

Ordinance No. 123
Zoning Ordinance Text Amendment
Subject: Article VIIA-Planned Infill
and Redevelopment District

Purpose

For the purpose of amending the Zoning Ordinance of the Town of Leonardtown in order to revise existing provisions.

Ordinance

WHEREAS, under the provisions of Article 66B of the Annotated Code of Maryland, the Commissioners of Leonardtown for Leonardtown, Maryland, is empowered to adopt, revise and amend the Leonardtown Zoning Ordinance; and

WHEREAS, the current Zoning Ordinance heretofore adopted and currently in effect shall be and the same is hereby amended as follows:

Article ~~10A~~^{VII}- Planned Infill and Redevelopment District- "PIRD"- This article appears in its entirety as attached.

155.46.1 Statement of Intent

It is the purpose of the Planned Infill and Re-development District (PIRD) to encourage re-development of sites and buildings in situations where buildings or properties are located within the Town's designated PIRD Area, and are in deteriorated or dilapidated condition, or are surrounded by residential or other incompatible uses.

NOW, THEREFORE, BE IT RESOLVED on this 13th day of February, 2006, that Article VIIA, Planned Infill and Redevelopment District text addition described in attached hereto shall become effective twenty calendar days following this approval date.

Attest:

Laschelle E. Miller
Laschelle E. Miller
Town Administrator

Commissioners of Leonardtown

Walter Wise
Walter Wise, Vice President

Charles R. Faunce
Charles R. Faunce, Councilmember

J. Maguire Mattingly, III
J. Maguire Mattingly, III, Councilmember

Leslie Roberts
Leslie Roberts, Councilmember

Bernard Delahay
Bernard Delahay, Councilmember

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 14th of February, 2006.

Laschelle E. Miller
Laschelle E. Miller, Town Administrator

In accordance with Section 210 of the Charter of the Town of Leonardtown, I hereby (Approve or Disapprove) approve this Ordinance this 14th Day of February, 2006.

J. Harry Norris, III
J. Harry Norris, III, Mayor

Leonardtwn Zoning Ordinance
Proposed new Article VII-A
Planned Infill and Re-development District “PIRD”

155.34.1 Statement of Intent

It is the purpose of the Planned Infill and Re-development District (PIRD) to encourage re-development of sites and buildings in situations where buildings or properties are located within the Town’s designated PIRD Area, and are in deteriorated or dilapidated condition, or are surrounded by residential or other incompatible uses.

This district is to be used as a floating zone classification to promote re-development and infill development where those buildings or properties have traditionally been used for residential, commercial or limited industrial purposes and in those circumstances where it is no longer economically or otherwise feasible to use those buildings or properties for the purposes for which they were intended, when constructed. PIRD is intended to allow the adaptive re-use of the site and buildings, and orderly and controlled expansion of commercial or residential uses within such buildings and upon such properties, including the construction of “in-fill” structures and additions to existing structures. It is also the purpose of this district to accommodate re-development of residential uses, and accommodate a mix of residential dwelling types, while protecting and preserving the residential character of any surrounding residential neighborhoods.

The Planned Infill and Re-development District is intended to be brought to land and supplement but not eliminate the existing zoning classification which it is put over.

This district is also intended to:

- a. Accommodate growth in the Town of Leonardtown by encouraging and facilitating new development on vacant, bypassed and underutilized land where such development is found to be compatible with the existing neighborhood.
- b. Encourage efficient use of land and public services in the context of existing neighborhoods.
- c. Stimulate economic investment and re-development in older established neighborhoods, where such redevelopment improves neighborhood character.
- d. Provide developers and property owners flexibility so that they can achieve high quality design and develop infill projects that strengthen existing neighborhoods.
- e. Create high quality neighborhoods compatible with the community environment.
- f. Implement the goals, objectives, and policies of the *Leonardtwn Comprehensive Plan*.
- g. Encourage compact development that is pedestrian-scaled and, if applicable, transit-oriented.

The district standards encourage appropriate development of underutilized properties and consolidation of developable land where it will achieve a more efficient land use and improved site design. Design standards promote compatible infill and redevelopment by, among other things, allowing development on sites that may not meet the minimum land area and dimension requirements of the underlying zones.

155.34.2 Applicability

The location of this district shall be limited to parcels indicated on Exhibit A attached hereto and which are zoned RMF, RSF, CB, CO, CH and IO, as designated on the official zoning map. All land uses and development, including buildings, drives, parking areas, landscaping, streets, alleys, greenways, tree protection, and pedestrian/bicycle ways, shall be located and developed in accordance with the applicable provisions of the zoning ordinance and all other applicable land development regulations, except as modified by this section.

If a proposed development does not meet the definition of “infill” or “redevelopment” the applicant may seek approval to develop land through the established zoning classification process or through the variance process, as applicable.

155.34.3 Master Development Plan Required

The Planned Infill/Redevelopment District is intended to accommodate a wide range of land uses and re-development options on sites constrained by the form and characteristics of existing structures and residential character in surrounding areas. Specific land uses and specific development standards for each PIRD district shall be determined on a case-by-case (site-by-site) basis by approval of a Master Development Plan filed concurrently with any proposal or request for zoning map amendment.

The Planned Infill and Re-development District classification request may be submitted by the property owner, concurrent with the required Master Development Plan. In order to be eligible for consideration for PIRD classification there must be a finding by the Town Council that:

- a. the development or re-development proposed for the subject property is consistent with the purpose and intent of this district;
- b. the proposed development or re-development of the subject property(s) would be compatible with, and not adversely impact, the surrounding neighborhoods, including impacts from traffic, noise, light and glare, parking, and signs;
- c. the services and infrastructure for the site will be sufficient to accommodate the type and intensity of the proposed development;
- d. the proposed development would provide needed housing opportunities, services, jobs, or amenities and/or would improve or enhance the character of the site;
- e. the general performance standards and limitation established in 155.34.6 subparagraph f can be met on the subject property, and;
- f. the granting of the Planned Infill and Redevelopment District classification will promote the general welfare of the Town and will not be detrimental to the health, safety and welfare of Town residents.

The Master Development Plan for Planned Infill and Redevelopment shall be designed to be compatible with existing neighborhood land uses. The development shall not result in or cause substantial adverse impacts on existing access, light, noise, parking, or traffic. The Plan shall be designed with efficient land use and circulation patterns (both pedestrian and vehicular), and shall include infrastructure improvements and attractive site amenities compatible with the surrounding neighborhood.

155.34.4 General Requirements

Development plans shall incorporate the following elements to enhance compatibility with the surrounding community:

- a. Sidewalks that connect to the adjacent sidewalk system;
- b. Public streets that connect to the adjacent street pattern;
- c. Preservation of architecturally significant structures whenever feasible;
- d. Inclusion of, or relationship to, civic spaces;
- e. Street furniture, lighting and landscaping that is primarily oriented to pedestrian use; and
- f. Building types, setbacks, building envelopes, use and parking compatible with the surrounding community.

All new buildings (except accessory structures) shall have the primary entrance oriented to the street or public walkway, with direct, barrier-free and convenient pedestrian connections.

155.34.5 Permitted Uses

Permitted uses shall be limited to those allowed in the underlying zone except as follows:

- a. The Town Council may permit a mix of uses including residential, small-scale commercial service and retail establishments.
- b. The Town Council may permit the redevelopment, including tear down and rebuild, of any residential unit or units provided such residential unit or units existed prior to the adoption of this section regardless of whether or not the units constitute a non-conforming use.

155.34.6 Development standards

- a. General: Density, design, materials, use and scale should reflect local style, climate, heritage and materials unique to Leonardtown.
- b. Flexible development standards to reduce lot areas, widths and yards and to increase building heights may be permitted for infill developments at the discretion of the Town Council, subject to proof of good cause and benefit to the development and the

community, and to address difficult sites which incorporate infill and redevelopment or rehabilitation. Building height and coverage may vary so long as the project average is consistent with the neighborhood scale and architectural rhythm and does not constitute a disruptive condition in the identity of the area (See 155.34.6 Sub-Section g).

- c. Density: Density may exceed the underlying zone for the purpose of creating a neighborhood having a variety of housing types.
 - (1) Total number of dwelling units as well as location to be established at the time of Master Development Plan approval.
 - (2) Lot Size. Lot areas established in the Master Development Plan shall be dependent on proposed densities, floor area, setbacks, building heights and community compatibility.

- d. Building Height:
 - (1) Buildings restricted to the height limit established for the district, or the average of adjacent buildings along the block face.
 - (2) If the average of adjacent buildings is greater than the maximum height allowed in the district, the proposed building or structure must meet the following criteria for community compatibility:
 - (a) Neighborhood scale
 - (b) Privacy
 - (c) Light and shadow
 - (d) Views and view sheds
 - (e) Architectural compatibility

- e. Building Setback.
 - (1) For any location that is designated a PIRD, the Town Council may designate a build-to line based on the average established front yard setback along the block face in which the development is proposed. The build-to line shall establish the front yard setback for the lots on the block. Infill and redevelopment structures shall be located within two (2) feet either side of the build-to line, except that no structure shall be located closer than five (5) feet to street or public right-of-way.
 - (2) The Town Council may relax side yard requirements to facilitate interesting and innovative design solutions, provided that the encroachment into the setback does not adversely affect storm drainage, privacy, sunlight or views of the adjacent property, nor restrain the potential of the adjacent property for future development.

- f. Bulk and Scale. Building bulk and scale shall be similar to and consistent with the surrounding neighborhood as evaluated by the bulk of buildings adjacent, abutting and surrounding the proposed development. Larger buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.

g. Compatibility standards

- (1) General: Provides exemplary site design, architectural design and high quality materials that are compatible with, and does not negatively alter the character of, the existing neighborhood.
- (2) All permitted uses conform to the purpose of the PIRD and are compatible with existing uses in the general vicinity of the proposed development. The following requirements shall apply:
 - (a) Building Size, Height, Bulk, Mass, Scale. Buildings should be similar in height and size or be designed in such way that they appear similar in height and size, creating an overall mass that is consistent with the prevalent mass of other structures in the area, e.g., by dividing walls into units of similar proportions to adjacent structures.
 - (b) Building Orientation. Primary facades and entries face the adjacent street with a connecting walkway that does not require pedestrians to walk through parking lots or across driveways and that maintains the integrity of the existing streetscape.
 - (c) Privacy. Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses by considering appropriate bufferyards, the placement of windows and door entrances. Create opportunities for interactions among neighbors in common pedestrian circulation areas of the project.
 - (d) Building Materials shall be similar to materials of the surrounding neighborhood or use other characteristics such as scale, form, architectural detailing, etc. to establish compatibility.
- (3) All planned uses, building types, and landscaping will be included on the Master Development Plan and will demonstrate the relationships of the proposed development with existing off-site development in the context of the adjacent community. Compliance with these requirements shall in and of itself be deemed to create a presumption of compatibility.
- (4) All planned uses shall comply with the Leonardtown Critical Area and floodplain regulations.

h. Open Space and Landscaping

- (1) General: All open space, recreational amenities and landscaped areas shall be shown on the plan.
- (2) Landscaping. Landscaping shall meet the standard for the underlying zoning district, where applicable, and may be required to exceed or allowed to reduce such standard where deemed necessary by the Town Council to satisfy the intent of this section.

i. Public Facilities and Utilities

- (1) General: Existing and planned public facilities should be shown on development plans.
- (2) All public streets, walkways and alleyways shall be shown on development plans. All through streets and walkways must be public. The local street and walkway system shall be safe, efficient, convenient, attractive, and shall accommodate use by all segments of the population.
- (3) The street and walkway system provides multiple, direct and continuous intra- and inter-neighborhood connections between destinations.
- (4) The street network shall include sidewalks on both sides of the street.
- (5) Closed street systems are prohibited, but short cul-de-sacs (less than 120 feet long) that connect to the main grid system are allowed when consistent with the surrounding community.
- (6) Street widths should be consistent with the surrounding community and sized to promote walkability and multi-modal use (i.e., pedestrians, bikes, cars, trucks, buses, etc.).
- (7) Roads, lighting, sidewalks, street furniture, utilities and other public facilities should enhance pedestrian circulation.

j. Parking

- (1) General: Flexibility for the number of parking spaces shall be considered if the project is pedestrian-oriented.
- (2) Parking for private automobiles is provided based on considerations for safety, convenience, pedestrian and vehicular circulation.
- (3) The parking plan may provide a combination of off-street and on-street spaces.
- (4) Shared parking is encouraged. Shared drives serving more than two (2) dwellings may be permitted.
- (5) As is practicable, at-grade off-street parking areas should be provided on the proposed development site. When possible, off-street parking should be located at the rear of the dwelling with alley access.
- (6) All parking spaces shall be shown on the site plan.
- (7) Bicycle spaces shall be provided for commercial/employment and mixed-use projects.
- (8) Parking requirements can be waived where adequate public parking is available in close proximity, and the new parking demand does not interfere with the established parking patterns in the neighborhood. If public parking is

proposed as the means of providing any required parking, such arrangement shall first be approved by the Mayor and Council of Leonardtown.

k. Findings Required

The Town Council may approve the Planned Infill or Redevelopment District as a floating zone which may be brought to land upon finding that:

- (1) The plan accomplishes the purposes, objectives and minimum standards and requirements of the overlay district;
- (2) The plan is in accordance with the Leonardtown Comprehensive Plan;
- (3) The plan is internally and externally compatible and harmonious with existing and planned land uses in the area;
- (4) Existing or planned public facilities are adequate to service the proposed development;
- (5) The development staging program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and
- (6) The plan is consistent with the purposes and provisions of the Smart Growth Area Act and other applicable Smart Growth legislation.

l. Application Information and Process

(1) Notice

(a) Property or properties proposed for development or re-development under the terms of this Article shall be posted by the applicant. This sign will advise the public of the purpose, time, place and date of the hearing. Such posting shall appear on the site at least fifteen (15) days prior to the application being considered by the Planning Commission. At the time of posting, all required application information, as outlined herein, shall be present and available for review in the Town Office.

(b) The applicant shall notify all property owners adjacent to and within 300 feet of subject property by registered or certified mail at the last known address as reflected on the tax records. Such notice shall be sent out at least fifteen (15) days prior to the Planning Commission meeting at which the application is to be considered for the first time.

- (2) The applicant has the full burden of proof to demonstrate the proposed infill or redevelopment proposal meets or exceeds the development standards in Section 155.34.6 herein.

- (3) Application information should include adequate information to address this burden of proof requirement and shall, at a minimum, include the following:
- (a) A description of the proposed development site, i.e., a plot plan or survey plot.
 - (b) A description of existing conditions in the vicinity of the site (e.g. block face on both sides of the street with 500 feet of the proposed development site). These descriptions shall include documenting photographs and an analysis of the prominent architectural features and shall address the following:
 - (i) Site location and Topography
 - (ii) Street Connections
 - (iii) Pedestrian Pathways
 - (iv) Lot Coverage
 - (v) Impervious Surfaces
 - (vi) Building Orientation
 - (vii) Roof Details
 - (viii) Massing and Proportions
 - (ix) Entryways
 - (x) Windows
 - (xi) Garage Doors
 - (xii) Finishes and Materials
 - (xiii) Ornamentation
 - (xiv) Color
 - (c) A description of the proposed infill or redevelopment including:
 - (i) Elevations of all proposed buildings;
 - (ii) A description of how the proposed infill or redevelopment is compatible with the features described in (b) above; and
 - (iii) A statement of how the proposed infill or redevelopment meets the development standards and findings requirements as set forth in Section 155.34.6 above.
- (4) Before taking action on any application the Town Council shall submit such application to the Planning Commission for review and recommendation. The Planning Commission shall conduct a public meeting on the application prior to forwarding their recommendation to the Town Council, who shall hold a public hearing. Following the public hearing, the Mayor and Council may approve, approve with modification or deny the application in whole or in part based upon the findings set forth in Section 155.34.6.k.

- (5) After a PIRD application is approved, no deviation shall be permitted without re-approval. Any future change in use or change in structure(s) is required to follow 155.34.1, Application Information and Process.

Add to Section 155-4. Definitions

BUILD-TO-LINE: The line at which construction of a building façade is to occur on a lot, running parallel to the front property line without setback, and thus ensuring a uniform (or more or less even) building façade line on the street.

COMPATIBILITY: Provision of exemplary site design, architectural design and high quality materials that are compatible with, and does not negatively alter the character of, the existing neighborhood.

INFILL: The development of vacant, abandoned, passed over or underutilized land within built-up areas of existing communities, where infrastructure is already in place.

LIVE WORK UNITS: Building type with office or retail space configured on the first floor, and residential space above.

MIXED-USE: A contributing use, when combined with other uses, that satisfies the day-to-day needs and functions of a walkable neighborhood or community. A mixed-use building may be a live/work unit or separate-use structure situated in a predominantly residential area.

REDEVELOPMENT: 1. Construction in previously developed areas which may include the demolition of existing structures and building new structures, or the substantial renovation of existing structures, often changing form and function. Projects tend to be somewhat larger and more complex than infill projects. 2. The re-use of previously used, non-agricultural land.

SMALL SCALE COMMERCIAL SERVICES: Uses or shops that service the needs of the community, including personal service facilities and office uses, but not including retail sales. Such uses may include, but are not limited to the following consumer, professional or commercial service establishments: Barber or beauty shop, professional offices, dancing or music school, medical or dental office, photographic studio, and dressmaker/tailor shop. Such uses shall not adversely impact any adjacent residential uses within the PIRD district.

TEARDOWN: Demolition and subsequent replacement of a structure.

UNDERUTILIZED: To utilize less than fully, or below the potential level of use. Underutilized sites or structures may include vacant land, sites occupied by deteriorated or dilapidated structures, or sites which are occupied by structures or uses that, if improved would enhance the town tax base, or better serve the needs and improve the character or quality of the neighborhood in which they are located.

Leonardtwn Zoning Ordinance
Proposed new Article VII-A
Planned Infill and Re-development District “PIRD”

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The district standards encourage appropriate development of underutilized properties and consolidation of developable land where it will achieve a more efficient land use and improved site design. Design standards promote compatible infill and redevelopment by, among other things, allowing development on sites that may not meet the minimum land area and dimension requirements of the underlying zones.

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- b. the proposed development or re-development of the subject property(s) would be compatible with, and not adversely impact, the surrounding neighborhoods, including impacts from traffic, noise, light and glare, parking, and signs;
- c. the services and infrastructure for the site will be sufficient to accommodate the type and intensity of the proposed development;
- d. the proposed development would provide needed housing opportunities, services, jobs, or amenities and/or would improve or enhance the character of the site;
- e. the general performance standards and limitation established in 155.34.6 subparagraph f can be met on the subject property, and;
- f. the granting of the Planned Infill and Redevelopment District classification will promote the general welfare of the Town and will not be detrimental to the health, safety and welfare of Town residents.

The Master Development Plan for Planned Infill and Redevelopment shall be designed to be compatible with existing neighborhood land uses. The development shall not result in or cause substantial adverse impacts on existing access, light, noise, parking, or traffic. The Plan shall be designed with efficient land use and circulation patterns (both pedestrian and vehicular), and shall include infrastructure improvements and attractive site amenities compatible with the surrounding neighborhood.

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- a. The Town Council may permit a mix of uses including residential, small-scale commercial service and retail establishments.
- b. The Town Council may permit the redevelopment, including tear down and rebuild, of any residential unit or units provided such residential unit or units existed prior to the adoption of this section regardless of whether or not the units constitute a non-conforming use.

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community, and to address difficult sites which incorporate infill and redevelopment or rehabilitation. Building height and coverage may vary so long as the project average is consistent with the neighborhood scale and architectural rhythm and does not constitute a disruptive condition in the identity of the area (See 155.34.6 Sub-Section g).

- c. Density: Density may exceed the underlying zone for the purpose of creating a neighborhood having a variety of housing types.
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 - (a) Neighborhood scale
 - (b) Privacy
 - (c) Light and shadow
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- e. Building Setback.
 - (1) For any location that is designated a PIRD, the Town Council may designate a build-to line based on the average established front yard setback along the block face in which the development is proposed. The build-to line shall establish the front yard setback for the lots on the block. Infill and redevelopment structures shall be located within two (2) feet either side of the build-to line, except that no structure shall be located closer than five (5) feet to street or public right-of-way.
 - (2) The Town Council may relax side yard requirements to facilitate interesting and innovative design solutions, provided that the encroachment into the setback does not adversely affect storm drainage, privacy, sunlight or views of the adjacent property, nor restrain the potential of the adjacent property for future development.

- f. Bulk and Scale. Building bulk and scale shall be similar to and consistent with the surrounding neighborhood as evaluated by the bulk of buildings adjacent, abutting and surrounding the proposed development. Larger buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.

g. Compatibility standards

- (1) General: Provides exemplary site design, architectural design and high quality materials that are compatible with, and does not negatively alter the character of, the existing neighborhood.
- (2) All permitted uses conform to the purpose of the PIRD and are compatible with existing uses in the general vicinity of the proposed development. The following requirements shall apply:
 - (a) Building Size, Height, Bulk, Mass, Scale. Buildings should be similar in height and size or be designed in such way that they appear similar in height and size, creating an overall mass that is consistent with the prevalent mass of other structures in the area, e.g., by dividing walls into units of similar proportions to adjacent structures.
 - (b) Building Orientation. Primary facades and entries face the adjacent street with a connecting walkway that does not require pedestrians to walk through parking lots or across driveways and that maintains the integrity of the existing streetscape.
 - (c) Privacy. Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses by considering appropriate bufferyards, the placement of windows and door entrances. Create opportunities for interactions among neighbors in common pedestrian circulation areas of the project.
 - (d) Building Materials shall be similar to materials of the surrounding neighborhood or use other characteristics such as scale, form, architectural detailing, etc. to establish compatibility.
- (3) All planned uses, building types, and landscaping will be included on the Master Development Plan and will demonstrate the relationships of the proposed development with existing off-site development in the context of the adjacent community. Compliance with these requirements shall in and of itself be deemed to create a presumption of compatibility.
- (4) All planned uses shall comply with the Leonardtown Critical Area and floodplain regulations.

h. Open Space and Landscaping

- (1) General: All open space, recreational amenities and landscaped areas shall be shown on the plan.
- (2) Landscaping. Landscaping shall meet the standard for the underlying zoning district, where applicable, and may be required to exceed or allowed to reduce such standard where deemed necessary by the Town Council to satisfy the intent of this section.

i. Public Facilities and Utilities

- (1) General: Existing and planned public facilities should be shown on development plans.
- (2) All public streets, walkways and alleyways shall be shown on development plans. All through streets and walkways must be public. The local street and walkway system shall be safe, efficient, convenient, attractive, and shall accommodate use by all segments of the population.
- (3) The street and walkway system provides multiple, direct and continuous intra- and inter-neighborhood connections between destinations.
- (4) The street network shall include sidewalks on both sides of the street.
- (5) Closed street systems are prohibited, but short cul-de-sacs (less than 120 feet long) that connect to the main grid system are allowed when consistent with the surrounding community.
- (6) Street widths should be consistent with the surrounding community and sized to promote walkability and multi-modal use (i.e., pedestrians, bikes, cars, trucks, buses, etc.).
- (7) Roads, lighting, sidewalks, street furniture, utilities and other public facilities should enhance pedestrian circulation.

j. Parking

- (1) General: Flexibility for the number of parking spaces shall be considered if the project is pedestrian-oriented.
- (2) Parking for private automobiles is provided based on considerations for safety, convenience, pedestrian and vehicular circulation.
- (3) The parking plan may provide a combination of off-street and on-street spaces.
- (4) Shared parking is encouraged. Shared drives serving more than two (2) dwellings may be permitted.
- (5) As is practicable, at-grade off-street parking areas should be provided on the proposed development site. When possible, off-street parking should be located at the rear of the dwelling with alley access.
- (6) All parking spaces shall be shown on the site plan.
- (7) Bicycle spaces shall be provided for commercial/employment and mixed-use projects.
- (8) Parking requirements can be waived where adequate public parking is available in close proximity, and the new parking demand does not interfere with the established parking patterns in the neighborhood. If public parking is

proposed as the means of providing any required parking, such arrangement shall first be approved by the Mayor and Council of Leonardtown.

k. Findings Required

The Town Council may approve the Planned Infill or Redevelopment District as a floating zone which may be brought to land upon finding that:

- (1) The plan accomplishes the purposes, objectives and minimum standards and requirements of the overlay district;
- (2) The plan is in accordance with the Leonardtown Comprehensive Plan;
- (3) The plan is internally and externally compatible and harmonious with existing and planned land uses in the area;
- (4) Existing or planned public facilities are adequate to service the proposed development;
- (5) The development staging program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and
- (6) The plan is consistent with the purposes and provisions of the Smart Growth Area Act and other applicable Smart Growth legislation.

l. Application Information and Process

(1) Notice

(a) Property or properties proposed for development or re-development under the terms of this Article shall be posted by the applicant. This sign will advise the public of the purpose, time, place and date of the hearing. Such posting shall appear on the site at least fifteen (15) days prior to the application being considered by the Planning Commission. At the time of posting, all required application information, as outlined herein, shall be present and available for review in the Town Office.

(b) The applicant shall notify all property owners adjacent to and within 300 feet of subject property by registered or certified mail at the last known address as reflected on the tax records. Such notice shall be sent out at least fifteen (15) days prior to the Planning Commission meeting at which the application is to be considered for the first time.

- (2) The applicant has the full burden of proof to demonstrate the proposed infill or redevelopment proposal meets or exceeds the development standards in Section 155.34.6 herein.

- (3) Application information should include adequate information to address this burden of proof requirement and shall, at a minimum, include the following:
- (a) A description of the proposed development site, i.e., a plot plan or survey plot.
 - (b) A description of existing conditions in the vicinity of the site (e.g. block face on both sides of the street with 500 feet of the proposed development site). These descriptions shall include documenting photographs and an analysis of the prominent architectural features and shall address the following:
 - (i) Site location and Topography
 - (ii) Street Connections
 - (iii) Pedestrian Pathways
 - (iv) Lot Coverage
 - (v) Impervious Surfaces
 - (vi) Building Orientation
 - (vii) Roof Details
 - (viii) Massing and Proportions
 - (ix) Entryways
 - (x) Windows
 - (xi) Garage Doors
 - (xii) Finishes and Materials
 - (xiii) Ornamentation
 - (xiv) Color
 - (c) A description of the proposed infill or redevelopment including:
 - (i) Elevations of all proposed buildings;
 - (ii) A description of how the proposed infill or redevelopment is compatible with the features described in (b) above; and
 - (iii) A statement of how the proposed infill or redevelopment meets the development standards and findings requirements as set forth in Section 155.34.6 above.
- (4) Before taking action on any application the Town Council shall submit such application to the Planning Commission for review and recommendation. The Planning Commission shall conduct a public meeting on the application prior to forwarding their recommendation to the Town Council, who shall hold a public hearing. Following the public hearing, the Mayor and Council may approve, approve with modification or deny the application in whole or in part based upon the findings set forth in Section 155.34.6.k.

- (5) After a PIRD application is approved, no deviation shall be permitted without re-approval. Any future change in use or change in structure(s) is required to follow 155.34.1, Application Information and Process.

Add to Section 155-4. Definitions

BUILD-TO-LINE: The line at which construction of a building façade is to occur on a lot, running parallel to the front property line without setback, and thus ensuring a uniform (or more or less even) building façade line on the street.

COMPATIBILITY: Provision of exemplary site design, architectural design and high quality materials that are compatible with, and does not negatively alter the character of, the existing neighborhood.

INFILL: The development of vacant, abandoned, passed over or underutilized land within built-up areas of existing communities, where infrastructure is already in place.

LIVE WORK UNITS: Building type with office or retail space configured on the first floor, and residential space above.

MIXED-USE: A contributing use, when combined with other uses, that satisfies the day-to-day needs and functions of a walkable neighborhood or community. A mixed-use building may be a live/work unit or separate-use structure situated in a predominantly residential area.

REDEVELOPMENT: 1. Construction in previously developed areas which may include the demolition of existing structures and building new structures, or the substantial renovation of existing structures, often changing form and function. Projects tend to be somewhat larger and more complex than infill projects. 2. The re-use of previously used, non-agricultural land.

SMALL SCALE COMMERCIAL SERVICES: Uses or shops that service the needs of the community, including personal service facilities and office uses, but not including retail sales. Such uses may include, but are not limited to the following consumer, professional or commercial service establishments: Barber or beauty shop, professional offices, dancing or music school, medical or dental office, photographic studio, and dressmaker/tailor shop. Such uses shall not adversely impact any adjacent residential uses within the PIRD district.

TEARDOWN: Demolition and subsequent replacement of a structure.

UNDERUTILIZED: To utilize less than fully, or below the potential level of use. Underutilized sites or structures may include vacant land, sites occupied by deteriorated or dilapidated structures, or sites which are occupied by structures or uses that, if improved would enhance the town tax base, or better serve the needs and improve the character or quality of the neighborhood in which they are located.

Leonardtwn PIRD



Legend:

- Parcels
- Leonardtown Corporate Limits

ZONING

- C-B
- C-H
- C-M
- C-O
- I-O
- PUD-M
- R-MF
- R-SF
- R/P



Commissioners of Leonardtown



Prepared By: The St. Mary's County Department of Land Use & Growth Management.

Date: January 2006.

