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2 ARTICLE VI  
3 PLANNED REDEVELOPMENT OVERLAY DISTRICT

4 SECTION 601 PLANNED REDEVELOPMENT (PR) OVERLAY DISTRICT

5  
6 A. PURPOSE

7  
8 The purpose of the Planned Redevelopment Overlay District (PR) is to provide a  
9 mechanism for the redevelopment, rehabilitation, and general improvement of  
10 certain older areas within the Town of Easton that have fallen into a somewhat  
11 neglected or dilapidated state or have simply been used for a purpose that no  
12 longer serves the health, safety or general welfare of the neighborhood. PR  
13 applications may be submitted only if the project is located within the Planned  
14 Redevelopment Overlay District. However, this mechanism is optional and shall  
15 not be required of all projects located within this zone. Projects not being  
16 developed in accordance with PR District standards shall be developed in  
17 accordance with the development standards of the underlying base zoning district.  
18

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

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32 Development within the Planned Redevelopment Overlay District shall meet the  
33 following requirements:  
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- 35 (1) The area proposed for a planned redevelopment shall be in one (1)  
36 ownership, or, if in several ownerships, the proposal shall be filed  
37 jointly by all the owners of the property included in the  
38 development plan.  
39  
40 (2) The site shall be of a configuration suitable for the development  
41 proposed.  
42  
43 (3) Public water and sewerage shall be available.  
44  
45 (4) The site shall be located adjacent to adequate transportation  
46 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 twenty (20) 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 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) Adequate Common Open Space shall be provided for new infill development projects. Such space shall include land area to be developed as recreational areas or which is designated for the common use of all occupants of the planned redevelopment but shall not include streets, off-street parking areas or incidental landscaping within off-street parking areas. The Planning Commission must be furnished satisfactory evidence that such open space will be continued and that provision is made for its perpetual maintenance.
- (7) 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 Commission. In establishing these requirements the Planning Commission shall consider such factors as the proposed intensity of the project and the existing character of the neighborhood.
- (8) Adequate parking shall be provided for the proposed use as approved by the Planning Commission.

C. APPLICATION PROCEDURE

Applications for PR projects shall be reviewed in accordance with the following procedures, depending upon the type of project.

- (1) Applications that represent new infill development shall proceed in accordance with the requirements of Section 301 of this Ordinance. Where the underlying zoning district is residential (any “R” district) the new infill development must be a use otherwise permitted in said underlying district. Where the underlying zoning district is non-residential, any use may be proposed and the Planning Commission

1 may approve the application based on the site plan review findings and  
2 standards of Section 301. No use indicated as “prohibited” in all  
3 zoning districts shall be permitted in the PR Overlay.  
4

5 (2) Applications for the adaptive reuse of existing buildings shall be  
6 reviewed as follows:  
7

8 a. Requests to change to a permitted use (in the underlying zoning  
9 district) that requires less parking than the previous use shall be  
10 approved with no review beyond that required for a building  
11 permit (if any).  
12

13 b. Requests to change to a permitted use (in the underlying zoning  
14 district) that requires more parking than the previous use shall be  
15 reviewed in accordance with the Site Plan Review standards as  
16 outlined in Section 301 of this Ordinance.  
17

18 c. Requests to change to a use that is not permitted in the underlying  
19 zoning district may be reviewed in accordance with the standards  
20 for Site Plan Review (Section 301).  
21

22 d. Regardless of subsections a through c above, in any residential  
23 (“R”) zoning district, only uses that are permitted in the underlying  
24 zoning district may be proposed for the adaptive reuse project.  
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26 (3) Applications for renovations, alterations or additions to existing  
27 improved lots which violate the prescribed setback of the underlying  
28 zoning district, but are no closer to the property line than the existing  
29 structure shall be reviewed by the Town Planner. The application shall  
30 furnish the Town Planner with a site plan with enough information to  
31 permit an adequate review of the request. If approved by the Town  
32 Planner, nothing more than a building permit shall be required for such  
33 requests. Nothing in this provision, however shall permit construction  
34 in violation of the Town’s Building Code without a Variance from said  
35 Code.  
36

37 Applications for renovations, alterations or additions to existing  
38 improved lots which both violate the prescribed setbacks of the  
39 underlying zoning district and are closer to the property line than the  
40 existing structure(s) shall be reviewed by the process prescribed above  
41 for new infill development (i.e. the Site Plan Review Standards of this  
42 Ordinance as prescribed in Section 301).  
43

44 (4) Requests to demolish and redevelop properties shall be reviewed in  
45 accordance with the Site Plan Review standards as outlined in Section  
46 301 of this Ordinance.  
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- 1  
2 (5) Applications for properties that are presently or have most recently  
3 been used for any Institutional Use may either (1) continue to be used  
4 for said Institutional Use, (2) convert to any other permitted  
5 Institutional Use, or (3) be converted to any use permitted in the  
6 underlying zoning district.  
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8 D. AMENDMENTS TO APPROVED PR APPLICATIONS  
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10 Amendments to approved PR applications shall be reviewed under the same  
11 standards prescribed above for new projects.  
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13 E. DESIGNATION OF FUTURE PLANNED REDEVELOPMENT OVERLAY  
14 DISTRICTS  
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16 In the future, additional lands may be designated as Planned Redevelopment  
17 Overlay. The process for so doing is as follows:  
18

- 19 (1) An application for Planned Redevelopment Overlay District  
20 Zoning shall be filed with the Town Planner and forwarded to the  
21 Planning and Zoning Commission for a recommendation before  
22 proceeding to the Town Council.  
23
- 24 (2) The application for PR Overlay District Zoning shall include a map  
25 of the area proposed for the designation and shall be accompanied  
26 by a metes and bounds description of the proposed zoning  
27 boundaries as well as a complete listing of the names and  
28 addresses of all property owners within the proposed PR Overlay  
29 District.  
30
- 31 (3) The area proposed for PR Overlay District Zoning shall be  
32 contiguous and at least five (5) acres in size, unless the proposed  
33 PR Overlay District is an extension of an existing PR Overlay  
34 District.  
35
- 36 (4) The application for establishing a new PR Overlay District shall be  
37 accompanied by a land use and housing/building survey which  
38 analyzes the appropriateness of the existing zoning, the conditions  
39 of the housing or commercial or industrial buildings within the  
40 proposed PR zone, etc.  
41
- 42 (5) The application shall include a petition or similar device indicating  
43 the support of the owners of at least fifty-one (51%) percent of the  
44 lots within the proposed PR District.  
45
- 46 (6) The Planning and Zoning Commission may require whatever

1 additional studies or reports it deems necessary to adequately  
2 analyze the application.

3  
4 (7) The Planning Commission shall make and forward a  
5 recommendation to the Town Council who shall schedule and hold  
6 a Public Hearing on the application in accordance with the  
7 provisions of Section 1403 of this Ordinance.

8  
9 (8) The Town Council shall vote as to whether or not to approve the  
10 proposed PR Overlay District. Before approving a request, the  
11 Town Council must make the following findings:

12  
13 a. The structures within the proposed PR District are  
14 predominately in need of rehabilitation, deteriorated, or  
15 built to zoning (or before any zoning) that no longer is  
16 appropriate for the area.

17  
18 b. The creation of the PR Overlay will allow for the  
19 rehabilitation and redevelopment of an area of the Town of  
20 Easton that is in need of such action.

21  
22 c. The creation of the PR Overlay District will not cause  
23 undue traffic nor overburden the Town's community  
24 facilities (water, sewer, solid waste, etc.).  
25

26 If the Town Council makes an affirmative finding of fact as to each of the criteria listed  
27 above, the Council may enact an ordinance granting the proposed PR district creation or  
28 expansion. The fact that an application for a PR district creation or expansion complies  
29 with the specific requirements listed above shall not require the Town Council to grant  
30 the application. The ordinance shall be subject to approval by the Mayor in accordance  
31 with the provisions of the Town Charter relating to mayoral vetoes.  
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33 The "change/mistake" rule, as codified in Maryland Annotated Code Article 66B Section  
34 4.05 is not applicable to the creation or expansion of PR districts nor to any project  
35 submitted in accordance with the regulations of this subsection.  
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### 37 G. Site Plan Review and Action.

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39 The review processes described in subsection C above shall represent the initial step in  
40 the PR review process. Successful applications shall subsequently follow the appropriate  
41 steps for the type of project submitted and the applicant shall prepare and submit for  
42 review by the Planning Commission a preliminary and a final site/subdivision plan in  
43 accordance with the site plan requirements specified in Subsection 301.3.B. of this  
44 Ordinance and/or the requirements of the Town of Easton Subdivision Regulations.  
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