

# THE COMMISSIONERS OF ST. MICHAELS

## OFFICE OF CODE ENFORCEMENT, PLANNING AND ZONING

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SKETCH PLAN REVIEW APPLICATION DATE      October 28, 2022  
w/ supplemental materials Nov. 22, 2022  
STAFF REPORT PREPARED BY:                      Pat Faux, Interim Zoning Inspector  
DATE OF REPORT PREPARATION:                  November 22, 2022

### GENERAL INFORMATION

OWNER/APPLICANT:                                  Contract Purchaser – Destination Lodging, LLC

REQUEST:    The applicant is requesting to construct a 73 room hotel.

REVIEW:    Sketch plan review & advice prior to formal Site Plan Application

LOCATION:    906 S Talbot Street (map 0201, parcel 1313)

ZONING CLASSIFICATION:                        Base Zone - Gateway Commercial (GC)  
Overlay Zones - (IDA) Intense Development Area (partial)

EXISTING LAND USE:                                Gas station

UTILITIES:    The parcel is currently served by municipal water and County Sewer. All other public or private utilities are available to the parcel.

FACILITIES AND SERVICES:                      The St. Michaels Volunteer Fire Department and the St. Michaels Police Department currently provide emergency services and will continue to do so.

    The Town provides trash and recycling at a standard level to all properties.

### STAFF COMMENTS:

#### General Background

1. Staff has determined that a site plan is required for this action as it involves the replacement of a commercial structure per Town Code Chapter 110-3(1) (b). A preliminary Site Plan was previously submitted on this project and a TAC meeting was held. Due to subsequent design revisions Ms. Kudla recommended submittal of a new informal sketch plan for Planning Commission review prior to formally submitting a new/amended Preliminary Site Plan for approval. Staff notes a reduction in the number of hotel rooms proposed among other changes.

2. Staff has reviewed the materials and determined that the Sketch Plan submittal has provided the information is complete and ready for Planning Commission consideration.
3. Staff notes that while the Applicants indicate they will be requesting a Parking Waiver at Preliminary Site Plan application, the sketch plan parking count shown does not require a waiver. The Applicants do not anticipate the need to apply for a Variance on height.
4. This voluntary sketch plan review is step 1 of a three step site plan review process defined in Town Code Chapter 110-5. The applicants are requesting Planning Commission consideration of an informal Sketch Plan before proceeding to the required Preliminary Site Plan application and TAC review. Public notification, notification of adjacent property owners and a Public Hearing to take public comment is required per Appendix A at the next stage.
5. Staff notes that no permits or formal Planning Commission approvals are to be issued as a result of the sketch plan review. The Planning Commission task is to review, and advise the applicant to proceed with a preliminary site plan submittal or resubmit the sketch plan for additional review. Per code staff and/or the Planning Commission may only provide comments on current development requirements.

#### Staff Comments on Current Development Requirements

Staff offers the following comments regarding current development requirements. For the Planning Commission's convenience selected code sections are also included.

#### §340-15 Intensely Developed Areas (IDA)

D. Development standards. For all development activities in the intensely developed areas (IDA), the applicant shall identify any environmental or natural feature described below and meet all the following standards:

- (1) Development activities shall be designed and implemented to minimize the destruction of forest and woodland vegetation;
- (2) Stormwater shall be addressed in accordance with the following provisions:
  - (a) All development and redevelopment activities shall include stormwater management technologies that reduce pollutant loadings by at least 10% below the level of pollution on the site prior to development or redevelopment as provided in the Critical Area 10% Rule Guidance Manual — Fall 2003 and as may be subsequently amended.
  - (b) Stormwater management to meet 10% requirements shall be provided on site to the maximum extent practicable.
  - (c) Where the 10% requirement cannot be met on site, the following options are available:
    - [1] Fee-in-lieu for 10% requirements may be provided at \$35,000 per pound of phosphorus removed.
    - [2] Other offsets as described in the Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance - Fall 2003 and as may be subsequently amended. Offsets must remove a phosphorus load equal to or greater than the remaining 10% requirement.

(5) To the extent practicable, future development in the IDA shall use cluster development to reduce impervious areas and to maximize areas of natural vegetation.

(6) When the cutting or clearing of trees in forests and developed woodland areas are associated with current or planned development activities, the following shall be required:

(a) Participation in programs established by the Town for the enhancement of forest and developed woodland resources, such as programs for urban forestry that involve street tree plantings, gardens, landscaping, and open land buffer plantings;

(b) Development activities shall be designed and implemented to minimize the destruction of forest and woodland vegetation; and

(c) Development activities shall address the protection of existing forests and developed woodlands identified as habitat protection areas in this chapter.

**COMMENT - The Town Critical Area map has incorrectly labeled the back corner of this property as RCA when it is actually IDA (RCA much more restrictive with development). Currently, the woodlands in that corner are being left undisturbed but if needed, this area can be used provided it meets the above requirements for IDA areas. Any proposed changes to this corner will require Critical Area review during the TAC review for a Preliminary Site Plan submittal.**

#### §340-71 Hotel, Motel

A hotel or motel is permitted in the WD, CC, MC, and GC Districts subject to the following conditions:

A. The owner shall comply with the licensing, food storage, and preparation guidelines outlined in COMAR 10.15.03.

B. The length of stay shall not exceed 30 days within any 90 days.

C. The facility shall contain a registration area. It shall be staffed 24 hours a day with at least one individual who has the authority to accept, reject, oversee the conduct of, and expel guests to maintain order.

D. If the facility offers package services for weddings, wedding receptions, family reunions, business activities, conferences, and other events similar in nature (hereinafter, "event packages") as accessory uses:

(1) Events resulting from the sale of event packages shall be contracted by a guest of the facility and shall include, at a minimum, the rental of at least one sleeping room in the hotel;

(2) Attendance at events shall be limited to the maximum occupancy numbers permitted by the Talbot County Fire Marshal; and

(3) Food and beverages shall be consumed on the premises during the event.

E. Establishments may include a restaurant open to the public.

**COMMENT – No comments in particular here just items to keep in mind for occupancy. The floor plans provided do not appear to include either a full service restaurant to be open to the public or an event space. A breakfast buffet area and a small meeting room for guests are shown.**

#### § 340-87 Development standards in the GC Gateway Commercial District.

Parking areas will be located to the side and rear of the parcel except handicapped parking, which may be located near the main entrance of the building.

**COMMENT - Parking is proposed to be beneath and to the rear of the building. Additional comments on parking quantity and ratios below.**

§340-104 Table of Lot, Height, Bulk requirements

Setbacks:

- Front – 20’
- Side – 10’ if adjacent to residential zone or building
- Rear – 20’

Height:

35’ (2 ½ stories)\*

\*§340-11 Definitions - STORY; HALF-STORY

That portion of a building or structure which has its lower floor surface below grade; is above the uppermost floor of a multi-floor building, which space is in whole or partly located above the eaves of a building having a pitched roof, and because of the pitched roof, the floor area in square feet less than 75% of that of the floor area immediately below; or is above the uppermost floor of a multi-floor building, which uppermost floor is not covered by a ceiling or roof. No structure or building shall contain more than one type of half-story.

**COMMENTS – The sketch plan appears to meet setbacks, these will need to be labeled on the preliminary plan. The sketch plan appears to meet the height requirements. The building as labeled on several sheets of the Architectural Packet as 35’ tall at the peak. The third floor area is identified on the 10<sup>th</sup> sheet of the Architectural Packet is shown as under a pitched roof as having 19,339 sf. This equates to 71.8% of the size of the 26,932 sf second floor.**

§340-105 Lot Coverage Limits

GC – 70% impervious

**COMMENTS – The sketch plan appears to meet lot coverage, coverage limits will need to be addressed on the preliminary site plan.**

Article XIV Parking

§340 – 145

B. Imposition and fulfillment of on-site parking requirements.

(4) The following regulations shall apply to the A, R-1, R-2, R-3, WD, GC, MC, MM, RG, and PF Districts:

(a) No lot shall be developed, nor any structure thereon erected, structurally altered, or enlarged, nor any use thereon established, altered, added, expanded, intensified, or otherwise changed, unless the on-site parking requirement of the lot, as so developed and used, is met.

(b) On-site parking spaces shall meet the parking requirement of a lot. For lots in the R-1 or R-2 Districts, if the configuration of a nonconforming lot prohibits the construction of a driveway, on-street parking shall be permissible.

C. Minimum number of on-site parking spaces required.

(1) In determining the on-site parking requirement of a lot according to its use, all buildings and structures that house functions of the use (e.g., outdoor walk-in coolers and other walk-in storage structures) shall be included.

(2) Unless otherwise expressly allowed under the shared parking regulations of § 340-148, lots containing more than one permitted use must provide parking in an amount equal to the total of the requirements for all uses on the lot.

(a) In determining the parking requirement of a lot with multiple uses, no floor area shall be counted more than once.

(b) None of a lot's multiple uses shall be excluded from access to the lot's on-site parking spaces.

(3) Should a fraction of a parking space result from computing parking or loading space requirements, a fraction of less than 50% shall be rounded down; a fraction of 50% or more shall be rounded up to require a full space.

#### §340-146 Minimum Required Parking Ratios

(A) Hotel, motel - 1.5 spaces per sleeping room

Restaurants - 1 space per 250 square feet of gross floor area plus 1 space per 4 seats available for outdoor dining

(B) Flexibility in administration required.

(1) The Town recognizes that, due to the particularities of any given development, the strict application of the parking standards set forth herein may result in development with parking exceeding a permitted use's needs. The Planning Commission may reduce the required parking if one or more of the following conditions apply, and the applicant can demonstrate to the Planning Commission via plans, studies or other data that such conditions better reflect the actual parking demand:

(a) Residential development is deed-restricted to residents 55 years of age or older.

(b) The permitted use has most of its occupants not of driving age.

(c) The development is in the CC Central Commercial District, WD Waterfront Development District, MM Maritime Museum District, GC Gateway Commercial District, MC Maritime Commercial District, or the HR Historic Redevelopment District.

(d) On-street parking is in front of the property.

(e) A public parking lot is located within 300 feet of the lot.

(2) Whenever the Planning Commission allows or requires a deviation from the parking requirements set forth herein, it shall enter on the face of the zoning certificate and/or site plan the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

#### § 340-153 On-site parking space specifications

A. Each on-site parking space shall be located on the lot toward whose minimum on-site parking requirement it is intended to apply. Each on-site parking space shall have the minimum dimensions specified herein and shall have direct access from the maneuvering aisle. The maneuvering aisle for entering and exiting a parking space shall be in addition to the area of the parking space itself and shall have at least the width specified herein.

(1) Parking space at an angle of 90° to the curb and maneuvering aisle. Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and 18 feet long. The maneuvering aisle shall be at least 24 feet wide.

(2) Parking space at an angle of 60° to the curb and maneuvering aisle. Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and at least 18 feet long. The maneuvering aisle shall be at least 18 feet wide.

(3) Parking space at an angle of 45° to the curb and maneuvering aisle. Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and at least 18 feet long. The maneuvering aisle shall be at least 15 feet wide.

(4) Parking space parallel (zero-degree angle) to the curb and maneuvering aisle: Each parking space shall be a rectangular area at least 8.5 feet wide and at least 23 feet long. The maneuvering aisle shall be at least 12 feet wide.

(b) Driveways providing access to parking areas shall be at least 10 feet wide.

(5) Except in the case of single-family detached dwellings duplex dwellings and townhouse, no on-site parking space, maneuvering aisle or parking lot shall be configured such that a vehicle must either back off of or onto a public street or right-of-way when entering or exiting a parking lot or on-site parking space.

(7) Parking areas shall have an all-weather surface, which includes, but is not limited to, asphalt, reinforced turf, clamshell, pavers, or gravel. Except in the case of single-family detached dwelling and duplex dwellings, each parking space shall be marked by painted lines on the surface of the parking lot or by parking bumpers.

(8) No part of any parking space shall be closer than five feet to any lot frontage. Any lighting used to illuminate shall comply with the lighting requirements of § 340-181.

(9) Parking areas for more than five vehicles shall comply with the landscape requirements of Article XVI.

(10) Except for temporary uses as provided in § 340-83 no parking areas may be used for displays, exhibits, or sales, unless otherwise permitted by this article.

(11) Except in the case of parking for single-family detached dwellings or duplex dwellings, the occupancy of any parking space by a vehicle shall not block or impair entry to or exit from any other parking space.

(12) In all parking lots containing five or more parking spaces, wheel stops must be installed where necessary to prohibit vehicle overhang onto adjacent pedestrian ways or landscape areas.

(13) Combination concrete curb and gutter or concrete barrier curbs are required around the perimeter of all parking lots containing five or more parking spaces and around all landscape islands and divider medians. The Zoning Inspector may approve alternatives to curb and gutter that comply with the town's best management practices for stormwater management.

#### D. Bicycle parking.

(1) Minimum requirements. Bicycle parking spaces must be provided per the minimum ratios established in Table 153D(1). The Planning Commission may waive or modify minimum bike parking requirements where it can be demonstrated that the requirement exceeds actual demand.

Table 153D: Eating and drinking establishment - 1 space per 1,000 square of gross feet floor area

(2) Maximum requirement. The minimum bicycle parking ratios of Table 153D(1) notwithstanding, no use is required to provide more than 10 bicycle parking spaces.

(3) Location. Bicycle parking spaces must be in highly visible, illuminated areas that do not interfere with pedestrian movements. Bicycle parking spaces must be located within 100 feet of a customer entrance.

(4) Design. Bicycle parking spaces must:

- (a) Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
- (b) Be of solid construction, resistant to rust, corrosion, and abuse;
- (c) Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
- (d) Be designed so as not to cause damage to the bicycle;
- (e) Facilitate easy locking without interference from or to adjacent bicycles; and
- (f) Have minimum dimensions of two feet in width by six feet in length, with a minimum over-head vertical clearance of seven feet.

§ 340-154 Accessible parking for people with disabilities.

A. The number, location, and design of accessible parking spaces for people with disabilities must be provided in accordance with this section and the Maryland Accessibility Code.

B. Accessible spaces must be provided in accordance with Table 154B.

- 51 to 75 spaces provided – 3 accessible spaces
- 76 to 100 spaces provided – 4 accessible spaces
- 101 to 150 spaces provided – 5 accessible spaces

C. Accessible parking spaces count towards the total number of parking spaces required.

D. Each accessible parking space, except on-street spaces, must be at least 16 feet in width, with either an eight-foot or five-foot wide diagonally striped access aisle. The access aisle may be located on either side of the vehicle portion of the accessible space. Abutting accessible parking spaces may not share a common access aisle. (See Figure 154-2.)

E. Accessible parking spaces must be signed in compliance with applicable state law and must identify the current fine amount for violations. The sign must be fabricated to be two separate panels, one for the disability symbol and one for the current fine amount as established by the town.

F. Accessible parking spaces and accessible passenger loading zones that serve a building must be the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

G. The regulations of this section apply to required spaces and to spaces that are voluntarily designated for accessible parking.

**- Preliminary plan will need to ensure that all parking space requirements are met as stated above including bicycle parking and correct number of accessible spaces.**

Article XV Signs

**Preliminary plan will need to address any proposed signage.**

Article XVI Landscaping, Environmental Standards, & Lighting

§340-174 Landscape Plans

C. Landscape plans shall be submitted at the time of the preliminary and final site plan or subdivision review process. They shall include enough information to demonstrate the landscaping provided meets the standards and achieves the intent of this chapter. At a minimum, landscape plans shall include the following information:

- (1) Tabular data indicating landscape improvement requirements and buffer yard requirements, including all critical area requirements.

- (2) Existing site vegetation to be cleared and/or preserved, the general location, and type of proposed landscaping (i.e., shade tree, evergreen tree, shrub, hedge). The location of existing specimen trees and significant trees.
- (3) The methods and details for protecting existing vegetation during construction and the approved sediment and erosion control plan, if applicable.
- (4) Proposed landscape improvement locations.
- (5) Planting specifications as to plant species, plant quantity, correct plant nomenclature, and installation size and spacing. Botanical and common names required and proposed quantities, spacing, height, and caliper of all proposed landscape material at the time of planting and maturity.
- (6) Installation specifications and details, if necessary.
- (7) Planting and installation details as necessary to ensure conformance with all required standards.
- (8) The location and description of other landscape improvements, such as earthen berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courts or paved areas.
- (9) A maintenance plan that describes irrigation, pruning, replacement of dead material, and other care procedures.
- (10) Required inspection schedule and procedures.
- (11) Forest conservation afforestation or reforestation plans as a sheet of the landscape plan set.

D. Final landscape plans shall include on the plan drawing, at a minimum, the following standard notes, modified to suit specific projects or conditions:

- (1) Landscape installer shall verify the location of all underground utilities before commencing work. The installer shall ensure that final grades have been established, and the site is ready for landscape installation.
- (2) Landscape installer shall maintain the landscape improvement area in a clean condition, removing debris daily and after the installation.
- (3) The installer shall lay out all beds and position plants per the plans, adjust as required for field conditions, and report significant adjustments to the owner for approval before plant installation. The application of herbicide as needed to kill and remove all weed or grass vegetation shall comply with all state and federal regulations.

E. Landscape planting shall be done using the industry-accepted best landscaping practices (e.g., Landscape Contractors Association's Landscape Specification Guidelines).

#### §340-178 Landscape Improvements

B. Talbot Street (MD 33) front buffer yards.

- (1) Any development requiring site plan or subdivision approval located on a property with frontage on Talbot Street shall, at a minimum, establish a ten-foot buffer yard along the property frontage. If it is determined by the Planning Commission that due to the location of the existing structures, there is no opportunity to provide a full or partial front buffer yard, the applicant shall utilize containerized plantings that are sited in such a manner as to minimize pedestrian conflicts.
- (2) Uses allowed in a buffer yard shall be limited to landscaping, sidewalks, approved signage, vegetative stormwater management features, and access to the structure and parking area.



(3) Landscaping will, at a minimum, include four shade and two understory trees, 10 shrubs, and ornamental grasses for every 100 feet of buffer length approved by the Planning Commission. Also, a vegetative screen, landscaped berm, fence, wall, or other methods to reduce the visual impact of any parking area front in Talbot Street shall be provided. The vegetative screen shall have an average continuous height of three feet.

C. Landscaping for parking lots, nonresidential, multifamily, or mixed-use developments.

(1) Perimeter landscaping.

(a) A planting strip shall be provided at least eight feet wide adjacent to the back of any sidewalks or ten-foot wide adjacent to the property line where no sidewalk exists. Where the parking lot does not abut a property line or sidewalk, a ten-foot planting strip shall be provided.

(b) For parking lots not fronting on Talbot Street, each planting strip adjacent to a street right-of-way shall contain a minimum of one shade tree per 50 feet of landscape area parallel to the right-of-way, and two understory trees per 100 feet of planting strip parallel to the right-of-way. In addition to any required planting strip, a landscaped berm, fence, wall, or other methods to reduce the visual impact of the parking area shall be provided. The vegetative screen shall have an average continuous height of three feet at installation.

(c) Except where otherwise explicitly required by the zoning chapter, a minimum ten-foot wide screening area shall be provided along all abutting property lines of a residential district.

[1] Shade trees here must be provided at a rate of at least one tree per 50 linear feet rounded to the nearest whole number and shrubs, ornamental grasses, and perennials, all of which must reach a minimum height of 36 inches at maturity. Existing trees may be counted toward satisfying the perimeter tree planting requirements.

[2] The parking lot perimeter landscaping required must be supplemented by the installation of a solid wood fence, wall, or comparable visual barrier with a minimum height of six feet along 100% of the parking lot perimeter immediately abutting an R-zoned property.

(d) When a parking lot is located in the interior side or rear yard of a lot abutting another lot with the same zoning classification, minimum parking lot perimeter landscaping shall include understory trees at the rate of one per 100 feet and shrub groupings of no less than three live plants along at least 50% of the parking lot perimeter along the abutting interior side and rear lot lines which must reach a minimum height of 36 inches at maturity.

(e) Grass or ground cover shall be planted on all portions of the landscape area not occupied by other landscape material.

(f) All trees shall be set back at least four feet from the edge of paving where vehicles overhang.

(2) Interior landscaping for parking lots.

(a) For any parking lot containing more than 6,000 square feet of area or 15 or more spaces, interior landscaping shall be provided in addition to required perimeter landscaping. Interior landscaping shall be contained in peninsulas or islands. An interior parking lot landscape island or peninsula is defined as a landscaped area containing a minimum area of 153 square feet, having a minimum width of 8.5 feet and a minimum length of 18 feet. There shall be a minimum of four feet to all trees

from the edge of paving where vehicles overhang. Each island or peninsula shall be enclosed by appropriate curbing or a similar device at least six inches wide and six inches in height above the paving surface. The Planning Commission may modify these dimensional requirements for the installation of low impact, stormwater management features. For purposes of Subsection C(2)(d) below and subject to the limits established in Subsection C(2)(e) below, up to four islands can be combined.

(b) Where a parking area is altered or expanded to increase the size to 6,000 or more square feet of area or 15 or more vehicular parking spaces, interior landscaping for the entire parking area shall be provided to the maximum extent practicable as determined by the Planning Commission.

(c) Landscape area. The minimum interior landscape area permitted shall be 10% of the parking area. The interior landscaping requirement shall be computed based on the "net parking facility." For this section, "net parking facility" shall include parking stalls, access drives, aisles, walkways, dead spaces, and required separations from structures, but shall not include required street setbacks or access driveways or walkways within such setbacks.

(d) Landscape islands or peninsulas. All interior parking aisles shall end in a landscape island.

(e) Minimum plant materials. A minimum of one tree for every 250 square feet or fraction thereof of required landscape or each five spaces of required parking or for every 161 square feet of island or peninsula, whichever is greater, shall be required. The remaining area of the required landscaped area shall be landscaped with shrubs or ground cover not to exceed two feet in height or grass.

(f) Plan submission and approval. Whenever any property is affected by these parking area landscape requirements, the property owner or developer shall prepare a landscape plan for approval according to the requirements of § 340-174.

(3) The Planning Commission may consider alternative parking area landscaping design in cases where unique topography and site constraints dictate such alternatives. The innovative use of planting design and materials is encouraged and will be evaluated based on the intent demonstrated to fulfill the stated objectives of this chapter.

**COMMENT - The entirety of the landscaping section will need to be addressed for preliminary site plan review.**

#### § 340-179 Screening.

A. Applicability: features to be screened. When located on lots occupied by residential, nonresidential, or mixed uses, the following features must be screened from view of public rights-of-way, public open spaces and lots used or zoned for residential purposes, as specified in this section:

- (1) Ground-mounted mechanical equipment;
- (2) Roof-mounted mechanical equipment;
- (3) Refuse/recycling/grease containers; and
- (4) Outdoor storage of materials, supplies, and equipment.

B. Ground-mounted mechanical equipment. All ground-mounted mechanical equipment over 30 inches in height must be screened from view by a fence, wall, dense hedge, or combination of such features providing at least 80% direct view blocking. The hedge, fence, or wall must be at least as tall as the tallest part of the equipment. The hedge must be this tall at the time of planting. (See

C. Roof-mounted mechanical equipment. Roof-mounted mechanical equipment (e.g., air-conditioning, heating, cooling, ventilation, exhaust, and similar equipment, but not solar panels or similar renewable energy devices) must be screened from ground-level view in one of the following ways:

- (1) A parapet that is as tall as the tallest part of the equipment;
- (2) A screen around the equipment that is at least as tall as the tallest part of the equipment, with the screen providing at least 80% direct view blocking and which is an integral part of the building's architectural design.

D. Refuse/recycling containers. Refuse/recycling and similar containers must be located on an appropriately designed concrete or other paving material pad and apron. They must be screened from view of streets and all abutting lots with a wall or other screening material providing at least 80% direct visual screening at least six feet in height. Refuse/recycling containers may not be in street yards. Enclosure doors must be located and designed so that, to the maximum extent possible, they do not face an abutting property, sidewalk, or street. Residential dwellings utilizing curbside pickup service are exempt from these screening requirements.

**- Preliminary plan shall show any proposed HVAC unit locations and screening if applicable and location of refuse/recycling containers with associated screening.**

#### §340-181 Site Lighting Standards

A. Purpose. The purpose of this section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. Concerning motor vehicles, safety considerations are the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting.

B. Site lighting shall be of low intensity from a concealed source, shall be of a clear white light which does not distort colors and shall not spill over into adjoining properties, buffers, roadways, or in any way interfere with the vision of oncoming motorists.

C. Exemption for specified outdoor recreational uses. Because of their unique requirements for nighttime visibility and their limited hours of operation, ball diamonds, playing fields, and tennis courts are exempted from the exterior lighting standards of Subsection B above subject to a determination by the Planning Commission that the outdoor recreational use meets all other requirements of this chapter and the following conditions:

- (1) The outdoor recreational uses specified above shall not exceed a maximum permitted post height of 40 feet.
- (2) The outdoor recreational uses specified above may exceed a total cutoff angle of 90°, provided that the luminaire is shielded in either its orientation or by a landscaped buffer to prevent light and glare spill-over to adjacent residential property. The maximum permitted illumination at the interior buffer line shall not exceed two footcandles.

D. Additional regulations. Notwithstanding any other provision of this section to the contrary:

- (1) No flickering or flashing lights shall be permitted.
- (2) Light sources or luminaires shall not be located within buffer areas except on pedestrian walkways.

E. Exterior lighting plan. At the time any exterior light is installed or substantially modified, and whenever a zoning certificate is required, an exterior lighting plan is required.

F. Photometric plans for all proposed commercial and industrial uses are required.

G. Illumination levels attributable to a parking lot lighting system and any other outdoor lighting shall not exceed 0.5 horizontal foot candle at the property line when adjacent to a residential zoning district.

**- Site Lighting will need to be addressed on preliminary plan.**

**Additional Comments:**

- **Preliminary Site Plan will be reviewed by Technical Advisory Committee prior to Planning Commission review.**
- **Preliminary Site Plan meet the storm water standards per Chapter 281 of Town Code.**
- **Any disturbance to the non-tidal wetlands and/or buffers will require MDE approval.**
- **Identification of any applicable Habitat Protection areas is required when a formal application is made.**
- **If alcohol sales are proposed in the hotel staff recommends the applicant contact the Talbot County Liquor Board due to proximity to a school.**