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1 **Part IV-B. Planned Infill and Redevelopment District (PIRD).**

2 **Section 116-20. Establishment.**

3 The Planned Infill and Redevelopment District or "PIRD" is a floating zone that may be
4 applied to land through a zoning map amendment adopted by the Mayor and
5 Commissioners in accordance with the provisions of this Section for projects that involve
6 compatible new uses created through redevelopment, adaptive re-use, demolition, reconstruction
7 and infill.

8 **Section 116-21. Purpose.**

9 The purpose of the Planned Infill and Redevelopment District ("PIRD") is to:

- 10 1. Stimulate re-investment and development in order to strengthen the local economy and to
11 stabilize and improve property values of such sites and structures.
- 12 2. Facilitate infill and redevelopment of properties through adaptive re-use, demolition, or
13 reconstruction of vacant or underutilized properties.
- 14 3. Encourage development which presents an attractive appearance and is compatible with uses
15 in the surrounding area by means of appropriate architecture, siting of buildings, service
16 areas and landscape treatment.
- 17 4. Provide developers and property owners flexibility that achieves high quality design and
18 results in infill and redevelopment projects.
- 19 5. Locate development on land that is or can be served with public water and sewer facilities
20 and on sites that are clearly suitable for the physical characteristics of development for such

21 uses.

22 6. Provide a more flexible approach to the comprehensive development of large tracts of land in
23 terms of land use, intensity and design.

24 7. Implement the Comprehensive Plan, Sustainable Communities Action Plan and other policies
25 in a manner closely compatible with said plans and policies.

26 8. Assure compatibility of land uses proposed in such a development with uses in the
27 surrounding area of the site by incorporating higher standards of land planning and site
28 design.

29 **Section 116-22. Planned Redevelopment and Infill District requirements.**

30 A Planned Infill and Redevelopment District shall meet the following requirements:

31 1. Ownership. The entire area proposed for a PIRD shall be owned by the applicant. If the entire
32 area is not wholly owned by one individual or entity, all owners shall join in the application
33 and shall be bound, jointly and severally, by any conditions, amendments, modifications, or
34 changes to the underlying base or overlay zone, the PIRD, and the approved General
35 Development Plan.

36 2. Zoning Districts. The PIRD is a floating zone that may be established in any base zone or
37 with other overlay zones provided the requirements of this Section are met.

38 3. General Development Plan. A PIRD shall include a General Development Plan approved by
39 the Mayor and Commissioners as part of the rezoning. The General Development Plan shall
40 include a schedule or timetable for all development and construction that includes beginning,

41 duration, and completion dates.

42 4. Uses. The uses permitted for a particular PIRD shall be the uses permitted in the approved
43 General Development Plan, and, except as modified by the approved General Development
44 Plan, uses permitted in the base zoning district.

45 5. Bulk Requirements. The bulk requirements for a particular PIRD shall be the bulk
46 requirements in the approved General Development Plan.

47 6. Density. The maximum permitted residential and non-residential densities for a particular
48 PIRD shall be the maximum permitted densities set forth in the approved General
49 Development Plan.

50 7. Architectural Requirements. The architectural requirements for a particular PIRD shall be the
51 architectural requirements set forth in the approved General Development Plan.

52 8. Parking. Off-street parking shall be provided in accordance with Section 274 of this Chapter
53 or as set forth in the approved General Development Plan.

54 9. Landscaping. Landscaping shall be provided in accordance with Article XVII of this Chapter
55 or as set forth in the approved General Development Plan.

56 10. Signs. Signage shall be provided in accordance with the provisions of Article XV of this
57 Chapter .

58 11. Transportation Facilities. Adequate transportation facilities capable of serving the proposed
59 redevelopment must exist or be provided in conjunction with the PIRD.

60 12. Water and Wastewater Treatment. Adequate water and wastewater facilities capable of

61 serving the proposed redevelopment must exist or be provided in conjunction with the
62 PIRD.

63 **Section 116-23. Standards for approval.**

64 A proposed Planned Infill and Redevelopment District and General Development Plan may be
65 approved only if the Mayor and Commissioners finds that:

- 66 1. It is consistent with the Perryville Comprehensive Plan;
- 67 2. It will promote the general welfare of the public;
- 68 3. The size and location of a PIRD is appropriate to the surrounding neighborhood;
- 69 4. The improvements and reuse or new uses in the General Development Plan are appropriate to
70 the surrounding neighborhood;
- 71 5. The proposed building designs, uses, intensity, scale, bulk, and location of structures
72 and uses are appropriate to the surrounding neighborhood. The applicant shall
73 demonstrate how this standard will be achieved by providing:
 - 74 a. Images sufficient to convey the intended site and architectural character of the
75 development including but not limited to prototypical building elevations, sketches, or
76 photographic images of comparable sites and buildings.
 - 77 b. A non-binding illustrative plan of the proposed development
 - 78 c. A preliminary list of the land uses to be permitted in the development.
- 79 6. It includes all or some combination of the following redevelopment tools to substantially

80 improve existing development in the proposed PIRD: enhanced site design and layout;
81 improved public and private infrastructure and amenities, which may include compatible new
82 uses; and adaptive re-use, infill, demolition, reconstruction, expansion, relocation, or
83 replacement of legal nonconforming structures and/or legal nonconforming uses in
84 accordance with the requirements of this Section;

85 7. It preserves appropriate existing development, manage redevelopment, and allow for new
86 development consistent with the standards and requirements of this Section;

87 8. It will promote, and will not interfere with, the adequate and orderly provision of public
88 facilities; and

89 9. All requirements of this Section have been met.

90 **Section 116-24. Applications for Planned Infill and Redevelopment Districts.**

91 Applications for a PIRD shall be filed with the Director of Planning and Zoning (the Director)
92 on such forms as may be required by the town and shall include the following:

93 1. A narrative describing the existing conditions on the site and within one hundred (100') of all
94 boundaries of the site.

95 2. A properly prepared plat, signed and sealed by a Maryland-registered professional property
96 surveyor and an adequate legal description of the property to be included in the PIRD.

97 3. Include a proposed General Development Plan that includes all information required
98 pursuant to Section 34 and this Section in sufficient detail to permit thorough review
99 of the application.

100 4. Include all information required to demonstrate that the application meets the standards for
101 approval of the PIRD and General Development Plan.

102 5. Include all additional or supplemental information as the Director may require from time to
103 time to properly evaluate the application under the standards and requirements of this
104 Section.

105 **Section 116-25. Procedure for Approval.**

106 1. A pre-application meeting with the Director is required prior to submission of an application
107 for a PIRD.

108 2. A PIRD shall be established by a zoning map amendment adopted pursuant to Section 317.

109 **Section 116-26. Mayor and Commissioners Authority**

110 1. Review authority. As a condition for approval of an application, the Mayor and
111 Commissioners may:

112 a. Modify, amend, or reconfigure the boundaries of a proposed PIRD;

113 b. Impose modified, amended, or different conditions, requirements, or limitations to
114 include height, bulk, location of structures and existing and new uses, architectural
115 appearance, open space, required public facilities, landscaping, parking, timing and
116 phasing of the development, use and other provisions (collectively referred to as
117 "amendments") of a proposed General Development Plan;

118 c. Approve a General Development Plan that amends or changes existing standards of the
119 underlying zone;

- 120 d. Approve a General Development Plan for a particular PIRD that differs from General
121 Development Plans in other PIRDs; and,
- 122 e. Impose additional requirements, conditions, and safeguards as reasonably required to
123 achieve the public purposes for the PIRD or to promote public health, safety, or welfare.
- 124 2. Applicant Consent. Amendments to a proposed PIRD or to a proposed General Development
125 Plan shall not be effective without the written consent of the applicant, which shall be filed in
126 and made part of the record of the proceedings.
- 127 3. Approval Authority
- 128 a. The Mayor and Commissioners may establish a PIRD and approve a proposed General
129 Development Plan only if the Mayor and Commissioners determines that the standards
130 and requirements in this Section have been met. The Mayor and Commissioners' decision
131 shall include written findings of fact and conclusions of law.
- 132 b. There is no presumption that a proposed PIRD or General Development Plan meets the
133 standards in this Section, or that granting any application will be consistent with the
134 Comprehensive Plan. Compliance with all standards and requirements of this Section
135 permits, but does not require, the Mayor and Commissioners to establish a PIRD or
136 approve a proposed General Development Plan.

137 **Section 116-27. Site Plan Approval.**

138 After approval of a PIRD and General Development Plan, the applicant shall apply to the
139 Planning Office for site plan approval in accordance with Section 34 to implement the General
140 Development Plan. The site plan approval shall be based upon, consistent with, and shall

141 implement the approved General Development Plan.

142 **Section 116-28. Implementation of approved General Development Plan.**

143 Construction of improvements or implementation of uses authorized by a final General
144 Development Plan shall commence within two (2) years of site plan approval. If construction or
145 implementation does not commence within two (2) years following final site plan approval, the
146 PIRD shall lapse and the zoning of the property shall revert to the former base zoning unless the
147 applicant requests a time extension for good cause shown and the Mayor and Commissioners
148 grant the request.

149 **Section 116-29. Amendments.**

150 An approved General Development Plan and an approved site plan in a PIRD may be amended
151 as set forth in this Section. Proposed amendments shall be submitted to the Director in writing in
152 the same manner and subject to the same conditions as an original application. Applications for
153 amendments under this paragraph shall be signed by all property owners in the PIRD.

154 1. Consideration of proposed amendments to the boundaries of an approved PIRD shall follow
155 the same process set forth in this Section to establish new PIRDS.

156 2. Proposed amendments to an approved General Development Plan shall be submitted to the
157 Mayor and Commissioners for decision, except that minor amendments may be approved by
158 the Director as set forth below.

159 3. All requests shall be submitted to the Director with all information, plats, and submittals
160 necessary to evaluate the proposed amendment. The Director shall review the proposed

- 161 amendment to determine if it constitutes a minor change to the approved General
162 Development Plan. The Planning Officer may approve only minor amendments to final
163 General Development Plans. Minor amendments may not:
- 164 a. Increase the intensity of the development (e.g. floor area);
 - 165 b. Increase residential density;
 - 166 c. Increase the lot coverage by more than 1,000 square feet;
 - 167 d. Increase area of any building by more than 1,000 square feet or 10 percent of the gross
168 floor area, whichever is less;
 - 169 e. Adversely impact surrounding properties or affect setbacks, landscaping or buffering
170 along the perimeter of the PIRD;
- 171 4. The Director, for just cause, may request Mayor and Commissioners review and approval of
172 minor amendments.
- 173 5. Other than minor amendments, all other proposed amendments to an approved General
174 Development Plan must be approved by the Mayor and Commissioners in accordance with
175 the process set forth in this Section for approval of General Development Plans.
- 176 6. Consideration of proposed amendments to an approved site plan in a PIRD shall follow the
177 same processes set forth in this Chapter to obtain site plan approval.

178 **Section 116-30. Construction.**

179 Except as modified by this Section and an approved General Development Plan, the
180 provisions of this Chapter remain in effect in an approved PIRD. This Section shall not be

181 construed or applied to modify, limit, supersede, or repeal any other Chapter of the Town Code.

182 **Section 116-31. Appeals.**

183 A. Any person with standing aggrieved by the floating zone reclassification or approval of a
184 General Development Plan by the Mayor and Council may seek judicial review of the same
185 by the Circuit Court for Cecil County, Maryland.

186 B. The time for appeal shall be governed by the Maryland Rules of Procedure.

187 **ARTICLE II BASIC DEFINITIONS AND INTERPRETATIONS**

188 **Part I Definitions**

189 **Section 9. Definitions of Basic Terms**

190 GENERAL DEVELOPMENT PLAN - A type of plan that becomes part of the zoning of a
191 property as provided in Section 34.2.c. of this Chapter. The plan depicts site characteristics
192 and redevelopment information to include the location of buildings, uses, roads,
193 easements, parking, landscape, access, and provides guidance for site plans.

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