



Town Council AGENDA

Monday, February 19, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

5:30 PM: Call to Order by President Gunsallus.

Opening remarks and Pledge of Allegiance by Councilmember Curry.

Approval of Minutes.

Minutes of the February 5, 2024 meeting.

Municipal Official Items.

Items by Mayor Cook.

Historic District Commission Re-Appointments.

Items by Town Manager

Public Assembly Event: St. Patrick's Day Parade and Potato Race - 3/17/24.

Items by Town Attorney.

Presentations.

Proclamation for Carlene T. Phoenix, Supervisor of Elections.

Mr. Jim Bent, Chair to update Council on Affordable Housing.

Legislation.

Res. 6180, "A RESOLUTION OF THE TOWN OF EASTON ADOPTING RULES OF PROCEDURE FOR THE EASTON TOWN COUNCIL."

Public Hearing.

5:35 PM PUBLIC HEARING to solicit public comment on Ordinance Number 809, which proposes amendments to Chapter 28 of the Town Code (Zoning). The purpose of the proposed amendments is to revise the Code to regulate cannabis-related uses in light of the State of Maryland's approval of various recreational cannabis uses.

Ordinance No. 809, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING CHAPTER 28 OF THE TOWN CODE (ZONING)."

Public Participation/Comments.

Items by Members of the Council:

Adjournment.

The public can access the meeting as follows:

<https://www.eastonmd.gov/129/Agendas-Minutes>

If you are an Easton Cable subscriber, you can view the meeting through TV-Channel 98.

Please note: There is a possibility of all or part of the meeting may be held in Closed Session.



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601
www.town-eastonmd.com

MEMORANDUM

TO: Mr. Frank Gunsallus, President of the Council
Members of the Town Council

cc: Donald J. Richardson
Sharon VanEmburch

FROM: Mayor Megan JM Cook *m/mc*

SUBJECT: Historic District Commission Re-Appointments

DATE: February 19, 2024

I am asking for confirmation for the re-appointment of members of the Historic District Commission. The three-year term for Ernest Demby, Chair (March) and Kevin Bateman (April) expires in the next few weeks and need to be re-appointed. Both members are a valuable asset and would like to continue to serve on the Historic District Commission.

Your consideration for the above appointments is appreciated.

EASTON POLICE DEPARTMENT

"With Pride We Serve"

UPCOMING PUBLIC ASSEMBLY EVENT

TO: Mayor Cook and Don Richardson

DATE: February 14, 2024

PREPARED BY: 1st Sgt. Patrick Sally 0135

EVENT: St Patrick's Day Parade and Potato Race

APPLICANT: Lance Morris / EEDC

LOCATION: Parade Route – Start at District Court Parking lot on Dover St. Proceed east on Dover Street to Harrison Street. Head north on Harrison to Goldsborough Street. West on Goldsborough St. to Washington Street. Washington Street back to Dover. St..

The Potato Race, immediately following the parade, will be in front of the Circuit Courthouse on Washington St.

DATE/TIME: March 17, 2024 5:30pm – 6:30pm (or until concluded)

ATTENDANCE: 4,000 spectators / less than 40 parade units

PURPOSE: Holiday Parade

SPECIAL REQUESTS: Police assistance for traffic control during parade and provide traffic control devices for street closures (No parking along parade route will be posted 3 hrs prior to event to allow for a clear route).

EPD CONCERNS: None

APPROXIMATE COST: 14 traffic posts will be required to be staffed, as well as providing roaming bike patrols and a lead car. EPD will bring in extra personnel to staff these posts as needed. EPD personnel will maintain a presence during the potato race, and open streets when concluded.

EPD overtime cost – approx. \$2,500

RECOMMENDATION: Approve

Town of Easton

MARYLAND



Proclamation

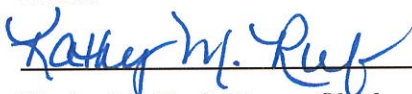
- WHEREAS,** Carlene T. Phoenix has served on our Boards and Commissions as Supervisor of Elections since January 15, 2003; and is now retiring as of February 2024 after being a powerful influence for good in the progress of the community; and
- WHEREAS,** Carlene has been a conscientious, trustworthy, Election Supervisor and has had a dedicated interest and devotion to her duties and has earned and justly deserves this public recognition for the many years of service to the Town of Easton and our community; and
- WHEREAS,** with the love and encouragement of her family, Carlene has served faithfully and honorably participating in civic affairs and projects; and
- WHEREAS,** throughout her career, Carlene has performed a myriad of tasks important to the causes of the election process including administration and management responsibilities; and
- WHEREAS,** Carlene has served the Town of Easton in a professional, dedicated and loyal manner dealing with a diverse range of people, providing courteous and comprehensive help to the Town officials, members of the public, and fellow town staff.

NOW, THEREFORE, the Mayor and Council of the Town of Easton extend our personal congratulations, as well as those of the citizens of our community. Further, we extend our heartfelt appreciation and gratitude for Carlene's 21 years of dedicated service with our best wishes for continued happiness and good health for many years to come.

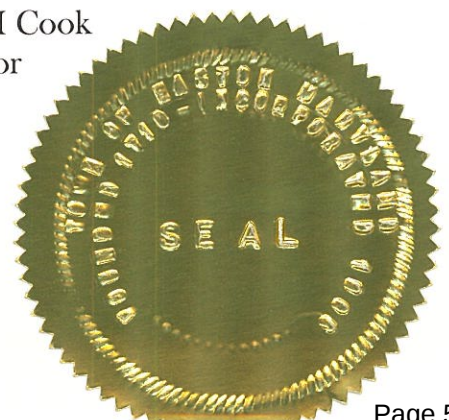
In witness whereof, I have hereunto set my hand and caused the Seal of the Town of Easton, Maryland to be affixed this nineteenth day of February in the year of our Lord two thousand and twenty-four.

Megan JM Cook
Mayor

Attest


Kathy M. Ruf, Town Clerk

Seal:



TOWN OF EASTON, MARYLAND
Easton Affordable Housing Purchase Program
First Time Homebuyers

Easton Town Hall
14 South Harrison Street
Easton, Maryland 21601
410-822-2525
www.EastonMD.gov

A HOME YOU CAN AFFORD

Chapter 13 of the Town of Easton Code establishes the Easton Affordable Housing Board to administer the Easton Affordable Housing Program (EAHP).

APPLICATION

For the Affordable Housing Board to determine if you are eligible to participate in the First-Time Homebuyer Program, you must complete an application and provide information about your family & your income. Applicants may apply to purchase a home and they must meet appropriate income & credit history guidelines.

ELIGIBILITY

First Time Home Buyers Only:

Persons who have owned a residential property in the previous five (5) years are not eligible to participate in the program.

Income Limits:

Your total household income must not exceed the current maximum income limits shown below. Household income will include the annualized income for all members of your household (18) years of age and over at the time of application. There is an asset cap of \$50,000. Assets may include savings and checking accounts, IRA's 401K's, other retirement accounts and other investments.

The Town of Easton **2023 median income is \$98,955;** based upon the 2023 Talbot County median income estimate of the U.S, Census; source HUD website. Three income categories have been established and include:

Very low income: 50% of median

Low income: 50% - 80% of median

Moderate: 80% to 100% of median

The table that follows depicts the maximum income based upon the category and the number of people in the family:

Family Size	1	2	3	4	5	6	7	8
Very Low Income	\$33,190	\$37,931	\$42,673	\$47,414	\$51,207	\$55,001	\$58,794	\$62,587
Low Income	\$53,091	\$60,675	\$68,260	\$75,844	\$81,912	\$87,979	\$94,047	\$100,114
Moderate Income	\$69,269	\$79,164	\$89,060	\$98,955	\$106,871	\$114,788	\$122,704	\$130,621

The Easton Affordable Housing Board has established a minimum income of \$20,000 to be eligible to purchase a home because sales prices normally require at least that amount of income. If you have sufficient assets to qualify for a mortgage the minimum income may be waived. If this is the case, you must explain in a letter attached to the application. If you are found eligible, the Housing Board will send you a letter of qualification.

SELECTION PROCESS

Three income categories have been established for affordable housing applicants. These categories are based upon 2023 Town of Easton median income estimates as determined by the Affordable Housing Board. The Town of Easton's 2023 median income estimate is \$98,955. Once you have submitted your application it will be reviewed for accuracy and eligibility by program coordinators.

As affordable residential units are made available in each income category, the Housing Board will notify qualified applicants approved through the program. If more qualified applicants exist than available units, a lottery selection will take place. Otherwise, qualified applicants will work with the program coordinators to select from available units. Priority is given to persons who live or work in Talbot County, and to those who have been in the program for the longest period. The priority is enforced through a point system.

FINANCING

The Easton Affordable Housing Board does not provide any form of financing. You must be able to qualify for a mortgage, make a down payment, and pay settlement and other closing costs necessary to purchase the house. To obtain mortgage financing, you need to have good credit; a steady income and the house must be affordable for your family's income. The sale price of affordable housing units is set by the Housing Board.

The Easton Affordable Housing Board is not involved in the contracting process for affordable housing units. All purchase agreements are negotiated between you and the private seller.

OCCUPANCY AND RESALE RESTRICTIONS

To ensure that affordable housing units serve eligible households and are affordable to future owners, the following restrictions are placed on the program. You must agree to these restrictions to participate in the program.

Occupancy:

The affordable housing unit must be owner occupied. You must occupy the unit as your primary residence.

Control of Resale:

The resale price of the affordable housing unit is controlled for a set period ranging from 7 to 15 years that depends on the development in which the affordable housing unit is located. You may sell your unit during the control period. However, you must sell it at a price determined by the Housing Board. The sale price is limited to the sum of the original price plus the increase in inflation from the date of the original purchase to the date of the resale plus the fair market value of capital improvements made to the unit.

Share of Excess Profit:

To provide funds for producing affordable housing in the future, the Town has established the Easton Affordable Housing Fund. When an affordable housing unit is sold the first time after the control period expires, the seller must pay one-half of the excess profit to the Easton Affordable Housing Fund. The Housing Board must adjust the amount paid into the Fund to ensure that the seller retains at least \$10,000 of excess profit. Money contributed to the Easton Affordable Housing Fund is used to finance construction or rehabilitation of other affordable homes in Easton.

HOME BUYER SEMINARS:

Persons interested in purchasing an affordable housing unit may be required to attend a home buying class prior to entering any lotteries and signing a sales contract to purchase a home. Information on these classes will be included with your eligibility certificate.

**Town of Easton Affordable Housing Program
Town of Easton
14 South Harrison Street
Easton, Maryland 21601
410-822-2526
www.EastonMD.gov**

TOWN OF EASTON, MARYLAND

Easton Affordable Housing Renovation Program For Owner Occupied Homes

**Easton Town Hall
14 South Harrison Street
Easton, Maryland 21601
410-822-2525
www.EastonMD.gov**

A GRANT / LOW INTEREST LOAN PROGRAM TO IMPROVE YOUR HOME:

An opportunity for residents who own and occupy homes as their primary residence and pay property taxes in the town of Easton, MD to apply for a grant or low interest loan through the Town of Easton Affordable Housing Fund for approved renovations to improve the Energy Efficiency, Safety and Livability of their home. *An exception shall be considered for a neighborhood within the town limits of Easton where a homeowner pays ground rent for the property their home is located on. (i.e., Sun Communities - Hyde Park) and the property owner pays property taxes to the Town of Easton.

APPLICATION:

For the Affordable Housing Board to determine if you are eligible to participate in the Renovation Program, you must complete an application and provide information about your family, income and financial status and the scope of the renovation.

ELIGIBILITY:

Owner Occupied Residential Property:

- Persons who have owned and occupied their home as a primary residence for a minimum of (1) one year are eligible to participate in the program.
- Eligible properties shall have a current year Tax Assessment not exceeding \$275,000.00.

INCOME LIMITS:

Your Total Household Income must not exceed the current maximum income limits shown in the table on page #2. Total Household Income may include the annual income of all parties listed as owners on the Property Deed or Title, plus all occupants of the property (18) eighteen years of age and over. Parties list resident owners on the Property Deed or Title that do not reside in the property and do not provide financial support for the primary resident, will be required to sign an Affidavit indicating the same and show proof of residency. All parties listed as co-owners on the property Deed or Title will be required to sign all documents relating to any grant or loan. There is an asset cap of \$20,000.00; the asset cap may include but not be limited to; cash, checking and saving accounts, stocks and bonds, other bank accounts, CD's, cash value life insurance policies

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and other real estate; also included would be Retirement Accounts, IRAs, and 401K's with a value more than \$100,000.00.

The Town of Easton **2023 median income is \$98,955** based upon the 2023 Talbot County median income estimate from HUD. Three income categories have been established and include:

Very Low Income: 50% of the Easton median income

Low Income: 50% to 80% of the Easton median income

Moderate Income: 80% to 100% of the Easton median income

The table that follows depicts the maximum income based upon the category, the number of people in your family and is determined using HUD formulas:

Family Size	1	2	3	4	5	6	7	8
Very Low Income	\$ 33,190	\$ 37,931	\$ 42,673	\$ 47,414	\$ 51,207	\$ 55,001	\$ 58,794	\$ 62,587
Low Income	\$ 53,091	\$ 60,675	\$ 68,260	\$ 75,844	\$ 81,912	\$ 87,979	\$ 94,047	\$ 100,114
Moderate Income	\$ 69,269	\$ 79,164	\$ 89,060	\$ 98,955	\$ 106,871	\$ 114,788	\$ 122,704	\$ 130,621

THE GRANT / LOAN PROGRAM:

The Grant Program is available for Very Low-Income applicants; please refer to above table for maximum income limits. **If the property is sold within (5) Five years from the date renovations are completed, the Grant funds received shall be repaid from the Grantee to the Easton Affordable Housing Fund at or before the real estate property transfer.**

Deferred No Interest Loan Program is available for Low Income applicants; please refer to above table for maximum income limits. Deferred loans will be recorded. The loan may be paid in full prior to the loan term. The loan would be due and repaid when the home is no longer owner occupied is refinanced or is sold, payable to the Easton Affordable Housing Fund at or before the real estate property transfer.

The Low Interest Loan Program is available for Moderate Income applicants; please refer to above table for maximum income limits. Loans would be offered at a moderate interest rate and a maximum (10) year term, both to be determined at the time the application is approved. The loan will be recorded with predetermined monthly installments. The loan may be paid in full prior to the loan term. The balance of the loan will be due and repaid when the home is no longer owner occupied is refinanced or is sold. **Current Interest Rate – 5.0%**

The Grant / Loan program would be available for up to \$12,500 per 12-month period originating from the application approval date for a given project with a maximum of \$25,000 per applicant or property address. Should the scope and cost of the required renovations exceed the established loan limits set by the Easton Affordable Housing

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Board; the Board will recommend and assist the applicant through other programs including but not limited to the Department of Housing and Community Development (DHCD) special loans program.

Applicant Signature _____	Date _____
Applicant Signature _____	Date _____

Applicants must be current on all outstanding mortgages and must present a letter or current monthly statement from all mortgage companies certifying the applicant is in good standing at time of application. **Reverse Mortgages** shall only be considered for approval if the outstanding principle does Not exceed 80% the current Tax Assessment of the property.

Public Records will be checked for any bankruptcies, outstanding judgments or liens against the applicant or the property.

THE RENOVATION PROJECT:

Program details and applications will be available during regular hours at the Town of Easton office, 14 S Harrison Street, Monday through Friday 8:30am – 4:00pm.

Applicants may choose from a list of approved contractors or submit a contractor of their choice for approval by the Affordable Housing Board. All approved contractors must be licensed by the State of Maryland.

Approved renovation projects must follow a designated timeline for completion set and agreed to by the Affordable Housing Board and the selected contractor.

Approved renovation projects must follow code and permit regulations as established by the Town of Easton. Contractors will be responsible for obtaining and for the cost of all necessary permits.

Payment for completed projects will be paid directly from the Affordable Housing Fund by the administrator of the fund and paid directly to the contractor after all invoices are approved by the applicant and all inspections are completed. Inspections will be conducted by the Town of Easton Permits and Inspections Department for code compliance.

RENOVATION PROJECTS:

May include but not be limited to.

Energy Efficiency.

- Replacement windows and doors
- Increased insulation
- Replacement of failing or failed HVAC systems
- Replacement of defective or damaged roofs
- New siding
- Weatherization projects

SAFETY:

- Replace defective or damaged front and/or rear steps
- Addition of disability ramp
- Addition or replacement of locks
- Replacement of damaged floors
- Mold remediation
- Lead paint issues

LIVABILITY:

- Update electrical systems
- Update plumbing systems
- Building Code Violations
- Code Enforcement
- Accessibility Accommodations

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AFFORDABLE HOUSING FUND 01-25-2024

TC0601

INCOME

Easton Village	\$	1,429,285.59	permits	87 *	\$	16,428.57
	\$	275,000.00	renovation	\$ 25,000.00 *	* - possibly overpaid	
	\$	75,000.00	8/31/2017			
	\$	75,000.00	6/1/2018			
Ashby Commons	\$	87,272.70	permits	30 *	\$	2,909.09
Contributions	\$	72,000.00		2,006	2007	2009
				\$ 50,000.00 **	2006 income may be incorrectly posted	
Misc. Donations	\$	1,650.00		2011	2012	2014
Chapel Road House	\$	159,710.00				
Returned Grant	\$	7,310.00				
Returned Grant	\$	8,300.00				
Returned Grant	\$	15,065.50				
<u>TOTAL REVENUE</u>	\$	<u>2,205,593.79</u>		\$ 2,130,593.79	After Above Ajustments	

EXPENSES

Professional Services	\$	72,162.01				
Chapel Road House	\$	166,245.50				
Renovations	\$	274,144.56				
Promotional	\$	4,395.99				
Misc.	\$	5,634.54	***	\$5,000 Donation to Talbot Interfaith Shelter		
Utilities	\$	229.23				

<u>TOTAL EXPENSES</u>	<u>\$ 522,811.83</u>	\$ 522,811.83
<u>NET INCOME</u>	<u>\$ 1,682,781.96</u>	\$ 1,607,781.96 After Above Ajustments

ANTICIPATED ADDITIONAL EXPENSES BEYOND 07/06-2023

<u>Renovation Exposure</u>	<u>\$ 45,000.00</u>	5 pending applications 3 applications for consideration ? \$30,000 ?
<u>Doverbrook</u>	<u>\$ 250,000.00</u>	
<u>Renovation Fund</u>	<u>\$ 359,295.00</u>	

<u>NET AHB FUND</u>	<u>\$ 1,028,486.96</u>	\$ 953,486.96 After Above Ajustments
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ANTICIPATED ADDITIONAL INCOME BEYOND 07/06/2023

Easton Village	\$ 295,714.26	permits	18 *	\$ 16,428.57
Ashby Commons	\$ 8,727.27	permits	3 *	\$ 2,909.09
<u>Total</u>	<u>\$ 304,441.53</u>			
<u>TOTAL ANTICIPATED REVENUE</u>	<u>\$ 1,332,928.49</u>		<u>\$ 1,257,928.49</u>	After Above Ajustments

RENOVATION PROGRAM

First Renovation completed June 14, 2014

Completed Renovations	37	Grant	30
In Process	4	Deferred Loan	6
Under Consideration	3	Low Interest Loan	1
Open	2	Donation	1
Denied	18	Total	38
Total	64	Total Expense	\$ 290,705.00
		Average	\$ 7,856.89

Housing on the Hill

308 South Lane	Completed 1,026 Sq. Ft.	\$ 261,510	Sold 3/27/2020	\$ 129,000
31 South Locust Street	Completed 1,248 Sq. Ft.	\$ 333,175	Sold 11/18/2020	\$ 140,000
34 South Locust Street	Completed 1,042 Sq. Ft.	\$ 304,448	Sold 12/28/21	\$ 149,000
123 South Locust Street	Expense to date	\$ 199,095	Sold	\$ 160,000
125 South Locust Street	Expense to date	\$ 218,495	Sold	\$ 160,000
305 South Street	Expense to date	\$ 19,329	Sold	?

RESOLUTION NO. 6180

A RESOLUTION OF THE TOWN OF EASTON ADOPTING RULES OF
PROCEDURE FOR THE EASTON TOWN COUNCIL

INTRODUCED BY: _____

WHEREAS, by Resolution 3034 adopted on April 20, 1953, the Town Council
adopted Standing Rules for the Council;

WHEREAS, the Town Council wishes to adopt new and updated Rules of
Procedure, a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, the Town of Easton hereby resolves as follows:

Section 1. The recitals set forth above are incorporated herein by reference and
made a part of this Resolution.

Section 2. The Rules of the Town Council adopted in 1953 shall be repealed and
replaced with the Easton Town Council Rules of Procedure attached to this Resolution as
Exhibit "A";

Section 3. This Resolution shall become effective upon approval by the Mayor after
adoption by the Town Council.

Curry	-
Abbatiello	-
Montgomery	-
Davis	-
Gunsallus	-

I hereby certify that the above Resolution was passed by a ye and nay vote of the
Council this _____ day of _____, 2024.

Frank Gunsallus, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2024.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____
Megan J. M. Cook, Mayor

EFFECTIVE DATE: _____, 2024

EASTON TOWN COUNCIL

RULES OF PROCEDURE

1. **Meetings of the Council.** All meetings of the Council shall be held in compliance with the Open Meetings Act and with these Rules. The Council may meet as follows:
 - a. **Regular Meetings.** Regular meetings of the Council shall be held on the first and third Monday of each month beginning at 5:30 p.m. at the Easton Town Office, 14 S. Harrison Street, unless otherwise modified by motion and approval of the Council. If a meeting day is a legal holiday, it shall be moved to the following Tuesday at the same time, unless modified by motion and approval of the Council.
 - b. **Special Meetings.** A special meeting may be called by the Town Clerk upon the written request of the Mayor or the President of the Council. The Town Clerk shall prepare a notice of any special meeting, stating the time and place of the meeting and the specific subjects to be discussed. No topics beyond those specified in the notice shall be discussed unless agreed upon by a majority of the Council Members present. Upon receiving a request for a Special Meeting, the Town Clerk shall promptly and diligently notify each Council member and the Mayor of the meeting, utilizing direct methods including in-person discussions or digital communications.
 - c. **Work Sessions.** The Council may meet informally in work sessions which are open to observation by the public. The Council may, but is not required, to allow the public to comment on the topics discussed at the work sessions.
 - d. **Closed Sessions.** The Council may meet in closed session only in accordance with the Open Meetings Act.
2. **First Meeting of Council after Municipal Election.** Newly elected Council Members shall assume their official duties at the next regular or special meeting of the Town Council after taking the oath as prescribed by the Town Charter.
3. **Attendance at Council Meetings.** Council members shall attend all regular and special Council meetings and workshops. If a member is unable to attend a meeting, they shall notify the Council or Town Clerk about their absence and request to be excused. In these circumstances, members may be allowed to participate in the meeting virtually, subject to Council policies and procedures. Adequate notice should be provided to allow Town staff sufficient time to facilitate the necessary virtual arrangements.

- 4. Minutes of Council Meetings.** The Town Clerk shall prepare the minutes of the Council meetings, which shall include a concise and accurate record of the Council proceedings, the titles, designated numbers, and a summary of the contents of all Ordinances and Resolutions considered by the Council, and a record of all votes taken by the Council. At each meeting, the minutes of the previous meeting shall be presented for approval by the Council. The Council may suggest corrections or clarifications. The Council shall approve the minutes by motion and majority vote.
- 5. Meetings to be Public.** All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard. All work sessions of the Town Council shall be open to the public. The Council shall not be obligated to allow public comment, but if the Council elects to allow for public comment, an equal opportunity must be provided to all individuals in attendance that desire to speak. The public shall have no right to attend any closed session conducted in accordance with the Open Meetings Act. All meetings of the Council, except closed sessions, shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.
- 6. Quorum.** A majority of the members of the Council shall constitute a quorum for the transaction of business at all Council meetings, but no ordinance shall be approved without a favorable vote of three (3) members of the Council. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.
- 7. Presiding Officer.** The Council President, when present, shall be the presiding officer and shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. If the Council President shall not be present, then the remaining Council members shall select a presiding officer for that meeting by motion and majority vote.
- 8. Disorderly Conduct.** The presiding officer shall call to order any member of the public who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time, speaking vulgarities or being abusive or threatening to others. If, after notice from the presiding officer, the person shall continue to be disorderly and disrupt the meeting, the presiding officer may order the person(s) to be removed from the meeting. If any member of the Council is being disorderly by speaking out of order or otherwise disrupting the proceedings, speaking

vulgarity or being abusive or threatening to others, the Council may, by a two-thirds vote of the membership present, vote to expel the Council member from the meeting.

- 9. Conduct of Discussion.** During the Council discussion and debate, each member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the Council as a whole, maintain a courteous tone and avoid interjecting a personal note into debate. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.
- 10. Ordinances and Resolutions.** Ordinances and resolutions shall be introduced only in written form, which may be digital. All ordinances and resolutions, except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances, shall be confined to one subject, and the subject or subjects of all ordinances and resolutions shall be clearly expressed in the title. Ordinances making appropriations shall be confined to the subject of appropriations. Any Council Member may introduce an ordinance or resolution, and no second is required for the introduction. No ordinance shall be passed at the meeting at which it is introduced, except that an ordinance may be passed at the meeting at which it is introduced if a public hearing has been advertised and held on the subject of the ordinance. At any regular or special meeting held not less than six nor more than sixty days after the meeting at which an ordinance is introduced, it shall be passed, or passed as amended, rejected, or its consideration deferred to some specified future date. In case of emergency, the above requirement may be suspended by the affirmative vote of four members of the Council. A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes. A fair summary of all ordinances passed by the Council shall be published at least once in a newspaper or newspapers having general circulation in the Town of Easton.
- 11. Roll Call.** In all roll call votes, the names of the members of the Council shall be called in numerical order according to the election ward each member represents, with the Council President voting last. A roll call vote shall be taken on all ordinances and resolutions as required by law, and for any other matter that a majority of the Town Council wishes to make by roll call vote.
- 12. Tie Vote.** In the event of a tie vote on any proposal, the proposal shall be deemed as not passed.
- 13. Results of Voting.** In all cases where a vote is taken, the presiding officer shall declare the result. It shall be in order for any member voting in the majority to move for a

reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed except by unanimous consent of the Council.

- 14. Veto by Mayor.** If the Mayor shall not approve of any ordinance or resolution so passed by the Council, the Mayor may return the same with objections in writing within fifteen (15) days after Council adoption. If such ordinance or resolution shall after reconsideration, be again passed by four-fifths vote of all members of the Council within thirty-five (35) days from the time of the return of the ordinance or resolution by the Mayor, it shall pass. If, after such reconsideration, the ordinance or resolution shall not have the support of at least four-fifths of all members of the Council, the ordinance or resolution shall not pass. If the Mayor fails to return any ordinance or resolution within fifteen (15) days of its adoption, it shall be deemed to be approved by the Mayor and shall become effective in the same manner as an ordinance or resolution signed by the Mayor.
- 15. Effective Date of Ordinances and Resolutions.** Unless passed as an emergency ordinance, every ordinance shall be effective at the expiration of twenty (20) calendar days following approval by the Mayor or passage by the Council after the Mayor's veto, unless a longer time is provided for in the ordinance. Resolutions shall be effective on the date specified in the resolution and may be effective immediately upon passage and approval by the Mayor or passage by the Council after the Mayor's veto.
- 16. Amended Ordinances or Resolutions.** Amendments to ordinances and resolutions can be made by majority vote of the Council. An amended ordinance or resolution may be acted on at the meeting that it is amended.
- 17. Public Participation.** Each regular Council meeting agenda shall provide for reserved time for public participation. If requested by a member of the Council, the Council President shall have discretion to allow a member of the audience to speak at times other than reserved time for public participation. The Council President may set reasonable limits on the amount of time permitted for any individual to speak during a meeting, provided that all members of the public are permitted equal time. At a minimum, individual members of the public shall be permitted three (3) minutes to speak and organizations representing a group of individuals shall be permitted a minimum of five (5) minutes to speak. If the Council elects to set limits on the amount of time permitted, the Town Clerk shall maintain the official time and notify the speakers when their time is up. When a person addresses the Council, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the Council in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

- 18. Adoption and Amendment of Rules of Procedure.** The Council may alter or amend its rules at any time by a resolution approved by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.
- 19. Suspension of Rules.** The rules of the Council may be suspended for a specified portion of a meeting by an affirmative vote of the majority of the members present except that Council actions shall conform to the Town Code, the Town Charter, state statutes and the United States Constitution.
- 20. Special Committees.** The Council may create special committees by resolution, which shall outline the committees' purpose, authority, membership, reporting duties, duration, and other operational guidelines.
- 21. Right of Appeal.** Any member may request the Council's consideration of the presiding officer's decision. In such instance, the member initiating the request may succinctly state his or her grounds for reconsideration. The presiding officer shall be afforded an opportunity to succinctly state his or her rationale for the decision. There shall be no debate on the appeal. The presiding officer shall then promptly call the matter to a vote. A majority of the Council is required to overrule the presiding officer's decision.

EASTON TOWN COUNCIL

RULES OF PROCEDURE

1. **Meetings of the Council.** All meetings of the Council shall be held in compliance with the Open Meetings Act and with these Rules. The Council may meet as follows:
 - a. **Regular Meetings.** Regular meetings of the Council shall be held on the first and third Monday of each month beginning at 5:30 p.m. at the Easton Town Office, 14 S. Harrison Street, unless otherwise modified by motion and approval of the Council. If a meeting day is a legal holiday, it shall be moved to the following Tuesday at the same time, unless modified by motion and approval of the Council.
 - b. **Special Meetings.** A special meeting may be called by the Town Clerk upon the written request of the Mayor or the President of the Council. The Town Clerk shall prepare a notice of any special meeting, stating the time and place of the meeting and the specific subjects to be discussed. No topics beyond those specified in the notice shall be discussed unless agreed upon by a majority of the Council Members present. Upon receiving a request for a Special Meeting, the Town Clerk shall promptly and diligently notify each Council member and the Mayor of the meeting, utilizing direct methods including in-person discussions or digital communications.
 - c. **Work Sessions.** The Council may meet informally in work sessions which are open to observation by the public. The Council may, but is not required, to allow the public to comment on the topics discussed at the work sessions.
 - d. **Closed Sessions.** The Council may meet in closed session only in accordance with the Open Meetings Act.
2. **First Meeting of Council after Municipal Election.** Newly elected Council Members shall assume their official duties at the next regular or special meeting of the Town Council after taking the oath as prescribed by the Town Charter.
3. **Attendance at Council Meetings.** Council members shall attend all regular and special Council meetings and workshops. If a member is unable to attend a meeting ~~due to illness or other unforeseen reasons~~, they shall notify the Council or Town Clerk about their absence and request to be excused. In these circumstances, members may be allowed to participate in the meeting virtually, subject to Council policies and procedures. Adequate notice should be provided to allow Town staff sufficient time to facilitate the necessary virtual arrangements.

- 4. Minutes of Council Meetings.** The Town Clerk shall prepare the minutes of the Council meetings, which shall include a concise and accurate record of the Council proceedings, the titles, designated numbers, and a summary of the contents of all Ordinances and Resolutions considered by the Council, and a record of all votes taken by the Council. At each meeting, the minutes of the previous meeting shall be presented for approval by the Council. The Council may suggest corrections or clarifications. The Council shall approve the minutes by motion and majority vote.
- 5. Meetings to be Public.** All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard. All work sessions of the Town Council shall be open to the public. The Council shall not be obligated to allow public comment, but if the Council elects to allow for public comment, an equal opportunity must be provided to all individuals in attendance that desire to speak. The public shall have no right to attend any closed session conducted in accordance with the Open Meetings Act. All meetings of the Council, except closed sessions, shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.
- 6. Quorum.** A majority of the members of the Council shall constitute a quorum for the transaction of business at all Council meetings, but no ordinance shall be approved without a ~~majority~~ favorable vote of ~~the entire~~ three (3) members of the Council. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.
- 7. Presiding Officer.** The Council President, when present, shall be the presiding officer and shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. If the Council President shall not be present, then the remaining Council members shall select a presiding officer for that meeting by motion and majority vote.
- 8. Disorderly Conduct.** The presiding officer shall call to order any ~~person~~ member of the public who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time, speaking vulgarities or being abusive or threatening to others. If, after notice from the presiding officer, the person shall continue to be disorderly and disrupt the meeting, the presiding officer may order the person(s) to be removed from the meeting. If any member of the Council is being disorderly by speaking out of order or otherwise disrupting the

proceedings, speaking vulgarities or being abusive or threatening to others, the Council may, by a two-thirds vote of the membership present, vote to expel the Council member from the meeting.

- 9. Conduct of Discussion.** During the Council discussion and debate, ~~no member shall speak until recognized for that purpose by the presiding officer. After such recognition, the each~~ member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the Council as a whole, maintain a courteous tone and avoid interjecting a personal note into debate. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.
- 10. Ordinances and Resolutions.** Ordinances and resolutions shall be introduced only in written form, which may be digital. All ordinances and resolutions, except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances, shall be confined to one subject, and the subject or subjects of all ordinances and resolutions shall be clearly expressed in the title. Ordinances making appropriations shall be confined to the subject of appropriations. Any Council Member may introduce an ordinance or resolution, and no second is required for the introduction. No ordinance shall be passed at the meeting at which it is introduced, except that an ordinance may be passed at the meeting at which it is introduced if a public hearing has been advertised and held on the subject of the ordinance. At any regular or special meeting held not less than six nor more than sixty days after the meeting at which an ordinance is introduced, it shall be passed, or passed as amended, rejected, or its consideration deferred to some specified future date. In case of emergency, the above requirement may be suspended by the affirmative vote of four members of the Council. A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes. A fair summary of all ordinances passed by the Council shall be published at least once in a newspaper or newspapers having general circulation in the Town of Easton.
- 11. Roll Call.** In all roll call votes, the names of the members of the Council shall be called in numerical order according to the election ward each member represents, with the Council President voting last. A roll call vote shall be taken on all ordinances and resolutions as required by law, and for any other matter that a majority of the Town Council wishes to make by roll call vote.
- 12. Tie Vote.** In the event of a tie vote on any proposal, the proposal shall be deemed as not passed.

- 13. Results of Voting.** In all cases where a vote is taken, the presiding officer shall declare the result. It shall be in order for any member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed except by unanimous consent of the Council.
- 14. Veto by Mayor.** If the Mayor shall not approve of any ordinance or resolution so passed by the Council, the Mayor may return the same with objections in writing within fifteen (15) days after Council adoption. If such ordinance or resolution shall after reconsideration, be again passed by four-fifths vote of all members of the Council within thirty-five (35) days from the time of the return of the ordinance or resolution by the Mayor, it shall pass. If, after such reconsideration, the ordinance or resolution shall not have the support of at least four-fifths of all members of the Council, the ordinance or resolution shall not pass. If the Mayor fails to return any ordinance or resolution within fifteen (15) days of its adoption, it shall be deemed to be approved by the Mayor and shall become effective in the same manner as an ordinance or resolution signed by the Mayor.
- 15. Effective Date of Ordinances and Resolutions.** Unless passed as an emergency ordinance, every ordinance shall be effective at the expiration of twenty (20) calendar days following approval by the Mayor or passage by the Council after the Mayor's veto, unless a longer time is provided for in the ordinance. Resolutions shall be effective on the date specified in the resolution and may be effective immediately upon passage and approval by the Mayor or passage by the Council after the Mayor's veto.
- 16. Amended Ordinances or Resolutions.** Amendments to ordinances and resolutions can be made by majority vote of the Council. An amended ordinance or resolution may be acted on at the meeting that it is amended.
- 17. ~~Citizen~~-Public Participation.** Each regular Council meeting agenda shall provide for reserved time for ~~audience-public~~ participation. If requested by a member of the Council, the Council President shall have discretion to allow a member of the audience to speak at times other than reserved time for ~~audience-public~~ participation. The Council President may set reasonable limits on the amount of time permitted for any individual to speak during a meeting, provided that all ~~citizens-members of the public~~ are permitted equal time. At a minimum, individual members of the public shall be permitted three (3) minutes to speak and organizations representing a group of individuals shall be permitted a minimum of five (5) minutes to speak. If the Council elects to set limits on the amount of time permitted, the Town Clerk shall maintain the official time and notify the speakers when their time is up. When a person addresses the Council, he or she shall state his or her name and home address. Remarks should be confined to the question at hand and addressed to the Council in a courteous tone. No person shall have the right to speak

more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

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- 21. Right of Appeal.** Any member may request the Council's consideration of the presiding officer's decision. In such instance, the member initiating the request may succinctly state his or her grounds for reconsideration. The presiding officer shall be afforded an opportunity to succinctly state his or her rationale for the decision. There shall be no debate on the appeal. The presiding officer shall then promptly call the matter to a vote. A majority of the Council is required to overrule the presiding officer's decision.

TOWN OF EASTON
NOTICE OF PUBLIC HEARING - ORDINANCE NO. 809
PROPOSED AMENDMENTS TO CHAPTER 28
OF THE EASTON TOWN CODE (ZONING)

The Council of the Town of Easton will hold a public hearing on Monday, February 19, 2024 at 5:35 P.M. in the Council Meeting Room, 14 South Harrison Street. The purpose of this hearing is to solicit public comment on Ordinance Number 809, which proposes amendments to Chapter 28 of the Town Code (Zoning). The purpose of the proposed amendments is to revise the Code to regulate cannabis-related uses in light of the State of Maryland's approval of various recreational cannabis uses.

The public is hereby invited to comment on the proposed amendments. Such comments may be either submitted in writing at any time prior to the Hearing, or made in person at the Hearing. Ordinance 809 is available for public inspection on the Town of Easton's website (www.Eastonmd.gov). In general terms, the proposed amendments propose:

- To permit the use "Cannabis Dispensary" via Special Exception in the CB Zoning District and as an outright permitted use in the CG and CL Zoning Districts (unless a Drive-thru window is proposed, in which case a Special Exception is required in either of these three districts).
- To permit the uses "Cannabis Growing Facility " and "Cannabis Processing Facility" via Special Exception in the BC Zoning District and as an outright permitted use in the I Zoning District.
- To define the use "Cannabis on-site consumption establishment" and prohibit this use in all Zoning Districts.
- To establish supplemental standards governing each of the cannabis-related uses, consistent with the parameters allowed by State Law.
- To clarify that the provisions of the Ordinance which allow for combinations of uses not listed shall not be used to permit such combinations when one (or more) of the proposed individual uses is clearly identified and prohibited in the applicable Zoning District by the Table of Permissible Uses.

Persons wishing to attend or participate in the public hearing who require special accommodations or assistance because of a disability should contact the Town Clerk, Kathy Ruf at the Town Office, telephone number (410) 822-2525 during normal business hours by February 16, 2024.

Kathy M. Ruf
Town Clerk

Note to Star Democrat: Please publish the above ad in the February 4, 2024 and February 14, 2024 issues of the Star Democrat and send a Certificate of Publication to: Town Clerk, Town of Easton, P.O. Box 520, Easton, MD 21601.

ORDINANCE NO. 809

AN ORDINANCE OF THE TOWN OF EASTON AMENDING
CHAPTER 28 OF THE TOWN CODE (ZONING)

INTRODUCED BY _____

WHEREAS, the Town of Easton is authorized by § 4-102 of the Land Use Article of the Maryland Annotated Code (the “Code”) to enact a comprehensive zoning ordinance, which ordinance is codified as Chapter 28 of the Code of the Town of Easton;

WHEREAS, the Town of Easton is authorized by § 4-204 of the Land Use Article of the Code and § 28-1401 of Chapter 28 of the Code of the Town of Easton to amend, supplement, change or repeal zoning regulations;

WHEREAS, the Easton Town Council approved and enacted a comprehensively revised new Zoning Code which became effective on December 5, 2021;

WHEREAS, the State of Maryland passed legislation legalizing recreational cannabis under certain limitations, which is known as the Cannabis Reform Act (House Bill 556/Senate Bill 516) and was signed into law and became effective on July 1, 2023;

WHEREAS, the Cannabis Reform Act authorizes local governments to establish reasonable zoning requirements for cannabis businesses;

WHEREAS, the Easton Town Council directed the Easton Planning Commission to draft proposed amendments to the Town’s Zoning Code to include definitions, use regulations and supplemental standards for cannabis dispensaries, cannabis growing facilities, cannabis processing facilities, and on-site cannabis consumption establishments;

WHEREAS, the Easton Planning and Zoning Commission considered the matter at a series of meetings and via a 4-1 vote at their regular monthly meeting held on January 18, 2024, the actions of which were transmitted to the Easton Town Council via a letter dated January 31, 2024, the Commission recommended that the Town Council adopt a number of amendments to the Zoning Code as contained in the document attached hereto as Exhibit A; and

WHEREAS, the Easton Town Council held a duly noticed public hearing on this Ordinance on February 19, 2024.

NOW, THEREFORE, the Town of Easton hereby ordains:

Section 1. The relevant sections of Chapter 28 of the Code of the Town of Easton are hereby repealed and reenacted with amendments to read as shown on the attached Exhibit A:

Section 2. In accordance with Article II, Section 9 of the Easton Town Charter, this ordinance shall become effective on the later of twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor's veto.

Curry	-
Abbatiello	-
Montgomery	-
Davis	-
Gunsallus	-

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of _____, 2024.

Frank Gunsallus, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2024.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____, 2024

Megan JM Cook, Mayor

EFFECTIVE DATE: _____, 2024.

EXHIBIT A

1. Amend the Table of Permissible Uses as follows:

Health Services												
		A-1	R-7A	R-10A	R-10M	CB	CG	CL	BC	I	G/I	
232	Animal Hospital or Veterinary Clinic*	--	--	--	--	--	SE	SE	P	--	--	
233	Drug Store/Pharmacy	--	--	--	--	P	P	P	--	--	--	
234	Hospital											
235	Medical Cannabis Dispensary*	--	--	--	--	SE	SE	SE	--	--	--	
236	Medical Cannabis Growing Facility*	P	--	--	--	--	SE	SE	P	P	SE	
237	Medical Cannabis Processing Facility*	--	--	--	--	--	--	--	P	P	--	
238	Medical Services	--	--	--	--	P	P	P	P	--	--	
239	Mobile Medical Facility	--	--	--	--	--	T	--	T	--	T	Also possible Temporary Use in the HC District.
240	Any Health Service Not Listed Above	--	--	--	--	SE	SE	SE	SE	--	--	

6. MISCELLANEOUS/COMBINATION/HYBRID USES												
		A-1	R-7A	R-10A	R-10M	CB	CG	CL	BC	I	G/I	
601	Agriculture *	P	P	P	P	--	--	P	P	P	P	
602	Buildings in excess of height or size limitations	--	--	--	--	--	--	SE	--	--	SE	
603	Cannabis Related Uses											
603.1	Cannabis Dispensary*	■	■	■	■	SE	P	P	■	■	■	SE in CB, CG or CL if Drive-Thru Window is proposed
603.2	Cannabis Growing Facility*	■	■	■	■	■	■	■	SE	P	■	
603.3	Cannabis on-site consumption establishment*	■	■	■	■	■	■	■	■	■	■	
603.4	Cannabis Processing Facility*	■	■	■	■	■	■	■	SE	P	■	
603	Donation Bins *	--	--	--	--	SE	SE	SE	SE	SE	--	
604	Garage or yard sales *	T	T	T	T	--	--	--	--	--	--	
606	Helipads	A	A	A	A	A	A	A	A	A	A	Permitted only as Accessory Uses to airports, hospitals, police stations, or other public services.

2. Amend the supplemental standards associated with these uses as follows:

Under Commercial Uses (Section 28-1007.2 A):

19. ~~Medical~~ Cannabis Dispensary

- a. A ~~medical~~ cannabis dispensary shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR 10.62.01 to 10.62.35.
- b. No ~~medical~~ cannabis dispensary shall be permitted within ~~one thousand (1,000)~~ **five hundred (500')** feet (measured from the closest portion of the affected properties) of any of the following uses: Schools, Colleges & Universities, ~~Houses of Worship~~, Family Day Care, Day Care Group, Day Care Small Group, and Park **or one thousand (1,000')** feet of another cannabis dispensary.
- c. Owners/operators of a cannabis dispensary shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the dispensary.
- d. All cannabis dispensaries shall install odor control technology, as necessary, in order to control ventilation at the establishment in such a manner that no odor from cannabis products can be detected outside the building on the same property or on adjacent properties or public rights-of-way, or within any other unit located within the same building as the cannabis dispensary, if the use occupies only a portion of the building. The Operator shall properly maintain all odor mitigation equipment to ensure maximum efficiency.

Under Industrial Uses (Section 28-1007.3 A):

7. ~~Medical~~ Cannabis Growing Facility

- a. A ~~medical~~ cannabis growing facility shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR 10.62.01 to 10.62.35.
- b. All cannabis growing facilities shall limit growing operations to indoor, enclosed structures.
- c. Owners/operators of a cannabis growing facility shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the facility.
- d. All cannabis growing facilities shall install odor control technology, as necessary, in order to control ventilation at the establishment in such a manner that no odor from cannabis cultivation, its processing or the manufacturing of products can be

detected outside the building on the same property or on adjacent properties or public rights-of-way, or within any other unit located within the same building as the cannabis growing facility, if the use occupies only a portion of the building. The Operator shall properly maintain all odor mitigation equipment to ensure maximum efficiency.

- e. There shall be no retail sales of cannabis products from cannabis growing facilities.

8. ~~Medical~~ Cannabis Processing Facility

- a. A ~~medical~~ cannabis processing facility shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR 10.62.01 to 10.62.35.
- b. Owners/operators of a cannabis processing facility shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the facility.
- c. All cannabis processing facilities shall install odor control technology, as necessary, in order to control ventilation at the establishment in such a manner that no odor from cannabis cultivation, its processing or the manufacturing of products can be detected outside the building on the same property or on adjacent properties or public rights-of-way, or within any other unit located within the same building as the cannabis processing facility, if the use occupies only a portion of the building. The Operator shall properly maintain all odor mitigation equipment to ensure maximum efficiency.
- d. There shall be no retail sales of cannabis products from cannabis processing facilities.

- 3. Create a new definition for consumption establishments or facility as follows (add to Section 28-114):

On-site cannabis consumption establishment - an indoor or outdoor location, which is open to the public, and licensed to allow individuals who are 21 years or older to consume cannabis on its premises.

- 4. Add a new note at the end of the Table of Permissible Uses to clarify the intent of the “Any ____ use not listed above” category and to safeguard against the use of this category to propose a combination of cannabis-related uses not intended to be permitted, as follows:

Table 2.1 Notes:

* - DENOTES A USE SUBJECT TO SUPPLEMENTAL STANDARDS (SEE SECTION 28 – 1007)

A – DENOTES A USE THAT IS PERMITTED ONLY ACCESSORY TO A PERMITTED USE. NOTE THAT THESE ONLY40 REPRESENT THE MORE COMMON ACCESSORY USES. OTHER USES MAY BE PERMITTED, ONLY AS ACCESSORY TO A PRINCIPAL PERMITTED USE, IF THE TOWN PLANNER DETERMINES THAT THE PROPOSED ACCESSORY USE IS COMMONLY ASSOCIATED WITH THE PRINCIPAL PERMITTED USE AND THAT IT WILL CLEARLY BE INCIDENTAL TO SAID PRINCIPAL USE.

P - DENOTES A USE THAT IS PERMITTED BY RIGHT

SE - DENOTES A USE PERMITTED WITH A SPECIAL EXCEPTION

T - DENOTES A USE PERMITTED WITH A TEMPORARY USE PERMIT (SEE SECTION 28 – 1306)

-- - DENOTES A PROHIBITED USE

1 - SHOPPING CENTERS WHICH WERE PREVIOUSLY APPROVED AS SPECIAL EXCEPTIONS OR PMR DISTRICTS SHALL BE TREATED AS APPROVED PUD DISTRICTS. ANY CHANGES TO SUCH SHOPPING CENTERS SHALL BE REVIEWED AS PER THE REQUIREMENTS FOR AMENDMENTS TO APPROVED PUD DISTRICTS.

THIS TABLE INDICATES PERMITTED USES IN BASE ZONES ONLY EXCLUDING THE RH DISTRICT AND THE MXW DISTRICT. FOR USES PERMITTED IN THE RH DISTRICT, SEE SECTIONS 28 – 313.3 THROUGH 28 – 313.5. FOR USES PERMITTED IN THE MXW ZONING DISTRICT. SEE SECTIONS 28-314.2.1. FOR USES PERMITTED IN SPECIAL (OVERLAY AND FLOATING) ZONES, SEE ARTICLES IV – VIII

2 - A COMBINATION OF USES LISTED ABOVE IS ONLY ALLOWED IN THE DISTRICTS WHERE BOTH INDIVIDUAL USES ARE PERMITTED EITHER BY RIGHT OR SPECIAL EXCEPTION. THE GENERAL “ANY _____ USE NOT LISTED ABOVE” USE CATEGORY SHALL NOT BE USED TO PERMIT A COMBINATION OF USES WHERE ALL COMPONENT USES ARE CLEARLY IDENTIFIED IN THIS TABLE AND ONE OR MORE OF SAID USES IS A PROHIBITED (--) USE.



October 26, 2023

Mayor and Town Council
14 South Harrison Street
Easton, MD 21601

RE: Potential Cannabis Use Zoning Regulations

Dear Council Members & Mayor Cook:

At the request of the Easton Town Council, The Easton Planning and Zoning Commission recently discussed issues associated with the refinement and/or addition of Zoning Regulations associated with various cannabis-related land uses. We understand that pursuant to the Council's consideration of whether or not to enact a moratorium on applications for such uses, and if so, what the appropriate duration should be, a proposed timeline for our work has been requested.

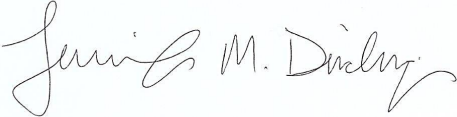
At our most recent meeting of October 19, 2023, the Commission discussed a process whereby the Town's Planning and Legal staff would provide us with recommended new and/or revised language regarding the various cannabis-related uses. We believe a conservative estimate involves us reviewing and discussing such language at our November meeting, potentially continuing this discussion to our December meeting, and formally voting on a set of Zoning Amendments at our January meeting (1/18/24). Thus, we believe our role in this process can be accomplished in approximately three months, concluding with the transmittal of recommended Zoning Code Amendments. These would then need to be finalized through the Council's legislative process. The total length of any moratorium, if deemed necessary, would need to be increased from the three months we think it will take us to do our work by however long it will take for the Council's legislative process to conclude.

Staff has already conducted some research as to how various jurisdictions regulate some of these uses and the Commission has had a preliminary discussion concerning issues we want to explore

in more detail. Given this work that has already occurred, we are confident that three months is a realistic time-frame for us to conclude our part of the process.

If you should have any questions concerning our recommendation, please do not hesitate to contact me or either the Town Planner or Town Attorney, both of whom were present and can speak to our actions in this matter.

Regards,

A handwritten signature in black ink, reading "Jennifer M. Dindinger". The signature is written in a cursive style with a large, stylized "J" and "D".

Easton Planning and Zoning Commission
Jennifer Dindinger, Chair



January 31, 2024

Mayor and Town Council
14 South Harrison Street
Easton, MD 21601

RE: Cannabis-related zoning amendments

Dear Council Members & Mayor Cook:

At the regular monthly meeting of the Easton Planning and Zoning Commission held on January 18, 2024, we completed our work regarding recommended zoning amendments to address recreational cannabis uses. I understand those recommendations have been drafted in Ordinance form by staff and forwarded to you separately.

Although the Commission considered a wide-range of regulatory options, we ultimately approved a fairly conservative approach by basically converting the existing standards we have for medical cannabis, with a few additions. The one new use authorized by state law is the on-site consumption establishment, which, for now at least, we are recommending be prohibited in the Town. We are also of the opinion that based on local government reaction and proposed legislation to address recreational cannabis uses, the State may further revise (and possibly restrict) the parameters regarding how far local governments can go in restricting such uses. This was another reason we decided upon a relatively conservative approach for our recommendations.

If you should have any questions concerning these recommendations, please feel free to contact me or either the Town Planner or Town Attorney, both of whom were present and can speak to our actions in this matter.

Regards,

Easton Planning and Zoning Commission

Jennifer Dindinger, Chair