

APRIL 8, 2025

Update Purposes

- Adhere to the newly implemented State regulations.
- Modify Zoning Ordinance standards, processes, and development options to ensure they are in harmony with and reinforce the recommendations outlined in the Comprehensive Plan.
- Remove any previously recognized conflicting and inconsistent provisions from the current Zoning Ordinance.
- Introduce flexible development regulations that encourage innovative and cost-efficient site designs while safeguarding the environment.
- Simplify the review process for development applications.
- Update the Official Zoning Map to guarantee that zoning classifications align with the revised plan.



Recent State Regulations

HB 538 - Housing Expansion and Affordability Act

Mandates that manufactured homes be treated like detached single-family dwellings if:

- They are secured to a permanent foundation.
- Their ownership is the same as the land they occupy.
- An affidavit of affixation is filed with the Caroline County clerk.

Special Provisions for Nonprofit-qualified projects:

- The Town must allow missing middle housing, such as duplexes and triplexes, in areas designated for single-family residential uses.
- In multifamily zones, the Town must permit development with densities up to 30 percent above the maximum limit.
- In nonresidential zones, qualified projects can include mixed-use developments with density limits not exceeding those in the highest residential zoning district, pending approval from the Maryland Department of Housing and Community Development.

HB 538 - Housing Expansion and Affordability Act

Nonprofit-qualified projects refer to significant restoration or development initiatives managed by a §501(C)(3) *nonprofit that has held this status for a minimum of three years*. Key criteria include:

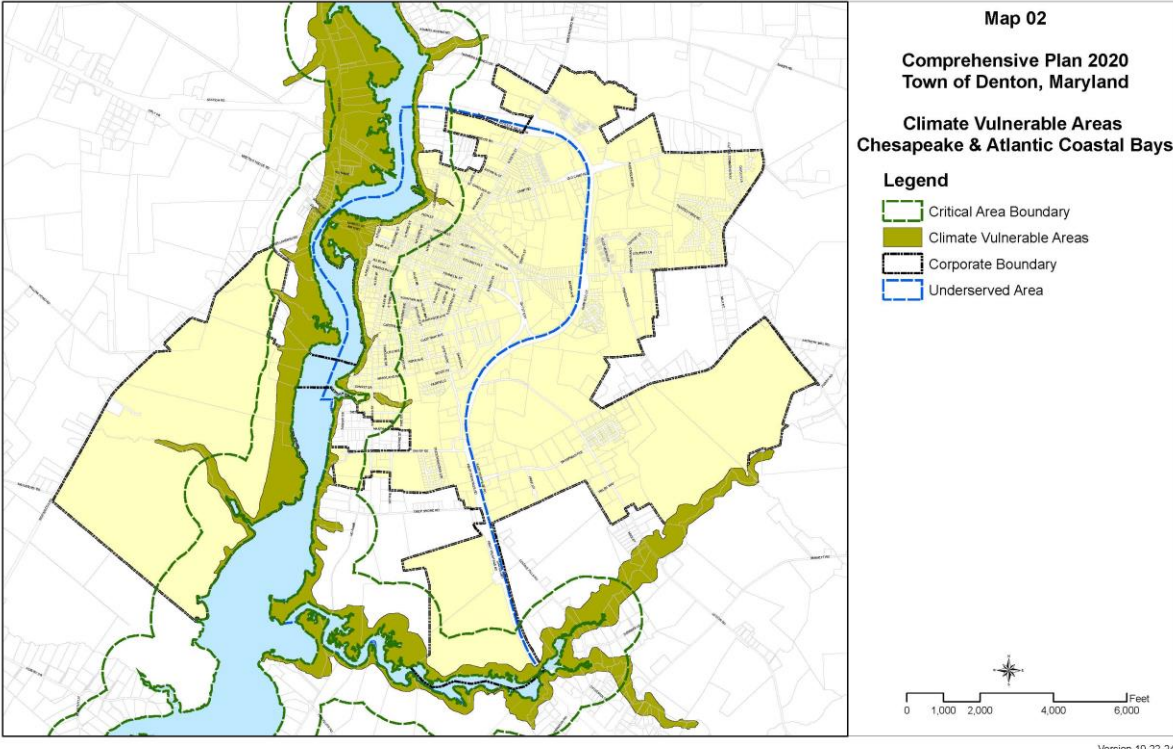
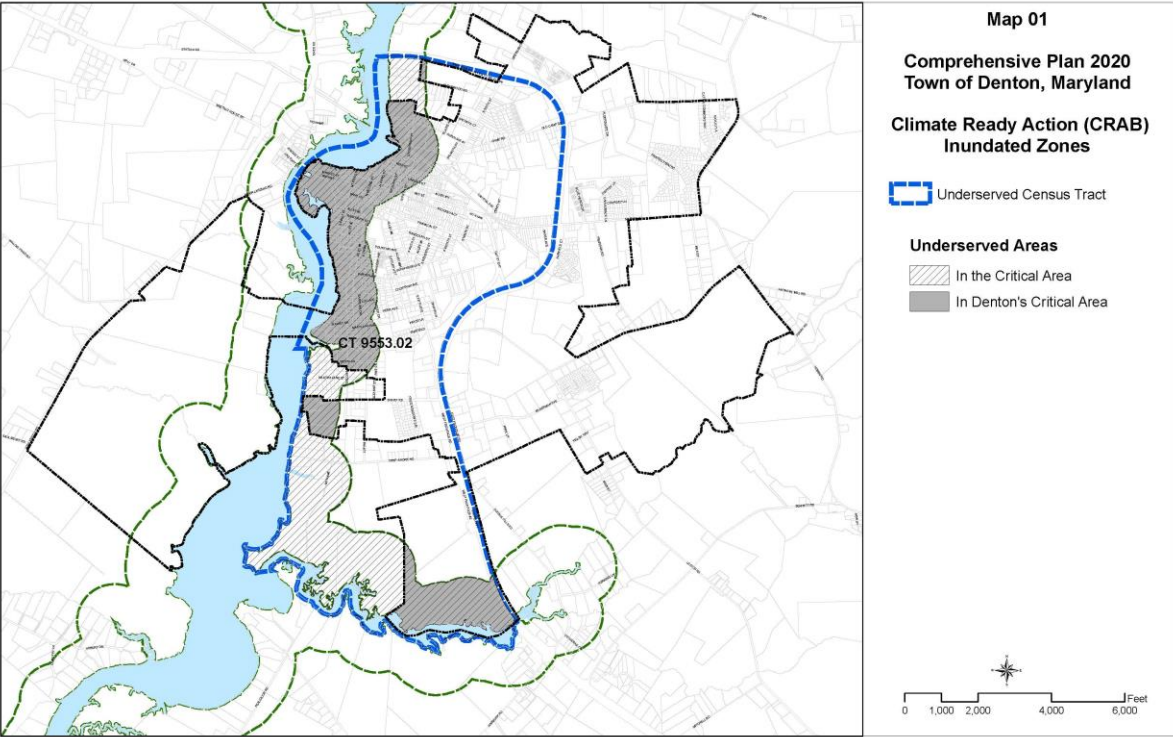
- The project involves new construction or substantial renovation.
- The land must be owned entirely by the nonprofit or controlled by it through improvements.
- At least 25% of the units must be affordable for at least 40 years.
- "Controlled by" indicates the nonprofit's role as a managing member or general partner.
- Substantial renovation projects must comply with DHCD's guidelines, requiring a minimum rehabilitation cost of \$25,000 per unit and enhancements to the neighborhood's visual appeal, fixture upgrades, and ventilation updates.

HB 233 - Chesapeake and Atlantic Coastal Bays Critical Area Protection Program, Climate, Equity, and Administrative Provisions

Denton's Critical Area Program (Chapter 128) must be revised to:

- Identify areas vulnerable to climate change.
- Include mitigation and adaptation measures that address sea level rise, storm surge, precipitation–induced flooding, other extreme weather events, migrating wetlands, and coastal forests.
- Enhance the climate resiliency of the Critical Area by identifying, restoring, creating, and conserving existing and projected future natural and nature-based features.
- Identify underserved and overburdened communities within the Critical Area.
- Include measures to ensure the equitable distribution of the benefits and burdens of development, restoration, and mitigation within the Critical Area.
- Ensure equity in the public participation process.
- Include provisions to ensure public access to the water, shoreline, and other natural areas for underserved or overburdened communities.

HB 233 - Chesapeake and Atlantic Coastal Bays Critical Area Protection Program, Climate, Equity, and Administrative Provisions





Major Changes

Use categories.

This article outlines the allowed land uses within the Town of Denton, categorizing them into various groups and subgroups. The updated approach seeks to enhance clarity and predictability regarding the application of zoning laws.

- **Use Categories and Subcategories:** The updated ordinance introduces a comprehensive framework of use categories and subcategories to classify primary land uses. This framework clarifies which zoning district is suitable for each specific use.
- **Specific Use Types:** Certain subcategories are further divided into specific use types to cater to distinct characteristics or effects.
- **Determination of Use Categories:** The Planning Commission is empowered to classify uses according to the descriptions of use category, subcategory, and specific use type. If a use cannot be categorized, the Board of Appeals will make the final determination.
- **Permissible Uses and Exclusions:** The ordinance features a Table of Permitted Uses that enumerates the uses allowed in each zoning district. This table is designed to be interpreted broadly to encompass similar uses with alike impacts. Conversely, any use not mentioned in the table is prohibited.

Accessory dwelling units (ADUs).

This section outlines the regulations for adding an accessory dwelling unit (ADU) to a property, increasing eligibility and setting standards. Only one ADU is allowed per lot, subject to compliance with the following standards.

- An ADU must be on the same lot as a detached single-family home.
- Creation methods include converting existing spaces, expanding an existing dwelling, building a standalone unit, or modifying an existing accessory building.
- No extra parking is needed if on-street parking is available. One additional parking space is required if on-street parking is not feasible or if the ADU is built simultaneously with the main dwelling.
- An ADU can be a maximum of 60% of the principal dwelling's living area or 1,000 square feet, whichever is smaller.



Cottage Housing Development (CHD).

This section outlines the rules for creating Cottage Housing Developments (CHDs), which are small clusters of homes allowed in residential districts.

- Cottage Housing Development - A cluster of 4 to 12 cottages under a single development plan.
- Minimum Land Area - One acre.
- Maximum of one unit per 3,600 square feet; more than one development may be allowed on larger parcels.
- Each cluster must have a common open space of at least 3,000 square feet.
- Cottages should not exceed 1,200 square feet, with specific height and orientation requirements.
- Parking - Minimum off-street parking spaces needed, with design requirements for separation and accessibility.
- Flexibility - Minor design modifications may be approved by the Planning Commission.



Density and Dimensional Regulations.

Revisions to the table modify minimum lot sizes as follows:

SR - Suburban Residential District

- Single-family units: Minimum lot size reduced from 10,000 to 7,200 square feet, with maximum density increased from 4.3 to 6 units per acre.
- Duplex Unit standards added.
- Minimum front yard setbacks decreased from 25 to 20 feet.

TR - Town Scale Residential District

- Single-family units: Minimum lot size reduced from 8,000 to 7,000 square feet, with maximum density increased from 5 to 6 units per acre.
- Duplex Unit standards added.
- Minimum front yard setbacks decreased from 25 to 20 feet.

MR - Mixed Residential District

- Single-family units: Minimum lot size reduced from 7,500 to 6,000 square feet, with maximum density increased from 5.8 to 8 units per acre.
- Duplex units: Maximum density increased from 6 to 8 units per acre.
- Townhouse Units: Maximum density increased from 8 to 10 units per acre.
- Multifamily Units: Minimum lot area per unit decreased from 4,000 to 2,500 square feet, with maximum density increased from 8 to 15 units per acre.
- Minimum front yard setbacks decreased from 25 to 20 feet.

Density and Dimensional Regulations.

Revisions to the table modify minimum lot sizes as follows:

UR - Urban Residential District

- Includes density and dimensional regulations for the new MR Mixed Residential District.

GC - General Commercial District

- Standards added for single-family units: minimum lot area of 7,000 square feet and maximum density of 6 units per acre.
- Duplex units: 4,000 square feet per dwelling unit, maximum density of 8 units per acre.
- Front yard setback established at 20 feet.

CBC - Central Business Commercial District

- MR Mixed Residential District standards applied to residential uses.

CM - Medical District

- Single-family units: Minimum lot size reduced from 7,500 to 7,000 square feet, with maximum density increased from 5.8 to 6 units per acre.
- Duplex units: Minimum lot size reduced from 8,000 to 7,000 square feet.
- Townhouse: Maximum density reduced from 10 to 8 units per acre.
- Minimum front yard setbacks decreased from 25 to 20 feet.

Density and Dimensional Regulations.

Revisions to the table modify minimum lot sizes as follows:

MI - Mixed Industrial District

- Single-family units: Minimum lot size reduced from 7,500 to 7,000 square feet, with maximum density increased from 5.8 to 6 units per acre.
- Duplex units: Minimum lot area per unit reduced from 4,000 to 3,500 square feet, and minimum lot area from 8,000 to 7,000 square feet.
- Townhouse Units: Maximum density increased from 8 to 10 units per acre.
- Multifamily Units: Minimum lot area per unit decreased from 4,000 to 2,500 square feet, with maximum density increased from 8 to 15 units per acre.
- Minimum front yard setbacks decreased from 25 to 20 feet.

UR Urban Residential District

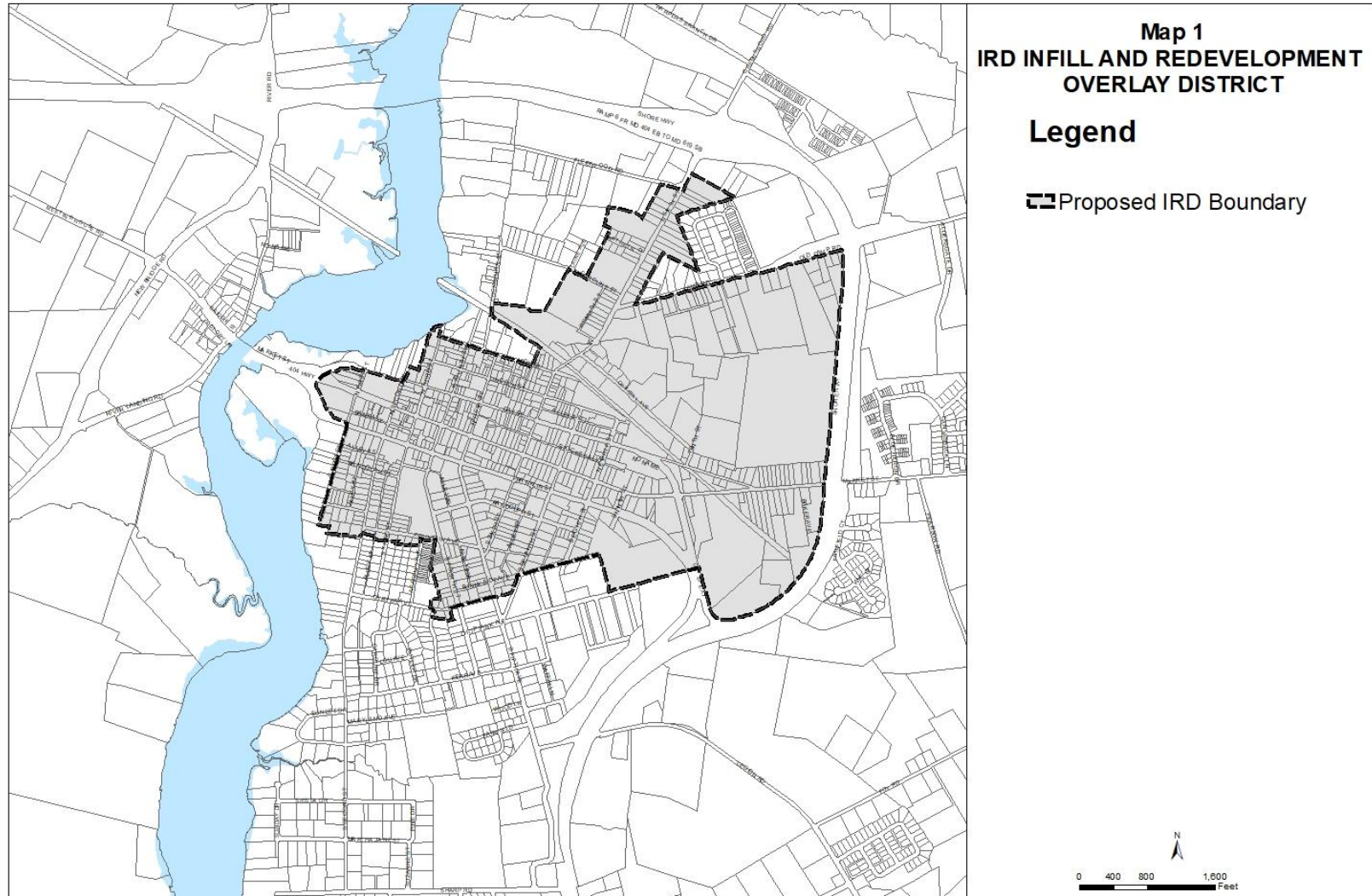
- Establishes a new Urban Residential (UR) district to the east of MD 404 that permits a variety of housing options, including four-story townhomes.
- Objective: Revitalize underutilized areas while promoting walkable communities with diverse housing alternatives, moving away from the trends of suburban sprawl. It accommodates a range of housing types, such as single-family residences, multifamily units, and townhomes.
- Planned Unit Developments (PUDs) permitted within the UR district, with density calculations based on adjusted acreage.
- Regulations for townhouses have been revised to allow for four-story townhomes up to 60 feet. Space above the first four floors may not contain living space. This upper zone can be utilized for essential building features such as structural supports, mechanical equipment, or decorative architectural elements, including pitched roofs that can enhance the aesthetic appeal of the units.
- The Planning Commission has the authority to approve more than six units within these buildings.
- The Planning Commission may also approve multifamily structures up to 60 feet in height if they are consistent with the surrounding neighborhood. Applications for taller buildings will be evaluated based on various considerations, including their impact on the neighborhood and their contributions to affordable housing.

IRD Infill and Redevelopment Overlay Zone.

The IRD Overlay Zone is a designated district aimed at encouraging suitable infill and redevelopment within older communities, supporting initiatives that are in line with the objectives of the Comprehensive Plan, even if they do not completely conform to conventional zoning regulations.

- **Applicability:** Applies to properties that are 0.75 acres or smaller recorded prior to September 23, 2010, and not included in a subdivision. Smaller lots may be combined to reach the 0.75-acre maximum; however, larger parcels cannot be divided.
- **Permitted Uses:** The Planning Commission has the authority to approve detached single-family homes, duplexes, triplexes, fourplexes, mixed-use buildings, and neighborhood centers.
- **Development Standards:** There are adaptable standards regarding lot area and yard requirements. New principal structures must maintain a minimum distance of 10 feet from property lines or other principal structures. All structures must adhere to the height limitations set by the underlying zoning.
- **Findings Requirement:** The Planning Commission is required to determine that the project is in accordance with design guidelines, aligns with the Denton Comprehensive Plan, is compatible with the surrounding land uses, and that public facilities will be adequate to support the proposed development.

IRD Infill and Redevelopment Overlay Zone.



PUD Planned Unit Development Floating Zone.

The Draft Ordinance revises standards for PUDs currently permitted in Chapter 128 as follows:

- Makes clear the Town Council is the approving authority.
- Establishes minimum and maximum unit mixes.
- Outlines maximum densities by zoning district

Unit Type	Density (maximum du/acre)	Minimum Percentage	Maximum Percentage
In the SR, TR, RA, and MI Districts			
Detached single-family dwelling	8	50	80
Two-family dwelling, Duplex	8	10	40
Townhouse	8	5	20
Multifamily	10	5	10
Apartments	15	5	10
In the MR and UR Districts			
Detached single-family dwelling	9	50	80
Two-family dwelling, Duplex	9	10	40
Townhouse	9	5	20
Multifamily	15	5	10
Apartments	20	5	10

Appendix III - Design Guidelines.

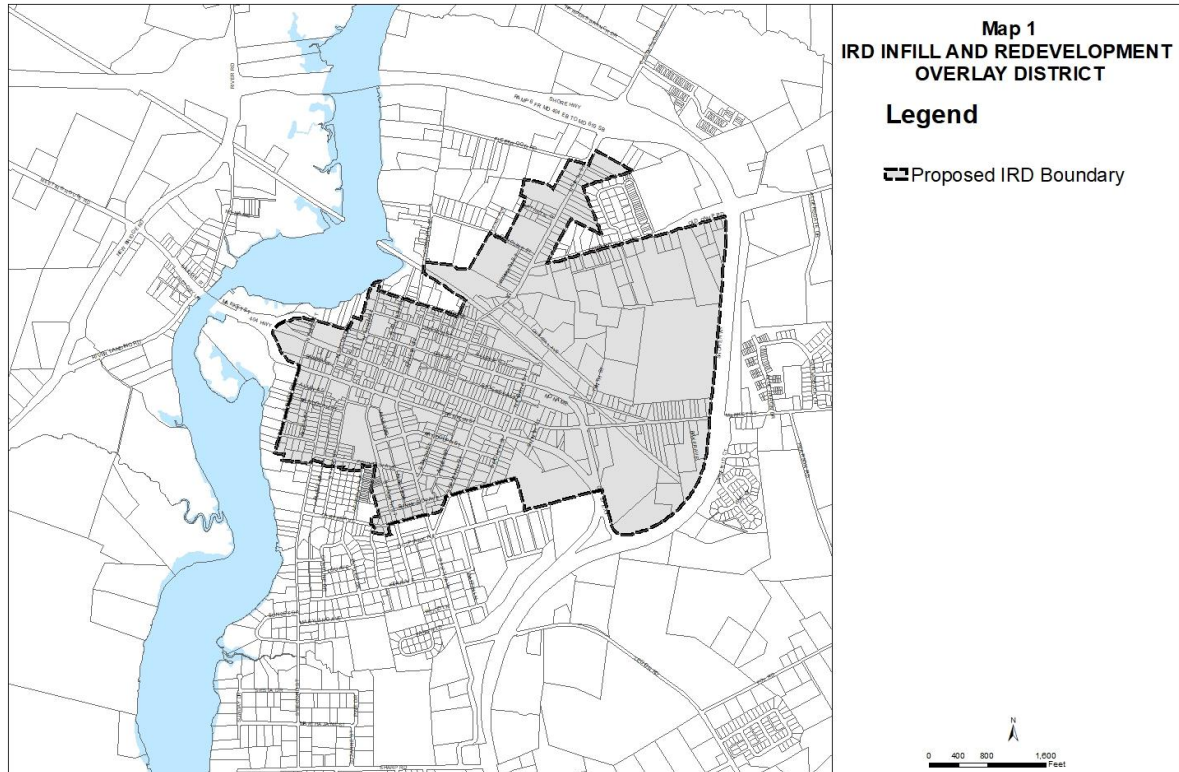
- This appendix outlines design guidelines for development within the Town of Denton, aiming to foster both appealing and practical communities while maintaining the Town's unique character.
- It consolidates and adjusts the design guidelines from Chapter 128 into a single appendix. These guidelines serve as a framework for achieving high-quality development that honors Denton's existing character while promoting innovation and creativity.
- They highlight the importance of compatibility, functionality, and environmental sensitivity across all design elements.
- The appendix is divided into three sections: Community Appearance, Residential Infill and Redevelopment, and PN Planned Neighborhood Design Guidelines.



Map Changes

Official Zoning Map

- Eliminate RP Recreation and Parks Zone, revert zoning.
- Rezone individual properties at owner's request.
- Convert some MR Mixed Residential zones to UR Urban Residential zones.
- Eliminate RDE zone and replace with IRD Infill and Redevelopment zone.



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