1

Status: Approved

Easton Utilities Commission has reviewed the above referenced plans do not have any comments to provide.

Please contact Kia Gibbs, Admin Support at kgibbs@eucmail.com should you have any questions.



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

received
01/09/2024

Planned Redevelopment Overlay Application

Application Type

Subdivision ☐

Site Plan ☒ ~~PRD~~ 'RESIDENTIAL'

Subdivision Information

Name 310 SOUTH ST; HABITAT FOR HUMANITY CHOPTANK
Original Property Size Acres — Square Feet 2277
Number of Lots Proposed NO NEW

Site Plan Information

Property Size Acres — Square Feet 2277
Structure's Floor Area — Structure's Square Feet —

Property Information

Address 310 SOUTH ST
Tax Map 104 Grid — Parcel 1864 Lot 10
Deed Reference: Liber 1832 Folio 0056
Plat Reference: Liber — Folio — — SEE ATTACHED SURVEY / SKETCH
Zoning District PRD Historic District Y ☒ N ☐
Source of Electricity EVC

Owner

Name HABITAT FOR HUMANITY CHOPTANK INC
Mailing Address 29349 W. MAPLE AVE STE 3 TRAPPE MD 21673
Telephone No. 410 476 3204 Email director@habitatchoptank.org

Surveyor / Engineer

Name N/A. License No. — Expiration Date —
Mailing Address —
Telephone No. — Email —

Applicant or Agent

Name BLA STAGG
Mailing Address c/o Habitat above
Telephone No. 410.310.1034 Email bstagg21601@gmail.com

Request Details

Please describe the purpose of the request being including all information pertinent to said request.
Attach a formal letter detailing request.

SEE ATTACHED COVER LETTER & SKETCH

- If the applicant is other than the owner, include a letter of certification from the owner. *N/A*
- Attach five (5) copies of the recorded Deed conveying present ownership of the property. *Included*
- Attach seven (7) copies of scaled site plan with all dimensions of lot, setbacks, proposed improvements and the distances between improvements. *Included*
- Provide all information related to any restrictions imposed by Homeowner Associations, etc. *N/A*
- Include any additional information related to the request being made.. *cover letter*
- ESDR Review Letter
- \$150 Fee Payment *\$250*

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent

1/7/24 *W. B. Stage*
WILLIAM B. STAGE

For Office Use Only

Project Number	ESDR 2024-01 / PR 24-02	Fee Received	\$250.00
Application Number	2024-1109	Application Notification	02/08/2024
Filing Date	01/08/2024	Property Posting Date	01/31/2024
PC Meeting Date	02/15/2024	Notice(s) Published	01/31/2024
If ESDR, Date	01/24/2024		
Final Approval Date			
Recordation Date			

Revised 2-2019

January 7, 2024

Mr. Joe Mayer, Senior Plan Reviewer
Town of Easton Dept of Planning and Zoning
16 South Harrison St.
Easton, MD 21601

Re: 310 South St; Tax Map 104, Parcel 1864, Lot 10
Request to Amend Previously Approved Side-Yard Setback in PRD Zoning District

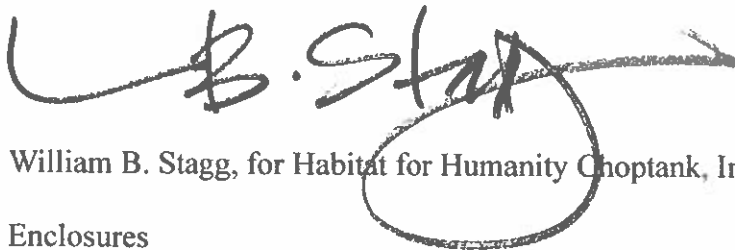
Dear Mr. Mayer:

On behalf of Habitat for Humanity Choptank, Inc. (Habitat), owner and developer of 310 South St, I enclose a PRD Application, a red-line sketch of the proposed PRD Amendment requested and the requisite \$250.00 Application fee. Please schedule Planning Commission review of this application for their February 15 agenda.

In 2022 Habitat representatives secure PRD approval for side yard setbacks. The 310 South St lot is very narrow and with only a 15' wide home being proposed. The Habitat folks missed the fact that the side property lines are not parallel and that the proposed 15' wide house would encroach into the western side setback near the back of the lot because the side lot lines converge closer there. (see attached red-line site plan sketch) This encroachment is 6", but nonetheless requires a setback amendment to approve a 5' setback versus the previously approved 6' setback. We have confirmed with a review of the Building Codes and discussions with the Permit Office that there are no other Code violations or changes to the proposed house architecture created by reducing the setback from 6' to 5'.

Thank you for your review of this submission and do not esitate to contact me with any questions or need for additional information.

Sincerely,

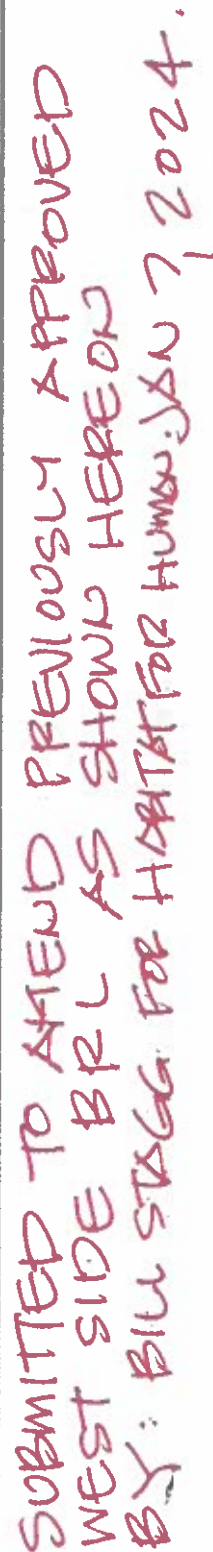
A handwritten signature in black ink, appearing to read "W.B. Stagg", with a large circular flourish underneath.

William B. Stagg, for Habitat for Humanity Choptank, Inc.

Enclosures

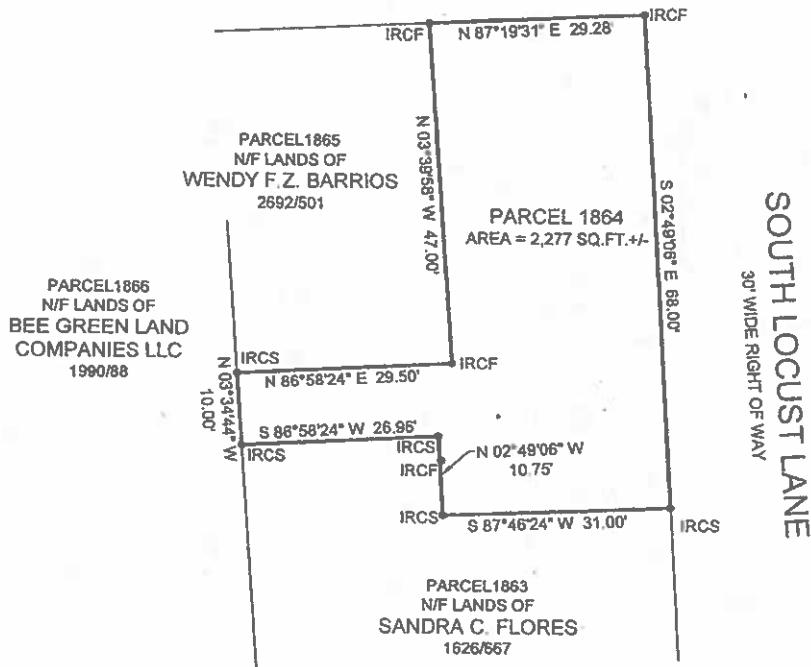
Cc Jim Thomas, Habitat with enclosures
JoAnn Hansen, Director, Habitat with enclosures

received
01/09/2024



SOUTH STREET

60' WIDE RIGHT OF WAY



LEGEND

N/F DENOTES NOW OR FORMERLY
IRCF DENOTES IRON ROD WITH CAP FOUND
IRCS DENOTES IRON ROD CAP SET

NOTES

1. PROPERTY ADDRESS: 310 SOUTH STREET
EASTON, MD 21604
2. PROPERTY LOCATION: TAX MAP 104, PARCEL 1864
3. DEED REFERENCE: 1832/56
4. PROPERTY AREA 2,277 SQ.FT. +/-
5. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT
OF A REVIEW OF AN ABSTRACT OF TITLE.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED BY RAUCH inc. AT WHICH TIME THE UNDERSIGNED REGISTERED SURVEYOR WAS IN RESPONSIBLE CHARGE OF ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN COMAR 09.13.06.12 OF THE MINIMUM STANDARDS FOR SURVEYORS.

WILLIAM M. EWALD, SR. DATE
PROFESSIONAL LAND SURVEYOR #21544 (EXPIRATION DATE 12-22-2021)



BOUNDARY SURVEY	DRAWN BY... T.COCHRAN
TAX MAP 104, GRID 0000, PARCEL 1864	SCALE 1" = 20'
HABITAT FOR HUMANITY OF TALBOT COUNTY, INC.	DATE JULY 2021
FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND	SHEET NO. 1 OF 1
PREPARED FOR HABITAT FOR HUMANITY	

RAUCH

INC.

Engineering | Survey | Architecture | Environmental

Main Office: 106 N Harrison St - Easton, MD 21601
Web: www.rauch-inc.com | Email: design@raucheng.com
Phone: 410.770.9081 | Fax: 410.770.3667



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

Easton Staff Development Review Worksheet

Date: January 25, 2024

Project: 310 South Street - Habitat for Humanity Choptank, Inc

To: William Stagg, Agent

The Easton Staff Development Review (ESDR) Committee meeting was held on January 24, 2024 at 11:00 am. Staff reviewed the Site Sketch Plan for a side setback revision to the previously approved Planned Redevelopment Overlay Application on the property located at 310 South Street, also known as Tax Map 104, Parcel 1864, Lots 10.

The project will need to address agency comments as specified in the attached review letters and at ESDR. The Committee determined that the application may be scheduled for Planning Commission review. Please address comments and submit all updated documents.

The next Planning Commission meeting is scheduled for **Thursday, February 15, 2023 at 1:00 pm**. Submit all documentation to the Planning and Zoning Department no later than **Monday, January 29, 2024**. Files for presentation at the Planning Commission need to be provided on a flash drive. In addition, provide a digital submittal (via email) of all supporting documents necessary for the Planning Commissions review, including **eight paper copies**.

Based on the ESDR sketch plan submission, the Staff did not identify constraints which require action by the Board of Zoning Appeals.

Please contact the Planning & Zoning Department at 410 822-1943 with any questions.

Sincerely,

Joseph A. Mayer

Plan Reviewer - Planning and Zoning



TOWN OF EASTON PLANNING & ZONING DEPARTMENT

P.O. Box 520
Easton, Maryland 21601
410-822-1943
www.EastonMD.gov

DATE: January 17, 2024

TO: William B. Stagg – Agent
Habitat for Humanity Choptank, INC. - Applicant

Cc: Miguel Salinas – Director, Planning & Zoning Department
Rick Van Emburgh – Town Engineer, Department of Engineering

FROM: Joseph A. Mayer - Plan Reviewer, Planning & Zoning Department

SUBJECT: 310 South Street - Habitat for Humanity Choptank

We reviewed the **January 9, 2024** Submittal for a building setback revision and have the following comments:

PLANNING & ZONING COMMENTS

Site Plan Review

1. The Planning & Zoning Department has no objection to the applicant amending the previously approved westside building restriction line from 6' to the proposed 5' building setback. This site is within the Planned Redevelopment Overlay District and requires approval for the revised setback by the Planning and Zoning Commission.

Please contact me if you have any questions. Thank you.



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: January 22nd, 2024
TO: Bill Stagg – Habitat for Humanity
Cc: Rick Van Emburgh – Town Engineer
Nancy Pinkney – Town of Easton
Aaron Goller – EUC
Kia Gibbs – EUC
FROM: Sierra Clem – Engineering Department
SUBJECT: ESDR 310 South Street – PRD Setback Revision

Our office has reviewed the subject application to revise the 6' setback to 5' through the PRD revision process. Our office has no comments on this application. Please note that no risers, stairs or encroachments are permitted to be installed within the Town ROW.



EASTON UTILITIES

Life. Made better.™

Easton Utilities Commission

Plan Review Comments

Date: Thursday, January 25, 2024

To: Joe Mayer; Nicholas Johnson; Sierra Clem

From: Kia Gibbs on behalf of Aaron Goller, PE

No. of Pages: 1

Regarding: 310 South Street

Phase: Side Yard Set Back

SUBM: 1

Status: Approved

Easton Utilities Commission has reviewed the above referenced plans do not have any comments to provide.

Please contact Kia Gibbs, Admin Support at kgibbs@eucmail.com should you have any questions.



TOWN OF EASTON
Building Inspection Division
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601
410-822-2526 / Fax 410-822-8738



January 23, 2024

Re: ESDR Comments for the 2024-01-24 Agenda
From: TOE Building Department
Project: 310 South St.

- **The original building permit application for this project was submitted on 6/29/2022 but has since been Abandoned by the Building Department as per Town Code §6-3.3 Time Limitation of Application. Because of this, a new application and plans shall be submitted to the Town of Easton Building Department for review.**
- The following is a pathway necessary for you to make a complete permit application:
 1. **Easton Utilities** - Check to make sure needed services are available and if any charges will be accessed. (gas, water, electric, etc.)
 2. **Historic District Commission (HDC)** – HDC approvals are good for 180 days. Make sure that any approvals you had from 2022 have either been granted an extension or you have reapplied and received a brand new COA.
 3. **Office of Building Inspection** - (Robert Haase / Ryan Heckler - Plans Examiners)
 - o Check with the Department and verify current Building Codes including the Town of Easton's local modifications.

In order to apply for a Building Permit the following will be required:

- o Application (1 copy); Construction Documents (3 sets); Site Plan (3 copies)



Planning Commission MEETING MINUTES

Thursday, July 21, 2022 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Call to Order

Members Present:

Ms. Jennifer Dindinger-Vice Chairperson, Ms. Victoria McAndrews, Mr. Philip Toussaint and Mr. William Ryall

Staff Present:

Mr. Miguel Salanis-Director of Planning, Mr. Lynn Thomas-Town Planner, Mr. Joseph Mayer-Plan Reviewer, Mr. Nicholas Johnson-Planner, Ms. Sharon VanEmburch-Town Attorney, Mr. Rick VanEmburch-Town Engineer

Approval of Minutes.

Approval of Minutes from the 2022-06-16 meeting.

Upon motion by Mr. Ryall and seconded by Ms. Dindinger and carried unanimously, minutes of the June 16, 2022 meeting were approved with corrections.

Staff Review

Mr. Doug James is requesting an extension to 8911 Mistletoe Drive, Lot 5A Sketch Plat approval. The applicant is requesting architectural approval for the revised building. The previously approved building has gone from 2 stories to a new single story front, while the footprint remains the same. (Note: Street address 8811 Mistletoe Drive has been revised to 8895 Mistletoe Drive.)

Mr. Doug James from Strategic Commercial was present to discuss the revised architecture and extension of the Sketch Plat approval. There were no public comments.

Upon motion by Mr. Toussaint, seconded by Ms. McAndrews and carried unanimously 4-0, Commission approved the application as submitted.

New Business

Applicant:

Habitat for Humanity Choptank c/o Wayne Suggs

Owner:

Habitat for Humanity Choptank

Location:

35, 40, 108 & 119 South Locust Lane and 310 South Street

Nature of Request:

The applicant proposes an infill development project consisting of 5 single family detached units. The applicant requests setback, lot size, lot coverage, height and yard requirements to be established by the Planning Commission.

Mr. Wayne Suggs from Habitat for Humanity Choptank was present to discuss the project. Habitat is looking to build additional homes in The hill neighborhood. In order to do so on these very old lots, some relief from various development standards is necessary. The Applicant is seeking such relief through the Planned Redevelopment Overlay Process, which allows the Planning Commission to apply site-specific and flexible development standards in association with a site plan review. Mr. Suggs described the project and presented the site plans. There was no public comment.

Upon motion by Ms. McAndrews, seconded by Mr. Ryall and carried unanimously 4-0, the Commission approved the application for 35, 40, 108 & 119 South Locust Lane and 310 South Street. In the case of 108 South Locust Lane, the additional requirement is that the proposed shed be moved such that one side is less than 3' from the property line and the building height be set at 35'. In addition, the correct lot size for 310 South Street is 2,277 sq ft.



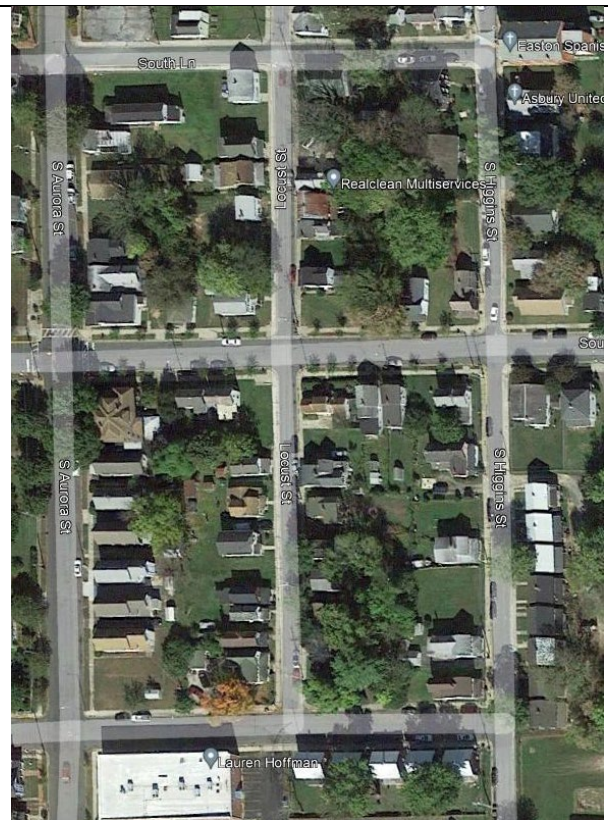
Docket/Case/Application Number: New Business
Applicant/Owner: Mr. Wayne Suggs c/o Habitat for Humanity Choptank Applicant / Owner
Address/Location: 35, 40, 108 & 119 S Locust Lane and 310 South Street
Tax Map: 0104 Parcel: 1587, 1590, 1849, 1860 & 1864 Grid: N/A Deed Reference: See Attached Plat Reference: N/A
Public Hearing Date: 1:00 PM, July 21, 2022
Staff: Joseph A. Mayer

BRIEF SUMMARY OF REQUEST

The applicant is requesting site plan approval of the redevelopment of the above-mentioned parcels.

This site is located within the Planned Redevelopment (PR) Overlay District and therefore may comply with Article V, Section 28-501-B67, the setback, lot size, lot coverage, height and yard requirements shall be established for each individual project by the Planning Commission for new infill development projects.

At the present, the proposed buildings are intended to be rental units. The existing zoning is R-7A.



MAP SOURCE: Google Earth

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R7A Historic District PUD Infill	Vacant	R10A, R7A CG & BC	5 Single Family Dwellings	35 S. Locust Ln. 2,632 SF 40 S. Locust Ln. 2,125 SF 108 S. Locust Ln. 1,819 SF 119 S. Locust Ln. 1,833 SF 310 South St. 2,277 SF

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The proposed redevelopment of the site ticks many of the boxes of the Comprehensive Plan, to include promoting infill/redevelopment, increasing density and expanding the variety and options of housing, to pick out just a few.

PROPERTY HISTORY

- Annexed in 1785.
- 2022-05-06 Historic District Commission, Certificate of Appropriateness.

COMPATIBILITY with the ZONING ORDINANCE

The proposed use qualifies as **"Dwelling, single-family, detached"** which is outright permitted in the **R7A Zone**.

28-114 page 1-14

Dwelling, single-family, detached – A residential building containing not more than one (1) dwelling unit used by one family entirely surrounded by yards. Single family dwelling shall also include any "group home" or "small group home" for, respectively, persons affected by "developmental disabilities" or individuals suffering from a "mental disorder" or a recovery residence as those terms are defined in the Health General Article of the Maryland Annotated Code.

R7A

106	Single Family Detached*	P	P	P	P	P	--	--	--	--	--	
-----	-------------------------	---	---	---	---	---	----	----	----	----	----	--

Section 28-1001.3 PARKING REQUIREMENTS**Residential Buildings**

1	Single-Family Attached	2 per du	-		
---	------------------------	----------	---	--	--

Minimum Vehicle Spaces Required: 5 Proposed DU x 2 per du = 10 vehicle spaces.

Maximum Vehicle Spaces Required: ---

The Applicant proposes on-street parking.

SECTION 28 – 302 R-7A - RESIDENTIAL DISTRICT***28 – 302.1 PURPOSE***

It is the purpose of this district to encourage the residential development and redevelopment of certain established areas of the Town of Easton. The district will provide land areas for high and medium density residential development with a variety of housing types including multi-family dwellings in a manner that respects the existing character of the older, developed parts of the district.

28 – 302.2 DEVELOPMENT STANDARDS

The following minimum development standards shall be observed in the R-7A District:

- A. *The minimum lot size for all uses hereafter established shall be 7,500 square feet, except as modified below:*
 1. *Minimum lot sizes – Up to 50% of the lots within an R-7A subdivision may be less than the required minimum lot size. Of these smaller lots, 75% must have a minimum lot size of at least 5,000 square feet.*



2. *Lot frontage – Each lot hereinafter established shall have a minimum frontage on a public street or way of thirty (30) feet. However, houses served by rear alleys may front directly onto parks or public open space, which shall have perimeter sidewalks.*
- B. *Off-street parking shall be provided for all uses in accordance with the standards of Section 28 – 1001.*
- C. *Minimum setbacks for all uses and structures shall be:*
 1. *Front setback – fifteen (15) feet.*
 2. *Rear setback – twenty-five (25) feet*
 3. *Side setback – two side setbacks – eight (8) feet*
- D. *Height limitations – thirty-five (35) feet.*
- E. *Building Envelope – All lots shall have a minimum building envelope of sixty (60) feet deep by thirty (30) feet wide.*
- F. *Lot coverage – Within the building envelope 100% of the land area may be covered with buildings or structures. Outside of the building envelope permitted accessory structures may be constructed in accordance with the supplemental standards pertaining to said use. In total, such accessory structures may not occupy more than fifty (50%) percent of the rear yard area. This provision shall not be construed to permit any accessory structures to be located in the established front yard.*
- G. *For single family dwellings the maximum density permitted in the R-7A district shall be 3.5 dwelling units per acre. A density increase is permitted where the subdivision proposal provides on-site or off-site housing opportunities for low- or moderate-income households, as defined by the Town of Easton Affordable Housing Board. When off-site housing provision is proposed, the Commission shall require evidence that these units will in fact be constructed by a certain date. For each affordable unit provided under this subsection, one additional building lot or dwelling unit shall be permitted, up to a maximum 15% increase in dwelling units. For multi-family dwellings the maximum density shall be eight (8) dwelling units per acre. The maximum permitted density for two-family dwellings shall be two (2) du/lot provided said lot is expanded in accordance with Section 28 – 1007.1. A. (9).*

SECTION 28 – 501 PLANNED REDEVELOPMENT (PR) OVERLAY DISTRICT

A. DEVELOPMENT STANDARDS

Development within the Planned Redevelopment Overlay District shall meet the following requirements:

1. *The area proposed for a planned redevelopment shall be in one (1) ownership, or, if in several ownerships, the proposal shall be filed jointly by all the owners of the property included in the development plan.*
2. *The site shall be of a configuration suitable for the development proposed*
3. *Public water and sewerage shall be available.*
4. *The site shall be located adjacent to adequate transportation facilities capable of serving existing traffic and that expected to be generated by the proposed development.*
5. *The overall residential density of a Planned Redevelopment project shall not exceed forty (40) units per gross residential acre. For the purposes of this subsection, the gross residential area shall include all land within the area intended to be used for residences, residential parking space, and reservation for community recreation and education facilities. Any land mapped as floodway by the Federal Emergency Management Agency, and non-residential uses shall be excluded in computing the gross area. The Planning and Zoning Commission may require a lower density if review of the proposed development indicates that the maximum allowable density is excessive for the surrounding area.*
6. ***For new infill development projects, the setback, lot size, lot coverage, height, and yard requirements shall be established for each individual project by the Planning and Zoning Commission. In establishing these***



requirements the Planning and Zoning Commission shall consider such factors as the proposed intensity of the project and the existing character of the neighborhood.

- 7. Off-street parking is not required for projects proposed in the Planned Redevelopment Overlay District, although adequacy of parking may be a consideration of site plan review.**
8. Sidewalks shall be constructed along any public right-of-way (except for alleys) adjacent to the site along the entire frontage(s) of the property. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems.



Action Required by the Board/Commission:

28-501 B (6)

For new infill development projects, the setback, lot size, lot coverage, height, and yard requirements shall be established for each individual project by the Planning and Zoning Commission. In establishing these requirements, the Planning and Zoning Commission shall consider such factors as the proposed intensity of the project and the existing character of the neighborhood.

Approve, approve with conditions, or deny the site plan.

Items for Consideration and Staff Comments:

- This issue is before the Commission to establish the setback requirements, building height and overall lot size requirements within the Planned Redevelopment Overlay District and to approve or deny the Site Plan.
- Upon Planning Commission decision, applicant will need to obtain Final Site Plan approval and appropriate building permits for the installation of the proposed buildings.
- Applicant received a Certificate of Appropriateness from the Historic District Commission for 35, 40, 108, & 119 South Locust Lane and 310 South Street on 5/06/2022. Approval documents have been provided.
- **APPROVE** (with or without conditions) setback and overall lot size requirements within the Planned Redevelopment Overlay District, and its Site Plan.

If -

- The Board finds that the proposed use is in accordance with the Zoning Ordinance as outlined above.

DENY the proposed site. **If -**

- The Commission finds that the proposed use is not in accordance with the Zoning Ordinance as outlined above.

Based on the information provided in the application, Staff recommends the Board APPROVE the site plan with setbacks, building height and overall lot sizes as shown thereon, pursuant to the Planned Redevelopment Overlay District review process, **with the following conditions:**

- **35 S Locust Lane** – The front setback is 6', the rear setback is 10', the right-side setback is 8', the left side setback is 4' and the lot size is 2,632 SF +/-.
- **40 S Locust Lane** – The front setback is 8', the rear setback is 25', the right-side setback is 3', the left side setback is 4' and the lot size is 2,125 SF +/-.
- **108 S Locust Lane** – The front setback is 5', the rear setback is 5', the right-side setback is 8', the left side setback is 5' and the lot size is 1,819 SF +/-.



- **119 S Locust Lane** – The front setback is 6', the rear setback is 25', the right-side setback is 3', the left side setback is 3' and the lot size is 1,833 SF +/-.
- **310 South Street** – The front setback is 6', the rear setback is 7', the right-side setback is 6', the left side setback is 8' and the lot size is 1,819 SF +/-.
- **The building height to be set at 35'.**

AS required by the Zoning Code, the applicant shall thereafter submit a Development Site Plan, for Staff level review.

GIFT DEED—NO CONSIDERATION

IMP FD SURE \$	20.00
RECORD FEE -	20.00
TOTAL	40.00
Rest# TAB2	Recpt # 11593
NAS 1822	Blk # 17
Oct 01, 2010	11:05 am

This Deed, MADE THIS 20th day of September, 2010, by and between DOVER STREET REALTY, INC., a Maryland Corporation, party of the first part, GRANTOR; and HABITAT FOR HUMANITY CHOPTANK, INC. a Maryland Corporation, party of the second part, GRANTEE.

WITNESSETH, That for NO CONSIDERATION which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR does grant and convey to the said HABITAT FOR HUMANITY CHOPTANK, INC. a Maryland Corporation, its successors and assigns, in fee simple, all that lot of ground situate in Talbot County, Maryland and described as follows, that is to say:

All that lot of ground situate in the Town of Easton, Talbot County, Maryland, and described as follows:

BEGINNING at the Southwest corner of South Street and East Lane (now known as Locust Street) and fronting on said South Street twenty-seven (27) feet, six (6) inches, more or less, and on East Lane seventy-one (71) feet six (6) inches, more or less, the Southern boundary of said lot being irregular in shape; it being bounded on the North side by said South Street and a part of the lot now or formerly belonging to Mary M. Henry, and on the East by East Lane; on the South by the lot now or formerly belonging to Frank Price; on the West by the lots now or formerly owned by Frank Price, Charles Cooper and Mary M. Henry, and being the part of the lot of ground purchased by the late Alexander Fountain from Mabel Carrington by Deed dated May 25, 1903 and recorded in Liber 139, folio 487, Land Record Book for Talbot County.

Being the same property which was conveyed unto Dover Street Realty, Inc., from W. David Morse, Substitute Trustee by Deed dated July 19, 2010 and recorded among the Land Records of Talbot County, Maryland in Liber 1813, folio 028.

Subject to covenants, easements and restrictions of record.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said HABITAT FOR HUMANITY CHOPTANK, INC. a Maryland Corporation, its successors and assigns, in fee simple.

And the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

As Witness, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

ATTEST:

DOVER STREET REALTY, INC., a
Maryland Corporation

W. Moorhead Vermilye

W. Moorhead Vermilye
By: W. Moorhead Vermilye, President

STATE OF MARYLAND, COUNTY OF Talbot, to wit:

I HEREBY CERTIFY, That on this 20th day of September, 2010, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared W. Moorhead Vermilye, who acknowledged himself to be the President of the Grantor corporation, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the Corporation, as such officer and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all, or substantially all, of the property and assets of the Corporation, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
SUELLEN M SAVAGE
NOTARY PUBLIC
My Commission Expires:
MARYLAND
My Commission Expires Oct. 16, 2012

Suellen M Savage
Notary Public



THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland, or by or on behalf of one of the parties named in the within instrument.

Ronald B. Lee
Ronald B. Lee, Esquire, Vice President of
Venture Title Company, LLC

AFTER RECORDING, PLEASE RETURN TO:
Venture Title Company
117 Bay Street
Easton, MD 21601

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED
HEREIN HAS BEEN TRANSFERRED ON THE ASSESSMENT
RECORDS OF TALBOT COUNTY.

DAVID H. EWING
SUPERVISOR OF ASSESSMENTS

PER John C. Craig Finance Officer
10/1/2010 ac

CERTIFICATION IS MADE THAT ALL TAXES
DUE ON THE PROPERTY INDICATED IN
THIS DEED HAVE BEEN PAID.
FINANCE OFFICER OF TALBOT COUNTY

John C. Craig Finance Officer
DATE 10/1/2010 ac

TALBOT COUNTY CIRCUIT COURT (Land Records) MAS 1832, p. 0057, MSA, ce91_1769. Date available 10/06/2010. Printed 01/07/2024.



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

January 31, 2024

Dear Resident,

The Easton Planning Commission (Commission) will hold a public meeting on **Thursday, February 15, 2024 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that William B. Stagg has filed application 2024 - 1109 on behalf of Habitat for Humanity Choptank, Inc. for an amendment to a previously approved Planned Redevelopment (PR) Overlay application, for a reduced side-yard setback on the property located at 310 South Street, also known as Tax Map 104, Grid 00EA, Parcel 1864. In July of 2022 the applicant received site plan approval from the Commission for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line of 6' to a proposed 5' building setback.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

APG Media of Chesapeake, LLC

29088 Airpark Drive
Easton, MD 21601

Phone: Fax:

INVOICE
01/29/24

Cust. AcctID:	Creation Date: 01/29/24
	Ad Date: 01/31/24
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Words: 427
Address: PO Box 520	Lines: 70
EASTON, MD 21601	Agate Lines: 324
	Depth: 9.0
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Planning Comm Meeting	

Other Charges:
Discount:
Surcharge:
Credits:
Bill Depth:

Total:
Paid Amount:
Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.
Publication	Start	Stop	Inserts		
The Star Democrat	01/31/24	01/31/24	1		

Ad Note:

Sign posted on January 30, 2024

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

Planning Commission
MEETING AGENDA
Thursday, February 15, 2024 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Please continue to check our website at:
<https://eastonmd.gov/1294/agenda-minutes>
for agenda updates.

- Call to Order
- Approval of Minutes.
- Approval of the Decision Summary from the January 18, 2024 meeting.
- Old Business
 - Applicant: Shoregate of Cannery Commercial LLC
File No.: 2023-1-996
Location: 108 North East Avenue
Tax Map 103, Grid OEA, Parcel 0763
Zoning District: BC
Nature of Request: Architectural approval of three (3) multifamily residential buildings and an amenity building.
 - Applicant: Habitat for Humanity
File No.: 2024-1-109
Location: 310 South Street
Tax Map 104, Grid OEA, Parcel 1864, Lot 10
Zoning District: R-7A
Nature of Request: Amendment to a previously approved Planned Redevelopment (PR) Overlay application for a reduced side-yard setback. In July of 2023 the applicant received site plan approval for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback.
 - Applicant: Amistead, Lee, Rust, & Wright, P.A.
File No.: 2023-1-473
Location: 29659 Matthevestown Road - Gannon Range
Tax Map 105, Grid OEA, Parcel 0045
Zoning District: PUD with a base zoning district of A-1
Nature of Request: Request for an extension of a previously approved Planned Unit Development (PUD) application through December 31, 2024 for the development of a mixed-use subdivision. The project was approved by the Town Council pursuant to Ordinance No. 173, with an effective date of March 13, 2022.
- New Business
 - Applicant: Rise Up Dover Road LLC
File No.: 2023-1-079
Location: 618 Dover Road - Rise Up Coffee
Tax Map 105, Grid OEA, Parcel 1021
Zoning District: CB
Nature of Request: Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road.
 - Applicant: GLM Architecture LLC
File No.: 2024-1-1120
Location: 8081 Ocean Gateway - Taco Bell Tax Map 105, Grid 005, Parcel 2844, Lot 2
Zoning District: CO
Nature of Request: Architectural approval for reconstruction to the exterior of the property destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.
- Discussion Item
 - Continued discussion of New Town Design Guidelines.
- Adjournment.

3045402 SD 1/31/2024





TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Meeting: February 15, 2024

3c

**PLANNING COMMISSION
SUPPLEMENTAL ITEM**

SUBJECT: Request for an extension of the previously approved
Planned Unit Development (PUD) application for the
Gannon Range community through December 31, 2024.

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

DOCUMENT CREATED ON: February 8, 2024

PURPOSE: The applicant is seeking approval from the Planning Commission to request an extension of the Planned Unit Development (PUD) approval that entitles the development of the Gannon Range community through December 31, 2024. The project was approved pursuant to Ordinance No. 773, with an effective date of March 13, 2022.

RECOMMENDATIONS:

Planning Commission: The Commission, at their March 17, 2022 meeting, moved (3-2) to approve the revised sketch plat, to be consistent with the PUD site plan approved by the Town Council. .

Staff: Staff supports Planning Commission approval of the extension.

UPDATE: On February 21, 2022, the Town Council moved (3-2) to approve Ordinance 773, granting the application of D.R.Horton, Inc. for a Planned Unit Development under the provisions of the Easton Zoning Ordinance, effective March 13, 2022.

On December 20, 2023, the Improvement Plans for Gannon Range were approved.

On February 5, 2024, the Town Council approved Ordinance 803, amending Chapter 28 of the Town Code (Zoning), revising the language governing the treatment of approved PUDs that do not start, or cease construction between phases in multi-phased projects. Under the new ordinance, a PUD approval will lapse at three (3) years (rather than the current 2 years) if no action is taken by the owner or developer indicating that they plan to begin construction of the development. Town Ordinances are effective 20 days after the Mayor signs them, meaning this issue could become moot, but the soonest it could do so is Feb 25, 2024 . Since this is the last regular meeting date for the Commission between now and the March 13th expiration, and Ordinance 803 will not be effective until sometime between those two dates, although it may ultimately be unnecessary, it seems prudent for the Commission to consider and act upon the request.

ISSUES: There are no outstanding issues.

RECOMMENDED CONDITION:

Staff recommends the Planning Commission approve the extension request as submitted.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the request to extend the previously approved Planned Unit Development (PUD) application for Gannon Range through December 31, 2024.

OR

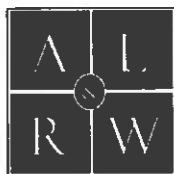
2. I move that the Planning Commission continue the application to the March 21st Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2022.03.03 PUD Concept & Land Use Plan, paper copy & PDF
2. 2022.03.17 PC Outcome - 29659 Matthewstown Road PUD, paper copy & PDF
3. 2022.03.17 Planning Commission Minutes Final, paper copy & PDF
4. 2024.01.23 Planning Commission Extension Request, paper copy & PDF
5. 2024.01.23 Planning Commission Extension Request_ J. Dindinger, paper copy & PDF



ARMISTEAD, LEE, RUST & WRIGHT, P.A.
ATTORNEYS AT LAW

114 Bay STREET, BUILDING C
EASTON, MARYLAND 21601

TELEPHONE: (410) 819-8989
FACSIMILE: (410) 822-4787

EMAIL ADDRESS
ZACHSMITH@ALRWLAW.COM

January 23, 2024

Easton Planning Commission
c/o Jennifer Dindinger, Chairman
14 S. Harrison Street
P.O. Box 520
Easton Maryland 21601

Re: Extension Request - PUD Approval for Gannon Range

Dear Chairman Dindinger:

On behalf of D.R. Horton please accept this letter as a formal request for an extension of the PUD approval that entitles the development of the Gannon Range community (the "Project"). Please recall that the Project was approved pursuant to Ordinance No. 773, with an effective date of March 13, 2022. Pursuant to §28-701 G (5) of the Town Code, a PUD approval will lapse if *"there is no action on the part of the applicant at any point in the process for a period of two (2) years, unless a time extension is requested by the developer and granted by the Planning and Zoning Commission."*

While D.R. Horton has, and continues to, actively work on the Project, it has not yet been able to commence construction. The Town has recently approved the final site development plans, and we are currently working through the details for certain off-site wastewater upgrades and required legal agreements between the Town and the developer. D.R. Horton hopes that these items can all be completed very soon and that it can commence site work prior to March 13, 2024. However, to avoid any potential issue we are formally requesting an extension. If site work is not commenced by March 13, 2024, we are confident that it will be commenced later this year. Accordingly, please grant an extension through December 31, 2024.

Easton Planning Commission
c/o Jennifer Dindinger, Chairman
January 23, 2024
Page 2

Please let me know if any additional information or discussion may be needed to facilitate this request. Thanks in advance for your consideration.

Sincerely,



Zach A. Smith

RECEIVED
JAN 25 2024
TOWN OF EASTON



LOT TYPE TABLE

LOT TYPE	MINIMUM LOT SIZE (SF)	# OF LOTS	TOTAL AREA IN LOT TYPE (AC±)	% OF SITE	FRONT BRL	SIDE BRL	REAR BRL
GARDEN HOMESITE	6,900	124	19,629	26%	10'	5'	15'
MEADOW HOMESITE	7,500	52	9,444	12%	10'	5'	25'
COUNTRY HOMESITE	8,500	24	5,489	7%	10'	5'	15'/25'

BUFFERYARD LEGEND

- A** 40' WIDE BUFFERYARD 'A'
- B** 25' WIDE BUFFERYARD 'B'
- C** 20' WIDE BUFFERYARD 'C'
- D** 15' WIDE BUFFERYARD 'D'
- E** 10' WIDE BUFFERYARD 'E'

LAND USE LEGEND

- | | |
|---|------------------------------------|
|  | GARDEN HOMESITE |
|  | MEADOW HOMESITE |
|  | COUNTRY HOMESITE |
|  | USABLE & ACCESSIBLE
OPEN SPACE |
|  | FOREST CONSERVATION/
BUFFERYARD |
|  | COMMERCIAL |

[illegible]

Lane Engineering, LLC

Established 1986
Civil Engineers • Land Planning • Land Surveyors



E-mail: general@inc.com
117 Bay St. Easton, MD 21801 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centerville, MD 21617 (410) 758-2095

SEAL

[illegible]

|| <http://www.elsevier.com/locate/bsc>

|| <http://www.elsevier.com/locate/bsc>

© 2006 The Authors
Journal compilation © 2006 Blackwell Publishing Ltd

DATE _____

[illegible]

PLUD CONCEPT &

FOOD CONCEPT &
LAND USE PLAN

LAND USE PLAN

"THE ESTATES AT

GANNON FARM"

ON THE LANDS OF
CANNON FAMILIES, LLC

GANNON FAMILY, LLC

IN THE TOWN OF EASTON, MARYLAND
TALBOT COUNTY, MARYLAND

TAX MAP 26 GRID 20 PARCEL 45

ISSUED FOR:	DATE:	BY:
-------------	-------	-----

PUD SKETCH SITE PLAN	05/05/21 BCE
TOWN COUNCIL	08/24/21 BCE

PUD FINAL APPROVAL 03/03/22 BCE

|||

SHEET No. 3 OF 4

JOB No. 210109

SCALE: AS NOTED

AS NOTED FILE NO. 1039

Page

Page



Planning Commission MEETING MINUTES

Thursday, March 17, 2022 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Call to Order

Members Present:

Mr. Paul Weber-Chairman, Ms. Jennifer Dindinger-Vice Chairperson, Mr. Talbot Bone, Mr. William Ryal, and Mr. Philip Toussaint

Member Present (via zoom)

Ms. Victoria McAndrews

Staff Present:

Mr. Lynn Thomas-Town Planner, Ms. Katie Reedy-Director of Site Development, Mr. Joseph Mayer-Plan Reviewer, Nicolas Johnson-Planner 1

Staff Not Present:

Mr. Rick VanEmburch-Town Engineer and Ms. Sharon VanEmburch-Town Attorney

Approval of Minutes.

Approval of Minutes from previous meeting: 2022-02-17 Meeting Minutes.

Upon motion by Mr. Bone and seconded by Mr. Ryall, the Commission voted 5-0 to approve the February 17, 2022 minutes with corrections.

New Business

Applicant:	Rauch, Inc. c/o Brian Fitzgerald
Owner:	BAAM Academic Center
Location:	31 Jowite Street
Nature of Request:	Applicant requests Site Plan and Architectural approval. In addition, approval of building setbacks is requested. The proposed site includes the demolition of the existing school, proposed infrastructure improvements and construction of a new school.

Mr. Paul Rogers, Mr. Brian Fitzgerald and Ms. Virginia Richardson from Rauch Inc., Mr. Derick Daly from Polaris Ministries & Polaris Academies, Ms. Dina Daly and Mr. William Ryan from BAAM LLC, Mr. Kendrick Daley, President of Naima Ventures, Mr. Chris Daley, Project Manager of Jack Construction, and Mr. Romont Fletcher, Construction Assistant from Naima Ventures were present to represent the request of Naima LLC. The request was for site plan review and approval. The Applicants also requested the establishment of unique setbacks under the provisions of the Planned Redevelopment Overlay District. The site is within the PR Overlay.

Mr. Rogers opened the discussion by reviewing the proposed site and its architectural design. The site includes the demolition of the existing school, proposed infrastructure improvements and construction of a new school. The Commission discussed architecture, parking requirements, building codes, after-school activities and outdoor recreation. Projections for the number of staff and students, trash pad location, utility connections, building height and proposed setbacks were also discussed.

Upon motion by Ms. Dindinger and seconded by Mr. Bone, the Commission voted 5-0 to approve the PR Site Plan, architectural design and setback request with the following conditions: the red, green and yellow stripes should only extend up to the height of the awning on the east side of the building, the front setback is approved at 15', the rear setback is approved at 5' and the side setbacks are approved at 8', the building height is to be set at 55' and verify that all proposed landscaping will be native plants.

Old Business

Applicant:	Rauch, Inc. c/o Brian Fitzgerald
Owner:	Naima Ventures, LLC
Location:	35 & 43 Clay Street

Nature of Request: Establish building setback lines for the redevelopment of both parcels.

Mr. Paul Rogers, Mr. Brian Fitzgerald and Ms. Virginia Richardson from Raugh Inc., Mr. Derick Daly from Polaris Ministries & Polaris Academies, Mr. Kendrick Daly, President of Naima Ventures, Mr. Chris Daly, Project Manager of Jack Construction, and Mr. Romont Fletcher, Construction Assistant from Naima Ventures was present to represent Naima LLC. This request was a follow-up from a previous meeting and sought approval of uniquely established setbacks under the flexibility offered via the Planned Redevelopment Overlay District development standards. The subject property is within the PR Overlay.

The Applicant and Commission discussed the need for reduced setbacks, fence location and notification of a 5' setback to adjacent owners.

Upon motion by Ms. Dindinger and seconded by Ms. McAndrews , the Commission voted 5-0 to approve the request for a 5' side yard setback.

Applicant: Lowe's Home Centers, Inc. c/o Laura Grissinger
Owner: Lowe's Home Centers, Inc.
Location: 501 Glebe Road
Nature of Request: Request a permanent location for outside storage.

The item was withdrawn from the Agenda.

Applicant: Armistead, Lee, Rust & Wright, P.A. c/o Zach Smith
Owner: Rise Up Dover Road, LLC
Location: 625 Dover Road
Nature of Request: Temporary Use Approval for Tent

Mr. Zach Smith from Armistead, Lee, Rust & Wright, P.A. was present to represent Rise Up Dover Road LLC.

The Applicant and the Commission discussed the extension of the temporary use approval for a tent. Mr. Smith reviewed the history of this application. He explained that the extension is necessary to accommodate unforeseen delays associated with the project, most notably from the Supply Chain issues that are plaguing the country.

Upon motion by Mr. Ryall and seconded by Mr. Bone, the Commission voted 5-0 approving the request as submitted, allowing the tent to remain until November 30, 2022.

Applicant: Armistead, Lee, Rust, & Wright, P.A. c/o Zach Smith
Owner: Gannon Family, LLC (D.R. Horton-Contract Purchaser)
Location: 29659 Matthewstown Road
Nature of Request: Request approval of the revised sketch plan, as approved by the Town Council.

Mr. Zach Smith from Armistead, Lee, Rust & Wright, P.A. was present to represent Gannon Family LLC.

The Applicant and the Commission discussed the request to approve the revised sketch subdivision plat to be consistent with the PUD site plan that was approved by the Town Council. The PUD process was discussed. It was noted that additional housing products will be submitted for architectural review at a future date.

The Chair opened the floor to the public for comment.

Mr. Derick Daley from Aspire discussed the dire need for housing.

Upon motion by Ms. Dindinger and seconded by Ms. McAndrews, the Commission voted 3-2, approving the revised sketch plat, to be consistent with the PUD site plan approved by the Town Council.

Adjournment.

Discussion Item

Workshop discussion concerning Subdivision Regulations.

The Commission discussed the agenda for the upcoming Ward 3 Neighborhood Meeting and possibly wrapping up the Subdivision Regulations for Affordable Housing during the next scheduled Planning Commission Meeting.

Adjournment:

The meeting ended at 3:27 pm.



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

Date: 2022-03-17

From: Joseph A. Mayer

Subject: 2022-03-17 Planning Commission – 29659 Matthewstown Road - PUD

On Thursday, March 17th, the Town of Easton's Planning Commission reviewed 29659 Matthewstown Road - PUD. At the conclusion of the meeting, the Commission voted 3-2, approving the revised sketch plat, to be consistent with the PUD site plan approved by the Town Council.



Joseph A. Mayer
Plan Reviewer
Town of Easton
14 South Harrison Street
Easton, MD 21601
410-822-1943
jmayer@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

January 31, 2024

Dear Resident,

The Easton Planning Commission (Commission) will hold a public meeting on **Thursday, February 15, 2024 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Armistead, Lee, Rust, & Wright, P.A. has filed a Planned Unit Development (PUD) extension request through December 31, 2024 for application 2021 - 473 on behalf of D.R. Horton for the development of the previously approved Gannon Range PUD subdivision. The property is located at 29659 Matthewstown Road, also known as Tax Map 0026 , Grid 0020, Parcel 0045. The project was previously approved by the Town Council pursuant to Ordinance No. 773, with an effective date of March 13, 2022.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

INVOICE
01/29/24

**29088 Airpark Drive
Easton, MD 21601**

Phone: Fax:

Cust. AcctID:	Creation Date:	01/29/24
	Ad Date:	01/31/24
	Class:	10
Name: Joanne Drummer	Ad ID:	
Company: TOWN OF EASTON (L)	Words:	427
Address: PO Box 520	Lines:	70
EASTON, MD 21601	Agate Lines:	324
	Depth:	9.0
	Inserts:	2
	Blind Box:	
Telephone: (410) 822-2525		
Description: Planning Comm Meeting		

Other Charges:
Discount:
Surcharge:
Credits:
Bill Depth:

Total: _____

Paid Amount: _____

Amount Due: _____

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts
The Star Democrat	01/31/24	01/31/24	1

Ad Note:

Sign posted on January 31, 2024

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

 Planning Commission MEETING AGENDA Thursday, February 15, 2024 - 1:00 PM Council Chambers, Easton Town Office 14 S. Harrison Street  Please continue to check our website at: https://eastonmd.gov/129/Agendas-Minutes for agenda updates	
1.	Call to Order
2.	Approval of Minutes.
3.	a. Approval of the Decision Summary from the January 18, 2024 meeting. Old Business a. Applicant: Shoregate of Cannery Commercial LLC File No.: 2023 - 996 Location: 108 North East Avenue Tax Map 103, Grid 0EA, Parcel 0753 Zoning District: BC Nature of Request: Architectural approval of three (3) multifamily residential buildings and an amenity building. b. Applicant: Habitat for Humanity File No.: 2024 - 1109 Location: 310 South Street Tax Map 104, Grid 0EA, Parcel 1864, Lot 10 Zoning District: R-7.9 Nature of Request: Amendment to a previously approved Planned Redevelopment (PR) Overlay application for a reduced side-yard setback. In July of 2022, the applicant received site plan approval for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback. c. Applicant: Armistead, Lee, Rust, & Wright, P.A. File No.: 2021 - 473 Location: c/o Zachary A. Smith Esq. 29659 Matthewswood Road - Gannon Range Tax Map 026, Grid 020, Parcel 0045 Zoning District: PUD with a base zoning district of A-1 Nature of Request: Request for an extension of a previously approved Planned Unit Development (PUD) application through December 31, 2024 for the development of a mixed-use subdivision. The project was approved by the Town Council pursuant to Ordinance No. 773, with an effective date of March 13, 2022.
4.	New Business a. Applicant: Rise Up Dover Road LLC File No.: 2023 - 1079 Location: 618 Dover Road - Rise Up Coffee Tax Map 105, Grid 0EA, Parcel 1021 Zoning District: CB Nature of Request: Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road. b. Applicant: GLMV Architecture LLC c/o Rosa Padbrook File No.: 2024 - 1120 Location: 8081 Ocean Gateway - Taco Bell Tax Map 105, Grid 000, Parcel 2944, Lot 2 Zoning District: CG Nature of Request: Architectural approval for reconstruction to the exterior of the property destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.
5.	Discussion Item a. Continued discussion of New Town Design Guidelines.
6.	Adjournment.
3045402 SD	
1/31/2024	



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date of Hearing: February 15, 2024

4a

**PLANNING COMMISSION
PUBLIC HEARING
STAFF REPORT**

SUBJECT: Sketch Site Plan and Architectural approval for one-story Rise Up addition at 618 Dover Road

ELECTION WARD: Ward 4

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Joseph Mayer, Plan Reviewer
Miguel Salinas, Director of Planning and Zoning

APPLICANT: Rise Up Dover Road LLC

DOCUMENT CREATED ON: February 8, 2024

PURPOSE: Rise Up Coffee (Applicant), is seeking sketch site plan and architectural approval for the construction of a one-story building addition comprising 928.2 square feet (SF) of gross floor area (GFA).

RECOMMENDATION: Should the Planning Commission (Commission) approve the sketch site plan, staff recommends approval with conditions (see below).

APPLICATION INFORMATION:	
APPLICANT: Rise Up Dover Road LLC	REPRESENTATIVE: Armistead, Lee, Rust & Wright, P.A. % Zach Smith Rise Up Dover Road LLC
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 105, Grid 00EA, Parcel 1021	0.257
ACCEPTANCE DATE: November 7, 2023	LOCATION: 618 Dover Road
EXISTING ZONING CB PUD Infill Boundary PR Boundary	EXISTING LAND USE: Commercial
HISTORIC DISTRICT: Not Applicable	FUTURE LAND USE MAP: Business Commercial

CONTEXT:

Location/Site Access – The subject property is located on the south side of Dover Road.

Existing Conditions – The subject property is a cafe and coffee roastery building.

Surrounding Properties

- 625 Dover Road - PUD
- 622 Dover Road - CB
- 615 Dover Road - R7A
- 600 Dover Road - CB
- 611 South Street - R-7A
- 609 South Street - R-7A
- 607 South Street - R-7A



Figure 1: Vicinity Map

PROPOSAL: The applicant is proposing to construct a 928.2 square foot (SF) one-story addition to the rear of the existing building.

BACKGROUND: On August 18, 2020 the Town of Easton's Board of Zoning Appeals heard application number V-771. At the conclusion of the Hearing, the Board voted 3-0, approving a variance of 5', permitting the rear setback be no less than 10' to enable an 8' x 14' walk-in-freezer addition.

Staff notes that the Applicant is removing the existing walk-in-cooler and proposing to add a walk-in-cooler at their 625 Dover Road location under a separate application.

OUTSTANDING ISSUES:

There are no outstanding issues.

ZONING ANALYSIS:

A. Purpose

Section 28-501 A.

The purpose of the Planned Redevelopment Overlay District (PR) is to provide a mechanism for the redevelopment, rehabilitation, and general improvement of certain older areas within the Town of Easton that have fallen into a somewhat neglected or dilapidated state or have simply been used for a purpose that no longer serves the health, safety or general welfare of the neighborhood. PR applications may be submitted only if the project is located within the Planned Redevelopment Overlay District. However, this mechanism is optional and shall not be required of all projects located within this zone. Projects not being developed in accordance with PR District standards shall be developed in accordance with the development standards of the underlying base zoning district.

The nature, size, scale or intensity of a proposed use may cause a particular site not to be suitable for a specific PR proposal. Therefore, there is no general presumption that an application for such a use at a particular location is valid, inures to the general benefit of the Town, is compatible with surrounding uses, or is in compliance with the Town's Comprehensive Plan. Instead, each application will be evaluated according to its particular location and the degree to which the developer is willing or able to propose a development plan which ameliorates possible adverse impacts and furthers the goals and objectives of this Section and the Ordinance generally

Analysis - The current process of the Town of Easton Zoning Ordinance is for the Planning and Zoning Commission to review the material submitted as described in § 28-501.C of the Town Code and shall represent the initial step in the PR review process. Successful applications shall subsequently follow the appropriate steps for the type of project submitted and the applicant shall prepare and submit a development and a final site plan in accordance with the site plan requirements specified in § 28 – 901.3.B and C of the Town Code.

B. Off-Street Parking

Analysis- There are no minimum off-street parking spaces required within the PR Overlay Zoning District and Central Business Commercial District, although the adequacy of parking may be a consideration of site plan review. The Applicant has six (6) off-street parking spaces on site. Further, Rise Up currently has a shared parking arrangement with the adjacent property at 600 Dover Road, They may elect to discontinue that arrangement in the future if the additional parking is no longer needed. Once the café and the Mad Eggs operations move across the street, Rise Up seemingly will no longer need additional parking for 618. The parking at 625 is already being used for Rise Up, and that trend will certainly continue once 625 is fully operational. Once the expansion project is complete the use of 618 will be limited to roasting operations and testing, which as you can imagine will produce very little parking demand. There are a few

spaces onsite at 618 that can be used by the Rise Up personal utilizing 618. If additional parking is needed occasionally, it can be accommodated at 625.

C. Central Business Commercial District Development Standards

Table 1. Development Standards		
CB Zoning District	Standard	Proposed (Planned Redevelopment Overlay)
Setbacks	Front = a. In previously developed areas in the CB commercial zone the existing or established front building line of that block; b. All buildings hereafter constructed in areas without an established front building line in that block shall be setback twenty-five (25) feet from the front property line Side = None Rear – a. In previously developed areas in the CB commercial zone the existing or established rear building line of that block; b. All buildings hereafter constructed in areas without an established rear building line in that block shall be setback fifteen (15) feet from the rear property line.	Front = 15 feet Side = 0 feet Rear – 10 feet
Lot Size (min.)	5,000 square feet	11,200 square feet
Lot Dimension (min)	depth of at least sixty (60) feet	160 feet
Lot Frontage (min.)	30 feet	70 feet
Building Envelope (min.)	20 feet x 30 feet	70 x 135 feet
Lot Coverage (max.)	90% (Lot Area)	36% (Lot Area)
Height (max.)	60 feet	23 feet +/-

§ 305.2 of the Zoning Ordinance states that development within the Central Business Commercial District shall also meet these additional requirements:

- ***Off-Street Parking shall not be required for uses within the CB Zoning District. The adequacy of parking relative to the proposed use of the property shall be evaluated during the site plan review process.***
- ***Building structure size – not to exceed twenty-five thousand (25,000) square feet of gross floor area, except by Special exception.***

- *All on-site lighting unless approved otherwise by the Planning and Zoning Commission shall be low cut-off shielded luminaries at 18' height and light shall not shine off-site at levels greater than 1-foot candle.*
- *All off-street loading and unloading areas shall be screened from view by permanent, decorative screens or natural plantings, a minimum of eight (8) feet in height, as per the requirements of Section 28 – 1014 of this Ordinance.*

Analysis - The site falls under the CB - Central Business Commercial District Area and meets the § 28-308.2 Development Standards.

D. DEVELOPMENT STANDARDS

Section 28-501.B.

Development within the Planned Redevelopment Overlay District shall meet the following requirements:

(1) The area proposed for a planned redevelopment shall be in one (1) ownership, or, if in several ownerships, the proposal shall be filed jointly by all the owners of the property included in the development plan.

Staff notes that the Property is owned by a single entity.

(2) The site shall be of a configuration suitable for the development proposed.

Staff notes that the planned layout and site design proposed provides for a functional addition to the rear of the existing building.

(3) Public water and sewerage shall be available.

Staff notes that adequate water and sewer services to serve the proposed Project exist and are adjacent to the Property. The Applicant will work with Easton Utilities to ensure that all permits and approvals are granted.

(4) The site shall be located adjacent to adequate transportation facilities capable of serving existing traffic and that are expected to be generated by the proposed development.

Staff notes that the Project will access from Dover Road and Front Lane.

(5) The overall residential density of a Planned Redevelopment project shall not exceed forty (40) units per gross residential acre. For the purposes of this subsection, the gross residential area shall include all land within the area intended to be used for residences, residential parking space, and reservation for community recreation and education facilities. Any land mapped as floodway by the Federal Emergency Management Agency, and non-residential uses shall be excluded in computing the gross area. The Planning and Zoning

Commission may require a lower density if review of the proposed development indicates that the maximum allowable density is excessive for the surrounding area.

Staff notes that this item is not applicable. This is an existing commercial site.

(6) For new infill development projects, the setback, lot size, lot coverage, height, and yard requirements shall be established for each individual project by the Planning and Zoning Commission. In establishing these requirements, the Planning and Zoning Commission shall consider such factors as the proposed intensity of the project and the existing character of the neighborhood.

Staff notes that the Planning Commission can apply, in its discretion, bulk standards such as setbacks and maximum height on a project-by-project basis. The Project proposes: (1) 15' front yard setbacks; (2) 0' side yard setbacks, (3) 10' rear yard setbacks, and (4) 23' maximum height. Other site constraints imposed, such as existing drive aisle, sidewalks, and landscaping, dictate that the most reasonable Project layout is the one proposed for the Project.

(7) Off-street parking is not required for projects proposed in the Planned Redevelopment Overlay District, although adequacy of parking may be a consideration of site plan review.

Staff notes that despite the fact that the Code does not require any parking for the Project, Applicant recognizes that it should not impose unnecessary parking congestion or burden on the Town and nearby residents. The Applicant is confident that this addition will not impact the current parking that's provided.

(8) Sidewalks shall be constructed along any public right-of-way (except for alleys) adjacent to the site along the entire frontage(s) of the property. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems.

Staff notes that existing sidewalks are along the frontage of Dover Road.

E. Forest Conservation

The Easton Forest Conservation Requirements of the Town Code, Article III, § 31-3.1, Forest Conservation Ordinance, Relevance, states that the requirements are applicable to any person making application for a subdivision, project plan, grading, or sediment and erosion control approval on units of land 40,000 square feet or greater after the effective date of the Ordinance.

Analysis - This site is within a priority funding area and is an existing coffee shop / roastery operation between an established business and residential dwelling. The overall site area is 11,200 square feet and is under the required 40,000 square foot minimum. Therefore, Forest Conservation is not required.

POLICY ANALYSIS:

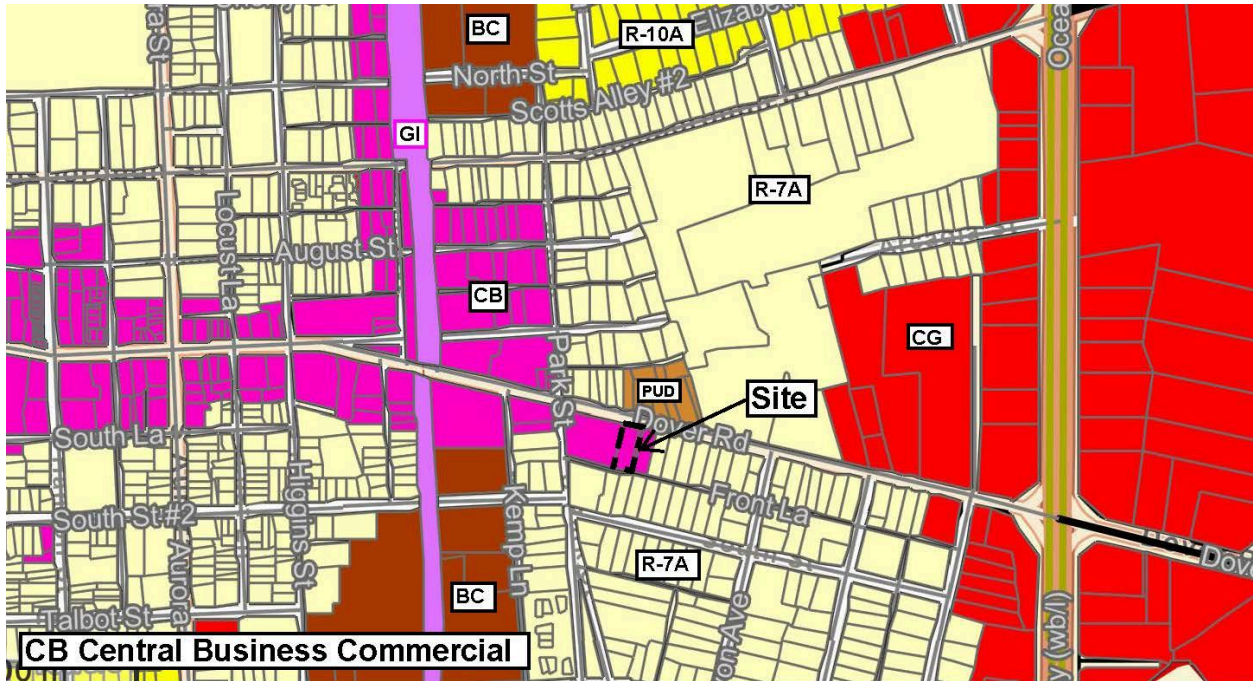


Figure 2: Zoning Map

Section 28-901.2.G of the Town Code states that the submission of a site plan for a proposed use or development activity shall not be approved unless it meets the factors below:

1. The site plan meets the design principles and standards and required improvements set forth in this Ordinance, the Town Comprehensive Plan, the Town of Easton Subdivision Regulations, and other ordinances, regulations, and policies established by the Town of Easton.

Analysis -

Town of Easton 2010 Comprehensive Plan Design Principles (Principle #1) Integrated uses are desirable- Applicant's response: *This application proposes the expansion of an established coffee shop and roastery operation. The subject property is surrounded by a mix of residential and commercial uses, and compliments the established mixed-use context of this area.*

Staff notes that this is an appropriate location for the building addition within the Town of Easton's Central Business Commercial District. In addition, the proposed development is under the PR Overlay Zoning District, providing a mechanism for the redevelopment,

rehabilitation, and general improvement of certain older areas within the Town of Easton, including properties that have fallen into a somewhat neglected or dilapidated state.

(Principle #2) Natural features should determine design – Applicant’s response: *The proposed expansion is at the rear of the existing building and adjacent to an alley. There are no natural features on this site.*

Staff notes that there are no compelling natural features on site.

(Principle #3) Automobiles should not determine design – Applicant’s response: *The proposed expansion is determined based upon the location and configuration of the existing building. Parking on the site is already established, and no significant change to parking is proposed.*

Staff notes that the applicant has existing off-street parking on site and has a shared parking arrangement with the adjacent property at 600 Dover Road.

(Principle #4) Ample Open Space should be provided within & around neighborhoods – Applicant’s response: *The subject property is located within an established neighborhood. The proposed expansion will not impact existing open space. Efficient utilization of already developed sites like the subject will help reduce development pressure on undeveloped sites.*

Staff notes that open space is not applicable.

(Principle #5) Architecture should respect Easton’s Historical Development – Applicant’s response: *Proposed addition will match the design of the existing building. The existing Building has been adaptively reused as a coffee shop and roastery, and maintains its historical character.*

Staff notes that this project is a continuation of the existing architecture. The proposed addition seems consistent with the architecture of the existing structure.

(Principle #6) Signs should inform but not dominate – Applicant’s response: *No signs are being added to the property as part of this project.*

Staff notes that any future signs will require a Signage Application to be submitted prior to installation. Signs should inform but not dominate the area.

(Principle #7) Neighborhoods should contain a diversity of housing types – Applicant’s response: *Not applicable.*

(Principle #8) Residential neighborhoods should be interesting places – Applicant’s response: *Not directly applicable as this is not residential development, but the commercial use compliments adjacent residential areas.*

(Principle #9) Neighborhoods should connect – Applicant’s response: *Not applicable*

Staff notes that the Comprehensive Plan states that older historic areas of Easton are where you find a great variety of lot sizes, configurations, and housing types as opposed to the more recent homogenous subdivisions built over the last 30 years. In addition, the plan states that connected neighborhoods are a fundamental characteristic of the older parts of Easton that are essential to emulate in new development projects for four reasons: 1) to offer multiple travel options, 2) to promote community and increase the opportunities for social interactions and walking between adjacent developments, 3) connected neighborhoods are safer and urban gridded streets promote lower vehicular speeds, and 4) connected neighborhoods are more sustainable and can promote compact, vibrant, mixed-use neighborhoods where living in a mixed-use environment where residents are within walking distance of shops and services results in increased walking and biking.

The Comprehensive Plan's Community Character chapter, related to the role of infill development in Easton's growth strategy, states that infill development can accommodate growth without annexing land. Infill and redevelopment means:

- *decreased demand for new, undeveloped greenfields*
- *mobility for those who do not or cannot drive*
- *it's less expensive to provide services to infill sites versus greenfield sites*
- *An increased supply of smaller-sized housing units can offer more affordable and lower maintenance housing choices for smaller households*
- *new opportunities and improved quality of life for in-Town residents,*
- *savings on energy and the environment,*
- *development that is consistent with State Smart Growth Policies*

The proposed plan is for the continuation of commercial use by expanding the coffee roasting facility on site. The addition matches the historical character which addresses compatibility and neighborhood impact issues and offers points for consideration with any infill or redevelopment project. These points include: compatible architecture of the existing building, and a continuous pedestrian network that connects adjacent properties.

2. The site plan avoids or minimizes adverse impacts upon features (whether on-site or off-site) of historical, cultural or ecological significance.

Analysis - This site is not within the Historic District and is not within the Critical Area. The project would accommodate the expanding roastery operations for Rise Up.

3. The proposed use or development activity will not substantially increase traffic hazards due to traffic generated by the proposed use, the location of curb cuts or the layout of internal traffic circulation.

Analysis - The proposed use and activity will not increase traffic hazards in the surrounding area. Adequate off-street parking is provided.

4. The site plan and the proposed use or uses do not cause any adverse impact upon the health or safety of persons residing or working in the area surrounding the site or upon the character of the neighborhood surrounding the site; and

Analysis - There would be no adverse impacts. The existing property is located within a Central Business Commercial Zoned District. Proposed use is an expansion to the existing roastery operations.

5. The site plan improves the water quality of the Chesapeake Bay or its tributaries.

Analysis - The proposed site would meet required design practices for stormwater management.

RECOMMENDED CONDITIONS:

Staff recommends approval subject to the applicant addressing any remaining ESDR comments and obtaining all applicable permits from the Town's Building Inspection Division and Talbot County Health Department.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the application subject to staff's Conditions of Approval.

OR

2. I move that the Planning Commission forward the application to the March 21st Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2023.12.27 ESDR Application & Determination Letter, paper copy & PDF
2. 2024.01.26 Comprehensive Design & Plans, paper copy & PDF
3. 2024.01.26 Planned Redevelopment Overlay Application, paper copy & PDF



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: November 27th, 2023
TO: Zach Smith – Applicant
Cc: Rick Van Emburgh – Town Engineer
Aaron Goller – EUC
Miguel Salinas - Planning and Zoning
FROM: Sierra Clem – Engineering Department
SUBJECT: 618 Dover Road - PRD Review

Our office has reviewed the Application for the Subject project received on 11/15/2023 and have the following comments:

1. A grading permit is required for the proposed building addition. If the proposed LOD exceeds 5,000SF, a stormwater management plan will be required.

Please contact me if you have any questions. Thank you.



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

RECEIVED
NOV 07 2023
TOWN OF EASTON

Planned Redevelopment Overlay Application

Application Type

Subdivision ☐

Site Plan ☒

Subdivision Information

Name
Original Property Size Acres Square Feet
Number of Lots Proposed

Site Plan Information

Property Size Acres Square Feet
Structure's Floor Area Structure's Square Feet

Property Information

Address
Tax Map Grid Parcel Lot
Deed Reference: Liber Folio
Plat Reference: Liber Folio
Zoning District Historic District Y ☐ N ☒
Source of Electricity

Owner

Name
Mailing Address
Telephone No. Email

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Applicant or Agent

Name
Mailing Address
Telephone No. Email

Request Details

Please describe the purpose of the request being including all information pertinent to said request.

Attach a formal letter detailing request.

See Attached

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach seven (7) copies of scaled site plan with all dimensions of lot, setbacks, proposed improvements and the distances between improvements.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information related to the request being made..
- ESDR Review Letter
- \$150 Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent


Date 11/07/2023

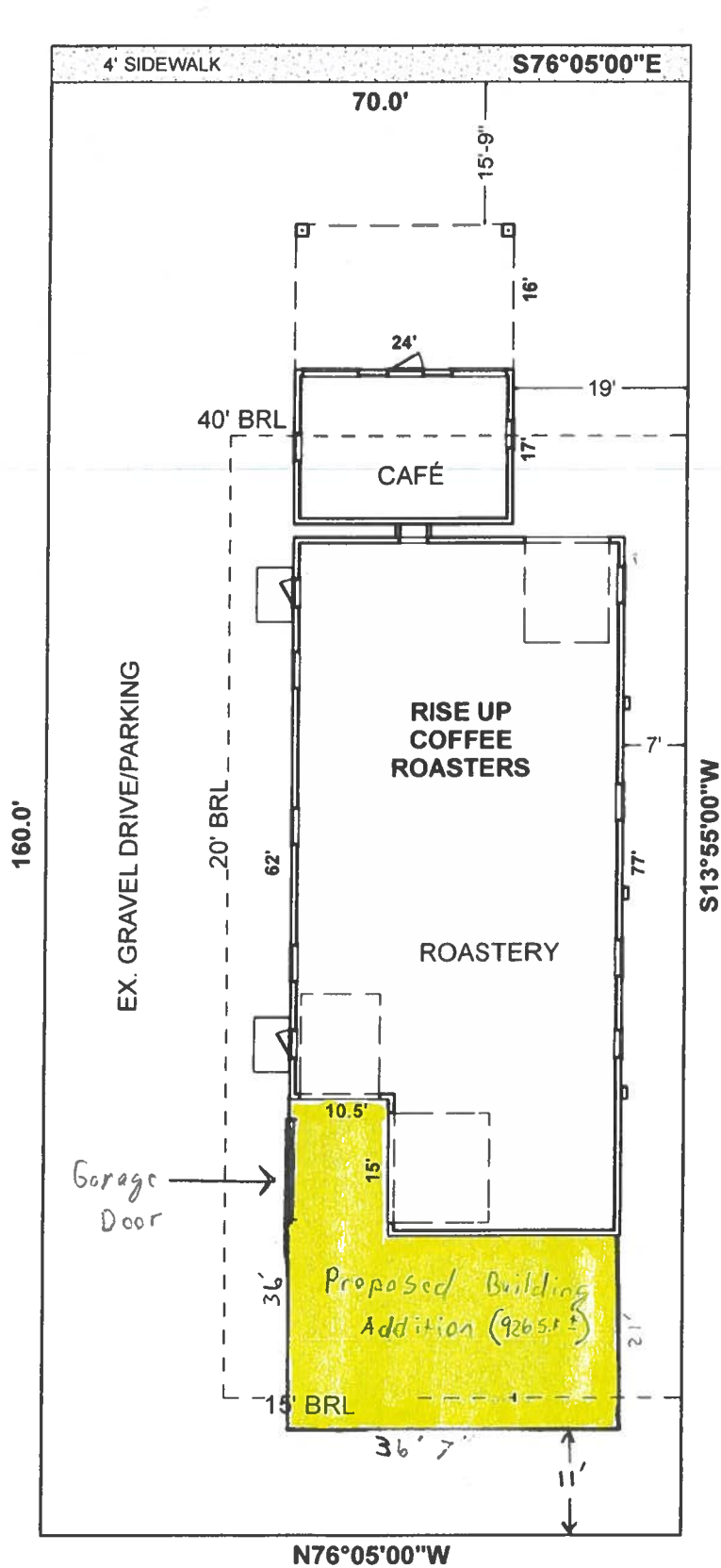
Printed Name of Applicant or Agent

Zach Smith, Agent

For Office Use Only

Project Number ESDR 23-25 /	PR 24-01	Fee Received	11/09/2023
Application Number	2023-1079	Application Notification	02/08/2024
Filing Date	11/07/2023	Property Posting Date	01/31/2024
PC Meeting Date	02/15/2024	Notice(s) Published	01/31/2024
If ESDR, Date	12/27/2023		
Final Approval Date			
Recordation Date			

Revised 2-2019



RISE UP COFFEE ROASTERS
618 DOVER RD
EASTON MD 21601

SCALE: 1" = 20' 0"



DATE:

1/28/2024

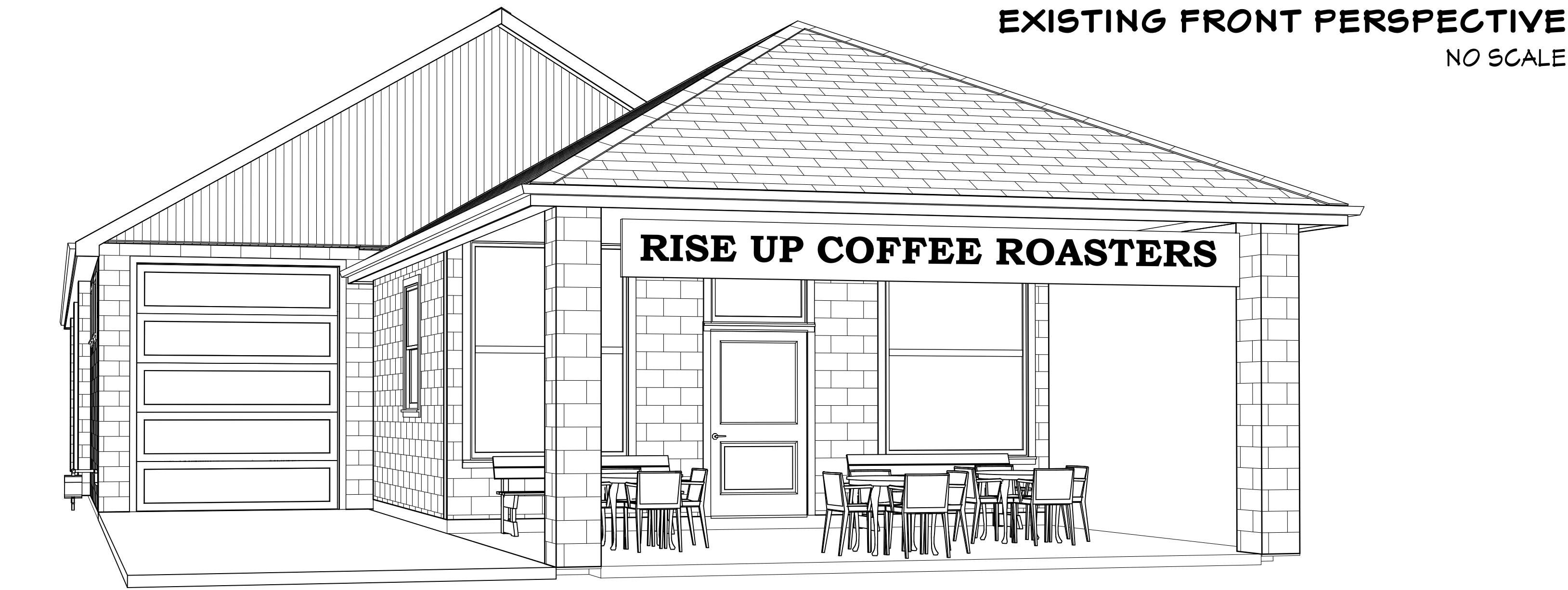
SCALE:

SHEET:

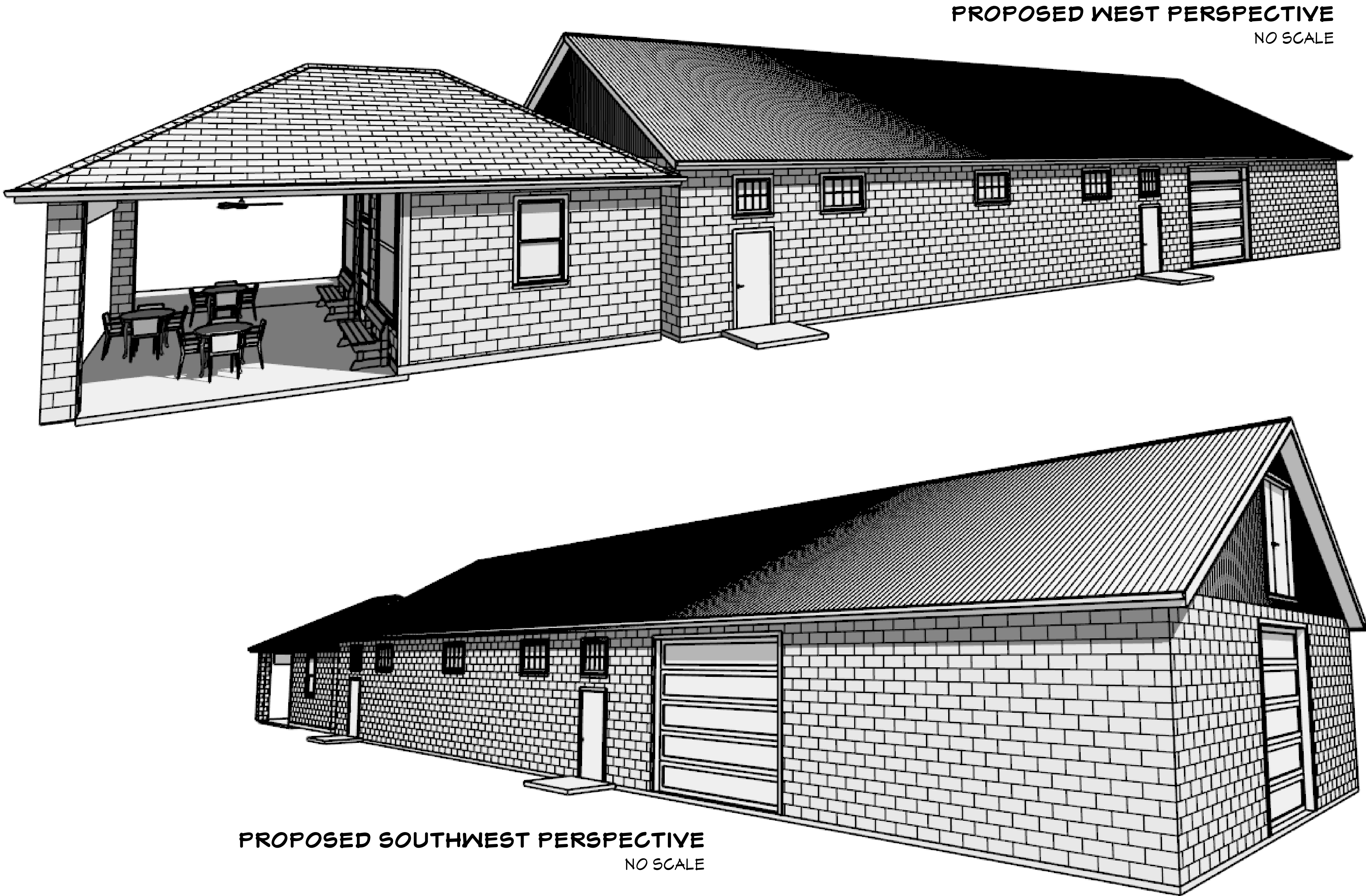
A-1



PROJECT DESCRIPTION:
RISE UP COFFEE ROASTERS
918 DOVER RD
EASTON MD 21601

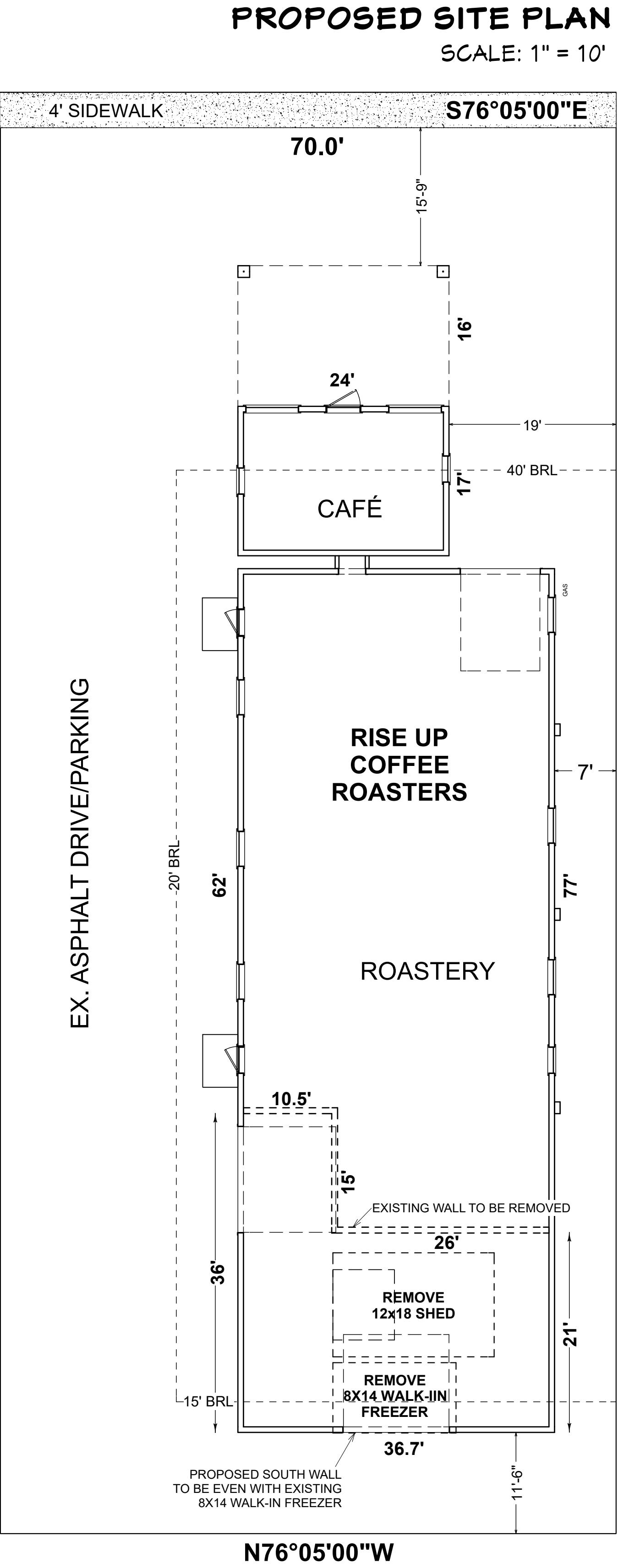


EXISTING FRONT PERSPECTIVE
NO SCALE



PROPOSED SOUTHWEST PERSPECTIVE
NO SCALE

PROPOSED WEST PERSPECTIVE
NO SCALE



- Comprehensive Plan Design Principles**
- 1. Integrated Uses are Desirable:**
This application proposes the expansion of an established coffee shop and roastery operation. The subject property is surrounded by a mix of residential and commercial uses, and compliments the established mixed-use context of this area.
 - 2. Natural Features Should Determine Design:**
The proposed expansion is at the rear of the existing building and adjacent to an alley. There are no natural features on this site.
 - 3. Automobiles Should Not Determine Design:**
The proposed expansion is determined based upon the location and configuration of the existing building. Parking on the site is already established, and no significant change to parking is proposed.
 - 4. Ample Open Space Should be Provided within and Around Neighborhoods:**
The subject property is located within an established neighborhood. The proposed expansion will not impact existing open space. Efficient utilization of already developed sites like the subject will help reduce development pressure on undeveloped sites.
 - 5. Architecture Should Respect Easton's Historical Development:**
Proposed addition will match the design of the existing building. The existing building has been adaptively reused as a coffee shop and roastery, and maintains its historical character.
 - 6. Signs Should Inform but Not Dominate:**
No signs are being added to the property as part of this project.
 - 7. Neighborhoods Should Contain a Diversity of Housing Types:**
Not applicable.
 - 8. Residential Developments Should be Interesting Places:**
Not directly applicable as this is not residential development, but the commercial use compliments adjacent residential areas.
 - 9. Neighborhoods Should Connect**
Not applicable.

DATE:
1/28/2024

SCALE:

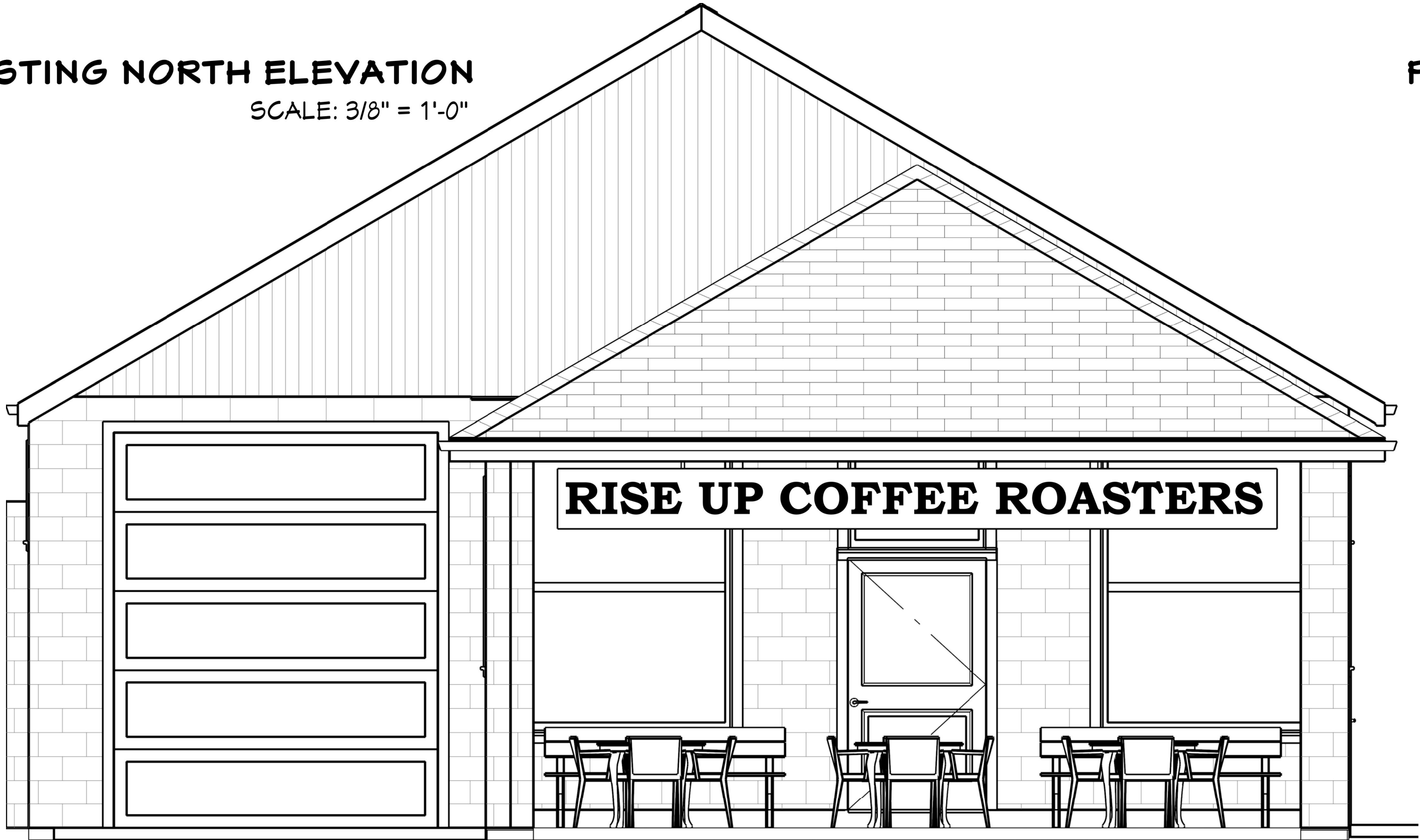
SHEET:
A-2



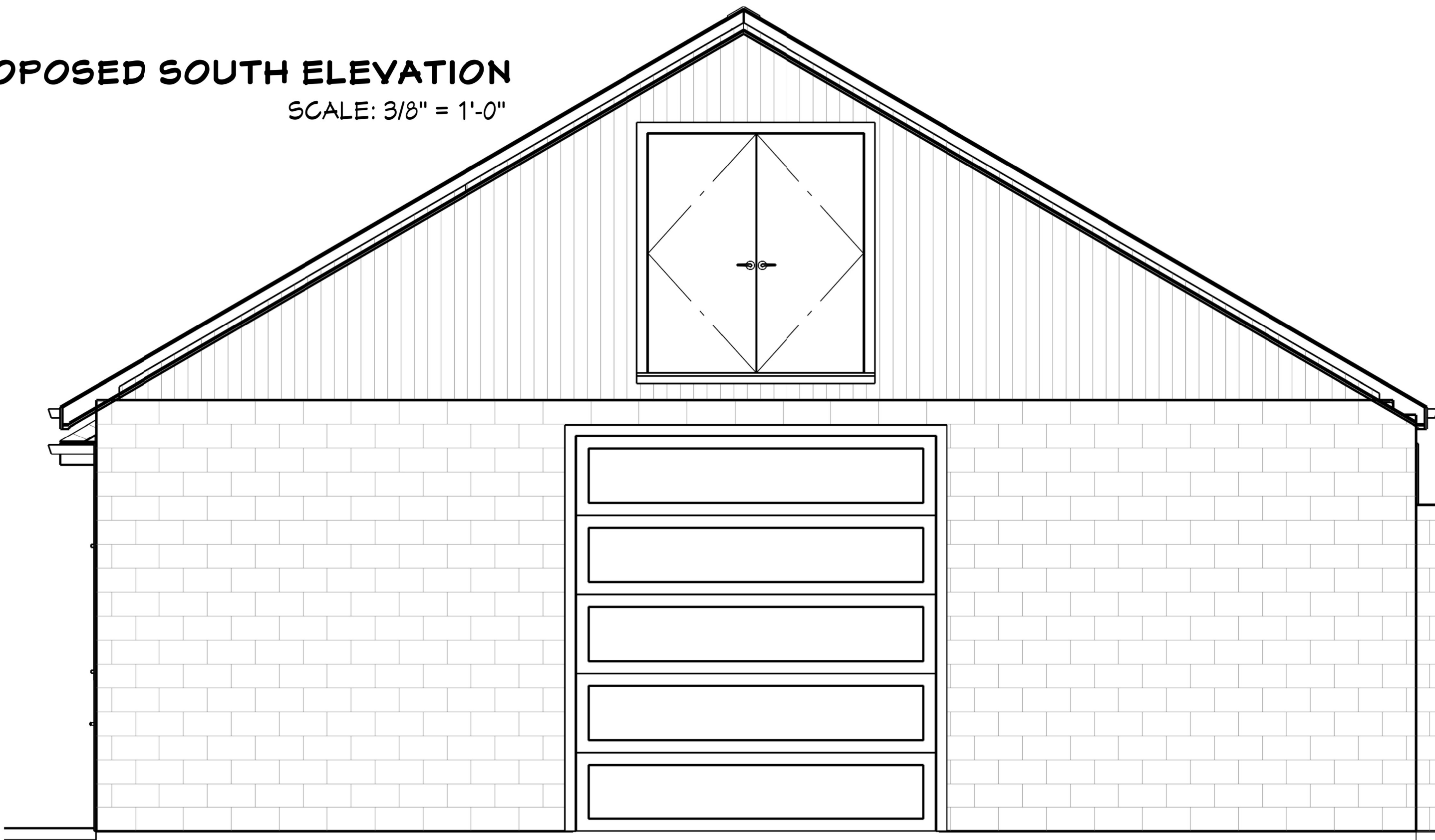
PROJECT DESCRIPTION:

RISE UP COFFEE ROASTERS
918 DOVER RD
EASTON MD 21601

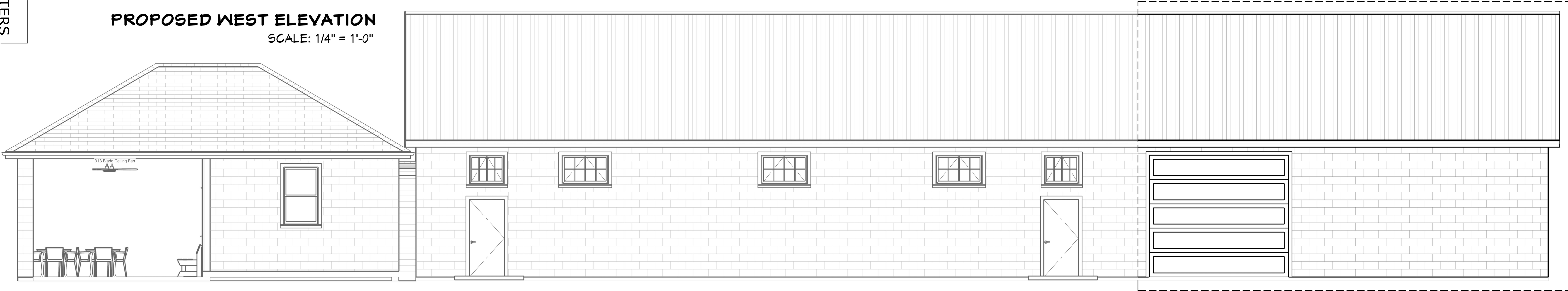
EXISTING NORTH ELEVATION
SCALE: 3/8" = 1'-0"



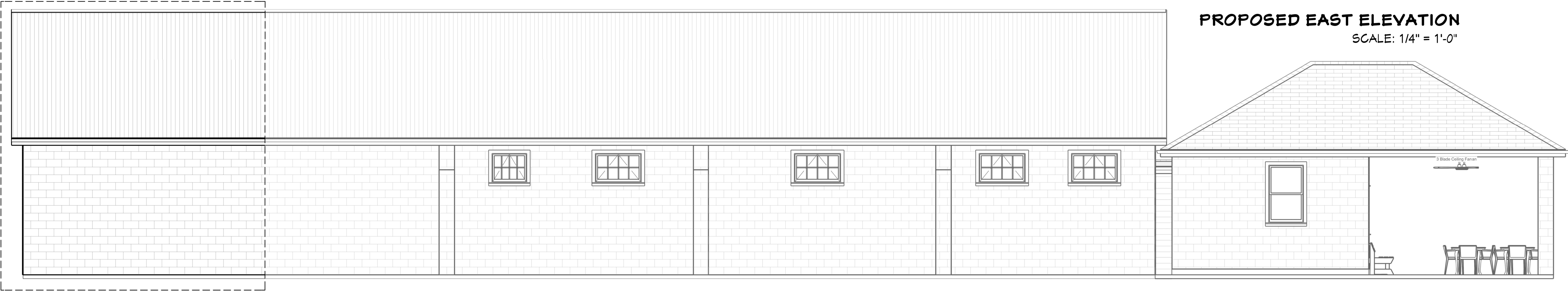
PROPOSED SOUTH ELEVATION
SCALE: 3/8" = 1'-0"



PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



DATE:
1/28/2024

SCALE:

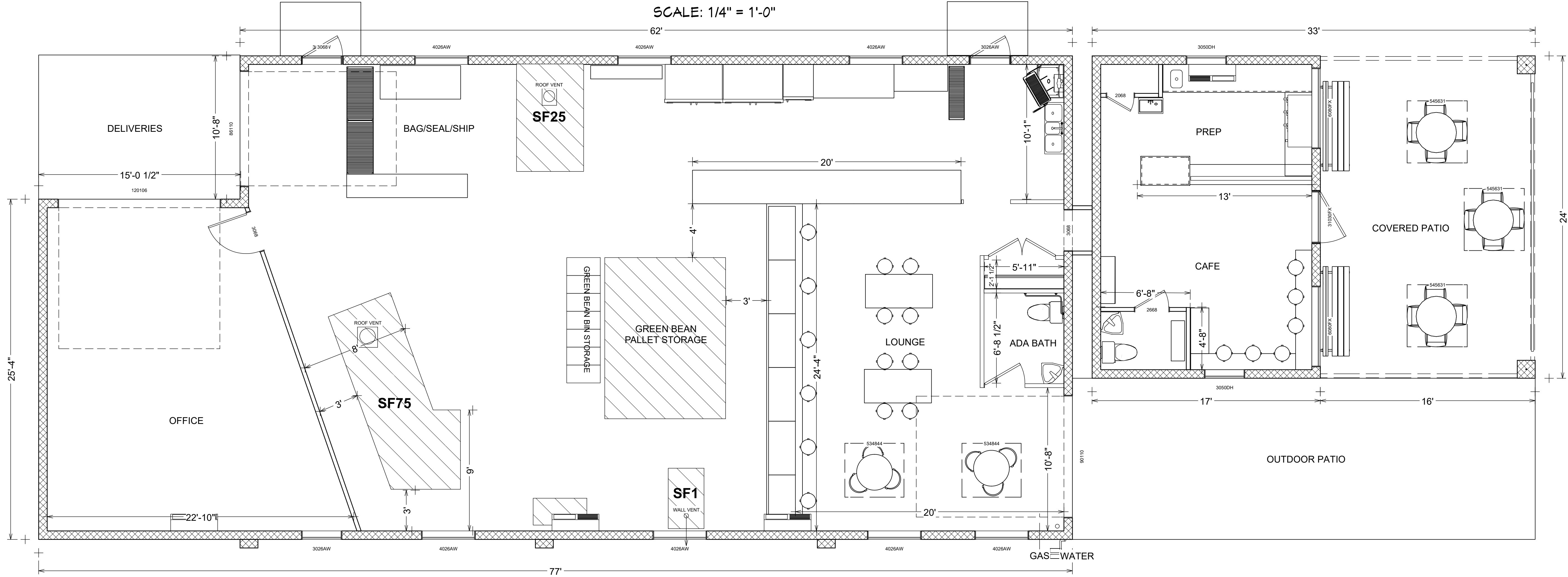
SHEET:
A-3



PROJECT DESCRIPTION:
RISE UP COFFEE ROASTERS
918 DOVER RD
EASTON MD 21601

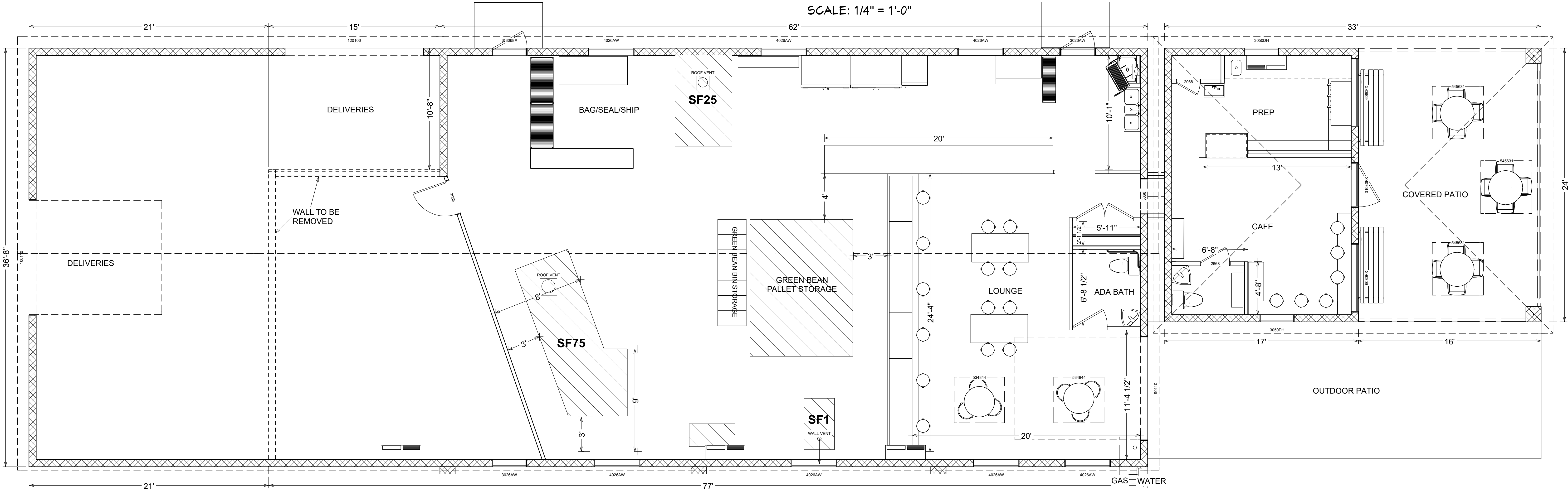
EXISTING FLOOR PLAN

SCALE: 1/4" = 1'-0"



PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"



DATE:

1/28/2024

SCALE:

SHEET:

A-4



PROJECT DESCRIPTION:

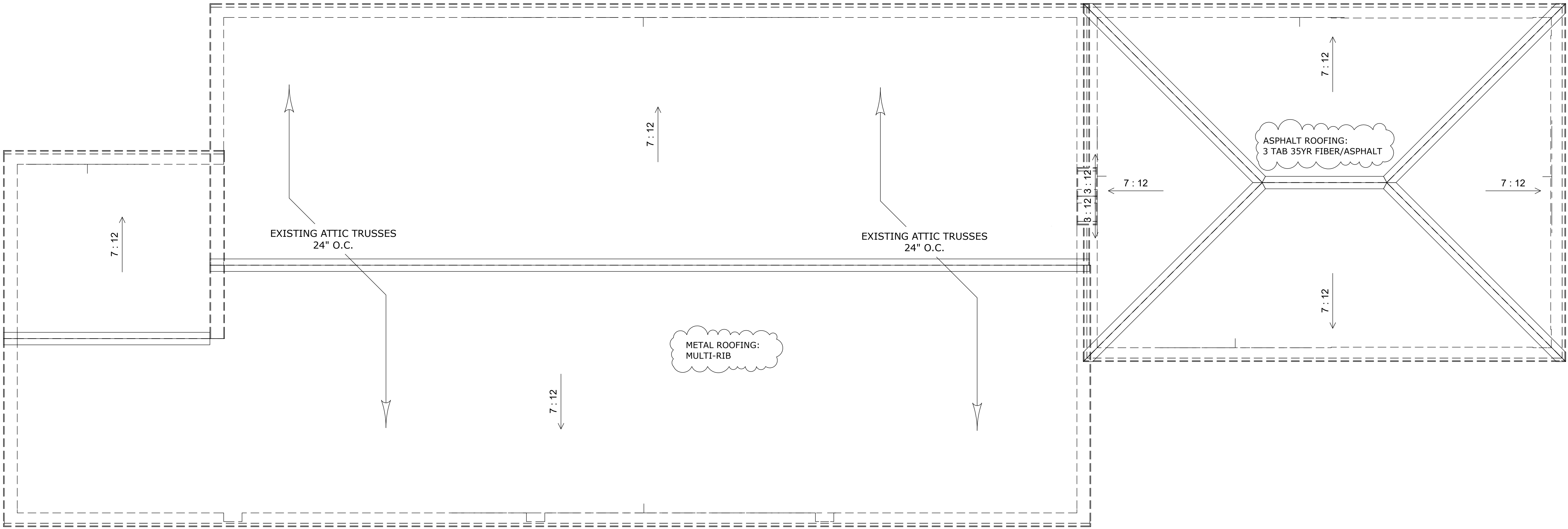
RISE UP COFFEE ROASTERS

918 DOVER RD

EASTON MD 21601

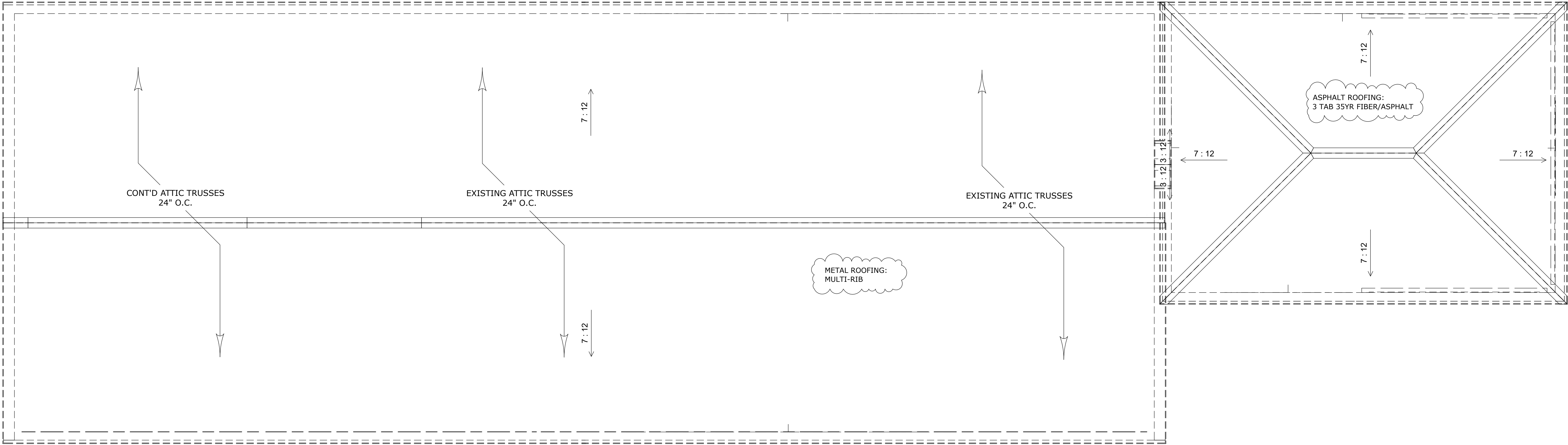
EXISTING ROOF PLAN

SCALE: 1/4" = 1'-0"



PROPOSED ROOF PLAN

SCALE: 1/4" = 1'-0"





TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

Easton Staff Development Review Worksheet

Date: December 27, 2023

Project: 618 Dover Road - Rise Up

To: Zach Smith – Armistead, Lee, Rust & Wright, P.A./Rise Up Dover Road LLC % Ozzie Jimenez

The Easton Staff Development Review (ESDR) Committee meeting for Staff review was held on December 27th at 11:00 am. Staff reviewed the building addition on the property located at 618 Dover Road , also known as Tax Map 0105, Parcel 1021.

The project will need to address all agency comments as specified in the attached review letters and at ESDR. The Committee determined that the application may be scheduled for Planning Commission review pending the completion of review comments. Please submit all necessary documents.

Based on the ESDR sketch plan submission, the Staff did not identify constraints which require action by the Board of Zoning Appeals.

The next Planning Commission meeting is scheduled for **Thursday, January 18, 2023 at 1:00 pm.** Submit all documentation to the Planning and Zoning Department no later than Friday, **January 5th** at 1:00 pm. Files for presentation at the Planning Commission need to be provided on a flash drive. In addition, provide a digital submittal (via email) of all supporting documents necessary for the Planning Commissions review, including **eight paper copies.**

Please contact the Planning & Zoning Department at 410 822-1943 with any questions.

Sincerely,

Joseph A. Mayer
Plan Reviewer - Planning and Zoning



TOWN OF EASTON PLANNING & ZONING DEPARTMENT

P.O. Box 520
Easton, Maryland 21601
410-822-1943
www.EastonMD.gov

DATE: December 20, 2023

TO: Zach Smith – Armistead, Lee, Rust & Wright, P.A./Rise Up Dover Road LLC %
Ozzie Jimenez

Cc: Miguel Salinas – Director, Planning & Zoning Department
Rick Van Emburgh – Town Engineer, Department of Engineering

FROM: Joseph A. Mayer - Plan Reviewer, Planning & Zoning Department

SUBJECT: 618 Dover Road - Rise Up

We reviewed the **November 7, 2023** Sketch Plan Submittal for the Subject Project and have the following comments:

PLANNING & ZONING COMMENTS

Sketch Site Plan

1. Please add the statement describing the extent to which the application complies with the nine Recommended Design Principles for Easton set forth on page 29-31 of the Comprehensive Plan.
2. *Per Chapter 28-901.2.E of the Zoning Ordinance, Applications for additions shall not be subject to Planning and Zoning Commission approval if either the gross floor area after the addition is built remains under the threshold described above, or the proposed addition represents less than a 10% increase in the floor area of the building. This provision shall apply cumulatively over time.* The proposed addition is over the 10% increase in floor area and will be subject to Planning and Zoning Commission approval.
3. What is the overall architectural style of the proposed addition? Provide elevations and renderings.
4. Add the proposed building setback lines onto the Site Plan.
5. Show the location and size of existing utilities. Including any recorded easements.
6. Provide a dimension of the main access aisle west of the building.
7. Add a statement for the adequacy of vehicle spaces for the designated use. Please show all existing parking spaces.

8. Dimension offset distance from proposed building to property line on the west side.
9. Provide adequate screening along the east side of the proposed building addition.
10. Please Identify an ADA parking space that will be within the required cross slopes for the landing area, ramp run and overall parking space. Please note that any modifications to provide a compliant ADA space, in regards to modifying the slope, would require spot elevations to verify compliance.

Plan Review Status

IMPROVEMENT PLAN REVIEW			Comments
Plans Approved	☐ Y	☒ N	Please review comments above Revise and Resubmit.

Forest Stand Delineation & Forest Conservation Plan		
☐ Required ☐ Submitted ☒ Approved		<i>The Easton Forest Conservation Requirements of the Town Code, Article III, § 31-3.1 Relevance, states that the requirements are applicable to any person making application for a subdivision, project plan, grading, or sediment and erosion control approval on units of land 40,000 square feet or greater after the effective date of the Ordinance.</i> Analysis - This site is within a priority funding area and is an existing coffee shop / roastery operation between an established business and residential dwelling. The overall site area is 11,200 square feet and is under the required 40,000 square foot minimum. Therefore, Forest Conservation is not required.
Other		
☒ Required ☐ Submitted ☐ Approved		<u>IMPACT FEES</u> Please note, there will be a required Impact Fee for all proposed structures. The Town's Impact Fees and Inspection Fees are to be paid upon the time you pick up your Building Permit. Please provide building square footage with appropriate use for calculation of Impact Fee. Talbot County Impact Fees are due prior to obtaining your Building Permit. Please provide receipt of payment to the Town's Building Inspection Division.

Please contact me if you have any questions. Thank you.



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: November 27th, 2023
TO: Zach Smith – Applicant
Cc: Rick Van Emburgh – Town Engineer
Aaron Goller – EUC
Miguel Salinas - Planning and Zoning
FROM: Sierra Clem – Engineering Department
SUBJECT: 618 Dover Road - PRD Review

Our office has reviewed the Application for the Subject project received on 11/15/2023 and have the following comments:

1. A grading permit is required for the proposed building addition. If the proposed LOD exceeds 5,000SF, a stormwater management plan will be required.

Please contact me if you have any questions. Thank you.



EASTON UTILITIES

Life. Made better.™

Easton Utilities Commission

Plan Review Comments

Date: Monday, November 27, 2023

To: Joe Mayer; Nicholas Johnson; Sierra Clem

From: Kia Gibbs on behalf of Aaron Goller, PE

No. of Pages: 2

Regarding: 618 Dover Road

Phase: Planned Redevelopment Overlay

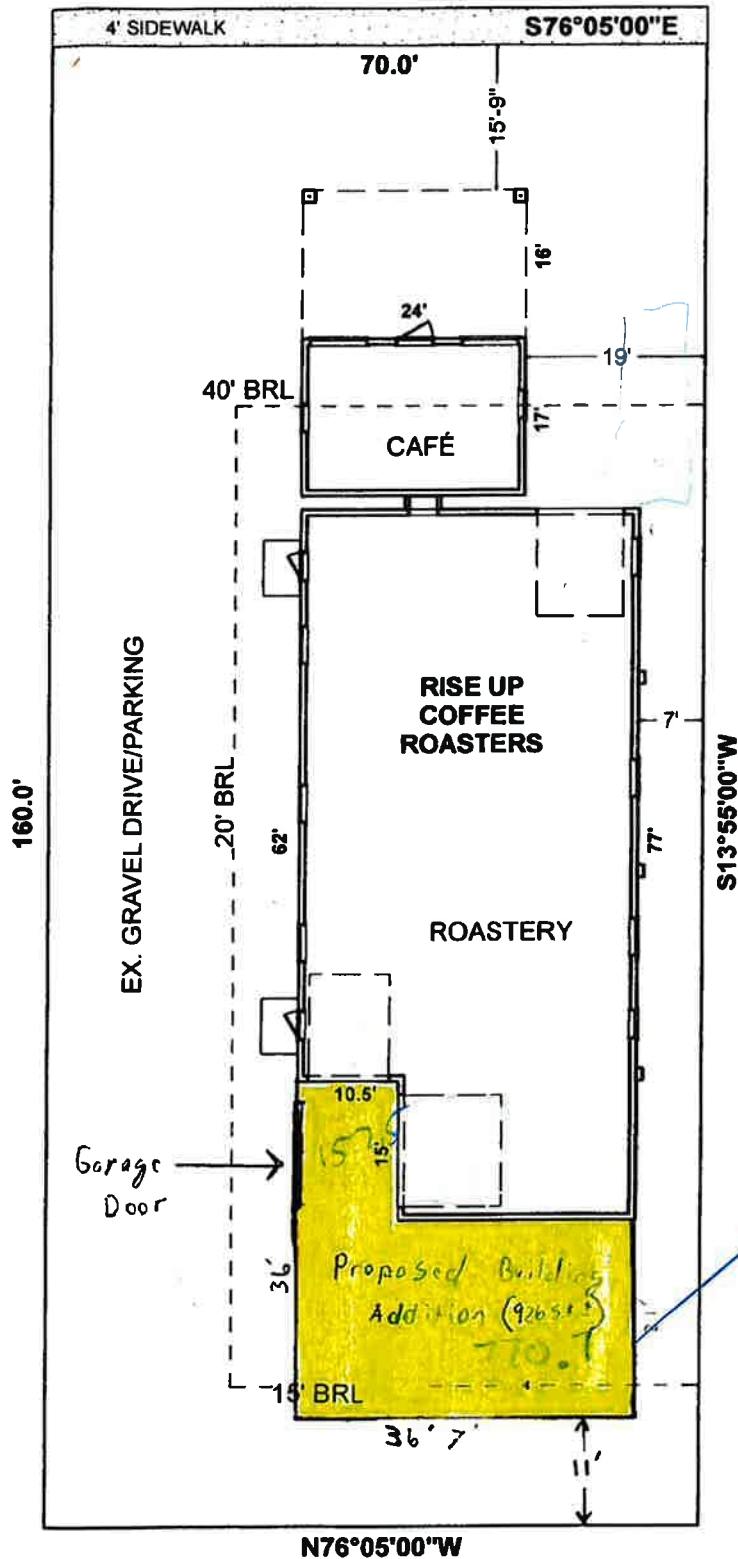
SUBM: 1

Status: **Approved as Noted**

Easton Utilities Commission has reviewed the above referenced plans and have provided the following comments. Please provide your corrections as listed below. Additional reviews will be required to ensure comments have been addressed. Items or documents not provided on initial submission will be subject to further review. Please contact Kia Gibbs, Admin Support at kgibbs@eucmail.com should you have any questions.

ITEM:	DRAWING / PAGE	COMMENTS:
1	General	Capital charges required for addition. Provide usage of structure.
2	General	Contact Easton Utilities for possible electric relocation.

Dover



~~920.5~~
928.2
Capital charges
Required

RISE UP COFFEE ROASTERS
618 DOVER RD
EASTON MD 21601

SCALE: 1" = 20' 0"



TOWN OF EASTON
PO Box 520
Easton, Maryland 21601
(410)-822-2526 Fax (410)-822-8738



Office of Building Inspection.

ESDR- Building Inspection and Permit Department Comments

Date: December 26, 2023

**Project;
Rise- Up Addition
618 Dover Road
Easton, Maryland 21601**

A Town of Easton Building Permit is required for all new construction that involves alteration to an approved existing building.

Contact this Department and verify current Building Codes including the Town of Easton's modifications prior to preparation of Building plans.

The following lists items that are required on the construction drawings in order to apply for a Building Permit.

- Indicate the type of construction addition and level of alterations to existing structure.
- Construction Documents (3 sets) for new construction will be required. Documents must be prepared by Maryland Registered Architect, with original plans signed and sealed. A code analysis completed by the Architect including, classification (use group), construction type, fire separation and occupant loads.
- Items that must be addressed by the construction documents will be structural strength, means of egress (include travel distance), facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, **Accessibility**, and other safety requirements for public access.
- All mechanical, electrical, and plumbing permits as required must include construction documents signed and sealed by a professional engineer and by a responsible party for the contractor receiving the permit. Be sure the Town of Easton modifications are included. Section 6-16 of the Town Code.
- Pursuant to Town of Easton Ordinance 477, Chapter 9 Fire Protection, Article VII Security Key Lock Boxes, a lockbox shall be provided on the exterior of the building and shall be located as required by the chief of the Easton Volunteer Fire Department, Inc. (410-822-4848).

- **State Fire Marshal**, (410-822-7609) plan review and inspections are required. It is your responsibility to contact them and make application.
- **Talbot County Health Department**, (410-770-6886) Commercial Kitchens and Restaurants if allowed should check for any special requirements.

An appointment may be set up with this department to review your permit application materials prior to permit application submission.



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

RECEIVED
NOV 07 2023
TOWN OF EASTON

Planned Redevelopment Overlay Application

Application Type

Subdivision ☐

Site Plan ☒

Subdivision Information

Name
Original Property Size Acres Square Feet
Number of Lots Proposed

Site Plan Information

Property Size Acres Square Feet
Structure's Floor Area Structure's Square Feet

Property Information

Address
Tax Map Grid Parcel Lot
Deed Reference: Liber Folio
Plat Reference: Liber Folio
Zoning District Historic District Y ☐ N ☒
Source of Electricity

Owner

Name
Mailing Address
Telephone No. Email

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Applicant or Agent

Name
Mailing Address
Telephone No. Email

Request Details

Please describe the purpose of the request being including all information pertinent to said request.

Attach a formal letter detailing request.

See Attached

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach seven (7) copies of scaled site plan with all dimensions of lot, setbacks, proposed improvements and the distances between improvements.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information related to the request being made..
- ESDR Review Letter
- \$150 Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent


Date 11/07/2023

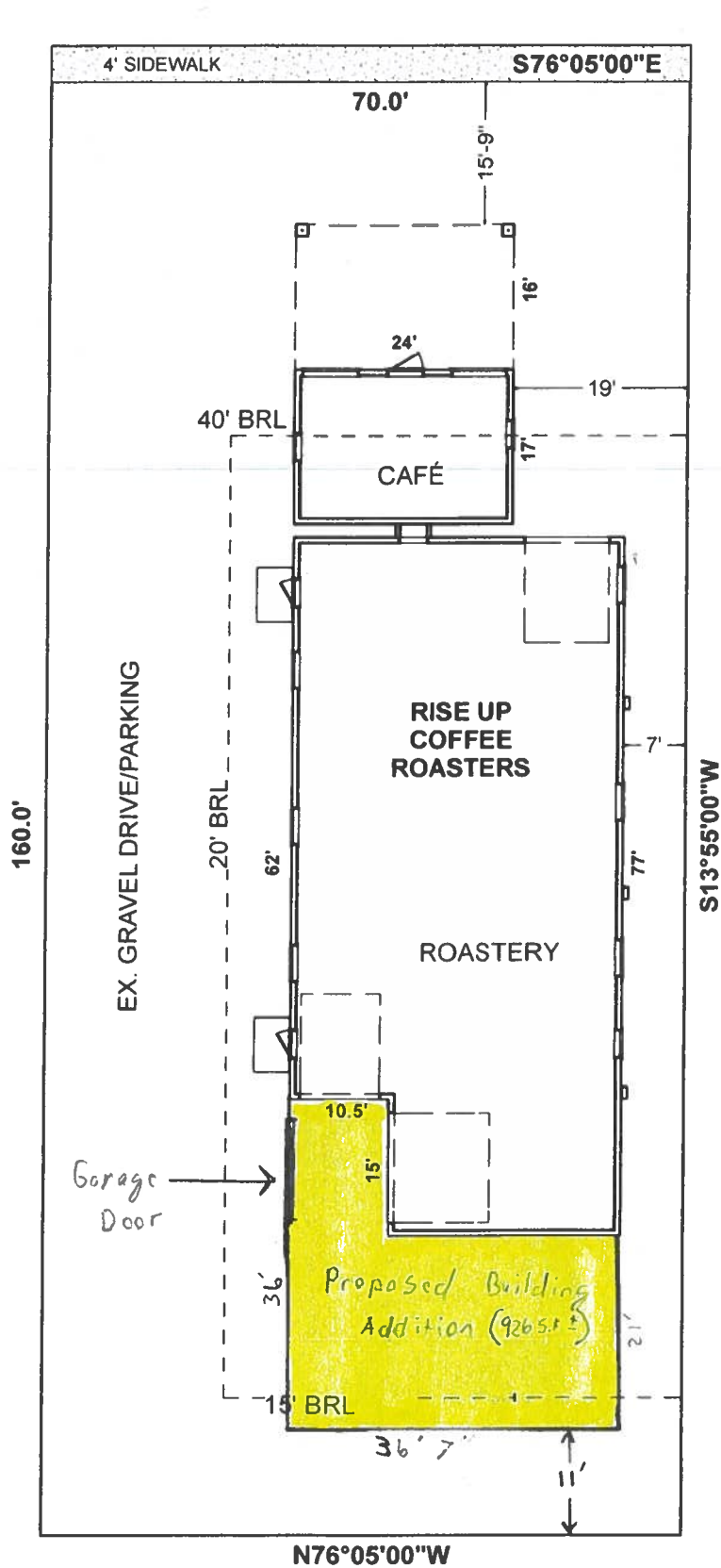
Printed Name of Applicant or Agent

Zach Smith, Agent

For Office Use Only

Project Number ESDR 23-25 /	PR 24-01	Fee Received	11/09/2023
Application Number	2023-1079	Application Notification	01/11/2024
Filing Date	11/07/2023	Property Posting Date	01/03/2024
PC Meeting Date	01/18/2024	Notice(s) Published	01/03/2024
If ESDR, Date	12/27/2023		
Final Approval Date			
Recordation Date			

Revised 2-2019



RISE UP COFFEE ROASTERS
618 DOVER RD
EASTON MD 21601

SCALE: 1" = 20' 0"





TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

January 31, 2024

Dear Resident,

The Easton Planning Commission will hold a public meeting on **Thursday, February 15, 2024 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application 2023-1079 has been filed on behalf of Rise Up Dover Road LLC to request Sketch Site Plan and Architectural approval for the construction of a 926 sq. ft., one-story addition to the rear of the existing building on the property located at 618 Dover Road, also known as Tax Map 105, Grid 0EA, Parcel 1021.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

APG Media of Chesapeake, LLC

29088 Airpark Drive
Easton, MD 21601

Phone: Fax:

INVOICE
01/29/24

Cust. AcctID:	Creation Date: 01/29/24
	Ad Date: 01/31/24
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Words: 427
Address: PO Box 520	Lines: 70
EASTON, MD 21601	Agate Lines: 324
	Depth: 9.0
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Planning Comm Meeting	

Other Charges:
Discount:
Surcharge:
Credits:
Bill Depth:

Total:
Paid Amount:
Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts
The Star Democrat	01/31/24	01/31/24	1

Ad Note:

Sign posted on January 30, 2024

Customer Note:

*We Appreciate Your Business!
Thank You Joanne Drummer!*

**Planning Commission
MEETING AGENDA**
Thursday, February 15, 2024 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Please continue to check our website at:
<https://eastonmd.gov/1294/agendas-minutes>
for agenda updates.

- Call to Order
- Approval of Minutes.
 - Approval of the Decision Summary from the January 18, 2024 meeting.
- Old Business
 - Applicant:** Shoregate of Cannery Commercial LLC
File No.: 2023-1-996
Location: 108 North East Avenue
 Tax Map 103, Grid OEA, Parcel 0763
Zoning District: B-C
Nature of Request: Architectural approval of three (3) multifamily residential buildings and an amenity building.
 - Applicant:** Habitat for Humanity
File No.: 2024-1-109
Location: 310 South Street
 Tax Map 104, Grid OEA, Parcel 1864, Lot 10
Zoning District: R-7A
Nature of Request: Amendment to a previously approved Planned Redevelopment (PR) Overlay application for a reduced side-yard setback. In July of 2023 the applicant received site plan approval for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback.
 - Applicant:** Amistead, Lee, Rust, & Wright, P.A.
File No.: 2021-1-473
Location: 29659 Matthewestown Road - Gannon Range
 Tax Map 105, Grid OGD, Parcel 0445
Zoning District: PUD with a base zoning district of A-1
Nature of Request: Request for an extension of a previously approved Planned Unit Development (PUD) application through December 31, 2024 for the development of a mixed-use subdivision. The project was approved by the Town Council pursuant to Ordinance No. 773, with an effective date of March 13, 2022.
- New Business
 - Applicant:** Rise Up Dover Road LLC
File No.: 2023-1-1078
Location: 618 Dover Road - Rise Up Coffee
 Tax Map 105, Grid OEA, Parcel 1021
Zoning District: CB
Nature of Request: Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road.
 - Applicant:** GLM Architecture LLC
File No.: 2024-1-1120
Location: 8031 Ocean Gateway - Taco Bell Tax Map 105, Grid 005, Parcel 2844, Lot 2
Zoning District: C-2
Nature of Request: Architectural approval for reconstruction to the exterior of the property destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.
- Discussion Item
 - Continued discussion of New Town Design Guidelines.
- Adjournment.

3045402 SD 1/31/2024





TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: April 20th, 2023
TO: Lynn Thomas – Town Planner
Cc: Rick Van Emburgh – Town Engineer
Aaron Goller – EUC
FROM: Sierra Clem – Engineering Department
SUBJECT: 8091 Ocean Gateway

Our office has reviewed the application dated 1/29/2024 for the proposed renovation of the existing Taco Bell located at the subject property. At this time our Department has no further comments as the application does not require a grading permit or right of way permit, the proposed work does not propose any impacts to the site outside of architecture and interior renovation work.



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520

Date of Meeting: February 15, 2024

4b

STAFF MEMORANDUM

To: Easton Planning and Zoning Commission
From: Joseph Mayer, Plan Reviewer
Date: February 8, 2024
Subject: **Architectural approval to convert the existing KFC/Taco Bell building into a standalone Taco Bell at 8091 Ocean Gateway**
Zoned: Commercial General District (CG)

GLMV Architecture LLC % Rosa Paddock, requests architectural approval at their site on 8091 Ocean Gateway for a standalone Taco Bell restaurant. In summary, the original KFC/Taco Bell, constructed in 2007, sustained a structural fire on October 26, 2023. The owner of the property, Christina Marie, LLC, has received approval for a Demolition Permit Application on November 15, 2023 for the removal of interior items. The primary building and its supporting infrastructure was constructed for Taco Bell prior to December 17, 1991 per the October 15, 1999 "ALTA/ACSM Land Title Survey". The Applicant is requesting architectural approval from the Planning Commission for their updated exterior building image, signage and lighting.

The Applicant will need to coordinate with the Talbot County Health Department and Building Inspection Division for all applicable permits prior to installing the new exterior architectural changes, Drive-Thru equipment with updated signage and lighting, and interior new finishes and furniture at the dining room.

As this application is necessitated by a structure fire, most of the elements of site plan review do not apply as the site layout and improvements are not changing. However, if you have been by

the property in the past few months you will note that the outer facade has been removed and will be replaced. Item #11 of the sketch site plan review thus comes into play. It states (that a sketch site plan submission shall consist of):

11. Conceptual building elevations or renderings illustrating the character, scale, and materials of all proposed structures. Such elevations or renderings shall be sealed by a licensed professional as described above. Architecture should be in conformance with the Comprehensive Plan and Architectural Guidelines adopted by the Planning Commission.

The primary architecture-related guidance provided by the Comprehensive Plan for this circumstance can be found in Design Principle #5 in the Community Character Chapter (see pages 101-106), which is “Architecture Should Respect Easton's Historical Development.” The most applicable statement is found at the very beginning of the second paragraph: “One thing that is clearly not welcome in Easton is generic, corporate franchise architecture.” This sentiment has guided Town review of commercial architecture since the 1997 Plan. It was used in the review of the site plan for this very building when it was constructed as a combination KFC/Taco Bell in the late 2000’s. In fact, the building is included amongst the illustrations (see page 105) depicting buildings reviewed per the guidance of the Town’s 2006 Design Guidelines for New Development.

RECOMMENDED CONDITION:

Should the Planning Commission (Commission) approve the architecture, staff recommends approval with the condition of the Applicant obtaining all applicable permits.

DRAFT MOTIONS:

1. I move that the Planning Commission approve the architecture conditioned upon staff's recommended condition.

OR

2. I move that the Planning Commission continue the application to the March 21st Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2024.01.26 Concept Use & Design Application, paper copy & PDF
2. 2024.01.26 GLMV Architecture Transmittal, paper copy & PDF
3. 2024.01.29 Application No.2024-1120 Proof of Payment, paper copy & PDF
4. 2024.01.29 Elevations 8091 Ocean Gateway, paper copy & PDF
5. 2024.01.29 Floor Plan 8091 Ocean Gateway, paper copy & PDF

6. 2024.02.01 TOE Engineering - Taco Bell Review Letter, paper copy & PDF



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

RECEIVED
JAN 25 2024
TOWN OF EASTON

Planning Commission Concept, Use, and Design Application

Site Information

Structure's Floor Area	2362.73	Structure's Square Feet	2362.73
Area of Disturbance	NA	Number of Dwelling Units	NA
Property Size	Acres 1.096	Square Feet	
Address	8091 Ocean View Rd		
Tax Map	105	Grid 0	Parcel 2844 Lot 2
Zoning District	CG	Historic District Y ☐ N ☒	PRD Y ☐ N ☒
Other Information			
Existing Use	Restaurant		

Owner

Name	ABTB Mid-Atlantic, LLC Contact: David Panella		
Mailing Address	245 Amity Road, Suite 200, Woodbridge, CT 06525		
Telephone No.	860-424-6104	Email	dpanella@southpaw.co

Applicant / Agent

Name	GLMV Architecture LLC Contact: Rosa Paddock		
Mailing Address	1525 E. Douglas Avenue, Wichita, KS 67211		
Telephone No.	316-265-9367	Email	rosa.paddock@glmv.com

General Information:

Updated exterior image, signage and lighting.
New Drive-Thru equipment.
Updated signage and lighting.
New finishes and furniture at dining room.

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Rosa M. Paddock
Date January 24, 2024

Printed Name of Applicant or Agent

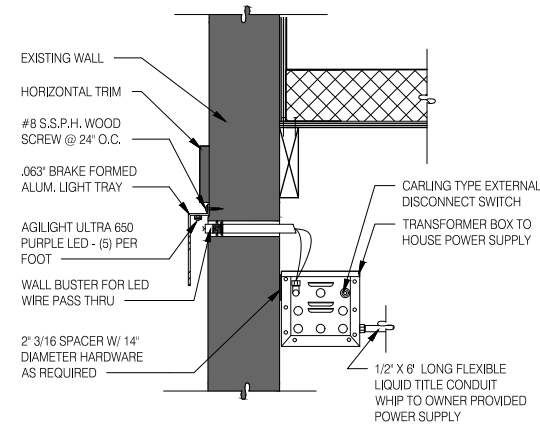
Rosa M. Paddock

For Office Use Only

Planned Commission Meeting Date	02/15/2024	Application No.: 2024 - 1120
Review Fee Amount	\$250.00	
Review Fee Paid Date	01/25/2024	
ESDR Y / N Date	-	

Revised 02-2019

TACO BELL
8091 OCEAN GATEWAY
EASTON, MD



AGILIGHT - STRIP LIGHT (PURPLE)



42" BELL (12 SF)



14" LETTERS (9.9 SF)
DAY BLACK/NIGHT WHITE



SHERWIN WILLIAMS
CYBERPACE
METAL PARAPET CAP

METAL EYEBROW CANOPY
6" HIGH

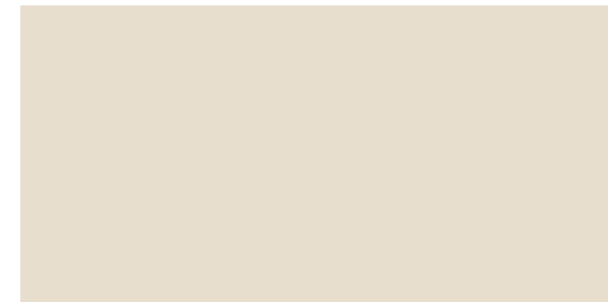


EXTERIOR WALL SCONCE

SHERWIN WILLIAMS - TACO BELL PURPLE



SHERWIN WILLIAMS -WORLDLY GRAY



SHERWIN WILLIAMS - AGED WHITE



GLEN GERY - CRANBERRY
THIN BRICK

JAMES HARDIE
SIDING/TRIM

COLOR/MATERIAL BOARD



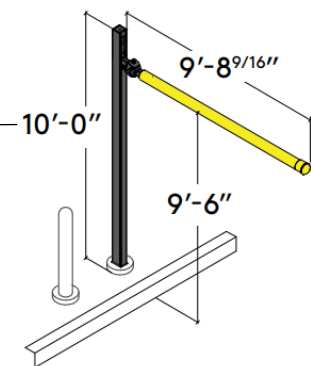
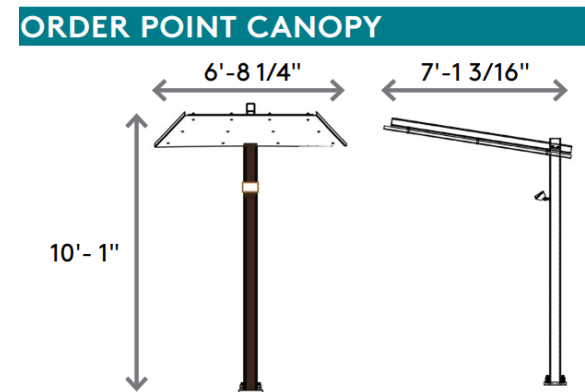
GLMVArchitecture



TACO BELL 8091 OCEAN GATEWAY EASTON, MD



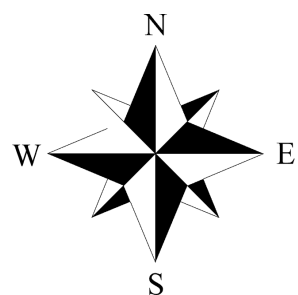
REFACE EXISTING PYLON SIGN



REPLACE EXISTING
SITE LIGHT FIXTURE HEAD
(WHERE OCCURS)



SITE PLAN
N.T.S





TACO BELL
8091 OCEAN GATEWAY
EASTON, MD



FRONT ELEVATION
WEST



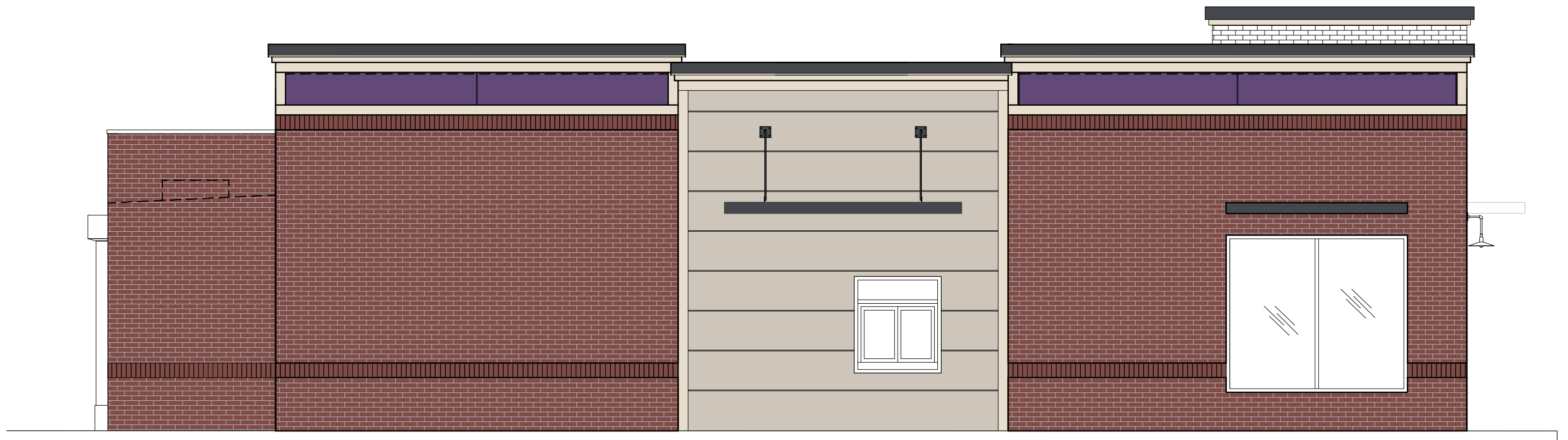
TACO BELL
8091 OCEAN GATEWAY
EASTON, MD



RIGHT ELEVATION
SOUTH



TACO BELL
8091 OCEAN GATEWAY
EASTON, MD



LEFT ELEVATION
NORTH



TACO BELL
8091 OCEAN GATEWAY
EASTON, MD



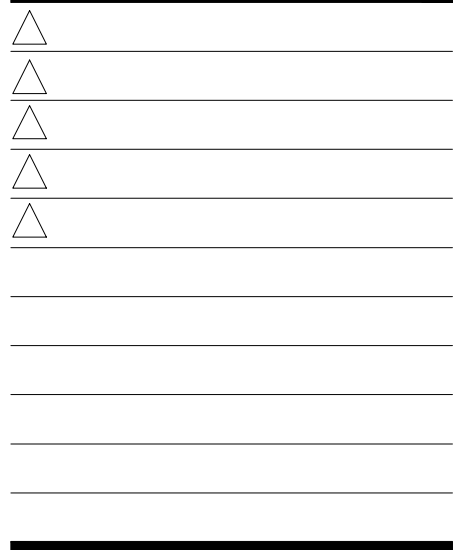
REAR ELEVATION
EAST



GLMV Architecture
 1525 E. Douglas Wichita, KS 67211
 Tel: (316) 265.9367
www.glmv.com



22772R23006



TACO BELL



EXTERIOR ELEVATIONS

A4.0

Page 111 of 185



E

V-XXX	QTY	ITEM DESCRIPTION	ELEC
SIDE ENTRY			
V-XX1	1	AWNING	A4.0
TOWER			
V-XX2	1	AWNING	A4.0
V-XX3	1	AWNING	A4.1
V-09.14W	1	14" WHITE CHANNEL LETTERS VERTICAL	A4.1
FRONT ENTRY			
V-XX4	1	AWNING	A4.1
V-XX5	1	AWNING	A4.1
V-04.42	1	42" SWINGING BELL PURPLE LOGO FACE LIT	A4.1
DRIVE THRU			
V-XX6	1	AWNING	A4.1
V-101.DT	1	4'-0" x 9'-0" DT CANOPY, BLACK	A4.1



SIGNAGE / AWNING SCHEDULE

C

*GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AS-BUILT MEASUREMENTS FOR NEW AWNINGS TO THE SIGNAGE VENDOR.

GENERAL NOTES

A

KEY NOTES

B

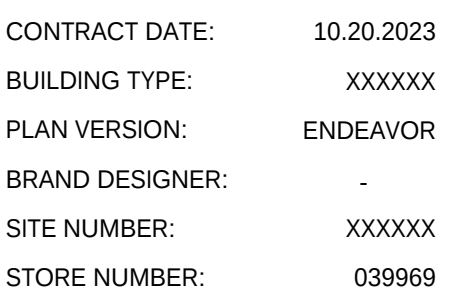
D | KEY NOTES

NOTE: FOR CONTACT INFORMATION, SEE C/A7.2

LEFT SIDE ELEVATION	1/4"=1'-0"	1
---------------------	------------	---



22772R23006



8091 OCEAN GTWY
EASTON, MD



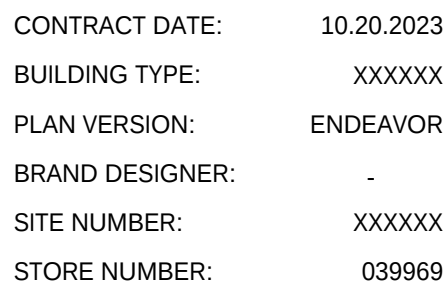
A4.1

REAR ELEVATION	1/4" = 1'-0"	3
----------------	--------------	---





22772R23006



ENDEAVOR DECOUPLE

A1.0

Page 113 of 185



A



B

D



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

January 31, 2024

Dear Resident,

The Easton Planning Commission (Commission) will hold a public meeting on **Thursday, February 15, 2024 at 1:00 p.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that GLMV Architecture LLC has filed application 2024 - 1120 on behalf of ABTB Mid-Atlantic, LLC to request architectural approval for reconstruction to the exterior of the property located at 8091 Ocean Gateway, also known as Tax Map 105, Parcel 2844, Lot 2. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishing in the dining area that received damage during a structure fire that occurred in October of 2023.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

APG Media of Chesapeake, LLC

29088 Airpark Drive
Easton, MD 21601

Phone: Fax:

INVOICE
01/29/24

Cust. AcctID:	Creation Date: 01/29/24
	Ad Date: 01/31/24
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Words: 427
Address: PO Box 520	Lines: 70
EASTON, MD 21601	Agate Lines: 324
	Depth: 9.0
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Planning Comm Meeting	

Other Charges:
Discount:
Surcharge:
Credits:
Bill Depth:

Total:
Paid Amount:
Amount Due:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts
The Star Democrat	01/31/24	01/31/24	1

Ad Note:

Sign posted on January 30, 2024

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

Planning Commission
MEETING AGENDA
Thursday, February 15, 2024 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Please continue to check our website at:
<https://eastonmd.gov/129/Agenda-Minutes>
for agenda updates.

- Call to Order
- Approval of Minutes.
- Approval of the Decision Summary from the January 18, 2024 meeting.
- Old Business
 - Applicant: Shoregate of Cannery Commercial LLC
File No.: 2023-999
Location: 108 North East Avenue
Tax Map 103, Grid OEA, Parcel 0763
Zoning District: B-C
Nature of Request: Architectural approval of three (3) multifamily residential buildings and an amenity building.
 - Applicant: Habitat for Humanity
File No.: 2024-109
Location: 310 South Street
Tax Map 104, Grid OEA, Parcel 1864, Lot 10
Zoning District: R-7A
Nature of Request: Amendment to a previously approved Planned Redevelopment (PR) Overlay application for a reduced side-yard setback. In July of 2023 the applicant received site plan approval for the development of five (5) single family detached units, and is now seeking a reduction of the western building restriction line from 6' to the proposed 5' building setback.
 - Applicant: Amistead, Lee, Rust, & Wright, P.A.
File No.: 2023-473
Location: 29659 Mattheiweil Road - Gannon Range
Tax Map 105, Grid OGD, Parcel 0045
Zoning District: PUD with a base zoning district of A-1
Nature of Request: Request for an extension of a previously approved Planned Unit Development (PUD) application through December 31, 2024 for the development of a mixed-use subdivision. The project was approved by the Town Council pursuant to Ordinance No. 173, with an effective date of March 13, 2022.
- New Business
 - Applicant: Rise Up Dover Road LLC
File No.: 2023-1078
Location: 618 Dover Road - Rise Up Coffee
Tax Map 105, Grid OEA, Parcel 1021
Zoning District: CB
Nature of Request: Sketch Site Plan and Architectural approval to construct a one-story addition to the rear of the existing building located within the Planned Redevelopment (PR) Overlay District at 618 Dover Road.
Applicant: GLM Architecture LLC
File No.: 2024-1120
Location: 8021 Cocoa Gateway - Taco Bell Tax Map 105, Grid 005, Parcel 2844, Lot 2
Zoning District: CO
Nature of Request: Architectural approval for reconstruction to the exterior of the property destroyed by a structure fire in October of 2023. The proposed reconstruction includes new signage, updated lighting and drive-thru equipment, and new furnishings in the dining area.
- Discussion Item
 - Continued discussion of New Town Design Guidelines.
- Adjournment.

3045402 SD 1/31/2024



DURABILITY

FINANCIAL - INFRASTRUCTURE
LONGEVITY
CLIMATE CONSCIOUSNESS
MATERIALS
GREEN DESIGN
SITING
SACREDNESS
CULTURAL DURABILITY
LOCAL HISTORICAL CONTEXT
ORGANIC
LOGICAL
RESPECT FOR STREETSCAPE
SAFETY

USEFULNESS

SCALE
COMMUNITY BENEFIT
← ADAPTABILITY →
MULTIMODAL
ACCESSIBLE - FINANCIAL
IDENTITY
REFLECTIVE OF THE COMMUNITY
FORMAT
← OPEN SPACE
SITING
CONNECTION →
BEING A GOOD NEIGHBOR
INCLUSIVE - ECONOMICS, CULTURE
CURIOSITY
SHELTERING - EMBRACING
SAFETY

BEAUTY

EMOTIVE
SCALE
SENSE OF PLACE
APPEARANCE OF MATERIALS
UNIQUENESS
VARIETY - AVOIDING MONOTONOUS
RHYTHM
BALANCE
MANIPULATION OF LIGHT
PROPORTION
CONTEXTUAL CONTINUITY
HONESTY - AUTHENTICITY
CONVERSATION
TEXTURE
COLOR

ARTISTIC - AESTHETIC
PEACEFUL
MASSING
HARMONY
TEMPO
MELODY
CURIOSITY
SACRED
SYSTEMATIC - LOGICAL
TENSION/RELEASE
TREASURED

DURABILITY

FINANCIAL - INFRASTRUCTURE
LONGEVITY

CLIMATE CONSCIOUSNESS

MATERIALS

GREEN DESIGN

SITING

SACREDNESS

CULTURAL DURABILITY

LOCAL HISTORICAL CONTEXT

ORGANIC

LOGICAL

RESPECT FOR STREETSCAPE

SAFETY

USEFULNESS

SCALE

COMMUNITY BENEFIT
← ADAPTABILITY →
MULTIMODAL

ACCESSIBLE - FINANCIAL

IDENTITY

REFLECTIVE OF THE COMMUNITY

FORMAT

← OPEN SPACE

SITING

CONNECTION →

BEING A GOOD NEIGHBOR

INCLUSIVE - ECONOMICS, CULTURE
CURIOSITY

SHELTERING - EMBRACING

SAFETY

BEAUTY

EMOTIVE

SCALE

SENSE OF PLACE

APPEARANCE OF MATERIALS

UNIQUENESS

VARIETY - AVOIDING MONOTONOUS

RHYTHM

BALANCE

MANIPULATION OF LIGHT

PROPORTION

CONTEXTURAL CONTINUITY

HONESTY - AUTHENTICITY

CONVERSATION

TEXTURE

COLOR

ARTISTIC - AESTHETIC

PEACEFUL

MASSING

HARMONY

TEMPO

MELODY

CURIOSITY

SACRED

SYSTEMATIC - LOGICAL

TENSION/RELEASE

TREASURED

Durability:

Financial Infrastructure
longevity
climate conscious
materials
green design
siting
adaptability
open space
sacredness
cultural durability
local historical context
organic
logical
respect for street space
safety

Usefulness:

scale
community benefit
adaptability
multi modal
accessible -financial
identity
reflective of community
format
open space
siting
connection
being a good neighbor
inclusive - economics, culture
curiosity
shelter-embracing
safety

Beauty:

Emotive
connection
adaptability
scale
scene of place
appearance of materials
uniqueness
variety
rhythm
balance
manipulation of light
proportion
contextual continuity
honesty
conversation
texture
color
peaceful
massing
harmony
tempo
melody
curiosity
sacred
systemic - logical
tension / Release
treasured

**PLANNING COMMISSION
INFORMATION ITEM**

SUBJECT: Draft Inclusionary Zoning Ordinance

WARD DISTRICT: Townwide

STAFF CONTACT: Miguel Salinas, Director, P&Z

PURPOSE: To discuss the components of a draft Inclusionary Zoning Ordinance (Attachment 1).

BACKGROUND:

According to the annual Income Limits Summary published by the United States Department of Housing and Urban Development (HUD), the FY 2023 Median Family Income (MFI) for Talbot County is \$107,900.¹ The County's MFI is 16% higher than the average MFI for the eastern shore of Maryland (excluding Cecil County) and second only to Queen Anne's County.

HUD sets income limits that determine eligibility for assisted housing programs including the Public Housing, Section 8 project-based, Section 8 Housing Choice Voucher, Section 202 housing for the elderly, and Section 811 housing for persons with disabilities programs. HUD's Income Limits Summary Table for Talbot County (Table 1 below) includes income limit categories based on the MFI for Low Income, Very Low Income, and Extremely Low Income categories adjusted for family size.

Table 1: Talbot County Median Family Income and Income Limits Summary²

FY 2023 Income Limit Area	Median Family Income Click for More Detail	FY 2023 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Talbot County, MD	\$107,900	Very Low (50%) Income Limits (\$) Click for More Detail	36,200	41,400	46,550	51,700	55,850	60,000	64,150	68,250
		Extremely Low Income Limits (\$)* Click for More Detail	21,700	24,800	27,900	31,000	35,140	40,280	45,420	50,560
		Low (80%) Income Limits (\$) Click for More Detail	57,900	66,200	74,450	82,700	89,350	95,950	102,550	109,200

¹ This number is calculated using the 5-year 2017-2021 American Community Survey MFY estimate (\$96,226) with an inflation factor adjustment based on the cumulative change in the national Consumer Price Index.

² Source: Department of Housing and Urban Development, Office of Policy Development and Research

Based on a brief analysis, staff concludes that the limited supply of market-rate homes for sale and apartments for rent in and around Easton are not attainable to a large percentage of our workforce. Below are two examples.

Example 1: A family of four making 80% of the MFI should spend no more than 30% of their monthly income on housing.³ The current median price of a new or existing home for sale in the Town of Easton and its immediate area is \$474,000.⁴ Assuming a 3% down payment at an interest rate of 6.67% on a thirty (30) year, fully amortizing fixed rate mortgage, the total monthly mortgage payment (Principal and Interest only) is \$2,957⁵. In comparison, a family of four in Talbot County making 80% of the Easton MFI (\$79,164) can have a monthly affordable mortgage payment of \$978 without being cost-burdened;⁶ or a home at an affordable sales price of \$181,500.

Example 2: A physical therapy assistant with an associate degree making approximately \$54,000 per year can have a monthly affordable rental rate of \$1,310⁷. However, available apartments at that rate are severely limited. A recent search on the real estate website zillow.com does not list any home for rent under that price. The website apartments.com lists only Chatham Village Apartments offering a 1-bedroom starting at \$1,200 per month. For a graphic designer making \$45,000 per year or a restaurant cook making \$32,000 per year (less than 50% of the MFI, defined by HUD as very-low income), there are virtually no attainable market-rate apartments or homes on the market available for rent.⁸

There are also no opportunities for attainable housing in the unincorporated areas of Talbot County. The County's comprehensive plan places high value on the protection of the shoreline, waterway, and agricultural lands, equally important goals as attainable housing. The County's plan to accomplish this is twofold: restrict the extension of sewer outside of development and growth areas that surround the towns and to take a restrictive approach toward the use of land over which it has zoning authority.⁹ To implement these objectives, the County's zoning regulations prohibit all housing types except single-family; the zoning districts are characterized as very low density; and the bulk requirements for each lot include large minimum lot sizes and low maximum lot coverage requirements. The end effect is housing segregation due to the cost of land and development supporting only higher-end housing in the unincorporated areas of

³ The 30% is adjusted for property taxes, HOA fees, mortgage insurance premiums, utility costs, and an allowance for typical maintenance and repairs.

⁴ The median was based on a recent search by staff on the real estate market website zillow.com.

⁵ The interest rate is based on the Freddie Mac Weekly Mortgage Survey. A more typical 10% down payment results in a monthly mortgage payment of \$2,744.

⁶ The monthly affordable mortgage payment is based on 30% of a family of four making 80% of the MFI, after subtracting utility costs, real property taxes, mortgage insurance premium and a maintenance and repair allowance. Utility costs are derived from the Talbot County Housing Commission's average monthly utility allowance of housing choice voucher recipients; the property tax is based on a standard factor of 1.243 of the market price of the unit; and the maintenance and repair allowance is based on a 3-bedroom home at \$25 per bedroom.

⁷ The monthly affordable rental rate is based on 30% of a family of one making 80% of the MFI.

⁸ Wages are based on the 2021 Maryland Occupational Employment and Wage Estimates.

⁹ This policy is overridden for failing septic systems.

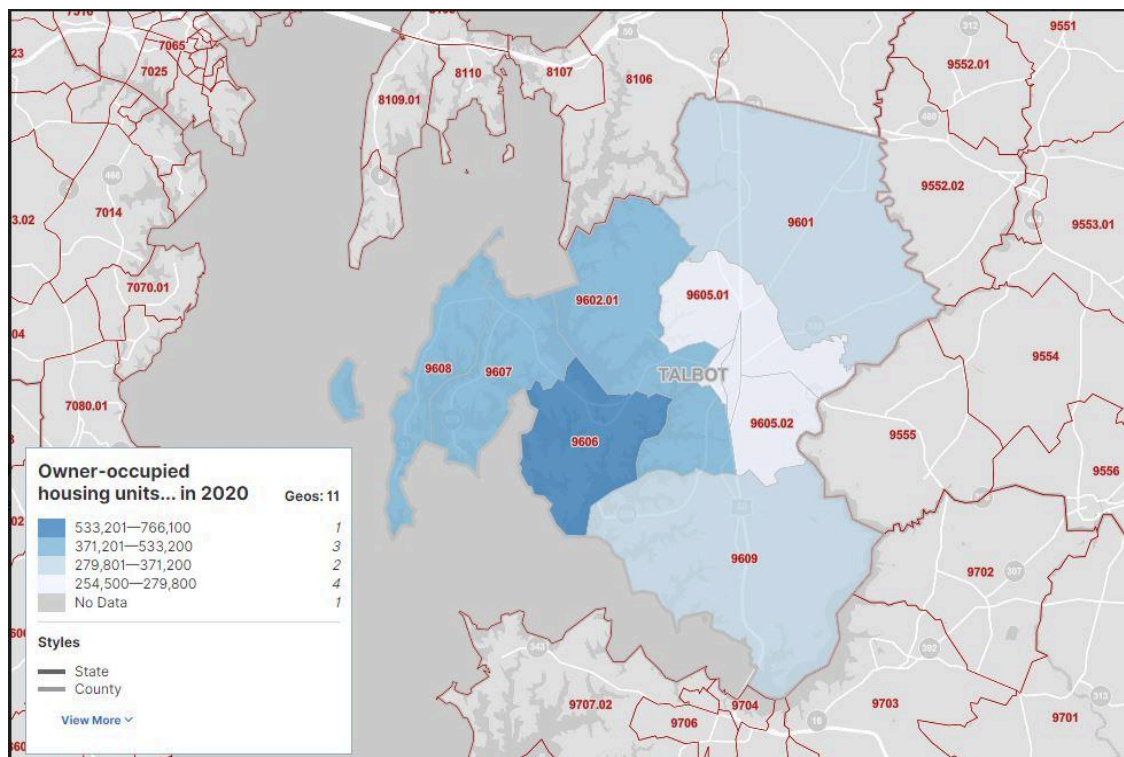
Talbot County. And as the graphics show below, housing segregation is the door to other types of segregation (see Graphics 1, 2, and 3 below).

As for the remaining towns outside of Easton, there are extremely limited areas for future growth and development adjacent to Oxford and St. Michaels. While Lakeside at Trappe, the new development in the Town of Trappe, will eventually provide approximately 2,500 homes, the approval of the Planned Unit Development by the Town of Trappe did not require any proffers for affordable or workforce housing.

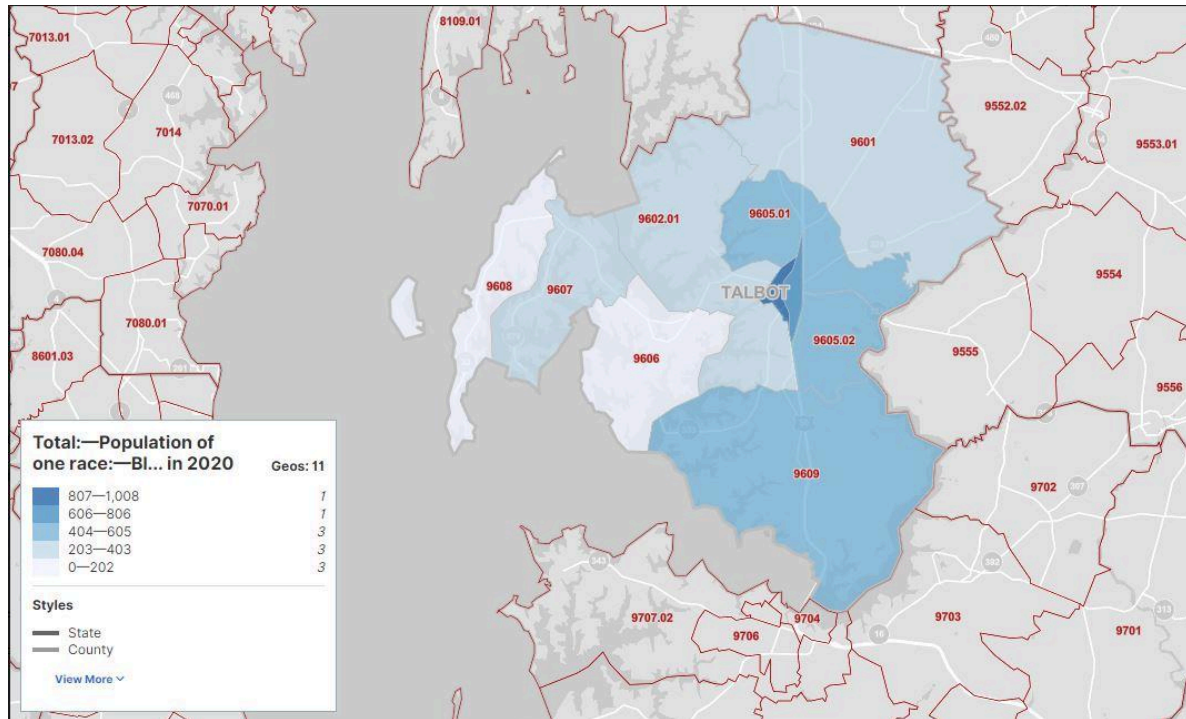
The Town of Easton is in the forefront of the current zoning reformation movement by adopting options and incentives for middle housing, such as triplexes, fourplexes, courtyard homes, cottage courts, and mansion apartments. However, infill options are currently limited. Habitat for Humanity Choptank has indicated that in 2024, the housing organization will run out of land to develop in Easton; the lots are too expensive to fit their model, with this occurring even though they receive 65 to 70 calls per month from people inquiring about eligibility. Where there is potential for infill development, private developers have to provide market rate housing to cover their costs due to limited density potential stemming from regulatory, infrastructure and site constraints (for example: historic district guidelines, limited space for off-street parking) and neighborhood opposition. Attainable housing opportunities in Easton from new greenfield developments are limited; the Town Code does not require attainable housing commitments from new development unless it's proffered from the developer.

The cumulative result of market forces, limited supply, and exclusionary zoning is that much of Easton's workforce has no choice but to live outside of Talbot County and commute into the Town of Easton for their jobs, primarily from Caroline and Dorchester Counties where housing is more affordable.

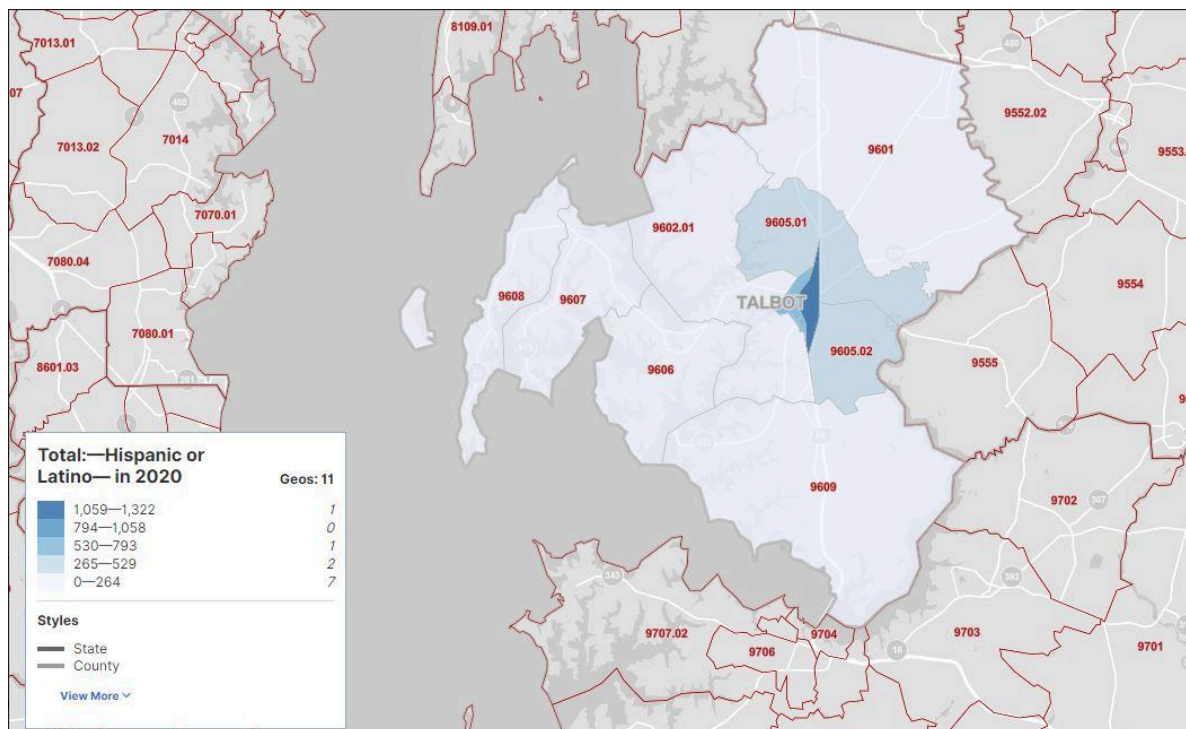
Graphic 1: Talbot County Median Value of Owner-Occupied Housing Units in 2020 by Census Tract



Graphic 2: Talbot County Black Population by Census Tract



Graphic 3: Talbot County Hispanic Population by Census Tract



Talbot County Smart Growth Survey

The lack of attainable housing is a concern to County residents. American Strategies, sponsored by the National Association of Realtors with support provided by the Mid-Shore Board of Realtors, designed and administered a telephone survey in June of 2022. The survey reached 325 adults, age 18 or older, who indicated they were registered to vote in Talbot County, Maryland (see Attachment 2 for a summary of their survey results).

The results of the survey indicated that residents are satisfied with their quality of life and they value the historic nature of Talbot's towns and villages and its natural resources, but they understand the need for additional housing – and in particular for more affordable housing for young people and those with lower incomes. Specific highlights are below:

- Residents are concerned about the County's affordable housing, where 51% say "creating more housing that is affordable to low and middle-income people" is a top priority
- A majority of Talbot residents consider the county's stock of available housing to be a "fairly big" or "very big" problem (60%)." Similarly, 66% consider housing affordability to be a problem in the county
- Looking at specific sectors of Talbot's housing market, 68% of residents believe there is too little housing for people with low incomes and for younger people who are just starting their careers. 60% also believe there to be too little housing for people who work in retail and service jobs, with the same number saying there are too few units available to rent full-time
- Talbot County residents are broadly supportive of government-led proposals to increase housing opportunities for the county
 - 67% percent of residents favor a proposal that requires developers to set aside sub-market rate housing for new projects and 62% favor providing tax breaks to developers who do so
 - Slightly smaller majorities are favorable toward proposals that change zoning laws to ease the process of building multi-family units (57%), and proposals that reduce government fees and regulatory barriers for builders (56%)

Draft Inclusionary Housing Ordinance

§ 3-114 of the Annotated Code of Maryland requires a housing element in comprehensive plans that addresses the need for affordable housing within a local jurisdiction, including for workforce and low-income housing. The law further states that local jurisdictions have a duty to affirmatively further fair housing through their housing and other programs and that the housing element of a comprehensive plan enacted or amended on or after January 1, 2023 include an assessment of fair housing to ensure that the local jurisdiction is furthering fair housing.¹⁰

¹⁰ "Affirmatively further fair housing" means to take meaningful actions, in addition to actions aimed at combating discrimination, to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to housing and opportunity based on protected characteristics. It also includes to take meaningful actions that, taken together: (i) address significant disparities in housing needs and access to opportunity; (ii) replace segregated living patterns with truly integrated and balanced living patterns; (iii) transform racially and ethnically concentrated areas of poverty into areas of opportunity; and (iv) foster and maintain compliance with civil rights and fair housing laws.

In addition to any other zoning and planning powers granted by the State of Maryland, § 7-401 of the Annotated Code of Maryland expressly gives a local legislative body the authority to enact local laws that:

- 1) impose inclusionary zoning, and award density bonuses, to create affordable housing units; and
- 2) restrict the use, cost, and resale of housing that is created under this authority to ensure that the purposes of affordable housing are carried out.

Thus inclusionary zoning is one land use regulatory tool that can be used to further fair and attainable housing policies in local jurisdictions. Inclusionary zoning refers to zoning ordinance requirements that new residential development must include a percentage of its units to be built to accommodate affordably priced dwelling units, either for rental or home ownership. The control period, or time in which the units must remain available to households below a certain income level, typically varies from 20-99 years depending on ownership versus rental unit type.¹¹ Several Maryland jurisdictions have passed inclusionary zoning ordinances, including the counties of Montgomery and Queen Anne's, and the cities of Annapolis, Frederick and Baltimore.

Given the many challenges that the Town of Easton and Talbot County face in the provision of attainable housing, the adoption of an Inclusionary Zoning Ordinance for the Town of Easton is one way to respond to the crisis and add another tool in the toolbox of fair, equitable and affordable housing efforts currently undertaken by the Town.

The Inclusionary Zoning Ordinance for Council consideration was drafted after a review of existing ordinances in the Maryland jurisdictions of Annapolis, Queen Anne's County, and Montgomery County and in Loudoun County, Virginia and East Palo Alto, California.¹² Staff also consulted with Maryland Affordable Housing Coalition, the Virginia Housing Alliance, and the National Low Income Housing Coalition during the drafting of the ordinance. The Chair of the Easton Affordable Housing Board also reviewed the draft ordinance prior to Council distribution. The draft was discussed at three Town Council workshops in 2023¹³. Subsequent to the July workshop, the Council agreed to staff coordination of a Housing Work Group to review the draft Inclusionary Zoning Ordinance discussed at the three Council work sessions last year.

The work group included Council Members Maureen Curry and Rev. Elmer Davis, Mayor Megan Cook, Town Manager Don Richardson, Town Attorney Sharon VanEmburch, Miguel

¹¹ Maryland Department of Planning, Common Practices and Examples:

<https://planning.maryland.gov/Pages/OurWork/housing-element-mg/common-practices.aspx>

¹² Loudoun County was chosen for its location outside of Maryland and its similarity to Fairfax County, Virginia's and Montgomery County, Maryland's inclusionary housing ordinances. East Palo Alto, California was chosen because of its unique approach the provisions and management of their program; an example of a response to California's Housing Element Law, enacted in 1969, that required that all local governments adequately plan to meet the housing needs of everyone in the community; and as a response to exclusionary zoning and severe shortages of affordable housing combined with a reduction of federal housing subsidies. Over 170 California jurisdictions have inclusionary housing ordinances on the books.

¹³ The workshops were held on February 6, February 20, and July 17.

Salinas and Lynn Thomas from Planning and Zoning, Holly Dekarske from the Easton Economic Development Corporation, and Jim Bent from the Affordable Housing Board. The Housing Work Group met five times since July of last year and their work resulted in changes to the initial draft.

The updated draft is now ready for Planning Commission review and a recommendation to be forwarded to the Council prior to any introduction of legislation.

Below are brief descriptions of each section of the draft ordinance:

Section 1601: Purpose

Section 1601 acknowledges the housing problem in Easton due to rapidly increasing property values and the reduction in the availability of housing choices. The section also affirms the Town's commitment to addressing the issue, its commitment to a diverse and balanced community and the impact of an inadequate supply of attainable housing to attract and retain employers and maintain an adequate workforce.

Section 1602: Definitions

Section 1602 contains definitions of terms used in the draft ordinance. The Section establishes definitions for affordable rental rates and monthly affordable mortgage payments and establishes definitions for Very Low-Income (0-50% MFI), Low-Income (up to 60% MFI), Median-Income (up to 80% MFI), and Moderate-Income Households (up to 100% MFI). Note that the definition of Median Family Income states that the annual County MFI published by HUD will be adjusted each year by the Affordable Housing Board based on the Town of Easton's median income.

Section 1603: Intent

Section 1603 establishes the intent of the ordinance; namely to provide attainable housing, mitigate the impact of market rate housing on attainable housing due to limited supply, and promote the integration of attainable housing with market rate housing.

Section 1604: Authority

Section 1604 cites the section of the Annotated Code of Maryland that gives the authority to local jurisdictions to enact inclusionary housing regulations and award density bonuses to further attainable housing.

Section 1605: Applicability

Section 1605 establishes that the regulations apply to all residential developments which are the subject of a development site plan, preliminary plat, or building permit, whichever comes first.

Section 1606: Exemptions

Section 1606 exempts from the regulations any housing that is developed with less than 15 dwelling units, accessory dwelling units, cartian projects undertaken by housing organizations or a continuing care retirement community, projects undertaken by the Town of Easton, and projects developed under the Low-Income Housing Tax Credit Program.

Section 1607: Inclusionary Zoning Requirements

Section 1607 establishes when a 10% inclusionary zoning requirement is required: when residential development is proposed of 25 or more units for ***new construction or substantial rehabilitation*** of existing structures and when residential development is proposed of 30 or more units for ***adaptive reuse*** or the ***conversion of a nonresidential use to a residential use***. This difference is to recognize the potential increased costs for adaptive reuse, infill development, and redevelopment.

Below are additional elements of Section 1607:

- A. When inclusionary zoning is required for residential developments that include for-sale units, the for-sale Inclusionary Units are targeted towards median-income and moderate-income households. When Inclusionary Units are required for residential developments that include rental units, the rental Inclusionary Units are targeted towards very low-income and low-income households. The reason for the different target incomes is the assumption that households in the low and very-low income range have more limited resources for down payments and housing costs associated with home ownership besides mortgage payments, including housing repair and maintenance.
- B. If only one Inclusionary Unit is required, then the homes shall be targeted towards the lower range of household incomes.
- C. Fractional units are required to be rounded up to one full unit.
- D. Calculations of the required number of units are based on the number of units exclusive of any additional units proposed by the developer under the density bonus provisions of the ordinance.
- E. Developers cannot circumvent or avoid the Inclusionary Zoning Ordinance requirements by piecemealing or phasing developments.
- F. Provisions are outlined for the tracking of the required Inclusionary Units for each building permit application submitted.
- G. Developments that propose between 15 and 24 new dwelling units for new construction or substantial rehabilitation, or between 15 and 29 new dwelling units for redevelopment, are not required to build Inclusionary Units; they are required to pay a Cash In Lieu Fee.

Section 1608: Inclusionary Zoning Incentives

Section 1608 establishes incentives for the developer. These incentives include:

- A. For residential developments that require Inclusionary Units on the same site, the developer may receive up to a 20% density bonus above the maximum density allowed in the residential base zoning district (A-1, R-7A, R-10A, R-10M, CB, MXW).¹⁴
- B. If all required Inclusionary Units are provided on the same site, the developer may receive a variance of up to 20% from the dimensional requirements (lot size, lot frontage, lot coverage, height, and setbacks) without having to receive approval from the Board of Zoning Appeals. The developer may also receive a 20% modification from the parking requirements. The flexibility is provided to accommodate more units on the site when the developer chooses to utilize the density bonus.

¹⁴ Planned Unit Development, which is a discretionary floating district, may already allow for higher densities: 16 dwelling units per acre for PUD-General, 60 dwelling units per acre for PUD-Infill, and 30 dwelling units per acre for PUD-Redevelopment. The Planned Redevelopment Overlay District permits a density of up to 40 dwelling units per acre.

- C. Projects shall receive: 1) a cash subsidy from the Affordable Housing Fund for the deferral of impact fees, provided the funds exist, and 3) a real property tax abatement if the developer provides at least double the number of Inclusionary Units than what is required in the Inclusionary Zoning ordinance.¹⁵

D.

Section 1609: Alternative Compliance Options

Section 1609 provides alternative compliance options, including:

- A. Partnering with a qualified housing organization to build on-site Inclusionary Units or to partner with such organization to build off-site units within the Town limits provided the number of units provided is one and one-half times the required number of units. The preference is for the developer to provide the Inclusionary Units onsite so housing segregation is minimized, thus the one and one-half times the required number of units.
- B. Purchasing land within the Town or the growth area and donating it to a qualified housing organization to build the aforementioned one and one-half number of required units.
- C. For adaptive reuse or conversion of nonresidential to residential, when 30 or more dwelling units are proposed, the developer may provide a Cash In Lieu Fee, which would be based on the fees initially established by the Town Council.

Proposed off-site construction or Cash In Lieu Fees would be subject to certain conditions. The in lieu fees will be updated by the Affordable Housing Board on an annual basis, after the revised fees are approved by Town Council Resolution. Projects that choose this option are not eligible for the density bonus.

Section 1610: Inclusionary Housing Plan and Agreement

Section 1610 requires the developer to submit an Inclusionary Housing Plan with their residential development application (site plan, preliminary plat, building permit) for staff review. The plan describes how the development complies with the inclusionary zoning regulations, the Inclusionary Housing Guidelines (see Section 1612 below), and their marketing plan. The plan also describes how they will comply with all applicable fair housing and discrimination laws.

The Inclusionary Housing Agreement is a recorded legal document that ensures that all the requirements of the ordinance are satisfied. The specifics of the agreement are outlined in this section.

Section 1611: Percentage of Affordable Units

Section 1611 reaffirms the calculation of Inclusionary Housing units.

Section 1612: General Requirements for Inclusionary Units

Inclusionary Housing Guidelines are any requirements for implementation and administration of the Inclusionary Housing ordinance, as recommended by the Easton Affordable Housing Board and adopted by the Town Council. Adopted Inclusionary Housing Guidelines may include, but not be limited to, standards for determining household composition; income eligibility and prices

¹⁵ The incentive for real property tax abatement is only available if the Town Council establishes such an abatement program.

for sale and rental of Inclusionary Units; income limit schedules; inclusionary housing costs or carrying charges; design guidelines; provisions of continued monitoring of tenant eligibility; and document templates. Guidelines may also specify the contents of the Inclusionary Housing Plan. The Guidelines are reviewed and updated on a regular basis.

Section 1612 establishes what minimum requirements must be included in the Inclusionary Housing Guidelines adopted by the Town Council..

Section 1613: For-Sale of Inclusionary Units

Section 1613 establishes that guidelines will be established by the Affordable Housing Board for the method of calculation of the selling price of for-sale Inclusionary Units. The section also establishes that: 1) the developer is responsible for the screening and qualification of the initial purchaser of a for-sale Inclusionary Unit, 2) the for-sale Inclusionary Unit must be the primary residence of the purchaser, and 3) the purchaser of a for-sale Inclusionary Unit is required to execute and consent to the affordability restrictions at the settlement of the property.

Section 1614: Rental of Inclusionary Units

Section 1614 establishes that guidelines will be established by the Affordable Housing Board for the method of calculation of the affordable rental rate for the rental Inclusionary Units. The section also establishes that: 1) the developer, property owner, or property manager is responsible for verifying household income eligibility, 2) the Easton Affordable Housing Board is the entity that establishes and updates the Affordable Rental Rate and notifies the property owner or manager of the new rental rates, 3) each residential development containing rental Inclusionary Units is subject to an annual compliance process which is specified in the Inclusionary Housing Agreement, 4) rental Inclusionary Unit tenants are subject to the same conditions of tenancy as other market-rate tenants occupying the same property, and 5) the initial lease term for the rental Inclusionary Unit is for one year.

Section 1615: Marketing of Inclusionary Units

Section 1615 requires the developer to market, rent and sell all Inclusionary Units and must notify the Affordable Housing Board and the Town when the Inclusionary Unit is available at the time the building permit is issued. For rentals, the property owner or manager must provide advance notice to the Affordable Housing Board and Town when there is an impending vacancy. The section also allows the developer to assign these responsibilities to a qualified housing organization.

Section 1616: Continued Affordability Requirements

Section 1616 establishes that all rental Inclusionary Units shall remain affordable for a period of no less than 30 years and that for-sale units shall remain affordable for a period of no less than 20 years. The continued affordability requirement would be embodied in a legally binding agreement, covenants, and/or a deed restriction. The section also gives the Affordable Housing Board an exclusive 30-day option to purchase any Inclusionary Unit when it's offered for resale. Lastly, the section prohibits subletting or leasing of Inclusionary Units except to allow a

temporary rental of the Inclusionary Unit for good and sufficient cause. Leasing of Inclusionary Units must be approved by the Easton Affordable Housing Board under terms that may be specified in the Inclusionary Housing Guidelines.

Section 1617: Transfer of Development

Section 1617 establishes that all approved covered projects “run with the property” and are subject to the Inclusionary Zoning Ordinance.

Section 1618: Enforcement

Section 1618 refers to an unspecified area of the Town Code for enforcement of the ordinance.

Section 1619: Administration

Section 1619 establishes how Inclusionary Units are tracked on site plans, record final plats, and building permits. The section also requires the Affordable Housing Board to monitor activity under the ordinance and provide a report at least every 2 years to the Town Council.

ISSUES: Developer incentives, including property tax abatement and fee waivers or deferrals fees have definite revenue implications and a cost-benefit analysis is prudent.

Staff will need to identify where the final drafted language is inconsistent with the Town Code and propose revisions as necessary.

FISCAL IMPACT: The draft ordinance requires a significant expansion of time and responsibilities from the Affordable Housing Board, including but not limited to:

- Managing the Affordable Housing Fund
- Establishing the Cash In Lieu Fees and updating the fees on an annual basis
- Developing and updating the Inclusionary Housing Guidelines and document templates
- Developing and updating the design standards for Inclusionary Units
- Updating and annually posting the income eligibility requirements
- Calculating and updating the pricing and rents of for-sale and rental Inclusionary Units
- Monitoring tenant eligibility for rental Inclusionary Units
- Monitoring activity and providing regular reports to the Town Council

The administration of the program will also need dedicated housing staff to assist the Board with their responsibilities, develop and update the program’s website, and provide day-to-day management of the program. Maryland jurisdictions that have inclusionary zoning ordinances include Queen Anne’s County, which is managed by staff from the Division of Housing and Community Services as part of the Department of Community Services along with other housing programs including homeless assistance and prevention, rental code enforcement, workforce loans, and other special projects. The City of Annapolis inclusionary zoning ordinance is administered by the Office of Community Development under the Community and Economic Development Division. The Office includes a full-time Housing Affordability Specialist. The City of Frederick’s inclusionary housing program is administered by their Community Action Agency.

ATTACHMENTS:

1. Draft Inclusionary Zoning Ordinance, February 7, 2024
2. AMSTRAT - MD Talbot County Smart Growth Presentation
3. Inclusionary Housing Comparison table

INCLUSIONARY ZONING ORDINANCE

DRAFT – February 7, 2024

Section 1601 Purpose.

The purpose of this Article is to promote the public health, safety, and general welfare by promoting housing of high quality, located in neighborhoods throughout the community, for households of all incomes, ages, and sizes, in order to promote a culturally and economically diverse population in the Town. Based upon the review and consideration of the Town's officially adopted Comprehensive Plan (2010) as well as subsequent reports and analyses of the housing situation in the Town of Easton, it is apparent that the diversity of the Town's housing stock has declined as a result of rapidly increasing property values and housing costs and a reduction in the availability of housing choices. In light of this situation, the Easton Town Council makes the following findings:

1. It is a legitimate public purpose of the Town to achieve a diverse and balanced community with housing available for households of all income levels. Economic diversity fosters social and environmental conditions that protect and enhance the social fabric of the Town and are beneficial to the health, safety, and general welfare of its residents.
2. The Town is experiencing an increasing shortage of Attainable Housing due in part to the high cost of newly constructed housing. As a result, much of the workforce is excluded from many new neighborhoods, live in overcrowded or substandard housing, and devote an inordinately large percentage of their incomes to pay for housing.
3. In the legitimate pursuit of other worthy and valid goals relative to growth management, redevelopment, and resource protection, the amount of land available for residential development in the Town of Easton is limited, thereby exacerbating the housing supply and affordability problem.
4. The Town recognizes the need to provide Attainable Housing in order to maintain a diverse population and provide housing for those who live or work in the Town and Talbot County.
5. Without intervention, the increasing housing prices is resulting in an inadequate supply of affordable housing for residents and employees, which will have a negative impact upon the ability of the Town to attract new employers; to maintain an adequate work force to retain and expand existing employers; to guarantee the public health, safety, and general welfare of the Town and its residents.
6. The remaining land available and appropriate for new residential development within the Town is limited. It is essential that a reasonable proportion of such land be developed into housing units attainable to households and working families.

7. While this Article provides specific alternatives to the production of on-site inclusionary units, the intent and preference of this Article is for the provision of inclusionary units constructed on-site and privately produced, owned, and managed.

Section 1602

Definitions.

1. **Adaptive Reuse:** Repurposing of an existing building(s) or structures, often obsolete or historic, for any use(s) other than the present use(s).
2. **Affordable Housing Fund:** The fund established in Article I of Chapter 13 of the Code of the Town of Easton.
3. **Affordable Rental Rates:** Based on household income limits that do not exceed the following:
 - (a) **Very low-income households:** one-twelfth of 30 percent of 50 percent of Median Family Income, adjusted for household size, appropriate for the unit or market rent, whichever is less.
 - (b) **Low-income households:** one-twelfth of 30 percent of 60 percent of Median Family Income, adjusted for household size, appropriate for the unit or market rent, whichever is less.
4. **Affordable Sales Price:** The maximum amount of a mortgage loan that could be obtained based on the monthly affordable mortgage payment, interest rate, and a fully amortized 30-year fixed rate mortgage. The affordable sales price is adjusted based on a reasonable down payment.
5. **Applicant or Developer:** A person, persons or entity that applies for a residential development and also includes the owner or owners of the property if the applicant does not own the property on which residential development is proposed.
6. **Attainable Housing:** Housing types, through ownership or rental, that are attainable to those households making 100% or less of the MFI and generally do not spend more than 30% of their income on housing costs.
7. **Charges:** Expenses the owner of a home pays over the course of owning it. These costs usually include utilities, debt service payments, property taxes, insurance, deferred water and sewer fees, and home owner association fees, among other items.
8. **Cash In Lieu Fee:** A per-unit fee for for-sale and rental Inclusionary Units as an alternative compliance option when the number of dwelling units proposed through adaptive reuse or conversion of a nonresidential use to residential results in the creation of 30 or more new

dwelling units. The fee is mandatory for new construction or substantial rehabilitation that results in 15 to 24 new residential dwelling units, or for adaptive reuse, or conversion of a nonresidential use to residential that results in 15 to 29 new residential dwelling units.

Cash In lieu Fees as an alternative compliance option are initially established by the Town Council, upon recommendation by the Easton Affordable Housing Board. Mandatory Cash In Lieu Fees are initially established in this Chapter. The Cash In Lieu Fees shall be updated by the Easton Affordable Housing Board on an annual basis and may also include estimated costs of administration.

9. Continued Affordability: The time during which an inclusionary unit is subject to rental price controls and owner occupancy and resale requirements.
10. Covered Project: Any project meeting the criteria of this section shall be deemed a covered project. A covered project is subject to a Town of Easton Housing Inclusionary Housing Plan and Inclusionary Housing Agreement.
11. Density Bonus: Dwelling units approved in a residential development that are in excess of the maximum allowable residential density otherwise permitted by the Town of Easton.
12. Inclusionary Housing Agreement: An agreement between the Town of Easton and an applicant governing how the applicant shall comply with this Chapter.
13. Inclusionary Housing Guidelines: Any requirements for implementation and administration of this Chapter, recommended by the Easton Affordable Housing Board and adopted by the Town Council. Adopted Inclusionary Housing Guidelines may include, but not be limited to, standards for determining household composition; income eligibility and prices for sale and rental of Inclusionary Units; income limit schedules; inclusionary housing costs or Carrying Charges; design guidelines; provisions of continued monitoring of tenant eligibility; and document templates. Guidelines may also specify the contents of the Inclusionary Housing Plan and are updated on a regular basis.
14. Inclusionary Housing Plan: A plan containing all of the information specified in this Chapter, and includes the manner in which Inclusionary Units will be provided in conformance with this Chapter and any adopted Inclusionary Housing Guidelines.
15. Inclusionary Unit: A dwelling unit required by this Chapter to be affordable to very low, low, median, or moderate-income households and subject to recorded affordability restrictions.
16. Low-Income Households: Those households whose income does not exceed 60% of the MFI, adjusted for household size.

17. Market Rate Housing: Housing that already exists or is part of a proposed development that is based on existing area market values and demand and is not an Inclusionary Unit. Families making above 100% of the Median Family Income qualify for Market Rate Housing.
18. Median Family Income (MFI): An annual estimate calculated by HUD as a function of the area's MFI. The basis for HUD's MFI is data from the American Community Survey. The MFI is adjusted each year by the Easton Affordable Housing Board based on Easton's median income.
19. Median-Income Households: Those households whose income does not exceed 80% of the MFI, adjusted for household size appropriate for the unit.
20. Moderate-Income Households: Those households whose income does not exceed 100% of the MFI, adjusted for household size appropriate for the unit.
21. Monthly Affordable Mortgage Payment: The cost that will be affordable to the specified household at the specified income level as follows:
 - (a) Median-income households: one-twelfth of 30 percent times 80 percent of Median Family Income adjusted for household size appropriate for the unit.
 - (b) Moderate-income households: One-twelfth of 30 percent times 100 percent of Median Family Income adjusted for household size appropriate for the unit.

The monthly affordable mortgage payment is adjusted based on property taxes, homeowner association fees, mortgage insurance and property insurance premiums, utility costs, and a reasonable allowance for property maintenance and repairs.
22. Ownership Residential Development: Any development that includes the creation of one or more residential dwelling units that may be sold individually.
23. Priority Preference: Priority preference for the sale or rental of units is given to persons who live or work in the Town of Easton or as otherwise determined by the Town Council.
24. Qualified Housing Organization: A public housing authority, a for-profit company, or a non-profit organization whose mission includes the purpose of providing Attainable Housing.
25. Rental Residential Development: Any development that creates one or more residential dwelling units that are not lawfully sold.
26. Residential Development: Any development that includes residential units for which a development site plan, preliminary plat subdivision, or building permit is required that includes:

- (a) The creation of one or more dwelling units;
 - (b) The substantial rehabilitation of one or more dwelling units;
 - (c) The creation of dwelling units through adaptive reuse; or
 - (d) The conversion of non-residential uses to dwelling units.
27. Substantial Rehabilitation: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the structure's market value before the improvement's start of construction.
28. Very Low-Income Household: Those households whose income does not exceed 50% of the MFI, adjusted for household size.

Section 1603 Intent.

The intent of these regulations is:

1. To provide Attainable Housing opportunities and choices for all of Easton's citizens;
2. To mitigate the impact of market rate housing construction on the limited supply of available land suitable for Attainable Housing, thus excluding housing that meets the needs of all economic groups within the Town; and
3. To prevent overcrowding and deterioration of the limited supply of Attainable Housing, and thereby promoting the public health, safety and general welfare of the Town and its residents.
4. To promote the integration of Attainable Housing with Market Rate Housing.

Section 1604 Authority.

These regulations are enacted under the authority of Section 7-401 of the Land Use Article of the Annotated Code of Maryland.

Section 1605 Applicability.

1. Except as otherwise provided in this Chapter, these regulations shall apply to all residential development on a site, or portion thereof, at one location which is the subject of an

application for a development site plan, preliminary plat subdivision, or building permit, whichever comes first.

2. Any revision or modification to an approved Final Site Plan, Final Plat, or Building Permit that would increase the number of residential units are subject to the requirements of this Chapter.

Section 1606 Exemptions.

1. Residential developments proposing less than 15 new dwelling units.
2. This Chapter does not apply to a development that sets aside affordable dwelling units in accordance with Section 42 of the Federal Internal Revenue Code, pursuant to which a restricted covenant is to be recorded in the land records of Talbot County setting forth income limitations of tenants in accordance with the Federal Low Income Housing Tax Credit Program in favor of the Maryland Department of Housing and Community Development or a subsidiary thereof or other governmental entity responsible for administration of the Federal Low-Income Housing Tax Credit Program.
3. A development is exempt from the requirements of this Chapter if, before [insert date], the project has received approval of a development site plan, preliminary plat, or building permit.
4. Projects undertaken by a Qualified Housing Organization, or a continuing care retirement community if at least 10% of the persons renting or purchasing units within the retirement community would be considered eligible to buy or rent an Inclusionary Unit.
5. Accessory Dwelling Units are exempt from the provisions of this Chapter.
6. Any development project undertaken by the Town of Easton is exempt from the requirements of this Chapter.

Section 1607 Inclusionary Housing Requirements.

1. Residential developments proposing between 15 and 24 dwelling units through new construction and/or substantial rehabilitation of existing structures, or the creation of 15 to 29 dwelling units through adaptive reuse or conversion of all or a portion of a nonresidential use to residential use, shall provide a Cash In Lieu Fee for each unit prior to issuance of the first building permit. The initial fees are established in this Chapter and are as follows:
 - (a) Average market rate unit price within the development is under \$300,000 = \$3,000 per permit

- (b) Average market rate unit price within the development is \$300,000-\$500,000 = \$5,000 per permit
 - (c) Average market rate unit price within the development is over \$500,000 = \$7,500 per permit
- 2. Residential developments proposing 25 or more new dwelling units through new construction and/or substantial rehabilitation of existing structures or the creation of 30 or more new dwelling units through adaptive reuse or conversion of all or a portion of a nonresidential use to residential use shall provide 10% of the dwelling units in the residential development as Inclusionary Units upon the same site as the residential development as follows:
 - (a) Ownership residential development. The applicant shall provide:
 - 1) 50% of the Inclusionary Units in the residential development available at an affordable sales price to Median-Income Households
 - 2) 50% of the Inclusionary Units in the residential development available at an affordable sales price to Moderate-Income Households
 - (b) Rental Residential Development. The applicant shall provide:
 - 1) 50% off the Inclusionary Units in the residential development available at an affordable rent to Very Low-Income Households
 - 2) 50% of the Inclusionary Units in the residential development available at an affordable rent to Low-Income Households
- 3. In the event only one Inclusionary Unit is required, the Inclusionary Unit shall be provided at the lower required affordability level. In the event the required Inclusionary Units result in a fraction that does not evenly divide by the percentages required above, the required fractional portion shall be rounded up to one Inclusionary Unit.
- 4. Calculations of the number of Inclusionary Units required by this section shall be based on the number of dwelling units in the residential development, excluding any Density Bonuses.
- 5. When a residential development includes both ownership and rental dwelling units, the provisions of this Chapter that apply to Ownership Residential Development shall apply to that portion of the development that consists of ownership dwelling units, while the provisions of this Chapter that apply to Rental Residential Development shall apply to that portion of the development that consists of rental dwelling units.

6. Multiple developments or projects by the same applicant or responsible party within any consecutive twenty-four (24) month period that in the aggregate equal or exceed the above criteria shall be subject to these regulations.
7. An applicant for a development site plan, preliminary plat subdivision, or building permit shall not avoid the requirements of this chapter by submitting piecemeal applications. At the time of the application for first approval for the residential development, the applicant shall identify all contiguous property under common ownership and control. The applicant shall not be required to construct dwelling units upon the contiguous property at the time of the application for first approval; however, the applicant shall be required to include the contiguous property under common ownership or control in its Inclusionary Housing Plan. The Inclusionary Housing Agreement shall be recorded against the residential development and all contiguous property under common ownership or control. The agreement shall require compliance with this Chapter upon development of each contiguous property at such time as there are applications that would authorize a total of 25 or more residential units through new construction and/or substantial rehabilitation of existing structures, or 30 or more residential units through adaptive reuse or conversion of a nonresidential use to residential use, for both the residential development and the contiguous property under common ownership or control.
8. An applicant shall not be exempt from the requirements by submitting phased applications for the residential development. Occupancy permits for no more than fifty percent (50%) of the market rate units shall be issued prior to the issuance of occupancy permits for fifty percent (50%) of the Inclusionary Units. Occupancy permits for no more than seventy-five percent (75%) of the market rate dwelling units shall be issued until occupancy permits have been issued for seventy-five percent (75%) of the Inclusionary Units for the residential development. Occupancy permits for no more than ninety percent (90%) of the market rate dwelling units shall be issued until occupancy permits have been issued for one hundred percent (100%) of the Inclusionary Units for the development.
9. The following information shall be submitted with each building permit application for a market rate dwelling unit within the residential development:
 - (a) The total number of dwelling units, market rate units, and Inclusionary Units proposed for the development;
 - (b) The number of occupancy permits already issued for market rate units within the development;
 - (c) The number of occupancy permits already issued for Inclusionary Units within the development; and
 - (d) The lot number or unit number of each Inclusionary Unit for which an occupancy permit has been issued.

Section 1608

Inclusionary Housing Incentives.

1. The developer of a residential development on a base residential zoning district providing all required Inclusionary Units upon the same site as the market-rate units may, at the developer's sole option and concurrently with the submittal of the Inclusionary Housing Plan, may receive a Density Bonus of 20% from the base zoning district.
2. The developer of a residential development providing all required Inclusionary Units upon the same site as the market rate units may receive up to a 20% variance in development standards, including lot size, lot frontage, lot coverage, height, and setbacks, as well as a 20% modification from the required parking standards.
3. New developments proposing 25 or more dwelling units through new construction and/or substantial rehabilitation of existing structures, or the creation of 30 or more dwelling units through adaptive reuse or conversion of a nonresidential use to residential use shall receive:
 - (a) A cash subsidy from the Affordable Housing Fund for the deferral of the payment of Impact Fees in accordance with Section 29.5 of the Code of the Town of Easton provided that the Town Council has allocated affordable housing reserves in the general fund as part of the Town's budget process.
 - (b) Residential developments that provide at least 20% of the dwelling units as Inclusionary Units shall be eligible for real property tax abatement or a payment in lieu of taxes as established by the Town Council.

Section 1609

Alternative Compliance Options.

1. In the case where Inclusionary Units are provided on-site pursuant to Section 1607 above, the developer shall provide Inclusionary Units at a price or rent approved by the Affordable Housing Board. Nothing in this Chapter precludes the developer from partnering with a Qualified Housing Organization to build the on-site Inclusionary Units provided at least 10% of the units within the development project would be considered eligible to buy or rent by persons at or below the income limitations specified in Section 1607 of this Chapter.
2. Alternatively, the developer may:
 - (a) Build at least one and one-half times the required number of the Inclusionary Units of the residential development off-site within the Town limits of Easton on property either owned by the Town or by partnering with a Qualified Housing Organization to build Inclusionary Units.

- (b) A developer may also fulfill their off-site requirement by purchasing land within the Town of Easton or the Town's Municipal Growth Areas and donating it to a Qualified Housing Organization or the Town of Easton to build at a minimum one and one-half times the required number of Inclusionary Units.
 - (c) The developer's proposal for off-site construction of Inclusionary Units is subject to Town Council review and approval. The Town may grant off-site construction approval if the proposal meets all of the following conditions:
 - 1) Off-site Inclusionary Units shall comply with the general requirements defined in Section 1610 and with any adopted Inclusionary Housing Guidelines;
 - 2) Financing or a viable financing plan, which may include public funding, shall be in place for the off-site Inclusionary Units;
 - 3) The off-site location, based on location, size, and existing conditions, is suitable for the proposed inclusionary housing and is consistent with any adopted Inclusionary Housing Guidelines;
 - 4) All entitlements and land development permits have been obtained; and
 - 5) Construction of the off-site Inclusionary Units may not have commenced prior to the first approval of the residential development.
 - (d) The Town Council may approve a combination of on—site and off-site Inclusionary Units equivalent to providing at a minimum one and one-half times the required number of Inclusionary Units and subject to subsection (c) above.
- 3. Residential developments proposing the creation of 30 or more dwelling units through adaptive reuse or conversion of all or a portion of a nonresidential use to residential use may provide a Cash in Lieu Fee. A request for a Cash In Lieu Fee shall be made concurrently with the development site plan, preliminary subdivision or building permit application, whichever comes first.
 - (a) The Town shall not issue a building permit for any market rate housing units until all Cash In Lieu Fees have been paid to the Town of Easton.
 - (b) Cash In Lieu Fees are to be paid prior to issuance of the first building permit and shall be calculated in terms of current dollars, adjusted by the CPI, at the time the actual contribution is officially transferred to the Town.
 - (c) Cash In Lieu Fees collected shall be placed in the Affordable Housing Fund to be used by the Easton Affordable Housing Board for their programs.

- (d) The density bonus described in Section 1608 of this Chapter may not be used for a project that fulfills the requirement of this Chapter by making a Cash In Lieu Fee payment in lieu of building the Inclusionary Units.
4. When the number of dwelling units proposed through adaptive reuse, or conversion of a nonresidential use to residential use, results in 30 or more units, a developer may propose an alternative compliance method to provide Inclusionary Units through other means consistent with this Chapter and any adopted Inclusionary Housing Guidelines. The Town Council, following a Planning Commission and Affordable Housing Board recommendation, may approve or conditionally approve such an alternative only if the Council determines, based on substantial evidence, that such alternative compliance will provide as many or more Inclusionary Units at the same or lower income levels or will otherwise provide greater public benefit than would the provision of the on-site Inclusionary Units.

Section 1610 Inclusionary Housing Plan and Agreement.

1. An application for the first approval of a residential development shall include an Inclusionary Housing Plan describing how the development will comply with the provisions of this Chapter and the Inclusionary Housing Guidelines. As an alternative to compliance with the basic provisions included in this Chapter, an applicant may propose one of the alternatives listed in Section 1609 of this Chapter as part of the Inclusionary Housing Plan.
2. Any proposed density bonus, variances, modification of parking standards, or other incentives shall be included in the inclusionary housing plan.
3. No application may be deemed complete unless an Inclusionary Housing Plan is submitted. The Inclusionary Housing Plan shall be processed concurrently with the development site plan, preliminary plat, or building permit, whichever occurs first. Before the Town of Easton approves the Inclusionary Housing Plan, the Town must affirmatively find that the Inclusionary Housing Plan conforms to the requirements set forth in this Chapter. The inclusion agreement, described below, shall be recorded prior to the approval of any final site plan, final record plat, or building permit for the residential development, whichever occurs first.
4. The approved Inclusionary Housing Plan for a residential development, or for a building phase in a residential development, where phasing has been approved as part of planning permit approvals, may be amended prior to issuance of any building permit for the residential development or building phase, if applicable. A request for a minor modification of an approved Inclusionary Housing Plan may be granted by the Town Manager or their designee if the modification is substantially in compliance with the original Inclusionary Housing Plan and conditions of approval. Other modifications to the Inclusionary Housing Plan shall be processed in the same manner as the original plan.

5. The Inclusionary Housing Plan shall describe the applicant's marketing plan in conformance with Section 1613 below, which shall comply with all applicable fair housing and discrimination laws and shall not discriminate in the sale or rental of inclusionary units on the basis of race, color, religion, sex, familial status, national origin, marital status, sexual orientation, gender identity, disability, or source of income, with the exception of residential developments that comply with the Housing for Older Persons Act.
6. The applicant shall enter into an Inclusionary Housing Agreement with the Town of Easton, in a form approved by the Town Attorney, to be executed by the Mayor or their designee, to ensure that all the requirements of this chapter are satisfied.
 - (a) The Inclusionary Housing Agreement shall be recorded against the residential development prior to approval of any final site plan or final record plat, or issuance of any building permit, whichever occurs first. The agreement shall run with the property for the entire continued affordability period.
 - (b) The Inclusionary Housing Agreement shall specify the number, type, location, size, and phasing of all Inclusionary Units, provisions for income certification and screening of potential purchasers or renters of units, maintenance obligations, and the financing of ongoing administrative and monitoring costs, consistent with the approved Inclusionary Housing Plan and any adopted Inclusionary Housing Guidelines, as determined by the Town Manager or designee.
 - (c) The Inclusionary Housing Agreement shall define rent and sale price increase procedures, and provide formulas for how resale prices for ownership Inclusionary Units are calculated, including the ability for homeowners to capture some or all of the depreciated value of capital improvements they made to the Inclusionary Unit, and for sharing of excess profits after the control period ends.
 - (d) In selecting households for the Inclusionary Units in accordance with this Chapter, the Inclusionary Housing Agreement shall specify preferences that shall be given as described in the Inclusionary Housing Guidelines, if any.

Section 1611 Percentage of Affordable Units.

All covered projects shall meet the percentage requirements for Inclusionary Units as specified in Section 1607. The percentage of Inclusionary units shall be calculated with a base number that excludes any bonus units added to the covered project under Section 1608.

Section 1612 General Requirements for Inclusionary Units.

1. In addition to design requirements that may be specified in the Inclusionary Housing Guidelines, all covered projects must comply with the requirements set forth in subparagraphs (a) through (g) below:
 - (a) On-site Inclusionary Units shall be interspersed among market rate units.
 - (b) In order to assure an adequate distribution of on-site Inclusionary Units by household size, the bedroom mix of Inclusionary Units in any project shall be in approximately the same ratio as the bedroom mix of the market rate units of the project, unless otherwise approved by the Easton Planning Commission.
 - (c) On-site Inclusionary Units may differ from the market units in a covered project with regard to interior amenities and gross floor area; provided, that:
 - 1) These differences, excluding differences related to size differentials, are not apparent in the general exterior appearance of the project's units; and
 - 2) These differences do not include insulation, windows, heating systems, and other improvements related to the energy efficiency of the project's units;
 - 3) Inclusionary Units shall have at a minimum builder grade finishes on the interior, including appliances, and a basic landscaping package similar to the package included with market-rate units; and
 - 4) The gross floor area of the Inclusionary Units is not less than the following minimum requirements, unless otherwise recommended in the Inclusionary Housing Guidelines approved by the Easton Town Council.

NUMBER OF BEDROOMS	Minimum SIZE
Studios	600 square feet
One bedroom	850 square feet
Two bedrooms	1,100 square feet
Three bedrooms	1,300 square feet
Four bedrooms	1,500 square feet

- (d) The Inclusionary Units shall have the same amenities as the market rate units included within the development, such as access to and enjoyment of common open space, parking, storage, and other facilities in the residential development.
 - (e) Priority in the sale of on-site Inclusionary Units may be established by criteria specified in the Inclusionary Housing Guidelines;

- (f) Except for household income limitations as set forth herein, occupancy of any on-site Inclusionary Unit shall not be limited by any conditions that are not otherwise applicable to all units within the covered project; and
- (g) The final calculations for the number of on-site Inclusionary Units and the initial sales or rental price for these units shall be made prior to the issuance of building permits for the covered project.

Section 1613 For-Sale of Inclusionary Units.

1. The Developer (or designee) is responsible for the screening and qualification of the initial purchaser of a for-sale Inclusionary Unit. The Developer must provide 90 days advance written notice to the Town of Easton and the Easton Affordable Housing Board prior to the initial marketing of the Inclusionary Units for the calculation of the affordable housing cost, as adjusted to an Affordable Sales Price, pursuant to this Chapter and the Inclusionary Housing Guidelines. Final approval of qualified applicants is contingent on approval by the Easton Affordable Housing Board.
2. Every unit shall be first marketed to priority persons, as established by the Easton Affordable Housing Board, for 90 days from the initial marketing period. Following the priority marketing period, a unit may be offered for sale to the general public.
3. The Easton Affordable Housing Board shall establish guidelines for the calculation of the Affordable Sales Price for an Inclusionary Unit within a residential development and the calculation shall be updated yearly thereafter.
4. The purchaser of a for-sale Inclusionary Unit shall execute and consent to the affordability restrictions and other conditions at the settlement of the property. The property shall be sold subject to Covenants in a form approved by the Town Attorney.
5. The Inclusionary Unit shall be the purchaser's primary place of residence.

Section 1614 Rental of Inclusionary Units.

1. The developer, property owner, or property manager is responsible for verifying household income eligibility and for incorporating any applicable priority preference requirements for the selection of households into the screening process.
2. Every unit will be first marketed to priority persons, as established by the Easton Affordable Housing Board, for 90 days from the initial marketing period. Following the priority marketing period, a unit may be offered for sale to the general public.

3. The Easton Affordable Housing Board shall establish guidelines for the calculation of the Affordable Rental Rate for an Inclusionary Unit within a residential development and the calculation shall be updated yearly thereafter.
4. In situations where there are multiple affordability restrictions/income or rent limits set by different funding requirements, the residential development shall adhere to the strictest requirement so it can meet all of the layering restrictions.
5. The maximum Affordable Rental Rates shall be adjusted annually based on the most recently published Household Income Limits by the Easton Housing Affordability Board. The Board shall notify the property owner or property manager of the new rental rates. If the owner chooses to raise rents, the tenant must be given at least a sixty (60) day notice before any rent increase and the opportunity to terminate the lease if the rental amount is unacceptable. This provision does not give the landlord the right to increase the rental amount if the lease provides otherwise.
6. Each residential development containing rental Inclusionary Units shall be subject to an annual compliance process, which shall be specified in the Inclusionary Housing Agreement.
7. Rental Inclusionary Unit tenants will be subject to the same conditions of tenancy as other tenants occupying the same property, except for the requirements provided by this Chapter and terms related to occupancy, income eligibility, annual recertification, limits on rents, and other terms that may be included in the Inclusionary Housing Guidelines.
8. The initial lease term for the rental Inclusionary Unit shall be for one year.

Section 1615 Marketing of Inclusionary Units.

Any applicant developing a covered project shall adhere to the following provisions with respect to the initial offering of Inclusionary Units for sale or rent:

1. The developer and owner shall be responsible for marketing, renting, and selling of all Inclusionary Units.
2. The developer and owner shall notify the Easton Affordable Housing Board and the Town of Easton of the prospective availability of any Inclusionary Units at the time that the building permit is issued for such units in a covered project.
3. The property owner or property manager shall post each vacant rental Inclusionary Unit as soon as possible but not later than ten (10) days after notice of an impending vacancy and provide advanced notice of the opening to the Easton Affordable Housing Board and the Town of Easton.

4. The developer and owner may assign its options under this section to a Qualified Housing Organization dedicated to the provision of Attainable Housing, in which event it shall notify the Easton Affordable Housing Board and the Town of Easton of the organization to which it has assigned the option. The Qualified Housing Organization shall deal directly with the developer and owner. The Qualified Housing Organization and the organization's plan for the property shall be subject to approval by the Easton Affordable Housing Board.

Section 1616 Continued Affordability Requirements.

All covered projects shall comply with the following provisions to ensure continued affordability of Inclusionary Units provided under this Chapter and required to be continually affordable under Section 1606.

1. Continued Affordability Requirement. All inclusionary rental units shall remain affordable for a period of no less than thirty (30) years commencing from the date of initial occupancy of the units. Ownership residential Inclusionary Units shall remain affordable for a period of no less than twenty (20) years commencing from the date of initial occupancy of the units. The first sale of an Ownership residential Inclusionary Unit after the control period shall pay Fifty Percent (50%) of the net profits over the maximum resale price calculation and after permitted allowances to the Easton Affordable Housing Fund.
2. Deed Restrictions. Provisions to ensure continued affordability of Inclusionary Units shall be embodied in legally binding agreements, covenants, and/or deed restrictions, which shall be prepared by the developer, but which shall not be recorded or filed until reviewed and approved by the Town Attorney with such modifications as it may deem necessary to carry out the purpose of this article. Any adopted Inclusionary Housing Guidelines may include standard documents.
3. Purchase Option. Provisions for continued affordability of Inclusionary Units shall provide that the Easton Affordable Housing Board or its designee shall have an exclusive option to purchase any Inclusionary Unit when it is offered for resale. The purchase option shall be for a period of ninety (30) days from the date on which the Board is notified of the availability of the unit. The purchase price shall be calculated as per the appreciation allowances specified in the deed restrictions and the Inclusionary Housing Agreement.
4. Leasing/Subletting Restrictions. Provisions for continued affordability of Inclusionary Units shall prohibit subletting or leasing of the property. This provision may be waived by the Easton Affordable Housing Board in writing to allow a temporary rental of the Inclusionary Unit for good and sufficient cause under terms that may be specified in the Inclusionary Housing Guidelines.

Section 1617 Transfer of Development.

For all approved covered projects that transfer ownership of the approved development, the new owner or developer shall be subject to all sections of this Chapter.

Section 1618 Enforcement.

Violations of this article shall be punishable as provided by **Article X** of this Chapter.

Section 1619 Administration.

1. Approved site plans and/or record final subdivision plats shall identify the specific number and location of each type of unit, by bedroom count, which are to be regulated as Inclusionary Units and a tabulation that demonstrates that the number of units provided satisfies the number of required units.
2. Written documentation and/or plans demonstrating that the affordable housing units are in conformance with Section 1609.1(d) shall be provided to the Office of Permits and Inspections prior to building permit issuance for the Inclusionary Units.
3. The Easton Affordable Housing Board shall monitor activity under this article and shall provide a report no less than every two (2) years to the Town Council, setting forth its findings, conclusions and recommendations for changes that will render the program more effective. The report described above shall be presented to the Town Council at a public meeting.

National Association of REALTORS®

Talbot County, MD Smart Growth July 2022

American Strategies designed and administered this telephone survey conducted by professional interviewers. The survey reached 325 adults, age 18 or older, who indicated they were registered to vote in Talbot County, Maryland. The survey was conducted July 18-21, 2022.

Sixty-eight percent of respondents were reached on wireless phones, six percent on VOIP phones, and twenty-seven percent on landlines. Quotas were assigned to reflect the demographic distribution of Talbot County, Maryland. The sample was drawn from a third-party vendor file. The overall margin of error is +/- 5.4%. The margin of error for subgroups is larger and varies.

Percentage totals may not add up precisely due to rounding.

Executive Summary

Residents of Talbot County are overall very satisfied with their quality of life. They value both the historic nature of Talbot's towns and villages and its natural resources, but also understand the need for additional housing – and in particular for more affordable housing for young people and those with lower incomes. Residents are supportive of efforts to develop underused land, so long as this does not impact the natural or historic attractiveness of the county.

- **Residents rank the quality of life in Talbot very highly (86 percent excellent/good).** Nearly four-in-ten (38 percent) say the quality of life is excellent while another 48 percent call it “good.” These numbers vary based on location and income, with lower-income households less likely to rank it as “excellent.”
- **Affordable housing, the cost of living, and homelessness account for 24 percent of voters' top concerns.** When asked to name in their own words the biggest issue facing Talbot County decisionmakers, residents most often cite housing or cost of living issues like affordable housing (13 percent), homelessness (4 percent) or inflation. Many are also concerned about overcrowding and development (16 percent).

Executive Summary

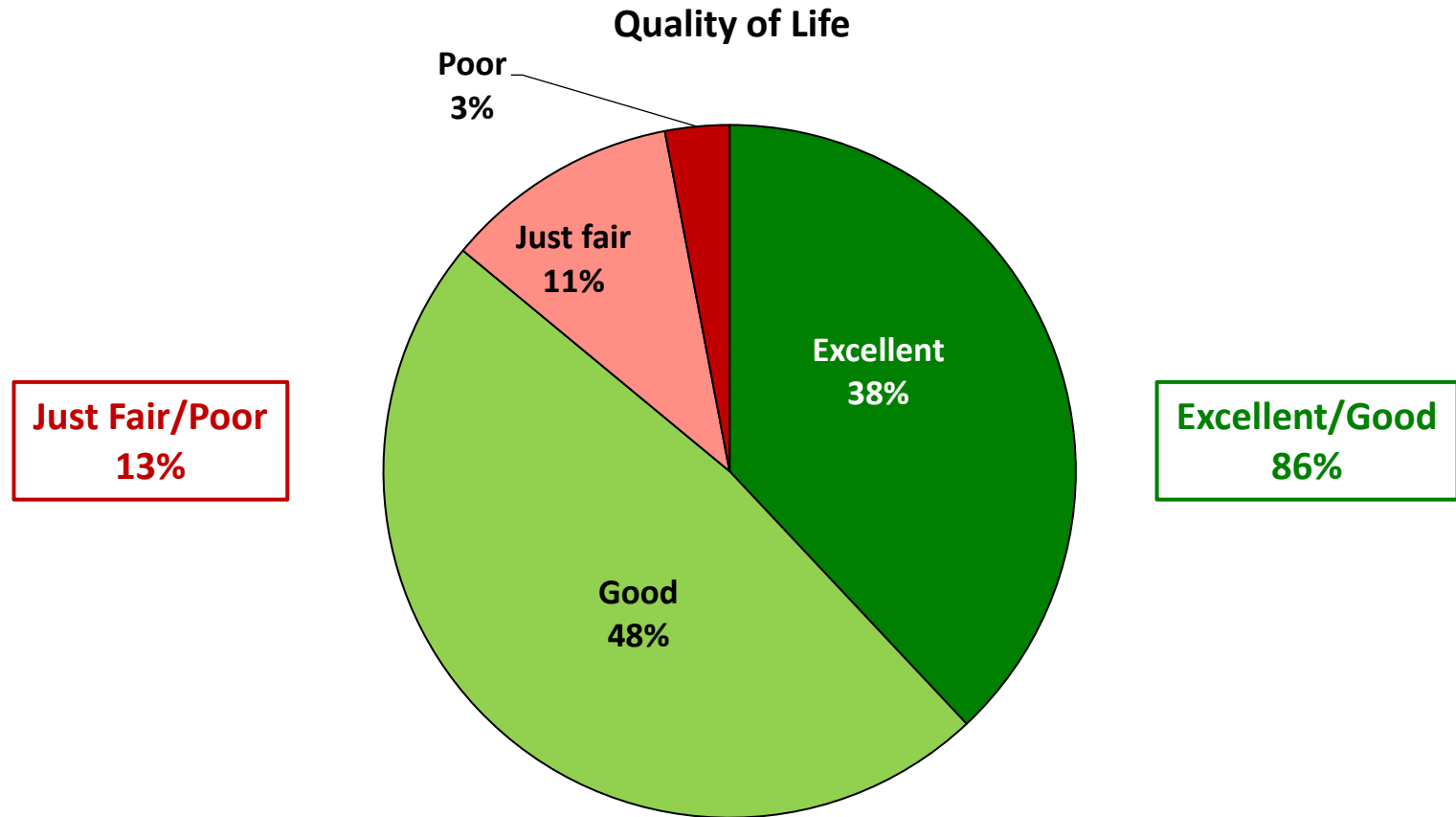
- **Protecting Talbot’s quality of life is a major policy priority for residents, but residents are also concerned about affordable housing.** Protecting the county’s coast, rural areas and historic character top the list of resident’s priorities for local elected officials, but fifty-one percent also say “creating more housing that is affordable to low and middle-income people” is a top priority.
 - Younger residents, Easton residents, and women are more likely to see housing affordability as a top priority.
- **A majority of Talbot residents consider the county’s stock of available housing to be a “fairly big” or “very big” problem (60 percent total), and that housing affordability is a problem (66 percent total).** This was especially pronounced among Easton residents and non-homeowners.
- **Sizeable majorities of residents believe that there is too little housing for people with low incomes and people just starting their careers.** Non-owners and Easton residents also report that there is too little housing available to rent full-time.

Executive Summary

- **Talbot County residents support a range of government-led proposals to increase housing opportunities for the county.** Sixty-seven percent of residents favor (36 percent strongly) a proposal that requires developers to set aside sub-market rate housing for new projects, and 62 percent favor (22 percent strongly) providing tax breaks to developers who do so.
 - Younger women and non-owners are most supportive of these proposals; older residents are least supportive.
 - Support for most of these proposals lack intensity.
- **Residents support utilizing under-developed land for housing.** A majority of residents (61 percent) support Easton annexing unincorporated land from Talbot County as a means to increase housing opportunities and 74 percent support the practice of infill development.
 - While there is some intensity to support for annexation and infill development, most are only “somewhat” supportive of these two measures. It is unclear how existing support would hold up under opposition.

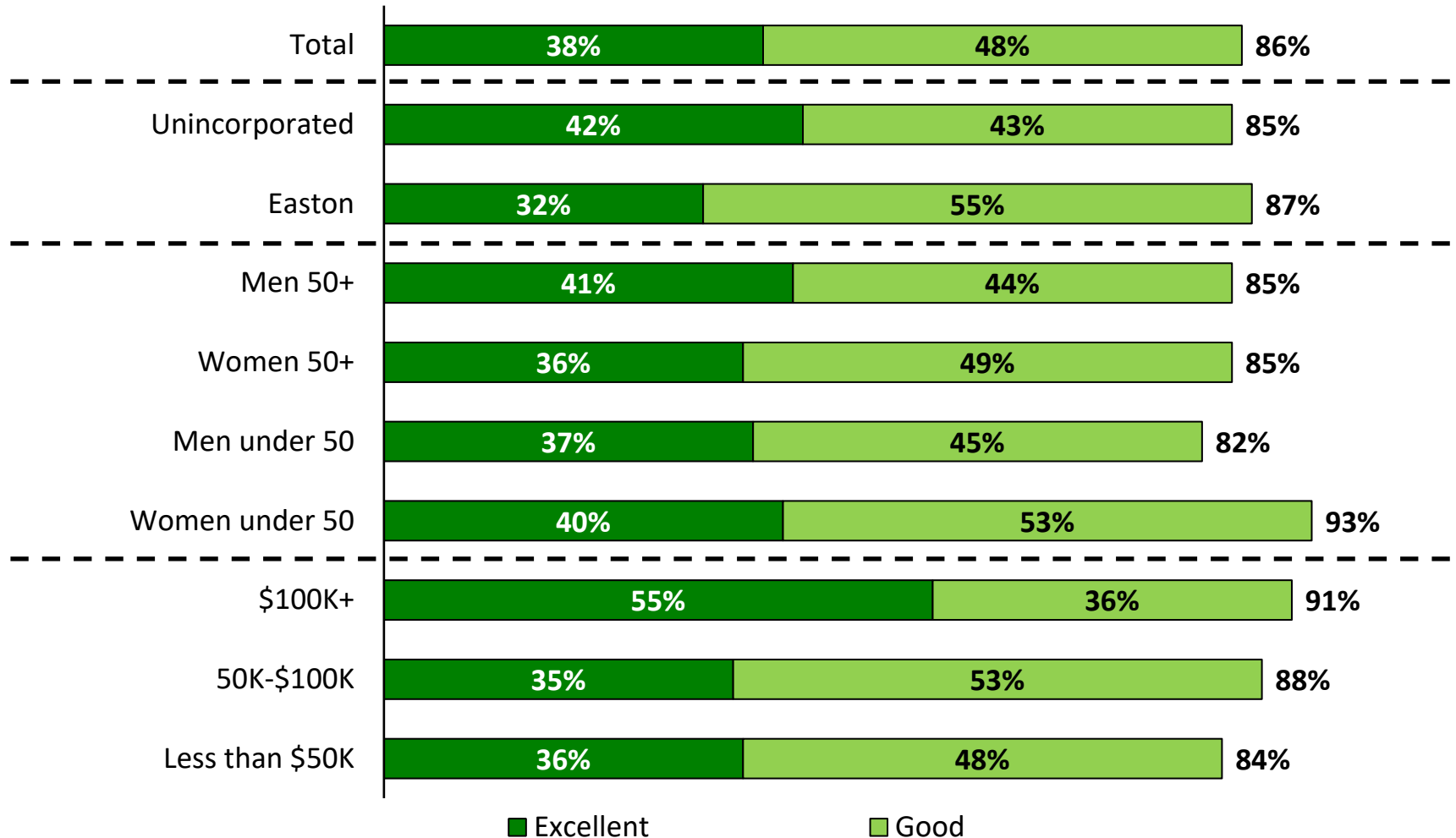
Mood and Priorities in Talbot County

Almost Nine-in-Ten View Quality of Life in Talbot County as Excellent or Good



Quality of Life is High Across Demographic Groups; Intensity Varies

Quality of Life “Excellent/Good” by Municipal District, Gender/Age, and Income

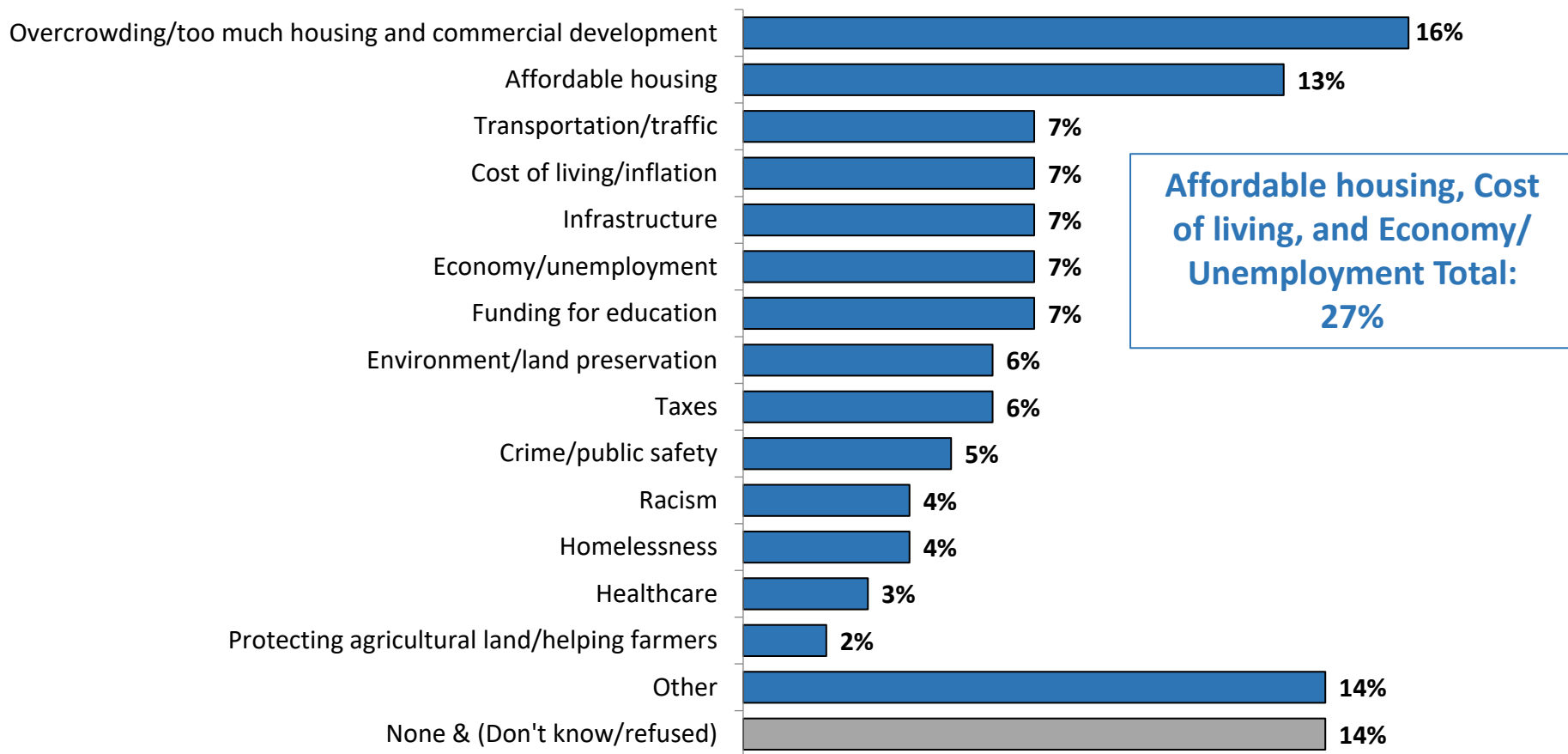


Q.3 Overall, how would you describe the quality of life in Talbot County - (ROTATE FIRST TO LAST, LAST TO FIRST) excellent, good, just fair, or poor?

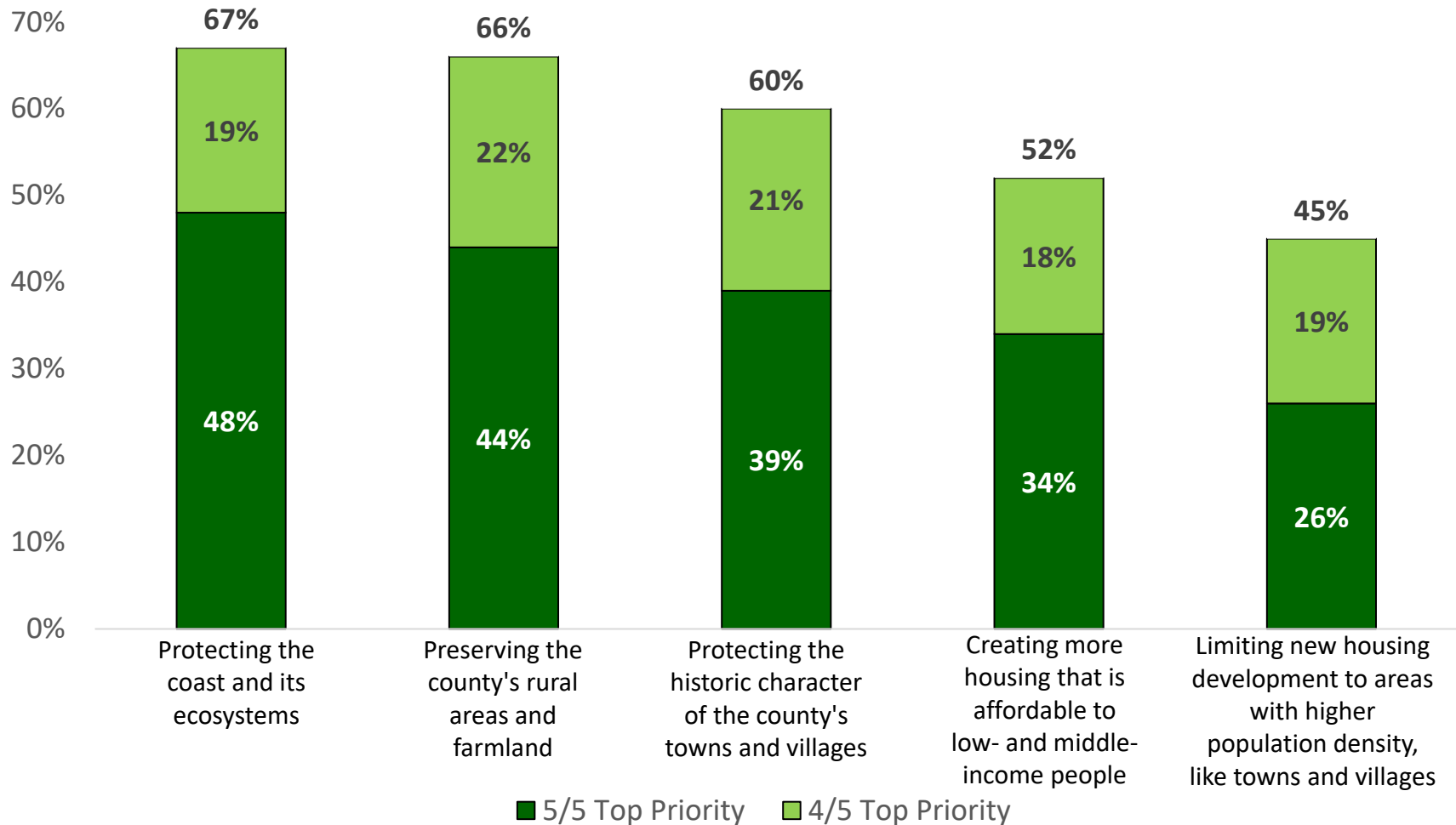
Voters Most Often Cite Overcrowding as Their Top Issue

Affordable housing and cost-of-living considerations rank higher in total

Biggest Issues in Talbot, 2022



Residents Place a High Priority on Protecting the County's Environment, Rural Areas, and Historic Character



Q.5 Next, I am going to read some issues that people say should be a priority for county and town governments in Talbot County. Please rate each of the following using a scale of one to five, where one means that issue is not a priority for you at this time, and five means that issue is a top priority for you at this time.

Protecting the Countryside and Historic Character of Towns More Important to Homeowners, Older Female Residents

Affordable housing more important to non-homeowners

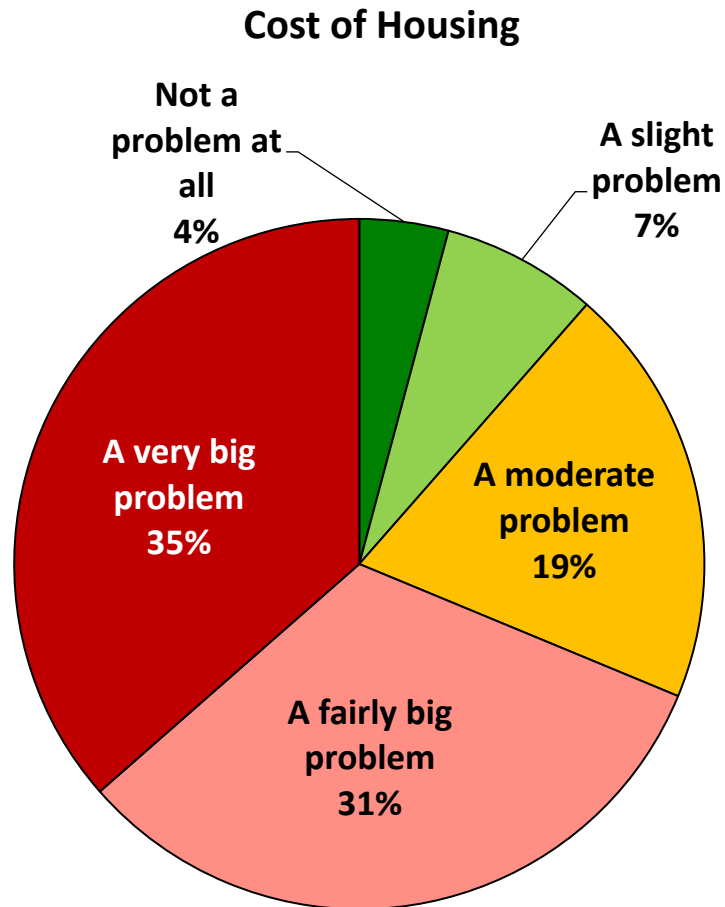
4-5 Scores by Region, Gender/Age, and Homeownership Status	Total	Younger Men	Older Men	Younger Women	Older Women	Own	Total Non - owner
Protecting the coast and its ecosystems	67	63	63	67	75	71	61
Preserving the county's rural areas and farmland	66	60	59	68	72	71	55
Protecting the historic character of the county's towns and villages	59	52	57	45	71	64	45
Creating more housing that is affordable to low- and middle- income people	51	48	39	55	64	44	61
Limiting new housing development to areas with higher population density, like towns and villages	44	45	41	35	51	47	33

Q.5 Next, I am going to read some issues that people say should be a priority for county and town governments in Talbot County. Please rate each of the following using a scale of one to five, where one means that issue is not a priority for you at this time, and five means that issue is a top priority for you at this time. Of course, you can use any number between one and five, the higher the number the higher the priority you place on that issue.

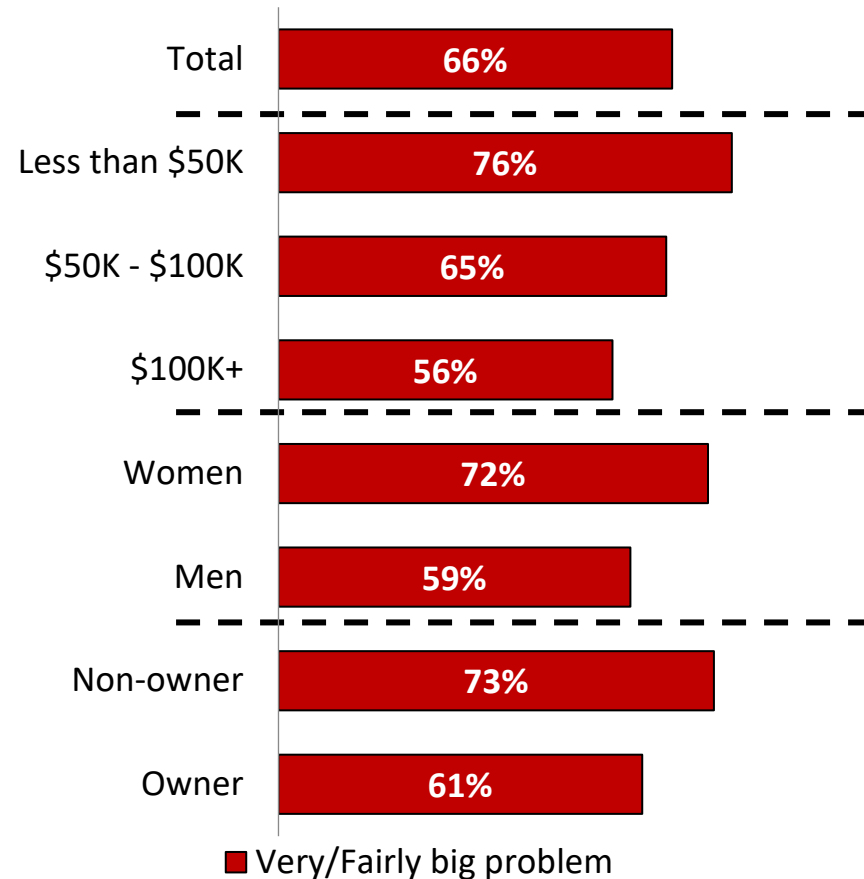
Housing Costs & Development

Nearly Seven-in-Ten Say Housing Affordability is a Big Problem

Women, non-homeowners, and lower-income residents most likely to see it as a major issue



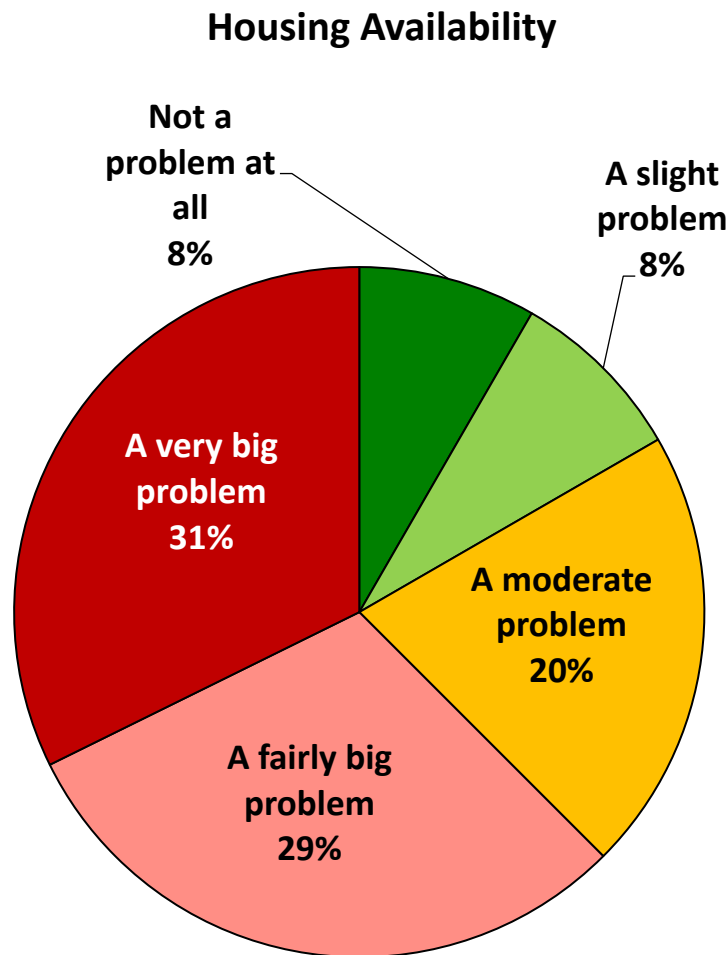
Very/Fairly Big Problem By Income, Gender, and Homeownership Status



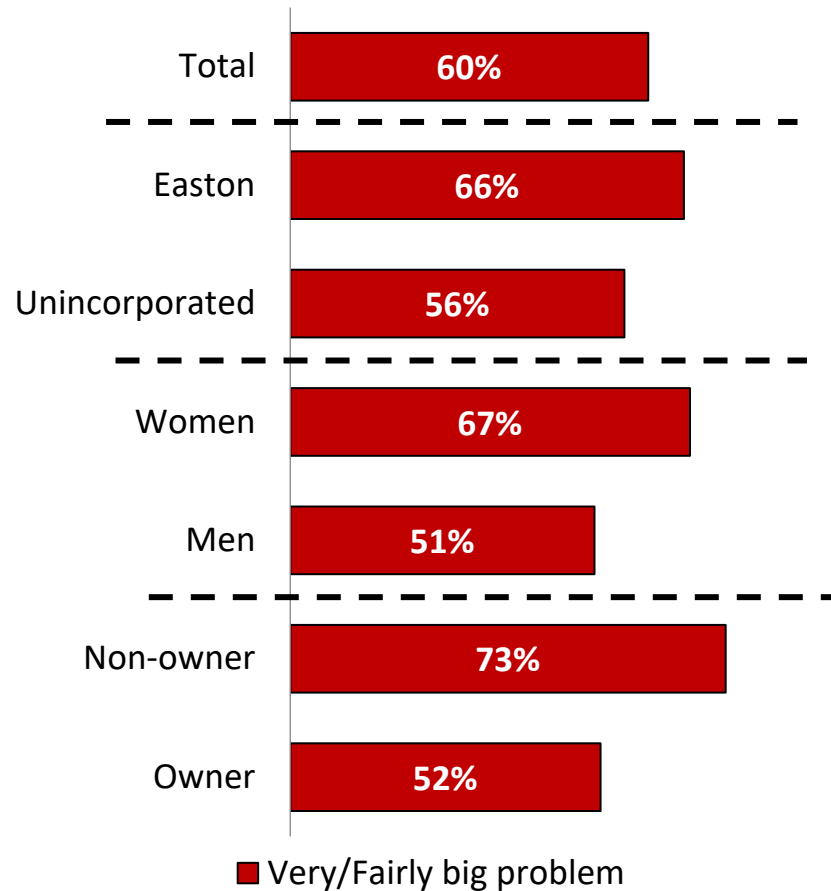
Q.7 (ROTATE Q.6 AND Q.7) In general, how much of a problem is housing affordability in Talbot County, including its towns and villages? That is to say, how much it costs to buy or rent a home?

Six-in-Ten Say Housing Availability is a Big Problem

Easton residents, women, and non-homeowners most likely to see it as a major issue

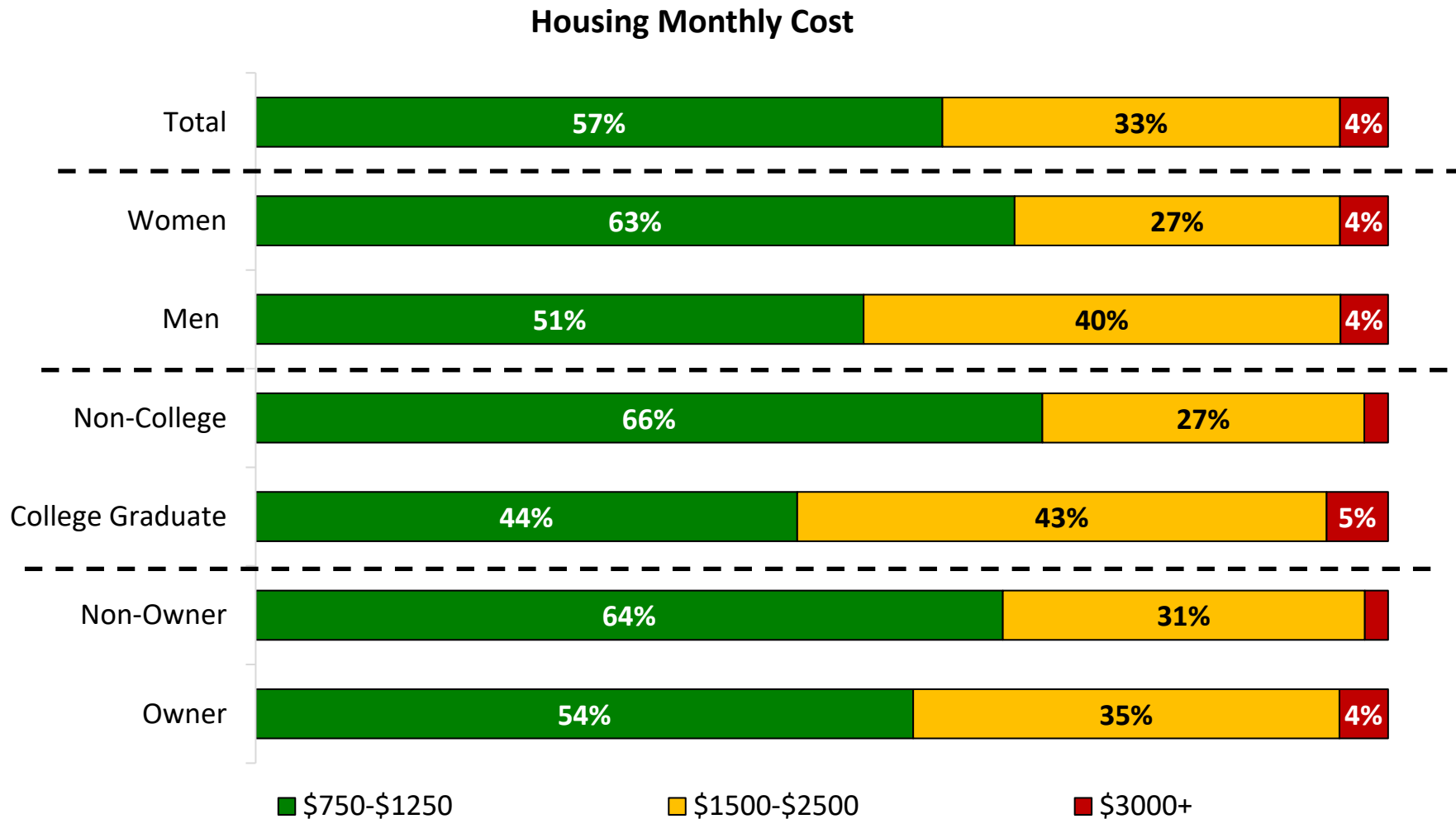


Very/Fairly Big Problem By Region, Gender, and Homeownership Status



Q.6 Next, I am going to ask you some questions about housing in Talbot County. (ROTATE Q.6 AND Q.7) In general, how much of a problem is the availability of housing in Talbot County, including its towns and villages? That is to say, the number of homes, condominiums, or apartments that are available to buy or rent?

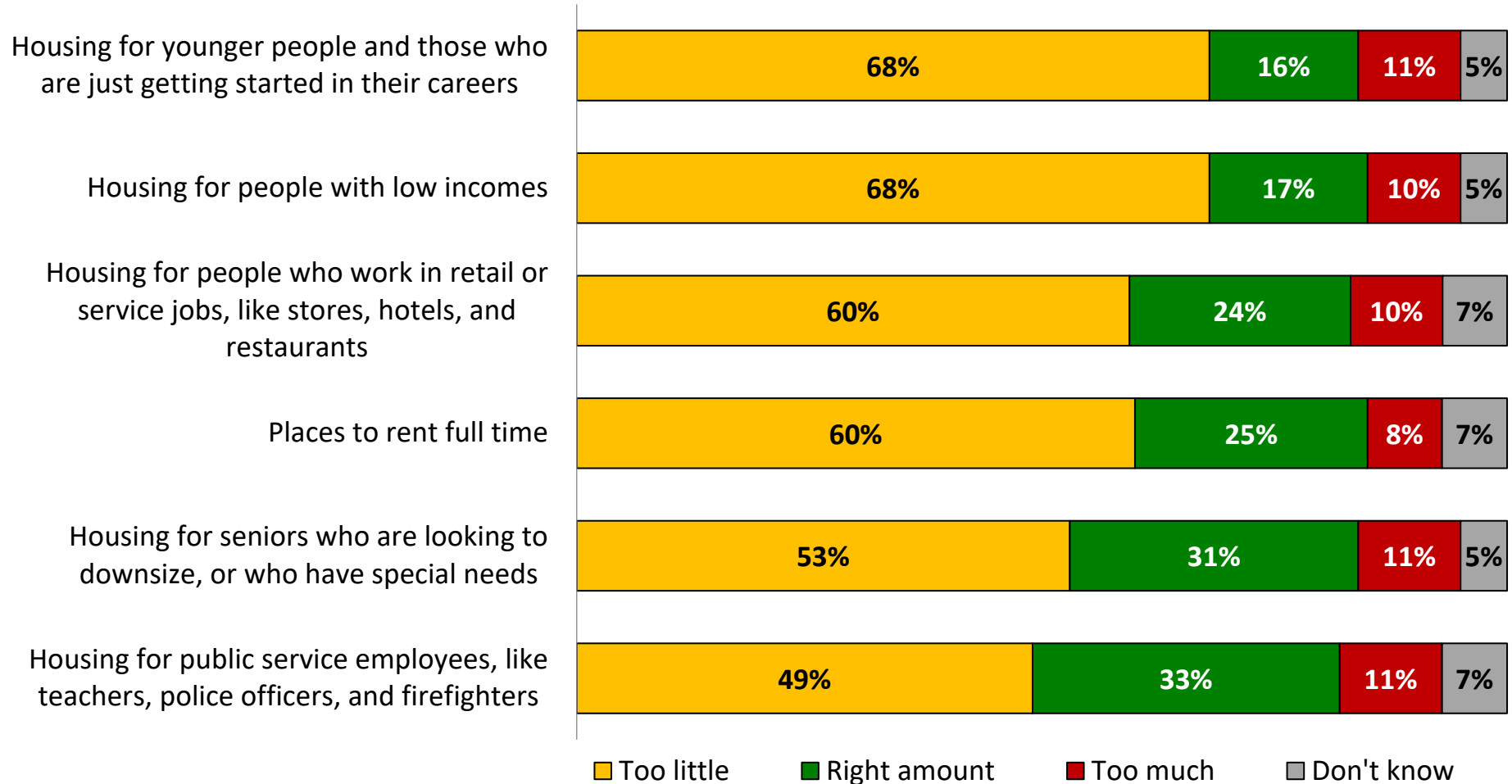
Most Residents Define “Affordable” Rent/Mortgage As Below \$1250 per Month



Q.8 In general, what would you say is the monthly cost for housing that is affordable for most families in Talbot County? In other words, what do you think most families in your community can afford to pay for their rent or mortgage each month? Just stop me when I get to the right amount. (READ OPTIONS TOP TO BOTTOM)

Most Agree: Too Little Housing in Talbot County

Amount of Housing Available in Talbot County



Most Say Too Little Housing for Low Income, Younger People

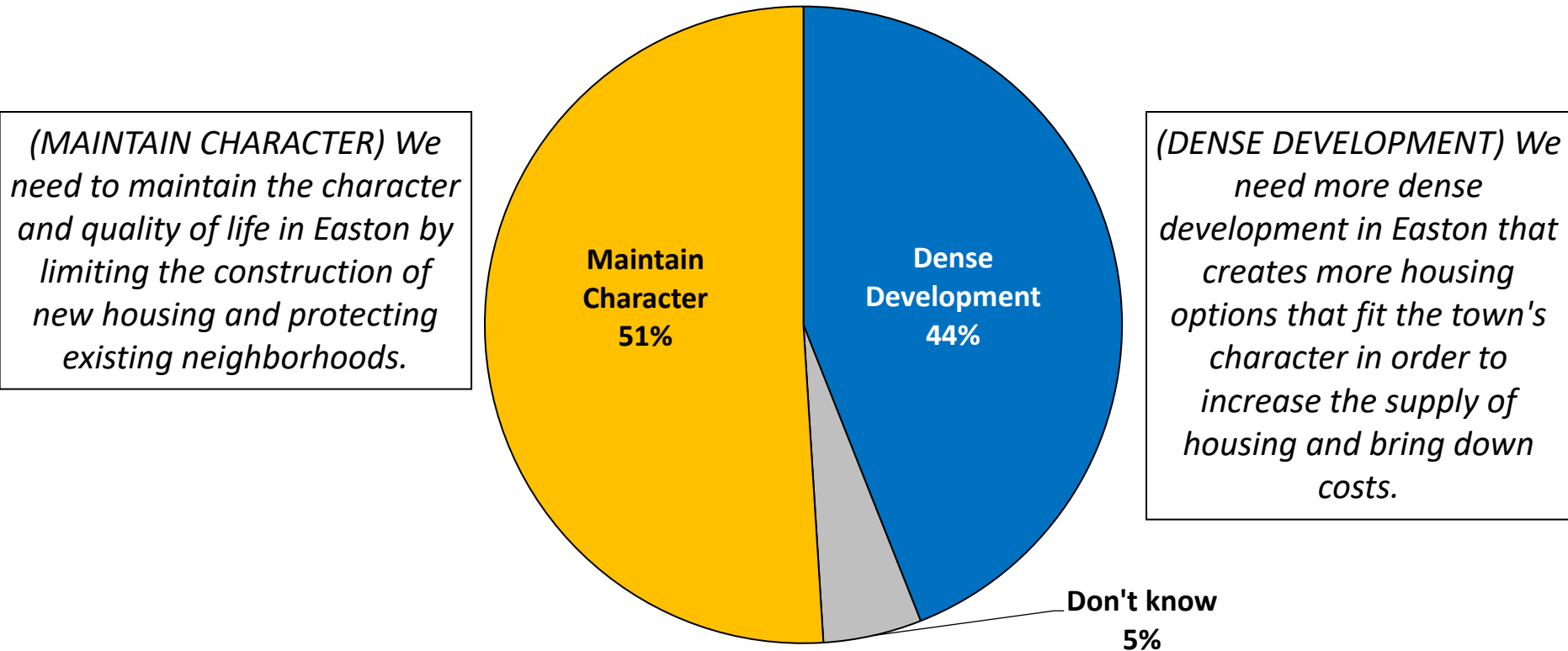
Non-owners, Easton residents concerned with full-time rentals

Too Little Housing by Region, Gender/Age, and Homeownership Status	Total	Easton	Unincorp / Other	Own	Total Non - owner
Housing for people with low incomes	68	74	65	64	76
Housing for younger people...	68	71	66	61	78
Housing for people in the services industry	60	59	61	56	67
Places to rent full time	60	66	57	54	72
Housing for seniors...	53	53	54	47	63
Housing for public service employees...	49	57	44	44	58

Q.9 Still thinking about housing, please tell me if you think there is (ROTATE TOO MUCH/TOO LITTLE) too much, too little, or the right amount of each of the following in Talbot County, including its towns and villages.

Policy Proposals

Voters Split on Maintaining Character vs. More Dense Development

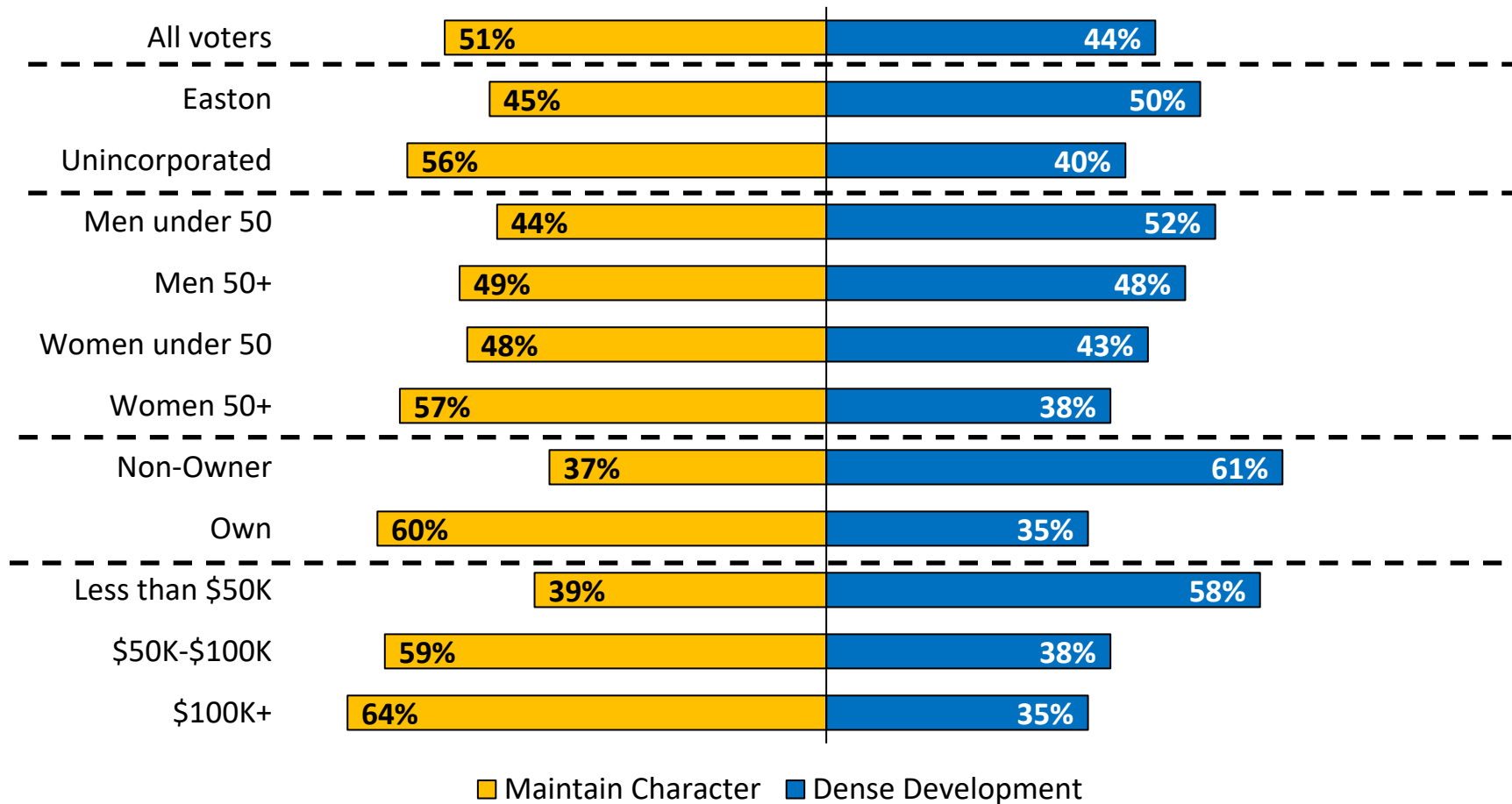


Q.13 As you may know, housing density refers to the number of homes or apartments that are allowed in a neighborhood, city, or county area. I am going to read two statements about housing density IN THE TOWN OF EASTON. Please tell me which one comes closer to your way of thinking, even if neither one is exactly right.

Voters Split on Character vs. Density

Easton residents, younger men, non-property owners, and lower-income residents most attracted to density

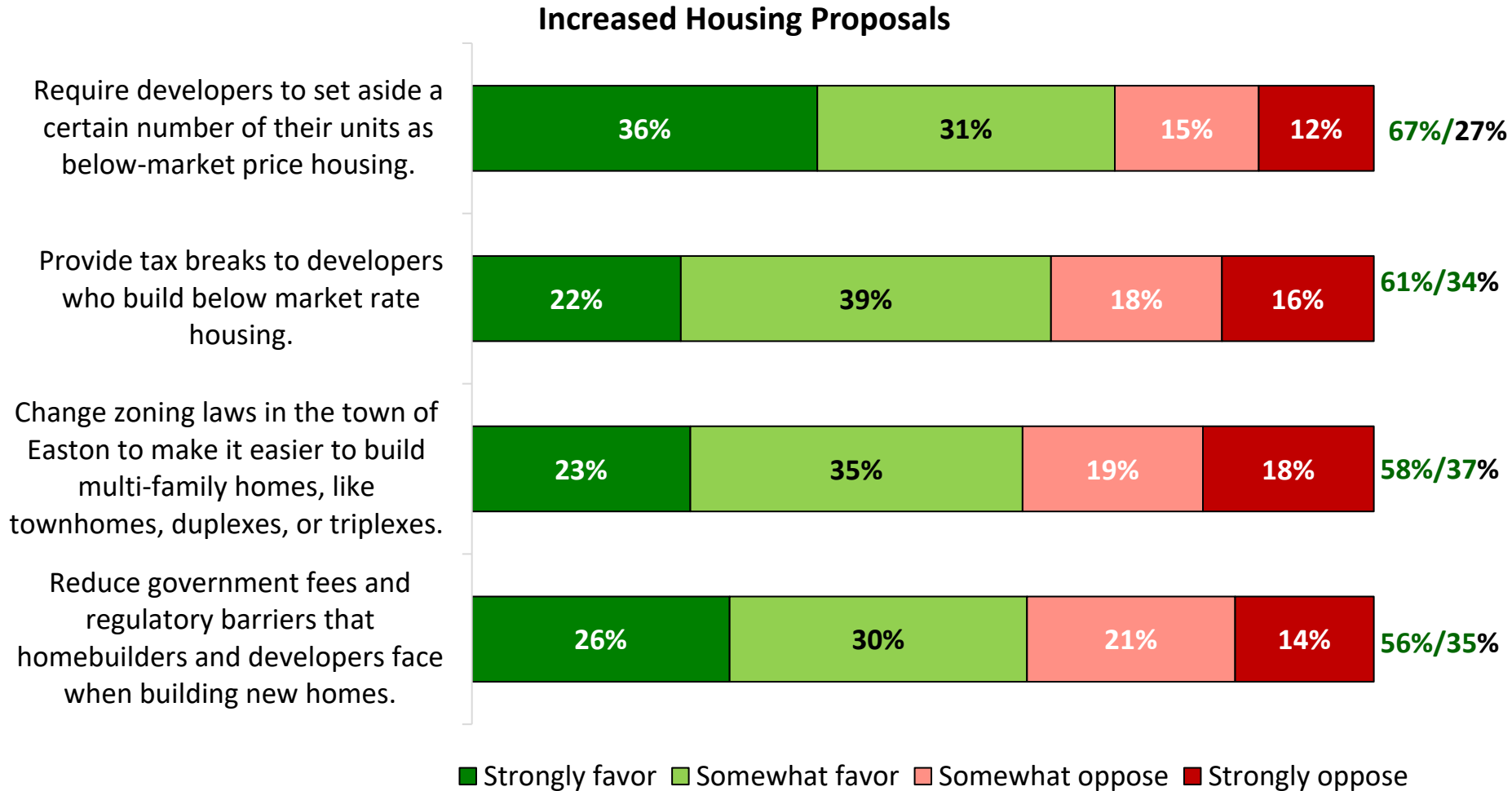
Views on Housing Density



Q.13 As you may know, housing density refers to the number of homes or apartments that are allowed in a neighborhood, city, or county area. I am going to read two statements about housing density IN THE TOWN OF EASTON. Please tell me which one comes closer to your way of thinking, even if neither one is exactly right.

Residents Broadly Approve of Housing Proposals

*Affordable housing requirements for new developments and
tax breaks for affordable housing most popular*



Easton Residents, Younger Residents, Non-Owners More Supportive of Policies Overall

*Older women and owners are least supportive of changing zoning laws
and reducing government barriers for developers*

Total Favor Housing Proposals by Region, Gender/Age, and Homeownership Status	Total	Easton	Unincorp / Other	Younger Men	Older Men	Younger Women	Older Women	Own	Total Non - owner
Require developers to set aside a certain number of their units as below-market price housing.	67	66	67	65	60	78	67	63	74
Provide tax breaks to developers who build below market rate housing.	62	67	58	69	57	70	58	56	72
Change zoning laws in the town of Easton to make it easier to build multi-family homes, like townhomes, duplexes, or triplexes.	57	67	51	61	58	65	51	52	64
Reduce government fees and regulatory barriers that homebuilders and developers face when building new homes.	56	55	57	66	61	60	45	53	61

Q.10 Next, I am going to read to you some proposals intended to increase housing opportunities for Talbot County residents. For each one, please tell me whether you (ROTATE) favor or oppose that proposal.

Non-Owners, Younger Women, and Easton Residents Strongly Favor Requiring Developers to Plan for Affordability

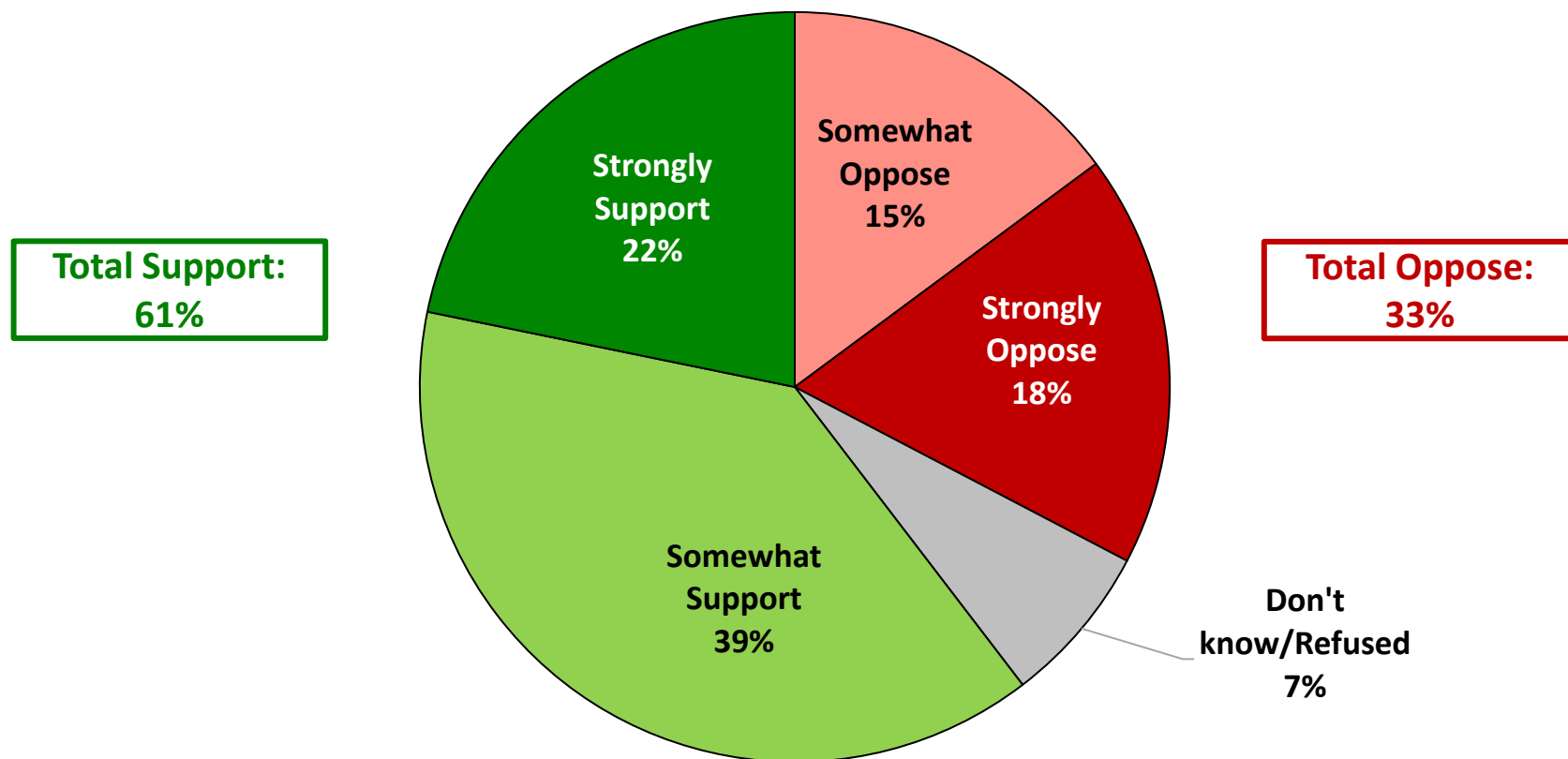
Strongly Favor Housing Proposals by Region, Gender/Age, and Homeownership Status	Total	Easton	Unincorp / Other	Younger Men	Older Men	Younger Women	Older Women	Own	Total Non-owner
Require developers to set aside a certain number of their units as below-market price housing.	36	40	33	27	36	43	36	33	43
Reduce government fees and regulatory barriers that homebuilders and developers face when building new homes.	26	29	25	31	34	27	17	25	29
Change zoning laws in the town of Easton to make it easier to build multi-family homes, like townhomes, duplexes, or triplexes.	23	27	20	19	30	23	19	20	28
Provide tax breaks to developers who build below market rate housing.	22	26	19	27	22	22	22	21	26

Q.10 Next, I am going to read to you some proposals intended to increase housing opportunities for Talbot County residents. For each one, please tell me whether you (ROTATE) favor or oppose that proposal.

Majority of Residents Support Annexation

Though most do not feel strongly one way or another

Views on Town of Easton Annexing Unincorporated Land

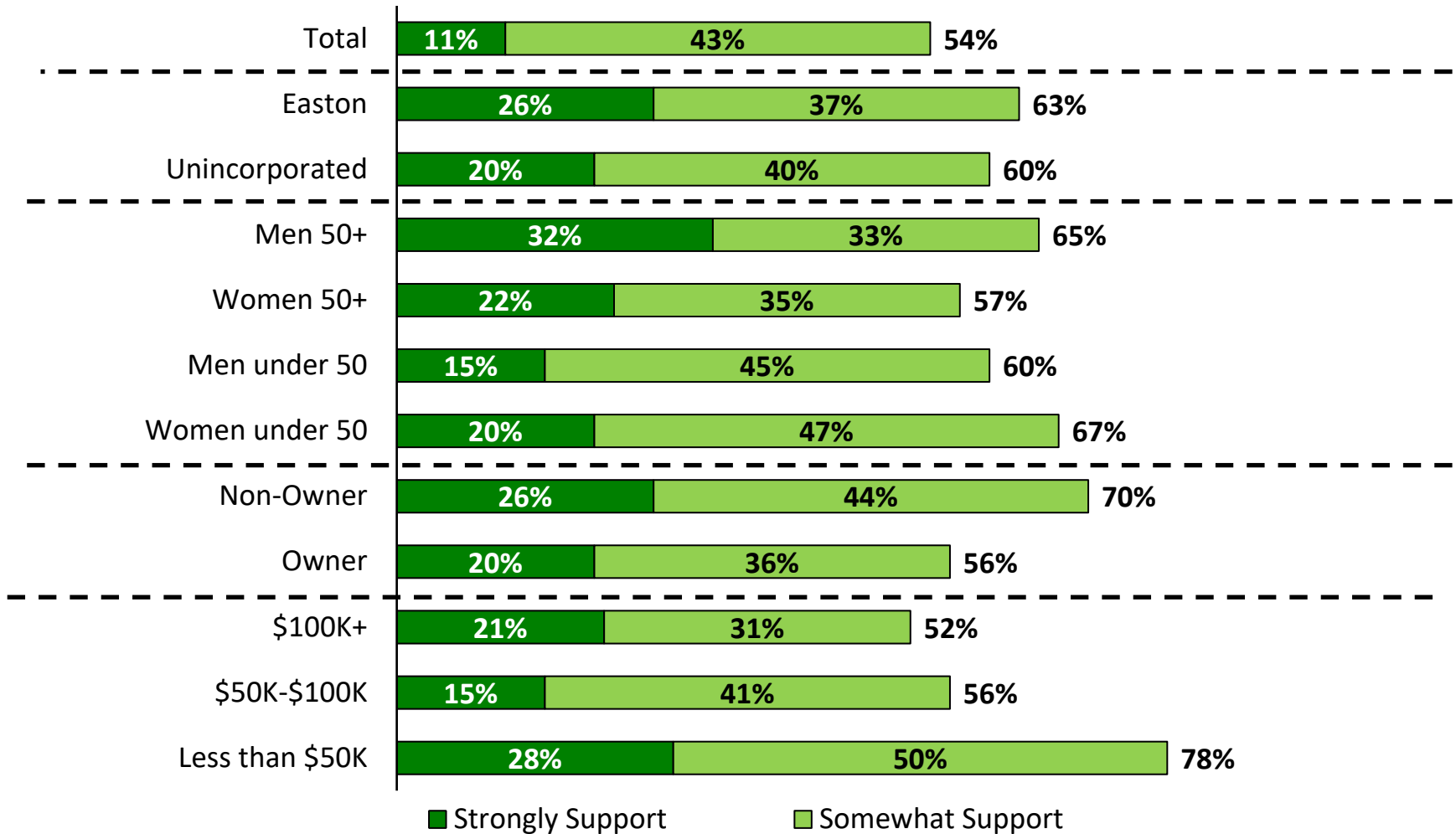


Q.11 Another way to deal with the housing issue in Talbot County is to expand the Easton town limits to include vacant county land near existing town boundaries. This would increase the amount of land available for housing opportunities. Do you generally (ROTATE) support or oppose allowing the Town of Easton to annex unincorporated land from Talbot County?

Majority of Residents Support Annexation

Highest among younger women, non-property owners, lower income, Easton residents

Town of Easton Annexation By Region, Gender/Age, Homeownership Status, and Income

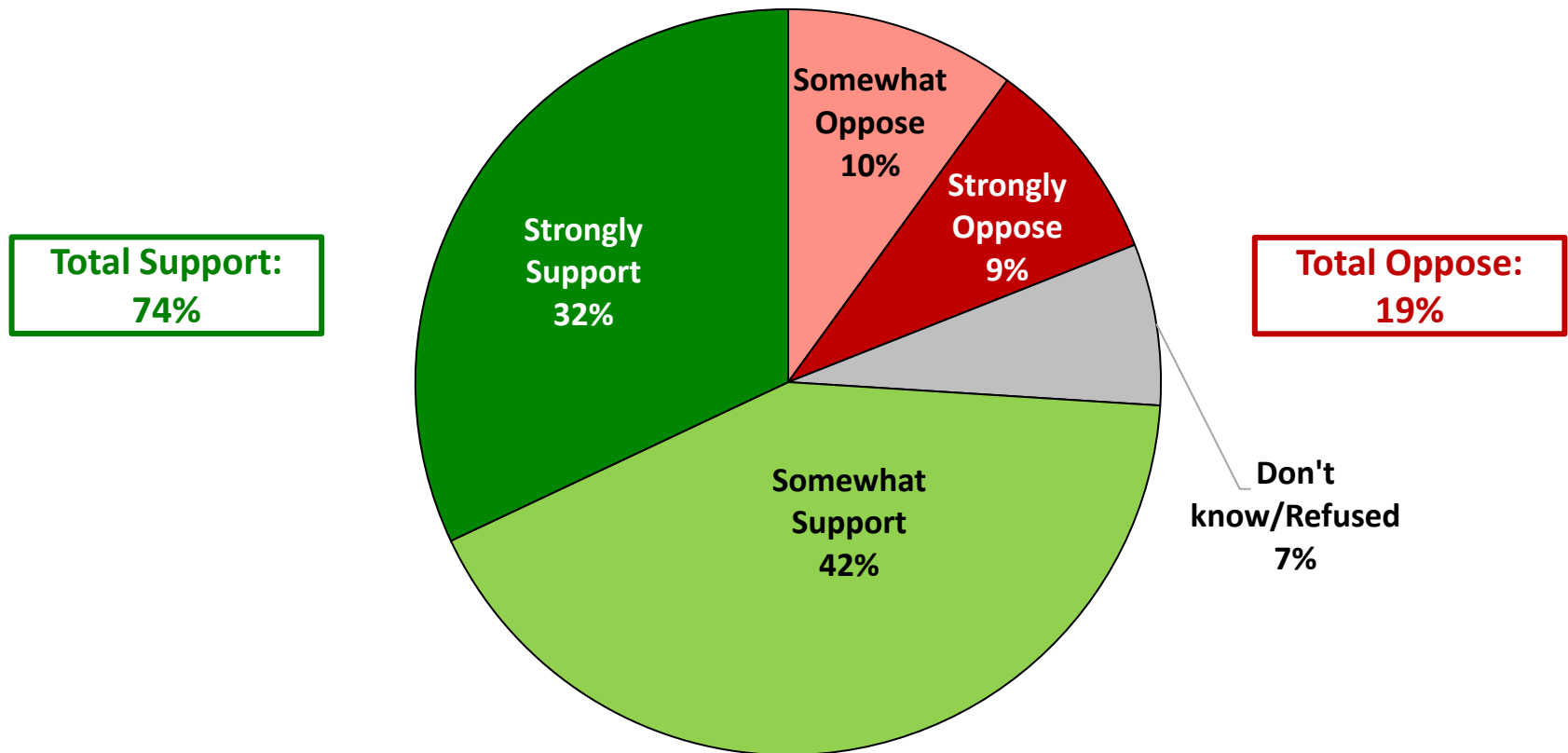


Q.11 Another way to deal with the housing issue in Talbot County is to expand the Easton town limits to include vacant county land near existing town boundaries. This would increase the amount of land available for housing opportunities. Do you generally (ROTATE) support or oppose allowing the Town of Easton to annex unincorporated land from Talbot County?

Vast Majority Support Infill Development

A plurality approve while lacking intensity

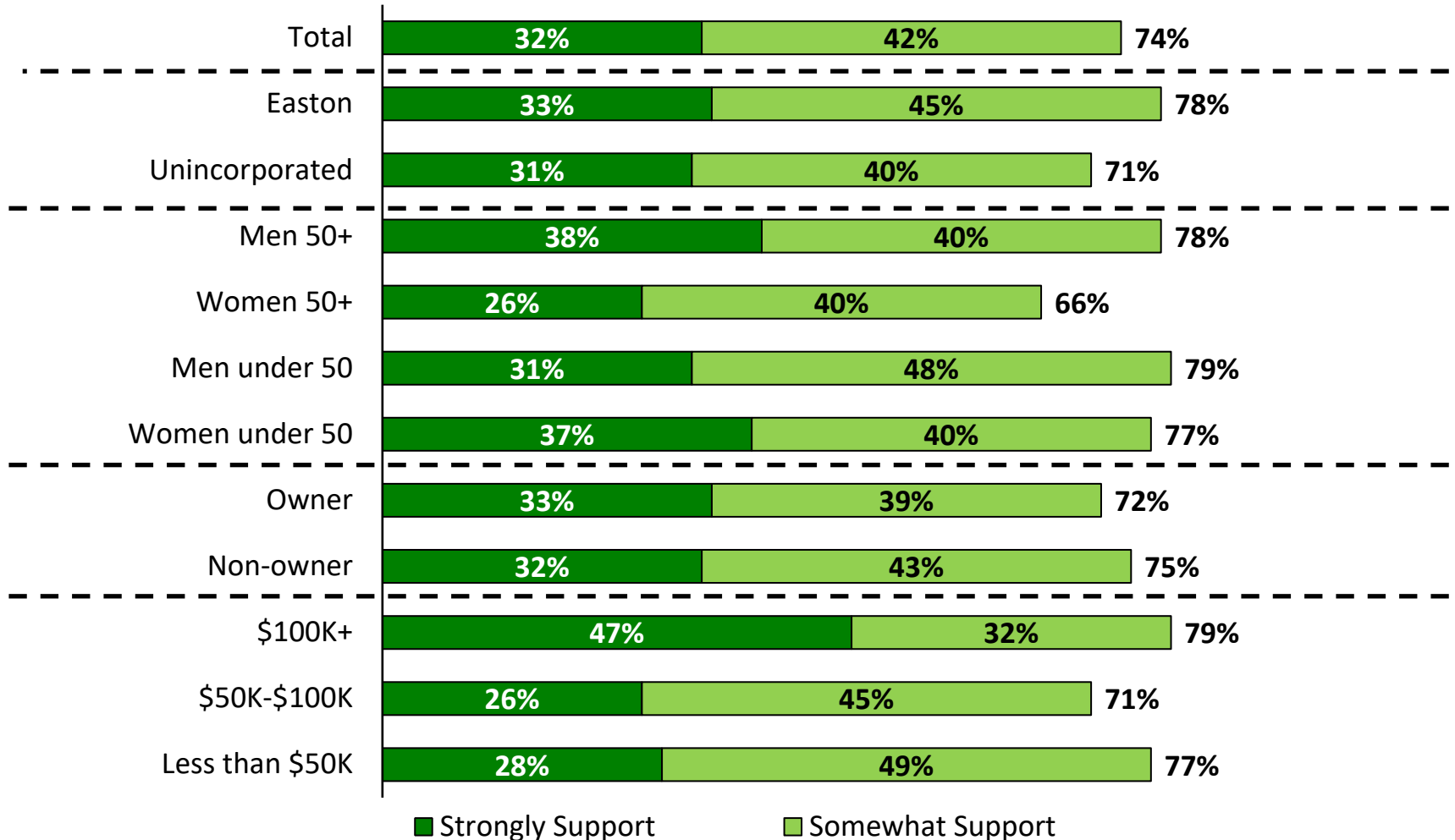
Views on Infill Development in the Town of Easton



Q.12 Another way to deal with the housing issue in towns and villages is to make use of something called infill development, which converts vacant lots and decaying properties into homes and businesses. (PROMPT) In general, do you (ROTATE) SUPPORT or OPPOSE the use of infill development in the Town of Easton?

Easton Residents, Men, Higher-Income Households Most Supportive of Infill Development

Support for Infill Development
By Region, Gender/Age, Homeownership, and Income



Q.12 Another way to deal with the housing issue in towns and villages is to make use of something called infill development, which converts vacant lots and decaying properties into homes and businesses. (PROMPT) In general, do you (ROTATE) SUPPORT or OPPOSE the use of infill development in the Town of Easton?

National Association of REALTORS®

Talbot County, MD Smart Growth July 2022

American Strategies designed and administered this telephone survey conducted by professional interviewers. The survey reached 325 adults, age 18 or older, who indicated they were registered to vote in Talbot County, Maryland. The survey was conducted July 18-21, 2022.

Sixty-eight percent of respondents were reached on wireless phones, six percent on VOIP phones, and twenty-seven percent on landlines. Quotas were assigned to reflect the demographic distribution of Talbot County, Maryland. The sample was drawn from a third-party vendor file. The overall margin of error is +/- 5.4%. The margin of error for subgroups is larger and varies.

Percentage totals may not add up precisely due to rounding.

Comparison of the Town of Easton’s Draft Inclusionary Housing Ordinance with other jurisdictions

	EASTON	QUEEN ANNE’S COUNTY	ANNAPOLIS	MONTGOMERY COUNTY	FREDERICK	LOUDOUN COUNTY, VA
Name	Inclusionary Housing Ordinance (Draft)	Moderately Priced Dwelling Unit Program	Moderately Priced Dwelling Unit Program	Moderately Priced Dwelling Unit Program	Moderately Priced Dwelling Unit Program	Affordable Dwelling Unit Program
Applicability	1. New construction or substantial rehabilitation: 5 or more units. 2. Adaptive reuse or nonresidential to residential conversion: 10 or more units.	1. Inside of growth areas: 20 or more lots or units. 2. Outside of growth areas: 60 or more lots or units.	Development or redevelopment of 10 or more dwelling units.	Residential developments of 20 or more units at one location.	1. Residential development projects of 25 or more units. 2. Mixed-use projects with a residential component of 25 or more units.	Sites that are served by public water and sewer and which yield 24 or more units at an equivalent density greater than one unit per forty thousand square feet.
Exemptions (Excluding Grandfathered Applications)	Accessory Dwelling Units are exempt from the provisions.	Not included in the legislation.	1. The conversion of a residential rental property to a condominium property if the condominium was registered with the Secretary of State prior to March 13, 2006.	Not specified in the legislation.	1. Development projects undertaken by the City. 2. Projects undertaken by a nonprofit housing development organization or a continuing care retirement community if at least 12.5% of the persons renting or purchasing units would be considered eligible to buy or rent an MPDU.	1. Multi-family dwellings of four stories or more with an elevator. 2. Applications which deal exclusively with issues of: building relocation, site access, stormwater drainage, or other engineering or public facility issues; the preservation of historic structures; wetlands; child care facilities; or changes in the size of units, a reduction in the number of units, or which request the addition of a non-residential special exception use.
Required Minimum Percentage of Inclusionary Units	10%	10%	Proportionate to the approved development density and is a variable percentage that is not less than 15%.	1. 15% where at least 45% of the census tracts in the planning area have a median household income of at least 150%. 2. 12.5% for any other planning area. 3. The percentage is inclusive of the increased units from the optional density provisions (bonus density).	1. 12.5% 2. The Council may establish a higher base requirement, up to 15%, as part of a master plan approval.	1. SFD & SFA: 12.5%, inclusive of the density bonus units. 2. MF: 6.25%. 3. The percentage is inclusive of the increased units from the density bonus.
Eligibility	100% of the Talbot County MFI, adjusted based on Easton’s MFI. For-Sale units: 50% units required for median income households (up to 80% MFI) and the remainder to moderate-income households (up to 100% MFI). Rental Units: 50% units required for very low-income households (up to 50% MFI) and the remainder to low-income households (up to 60% MFI).	1. 80% of MHI. 2. Must not have owned any residential property during the previous five years.	1. 100% or less than the Baltimore MSA MFI, adjusted for family size. 2. City resident or employed by the City within the past 12 mos.; employee of the City; City public school teacher or staff member; employee of the Naval Academy; resident of the County and is under a disability.	1. Garden Apartment or High-Rise Rental: 65% of the AMI. 2. Purchase or High-Rise Rental: 70% of the AMI. 1. Members of a household must not have owed any residential property during the previous 5 years (may be waived for good cause).	1. 30% to 80% of the Washington MSA median household income. 2. Priority given to persons who first live within the City, then second, work within the City.	1. For-sale units: 30%-70% of Washington MSA median income. 2. Rental units: 30%-50% of Washington MSA median income.

	EASTON	QUEEN ANNE'S COUNTY	ANNAPOLIS	MONTGOMERY COUNTY	FREDERICK	LOUDOUN COUNTY, VA
Control Period	1. For-sale units: 20 years. 2. Rental Units: 30 years.	1. For-sale units: 15 years. 2. Rental units: 25 years. 3. Covenants recorded in the County land records. 4. Units sold during the control period reverts to a new control period.	1. For-sale units: 30 years. 2. Rental units: 99 years. 3. Units sold during the control period reverts to a new control period.	1. For-sale units: 30 years. 2. Rental units: 99 years. 3. If a for-sale unit is sold within 30 years after its original sale, the unit must be treated as a new sale and a new control period must begin on the date of the sale. 4. MPDU Agreement recorded in the land records is required.	1. 30 years. 2. MPDU Agreement is recorded in the land records of Frederick County with assurance that the City may create a lien to collect a portion of the sale price or the foreclosure sale price that exceeds the approved resale price.	
Cash-In-Lieu	Permitted, with approval by the Town Council and based on specific considerations, for the adaptive reuse or nonresidential to residential conversion of 10 or more units.	Permitted based on specific PC findings (dedication is impractical based on site physical characteristics, public benefits outweigh the benefits of constructing on site, etc.).	Not permitted.	1. Developments between 11 and 19 units require a payment to the Housing Initiative Fund. 2. An alternative payment agreement may be approved by the Director instead of building some or all of the required for-sale units with the funds placed in the Housing Initiative Fund and upon specific findings.	1. Permitted for all or a portion of the required units. 2. The density bonus cannot be applied if payment is made in lieu of building the units.	Permitted for developments which contain only SFD units.
Cash-In-Lieu Fees	Initially established by ordinance as flat fees based on the average market rate unit price (range = \$3,000 to \$7,500), as amended by the Council. The draft ordinance gives the Town Council the ability to establish fees through alternative calculation methods.	Difference between median price of same size units sold in the prior year and maximum allowable price of an MPDU unit.	Not permitted.	The payment in lieu of satisfying all the required units is 3% of the sale price of each market rate unit in the development. A payment made in partial satisfaction of the required units is adjusted based on the percentage of required units provided.	\$16,100 per unit.	100% of the construction cost of a prototypical SFD affordable dwelling unit based on the number of bedrooms provided within the predominate market rate units in the development. The cash in lieu fee is adjusted by the CPI at the time the actual contribution is transferred to the County.
Other Alternatives	1. Build off-site and sell one and one-half the required number of units. 2. Purchasing land in the County and donating to a qualified housing organization to build one and one-half the required number of units. 3. Consideration given for other unique or innovative proposals.	1. Off-site option approved by PC based on access to public amenities and surrounding density and land use compatibility. 2. Donations of on-site or off-site land if the land is suitable for construction. The value of the land must be equal to or greater than the value of the fee-in-lieu payment.	The design, construction, pricing or amenity package may be eliminated or modified by the Department of P&Z if it lessens the eligibility of eligible persons to qualify.	1. Allows an applicant to build high-rise units at another location. 2. Allows an applicant to transfer land to the County if the value transferred is at least equal to the value of the units not constructed by the applicant. The land must be used to produce or preserve moderately-priced units or can be sold with the funds allocated to the Affordable Housing Acquisition and Preservation CIP portion of the Housing Initiative Fund. 3. If a waiver of impact fees is granted, the applicant cannot propose an alternative compliance.	Government or non-profit agencies may buy or lease up to 20% of the units as they become available.	1. The percentage of affordable units, density bonuses, and phasing requirements can be modified upon approval by the Board of Supervisors based on specific criteria but the affordable units can be no less than 5%. However, the ratio of affordable units proposed to the total density increase is no less than 12.5:20% for SFD and SFA and 6.25%/10% for MF. 2. The Board of Supervisors may approve a combination of affordable dwelling units, land, or contributions equivalent to providing the required number of affordable units.

	EASTON	QUEEN ANNE’S COUNTY	ANNAPOLIS	MONTGOMERY COUNTY	FREDERICK	LOUDOUN COUNTY, VA
Incentives (Including Density Bonuses)	1. Density bonus of 20% from the base zoning district density limits. 2. The developer can receive up to a 20% relief from bulk requirements and parking standards. 3. For adaptive reuse and nonresidential to residential conversion: a) Impact fee subsidies from the Housing Fund b) Reduction in capital charges. c) Real property tax abatement for developers that provide at least 20% inclusionary units.	1. Density bonus of 10%. 2. County Commissioners may subsidize, adjust, or exempt impact fees.	1. For-sale units: 15% density bonus. 2. Rental units: 10% density bonus. 3. The P&Z Director can provide up to 20% relief from bulk, parking, and loading development standards.	1. Optional density bonus provisions are allowed in certain zoning districts. The optional density provisions permit additional building types and more flexibility in dimensional standards other than those allowed under the standard method of development when units are provided above the minimum required. Ex: In a residential detached zone, an applicant who voluntarily provides at least 12.5% units in a development with 20 or fewer dwelling units may use the optional method development standards Ex: In Commercial/Residential zones (mixed-use), the Floor Area Ratio (FAR)\ for residential density can be increased for increases in units above 12.5%. If 100% of the units are inclusionary, the total FAR (nonresidential and residential) is exempt from limits provided the maximum residential density does not exceed 2.5 FAR	1. A sliding scale density bonus is allowed if the developer constructs more than the minimum required of units, but no more than 22% over the maximum density.	1. SFD & SFA - 20% density bonus. 2. MF - 10% density bonus. 3. Maximum 90-day review time for final site plans, preliminary subdivisions or record plats. 4. Application fee waivers for developments where the applicant proposes a Concept Development Plan Amendment only in order to provide affordable dwelling units which are otherwise exempt. 5. Review of final site plans, preliminary subdivisions, or record subdivision plats processed within 90 days provided that such plans and plats substantially comply with all ordinance requirements when submitted (time does not include the applicant's time for revisions or modifications).
Maximum Sales Price	See examples included in the Council's packet.		Set annually and assumes market rate interest with no more than 30% of the annual gross household income applied towards the cost of housing.	The sale price, including closing costs and brokerage fees, must not exceed an applicable maximum sale price established from time to time by the County Executive.	Established by the Board of Alderman and adjusted periodically based on the CPI percentage change.	The sales prices for affordable housing units provided shall be in accordance with the rules and regulations governing such programs.
Maximum Rent	See examples included in the Council's packet.		Rental rates are recalculated yearly and capped at 100% of HUD's fair market rents if the property owner pays all utilities, and at 80% of fair market rents if the property owner does not pay all utilities.	1. The rent for any unit, including surface parking but excluding utilities when they are paid by the tenant, must not exceed a maximum rent for the unit set by regulations. 2. Different rents must be set for units when utility costs are paid by the owner and included in the rent. 3. Different rents may be set for age-restricted units. 4. Different rents also may be set for high-rise rental units.	Established by the Board of Alderman. Two different rates based on whether the renter pays utility costs. Rates include parking.	The rents for affordable housing units provided shall be in accordance with the rules and regulations governing such programs.
Resale Restrictions	A subordinate shared appreciation loan agreement is required at the time of closing in favor of the Town	Cannot be resold for a price greater than the original selling price plus a percentage of the selling price based	The initial difference in value between the purchase price and the real market value is paid to the City unless the	A purchase and sale agreement and any deed or instrument conveying title must acknowledge that the owner	Sales during the control period: Cannot be resold for a price greater than the original sales price plus a	Not specified in the legislation.

	EASTON	QUEEN ANNE’S COUNTY	ANNAPOLIS	MONTGOMERY COUNTY	FREDERICK	LOUDOUN COUNTY, VA
	of Easton. Net proceed rules will need to be established.	on the CPI, value of improvements, and allowance for closing costs. Sales after the control period: If the resale price exceeds the sum of the above, the seller contributes to the County Housing Fund 50% of the difference, which can be adjusted so the seller retains at a minimum \$10,000.	purchaser owns and occupies the unit for at least 30 years; the seller keeps the net proceeds.	cannot sell the property until they have notified the Department that the unit is for sale, the Department has notified the owner they do not intend to buy the unit, and the Department has notified the owner of the maximum resale price. When a deed or other instrument conveying title to an MPDU is recorded in the land records, the grantor must cause to be filed in the land records a notice of sale for the benefit of the County in the form provided by state law. Resale requirements during the control period and first sale requirements after the control period are similar to Frederick’s provisions.	percentage of the unit’s price based on the CPI, fair market value of improvements, allowance for closing costs, and a reasonable sales.commission Sales after the control period: If the resale price exceeds the sum of the above, the seller contributes to the City Housing Fund 50% of the difference, which can be adjusted so the seller retains at a minimum \$10,000.	
Eligible Housing Fund Expenditures	Not included in the draft legislation.	Not Specified in the legislation. The Housing Department provides grants or loan funding for housing rehabilitation and emergency home repair and manages the Critical Workforce Mortgage Program.	Housing trust funds are used for the following: 1. Purchase land or buildings for other affordable housing to persons that meet the eligibility criteria 2. Contribute to settlement expense, down payment, and mortgage write-down assistance to eligible persons or households 3. Construct for-sale units 4. Purchase and/or rehabilitate rental housing for conversion to home ownership 5. Rehabilitate residential units 6. Match other state or federal housing programs 7. Pay for administrative costs 8. Contract with nonprofit developers for development of housing units for sale 9. Grant rental assistance to eligible persons or households.	Housing Initiative Fund payments cannot be used to reduce the annual county payment to the fund, must be deposited in the Affordable Housing Acquisition and Preservation CIP, and must be used only to buy, build, or preserve more units in the same planning area as the development for which the payment was made (unless the payment is used in a Planning Area where at least 45% of the census tracts have a median household income of at least 150% of the County-wide median household income or the Director provides the Council with a notice of intent to use the payment in a different planning area).	Used for the following: 1. Offset the costs of operating the program. 2. To purchase and resell or rent the unit. 3. Address the affordable housing needs of low-income and special populations that don’t qualify or may require supportive or service-enriched housing. 4. Provide homebuyer education, delinquency, and default counseling 5. Provide grants for the modification of units to promote accessibility. 6. Provide grants for the modification of units to promote energy efficiency and conservation. 7. Provide emergency loans to buyers to prevent mortgage defaults. 8. Address health and life safety hazards in owner-occupied housing.	Cash in lieu fees are placed in the Loudoun County Housing Trust Fund.
Management	TBD	Housing Department. The department maintains an eligibility list and certifies eligibility, including a	Department of Planning and Zoning, Division of Community and Economic Development. Staff grant and monitor	Department of Housing and Community Affairs. The Department maintains a list of eligible households.	Frederick Community Action Agency. The CAA maintains a list of eligible persons.	1. Department of Family Services. 2. Affordable Dwelling Unit Advisory

	EASTON	QUEEN ANNE’S COUNTY	ANNAPOLIS	MONTGOMERY COUNTY	FREDERICK	LOUDOUN COUNTY, VA
		completion of home ownership counseling. Points are awarded based on waiting time on the eligibility list, county residency, employment in the county, and qualification as a Critical Workforce Employee (emergency responders, law enforcement, and teachers). Department annually monitors the occupants of rental units.	certificates of eligibility.	The Executive by regulation establishes a buyer and renter selection system which considers household size, County residency, employment in the County, and length of time since the household was certified for the program. Eligible households will be notified when units are available for sale or rent and will be given an opportunity to buy or rent a unit during a 90-day priority marketing (60-day for resale price or renter vacancy) period in the order of their selection priority ranking.		Board.

Source: Department of Planning and Zoning, Town of Easton, MD



TOWN COUNCIL INFORMATION ITEM

SUBJECT: Attainable Housing Task Force

WARD DISTRICTS: Townwide

STAFF CONTACTS: Lynn Thomas, Town Planner
Miguel Salinas, Director

PURPOSE: To establish a sixteen-member Attainable Housing Task Force (Task Force) to provide prioritized recommendations to the Town Council (Council) for the implementation of policies, regulations, and incentives to further attainable housing in Easton.

BACKGROUND: A joint workshop between the Town Council and Planning Commission was held on January 16, 2024 to discuss proposed zoning code amendments, several of which related to missing middle housing. At the conclusion of the discussion, the Council agreed to staff's suggestion to develop a Scope of Work for the development of a comprehensive strategy that furthers attainable housing in Easton. Outlined below is the proposed Scope of Work that is expected to be completed within a four-month timeframe.

A. Attainable Housing Task Force

Staff proposes establishing a sixteen (16)-member Attainable Housing Task Force to achieve the above-stated objective. The Task Force, with members nominated by the Mayor and appointed by the Council, would include:

- Two members of the Town Council
- Two members of the Planning Commission
- One member of the County Council
- One member of Easton Utilities
- One member of the Easton Affordable Housing Board
- One member of the Easton Economic Development Corporation
- One member of the Talbot County Housing Authority
- One member of the Mid-Shore Board of Realtors
- One member of a non-profit or for-profit housing organization
- One member of the architecture profession
- One member of an HOA Board
- One member of the business community
- Two at-large members

The Task Force will appoint two Co-Chairs. The Department of Planning and Zoning will provide staff support to the Task Force. The first five meetings will be open to the public with the opportunity for public comments at the end of every meeting. The final three meetings are breakout discussions involving task force members for the purpose of developing the objectives and strategies that will be forwarded to the Council.

Table 1: Tentative Meeting Schedule, Agenda & Participants

Meeting	Topic	Agenda
Meeting One	Task Force Kick-Off	Introductions and Purpose of the Task Force Presentations: Overview of the Affordable Housing Board and current housing programs; Town policies; the draft Inclusionary Zoning Ordinance; County recommendations from the 2015 Affordable/Workforce Housing Commission Discussion: Individual perspectives and concerns Public Comment
Meeting Two	Understanding the Challenges	Presentation: Demographic, workforce, and market overview, American Strategies survey Discussion: Zoning and Missing Middle Housing Public Comment
Meeting Three	Balancing the Need Versus Housing Market Realities	Panel: Housing organizations and real estate development Discussion: Attainable Housing Incentives Public Comment
Meeting Four	Impact of Housing on Business Development and Retention	Panel: Talbot County Economic Development Commission, Easton Economic Development Corporation, Talbot County Chamber of Commerce, Mid-Shore Regional Council, University of Maryland Shore Medical Center Discussion: Growth Areas Public Comment
Meeting Five	Attainable Housing Best Practices	Presentation: Salisbury Housing and Community Development, Queen Anne's Community Services, Anne Arundel County Discussion: Short- and Long-term housing policies Public Comment
Meeting Six	Draft Task Force Recommendations	Break-out session Report-outs
Meeting Seven	Draft Task Force Recommendations	Break-out session Proposed objectives and strategies
Meeting Eight	Draft Task Force Recommendations	Finalized proposed objectives and strategies

B. Workforce and Housing Market Assessment

Staff will conduct and analyze workforce and housing market intelligence prior to the second meeting of the Task Force. Workforce and housing intelligence will include, but not be limited to, the number of employees in the workforce earning less than 80%, 50%, and 30% of Easton's Median Family Income (MFI); census commuting patterns; a comparison of housing prices and rents versus MFI over a period of time; a comparison of new housing prices versus existing housing supply on the market; current availability of housing at various price points; and the current inventory of housing by typology. Staff is also considering administering a public sector employee survey that will include the Town of Easton, Talbot County Public Schools and the volunteer fire department.

C. Define the attainability issues

Staff will summarize the public's perceptions of attainable housing, or the lack thereof, from the community input received from the housing-related questions from the comprehensive plan update and the 2022 American Strategies phone survey. Staff will also produce a gap analysis that determines the difference between prototypical housing construction costs by housing type and size in the Easton market versus affordable sales and rental prices. Additional data will include the calculation of affordable sales prices for new homes in the Easton market versus the median house sales price; the percentage of homes sold under calculated affordable sales prices; and the percentage of cost-burdened or severely cost-burdened households. Using this information, staff will define the top contributing factors to a lack of attainable housing.

D. Implement a community education and awareness program

Staff will develop a landing page to inform citizens of Easton and Talbot County on the issues of attainable housing, the Town's ongoing efforts to address housing issues and policies, and the Task Force activities. Staff will also host a community-wide event on the relationship between attainable housing and zoning. Through these outreach efforts, a diverse network of citizens will stay informed on the Town's efforts related to housing.

E. Develop Recommendations

The Task Force will develop policy, regulatory, and incentive recommendations to the Town Council to further attainable housing in Easton. The recommendations will be prioritized with an actionable plan for implementation.

ISSUES: The Scope of Work is expected to be completed within a four-month timeframe, or the end of May where the Task Force will submit its recommendations to the Town Council. The Task Force will be scheduled to meet every other week. If the Task Force agrees that additional meetings are needed to complete their Scope of Work, staff and the Task Force Co-Chairs will provide the Council an update on the progress of their work to date and the new timeframe for completion.

FISCAL IMPACT: There are no fiscal impacts with the exception of the gap analysis, which is a complex formula that determines the difference between prototypical housing construction costs by housing type and size in the Easton market versus affordable sales and rental prices. Staff is exploring assistance from an experienced housing, development, and finance advisory firm to conduct the gap analysis. Assistance will be selected if costs can be absorbed in the Department of Planning and Zoning's current budget FY 24 budget. Further, the data summaries, gap analysis, Task Force recommendations, survey results and other products derived from the Scope of Work will benefit other ongoing planning efforts, including the update to the Comprehensive Plan, the East End Small Area Plan, and the ongoing inclusionary zoning effort.