

1 **28-414 MIXED-USE WATER VIEW DISTRICT (MXW)**
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3 **28-414.1 PURPOSE**
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5 (A) The purpose of this district is to advance the vision of the Town of Easton for Easton Point
6 as expressed in the Town’s Comprehensive Plan, as amended, which includes the Port
7 Street Small Area Plan (collectively, the “Plan”). In accordance with the spirit and intent of
8 that Plan, Easton Point is envisioned as an area appropriate for infill development and
9 redevelopment of a mixed-use nature, with a wide variety of uses possible, including
10 residential, commercial, institutional and open space. The intent IS NOT to require an
11 exact duplicate of the uses as depicted on the Plan, but rather to encourage such
12 development or redevelopment that is consistent with the Plan from a use and character
13 perspective.
14

15 (B) Permitted uses will enable the creation of a neighborhood/destination that caters to new
16 residents, provides sources of employment, serves as a tourist destination, and provides
17 public open spaces and Waterfront access. Particular attention shall be given to impacts
18 on the Tred Avon River, the headwaters of which this zoning district borders.
19

20 (C) In recognition that different parts of the Zoning District have different design and
21 development goals and objectives, four Zoning Sub-Districts are established for the
22 purpose of differentiating various development standards applicable in these areas. If a
23 parcel of land is divided by a sub district boundary line at the time of enactment of this
24 code or by subsequent amendments thereto, the appropriate standards and uses for
25 each sub district shall apply on the portion of the parcel covered by that sub district. In
26 the event of a parcel being split between the Water View and Inland sub districts in such
27 a way that development of the parcel represents a practical difficulty for the applicant,
28 the Planning Commission may allow adjustments of the boundaries between those two
29 sub districts only, during the site plan review process.
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31 **28-414.2 DEVELOPMENT STANDARDS**
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33 (A) Development shall require site plan approval by the Easton Planning Commission. In
34 addition to the standards required in 28-301 of the Town Code, the Planning Commission
35 shall consider the following in their review of site plans:
36

37 a. Whether or not the proposed project is consistent with the Plan, and to the
38 extent that it varies from said Plan, whether or not the proposed project is
39 consistent with the Vision, Spirit and Intent expressed in that document. Projects
40 deemed to be inconsistent with the Plan shall be denied unless and until said
41 Plan is amended in such a way as to make the proposed project consistent with
42 the Plan. Consistency shall refer to both the proposed use, as well as
43 architectural or design considerations.
44

45 b. Whether or not the proposed use is likely to generate potentially adverse
46 impacts to neighboring or nearby properties in the form of undue noise, smoke,
47 odors, traffic, inadequate or excessive drainage, etc., and if finding that such

48 potential exists, whether or not such impacts are determined to be sufficiently
49 ameliorated as part of the proposed project.

50
51 28-414.2.1 Permitted Uses

- 52 (A) Uses permitted in the Zoning District shall be as follows:
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- 54
- 55 a. Vertically mixed use projects with restaurant, retail, service uses or offices
56 located on the ground floor and residential uses located above, shall be
57 permitted by right.
- 58
- 59 b. Multiple Use projects that cumulatively do not exceed 25,000 square feet in
60 retail floor area (gross) shall be permitted by right, provided the constituent
61 uses are permitted within the Zoning District.
- 62
- 63 c. The following single uses shall be permitted by right:

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65 Residential

66	o Bed and Breakfast	28-1008.1,A,2
67	o Multi-family Dwellings	28-1008.1,A,7
68	o Single Family Detached Dwelling Units	28-1008.1,A,10
69	(max lot size, 7,200 sq. ft.)	
70	(max. house size, 2,500 sq. ft.)	
71	o Two-Family or Duplex Units	28-1008.1,A,8

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73 Commercial

74	o Beverage Manufacturing	
75	Brew Pub	28-1008.2,A,5
76	Brewery, Micro & Pub Brewery	
77	Distillery	
78	Winery	28-1008.2,A,25
79	o Community/Civic Center	
80	o Farmer’s Market	28-1008.2 A 10
81	o Healthy Lifestyle Center ¹	
82	o Hotels	28-1008.2,A,11
83	o Indoor Recreation Facility	28-1008.2,A,12
84	o Marinas	
85	o Multiple Uses	28-1008.2,A,17
86	o Museums	
87	o Offices	
88	o Out Door Recreation Area	28-1008.2,A,20
89	o Residential Use in a Commercial Building	28-1008.2,A,21
90	o Restaurant, Sit-down	
91	o Restaurant, Carry-out	

¹ Defined as: A facility which provides medically supervised services intended to promote overall well-being, addressing such areas as exercise, nutrition, stress management, etc., to produce individually-tailored health improvement and exercise plans. (To be added to Article 28-114 Definitions of the Easton Town Code – Zoning)

- 92 ○ Retail < 10,000 sq. ft. gross floor area
- 93 ○ Seafood Markets
- 94 ○ Visitor Center
- 95 ○ Yacht Club
- 96
- 97 Recreational/Entertainment Uses
- 98 ○ Parks and Recreation Areas
- 99 ○ Recreational Boating
- 100 ○ Water Oriented Activities
- 101 (such as water taxis, charter boats, canoe/kayak launches, etc.)
- 102
- 103 d. The following single uses may be permitted via Special Exception:
- 104 ○ Boat Storage/Sales
- 105 (limited to the lesser of the maximum height of the sub-district or 35 feet)
- 106 ○ Commercial Parking Lots or Garage
- 107 ○ Fire, rescue or police station
- 108 ○ Schools
- 109 ○ Swimming Pools
- 110 ○ Houses of Worship

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112 28-414.2.2 Ancillary Uses

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114 28-414.2.3 Temporary Uses

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116 28-414.2.4 Prohibited Uses

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- 118 (A) Uses not listed above are prohibited in the Zoning District.
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- 120 (B) Planned Unit Developments (PUDs) are not permitted and shall not be
- 121 considered for properties in the Zoning District.
- 122
- 123 (C) Retail equal to or in excess of 10,000 square feet of gross floor area

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125 **28-414.3 SITE PLANNING STANDARDS**

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- 127 (A) The following minimum site planning standards shall be observed:

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129 28-414.3.1 Lot Standards

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- 131 (A) Sub district Development Standards – The following development standards may vary
- 132 by sub district as indicated in the Table below. All other development standards
- 133 specified shall apply throughout the district.

Sub-District Areas				
Standard	Water's Edge (Salmon)	Water View (Yellow)	Inland (Green)	Port Street Corridor (Blue)
Minimum Lot Size	½ Acre	¼ Acre	5,000 square feet	5,000 square feet
Height*	25' (1 Story)	35' (2 Story)	50' (3 story)	35' (3 story max, 2 story min)
Lot Coverage (by Buildings & Structures)	20%	30%	40%	50%
Water's Edge Setback**	25' Minimum 60' Maximum	N/A	N/A	N/A
Front Setback***	5' Minimum 15' Maximum	5' Minimum 15' Maximum	5' Minimum 15' Maximum	5' Minimum 15' Maximum

- * Height in the Zoning District shall be measured from Base elevation.
- ** The Water's Edge setbacks are measured from the line of mean high tide.
- *** Measured from the property line.

(B) Minimum lot dimensions - All lots hereafter established shall have a depth of at least sixty (60) feet.

(C) Lot frontage - All lots hereafter established shall have a minimum frontage on a public street or way of at least thirty (30) feet.

(D) Maximum density - for any residential uses shall be as follows:

- a. If residential use is part of a vertically-mixed use project (i.e., non-residential uses are present on the ground floor with residential units on non-ground floors), there shall be no limit on the residential density.
- b. If the sole use proposed for a given project is residential, the maximum permitted density shall be 30 du/ac.

(E) Base Elevation – The base elevation for structures in the Zoning District shall be a minimum of the base flood elevation plus 24 inches. The base flood elevation (BFE) must be determined for each project by a Civil Engineer, based on current Maryland DFIRM maps and the Town of Easton's Floodplain Management Code.

(F) Building envelope - All lots shall have a minimum building envelope of twenty (20) feet deep by thirty (30) feet wide.

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163 (G) The front yard required for a dwelling in any zone which permits residences may be
164 reduced in the case of a dwelling to be located between two (2) existing dwellings
165 which lack the required front yard and which are less than one hundred (100) feet
166 apart. In such a case the front yard depth shall be not less than that of the deeper
167 adjoining lot.

168
169 (H) On corner lots, all sides of the lot which face a street must comply with the applicable
170 front setback.

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172 28-414.3.2 Vehicular and Pedestrian Connectivity Standards

173
174 (A) Lots shall be interconnected to all adjoining lots by providing the means to extend –
175 connect on-site; sidewalks, pedestrian paths, service – access roads.

176
177 (B) For residential uses, alleys shall be provided by private developers for vehicle
178 passageway within a block and access to garages, accessory buildings, and trash areas
179 along the rear edges of lots. Each alley shall include at least two points of
180 ingress/egress into the block, with a paved or gravel surface ranging between 16 to 20
181 feet in width.

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183 28-414.3.3 Off-Street Parking Standards

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185 (A) Off-street parking shall be required for uses within the Zoning District, in accordance
186 with the provisions of 28-1001 of the Town Code. Furthermore, given the proximity
187 to the headwaters of the Tred Avon River, all pavement used for parking areas shall be
188 pervious. Alternately such parking areas shall be designed so as to achieve equivalent
189 sediment runoff reduction as would be achieved with the use of pervious pavement,
190 as determined by the Town Engineer. Any pervious pavement shall comply with
191 maintenance and inspection requirements of the Town.

192
193 (B) In addition, shared off-street parking amongst multiple users, is encouraged in the
194 Zoning District. To that end, any portion of off-street parking requirements may be
195 satisfied off-site on land within 500 feet of the subject property. In such cases,
196 evidence of the right to utilize such off-off-street parking spaces shall be provided at
197 the time of site plan review.

198
199 (C) Parking for Residences, Employee and Business vehicles shall be designated and shall
200 be located in a manner to not compete with patron and visitor parking.

201
202 (D) Off-street parking may not be located between the water’s edge and the waterfront
203 façade of any principal building, nor between the front property line and the front
204 building façade, nor in any side yard.

205
206 (E) Setbacks for any portion of a parking lot or access drive shall be 3’ for residential uses
207 and 10’ for non-residential uses. Mixed-use projects shall adhere to the non-
208 residential setback standard.

209

210 (F) The maximum setback requirements (as established by the Planning Commission)
211 may be waived by the Planning Commission for an area not to exceed 90% of the
212 frontage in order to accommodate courtyards.

213
214 (G) Bicycle Parking spaces shall be required for all non-residential uses and structures. One
215 bicycle parking space shall be required for each 20 parking spaces.

216
217 a. Bicycle parking spaces may be provided or bicycle racks. Bicycle spaces shall
218 be at least 2 feet 6 inches in width and 6 feet in length, with a minimum
219 overhead vertical clearance of 7 feet. Racks and other fixtures used to provide
220 for nonresidential uses must be securely affixed to the ground and allow for
221 the bicycle to be locked and chained.

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223 b. Where bicycle spaces are required by 28-414.2.2 (F), the spaces may be
224 indoors or outdoors and shall be located within 50 feet of the primary building
225 entrance. The spaces shall not be located behind any wall or landscaping, or
226 other visual obstruction lying between the principal building and the bicycle
227 spaces. If required bicycle spaces are not visible from the street, signs must
228 be posted indicating their location. Areas used for required bicycle parking
229 shall be paved, drained, and well lighted. Spaces located within offices and
230 commercial facilities or located on balconies or within residential dwelling
231 units shall not be counted toward required parking.

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233 28-414.3.4 Site Loading and Unloading Area Standards

234
235 (A) All site loading and unloading areas shall be fully screened from view by architectural
236 design feature or by permanent, decorative screens or natural plantings, a minimum
237 of eight (8) feet in height.

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239 28-414.3.5 Water Front Access Standards

240
241 (A) All lots fronting on the Tred Avon shall, dedicate to the Town of Easton, land adjacent
242 to the water of a minimum width of 15'-0" or that increased width determined as
243 acceptable and appropriate by the Planning Commission, for the purpose of
244 providing and maintaining unrestricted public access along the entire Water frontage
245 of such lots.

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247 28-414.3.6 Lighting Standards

248
249 (A) All on-site lighting unless approved otherwise by the Planning Commission shall be
250 low cut-off shielded luminaries at a maximum 18' height and light shall not shine off-
251 site at levels greater than 1 foot candle. Such lighting shall be consistent with the
252 design elements of the area.

253
254 28-414.3.7 Underground Utilities

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256 (A) All development or redevelopment projects which include new or replacement utility
257 facilities within the development shall provide for underground installation of said
258 facilities.
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260 **28-414.4 ARCHITECTURAL STANDARDS**
261

262 (A) Building design and construction shall comply with the International Code Council's
263 International Green Construction Code or be US Green Building Council (USGBC) LEED
264 rated, Bronze standard, or a generally accepted equivalent standard.
265

266 **28-414.4.1 Building Massing (Shape, Form and Size)**
267

268 (A) For buildings with ground level commercial or mixed use, floor-to-ceiling height shall
269 be a minimum of 14 feet at ground level and 10 feet for upper stories.
270

271 For buildings with ground level non-commercial use, floor-to-ceiling height shall be a
272 minimum of 10 feet for the ground floor and 9 feet for upper stories.
273

274 (B) Building or structure size - not to exceed twenty-five thousand (25,000) square feet of
275 gross floor area, except by Special Exception.
276

277 (C) Massing and scale of larger buildings shall generally be broken down into smaller and
278 varied volumes or wrapped linearly in a series of smaller pedestrian-scaled building
279 with doors and windows.
280

281 (D) Buildings exceeding two stories shall incorporate a base, middle, and cap described
282 as follows:
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284 a. The base shall include an entry way with transparent windows and a molding or
285 reveal placed between the first and second stories or over the second story. The
286 molding or reveal shall have a depth of at least two inches and a height of at least
287 four inches.
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289 b. The middle may include windows and/or balconies; and
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291 c. The cap shall include the area from the top floor to the roof of the building and
292 including a cornice, eave, parapet or overhang.
293

294 (E) Regulating lines and rhythms shall be included to create a pedestrian-scaled
295 environment, including horizontal lines, transoms, cornices, eaves, recesses, courts
296 and arcades that provide human scale to façades.
297

298 (F) A clear pattern of building openings shall be provided. Windows, balconies, and bays
299 should unify a building's street wall and add considerably to a façade's three-
300 dimensional quality.
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302 (G) Major architectural expressions in the façade such as; corner massing, oversized
303 windows-entrances, towers, chimneys, roof form and dormers, shall be employed to
304 demarcate gateways, intersections and anchor key locations.

305
306 (H) Window sills, moldings, and cornices shall align with those of adjacent buildings. The
307 bottom and top line defining the edge of the windows (the “windowsill alignment”)
308 shall vary not more than two feet from the alignment of surrounding buildings. If the
309 adjoining buildings have windowsill alignments that vary by more than two feet from
310 one another, the proposed building shall align with one of the adjoining buildings.

311
312 28-414.4.2 Ground-Floor Design

313
314 (A) All buildings in the Zoning District shall have their principal entrance opening to a
315 street, square, plaza, or sidewalk. The principal entrance shall not open to a parking
316 lot. Pedestrian access from the public sidewalk, street right-of-way, or driveway to
317 the principal structure shall be provided through an improved surface. Easements
318 shall be provided to facilitate pedestrian access between parking lots and street
319 frontages.

320
321 (B) The ground floor of the entryway shall align with the sidewalk elevation. Sunken
322 terraces or stairways to a basement shall not constitute entryways for purposes of
323 this section. It is not the intent of this section to preclude the use of below-grade
324 entryways, provided that such entryways shall not constitute a principal entryway.

325
326 28-414.4.3 Façade Design

327
328 (A) Any façade which is oriented to the water’s edge or Boardwalk/promenade, shall be
329 treated as a front façade

330
331 (B) Building design shall be done in a manner to not have an apparent rear façade.
332 Façades facing a rear property line shall be designed to be a secondary front and or
333 side façade.

334
335 (C) Solid walls shall not exceed 20 feet in length.

336
337 (D) All building façades should be responsive to the context of the surrounding
338 environment and neighboring buildings.

339
340 28-414.4.4 Windows and Entryways

341
342 (A) Windows above the ground floor shall have a ratio of height to width of at least 2:1.

343
344 (B) The uses on the ground floor shall be visible from and/or accessible to the street
345 through the use of windows and doors on at least 50% of the length of the first floor
346 street frontage. At least 60% or more than 90% of the total surface area of the front
347 elevation shall be in public entrances and windows (including retail display windows).
348 Where windows are used, they shall be transparent clear, non-reflective glass.

349

- 350 (C) Ribbon windows and extensive use of mirrored glass are prohibited.
351
352 (D) All street-level retail uses with sidewalk frontage shall be furnished with an individual
353 entrance and direct access to the sidewalk in addition to any other access that may
354 be provided.
355
356 (E) Doors shall be recessed into the face of the building to provide a sense of entry and
357 to add variety to the streetscape. An entryway shall not be less than one square foot
358 for each 1,000 square feet of floor area, and in all cases shall not be less than 15
359 square feet.
360
361 (F) Canopies, awnings, and similar appurtenances may be constructed at the entrance to
362 any building. Any such feature shall have a minimum depth of 5 feet, and shall have
363 a minimum clearance height above the sidewalk of 8 feet and a maximum clearance
364 height above the sidewalk of 13 feet 6 inches.
365

366 28-414.4.5 Porches
367

- 368 (A) Minimum porch depth is 6 feet.
369
370 (B) Minimum height from ground level to porch floor is 3 feet.
371

372 28-414.4.6 Color Selections
373

- 374 (A) The color palette for projects in the Zoning District shall generally be designated as
375 follows:
376
377 a. Façade surface colors shall recall natural materials, and avoid bright, artificial or
378 metallic colors.
379
380 b. Accent colors shall be muted blues, greens, yellows, browns, and shades of
381 white, beige, and gray.
382
383 c. Materials, such as brick should typically be left unpainted.
384
385 d. Façades should contain no more than three colors.
386

387 28-414.4.7 Landscaping and Landscaping Features
388

389 28-414.4.8 Building Infrastructure
390

- 391 (A) Such as heating, ventilation, air conditioning, generators and other equipment -
392 appliances, shall be fully screened from view by architectural design features.
393

394 28-414.4.9 Refuse, Solid Waste and Recycling Storage
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- 396 (A) All building containment area(s) for the storage of refuse, solid waste and recycling,
397 shall be fully screened from view and integrated into the architectural design.

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28-414.4.10 Restaurant Seating

- (A) Seating in restaurants shall be regulated as follows:
- a. Indoor seating shall be limited to 1 seat per 15 square feet (net)
 - b. Outdoor seating shall be limited to 100% of Total Indoor Seating and must be specified on site plans submitted for approval so that such area in appropriately considered for calculation of such things as number of required parking spaces, the kitchen size and the restroom fixture counts.

28-414.5 SIGNAGE STANDARDS

28-414.5.1 Premise Identification

- (A) Address-suite numbers, shall be installed on building and dwelling walls in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background.
- a. Address numbers shall be arabic numerals or alphabet letters.
 - b. Numbers-letter shall be a minimum of 3 inches high with a minimum stroke width of 0.5 inch.
 - c. Rear entrance identification shall be provided on all non-residential structures.

28-414.5.2 Façade Signage

- (A) Building Wall, Projecting and Suspended Signs shall have the following features
- a. Signage area shall be calculated by the façade linear footage. For each linear foot of façade that façade shall be allowed to have 2 square feet of signage.
 - b. Numbers-Letter shall be a minimum of 6 inches high with a minimum stroke width of 1.25 inch.
 - c. Signs shall not project more than thirty inches (30”) from the building façade surface.
 - d. Shall have molded perimeter frames plus carved and or raised letters for a minimum of 50% of the numbers, letters and or symbols on the signage.
 - e. All lit on-site signs shall be illuminated indirectly by external fixtures with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Light bulb, strips or tubes used for illuminating a sign shall not be visible from adjacent public rights-of-way or residential properties.

446 f. Signage shall consider the visibility and approach to the site from both the
447 vehicular and pedestrian experience.

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449 28-414.5.3 Site Signage

450
451 (A) Monument Sign shall be low freestanding signage, not exceeding fifty (50) square
452 feet (per side) in area. The top shall not be more than five (5) feet in height. Signs
453 shall be placed on a continuous base.

454
455 (B) One sidewalk sign shall be permitted for each tenant. Such sign shall be located in
456 front of the business being advertised, must provide six (6) feet of unobstructed
457 sidewalk, and shall be removed from the sidewalk daily at (or before) the close of
458 business.

459
460 28-414.5.4 Prohibited Signage

461 (A) Signage, not listed above are prohibited.

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463 (B) No alcohol sales licensee may display any advertisement or sign on the outside
464 façade of the licensed premises upon which appears any brand name of an alcoholic
465 beverage product.

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467
468 28-414.4 OPERATING STANDARDS

469
470 (A) Storefront Windows for all commercial uses shall not be obstructed, contain signage and
471 or lighting projecting toward the public way and shall allow natural light into the interior
472 spaces. These storefront windows shall be used for display and or connection between
473 the commercial use and the public way.

474
475 (B) All outdoor music conducted on private property shall end no later than 10:00 p.m.