

ORDINANCE NO. 756

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE TOWN OF EASTON ZONING ORDINANCE TO ADD THE USE “HOME IMPROVEMENT CENTER” AND EXCLUDE IT FROM THE MAXIMUM SIZE LIMITATIONS APPLICABLE TO MAJOR RETAIL USES

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 appearance, location, and maximum size of the use “Major Retail”; and

WHEREAS, the Town of Easton has received an application for a Zoning Text Amendment requesting that the Ordinance be amended as follows:

1. Add the following definition for “home improvement center” to Section 28-114, Definitions:
“**Home Improvement Center** – means a retail sales facility having a gross floor area of more than twenty-five thousand (25,000) square feet, primarily engaged in the retail sale of various hardware and home improvement products such as tools, building materials, paint, household appliances, garden materials and supplies, and home decorating fixtures and accessories.”
2. Add the highlighted text below (non-highlighted text is existing text) to Section 28-1007.2 A 17, Major Retail, which will allow a home improvement center to be proposed as a PUD on commercially zoned property, subject to all other standards for major retail:
 1. Maximum Size
 - i. No structure shall exceed 65,000 square feet in gross floor area. This provision shall not apply for: (i) retail stores within or adjacent to shopping centers which were approved prior (August 25, 2004, including projects which involve the expansion of individual stores within an existing shopping center; or the redevelopment of an existing

shopping center; or the expansion of an existing center onto an abutting site or an adjacent site; or the construction of a new retail store on a site adjacent to an existing shopping center; or (ii) home improvement centers.; and

WHEREAS, the Easton Planning and Zoning Commission considered the proposed text amendment at their regularly scheduled meeting of November 19, 2020 and upon consideration, recommended that the Town Council deny the request;

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 proposed by the Applicant and outlined above.

In accordance with Article II Section 9 of the Easton Town Charter, 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 -
Abbatiello -
Engle -
Davis -
Cook -

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this ___day of _____, 2020.

Megan J. M. Cook, Town Council
President

Delivered to the Mayor by me this _____day of _____, 2021.

Kathy Ruf, Town Clerk

APPROVED:

Date: _____

Robert C. Willey, Mayor

EFFECTIVE DATE: _____, 2020.