

ORDINANCE NO. 695

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE TOWN OF EASTON ZONING ORDINANCE TO REVISE REQUIREMENTS FOR PROVISION OF PUBLIC SIDEWALKS IN NON-RESIDENTIAL PROJECTS

INTRODUCED BY _____

WHEREAS, the Town of Easton is authorized by Maryland Annotated Code Land Use Article §4.01 *et seq.* to enact and administer a zoning ordinance, which ordinance is Chapter 28 of the Easton Town Code; and

WHEREAS, the Town of Easton is authorized by Maryland Annotated Code Land Use Article §§4.04 and 4.05 to amend, supplement, modify or repeal sections of the zoning ordinance; and

WHEREAS, the Easton Zoning Ordinance contains standards and requirements regarding the provision of public sidewalks that have not otherwise been required (i.e. via the Subdivision process); and

WHEREAS, the Town of Easton would like to revise and clarify the circumstances under which such sidewalks shall be required.

NOW, THEREFORE, the Town of Easton hereby ordains that the sections of the Town of Easton Zoning Ordinance set forth below be amended or added as hereinafter provided:

- (1) Delete provisions requiring sidewalks from the individual district standards, currently reading as (or similar to) follows:

~~Sidewalks shall be constructed along any public right of way (except for alleys) adjacent to the site along the entire frontage(s) of the property. To the extent practicable, walkways shall be constructed on the site to tie building entrances and/or pedestrian pathway systems into existing or proposed public sidewalk systems. The Planning Commission may waive the requirement for sidewalks on a given lot if they find that pedestrian circulation is adequately addressed without them. In such circumstances the requirement shall not be simply waived, but rather it may be satisfied by either the payment of a fee in lieu of constructing the sidewalk (which shall be based on the Town of Easton's estimate of the cost of constructing a sidewalk on the site in question) or the construction of a comparable length sidewalk on another site (or a combination of the two options) and dedication of an acceptable easement area for sidewalks for potential future construction of sidewalks on the site.~~

- (2) Add a new Subsection 1017 of the Ordinance, as follows:

SECTION 1017

- A. In all non-residential Zoning Districts (i.e. all districts except A-1, R-7A, R-10A, and R-10M) and in the PUD and HC Floating Zones, sidewalks shall be constructed along any Town of Easton-owned right-of-way, with the following exceptions:
 - (1) When abutting alleys; and
 - (2) When abutting an approved open section (i.e. a roadway with no curb and gutter) road.
- B. In addition, the Planning Commission may require sidewalks on property adjacent to any jurisdiction's public road.
- C. Any such required sidewalk shall be constructed adjacent to the site along the entire frontage(s) of the property.
- D. To the extent practicable, walkways shall also be constructed on the site to connect building entrances and pedestrian pathway systems into the existing or proposed public sidewalk system.

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

Silverstein
Leshner
Engle -
Cook
Ford

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of _____, 2016.

John F. Ford, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2016.

Kathy Ruf, Town Clerk

APPROVED:

Date: _____

Robert C. Willey, Mayor

EFFECTIVE DATE: _____, 2016.