**COUNTY COUNCIL**

**OF**

**TALBOT COUNTY, MARYLAND**

2019 Legislative Session, Legislative Day No. : May 14, 2019

Bill No.: 1414

Expiration Date: July 18, 2019

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Lesher

**A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO CLARIFY SITE PLAN STANDARDS FOR PARKING, DRIVEWAYS, AND APPROVALS FOR CHANGE IN USE**

By the Council: May 14, 2019

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, June 11, 2019 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order Susan W. Moran

Susan W. Moran, Secretary

**A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO CLARIFY SITE PLAN STANDARDS FOR PARKING, DRIVEWAYS, AND APPROVALS FOR CHANGE IN USE**

**SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND,** that Chapter 190 of the *Talbot County Code* is hereby amended as follows:

**KEY**

**Boldface**.....Heading or defined term

Underlining .....Added by Bill

~~Strikethrough~~.....Deleted from law by Bill

* * * ..... Existing law unaffected

* * *

**190-41 Off-Street Parking; Off-Street Loading**

* * *

**41.5 Design standards for off-street parking and circulation.**

* * *

B. Standards for all off-street parking.

1. The vehicle accommodation area shall be entirely within lot lines and shall not encroach on any road or other public right-of-way. No parked vehicle shall overhang a road or public right-of-way.
2. Except for parking facilities serving single-family residences, off-street parking areas shall be designed so that it will not be necessary for vehicles to back into any road or public right-of-way.
3. Off-street parking spaces shall not be located in required buffer yard, landscaped areas or sewage disposal areas.
4. Vehicle accommodation areas shall be designed to provide access for sanitation, emergency, and other public service vehicles without backing unreasonable distances or making other hazardous turning movements.

5. Driveways and parking aisles shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.
6. Minimum required off-street parking for specified uses shall be located on a stable hardened surface. Any parking in excess of the minimum standards may be proposed on pervious surfaces as approved by the appropriate approving authority.

C. Standards for facilities for five or more vehicles. Off-street parking and loading facilities required by this section for five or more vehicles shall be constructed and maintained in accord with the following standards.

1. The minimum dimensions of paved, off-street parking facilities shall be as prescribed in the off-street parking dimension requirements below, except that:
   a. A parking space within a garage or carport shall not be less than 20 feet in length and 10 feet in width.
   b. Dimensions for unpaved parking facilities shall be increased by 10% of the stall and curb length dimensions required by Table V-7.
2. Minimum driveway width ~~in~~for commercial, institutional or industrial uses~~districts~~:
   a. Posted one-way driveway: 15 feet for access from a state or federal highway; 10 feet for access from other roads.
   b. Two-way driveways: 20 feet.
   c. The driveway shall maintain the required width for a distance of not less than 50 feet back from the road right-of-way.

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**190-60.2 Type of approval required.**

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C. Development requiring an administrative site plan. Unless specified otherwise in Article IV, Land Uses, an administrative site plan shall be required for:

1. A change in use from one approved use to a similar approved use~~ in which the new use requires no exterior site alterations such as expanded parking, loading or storage areas or other outdoor uses~~; and
2. New or expanded accessory structures~~, fences, paved areas,~~ and outdoor use areas with a cumulative area of 500 square feet or less, provided that the improvements:
   a. Are not in the Shoreline Development Buffer;
   b. Do not require a variance~~ or waiver~~;
   c. Have required landscape screening (§190-40.2);
   d. Result in no additional stormwater management facilities; and
   e. Do not require road frontage or driveway entrance improvements.
3. The maximum area of 500 square feet shall be measured cumulatively for all site improvements after the effective date of this chapter.

D. Development requiring a minor site plan. Unless specified otherwise in Article IV, Land Uses, a minor site plan shall be submitted for a use expansion, building addition or accessory structure for a use requiring a site plan, provided that:

1. The additional area devoted to the use, including building additions, accessory structures, ~~fenced areas, paved areas,~~ and outdoor use areas, is less than 3,000 square feet;
2. No ~~waivers or~~ variances are needed; and
3. The maximum area of 3,000 square feet shall be measured cumulatively for all site improvements submitted after June 13, 2009.

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**190-78 Terms Defined**

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SITE PLAN

A plan showing the proposed development of a lot or parcel. A site plan shows existing and proposed natural features, structures, building footprints and elevations, road rights-of-way, paved areas, access, walkways, vegetative cover, landscaping, screening, and stormwater management. There are ~~two~~ three types of site plans, major, ~~and~~ minor and administrative, with different submittal requirements and review processes.

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**SECTION TWO**: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

**SECTION THREE:** The Publishers of the Talbot County Code, the Talbot County Office of Law, or the Talbot County Department of Planning and Zoning, in consultation with and subject to the approval of the County Manager, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation to the Code that is incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

**SECTION FOUR:** This Ordinance shall take effect sixty (60) days from the date of its passage.

## PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. ___ having been published, a public hearing was held on _____ at ___ p.m. and on _____ at ___ p.m. in the Bradley Meeting Room, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

## BY THE COUNCIL

Read the third time.

ENACTED: _____

By Order _____
Susan W. Moran, Secretary

Pack -

Divilio -

Callahan -

Price -

Lesher -

EFFECTIVE DATE: _____