



TOWN OF DENTON, MARYLAND

Update to the Comprehensive Plan

Prepared by
the Denton Planning Commission
with the assistance of
Redman/Johnston Associates, Ltd.

August 1997

CHAPTER 1

INTRODUCTION

The Comprehensive Plan is the official statement of the Town Commissioners of Denton setting forth policies concerning desirable future growth which serves as a general guide to public and private development decisions. Once adopted, it becomes the basis for the preparation of specific policies, programs and legislation, such as zoning and subdivision regulations, and other actions which implement the growth policies set forth in the Plan.

The Plan is comprised of several major elements that are prepared in such a manner that they form an integrated, unified document for guiding future growth and development. As a policy document it is general, comprehensive, and long range in nature. It is comprehensive in that it encompasses the entire geographic area of the Town and includes all functional elements that bear upon its physical development, such as transportation, land use, and community facilities. It is general in that it summarizes policies and proposals but does not establish detailed regulations or indicate specific locations. It is long range in that it looks beyond current issues to problems and opportunities related to future growth over the next twenty years.

A VISION FOR DENTON

By characterizing local resources, identifying local values and needs, and developing a strategy to ensure that the needs and values of the community are met, the Town of Denton has developed its Comprehensive Plan. The Plan represents the Town's map in addressing growth and development issues that are important to the Town's future quality of life. Although there are goals and objectives in each of the Plan's elements, the overall vision for the Town is critical to directing community decisions. The vision ensures that the values of the Town are reflected clearly in the Comprehensive Plan and furthermore, can be used as benchmark in which to base future Town decisions. The Town has developed the following vision statement to guide growth and development in a manner that supports the values of the Community and the goals and objectives of the Comprehensive Plan.

DENTON'S VISION

Denton will be a progressive, innovative, healthy, safe, well-balanced community that protects its historical integrity, preserves its unique natural resources, enhances its economical vitality and maintains its unique town character.

THE FRAMEWORK FOR PLANNING

As Denton and the surrounding environs grow and change over the next twenty years, this Comprehensive Plan will serve as a guide for making public and private decisions regarding the Town's growth and development. This Plan presents a future vision of Denton into the year 2015 along with recommendations for bringing that vision to fruition. The ideas of the Plan are a

distillation of the community's many desires, tempered by what seems feasible and reasonable. This Plan is not intended to be a static document. It should be reviewed and updated periodically to reflect new development trends, shifts in the economy, or changes in the community's goals and objectives.

Denton finds itself in a rapidly changing environment. The large land holdings surrounding the Town are still relatively intact, but development pressures exist from encroaching subdivisions and other unincorporated areas. This Comprehensive Plan particularly addresses the preservation and enhancement of the Denton's special qualities and the rural historic character of the Town. This sense of uniqueness and pride of place are the guiding forces and strongest motivation for those who have contributed to the realization of this document.

LEGAL BASIS FOR COMPREHENSIVE PLANNING

Article 66B of the Annotated Code of Maryland is the Zoning and Planning enabling legislation from which the Town of Denton derives its powers to regulate land use. Section 3.05 sets forth the minimum requirements for a comprehensive plan which shall include, among other things:

- A statement of goals and objectives, principles, policies, and standards;
- A land use plan element;
- A transportation plan element;
- A community facilities plan element;
- A mineral resources plan element, if current geological information is available;
- An element which shall contain the planning commission's recommendations for land development regulations to implement the plan; and
- Other elements, such as a community renewal, housing, conservation, natural resources, at the discretion of the commission.

MARYLAND ECONOMIC GROWTH, RESOURCE PROTECTION AND PLANNING ACT OF 1992

The context for planning in the Town of Denton must also take into consideration the role that the Town will play in implementing the overall growth management policies established by the State of Maryland in the Planning Act of 1992. These policies, stated as "visions" for the future, are:

1. Development is concentrated in suitable areas;
2. Sensitive areas are protected;

3. In rural areas, growth is directed to existing population centers and resource areas are protected;
4. Stewardship of the Chesapeake Bay and the land is a universal ethic;
5. Conservation of resources, including a reduction in resource consumption, is practiced;
6. To assure the achievement of 1 through 5 above, economic growth is encouraged and regulatory mechanisms are streamlined; and
7. Funding mechanisms are in place to achieve all other visions.

The Maryland Economic Growth, Resource Protection and Planning Act of 1992 also added the requirement that the comprehensive plan contain a Sensitive Areas Element which describes how the jurisdiction will protect the following sensitive areas:

- Streams and stream buffers,
- 100-year floodplains,
- Endangered species habitats,
- Steep slopes, and
- Other sensitive areas a jurisdiction wants to protect from the adverse impacts of development.

COMPONENTS OF A GROWTH MANAGEMENT PROGRAM

This Comprehensive Plan provides the basic framework and direction for all components of what may be considered the Town's overall Comprehensive Planning Program. It is not a stand-alone document but is supported and, in turn, supports related Planning Program documents such as the ones listed below.

- Zoning Ordinance
- Subdivision Ordinance
- Capital Improvements Budget

These documents and others, when used concurrently, are the basis for directing and managing growth in Denton.

CHAPTER 2

COMMUNITY CHARACTERIZATION

HISTORICAL PERSPECTIVE

Denton, the seat of Caroline County, is located on the eastern bank of the Choptank River and near the geographic center of the county and the Eastern Shore of Maryland (see Figure II- 1 - Regional Location). Today, Denton is the governmental, commercial and employment center for a large rural area. The town began as a small settlement on Pig Point, which projected into the Choptank River. About 1773, the settlement was called Eden-Town in honor of Sir Robert Eden, a contemporary English statesman. Soon after the Revolution, the name was contracted to Edenton, and in 1791, when the county seat was moved here from Melvill's Warehouse further up the river, it was again shortened to Denton.

Caroline County, established in 1773, was largely settled by people of English descent. By 1870, the county had a population of 9,506. Denton was a trade center of some importance when the Assembly Act of 1790 provided for the relocation of the county seat from Melvill's Warehouse. Four acres were secured and the Court House was begun in 1793. The original Court House was replaced by a larger one in 1895, which remains in use today along with the major addition completed in 1967.

A wharf was constructed on the Choptank in 1792. In 1796, seven commissioners were appointed to attend to surveying Denton. The Act appointing the commissioners empowered them "to survey and lay out any quantity of land, not exceeding fifty acres, including the public square called Denton, and the lands thereto contiguous and the same, when surveyed, to be erected into a village and to be called and known by the name of Denton; and such village when surveyed and laid out, to divide into lots... and (to) lay out a sufficient number of streets, not exceeding fifty feet wide, and also a sufficient number of alleys not exceeding twenty feet wide, through the said village, for the public convenience."

In 1827, a market place was opened where the Masonic Hall now stands facing the public square. Farm produce was sold here as were slaves. In 1835, the first factory was built in Denton to manufacture plows.

Early travel to Denton was by water. The first steamboat came up the Choptank River to Denton from Baltimore before 1850. The "Cyrus" as it was named, made only one trip, but later the "Dupont" made weekly trips between Denton and Baltimore with freight and passengers. About 1792, probably to shorten the distance of the ferry across the Choptank, a causeway was built across the marsh on the east side of the river. In 1811, the Denton Bridge Company was formed and a toll bridge was constructed. This bridge remained a toll bridge until shortly before the Civil War, when it was sold to the county. In 1875 it was replaced by the iron bridge which remained standing until 1913, when another iron bridge was constructed. This bridge lasted until March of 1976. At that time, extensive reinforcement was done on the bridge until a new concrete bridge could be built. Construction of the new bridge was begun in early 1980 and the

present bridge was dedicated on Memorial Day weekend, 1981. Sometime before 1860, there was a stage line started between Easton and Felton, Delaware via Denton. After 1860, the stage met the Chester Riverboat at Queenstown.

Improved transportation enhanced Denton's position as a trade center and by the time of the Civil War, new stores, shops, schools, and churches were constructed. However, much of the business district was wiped out by the fire of 1863. A company of Union soldiers stationed as guards in Denton celebrated the Fourth of July with skyrockets and other explosives and set fire to a shop building. The ensuing fire burned almost all of the business part of town, which consisted of several stores, a hotel and a rum shop.

The downtown area of Denton has since been redeveloped and the Town currently functions as the governmental and commercial center for Caroline County, Industrial activity has also been increasing in recent years along with commercial, residential growth and development. Although the Choptank River no longer plays an important role in the Town in terms of water-based transportation needs, the presence of Maryland Route 404, a primary east/west arterial, continues to provide Denton with excellent land transportation access.

SOCIO-ECONOMIC BACKGROUND

Population Trends

Between 1960 and 1990 the population of Denton increased at a stable rate according to the U.S. Census (see Table 1, Population Growth 1960-1990). During the 1960's Denton experienced a 19.4 percent population decline from 1,938 persons in 1960 to 1,561 persons in 1970. However, many local officials suggest that the 1970 census count was inaccurate. In fact, they suggest that the population did not actually decline during the 1960's. From 1980 to 1990 there was a 54.5 percent increase in the Town's population. The most recent census count in 1990 listed Denton's population as 2,977 persons. Overall, Denton's population increased 53.6 percent between 1960 and 1990, with the predominant amount of growth occurring from 1980 to 1990. Population estimates from the U.S. Census Bureau indicate that the population of the Town since 1990 continues to increase. In 1994, the estimated population of the Town was listed as 3,597. Again, this demonstrates a significant increase in total Town population.

**Table 1
Population Growth**

District/Town	1960	1970	1980	1990	Percent increase 1960-1990
Caroline County	19,462	19,781	23,143	27,034	39%
Denton, district	4,071	3,771	4,595	5,579	37%
Denton, town	1,938	1,561	1,927	2,977	53.6%

Source: 1990 U.S. Census

The population of Election District 3, of which Denton is included, and the County's population are showing similar population increases. From 1960 to 1990 the population of the District increase by 37 percent and the population of the County increased by 39 percent during the same period.

Due to dispersed population growth and residential subdivision throughout the County, there is no dominant population concentrations in any of the County's ten incorporated municipalities.

Age/Education

Table 2 outlines the changes in age distribution for Denton between 1980 and 1990. In 1980, 27 percent of the Town's total population was under the age of 20. The population of the Town over 64 comprised 20 percent of the Town's total population. In comparison, in 1990 persons in the Town under the age of 20 comprised 26 percent of the population and persons over the age of 64 comprised 21 percent of the Town's population. Therefore, there has been no significant change in the age distribution of the Town's population from 1980 to 1990. Again, in 1990 as in 1980 the predominate age distribution fell in the 20 to 64 range - 52.3 percent of the total population. Twenty-nine percent of the Town's population fell between the ages of 25 to 44. The elderly population aged 65+ also increased slightly from 20 percent in 1980 to 21.3 percent in 1990. These statistics reveal a Town trend of an increasingly older population. In 1990, the median age of the population was 34.7.

**Table 2
Population by Age**

Denton	Under 20	20-64	Over 64	Totals
1980	526	1,012	389	1,927
1990	787	1,555	635	2,977

Source: 1990 U.S. Census

Of persons over 25 years of age, 35 percent possessed a high school degree and 14 percent had earned a bachelor's degree or higher.

Employment

The Eastern Shore and Caroline County are gradually shifting away from the resource-based, agricultural economy of the past. Agriculture, forestry and fisheries, while still very important, are no longer the dominant employment sectors. Overall a more diversified economy based on manufacturing and services is emerging.

Employment opportunities in Denton, the County, and the region have expanded and diversified in recent years and are expected to continue to do so throughout the planning period. Between 1970 and 1990, Caroline County's labor force increased 79 percent from 7,740 persons in 1970 to 13,820 persons in 1990 (see Table 3). The labor force is defined as those residents who are either employed or unemployed but seeking work. This large increase, double the rate of population growth during the same period, reflects the growing number of young working age adults in the County and the increase of women in the labor force. Table 4 shows occupations of the employed and Table 5 shows the changes in employment by industry, for Caroline County residents between 1970 and 1990.

Table 3
Labor Force Characteristics

	1970	1980	1990
Number	7,740	10,570	13,820
Percent in labor force	56.2	60.6	66.9

Source: 1990 U.S. Census

Table 4
1990 Occupation of Employed

	Number of Persons	Percentage
Executive, administrative, & managerial	91	7.5%
Professional speciality occupations	158	13%
Technicians & related support occupations	36	3%
Sales occupations	110	9.1%
Administrative support occupations, including clerical	177	14.6%
Private household occupations	9	.7%
Protective services occupations	23	1.9%
Service occupations, except protective & household	197	16.3%
Farming, forestry, & fishing occupations	35	2.9%
Precision production, craft, & repair occupations	140	11.6%
Machine operators, assemblers, & inspectors	93	7.6%
Transportation & material moving occupations	87	7.2%
Handlers, equipment cleaners, helpers, & laborers	56	4.6%
Private for profit wage & salary workers 16+	853	70.4%
Local government workers 16+	134	11.1%
State government workers 16+	97	8%
Federal government workers 16+	15	1.2%
Self-employed workers 16+	113	9.3%
Unpaid family workers 16+	-	0%

Source: 1990 U.S. Census

Table 5
1990 Industry of Employed

	Number of Persons	Percentage
Agriculture, forestry, and fisheries	43	3.5%
Mining	4	.3%
Construction	121	10%
Manufacturing, nondurable goods	123	10.1%
Manufacturing, durable goods	75	6.2%
Transportation	41	3.4%
Communications and other public utilities	37	3.1%
Wholesale trade	29	2.4%
Retail trade	220	18.2%
Finance, insurance, and real estate	33	2.7%
Business and repair services	34	2.8%
Personal services	28	2.3%
Entertainment and recreation services	-	0%
Health services	137	11.3%
Educational services	99	8.2%
Other professional and related services	101	8.3%
Public administration	87	7.2%

Source: 1990 U.S. Census

Approximately 1,289 people out of a population of 2,977 in 1990 were in the labor force (see Table 6). With an unemployment rate of 5.8 percent, Denton experienced higher unemployment than both Caroline County and the State.

**Table 6
1990 Labor Force**

	Population	Percent in labor force	Percent unemployed
Maryland	3,736,830	70.6%	4.3%
Caroline County	27,035	66.8%	4.0%
Denton	2,977	55.8%	5.8%

Source: 1990 U.S. Census

**Table 7
1989 Income and Poverty Status**

	Per capita income	Median income			Persons living in poverty	
		Households	Families	Nonfamily Households	Number	Percent
Maryland	\$17,730	\$39,386	\$45,034	\$24,482	385,296	8.3%
Caroline County	\$11,926	\$27,758	\$32,093	\$13,354	3,120	11.8%
Denton	\$11,388	\$22,202	\$29,773	\$11,378	500	18.5%

Source: 1990 U.S. Census

Median incomes in Denton for all categories, i.e. households, families, and non-family households, were less than that of the County and State (see Table 7).

Persons Per Household

In 1990, there were 2.38 persons per household in Denton.

Housing Characteristics

**Table 8
1990 Housing Units**

	1 unit, detached	1 unit, attached	2-4 units	5-9 units	10 + units	Mobile homes
Denton	749	43	181	181	48	15

Source: 1990 U.S. Census

Of the 1,217 housing units existing in 1990, 22 percent of them were built since 1980. Five hundred and sixty eight of the units are owner-occupied (see Table 8). Ninety-three percent are on public sewer service. Only two housing units lack complete plumbing facilities and five lack complete kitchen facilities.

Topography and Drainage

The area around Denton drains into the Choptank River. Elevation ranges from 20 feet above sea level along the river's edge to 40 feet along a ridge line generally following Fourth Street. Increased elevation further inland is only nominal, as the dominant feature of the land is flatness. The relative flatness tends to impede drainage, with some areas being poorly suited for urban development.

Directly west of Market Street a large land mass, or promontory, extends into the Choptank River. This tidal marsh and wooded land is unsuitable for building and has remained vacant. The Town has adopted a local Chesapeake Bay Critical Area Program to protect environmentally sensitive areas within the Town's borders adjacent to the Choptank River.

Ground Water

Abundant ground water resources exist in Caroline County. Caroline, Dorchester, and Talbot counties lie in the Atlantic Coastal Plain which is underlain by a mass of sediments resting upon a sloping surface of hard crystalline rock. It has been estimated that not less than 100 million gallons of water a day are available, or about nine times the current use.

The water bearing Coastal Plain sediments are composed of sands, greensands, gravels, silts, clay, shales, and shell beds. The sands and gravels are generally porous and permeable, yielding water freely, while the finer-grained beds contain water but yield it more slowly or not at all. Water is pumped from ten aquifers, or bodies of sediments capable of yielding water, that range in depth from the surface to more than 1,400 feet. Three of these aquifers are used extensively down to depths of 600 feet. In Caroline County, the more shallow sands ranging in depths from 50 to 100 feet provide water.

Natural Features Significance for Community Development

Level topography and abundant water supplies are features that are favorable to Town growth and continued urban development. Poorly drained soils represent an obstacle to easy development primarily because of waste disposal problems. Most of the Town's expansion has been taking place in a southerly direction where soil conditions permit the interim use of household septic tank filter fields. Experience has generally shown this to be a temporary means of waste disposal with an irregular level of acceptable performance, especially during wet seasons. Extensive growth to the east has been restricted because of poor drainage. These obstacles to development can be overcome through provision of municipal sewerage service which can be readily extended into new growth areas as they become annexed.

Although most undeveloped land outside of Denton is actively used for farming, the soil types in question are in extensive supply elsewhere in the county. The loss of inlaying agricultural land to possible future development should not, therefore, pose any problem in scarcity or reduction of prime agricultural land. The Town's Critical Area Program will pose restrictions and constraints on development within the 1,000 foot wide designated Critical Area adjacent to the Choptank River in order to 1) minimize adverse impacts on water quality that result from

pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands; 2) conserve fish, wildlife and plant habitat, and 3) establish land use policies governing development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activity of persons in that area can create adverse environmental impacts.

CHAPTER 3

LAND USE ELEMENT

Goals

- ◆ Preserve Denton's small town character and unique rural atmosphere which includes a predominance of single-family, town-scale residences and visual open spaces at the Town's entrances. Insure that new development within the Town and in future growth areas complements the existing small town character by building on these characteristics.
- ◆ Maintain neighborhood stability and property values by avoiding incompatible land uses.
- ◆ Assure balanced growth between residential, commercial, industrial, and public uses to meet the needs and improve the quality of life for the residents of Denton.
- ◆ Implement downtown redevelopment strategies and provide opportunities for development along the waterfront in order to promote economic vitality in the Town.
- ◆ Insure development along the borders of the Town does not detract from the community's image.

Objectives

- Provide sufficient opportunities for varying residential, commercial and light industrial uses which are in keeping with the small town values and rural character of Denton.
- Accommodate growth primarily through development of vacant lands within the Town's current boundaries and secondly, through selective annexation of adjacent lands.
- Insure that appropriate growth areas surrounding the Town are available for future growth.
- Establish priorities for sewer service extension to be in accordance with the Comprehensive Plan and Land Use Plan Map.
- Require annexation of an area as a condition for extending Town community facilities and service.
- Require exactions if necessary from future large-scale developments in the form of land dedications or fees-in-lieu of dedications for the provision of community facilities, including but not limited to parks, schools, open space and roads.
- Maintain opportunities for a viable economic base which encourages further economic investment, diversification and expansion which offer a broad range of employment and business opportunities adequate to meet Town and County residents needs and enhance the tax base of the Town.

BACKGROUND

The Land Use Plan is considered the most important Plan Element of a Comprehensive Plan. It establishes the relationship between the Town's existing patterns of growth and development and the location, distribution, and scale of future development. It influences the location of public facilities and transportation system improvements, and affects the quality and character of a community. Additionally, the location and scale of future growth and development will have an impact on the fiscal and natural resources of the Town. If growth and development is not directed to areas where infrastructure already exists and away from environmentally sensitive areas, then both fiscal and natural resources will be negatively impacted.

The Land Use Plan provides the means to integrate the various planning goals and objectives into a comprehensive whole. The Town's plan to protect natural resources and open spaces, improve transportation systems, maintain and enhance community facilities, enhance connectivity, and protect the community's character are all elements associated and incorporated into the Land Use Plan. Denton's Land Use Plan is the fundamental element that will determine the Town's future pattern of growth and development.

EXISTING LAND USE

As essential first step in preparation of the Comprehensive Plan is a systematic review of how a community is utilizing its land. The undertaking of a land use survey entails a documentation in both graphic and tabular form of the various land uses, ranging from single-family residences to high intensity industrial operations. The many individual parcels of land making up a community can, in this manner, be viewed as an overall picture of the growth pattern and extent of development existing in a community. A statistical summary of the various types of land use (based on the 1996 land use survey) in the Town is shown in Table 9.

There are currently approximately 1,589 acres of land in the incorporated limits of the Town of Denton. Much of the usable land within the corporate limits of Denton has been built upon and town growth has spread out beyond its borders. Approximately 62 percent of the area within town has been developed as shown in Table 9. Some part of the remaining undeveloped area consists of tidal marsh land adjoining the Choptank River; however, due to annexation, there remains several large tracts of excellent undeveloped land within the current corporate limits.

In general, Denton's form is structured by the east-west axis of Market Street along which the Central Business District (CBD) lies. The area to the north of Market Street and south of the railroad generally consists of a mixture of land uses in which scattered commercial establishments and industrial operations abut older residential neighborhoods. This area has been the subject of considerable redevelopment and rehabilitation of housing and public facilities since 1975.

Much of the Town's residential development has occurred in the areas south of Market Street. The lands extending south to the east of the Choptank River have developed as lower density,

quality residential neighborhoods and provides Denton with opportunities for future residential growth and expansion.

The Town core of Denton is defined by the Choptank River to the West, the Route 404 bypass to the north and east, and lower density suburban residential development to the south. West of the Town, across the river is the unincorporated residential, commercial and industrial area of West Denton. The area of north Denton adjacent to the Route 404 bypass is a mixture of commercial uses primarily catering to the travel industry. Areas adjacent to the bypass on the eastern edge of Town are a mixture of vacant lands, public/semi-public facilities and lower density residential development along roads leading into Town. The southeast corner of Town along the Route 404 bypass is a mixture of vacant, industrial, and strip commercial development. The Denton Industrial Park, Denton Plaza, and a new commercial development are located in this area.

**Table 9
Existing Land Use - 1996**

Land Use	Acres	% of Total Developed Area
Residential	434	38%
Single Family	(359)	
Multi-Family	(75)	
Commercial/Industrial	330	34%
Public/Semi-Public/Park	282	29%
Total Development	984	100%

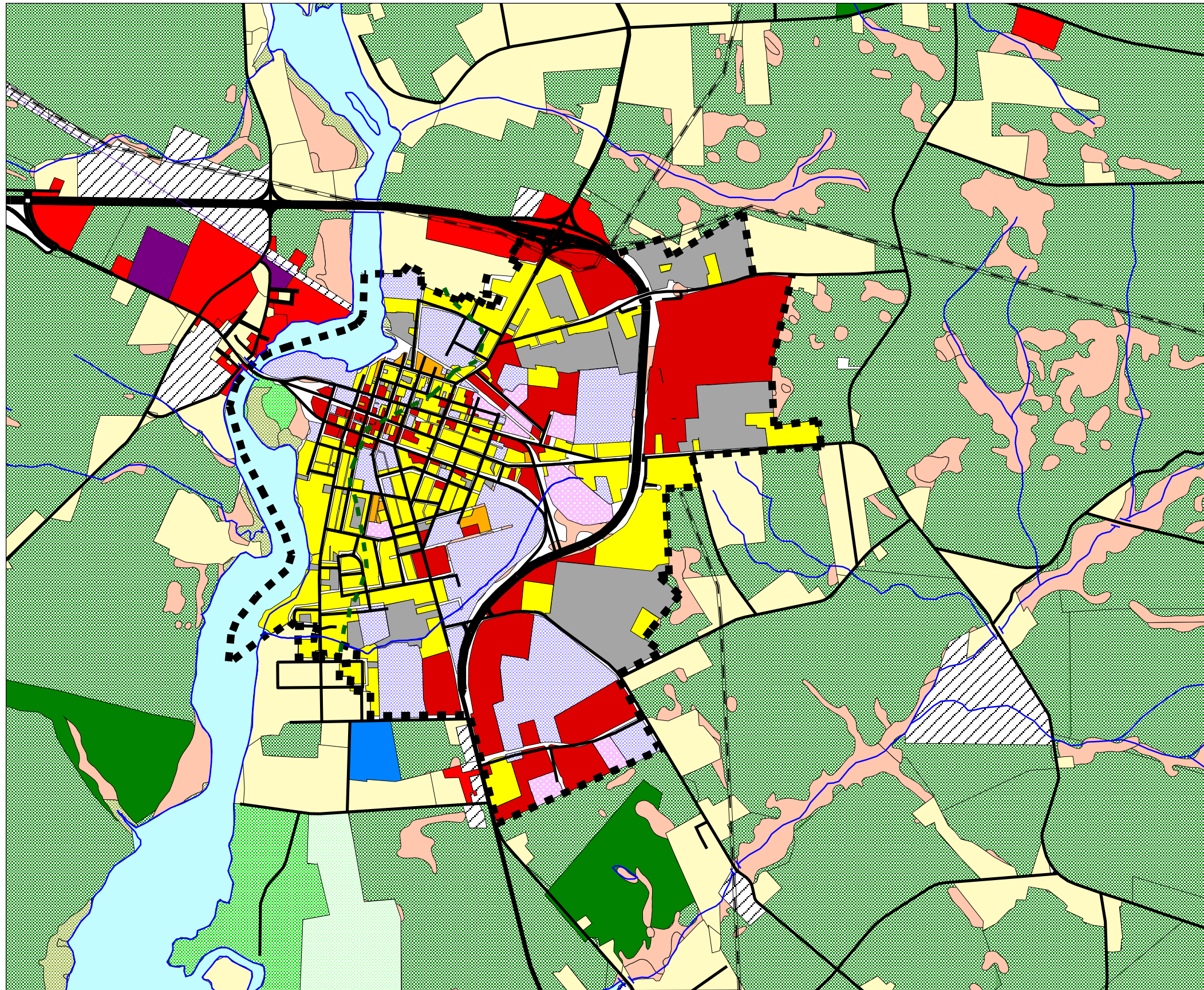
NOTE: Public/Semi-Public/Park includes all public buildings and publicly owned lands (excluding undeveloped open space, all roads and streets.

SOURCE: Redman/Johnston Associates, Ltd., August 1996 date from Maryland Office of Planning's MdProperty View©

Perhaps of equal importance to the preparation of the Comprehensive Plan is the existing land use in the area surrounding Denton. Significant among these existing land uses are the agriculture preservation districts immediately south of the Denton Industrial Park and south of the intersection of MD 328 and MD 404, along the west side of the Choptank River. The agriculture district south of the industrial park directly impacts long term expansion plans for the industrial park. Residential areas immediately adjacent to the Town represent areas of premature low density subdivision approved by the County and indicate "hard sell" areas for annexation in the future. Finally, non-residential land uses, e.g. convenience commercial establishments, located along the perimeter to the Town can impact the economic vitality of the central business district and, if not subjected to sufficient site design requirements, e.g., site landscaping requirements and sign controls, adversely impact the visual character of the Town's entry ways.

COMPREHENSIVE PLAN DENTON, MARYLAND

Map 1
EXISTING LAND USE - 1996



TOWN LAND USE:

Single Family Residential



Multi-Family Residential



Commercial



Industrial



Open



Public/Semi-Public



Vacant



AREA LAND USE:

Residential



Commercial



Industrial



Agriculture



Agriculture Districts



State Land



Exempted Land



Public Land



Private Camp



Marsh



Nontidal Wetlands



Power Line R-O-W



Redman/Johnston Associates, Ltd.
Easton, Maryland
November 1997

LAND USE RECOMMENDATIONS

Residential Development

Suburban Residential

The purpose of this district is to provide for single-family residential development of spacious character together with such public buildings, schools, parks, churches, public recreation facilities and accessory uses as may be necessary or are normally compatible with lower density residential surroundings. This district is designed to protect existing suburban residential development character along the river and in the southern portion of the Town as well as provide future areas for development of high character in currently undeveloped tracks east of the existing Town core defined by the Route 404 By-pass.

Lower density single-family residential densities of two (2) units per acre or greater with minimum lot sizes of approximately 10,000 square foot would be appropriate within this district. Moderate density bonuses combined with smaller lot sizes, clustering of single-family units and preservation of open space would also be appropriate in the district. The overall intent of the district is to provide adequate areas to encourage more higher quality, higher-value single-family neighborhood development within the Town. All residential development in this district should be serviced by Town water and sewer systems and a system of neighborhood and collector streets which functionally tie into the existing Town road system. Suburban residential development will provide a transition on Town fringes from urban to rural densities.

Town Scale Residential

The purpose of this district is to provide areas to accommodate future single-family residential development patterns, forms and densities which are currently existing in the district. The vast majority of land within this district is currently developed as established and stable single-family residential neighborhoods. The character of these existing neighborhoods should be primarily responsible for shaping the character of future single family in-fill development or redevelopment within neighborhoods. Public buildings, schools, parks, churches, public recreation facilities and accessory uses as may be necessary or are normally compatible with surrounding single-family neighborhoods are also appropriate in this district.

Medium density single-family residential densities of between two (2) to four (4) units per acre with minimum lot sizes of 8,500 square feet would be appropriate within this district. The overall intent of this district is to maintain the character of traditional and stable single-family neighborhoods within the Town core. Creation of one accessory apartment or a "grannyflat" in homes within this district would be appropriate provided the principal owner maintains residence and exterior modifications or alteration would not negatively impact neighborhood character or stability. Conversion of existing homes into multiple apartments would not be appropriate in this district. New single-family development, in-fill development or redevelopment should

maintain the existing set backs, height and bulk standards currently in place in the surrounding or adjacent neighborhood.

Mixed Residential

The purpose of this district is to provide areas within the Town core to accommodate a mix of higher density single-family and multi-family residential development. Land within this district is either currently developed in a transition mix of higher density single-family and multifamily development or is currently undeveloped but is appropriate for higher density residential neighborhoods due to its location within the Town core. Although higher density single-family detached and attached housing and multi-family housing should be permitted by right in this district, the type, form and density of proposed developments should be compatible with the surrounding neighborhoods and subject to site plan and subdivision review and approval. Traditional single-family neighborhoods near the downtown which have been experiencing significant apartment conversions in recent years are included in this district.

Higher density single-family and multi-family residential densities ranging between 5-10 units per acre with minimum single-family detached lot sizes of 7,500 square feet would be appropriate subject to site plan and subdivision review and approval. Minimum parcel sizes for single-family attached and multi-family developments should be in the range of two to five acres. Open space dedications for these types of developments should be mandatory. The overall intent of this district is to provide adequate areas for affordable, quality housing in a setting compatible with Town character.

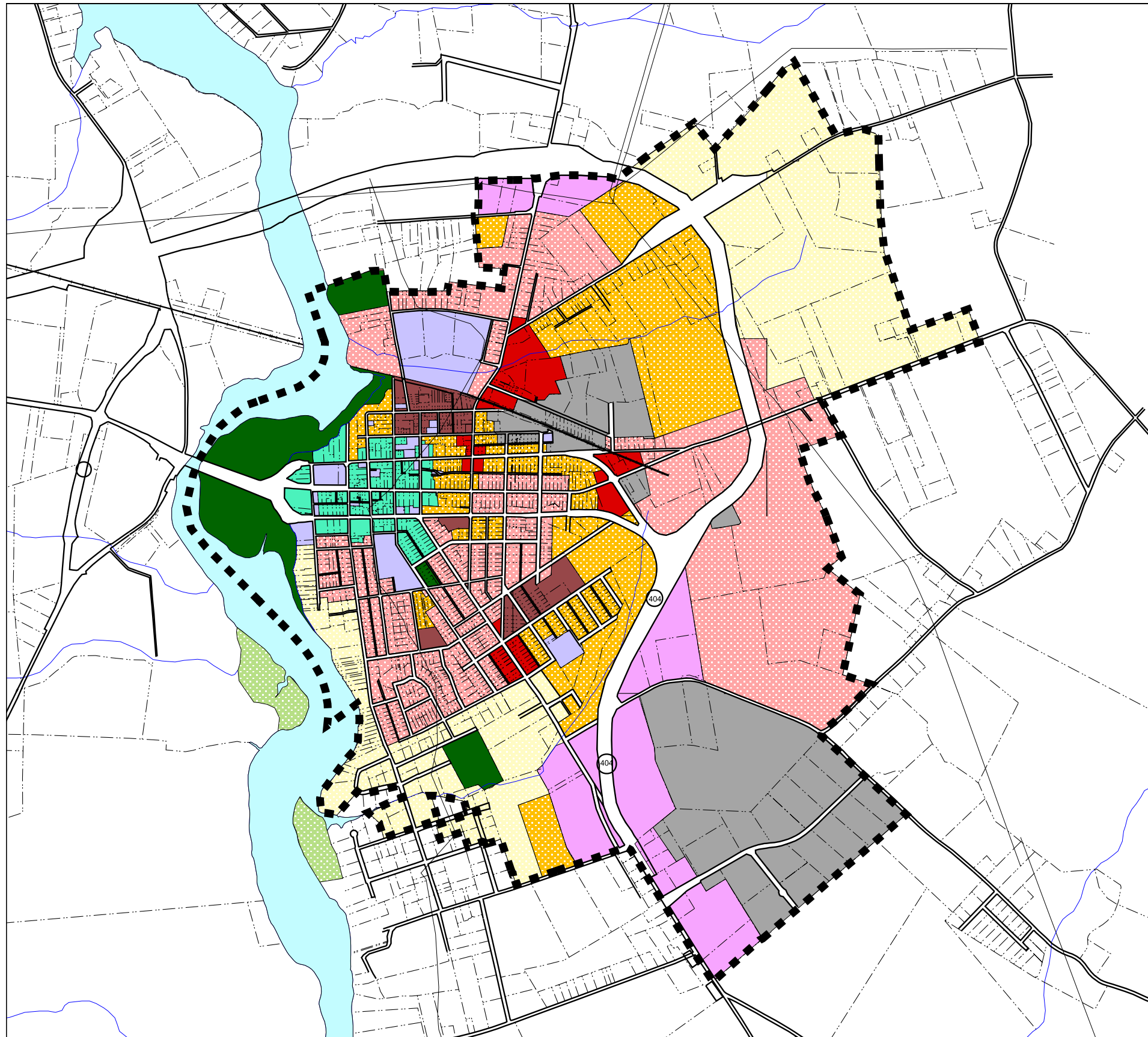
Approval of higher density residential development should be dependent upon the adequacy of Town roads and the water and sewer system to accommodate the development's projected population. Conversion of existing single-family homes to apartments should be subject to special site plan review to ensure adequate standards are met for on-site parking adequacy and exterior appearance. It is not the intent to destabilize established single-family neighborhoods which may still exist within this district.













Residential Development Policies

1. Future Town-Scale, Mixed, and Suburban residential development will occur only in the areas identified as appropriate by the Land Use Plan Map (see Map 2).
2. All residential development within the Town will be adequately serviced with paved streets, sewer and water and any other on-site improvements and amenities as deemed necessary or appropriate by the Planning Commission and/or Town Commissioners, however, standards for development will not be so onerous as to unnecessarily preclude the development of affordable housing.

COMPREHENSIVE PLAN TOWN OF DENTON MARYLAND

Map 2 LAND USE PLAN



- Suburban Residential 
- Single Family Residential 
- Mixed Residential 
- Central Business District 
- General Commercial 
- Highway Commercial 
- Industrial 
- Public/Semi-Public 
- Open Space/Park 
- Redevelopment 
- Tital Wetlands 
- Critical Area Boundary 

Redman/Johnston Associates, Ltd.
Easton, Maryland
August 1997

3. In-fill residential development of vacant lots or residential redevelopment within or adjacent to existing single-family neighborhoods will be required to be compatible with the density, scale, and character of the surrounding neighborhood.
4. Cluster development and planned residential development forms will be encouraged for new residential development within the Mixed Residential District in order to: allow greater flexibility for site design, reduce road and utility construction and maintenance costs, provide community open space and landscape areas, and keep the costs of housing more affordable.
5. Site plan review will be required for all future multi-family developments to ensure a functional design, quality living environment, and compatibility with overall Town character. Conditions, exactions and dedications will be negotiated so that the development serves the public interests as fairly and fully as possible.
6. Conversion of older single-family homes into apartments will not be allowed in neighborhoods of the Town where single-family neighborhoods predominate (Town scale and Suburban Residential Districts) in order to preserve neighborhood stability and surrounding residential property values. This policy does not preclude the development of one (1) accessory apartment or "granny flat" in the principal structure provided the property owner maintains residence and exterior modifications or alterations would not negatively impact neighborhood character.
7. Large-scale residential subdivisions and multi-family developments within the Town will be required to provide dedications and/or exactions for additional public facilities which will be required to serve the future residents of the subdivision (e.g. schools, parks, sewer treatment and water supply capacity, police and fire protection, etc.).

Central Business District

The purpose of this district is to provide for the continued accommodation of a compatible mix of commercial businesses, offices and residences within the traditional downtown area. The Central Business District (CBD) is currently characterized by a mix of general retail, specially retail, service businesses, restaurants, offices and public facilities. Future development and/or redevelopment in the CBD should be compatible with the existing historic and aesthetic character of the downtown area in terms of scale and design. There should be continued recognition of the practical difficulty of providing off-street parking in the CBD. As such, future development/redevelopment proposals should be of the type which does not generate excessive traffic and parking volumes.

Public/private initiatives should be undertaken to provide additional off street parking areas within and on the perimeter of the CBD to serve existing and proposed businesses and offices. New development or redevelopment of the CBD should also be compatible with the pedestrian orientation of the area. Public/Private initiatives to encourage continued streetscape

improvements and aesthetic amenities such as landscaping, thematic lighting, street furniture (benches, trash receptacles, information kiosks), street tree plantings, facade improvements, etc., should continue to be undertaken.

Design appearance codes and sign controls should be formulated with the assistance of downtown merchants and businesses to ensure the historic and aesthetic character of the downtown is maintained and improved. The CBD is a likely area to be considered for inclusion as a local historic district in order to preserve structures and places of historic and architectural significance. The overall intent of this district is to maintain and enhance the economic vitality and aesthetic appeal of the downtown area as it transitions from a traditional commercial center to an area more oriented towards speciality retail services and offices, and governmental uses.

Central Business District (CBD) Development Policies

1. Future development and/or redevelopment within the CBD will be compatible and harmonious with the desired character of the Town Center in order to promote the development of the Town Center as an economically vital and aesthetically pleasing place to live, visit and shop.
2. The Town will continue to initiate streetscape improvements to the CBD, particularly in the vicinity of Market, Franklin and Gay Streets and the Courthouse area. Public/private initiatives to improve the physical appearance of the streetscape should include: further development of landscaped, off-street municipal parking areas; incentive programs to encourage facade renovation of commercial and office buildings; implementation of a Community Appearance code to establish guidelines for design standards and building maintenance of non-residential structures and signs within the CBD; and provision of landscaping, thematic lighting, and street furniture (benches, waste receptacles, information kiosks, etc.) in pedestrian areas of the CBD where these amenities do not presently exist.
3. The Town will support and encourage the efforts of a CBD Merchants Association to promote the physical and commercial revitalization of the Town Center.

General Commercial

The purpose of this district is to provide sufficient areas in the Town core for a wide variety of business and miscellaneous service activities, particularly along certain major Town streets where a general mixture of commercial and service activity presently exists, but which uses are not characterized by warehousing, frequent heavy trucking activity, open storage or related nuisance factors such as noise, smoke, dust, odor, glare or vibration. Future commercial development/redevelopment in this district should be neighborhood and/or convenience oriented to serve surrounding residential areas. Development/redevelopment in this district should generally be compatible with, and adequately buffered from, surrounding residential neighborhoods. Proposed new development/redevelopment in this district should provide

adequate on-site, landscaped parking areas and should not generate heavy traffic volumes which would be disruptive to residential neighborhoods nearby. Access onto and off of local streets should be minimized to preserve roadway capacity and avoid congestion. The overall intent of this district is to provide areas for local commercial needs within the core areas of Town which are compatible with Town character. Residential development should not be permitted within this district to avoid potential nuisance conflicts between residences and businesses.

Commercial

The purpose of this district is to provide areas for regional commercial and office development along limited portions of major accessible thoroughfares (interchange sections of MD Route 404). Commercial development in this district should be in the form of well-planned and heavily buffered commercial parks as opposed to traditional forms of strip-commercial developments. Business/Commercial parks in this district should incorporate standards for buffering and landscaping, access control, efficient internal auto and pedestrian circulation, screening of loading/unloading and service areas, lot depth to width ratios which promote minimal road frontage, service roads and reverse lot frontage concepts and other site amenities to enhance aesthetic appeal. Commercial Development in this district should be well-setback and adequately buffered from Route 404 to preserve the scenic quality of the roadway. Expansion of this district beyond those areas designated on the plan should be discouraged to avoid the strip commercialization of the entire by-pass thereby limiting its ability to function as the principal arterial around Town.

Commercial Development Policies

1. Future commercial development and/or redevelopment will be located in those areas designated as appropriate by the Land Use Plan.
2. New larger-scale, commercial development designed to service regional needs will be located on MD Route 404 and will be in the form of well-planned commercial parks or plazas with such features as limited access onto MD Route 404, extensive buffering and landscaping, efficient and landscaped internal traffic circulation and parking systems, screening of loading/unloading and service areas, and other site design amenities which improve the aesthetic appeal of the development and discourage typical strip-commercial forms of development.
3. Development and/or redevelopment of other neighborhood-oriented commercial areas designated within Town will be compatible with surrounding residential neighborhoods and not cause excessive traffic, noise, and glare impacts which would negatively affect the surrounding neighborhood.
4. Commercial development and/or redevelopment in the CBD will be subject to design and appearance standards established to improve the physical character and economic vitality of this important area.

5. New commercial development and/or redevelopment will be subject to site plan review procedures to ensure the compatibility of the development to the Town and the Town will require conditions, exactions and dedications as necessary and appropriate to negotiate a development so that it serves the public interest as fairly and fully as possible.

Industrial

The purpose of this district is to provide land for existing and future "light or select" industrial development both within the Town core and in outlying areas. This district which includes the existing industrial area around the old railroad spur and the newly created Denton Industrial Park south of town, is intended primarily for light manufacturing, fabricating, warehousing and wholesale distributing in low buildings with off-street parking for employees and with access by major thoroughfares.

Development standards for existing and future industrial development should be adequate to control excessive heat, noise, dust and vibration impacts which could potentially occur. Extensive bufferyards and landscaping should be used to screen industrial activities from other development. The Town should institute on-site pre-treatment standards for wastewater generated from industries to supplement Town treatment before discharge.

Older, existing industrially zoned areas within the Town core have been cutback to discourage new industrial development close to residential neighborhoods and to encourage future industry to locate in the Town's Industrial Park. Industrial redevelopment in the Town core should be carefully reviewed to ensure compatibility within the surrounding neighborhood.

Industrial Development Policies

1. Future industrial development and/or redevelopment will be located in those areas designated as appropriate by the Land Use Plan.
2. Future light or select industrial development will be encouraged to locate in the Denton Industrial Park.
3. Industrial development will be required to provide controlled access and adequate bufferyards to screen adjacent non-industrial development from any potential negative visual, traffic, noise, dust, odor, and glare impacts.

Public/Semi-Pubic

The purpose of this district is to accommodate larger areas already dominated by public and semi-public facilities (e.g., state and county road maintenance facilities and electric substations).

These areas are necessary parts of the Town's infrastructure and are anticipated to continue in their present location throughout the plan period.

Open Space/Parks

The purpose of this district is to designate areas of the Town which are either currently or proposed to be used as parks, open space or outdoor recreation facilities. The floodplain area of the Choptank River, wooded stream valleys and wetlands are environmentally sensitive areas of the Town unsuitable for development due to natural resource constraints. As future residential growth continues within the Town it becomes increasingly important to develop additional community parks and recreation facilities throughout the Town to serve its residents.

Redevelopment District

The purpose of this district is to identify existing areas of the Town in need of redevelopment. This district provides property owners in these areas flexibility in the use of their land in order to encourage redevelopment which would be beneficial to the Town. Redevelopment should be dependent upon consideration of a specific development proposal put forward by the property owner.

Redevelopment Areas Policies

1. The Town will actively encourage the redevelopment of those areas designated on the Land Use Plan as Redevelopment Districts, including portions of the older industrial areas along the now defunct railroad corridor.
2. Redevelopment in these areas may encompass a variety of activities and land uses provided such uses are compatible with the surrounding neighborhood.
3. Although flexibility of land use will be an incentive for redevelopment, the Town will ensure the development will serve the public interest as fairly and fully as possible by requiring conditions, exactions and dedications as necessary and appropriate to negotiate a development plan which benefits the Town.

Town Growth Areas

Some 221 acres of vacant land are located within the Town of Denton. Of this total, approximately 174 acres is classified on the Land Use Plan as either Suburban Residential, Town Scale Residential, or Mixed Residential. Based on the current permitted densities for each of these land use categories, the Town has land area capacity for about 735 new dwelling units. Based on the current average household size of 2.38 persons per house, the Town has adequate land area planned for a additional population of 1,747.

Numerically speaking, the Town has adequate land capacity within its borders to accommodate the projected population growth to about the year 2000. However, to insure timely development, in desirable locations, the residential land supply should exceed demand.

To “just meet” the residential land needs of the projected population for the year 2020, the Town will need at least 200 additional acres of developable land that can be served by Town utilities. In order to insure adequate land for continued growth of the Town well into the next century the Town should identify growth areas outside of the corporate limits that represent a “build-out” scenario for the community.

The Town has identified several potential growth and development areas as indicated on the Town Growth Areas Map 3. The growth scenario they represent are summarized in Table 1.

Description	Area	Acres	Percent of Total
EAST			
Industrial Park	1	238	7%
South Residential	2	185	5%
East Residential	3	329	10%
Existing Residential	4	219	6%
North Residential			
1-West 313	5	83	2%
2-East 313	6	32	1%
Mixed Use	7	128	4%
TOTAL		1,213	35%
WEST			
West Residential			
- Upland	8	4	0.7%
- LDA	9	51	2%
West Denton Village			
- Upland	10	25	1%
- LDA	11	83	2%
Employment			
- Upland	12	382	11%
- IDA - 1	13	39	1%
- IDA - 2	14	56	2%
Planned Residential			
- Upland	15	1,231	36%
- LDA	16	372	11%

Description	Area	Acres	Percent of Total
TOTAL		2,243	65%
GRAND TOTAL		3,456	100%

Descriptions of the proposed growth areas are as follows:

Area 1 - The priority area for annexation is located south of Denton along MD 404. The Denton Industrial Park will soon be at capacity, therefore opportunities for immediate expansion should be examined. Land directly adjacent to the existing industrial park would provide ideal area for expansion of the park. The area encompasses approximately 238 acres. It is bordered by a Agriculture Land Preservation District south of the area and east of MD 404 which will preclude future expansion of the Industrial Park in this location.

Area 2 - Located south of Denton along MD 404, extending to Watts Creek, this area encompasses approximately 185 acres currently in agriculture use. The Watts Creek area is part of a Maryland Department of Natural Resource's, Heritage and Biological Diversity Program Sensitive Species Project Review area.

Area 3 - The area encompasses 329 acres of between the corporate borders and Garland Road. This area is currently in low density residential and agriculture use.

Area 4 - Area 4 includes approximately 219 acres of existing residential and vacant land south of Denton along the Choptank River. It also includes the Denton Elementary School.

Area 5 and 6 - Areas 5 and 6 include approximately 115 acres of undeveloped land located east and west of MD 313 north of Denton.

Area 7 - Consisting of 128 acres of mixed commercial and business development, Area 7 is important to the Town to control as it is a gateway to the community from the north.

All together areas 1 through 7 represent the Town's growth plans on the east side of the Choptank River. Collectively these areas encompass some 1,213 acres.

Denton's growth plans include nearly 2,243 acres west of the Choptank River. These areas were identified for a number of reasons. First, due to failing septic areas in the Village of West Denton, the Town will likely have to extend sewer and water service to eliminate health and water quality problems. In addition, the County has requested sewer service for North Caroline High School, located north on River Road. Extending service to the school presents opportunities to incorporate and serve growth areas on intervening properties (between West Denton and Central Avenue).

Secondly, in light of the State's Smart Growth initiatives and Rural Legacy Program, it is important for the Town to identify long term growth areas to insure that there is not a conflict between the expansion objective of the Town and the land preservation objectives of the County. In fact, two already established Agriculture Land Preservation Districts pose problems for the growth of Denton.

Finally, as the Town grows it should be seeking, where possible, to grow in areas that will benefit the community. These designated growth areas represent opportunities for quality future growth including planned business and commercial development as well as a new residential communities.

Area 8/9 - This area encompasses approximately 56 acres that is planned for residential development. Approximately 50 acres of this site are located in the Critical Area. As substantial portion of this area is also classified as nontidal wetlands actual development potential is likely limited.

Area 10/11 - Areas 10 and 11 encompasses the Village of West Denton and surrounding areas. Current land uses in this 108 acre area include a mix of residential and commercial uses as well as a cemetery. Approximately 83 acres of this area are located in the Critical Area.

Area 12/13/14 - This area encompasses a total of 477 acres that is planned for employment development. This area could potentially be served by Town sewer if service is extended along River Road and would provide additional land area for employment uses, including a planned business park north of MD 404. Current land uses include vacant land, agriculture, industrial and commercial. Approximately 112 acres of the area are located in the Critical Area.

Area 15/16 - Areas 15 and 16 include approximately 1,600 acres of agriculture and low density residential land located along the west side of the Choptank River, south of MD 404 and east of and along MD 328. The Town would consider development of a planned waterfront residential community in this area. Approximately 372 acres of the area are located in the Critical Area which includes areas of tidal and nontidal wetlands. In addition, an Agriculture Land Preservation District is situated in the center of the area and the lower portion is within a Sensitive Species Project Review area.

Quantification of the build-out potential of the designated growth areas is subject to numerous variables, including site conditions, permitted density, environmental issues, etc. Nevertheless a gross estimate would be that the designated future growth areas shown on Map 3 include sufficient land area for a potential build-out population 12,000 to 14,000 residents and 10 to 15 million square feet of industrial, commercial, business or office use (assumes a floor area ratio of 0.6).

To insure the viability of the growth areas shown on Map 3, the Town should coordinate with the County to ensure that agricultural preservation districts are not placed in the Town's designated growth areas. Waterfront areas, if annexed to the Town, should be provided with adequate

Critical Area Growth Allocation to permit more intense development where needed. At the appropriate time, the Town and the County should coordinate their policies concerning the use of Critical Area Growth Allocation. It is important for the long range growth plans of the Town that the Growth Allocation be available when needed. For its part, the Town should ensure that the design of proposed waterfront development in these areas is done in a manner that is sensitive to the environmental conditions of the site. Ideally, Growth Allocation would be used to project components of a community and/or area wide benefit, such as recreation facilities, public access to the waterfront, and tourism commercial or for suitable light manufacturing or business uses.

COMPREHENSIVE PLAN DENTON, MARYLAND

Map 3 Growth Plan

IN-FILL DEVELOPMENT AREAS:

Suburban Residential



Town Residential



Mixed Residential



PLANNED GROWTH AREAS

West Denton Village



Residential



Residential/Recreation



Industrial Park Expansion



Mixed-Use



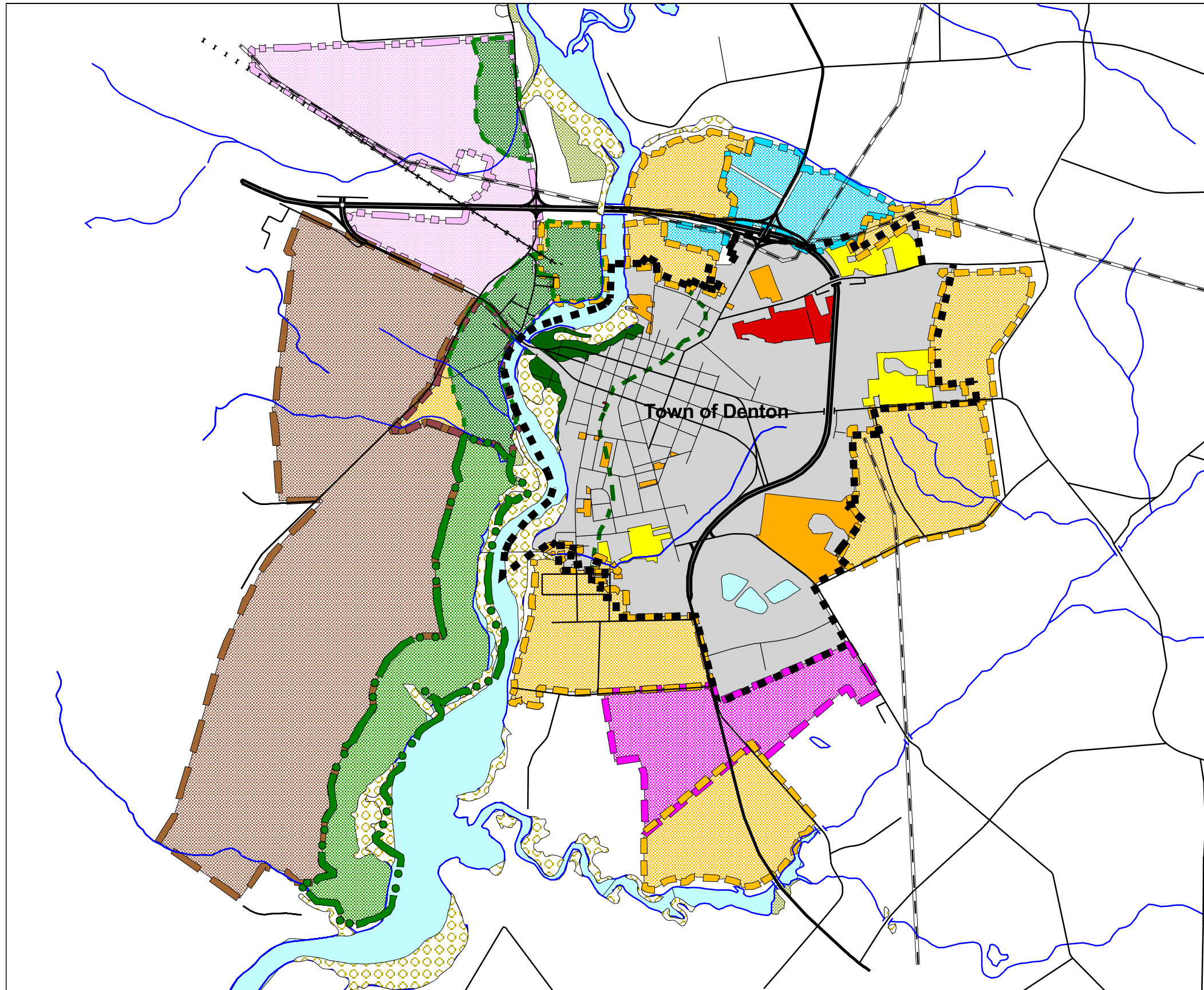
Business/Industrial Areas



Critical Area



Power Line R-O-W



Redman/Johnston Associates, Ltd.
Easton, Maryland

CHAPTER 4

NATURAL RESOURCES AND SENSITIVE AREAS ELEMENT

Goals

- ◆ Direct intensive activities away from natural area corridors.
- ◆ Respect the significant natural environment of the Denton area.
- ◆ Preserve and protect the important natural features of the Town including streams, wooded areas, wildlife habitats, and other sensitive natural areas.
- ◆ Preserve environmentally sensitive areas along the Town's waterways.
- ◆ Establish specific development policies for reviewing all development activities within natural corridors, and with respect to impact upon and protection of ground water.
- ◆ Preserve natural drainage ways and to provide public access points for maintenance purposes.

Objectives

- Assess future development proposals in light of the site's physical suitability to accommodate development while protecting natural resources, historic features and the quality of the Town's groundwater.
- Provide specific protection measures for the following areas: 1) Streams and stream buffers, 2) 100-year floodplain, 3) endangered species habitats, and steep slopes
- Identify wetlands and flood plains in order to provide the special protection they may need.
- Preserve and protect fragile groundwater resources within the Town.
- Assure that proper stormwater management and sediment and erosion controls are enforced in accordance with the Stormwater Management Ordinance.
- Conserve forest and woodland resources and, wherever possible, replenished them through tree conservation measures and replanting programs and compliance with the Maryland Forest Conservation Act.
- Insure that all new development and redevelopment minimizes pollutant loadings and runoff from the site through the implementation of sediment, stormwater and erosion control plans.

BACKGROUND

The impact of growth and development on the natural resources and environmental quality of the area an issue of increasing public concern. Caroline County is blessed with an abundance of valuable natural resources which contribute to the County's pleasant quality of life. The effects of increased population and physical development can manifest themselves on the natural environment in many ways including:

- Clearing of trees and natural vegetation;
- Loss of plant and wildlife habitats and populations;
- Loss of limited farmlands;
- Loss of important wetlands and aquatic habitats;
- Contamination of groundwater for drinking supplies;
- Reduced surface water quality in streams, rivers and the Bay;
- Disruption of natural water drainage systems;
- Increased air pollution;
- Increased amounts of solid wastes and litter; and
- Loss of scenic natural views.

Environmental deterioration does not have to be an inevitable consequence of growth and development. The construction of the new homes, businesses, industries, schools and roads necessary to accommodate growth can occur without unduly threatening the area's environmental quality if steps are taken to ensure that new development is designed and implemented in an environmentally-sensitive manner.

Throughout the Town there are areas that are much more susceptible to environmental degradation than others due to the presence or proximity of sensitive natural features. Future development should be directed away from sensitive areas and guided towards areas where environmental impacts would be less severe. Regardless of location, all future development should be subject to minimum performance standards for environmental protection and natural resource conservation.

CHESAPEAKE BAY CRITICAL AREA

The majority of significant and environmentally sensitive areas within Denton are located adjacent to the Choptank River, a tributary of the Chesapeake Bay. The Town of Denton, along with other local jurisdictions in the State of Maryland, was required to develop a local critical area program in accordance with Subtitle 15, Chesapeake Bay Critical Area Commission Criteria For Local Program Development by authority of COMAR, Article 8-1808 (d), Natural Resources article.

The Critical Area Law evolved out of a recognition by the State of Maryland General Assembly that the effects of human activity have resulted in deteriorating water quality and productivity of the Chesapeake Bay and its tributaries. This activity has caused increased levels of pollutants, nutrients, and toxins in the bay system. It has resulted in the decline of low intensity land uses such as forest land and agriculture. The restoration of the bay and its tributaries is dependent, in part, upon improving water quality and minimizing further adverse impacts to the natural habitats of the shoreline and adjacent lands. Thus the primary focus of this law is to provide for more sensitive development and conservation measures for shoreline development and uses, for all land at a minimum of 1,000' of the landward boundaries of the state or private wetlands, and the heads of tide (mean high tide).

The Town approved the Denton Chesapeake Bay Critical Area Local Program 1988. The purpose of the Denton Critical Area program is to establish criteria and standards which will accomplish the three protective goals of the Act.

- Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands:
- Conserve fish, wildlife, and plant habitat, and;
- Establish land use policies governing development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

Many of the Sensitive Areas discussed below are already afforded protection under the terms of the Town's Critical Area Program and implementing provisions. However, these protection measures apply within the Critical Area, which makes up about one third of the Town's land area. The Critical Area Circuit Rider and Town officials are currently working with Critical Area Commission staff to revise this Program.

SENSITIVE AREAS

The Maryland Economic Growth, Resource Protection and Planning Act of 1992 added provisions to Article 66 B of the Annotated Code for the State of Maryland that require the Denton Comprehensive Plan contain a Sensitive Areas Element which describes how the Town will protect the following sensitive areas:

- Streams and stream buffers;
- 100-year floodplains;
- Habitats of threatened and endangered species; and
- Steep slopes.

Many of these sensitive areas are shown on Map 4. Performance standards that protect sensitive resource areas should be included in the Zoning Ordinance and Subdivision Regulations. These standards should establish minimum protection levels for stream valleys, wetlands, forests, wildlife habitats, and sensitive soils.

Streams and Stream Buffers

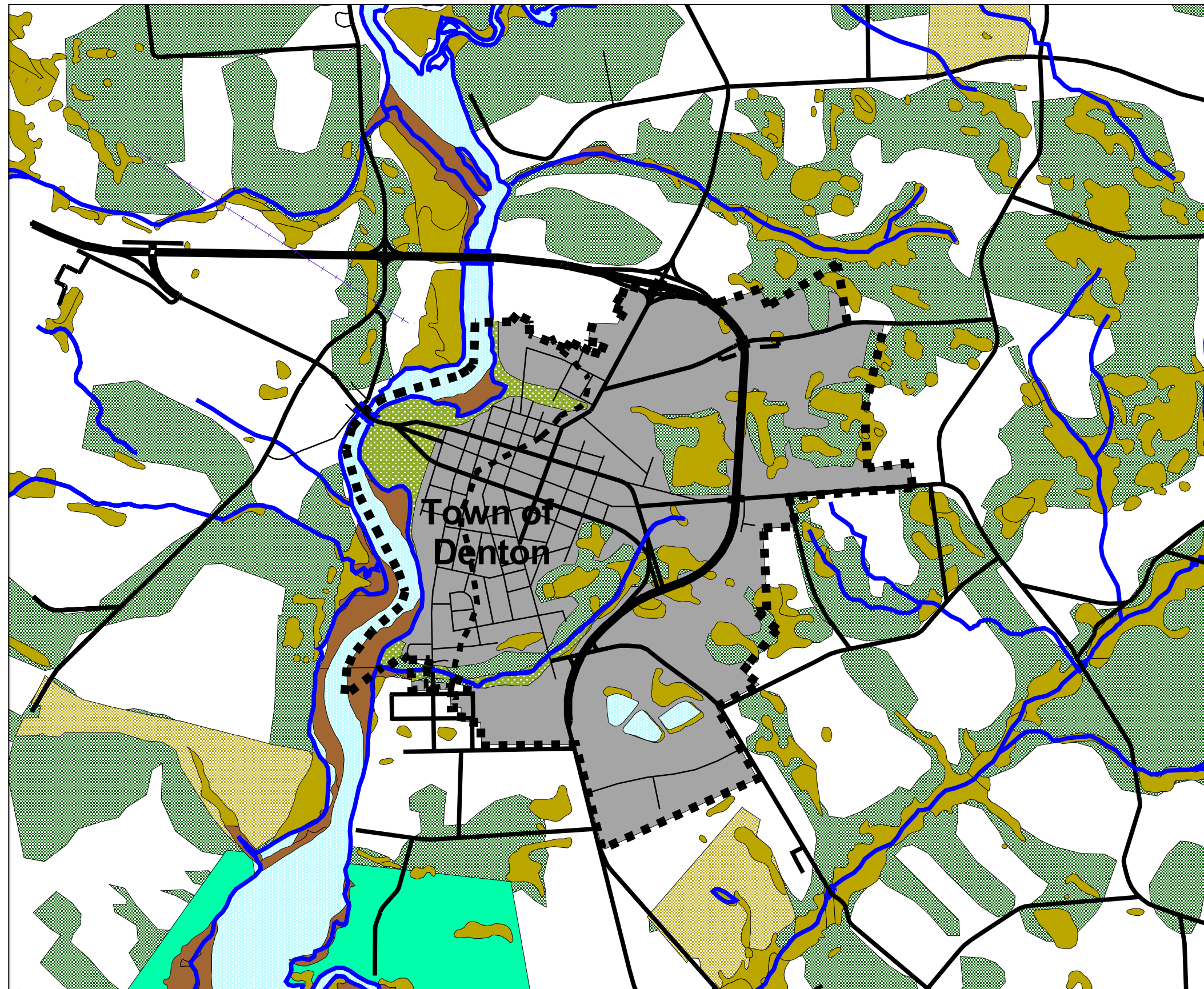
Streams and their buffers are important resources. Streams support recreational fishing and serve as spawning areas for commercial fish stock. Development near stream areas subject to flooding can result in the loss of life and property. Streams and their adjacent buffers are home to countless species of animals and plants and transport valuable nutrients, minerals and vitamins to rivers and creeks and, in turn, the Chesapeake Bay. The floodplains, wetlands, and wooded slopes along streams are important parts of the stream ecosystem.

As development activity consumes large amounts of land, forest cover and natural vegetation along streams are diminished. The cumulative loss of open space and natural growth reduces the ability of remaining land along streams to buffer the effects of greater stormwater runoff, sedimentation, and higher levels of nutrient pollution. Buffers serve as protection zones when located adjacent to streams and reduce sediment, nitrogen, phosphorous, and other runoff pollutants by acting as a filter, thus minimizing stream damage. The effectiveness of buffers to protect stream water quality is influenced by their width (which should take into account such factors as contiguous or nearby slopes, soil erodibility, and adjacent wetlands or floodplains), the type of vegetation within the buffer (some plants are more effective at nutrient uptake than others), and maintenance of the buffer.

Buffers also provide habitat for wetland and upland plants which form the basis of healthy biological communities. A wide variety of animals use the natural vegetation as a corridor for food and cover. A natural buffer system provides connections between remaining patches of forest in the area to support wildlife movement.

COMPREHENSIVE PLAN TOWN OF DENTON MARYLAND

Map 4 SENSITIVE AREAS



- Tidal Wetlands
- Nontidal Wetlands
- Floodplain
- Sensitive Species Habitat
(Project Review Areas)
- Agriculture Preservation Lands
- Forest
- Stream Corridors/Buffer Areas
- Critical Area Boundary



Redman/Johnston Associates, Ltd.
Easton, Maryland
August 1997

100-Year Floodplains

Some areas are subject to periodic flooding which pose risks to public health and safety, and potential loss of property. Flood losses and flood-related losses are created by inappropriately located structures which are inadequately elevated or otherwise unprotected and vulnerable to floods or by development which increases flood damage to other lands or development. While protection of life and property provided the initial basis for protection of floodplains, there has been a growing recognition in recent years that limiting disturbances within floodplains can serve a variety of additional functions with important public purposes and benefits.

Floodplains moderate and store floodwaters, absorb wave energies, and reduce erosion and sedimentation. Wetlands found within floodplains help maintain water quality, recharge groundwater supplies, protect fisheries, and provide habitat and natural corridors for wildlife. The minimum requirements of the National Flood Insurance Program do not prohibit development within the 100-year floodplain from development. However, to adhere to the minimum Federal requirements the Town requires development and new structures in the floodplain to meet certain flood protection measures including elevating the first floor of structures a minimum of one foot above 100-year flood elevations and utilizing specified flood proof construction techniques.

Moreover, where alternative building sites on a parcel are available for construction outside the 100-year floodplain, then construction in the floodplain is prohibited. These requirements are established in the Town's Floodplain Management Ordinance.

Habitats of Threatened and Endangered Species

Materials and chemicals produced by plants and animals are a largely non-researched storehouse for products beneficial to people. More than half of all medicines in use today can be traced to wild organisms. Plant chemicals are the sole or major ingredient in 25 percent of all prescriptions written in the United States each year. Likewise, agriculture depends on the development of new varieties of crops, often created by cross-breeding strains with wild relatives of crop species, in efforts to develop pest, disease, or drought resistant crops. Maintenance of biological diversity today sustains future opportunities to advance health care and provide a number of other societal benefits.

Habitat destruction and degradation is currently estimated to threaten some 400 native Maryland species with extinction. The key to protecting threatened and endangered species is protecting the habitat in which they exist.

The Maryland Nongame and Endangered Species Conservation Act (Natural Resources Article, 10-2A-01 through 06) provides definitions of threatened and endangered species. Maryland law and regulations do not currently provide a definition of habitat. As a basis for establishing protection measures for habitats of threatened and endangered species, habitat is defined in this Plan as "areas which, due to their physical or biological features, provide important elements for

the maintenance, expansion and long-term survival of threatened and endangered species listed in COMAR 08.03.08. Such areas may include breeding, feeding, resting, migratory, or overwintering areas”.

Steep Slopes

Slopes provide an environment that facilitates movement of soil and pollutants when land disturbances occur. Control of erosion potential is usually achieved through regulation of development on steep slopes because such areas represent the greatest opportunity for accelerated soil loss and resultant sedimentation and pollution to streams. For regulatory purposes, steep slopes should include, at a minimum any slope with a grade of 25 percent or more covering a contiguous area of 10,000 square feet or more.

Forest Conservation Act

The Forest Conservation Act of 1991 (Natural Resources Article Sections 5-1601 thru 5-1613) was enacted to protect the forests of Maryland by making forest conditions and character an integral part of the site planning process. It is regulated by the Maryland Department of Natural Resources, but implemented and administered by local governments. The Forest Conservation Act seeks to maximize the benefits of forests and slow the loss of forest land in Maryland, while allowing development to take place.

The Forest Conservation Ordinance requires that a person making application for subdivision, project plan approval, a grading permit, or a sediment control approval on units of land 40,000 square feet or greater must submit to the Town a forest stand delineation and a forest conservation plan for the lot or parcel on which the development is located if the regulated activity cannot be exempted. The ordinance establishes forest conservation thresholds for all land use categories. The forest conservation threshold sets the percentage of the net tract area at which the reforestation requirement changes from a ratio of 1/4 acre planted for each acre removed above the threshold to a ratio of 2 acres planted for each acre removed below the threshold.

After reasonable efforts to minimize the cutting or clearing of trees and other woody plants have been exhausted in the development of a subdivision, site plan or project plan, grading and sediment control activities, and implementation of the forest conservation plan, the forest conservation plan must provide for reforestation, or payment into the forest conservation fund, consistent with the following forest conservation threshold for the applicable land use category:

Category of Use	Threshold Percentage
Agricultural and resource areas	50 percent
Institutional development areas	20 percent
High density residential areas	20 percent
Mixed use and planned unit development areas	15 percent
Commercial and industrial use area	15 percent

Each acre of forest retained on the net tract area above the applicable forest conservation threshold will be credited towards the total number of acres required to be reforested. For all existing forest cover cleared on the net tract area below the applicable forest conservation threshold, the area of forest removed shall be reforested at a ratio of 2 acres planted for each acre removed below the threshold.

If little or no forest exists in the site the applicant must conduct afforestation on the lot or parcel. An agriculture or resource area tract having less than 20 percent of the net tract area in forest cover must be afforested up to at least 20 percent of the net tract area. Institutional development areas, high density residential areas, mixed use and planned unit development areas, and commercial and industrial use areas with less than 15 percent of its net tract area in forest cover must be afforested up to at least 15 percent of the net tract area.

CHAPTER 5 TRANSPORTATION ELEMENT

Goals

- ◆ Maintain a functional road and street system for the safe, convenient and efficient movement of people, goods and services in a manner which promotes rational land development patterns.
- ◆ Consider the traffic impacts on local residential streets when reviewing proposals for new development which will affect the level of safety and traffic volumes on local neighborhood streets.
- ◆ Examine and attempt to improve parking availability.

Objectives

- Provide a balance of transportation facilities meeting the needs of Denton.
- Coordinate various modes of transportation so that they complement each other.
- Improve pedestrian and bicycle opportunities in the Town.
- Provide an adequate transportation network with minimal Town expense.
- Coordinate City, County, State, and Federal efforts in providing an efficient transportation system.
- Maximize the desired use of transportation systems while minimizing possible effects upon neighborhoods, the environment, and the general public.
- Increase parking opportunities in the downtown to increase downtown utilization.
- Require that the lay-out of new street connections in undeveloped areas assures connectivity to the overall Town street system.

BACKGROUND

The Transportation Plan Element establishes a functional classification for State, County and Town roads and streets which are important to the existing and future development of Denton and the safe and efficient movement of vehicles within and through Town. A well-planned network of roads and streets is essential in the orderly and efficient development of Denton. The Town's Thoroughfare Plan is based upon the functional classification of existing streets and the Land Use Plan. The location and function of roads and streets, in large part, determines the land uses abutting them and, visa-versa, land use activities, in large part, determine the function and location of abutting roads and streets.

FUNCTIONAL CLASSIFICATION OF ROADS AND STREETS

Based on the function (through traffic vs. local traffic vs. land access) and level of traffic most frequently carried, roads and streets can be classified as either arterials, collectors or local access streets. The Federal functional classification system for the Denton Area is shown on Map 5.

State/County Roads System

MD Route 404, which by-passes around the northern and eastern portions of Denton, is classified by the State as a principal arterial. The dualized highway by-pass has at-grade intersections at River Road (MD 328), MD 313, Business Route 404 (Gay and Franklin Streets) and Legion Road. MD 404 is a major east-west highway serving the Eastern Shore and providing the most direct vehicular access from major metropolitan areas to the west (Washington, D.C., Baltimore and Annapolis) to the Delaware coastal resort areas (Rehobeth, Lewis, Dewey, Fenwick, etc.). Peak use of this highway occurs during summer weekends when beach traffic is most intense. The State Highway Administration, Highway Needs Inventory anticipates complete dualization of MD 404 from MD 50 to the Delaware State Line.

Future planned improvements along MD 404 from Denton include the Sharp Road and Deep Shore Road intersections. In addition, service roads are planned for commercial areas of the highway in Denton. Projected traffic volumes for the MD 404 By-pass for the year 2000 are listed in the following table. In addition to commercial land uses that front Fifth Street extended, which parallels MD 404, Sharp Road serves existing and proposed residential land uses within the Town of Denton and adjacent growth areas. Deep Shore Road provides access to Martinak State Park.

Table - 10
Projected Average Daily Traffic Counts

Intersections	Year 2000
Routes 404/328 *	7,500
Route 404/480	19,000
Routes 404/313	19,450
Routes 404/16 #	21,100
* East of Denton	
# Near Industrial Park	

SOURCE: Design Study Report for the Denton By-pass, State Highway Administration.

MD Route 328 (River Road) is classified by the State as a minor arterial south of MD 404 and a minor collector north of MD 404. MD 328 runs north-south directly west of Denton on the opposite side of the Choptank River. MD 313 is also classified as a minor arterial. This north-south highway traverses directly through the Town of Denton connecting Denton to Federalsburg to the south and Greensboro and Goldsboro to the north. The State Highway Needs Inventory anticipates a two-lane reconstruction of MD 313 from MD 404 to MD 314. State Routes 404, 328 and 313 afford access from Denton to other primary highways serving the region including U.S. Routes 50, 301 and 13.

Denton is also served by several other collector roads which connect the Town to other areas of the County and points beyond. Campground Road (minor collector), Hobbs Road and Legion Road (County collector routes) provide access to points east of Denton. On the western side of the Choptank River, Business Route 404 connects the downtown to MD 404 and eventually MD 312 which leads to the Town of Ridgely.

Town Roads System

Roads within the Town are classified by the Town as either major collectors, minor collectors or local access streets. Major collectors carry the majority of through traffic in Denton. These streets include the Route 313 to Sixth Street to Fifth Street north-south linkage and the east-west routes of Market, Franklin and Gay Streets. Minor collector streets collect and distribute traffic from local access streets to and from major Town collector streets. These streets primarily include Caroline, Lockerman, High, Second, Third, Fourth, Fifth, Seventh, Sunnyside, Fountain, Carter and Kerr. The presence and function of collector streets deters higher traffic volumes on local access streets. As currently undeveloped areas of the Town are developed, it is important that collector streets be planned and built to service new local streets within the development. Revisions should be made to the Town's zoning ordinance and subdivision regulations to further

control and limit access onto Town collector streets in order to preserve roadway capacity and reduce congestion, particularly in commercial areas.

Local access streets serve primarily those properties abutting directly on the streets and are predominantly residential in nature. Most local streets exist in a grid pattern in the developed portion of Town. Most of Denton's roads serve as local access streets. General width standards for local streets are a minimum pavement width of thirty (30) feet and minimum right-of-way of fifty (50) feet. More detailed design standards for local and collector streets are referenced in the Town's Subdivision Regulations. A large undeveloped area in the southeastern portion of Town contains mapped and platted but unbuilt local streets.

Transit

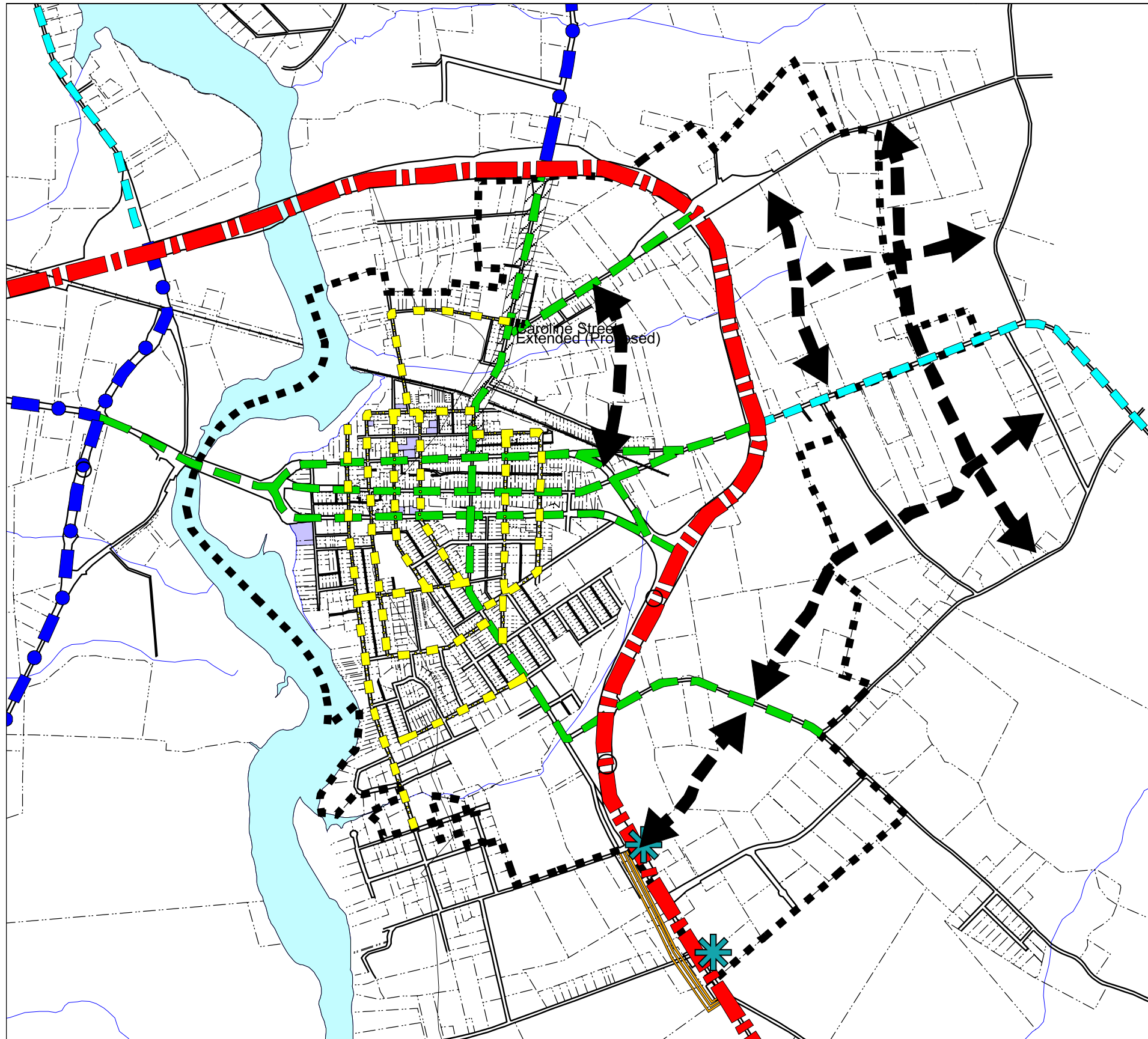
Transportation Services in Caroline County are provided through a contract with a non-profit operator, Upper Shore Aging. Upper Shore Aging operates a demand response service known as Upper Shore Take-A-Ride (USTAR). The USTAR transportation program includes various trip destinations such as shopping centers, employment centers, educational and medical facilities, and adult day care and senior centers. The service operates Monday through Friday from 8:00 AM to 4:00 PM.

Level of Service

Level of service is a measure of a roadway's or an intersection's volume versus capacity ratio. As the volume of traffic on any given roadway or at an intersection increases to approach the design capacity for traffic during peak traffic periods, level of service decreases. Table 11 describes the condition of traffic for various levels of service.

COMPREHENSIVE PLAN TOWN OF DENTON MARYLAND

Map 5
Thoroughfare Plan



STATE/COUNTY FUNCTIONAL CLASSIFICATION SYSTEM

Other Principal Arterial 

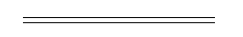
Minor Arterial 

Minor Collector 

TOWN SYSTEM

Major Collector 


Minor Collector 

Local Access Street 

IMPROVEMENT PROJECTS (Proposed)

Highway Corridor Improvements (MDDOT) 

Service Road 

Intersection Improvements 

Caroline Street Extended 

Future Collectors (Street Grid Extensions) 



Redman/Johnston Associates, Ltd.
Easton, Maryland
November 1997

**Table - 11
Level of Service**

Level of Service	Condition of Flow	Condition of Intersection	Volume Capacity Ratio
A	Free Movement, Smooth Flow	Open	0.3
B	Occasional Restriction of Movement	Infrequent Backups	0.5
C	Movement Steady, Somewhat Restricted	Occasional Backups	0.8
D	Periodic Congestion, Movement Restricted	Frequent Backups	0.9
E	Frequent Congestion, Movement Very Restricted	Maximum Traffic Moves with the Cycle	1
F	Maximum Congestion, Very Slow, Very Restricted	Jammed Traffic Occasionally Fails to Move on Signal Cycle	1.0+

In small Towns such as Denton, B, C, or D Levels of Service are normal, with Levels of Service A, B, or C preferred. Level of Service D is acceptable if confined to only brief periods during the peak hour of traffic. In no case should proposed new development be allowed to impact traffic flows on adjacent streets which would result in level of service of E or F.

All land-use activities generate traffic. The key to predicting "how much" can be found by looking at the type of land use and traffic can be seen in some extremes. For example, fast-food restaurants can generate well over a 1,000 trips (i.e., vehicle movements in and out of a site) per 1,000 square feet of floor space, whereas the cemetery down the street may generate only a handful of trips per acre.

In reviewing future development proposals within Denton, the Planning Commission may, at its discretion, require the developer to submit a Traffic Study for projects which they feel might negatively impact level of service on Town Streets. Traffic studies should cover all of the basic traffic issues, including the traffic characteristics and level of service of existing streets affected by the proposed project; trip generation rates for the proposed land uses; the impacts of traffic from the proposed use on the operation of existing streets; effects of any planned roadway alterations including added turn lanes, signalization, and improvements to the intersections and medians; and information about highway and intersection design capacities.

Traffic studies may be required at the time of site plan or preliminary plat review so that the Planning Commission can adequately evaluate a proposed development's traffic impacts. After review of the Traffic Study and Development Plan, the Planning Commission should work with the developer to try to mitigate the traffic impacts of a project by requiring changes in the development plan. The following traffic mitigation steps are recommended for proposed developments with adverse traffic impacts.

- Arrange traffic access to avoid the use of local residential streets.
- Arrange entrance and exit drives so that they are located on streets that are least congested or hazardous.
- Require off-site improvements that will accommodate the amount and types of traffic generated by the proposed use.
- Require safety improvements, like added turning lanes, traffic directional islands, frontage roads, and other driveways and traffic controls, that will reduce traffic hazards.
- Design entranceways so that they have sufficient capacity to prevent queuing of vehicles on any street.
- Design driveways with proper grades, alignments and site distances for safe, convenient, and efficient access.
- Require driveway connections to adjoining lots when such driveways would allow cars to travel between two (2) existing uses without going back on the street.
- Minimize the number of driveway connections to the street to further facilitate traffic flow on the street.

The Planning Commission should require traffic studies of large-scale developments that generate significant amounts of traffic. The Town, County and State have made enormous investments in the local street system and this investment will be squandered if the streets become choked with traffic.

Roads and Streets Policies

The following policies will apply to the construction of any new roads and streets within Denton:

1. All new streets will conform to the Town's functional classification of street types set forth in the Thoroughfare Plan.
2. The general layout of all new streets must not be confusing for emergency access and for residents. Local streets must channel traffic to collector streets, intersections with major

collector streets should be minimized, and all streets should intersect at approximate right angles to optimize site distance at intersections.

3. The intersection offsets should be avoided. Offsets of adjacent the intersections should not form streets jogs of less than 125 feet.
4. Flow of arterial street traffic should not be significantly impeded. Local street intersections should be spaced to minimize interruptions of arterial traffic flow.
5. Site accesses and driveways should be minimized along arterial streets. Controlled and shared access is encouraged.
6. New streets must align with streets in adjacent subdivisions at intersections on peripheral streets common to both the adjacent subdivision and the proposed subdivision to create four-way intersections as opposed to off-set tee intersections.
7. Vehicular movement at design speed must be assured. All streets must have proper widths of right-of-ways, curb-to-curb width, and radius of curvature of horizontal and vertical curves for required level of service.
8. All streets shall be designed and built in accordance with standards set forth in the Town Subdivision Regulations. Residential streets standards for width of street and width of right-of-way may be reduced to fit the scale of the neighborhood. Overly wide streets in residential neighborhoods destroy domestic scale, require more clearing and grading, destroy more landscaping resources, contribute to increased stormwater run-off, require greater maintenance, and drive up initial construction costs which in turn makes housing less affordable.
9. No private streets will be allowed in the Town.
10. Developers will be required to pay for the construction of all new subdivision streets to meet Town Standards and may be required to pay for improvements to existing streets impacted by the development to ensure capacity is adequate to handle additional traffic generated by the development in cases where level of service would be significantly impacted. Proposed new development will be required to be served by access roads adequate to accommodate the vehicular traffic projected to be generated by the development.
11. Curbs and gutters will be separated from sidewalks by a three (3) foot planting strip, in areas where sidewalks, curbs and gutters are appropriate. Vertical curbs will be rolled where a sidewalk meets a street to allow pedestrian wheel chair access.

12. The Planning Commission will determine where sidewalks, curbs and gutters are necessary and appropriate based upon drainage characteristics of the site and the type and intensity of abutting development.
13. Street lights and fire hydrants should be located on all future Town Streets.
14. Traffic studies may be required, at the discretion of the Planning Commission for large-scale developments that generate significant amounts of traffic.

Road and Street Improvements and New Alignments

Map 5 designates future recommended street improvements and new alignments which would improve traffic circulation in the Town in response to projected development generated by future economic and residential growth. It is anticipated that the required rights-of-way for new alignments can be acquired through dedication at the time of subdivision or through utilization of pre-platted mapped streets. Proposed improvements and new alignments include:

Town Projects:

1. Reconstruction of road from Seventh and Eighth Streets between Gay and Market Streets (currently underway). Reconstruction includes new curbs, gutters, sidewalks and resurfacing.
2. Resurfacing of Third Street between Gay and Franklin Street (isolated patches required).
3. Resurfacing of Hobbs Road from Gay Street eastward to the Town limit (in five year plan).
4. Resurfacing Market Street and portions of First and Second Streets.
5. Development of a pedestrian/bikeway park along the railroad right-of-way (no plans yet as Chesapeake Railroad may lease a portion of the railroad).
6. Resurfacing of 7th and Sunnyside
7. Extension of Fifth Street southward behind proposed commercial development to link with Sharp Road (nearly completed).
8. Resurfacing of Second Street from Franklin Street southward to the Town limits.

State Projects:

9. Development by the State of a service road on the east side of MD Route 404 to serve commercial development between Sharp Road to Double Hills Road.

10. Development by the State of intersection improvements from MD 404 at Sharp Road and Deep Shore Road.
11. Other improvements listed on transportation map.

The scheduling of completion of these improvements and new alignments should be prioritized in Denton's Capital Improvement Program. Additional collector streets should be developed as needed when currently undeveloped areas in the eastern portion of Town are subdivided and developed. This concept is illustrated on Map 5. In addition, it is recommended that design standards for the construction of new roads and curb systems contained in the Town's subdivision regulations, be upgraded to ensure future roads are built in a safe and efficient manner throughout Town.

TRANSPORTATION IMPROVEMENT RECOMMENDATIONS

The Town of Denton can complete several short term and long term improvements to improve the flow of traffic, to enhance the use of downtown services, to create recreational opportunities, and provide alternative modes of transportation. The following recommendations are intended to provide a safer, more diversified and efficient transportation system in the Town of Denton.

- Working with the State Highway Administration, two-way traffic should be established on Franklin Street and Gay Street. The Town is currently working with the State Highway Administration to evaluate two-way traffic.
- At the intersection of Second Street and Market Street, improvements should be made to the sidewalks. In addition, brick pavers should be established at pedestrian crossing to distinguish such areas for automobile traffic.
- Additional modifications and enhancements should be made to curbs and sidewalks in the downtown. These changes will improve pedestrian and automobile traffic in the downtown.
- Bicycle traffic should also be taken into account when making improvements to the downtown transportation system.
- Directional signage should be placed prominently in key intersections in the downtown to notify motorists of parking opportunities. In addition, directional and shopping directories should be placed for pedestrian traffic. Signage should promote use of the downtown and the waterfront.
- Welcome Signage should be provided at the entrance of the Town at the intersection of Franklin and Market Streets. The Improvement Plan for the Market Street Corridor suggests a stop sign be placed at the bottom of the bridge and a welcome sign and a motorist directory be placed at the stop area.

- A greenway should be established using State Open Space funding to provide better access to the river, increase recreational opportunities and promote an alternative mode of transportation. The waterfront is underutilized and the greenway will provide a use that would have limited impact on the environmental features of the Choptank River. The greenway should utilize the old railroad line and extend south along the Choptank River to Crouse Park. The trail should then extend along main street to enhance utilization of downtown services and businesses.

Pedestrian Systems

The following policies will apply to pedestrian systems within the Town of Denton:

1. Streets, large and small, should accommodate motorists, pedestrians and bicyclists in safety and comfort.
2. The Town will plan for the needs of non-motorized travel in the community.
3. To reducing our dependence on the automobile pedestrian trails should link the neighborhoods with key destinations such as schools, parks, commercial areas, and centers of employment.

The central part of the community is served by sidewalks and the Town requires sidewalks in new developments. New sidewalks are being added as part of the Seventh and Eighth Street upgrade project currently underway. In addition, the Market Street Plan recommends improvements to the sidewalks, additional modifications and enhancements to curbs and sidewalks in the downtown to improve pedestrian and automobile movement.

Pedestrian ways are an important part of any economic strategy to increase tourism. Consequently the Town, along with the County, should be planning for development of an overall pedestrian system of sidewalks, greenways bike, and waterway routes to both better serve local residents and improve opportunities for tourism development. The economic well-being of the local businesses, and particularly the central business district could be enhance by increased tourism trade (See Map 6).

The Market Street Plan recommends the Town provide better access to the river to increase recreational opportunities and promote an alternative mode of transportation. A board walk along the riverfront is recommended. In addition, the Plan recommends establishment of a greenway along the rail line. These recommendations build on the existing pedestrian (sidewalk) system but should be expanded to provide for pedestrian connections between the CBD, the waterfront and activity centers in the area of interest to local residents (schools and neighborhood parks) and activity centers of interest to visitors (Martinak Park, the Choptank River as well as local historical sites). The latter is associated with the development of heritage tourism.

Greenways

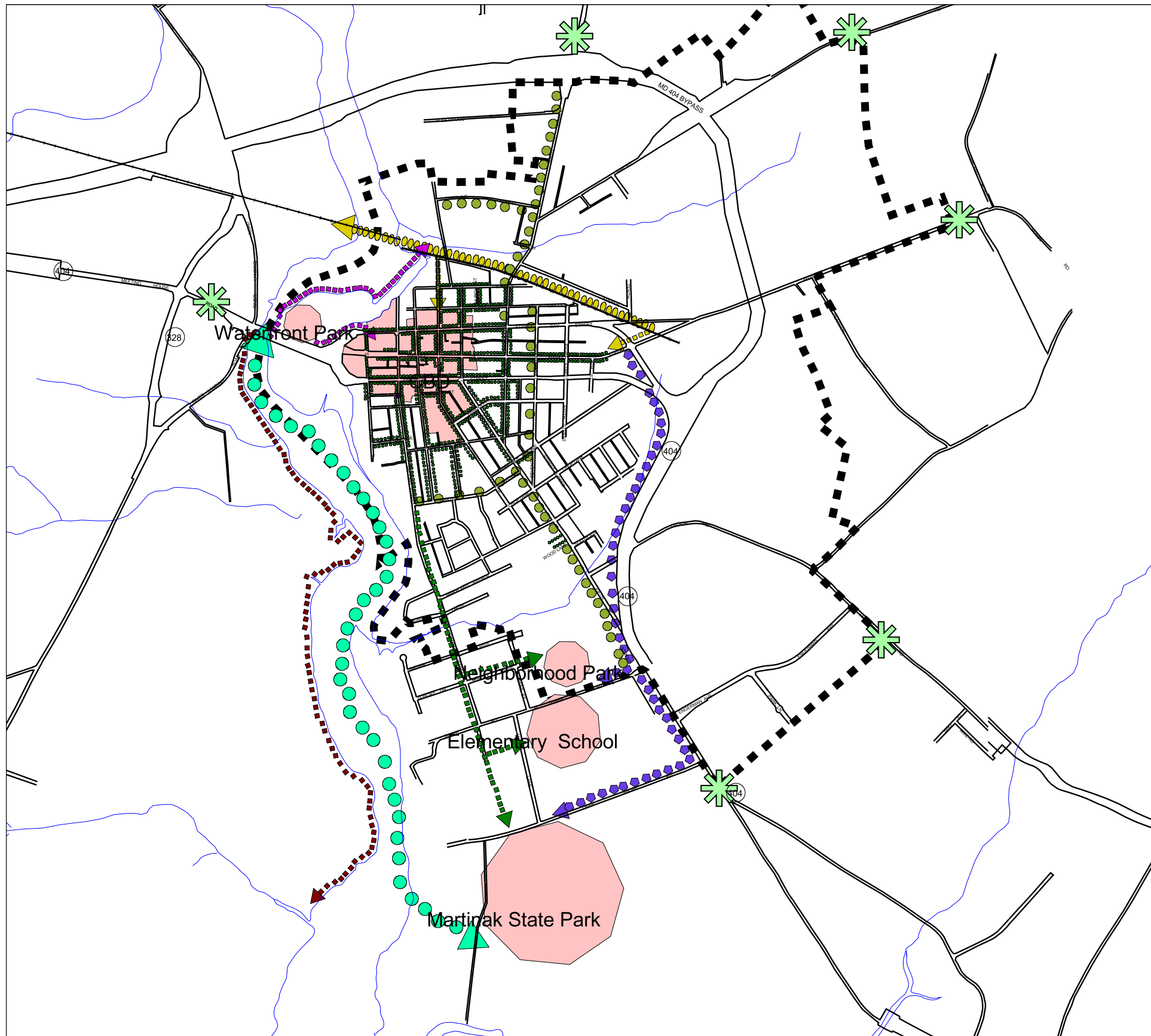
It is recommended that Denton work with the County to establish a county-wide greenways development program. The Town should extend the existing bikeways, paths, and sidewalks to the greenways increasing the connectivity between activity centers in and out of the Town. The greenways should be a place to walk, jog, and bike and a means for residents and visitors, to go between neighborhoods, travel to school, and reach recreation areas by alternative means of transportation.

An important factor will be connecting the Central Business District to the greenways. The sidewalk and path system along Second Avenue should be extended east to meet with a County greenway or bikeway to Martinak State Park. Similar measures should be taken to connect the Elementary School to the greenway. Sidewalks should also be extended along Fifth Street to Sharp Road to provide access to shopping and recreation areas.

Greenway development offers the opportunity to achieve multiple plan objectives, that include providing:

- alternative means of travel (walking or bicycle),
- open space,
- recreation,
- environmental protection, and
- tourism/economic development.

Greenways act as a major component of heritage tourism, providing the linkage between the physical and cultural features of a particular area and adjacent heritage areas. They are part of a total marketing plan that connects the places tourists visit, shop, eat, and sleep. Heritage tourism is an economic development strategy that attempts to increase visits by persons from outside of the County who are interested in the historical or lifestyle offerings of the community. Heritage tourism emphasizes the linkages and interaction between the community's physical features (rivers, streams, vegetation, wildlife) and its cultural features such as towns, roads, buildings, art, history, etc.



**COMPREHENSIVE PLAN
Denton, Maryland**

**Map 6
Transportation Plan**

EXISTING AND PROPOSED PEDESTRIAN SYSTEMS

Existing Sidewalks



PROPOSED

- Riverwalk



- Greenway



- Sidewalk Connection



- Bike Way



- Pedestrian/Bike Connection



- Canoe Loop



- Waterfront Trail



Activity Center



ENTRYWAY ENHANCEMENT AREAS



Redman/Johnston Associates, Ltd.
Easton, Maryland
August 1997

Heritage tourism can be facilitated and enhanced by greenways. The combination will allow Denton to capitalize on local recreational opportunities and its small town charm. Heritage tourism and greenways also have the potential to help revitalize the Central Business District, while at the same time providing a service for the Town's residents by giving them a place to walk and bike.

The Town zoning ordinances and subdivision regulations should provide that the Planning Commission may require that when properties which include portions of a designated greenway are developed the owner must provide a public easement, dedication-to-public-use, or a cross-use easement along the greenway or along any 100 foot perennial stream buffers that feed into designated greenways.

Bike riders also need to be encouraged with good bike routes, bike racks at destinations, and showers and lockers at work and school. To encourage people to walk, streets, homes and businesses need to be built in a way that makes streets inviting. The network of pedestrian trails and greenways, shown on the Plan specifically for the use of pedestrians and bicyclists, should be implemented. This way people will be able to travel safely throughout the town and adjoining areas without relying on the automobile.

Existing roads, together with new bikeways can serve as the system to provide bicyclist's travel needs, including recreation biking and commuter biking. Planning for bicycles should be conducted in conjunction with planning for other transportation modes.

A bikeway is any road, path or way which is designed to be open to bicycle travel, regardless of whether it is for the exclusive use of bicycles or shared with other transportation modes. A bike path is physically separated from motorized vehicular traffic by an open space or barrier either within the highway right-of-way or within an independent right-of-way. A bicycle lane is a portion of a roadway which has been designated for preferential use by bicycles and bicycle route is roadway designated for bicycles by signing only. These bike facilities are divided into three bicycle route classifications, namely:

Class I A path or trail totally separated from roadways.

Class II Lanes along road sides designated for bicycle traffic.

Class III Shared roadways with motor vehicles.

Source: Federal Highway Administration's "Guide for Development of Bicycle Facilities", 1991.

The Town should amend their zoning ordinances to require space be provided for parking of bicycles in non-residential developments and permit an appropriate reduction in parking based on the availability of space for parking bicycles. Future widening plans for planned bicycle routes should include right-of-way for bicycle lanes to provide for a paved lane of eight (minimum) to ten (desirable) feet in width separated by a minimum six foot shoulder wherever possible.

CHAPTER 5 COMMUNITY FACILITIES ELEMENT

Goals

Objectives

- | | |
|--|--|
| <p>◆ Provide an appropriate array of community facilities and services required to maintain the health, safety and welfare of the residents of Denton.</p> | <ul style="list-style-type: none"> • Assure the continued expansion of public facilities and services commensurate with local financial capabilities and the capacity of each system. |
| <p>◆ Provide adequate parks, recreation and open space and opportunities equitably distributed throughout the Town for existing and future Town residents.</p> | <ul style="list-style-type: none"> • Assure the provision of community services and facilities to all living and working areas of the Town in a manner which is the least disruptive to the environmental qualities of the area. • Certify that all existing, newly developed and annexed areas of the Town are afforded adequate public services necessary to promote public health, safety and welfare. • Examine the pattern and direction of future growth and possible annexation and impacts on community facilities systems. • Encourage use of public lands and buildings for a variety of public purposes |

BACKGROUND

Public services and facilities are required to serve existing and future population of the Town in order to ensure the public health, safety and welfare. The location, extent, and phasing of these facilities are not only major planning and budgetary considerations, but are also controlling factors in managing the direction and character of private development.

Denton will require that all future development shall be served by adequate community facilities and services including; roads and streets, water, sewer, storm drainage, police and fire protection, schools, etc. as a condition of development approval. A Capital Improvements Program (CIP) will be developed subsequent to adoption of this plan, which outlines the tentative schedule and priorities for extending/improving community facilities and services, and also indicates revenue sources for such improvements. The Town may also require, as necessary, development exactions and dedications as well as development impact fees in order to ensure the planned provision of necessary community facilities throughout the Town.

Sewerage and Water

Under State law, Caroline County is required to prepare a Comprehensive Water and Sewerage Plan. This plan was most recently updated in 1986. The plan contains information regarding each municipality's existing water and sewerage system and makes recommendations for future system improvements and expansions. The County is currently updating its Master Water and Sewer Plan.

The Denton sewage treatment facility consists of three (3) stabilization lagoons with discharge to the Choptank River. Existing capacity for treatment is .4 million gallons per day (mgd). Average treatment flow is currently .3 mgd. At present the Town has only 28,000 gallons per day capacity which is not allocated or accounted for. In order to accommodate additional projected growth the Town has plans to upgrade the treatment capacity of the existing system through aeration of one (1) and possibly two (2) of the existing lagoons. This improvement would upgrade the quality of treated effluent and enable the Town to discharge greater amounts of treated water to the receiving waters. Aeration improvements would substantially increase the sewerage system's ability to treat projected future sewerage flows as the Town continues to grow and develop. A lagoon upgrade to increase capacity to 800,000 gallons is going out to bid.

Figure IV-4 is excerpted from the Caroline County Comprehensive Water and Sewerage Plan, 1984. This figure shows the extent of the existing sewerage collection system and priorities for areas where the collection system should be extended.

The Comprehensive Water and Sewerage Plan, 1984, also establishing priority areas for extension of water service. Figure IV-5 is excerpted from the plan. Denton currently has an adequate water supply to serve additional projected growth and development. The Town has two (2) deep wells which tap the Piney Point Aquifer and is planning a third. Water is treated through chlorination and water quality is good. The rated capacity of the existing water supply

is 1.3 mgd. Average production is currently only .39 mgd. Water storage consists of three (3) elevated tanks, the most recent addition being the tank located at the Denton Industrial Park. New water distribution lines were installed in 1984 to correct leakage problems to water mains.

It is important that the Town coordinate closely with the County in its next update of the Caroline County Comprehensive Water and Sewerage Plan in order to ensure that priorities for service extensions are consistent with the Town's Comprehensive Plan (Land Use Plan Map) and Capital Improvements Program. Service area extension priorities should be considered for both areas currently within the corporate limits as well as for outlying adjacent areas which may in the future be annexed if Town services are extended. Future use of on-lot septic systems in outlying areas should be discouraged.

Public Buildings

A description of public and quasi-public buildings within Denton is included in Part Two of the Plan (Background for Planning). The location of these existing facilities is shown on the Community Facilities Plan (Map 7). The Town office was renovated to create additional office space and upgrade quality of existing office space. The Denton Day Care Development Center was moved to a new facility located on the site of the State Multi-Service Building. The County is planning to consolidate County departments and services, including environmental health, maternal health, WIC Parks and Recreation, Planning and Zoning and Adult Day Care to the site of the old Acme building. This relocation, consolidation and redevelopment will take approximately twelve months. The Town recently acquired the old Button Factory located at the corner of Carter and Academy Streets. This property was donated by the owner - Cresthill Industries. The Town has completed a feasibility study of the site, including an environmental review. The study will help determine the best reuse of the facility. The Denton Volunteer Fire Department, located on the corner of Carter and Sixth Streets, is considering possible expansion to nearby site.

It is recommended that, in the future, should the County and State Roads facilities need to significantly expand their facilities or relocate, areas outside of the Town core should be considered so as not to negatively impact surrounding residential neighborhoods at the existing location.

Solid Waste Collection and Disposal

Solid waste collection from residences, businesses and industries within Denton is handled by a private waste hauler who is contracted by the Town. The Town's solid waste is disposed of at the County Landfill at Hobbs Road. The County is participating in a regional landfill with adjacent counties to help address local landfill capacity issues.

Public Health and Safety

The Caroline County Health Department has offices and clinic facilities which provide diagnostic, preventative medicine, and treatment programs. Memorial Hospital owns and operates a diagnostic lab on Market Street. Shore Pediatric Practice and a family practice office of Allen, Lappin and Sides are located in the Caroline Health Services facility on Market and Gay Streets. Caroline Health Services is constructing a 4,000 square foot addition to a facility on Daffin Lane in order to better accommodate physicians and patients.

Complete hospital facilities are located in Easton, Maryland and Dover, Delaware. Caroline County operates an Advanced Life Support System (ALS) which provides fast medical attention to victims before they are transported to the hospital. ALS is staffed by trained and certified volunteers who donate their time to provide 24 hour medical service. Memorial Hospital owns and operates a diagnostic lab located on Market Street. Co-located with this facility are Shore Pediatric Practice and the family practice of Allen, Lappin and Sides.

Fire protection for the Town and surrounding area is provided by the Denton Volunteer Fire Department. Police protection is provided by the Denton Police Department with a staff of eight (8) officers and the Police Chief. The County Sheriffs' Department and a regional office of the Maryland State Police are also located in Denton. The Denton Police Department is located at the Town Office facility on Third Street.

Schools

Information regarding public educational facilities in Denton is included in the Caroline County Board of Education, Educational Facilities Master Plan, 1987. School enrollment at the Denton Elementary School is projected to increase until 1992 and then level off somewhat. Enrollment at Lockerman Middle School is projected to rise sporadically through 1994. High School enrollment at North Caroline High School is expected to rise significantly through 1996. To address student capacity issues, an addition was built to the Middle School. The Wesleyan Christian School, a private school for students in grades pre-school through twelfth, is located on Camp Road.

It is important that the Caroline County Planning Commission and the Denton Planning Commission continue to work with the County Board of Education to coordinate future school facilities planning. The County Board of Education currently has a joint-use agreement with the County Parks and Recreation Department for use of school recreation facilities during off school times.

Parks

Denton contains a variety of public, quasi-public and private park, recreation, and open space areas. A description of existing facilities is listed below.

- *Towers Park*, an 8.28 natural area located off of Fifth Street in the southern portion of Town. This site, owned by the Town of Denton, is wooded, contains a stream and is frequently used by the local Boy Scout Troop.
- *Dan Crouse Park*, a one (1) acre, Town-owned park located on the Choptank River at Pig Point. The park contains basketball courts, boat ramp, pavilion, picnic area, playground, restrooms and parking. The park is in fair condition and suffers frequent vandalism problems.
- *Denton Natural Area*, 52.96 acres of Town-owned wooded wetlands on the Choptank River zoned for permanent open space.
- *Women's Club Park*, a .25 acre neighborhood park owned and maintained by the Women's Club. This landscaped sitting park adjoins a historic schoolhouse building.
- *Holiness Summer Camp*, a private, church-owned, 12.12 acre campground and retreat located on Campground Road.
- *Denton Lions Club Park*, a 9.52 acre, quasi-public community park which contains two (2) Little League Baseball fields and associated buildings. It is located on Maryland Avenue in the southern part of Town.
- *Lockerman School Park*, a 4.73 acre community park at the Lockerman Middle School owned by the County Board of Education. Facilities include a baseball field, gymnasium, running track and soccer field. The school and park are located in the northern park of Town.
- *Denton School Park*, a 6.67 acre community area co-located with the Denton Elementary School. Facilities include a gym, hard surface area, two (2) ball fields, nature trail, playground and soccer field.
- *James Coursey Sr. Memorial Park*, a quasi-public neighborhood park and playground for the residents of the adjacent housing project. The site is owned and maintained by the Rural Housing Association. The Park, previously named North Park, expanded after the Town acquired additional land in 1995. A new playground equipment and a multi-use court was installed.
- *Fourth Street Park*, a .5 acre facility owned and maintained by the Town of Denton and located next to the Armory. Facilities include a children's playground, with tot lot facilities and tennis courts.
- *Denton Armory*, a County owned and operated facility which contains the offices of the County Parks and Recreation Department. Facilities include a gymnasium. The Armory

is also home to a senior center operated by Upper Shore Aging and an employment office operated by Maryland Employment Services.

- *Sharp Road Park (Proposed)*, is an approximately 24 acre Town park. The current five year development plan for this park includes development of a multi-use park to include tennis courts, exercise trail and other facilities for other activities.
- *Martinak State Park*, is a 99 acre state park owned and operated by the Maryland Department of Natural Resources. The park serves regional needs and is located immediately south of Denton. Facilities include an amphitheater, camping, boat ramp, fishing, nature trails, pavilion, picnic areas and playgrounds.

Recommended improvements to Denton's park and recreation system include development of a linear greenway park and pedestrian/bike way trail along the abandoned railroad right-of-way in the northern end of Town. The Town is currently considering acquiring the old railroad depot site at the intersection of Sixth Street and the railroad to develop an access site/park for the proposed railroad park. The railroad right-of-way is presently owned by the State Rail Administration and their approval to grant an easement or to lease the right-of-way to the Town for a linear park would be required. The location and extent of the proposed railway park is shown in Figure IV3 of the Transportation Plan Element.

The 1987 Caroline County Land Preservation and Recreation Master Plan has identified a demand for a community swimming pool and multi-use community center to be located in Denton. There is a concern for the need to develop additional neighborhood park and open space facilities in the eastern areas of Town as growth and development continues in this direction. Smaller neighborhood parks will be acquired and developed through mandatory dedications negotiated exactions or proffers and/or fee in-lieu of dedications as large tracts of undeveloped land are subdivided and developed in order to serve the park and open space needs of future subdivision residents.

Other sources of funding for the acquisition and development of additional park and open space areas is available through; requirements for payment in-lieu-of mandatory dedications, County administered Maryland Program Open Space Funds; federal Land and Water Conservation Funds; and the State Waterway Improvement Program. Funding through these programs is available in the form of grants, matching grants and interest-free loans.

Community Facilities Policies

The following policies shall apply to the provision of community facilities within Denton:

1. In order that all future public projects will be completed where and when needed and within the budget of the Town, Denton will develop a Capital Improvement Program (CIP) to outline the scheduling and phasing of public improvement projects for a revolving six (6) year period. The CIP will be coordinated with the Town's Annual

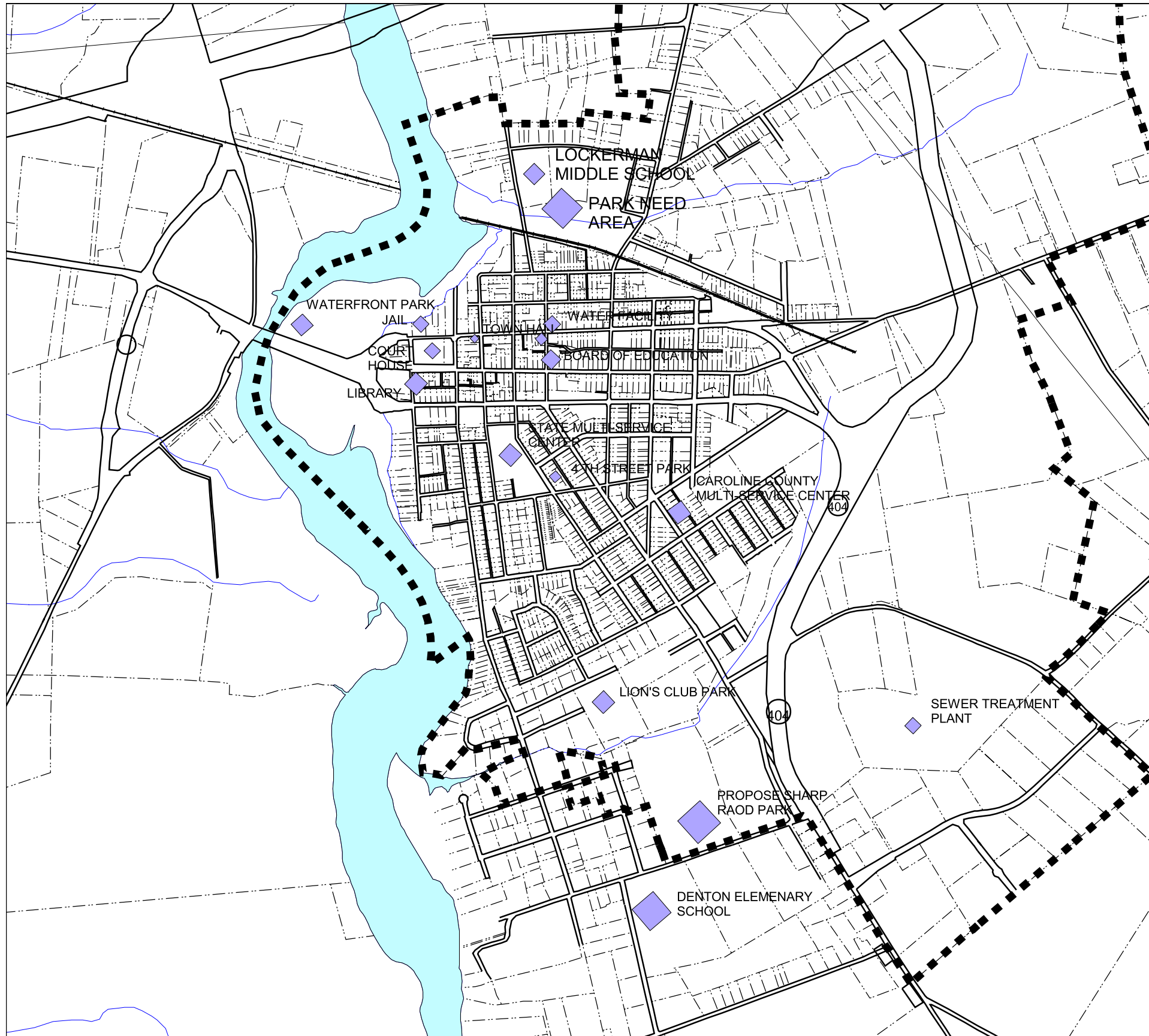
Budget so that financing can be arranged on a pre-planned basis. The provision of public improvements as outlined in the CIP will be balanced against the fiscal ability of the Town and the Town's objectives for managing the location and rate of growth.

2. The Town will establish its priorities for sewer and water service extension to be in accordance with the Comprehensive Plan and Land Use Plan Map.
3. The Town will require that all new development proposed for unserved areas pay for extensions of service (sewer and water) and also for a "fair-share" of the costs for capital improvements to community facility systems which will be necessary to accommodate the new developments community facility demands.
4. The Town will require, through adoption of an "Adequate Facilities Ordinance", that all new development shall be adequately serviced by roads, sewerage, water, storm drainage, schools, fire and police protection and solid waste collection and disposal as a condition of approval.
5. The Town will encourage stormwater management practices which utilize surface and on-site drainage treatments as opposed to underground drainage piping.
6. The Town will require common trenching for utilities (water, sewer and electric services) in order to reduce future maintenance costs.
7. Annexation will be a condition for extending Town community facilities and services outside of the Town's corporate limits.
8. Future large-scale developments will be required to provide exactions (proffers) land dedications or fees-in-lieu of dedications for the provision of community facilities, including parks, schools and open spaces.

**COMPREHENSIVE PLAN
TOWN OF DENTON
MARYLAND**

**Map 7
COMMUNITY FACILITIES**

Community Facility Locations



Redman/Johnston Associates, Ltd.
Easton, Maryland
November 1997

COMMUNITY FACILITIES RECOMMENDATIONS

The following community facilities recommendations are intended to expand current public facilities for town residents and visitors. These recommendations include enhancements to the Town's parks and recreation system. These enhancements provide both recreational opportunities to the Town but can also spur economic development.

- Develop a Park in the northern section of Town. The park should be a multi-use facility providing a mix of recreational opportunities for Town residents including, basketball and tennis courts, picnic areas and tot lots.
- Develop a linear greenway park and pedestrian/bike way trail along the abandoned railroad right-of-way in the northern end of Town.
- Small Amphitheatre in Crouse Park to provide outdoor entertainment in the summer months that could include a weekly summer concert series.

CHAPTER 6 HOUSING ELEMENT

Goals

- ◆ Provide a variety of housing types within the Town's land use controls.
- ◆ Encourage the use of innovative programs to provide a suitable mix of housing types in affordable price ranges.
- ◆ Insure high standards of quality in new construction, but with sensitivity to housing affordability.
- ◆ Encourage, through both private and public actions, the renovation or removal of substandard housing.
- ◆ Encourage, through both private and public actions, an opportunity for families to live in adequate homes in price ranges that are affordable.

Objectives

- Encourage continued maintenance and upkeep of existing housing and stimulate the replacement of housing that becomes unfit for human habitation.
- Protect residential zones from incompatible activities and land uses to create comfortable and safe living environments.
- Provide a balanced housing stock with housing opportunities for all Town residents.
- Improve housing conditions for all the Town's residents, especially the disadvantaged population.
- Require site plan and planning review for all major developments to ensure a functional design, quality living environment, and compatibility with overall town character. Conditions, exactions and dedications may be required by the Planning Commission so that the development serves the public interests as fairly and fully as possible, consistent with the Comprehensive Plan.
- Ensure that multi-family residential development provides adequate community open space, landscaping and parking. Minimum parcel size for multi-family development should be of sufficient size to accommodate this use.
- Encourage cluster residential development forms in newly annexed areas.

BACKGROUND

The quality of Denton's neighborhoods is determined by the cumulative impact of the Town's housing supply and living environment. Since major community goals are to improve the quality of life and to promote the availability and affordability of decent, safe, and sanitary housing for all Town residents, housing ranks as an important local concern.

Most of Denton's residential neighborhoods are in good physical condition, however; each has its own special needs and objectives for physical improvements. These needs range from major street repair to small-scale alley and vacant lot clean up projects. The Town, various local neighborhood groups and community service organizations, and individual residents all share responsibility for the continued maintenance and improvement of the Town's neighborhoods.

Neighborhood Redevelopment

Due to the Town's continuing aggressive program of housing rehabilitation, substantial housing is steadily being eliminated in Denton. Beyond individual housing units and residential subdivisions, the most basic and important physical and social cornerstones of the Town are its neighborhoods. These sometimes well-defined and sometimes not so well-defined sub-areas of Denton are the centers of community life in the Town. Families and individuals have substantial investments in their neighborhoods, both in terms of homes and a chosen living environment.

The Town of Denton has maintained an on-going effort to direct resources at maintaining and rehabilitating its neighborhoods. The main purposes for these efforts are to maintain and improve the residential living environment in the community, to support the economic vitality of the Town and to maintain property values. Current redevelopment projects and/or target redevelopment sites are shown on Map 8 and include the following:

1. **Central Business District - Downtown Retail Development Strategy** - Concerted effort on the part of the Town and downtown merchants to stabilize and improve the retail market climate in the downtown
2. **Market Street Improvement Plan** - Plan and specification for street improvements on Market Street between First and Fifth Streets and First and Second Streets between Gay and Market Streets.
3. **Neighborhood Revitalization Project** - The 11 block area between Gay Street and Lincoln Streets and Third and Sixth Streets designated as a priority redevelopment area.
4. **Button Factory Redevelopment Project** - Town-acquired property, formerly used as a button factory. Redevelopment objectives include mixed-use crafts, office, institutional uses.

5. **Old Denton Elementary School Redevelopment** - Privately-owned 1.35 acres site located at the corner of Franklin Street and sixth street. Redevelopment objectives include elderly housing or office.
6. **Old Acme Site** - Site of a new Caroline County multi-service center housing Health Department and County government functions.

Neighborhood Conservation

New development should fit in comfortably with existing neighborhoods. The qualities of neighborhoods that brought people to live in them should be respected and protected. For this reason the Town is concerned with the conservation and rehabilitation of the existing housing stock and the stability of housing values in existing neighborhoods. Neighborhood conservation does not just mean insuring housing is decent, safe, and sanitary or that properties are properly maintained. It means insuring that when properties are developed or redevelopment the architectural style of the residence and the way it is placed on the site are compatible with and help maintain the existing neighborhood character. Each new home built in the neighborhood should be viewed as a part of an incremental growth process, creating an identity of its own, but in a manner that it is integrated with the current neighborhood character. New residences should reflect a unity and positive relationship to the overall character of the neighborhood. In this way new homes can enhance the order and richness of the community.

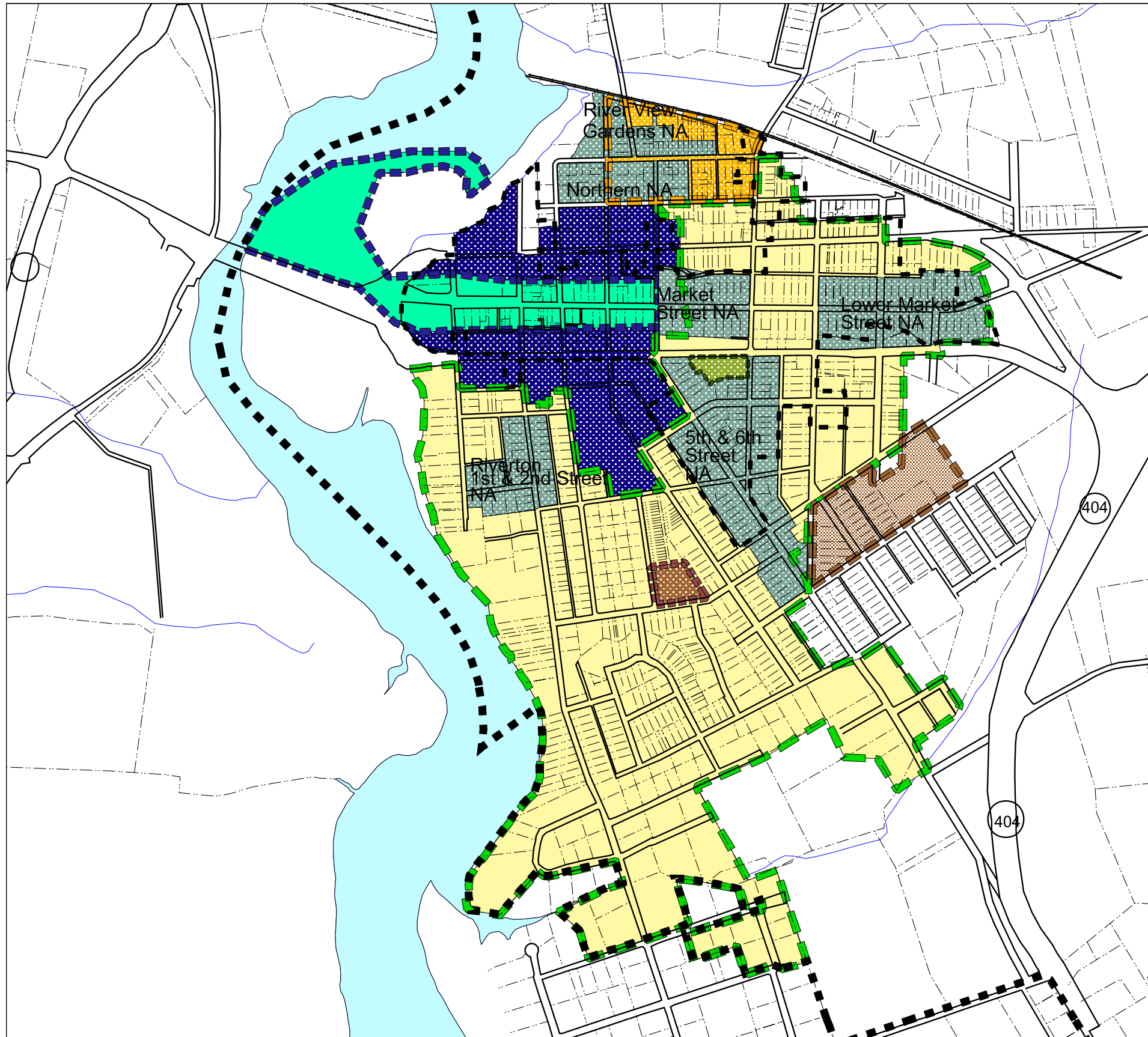
It is desirable that infill, new development or redevelopment in existing residential neighborhoods conform, to the extent possible, with the site development and architectural character of the neighborhood. For example, if the prevailing character in the neighborhood is two-story residences, set close to the street, a single story rancher-type structure set well back from the street (and possibly turned sidewise in order to fit on the lot) would be out of character. The Town can not directly regulate architectural style (except to some extent on historic districts). However, the Town should consider ways to encourage infill, new development and redevelopment in existing residential neighborhoods to develop in a manner that “fits in” with existing neighborhood character.










Map 8 shows a recommended “Neighborhood Conservation” area where incentives for development and redevelopment that is in character with the existing residential neighborhoods should apply. Incentives that may be considered by the Town include:

- Waiver of basic fees
- Short term tax relief
- Reduced development standards
- Others

COMPREHENSIVE PLAN TOWN OF DENTON MARYLAND

Map 8 COMMUNITY DEVELOPMENT PROGRAM AREAS



- CBD Redevelopment Area** 
- Market Street Plan** 
- Redevelopment Area** 
- Neighborhood Conservation Area** 
- Button Factory Redevelopment** 
- ACME Property Redevelopment** 
- Old Denton Elementary Redevelopment** 
- Neighborhood Associations** 
- Historic District Boundary** 

Redman/Johnston Associates, Ltd.
Easton, Maryland
June 1997

In Denton, Neighborhood Associations play a critical role in defining and implementing the Town's housing and community development policies. There are six (6) neighborhood associations that are located throughout the Town (see Map 8). They include:

1. Riverside Gardens Neighborhood Association
2. Northern Neighborhood Association
3. Market Street Neighborhood Association
4. Lower Market Street Neighborhood Association
5. Riverton 1st and 2nd Streets Neighborhood Association
6. 5th and 6th Streets Neighborhood Association

The associations serve various capacities, but in general provide neighborhoods with an organization that advocates stability and a unified voice in Town policy decisions. These volunteer responsibilities help to maintain housing units, preserve community spaces, and provide a sense of safety and community to neighborhoods throughout the Town. The Town should involve the Neighborhood Associations in determining essential desirable neighborhood characteristics to be sought in new development and redevelopment projects and the discussion of possible incentives to encourage compliance.

Housing and Neighborhood Development Policies

The policies outlined below represent general townwide efforts which can be made or initiated to preserve and improve housing conditions and neighborhood quality throughout Denton.

- The Town will provide adequate areas in appropriate locations for a variety of housing types and densities as designated in the Land Use Plan.
- The Town will continue to enforce the BOCA Basic Property Maintenance Code.
- The Town will encourage the development of affordable housing units within the parameters of good development design standards.
- Conversion of single-family homes into multiple apartments will not be permitted in the Town as this activity has a destabilizing effect on adjacent property values. Creation of a single accessory apartment or "granny flat" will be permitted provided the principal owner maintains residence and exterior modifications or alterations will not negatively impact neighborhood character.
- Multi-family residential development will be required to provide adequate community open space, landscaping, and parking. Minimum parcel size for multi-family development will be two (2) acres.
- Residential infill development and redevelopment will be of a scale and character which is compatible with the existing surrounding neighborhood.

- The Town will encourage and assist Town residential property owners to participate in the Maryland Department of Economic and Community Development (DECD) Liveability Code Rehabilitation Program (LICORP) which offer reduced interest loans to bring residential buildings into compliance with the BOCA code enforced by the Town.
- The Town will encourage residential property owners to participate in the Maryland Home and Energy Loan Program and Housing Rehabilitation Program designed to provide below market interest loans to income eligible applicants for a wide variety of home improvement needs.
- The Town will prohibit the encroachment of commercial or industrial uses into existing residential neighborhoods including homes becoming businesses.
- The Town will encourage the renovation, improvement and/or redevelopment of blighted residential, commercial and industrial areas in order to improve the overall appearance of the Town.
- When new commercial or industrial developments are proposed adjacent to residential areas, the Town will require the developer to provide a landscaped buffer to screen the development from residential areas.
- The Town will consider the traffic impacts on local residential streets when reviewing proposals for new development in the vicinity which will effect the level of safety and traffic volumes on local neighborhood streets.
- The Town will encourage and support the neighborhood improvement efforts of local neighborhood groups, community organizations and individuals.

HOUSING RECOMMENDATIONS

There are alternatives available to local governments for the provision of affordable housing. The extent to which these alternatives are used, either singularly or in combination, depends on the particular needs of the community. Each approach to providing affordable housing has varying degrees of success.

Accessory Apartments

Accessory apartments may be permitted under certain conditions with adequate safeguards to protect the character of the existing residential neighborhoods. Both the homeowner and the community can benefit from the presence of accessory apartments, if they are carefully managed. The most obvious public benefit of accessory apartments is that they offer a source of inexpensive housing units in the community with virtually no conversion of land use to produce

them. Accessory apartments are moderate-cost housing and can reduce the need for some new development.

The following guidelines should be used to address some of the concerns about the impacts that single family housing conversion to accessory apartments may have on the character of a neighborhood:

1. **Require Owner Occupancy**—require that the owner of the home continue to reside in one of the units to ensure that the appearance of the structure will be maintained.
2. **Restrict the Age of Homes to Be Converted**—These provisions will discourage builders from taking advantage of an accessory apartment provision as a backdoor route to two-family development and limit conversion to existing structures.
3. **Provide for Parking and Traffic** — These provisions will mandate that the existing parking pattern not be altered and that off street parking be provided.
4. **Guarding Against Visual Change in the Neighborhood**—These provisions will generally restrict the owner from making external alterations to the structure such as adding a second entrance on the front of the house.
5. **Specifying Minimum Apartment Sizes**—These provisions should limit the size of the accessory apartment as it relates to the main unit to ensure that the accessory unit is clearly secondary. Minimum size of apartments will be designated in the Housing Code ordinance.
6. **Providing Opportunities to Control the Scale of Change**—These provisions should allow conversions under a special exception rather than as a “by right” in any zone thereby allowing neighborhood residents a chance to respond.

Cluster Development

Cluster development is a method of grouping housing units together to reduce street and utility costs, while retaining the same density as regular housing types by providing “green” or “open” areas around the clustered dwellings. The cluster approach allows the economic benefits found in denser development, yet gives some of the aesthetic qualities of less densely populated areas

Applying cluster development in a community preserves open space without requiring the expenditure of public funds to purchase the development rights from landowners. The shorter road network needed to serve the cluster development results in lower costs for roads, sewer, and water lines. Costs can also be lowered through reduced street and right-of-way standards.

To apply cluster development, the zoning ordinance and/or subdivision regulation should be revised to establish procedures for the review and approval of cluster development and set the

selected planning standards and/or design guidelines to permit or encourage cluster development. The standards/guidelines should establish minimum performance measures for:

- the amount, location and usability of open space to be provided;
- the location of buildings to minimize visual impact to preserve rural character;
- buffering between residential properties and incompatible neighboring uses;
- the protection of trees, shorelines, and sensitive environmental features including, floodplains, steep slopes or wildlife habitat; and
- the location and design of roadways.

Enforcement of Building and Housing Codes

Building codes are designed to assure that new structures are of good quality, and housing codes are aimed at obtaining quality in existing housing. Both are worthwhile even though they necessitate the added burden of time and staff to enforce them.

HOUSING PROGRAMS

As federal housing and other related programs have disappeared, cities and counties have sought to aid the would-be homeowner. Maryland has mounted an ambitious housing program in 1986 in response to federal cutbacks. Most of the state housing programs are administered by the State of Maryland's Community Development Administration which offers a variety of housing programs that fall under the general categories of home ownership, rental housing, special loans and housing subsidy programs. The current programs are briefly described below:

Home Ownership Programs

Maryland Mortgage Program (MMP) - The purpose of the MMP is to enable low- and moderate-income households to purchase homes by providing below-market interest rate mortgage financing through private lending institutions. The MMP, which targets first-time home buyers, is available to individuals and households with incomes at or below 85 percent of the State median income.

Maryland Home Financing Program - Home Purchase (MNFP- PIRL) - The purpose of MNFP is to provide low-interest rate mortgages for lower-income households. The MMFP, which targets first-time home buyers, is available to individuals and households with incomes at or below 55 percent of the State median income.

Maryland Home Financing Program - Reverse Equity (MHFP-REMP) -The purpose of the MHFP-REMP is to enable elderly families of limited income to access part of their accumulated equity in order to pay for housing and other personal expenses to continue to occupy the home. For eligible applicants and properties, the Community Development Administration (CDA) will establish a line of credit up to a program maximum of \$50,000 from which funds may be requested on a monthly basis. No repayment of loans is required until the death of the last

surviving borrower, after the borrower voluntarily moves out, or after the sale or transfer of the property.

Settlement Expenses Loan Program (SELP) - SELP provides financial assistance in the form of low interest loans to pay settlement expenses.

Rental Housing Programs

Multi-Family Bond Program (MBP) - This program is designed to increase the construction and rehabilitation of multi-family rental housing for families with limited incomes. Tax exempt bonds and notes provide below-market rate construction and permanent financing to profit and nonprofit developers. A certain percentage of units in the project must be made available to low-income persons and households.

Rental Housing Production Program (RHPP) - The purpose of the RHPP is to increase the supply of rental housing for low-income families by providing below-market rate and deferred payment loans to developers. The program is designed to be used in conjunction with tax-exempt, private, local and federal loans.

Elderly Rental Housing Program (ERHP) - The purpose of the ERHP is to increase the supply of rental housing for low-income elderly households by providing below-market rate and deferred payment loans to developers. The program is designed to be used in conjunction with tax-exempt, private, local and federal loans.

Nonprofit Rehabilitation Program (NRP) - The purpose of the NRP is to provide low-interest mortgage loans to nonprofit organizations and local governments to rehabilitate housing for low-income households.

Partnership Rental Housing Program (PRHP) - The PRHP is intended to expand the supply of affordable housing for poor families through State and local government partnerships. Eligible projects include new construction and acquisition or rehabilitation of rental housing.

Maryland Housing Rehabilitation Program - Multi-Family (MHRP-MF) - The purpose of the Multi-Family Program is to provide loans to assist owners in bringing their multi-family units up to applicable building codes and standards.

Multi-family Home and Energy Loan Program (HELP-MF) - The purpose of the HELP is to finance rehabilitation and energy conservation of existing multi-family properties using the proceeds of tax-exempt bonds.

Construction Loan Program (CLP) - The CLP provides low-interest, construction financing loans to nonprofit and local governments to acquire, rehabilitate, or construct certain types of housing and for bridge loans to profit motivated developers.

Transitional Housing and Emergency Shelter Program - The THESP provides grants to improve or create transitional housing and emergency shelters for the purpose of reducing homelessness in the State.

Special Loan Programs

Maryland Housing Rehabilitation Program - Single Family (MHRP SF) - The purpose of the program is to preserve and improve existing small residential properties by bringing the properties up to applicable codes and standards. In 1990 this program was merged with the Liveability Code Rehabilitation Program.

Accessory, Shared and Sheltered Housing Program (ACCESS) - The purpose of ACCESS is to expand low cost housing opportunities for low-income households and low-income elderly, handicapped or disabled persons by financing the creation of accessory, shared, and sheltered housing facilities.

Indoor Plumbing Program (IPP) - The purpose of the IIP is to provide indoor plumbing in residential properties. Loans are made to income eligible households in owner-occupied single family units.

Residential Lead Paint Abatement Program (RELAP) - Loans are provided through the RELAP to reduce instances of lead poisoning of children by financing the abatement of lead paint in residential buildings.

Group Home Financing Program (GHFP) - The purpose of this loan program is to assist individuals and nonprofit organizations to construct or acquire and modify existing housing to serve as group homes or temporary and emergency shelter for income-eligible persons and households with special housing needs.

Special Housing Opportunities Program (SHOP) - The purpose of the Special Housing Opportunities Program (SHOP) is to assist non-profit organizations and local development agencies construct and acquire and modify existing housing to provide shelter and service individuals with special housing needs.

Special Targeted Area Rehabilitation Program (STAR) - The purpose of the STAR program is to preserve and improve single family properties. STAR was designed to bring properties up to applicable building codes and standards or a minimum housing quality standard.

Housing Subsidy Programs

Rental Allowance Program (RAP) - This program provides grants to local governments to provide flat rent subsidies to low-income families who are homeless or have emergency housing

needs. The purpose of the program is to help these families to move from temporary housing to permanent housing and self sufficiency.

Section 8 Existing Certificate/Voucher Program - A U.S. Department of Housing and Urban Development Program (HUD), Section 8 Existing is a rental assistance program which subsidizes the rent of low income families through the use of federal grants. This program is administered through the Maryland CDA.

Low Income Housing Tax Credit Program

The Federal Low-Income Housing Tax Credit, created by the Tax Reform Act of 1986 and extended by the Revenue Reconciliation Act of 1989, is designed to encourage private sector investment in the construction and rehabilitation of housing for low- and moderate-income families. The law gives states annual tax credit allocation based on population. CDA is the agency which allocates the state's tax credits on a competitive basis.

Infrastructure Program

The purpose of this program is to provide an efficient and economical means of access to capital markets in order to finance infrastructure projects to local governments. This program is administered through the Maryland CDA.

CHAPTER 7 HISTORIC FEATURES

Goals

- ◆ Preserve all Town historical structures.
- ◆ Encourage the revitalization of historical structures that require attention.
- ◆ Promote a strong sense of community pride for Town residents;
- ◆ Encourage community revitalization through the renovation or adaptive reuse of older structures;
- ◆ Increased property values and tax revenues as a result of renovation and restoration; and
- ◆ Increased revenues generated from tourism.

Objectives

- Support the promotion of historic sites through tourism efforts and business services that are complementary to historic areas.
- Support the efforts of preservation and cultural organizations in the Town and encourages open communications between those same organizations.
- Encourages school and community participation in historical resource management programs through education and public awareness.
- Encourage the preservation, renovation, restoration and adaptive reuse of buildings with historical and architectural significance.
- Seek out Federal and State funding programs which might be used to assist restoration and upkeep of the buildings.
- Examine the feasibility of establishing a local Historic District through the appointment of a Historic Commission or advisory board.

BACKGROUND

History can be kept alive through education and preservation, both of which can take many forms and vary in intensity. Old homes can be restored such that they are comfortable homes of today or they could be refurbished as an office. Historic sites can honor the past while providing a place for leisure activities. An old church can still hold worship services similar to those held one hundred years ago. A number of programs exist to help individuals and groups temporarily or permanently protect sites and structures considered significant. The past is a building block for the future and, if a plan is to be comprehensive, it must incorporate that past as a key element of planning for the future.

Historic preservation is a program which involves the inventorying, researching, restoration, and ongoing protection of sites and structures having a significant local or national historic interest. Continued historic and cultural resource preservation and enhancement through sensitive land use planning and other administrative means would provide Denton with a number of benefits including:

- Promotion of a strong sense of community pride for Town residents;
- Community revitalization through the renovation or adaptive reuse of older structures;
- Increased property values and tax revenues as a result of renovation and restoration; and
- Increased revenues generated from tourism.

There are a number of structures and sites within the Town that are of historic, cultural, or architectural significance. These structures, given proper concern and recognition, have tremendous potential to serve as physical reminders of the history and heritage of our past.

In recent years, there has been considerable public concern that the vestiges of our heritage will be irretrievably lost. It has been found that an active historic and architectural preservation program could have beneficial social, economic and aesthetic impacts on the area. Therefore, rather than permit demolition, destruction, or abandonment of our rich heritage, an active historic preservation program is recommended. Such a program should permit the continued use of the identified sites and structures while simultaneously discouraging inappropriate exterior alterations. The development of a Historic Preservation Program for the Town should be the result of a cooperative effort between the public and private sectors of the community.

Significant Historical Features

In 1980, the Maryland Historical Trust published an Inventory of *Historic Sites in Caroline County*. The following historic structures have significant historical value or are historic structures of concern to the Town of Denton:

- Plaindelaing, first quarter, 19th century
- Miller's House, circa 1840, 1870, 1890
- Christ Episcopal Church, 1874

- Caroline County Courthouse, 1791, 1895, 1966
- 327 Market Street, late 19th century
- 12 Fifth Avenue, circa 1883
- Colored School, first quarter, 20th century
- Lydia Dyer House, circa 1790
- Annie Taylor House, circa 1800
- 7 N. 4th Street, circa 1810 with additions
- 4th and Fountain, circa first half 19th century with additions
- Denton Schoolhouse/Woman's Club of Denton, 1883
- Peoples Bank; Kent, Orgltree, and Thornton Law Offices, circa 1900
- Emerson-Fisher-Horsey House, circa 1879
- Law Building, circa 1905
- Denton Armory, circa 1938

HISTORIC FEATURES RECOMMENDATIONS

The following programs and strategies are designed to facilitate achieving this Plan's goal of preserving and enhancing the Town's rich cultural and historic heritage.

Historic District Zoning

Preserving the intrinsic value of these historic properties from decay and demolition can be achieved through Historic District Zoning. A locally zoned historic district is an overlay on the existing zoning ordinance of a specified area or areas designed to maintain its visual character through the monitoring of exterior changes, alterations, and demolitions of buildings and structures of architectural or historic significance. An ordinance is adopted to create the local historic districts) (one property or building may constitute a district), and a Historic District Commission is appointed by Town officials to carry out the provisions of the ordinance. The Commission is charged with reviewing all building permits applied for within the historic district boundaries. Whenever exterior changes are proposed by the owner, the Commission must examine the plans to ensure the changes do not destroy the architectural character of a historic building. No review is necessary for regular maintenance, repairs or painting.

The main purposes of historic area zoning are:

1. To safeguard the heritage of Denton by preserving the district or districts therein which reflect elements of its cultural, social, economic, political or architectural history;
2. To stabilize and improve property values;
3. To foster civic beauty;
4. To strengthen the local economy; and
5. To promote the use and preservation of Historic Districts for the education, welfare, and pleasure of the residents of Denton and Caroline County.

A Historic District Commission is an extension of the powers of local government, both aim to stabilize and improve the properties in commercial and residential areas by supplementary

regulations and imposed standards. Historic District Commissions are generally composed of from three to seven volunteer citizen residents who should be qualified by special interest, knowledge or training in such fields as history, architecture, preservation or urban design. State enabling legislation broadly directs Local Historic District Commissions to consider the following when reviewing plans for proposed exterior changes.

1. The historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area;
2. The relationship of the exterior architectural features of the structure to the remainder of the structure and the surrounding area;
3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used; and
4. Any other factors including aesthetic factors which the Commission deems pertinent.

The Commission is to be strict with plans involving buildings of significant historic or architectural value, but lenient with plans for buildings of "little historic value". The Commission also is recommended to negotiate with property owners proposing demolition of significant buildings to attempt to formulate an economically feasible plan for adaptive reuse. The Commission should work with the Town to recommend they take into account certain design elements when considering new construction within historic districts including:

1. The impact of building use on the district - uses that generate parking problems, for example;
2. Preservation of street continuity - by size of structure, building scale, or parking area;
3. Preservation of street character - pavements and sidewalks; and
4. Preservation of environment - landscaping and street furniture.

Adaptive Re-Use

The Town should adopt zoning provisions that promote the adaptive reuse of historic structures for public and private uses including, but not limited to, bed and breakfast establishments, craft/gift shops, museums, and studio space for artisans, when such uses minimize exterior structural alteration.

Development Proposal Review

The Zoning Ordinance and Subdivision Regulations for the Town should require developers to identify cemeteries/burial grounds/archaeological sites/historical structures on a property prior to any disturbance of the site and support archaeological and historical research through preservation of significant sites.

Heritage Tourism

Heritage Tourism is an economic development strategy that attempts to increase visits by persons from outside the area who are interested in the historical or lifestyle offerings of the community. Heritage Tourism emphasizes the linkages and interconnections between the area's physical features (rivers, streams, forests, wildlife) and its cultural features such as roads, buildings, towns, history, art, etc. Nation-wide studies have determined that cultural landscapes and region with special natural and historic qualities are among the most important attractions to tourists (Lower Susquehanna Heritage Greenway Resource Report, 1994).

Recognizing the potential benefits of "eco-tourism," the Maryland Legislature passed House Bill 1, entitled "Heritage Preservation and Tourism Areas," in April 1996. Among other things this legislation authorizes grant and loan funds for planning, design, development, preservation, restoration, interpretation, marketing, and programming of certified heritage areas. In addition, the legislation expands the local jurisdiction's authorized income tax credits for qualified rehabilitation of properties included in the boundaries of a certified Heritage Area. These heritage areas are identifiable and significant landscapes that are the focus of cooperative public and private efforts to recognize, organize, and communicate a community's natural, cultural, recreational, and economic attributes to stimulate the local economy and improve the quality of life.

It is recommended that the Town work closely with the County to have the Central Business District recognized as a heritage area, included in the larger Mid-Shore heritage area. The heritage area designation has many tangible benefits, some of which include:

- **Increased visitor spending.** Heritage tourism projects attract more visitors, with higher incomes, for longer trips, making more repeat visits.
- **Shared resources.** Heritage tourism projects increase the amount of funds available to accomplish projects. They increase a community's ability to compete more effectively for outside money.
- **Alternatives to homogenizing tourism.** Heritage tourism offers alternatives to sprawl-types of tourism, instead focusing on a "sense of place" allowing Denton to preserve its social character and environmental resources.

The focus of heritage tourism will be on the Central Business District with the shops and restaurants which attract such tourists. Heritage tourism will bring business to the heart of the local economy and possible funding for rehabilitation of the area.

Protection and Preservation Programs

A number of existing programs provide assistance in protection or preservation, offer tax benefits, provide professional historical/architectural consulting, and so forth. More detailed information on programs including the National Historic Landmark, National Register of Historic Places, Conservation and Preservation Easements, and Historic Overlay Districts can be found from various historic preservation organizations such as the Maryland Historical Trust.

National Register of Historic Places. In 1966, Congress established the National Register of Historic Places as the Federal Government's official list of properties, including districts, significant in American history and culture. In Maryland, the Register is administered by the Maryland Historical Trust. Some benefits resulting from a listing in the National Register include the following:

- National recognition of the value of historic properties individually and collectively to the Nation.
- Eligibility for Federal tax incentives and other preservation assistance.
- Eligibility for a Maryland income tax benefit for the approved rehabilitation of owner-occupied residential buildings.
- Consideration in the planning for federally and state assisted projects.

Listing does not interfere with a private property owner's right to alter, manage or dispose of property.

Maryland Historical Trust. The Maryland Historical Trust (MHT) surveys historic buildings, structures and archaeological sites to determine eligibility of being listed on the state register. As with being on the National Register of Historic Places, listing does not limit or regulate the property owner in what can or cannot be done with the property. In order to be considered for listing on the National Register or having an easement on the property to be accepted by the MHT, the site usually must first be listed on the Maryland Historical Trust Register.

Maryland Historic Preservation Easement. A state-held historic preservation easement monitored by the MHT is an excellent means of perpetually preserving a historical structure and property for future generations. Regulations state that easements may be assignable to other parties or run with the land. The benefits for a property owner to donate his land to the MHT include income, estate, inheritance, gift and property tax benefits. In exchange, the owner gives the MHT the final word regarding proposed alterations. However, for properties whose fair market value is largely based on the value of development rights, this method of preservation may not be the most financially expedient for the property owner or for the MHT.

Preservation Incentives

The Maryland Historical Trust also provides financial assistance programs to encourage heritage resource activities. They include grants, loans, and tax incentives.

Historic Preservation Grant Fund. The Historic Preservation Grant Fund was created to encourage the preservation of historic properties statewide. Capital grant monies are available to non-profit organizations, local jurisdictions, business entities and individual citizens committed to preserving their historic resources. The funds can be used for pre-development and development activities including acquisition, rehabilitation, or restoration of historic properties. The maximum grant award is \$40,000 and some matching requirements apply. Applicants must convey a perpetual historic preservation easement to the Trust prior to the receipt of funds.

Historic Preservation Loan Program. The Historic Preservation Loan Program provides loans to non-profit organizations, local jurisdictions, business entities and individual citizens to assist in the protection of historic property. Loan funds can be used to acquire, rehabilitate or restore historic property. They may also be used for short-term financing of studies, survey, plans and specifications, and architectural, engineering, or other special services directly related to pre-construction work. The low interest loans, which average \$100,000, are available on a first-come, first-served basis throughout the year. Successful applicants must convey a perpetual historic preservation easement to the Trust.

Rehabilitation Tax Incentive Programs. Historic structure rehabilitation tax incentives are available at the federal and state level. The federal tax program allows homeowners or long-term lease holders of income-producing certified historic structures to receive a federal tax credit of up to 20 percent of the cost of the rehabilitation. The state program allows owner-occupants to receive a state income tax subtraction for 100 percent of the cost of rehabilitation.

CHAPTER 8 IMPLEMENTATION

The Town Comprehensive Plan is intended to capture a vision of the future of Denton. As such, it provides a basis for a wide variety of public and private actions and development decisions which are to be undertaken in the Town. It provides general guidelines to the local community in order that piecemeal improvements or day-to-day decisions can be properly evaluated against their long-range impact upon the community and their relationship to existing settlement patterns. The Plan, and in particular the Land Use Element indicates the proposed general or conceptual development pattern of the community expected through 2020. It is not a detailed blueprint. It is, however, a guide which delineates and encourages patterns of development which permit orderly and economical growth of the community in a manner which can be more efficiently served with a variety of governmental services and facilities.

Sections which follow identify methods to implement plan proposals. Implementation involves the concerted actions of both Town elected officials and certain appointed boards. The responsibilities of these parties and their respective roles in the implementation of the plan are summarized.

MAYOR AND COUNCIL

The Mayor and Council are the final authority concerning decisions to adopt or revise and amend the Comprehensive Plan for Denton. They are also involved in implementing Plan proposals. As chief elected officials of the community, they are responsible for directing public concern into a public policy and addressing community needs through public action. The Plan is designed to assist the community in improving both the environmental atmosphere of the area and the quality of life for people. To accomplish these goals, the Mayor and Council will be primarily responsible for undertaking the following actions to make the Plan adopted public policy.

- The Mayor and Council must, under Maryland law, review and adopt the Comprehensive Plan. This procedure is necessary for the community to have a foundation for adopted Zoning and Subdivision regulatory controls, or to serve as a basis for their revision.
- The Mayor and Council must review specific Town policies, programs and improvement projects in accordance with the Comprehensive Plan. They will coordinate with the County government as well as various State and Federal agencies to alert them to the Town planning objectives.
- The Mayor and Council will provide advice, coordination and direction on development activities and proposed programs.

RECOMMENDATIONS

- Officially adopt the Denton Comprehensive Development Plan after appropriate review, discussion and public hearings.
- Subsequently adopt Denton Zoning Ordinance and Subdivision Regulations to implement the land use policies of the Comprehensive Plan.
- Establish and maintain appointments to the Town's Planning Commission, Board of Zoning Appeals, and other committees which may be required from time to time in Plan-related actions or activities.

PLANNING COMMISSION

The Planning Commission appointed by the Mayor and Council is instrumental in directing the Comprehensive Planning efforts of the Town of Denton. One of the most significant roles for the Planning Commission in the Town development process is to serve as a coordinating body. The Maryland Planning and Zoning Enabling Act (Article 66B) provides the Planning Commission with broad authority to review, study and recommend solutions to various local development issues.

RECOMMENDATIONS

- The Planning Commission must approve the Plan and recommend its adoption by the Mayor and Council. The Plan must conform to the basic elements required by State law.
- The Commission should promote public understanding of the Plan and what it seeks to accomplish and to incorporate citizen participation in the planning process.
- The Commission should recommend to appropriate public officials programs for construction of public structures and improvements which are necessary to implement the Plan.
- The Commission should prepare and file an Annual Report with the Mayor and Council. The report is the method through which the Planning Commission identifies changing conditions within the Town and brings these Conditions to the attention of the Mayor and Council.

In addition to the duties generally identified by Article 66B, the Planning Commission is charged with a variety of specific administrative functions which are more directly related to day to day decisions which cumulatively effect implementation of the Plan. These functions include:

- Review and approval of all subdivision proposals consistent with the Comprehensive Plan, Zoning Ordinance and requirements and authority established by the Town Subdivision Regulations.
- Review, report and recommend to the Mayor and Council on all rezoning requests brought before the Town. The Commission reviews each proposal for consistency with the Town Comprehensive Plan as per standards for review contained in the Town Zoning Ordinance.
- Review and comment upon various requests for special exceptions and variances which are ultimately decided by the Town Board of Appeals.
- Review and approve site plans and design sketches for substantial new development and redevelopment proposals.

BOARD OF APPEALS

A Board of Appeals must be established and members appointed by the Mayor and Council of Denton in accordance with Article 66B. The Board of Appeals will have the following power and duties when a zoning ordinance is adopted:

- Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the ordinance.
- Hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.
- Authorize upon appeal in specific cases a variance from the terms of the ordinance.

IMPLEMENTATION TOOLS

Many of the recommendations for land use and sensitive areas protection are best implemented through the land development regulations of the Town. The primary methods to be used to give direction to the growth and development of Denton include zoning, subdivision regulations, annexation, codes, and a Capital Improvements Program.

Zoning Ordinance

A most important concern of Denton is the control of land use. To avoid, erratic, untimely and incompatible development practices which have seriously jeopardized the environment of other communities, it is necessary for the Town to develop land use controls which are consistent with the Town's development character. The Plan's Land Use Element identifies land use policies which will govern the zoning ordinance preparation.

The Zoning Ordinance is the regulatory device adopted by the Commissioners which implements the Comprehensive Plan. The Zoning Ordinance involves the establishment of specific regulations governing the development and use of a particular parcel or parcels of land. The ordinance defines and describes various zones which can be applied and specifies detailed procedures governing a change of zoning.

Conventional zoning is the most commonly used device for guiding development at the local level in Maryland and many other parts of the country. It is usually employed to control the use of land and structures thereon, as well as to establish more detailed regulation concerning the area of the lot that may be developed (setbacks and separation of structures), the density of the development (minimum lot sizes, etc.) and the height and bulk of buildings and other structures. The general purpose of zoning is to avoid undesirable side effects of development by segregating incompatible uses and by maintaining adequate standards for individual uses.

The Town of Denton should develop and adopt a simple zoning ordinance that reflects the types of land use and community character that the Town wants to achieve for each of the Planning Districts. Two residential classifications of low and medium density should be provided. In addition, the Zoning Ordinance should include a mixed use district that corresponds to the Village Center District and permits commercial and business uses, a Highway-Oriented Commercial District, and an Industrial District.

The Town may want to consider requesting technical assistance from the County in administering their Zoning Ordinance. If this is the case, the Town's Zoning Ordinance should be consistent with the County Zoning Ordinance to the extent possible.

Other provisions that should be included in the Zoning Ordinance are discussed below.

Performance Standards

The Town of Denton should consider performance standards as a means to achieve sound, quantifiable planning standards. The term performance standard implies the existence of a firm standard that can quantitatively be determined. Instead of seeking to protect the environment to the maximum extent possible, it sets a standard for protection (floodplains 100 percent, woodlands 70 percent). There is no room to debate the achievement of a standard. If 32 percent of a woodland is to be disturbed, then the standard has not been met. It is clear that this type of planning means more work in developing the ordinance. The standards have to be tested, and the equity issues over the impact of the standard have to be carefully weighed before the standards are adopted. Once in place, however, there is a much lower demand on staff, since each review is a question of checking to see if the plan conforms to measurable standards. Time consuming debates, position papers, and reports that characterize ad hoc reviews dependent on arm twisting can be eliminated. The major difficulty with adopting performance standards is that it requires solving problems up front rather than postponing them to a later date and not every potential issue can be anticipated and resolved with quantitative standards. However, a better effort to quantify standards than is presently in place is clearly possible.

Bufferyard Performance Standards

One of zoning's most important functions is the division of land uses into districts that have similar character and contain compatible uses. All uses permitted in any district have generally similar nuisance characteristics. In theory, the location of districts is supposed to provide protection, but in Denton this is not always the case because uses as diverse as single-family residential and commercial can occasionally be found adjacent to one another. Bufferyards will operate to minimize the negative impact of any redevelopment or future use of vacant land on neighboring uses.

The bufferyard is a combination of setback and a visual buffer or barrier and is a yard or area together with the planting required thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement of this Plan are designed to minimize nuisances between adjacent zoning districts to ensure the desired character along public streets and roads. The planting units required of bufferyards can be calculated to ensure that they do, in fact, function as "buffers".

Bufferyards should be required to separate different zoning districts from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

Chesapeake Bay Critical Area

The Town, in compliance with the Critical Area Law, has provided a program to protect and enhance its environmental resources. A system of maps recording information for each parcel within the critical area has been developed. Any proposed activities which will affect land use in the critical area, must be reviewed by the Town. The proposed development activity must comply with the regulations of the Critical Area Overlay Zone, as well as the Town of Denton Zoning Regulations and other town, county, state and federal laws.

Since the Denton Critical Area Program was adopted, a number of changes to the Critical Area Law and Critical Area Criteria have been adopted. In addition, the Critical Area Commission, through years of experience with local critical area programs and implementation issues, has developed a model Critical Area Program that is up-to-date, reflecting legislative changes and implementation experience. The Town of Denton should revise its existing Critical Area Program to comply with the State's model program. In addition, it is recommended that Town incorporate the implementation provisions recommended in their Critical Area Program in the Denton Zoning Ordinance. Where the Critical Area and Sensitive Area regulations overlap, the stricter provisions will apply.

Sensitive Areas Protection

This section of the Plan recommends performance standards that implement three important goals of the Comprehensive Plan dealing with protection of natural resources management of stormwater quality, and avoiding conflicts between adjacent land uses. These performance standards should apply to all new development in the town. Additional performance standards should be required for new development adjacent to publicly owned sensitive natural resource areas and private conservation areas. In general, buffer protection measures should be similar to those required in the Chesapeake Bay Critical Area. The are as follows:

Perennial Streams - Where possible a 100 foot minimum setback from all perennial streams, as shown on U.S.G.S. 7.5 minute quadrangle maps or identified through other means, e.g., field surveys or the Caroline County Soil Survey, shall be required for any disturbance except road crossing and recreational access to the stream.

Ephemeral Streams - A 25 foot minimum setback from all ephemeral streams as identified on the U.S.G.S. 7,5 minute quadrangle maps or identified through other means, e.g., field surveys or the Caroline County Soil Survey, is recommended for any disturbance except road crossing.

Sensitive Soil Setback - There should be no disturbance of sensitive soils adjacent to the 100 foot perennial stream setback to a maximum distance of 160 feet. Sensitive areas should include hydric soils, floodplains, steep slopes, highly erodible soils, and highly permeable soils.

Nontidal Wetlands - There should be at least a 25 foot setback from nontidal wetlands. No direct or indirect disturbance to nontidal wetlands should be permitted except as allowed by State and Federal nontidal wetland regulations.

Vegetated Buffer in Stream and Nontidal Wetland Setbacks - Vegetation in the perennial stream and nontidal wetlands setbacks should be preserved and maintained in a natural state, or if not present, created through planting of native species appropriate to the site or preferably by allowing natural regeneration of native vegetation to occur, with active management to control exotic weeds as needed.

Steep Slopes - There should be no structures or impervious surfaces placed on slopes greater than 25 percent nor should grading or clearing be permitted on steep slopes. On slopes between 15 and 25 percent good engineering practices should be used for sediment and erosion control during construction, and slopes should be stabilized as soon after disturbance as possible.

Habitats of Rare, Threatened and Endangered Species - Rare, threatened and endangered species and their habitats should be protected as prescribed by Maryland DNR, Heritage and Biodiversity Conservation Program.

Forest Cover Protection - All land development should be required to limit clearing of natural vegetation and retain specimen trees to the extent possible, as determined by a forest stand delineation study and in accordance with the Forest Conservation Ordinance of the Town of Denton. Where an appropriate situation presents itself for passive recreation, the Planning Commission may require that open space on an applicant site, or on another site purchased for open space, be afforested to improve wildlife habitat and to provide passive recreational opportunities consistent with the offset provisions of the Town's Forest Conservation Ordinance.

Floodplain Protection - All areas within a designated Floodplain or zoned F-1, shall be subject to the Town of Denton Floodplain Ordinance as approved by F.E.M.A.

Stormwater Management (Creation of Impervious Surfaces) - All land development should be encouraged to minimize impervious surfaces through good site design, use of impervious surfaces where use by people or vehicles is infrequent, and full utilization of height limits on structures.

Street Trees

A new awareness of the importance of streets to the quality of life in our growth centers is needed. We must plan for streets that are pleasant to walk along. Development can and should create an exciting, attractive and vibrant community. New concepts — using the successful communities of our past — should be permitted, encouraged and preferred. As part of this philosophy, street tree planting should be required and specimen trees should be saved where possible. The Town should require that street trees be planted or retained along both sides of all newly created streets. All plantings should be done in conformance with the Forest Conservation Ordinance. At a minimum developers should be required either plant or retain sufficient trees so that for every 35 feet of street frontage there is at least an average of one deciduous tree that has or will have when fully mature a trunk at least 12 inches in diameter.

Open Space

A minimum common open space (spaces designed and intended for the use and enjoyment of all residents of the development) should be set aside in residential developments and improved with such complimentary structures, improvements as are necessary and appropriate for the use, benefit and enjoyment of residents of the development. Common open space areas should be exclusive of tidal wetlands and road rights-of-ways/parking areas and only a limited amount of those areas designated as nontidal wetlands.

Common open space may serve recreational purposes, preserve significant site features, and preserve open space. The uses authorized should be appropriate to the purposes intended to be served. Open space designed to serve recreational purposes should be appropriate to the scale and character of the cluster development, considering its size, density, expected population, and the number and type of dwelling units proposed.

At least 15 percent of any site should be set aside as permanent open space. Where possible, this open space should encompass streams and stream buffers. Stream buffers that are part of the pedestrian trails and/or bikeway system shown in this Plan should be dedicated to public use. The Planning Commission may allow payment in-lieu of open space in whole or in part. Planned and cluster communities should be required to set aside at least 30 percent of the site in permanent open space. In addition, at least 20 percent of a development site should be landscaped with tree species native to Caroline County. Stormwater management areas should not be considered as open space areas.

Neighborhood Parks

In order to implement the Open Space and Recreation objectives for the Town, all residential subdivisions should be required to provide recreation opportunities. The Town may require that all residential developments in the Town provide, at a minimum, (through dedication or reservation) recreational areas in the form of neighborhood parks at the rate of 0.005 acres per residential unit, with a minimum area of not be less than 5,000 square feet.

The Town Commissioners may permit payment of a fee in-lieu, dedication, reservation or a combination whenever these open space requirements cannot adequately meet the open space and recreation responsibilities of the development or if the development is less than 30 homes or within 1,500 feet from another park or playground. The fee in-lieu should be on a per-dwelling-unit basis as established by the Town. Fees collected should be deposited only in a designated account with funds expended only for planned park and recreation facilities.

The purpose of the neighborhood park is to provide adequate active recreational facilities to serve the residents of the immediately surrounding neighborhood within the development. Neighborhood parks may have, but are not limited to, the following illustrative types of facilities to serve the active recreational needs and count toward satisfaction of the neighborhood park requirements: tennis courts, racquetball courts, swimming pools, sauna and exercise rooms, meeting or activity rooms within clubhouses, basketball courts, swings, slides, and play apparatus.

Each development should satisfy its neighborhood park requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development. However, unless it appears that less than 5 percent of the residents of any development are likely to be children under 12, then at least 15 percent of the neighborhood park must be satisfied by the construction of "tot lots" (i.e. areas equipped with imaginative play apparatus oriented to younger children as well as seating accommodations for parents).

Neighborhood parks should be attractively landscaped and shall be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences. Each neighborhood park should be centrally located and easily accessible so that it can be conveniently and safely reached and used by those persons in the surrounding

neighborhood it is designed to serve. Each neighborhood park should be constructed on land that is relatively flat, dry, free of nontidal wetlands, and capable of serving the purposes intended.

As a concluding policy statement relative to the Town's proposed Open Space and Recreation System, it should be recognized that such a system can make a significant contribution toward improving the quality of life.

Towns Entryways - Highway Corridors and Scenic Roadways

The large-scale and permanent loss of scenic views, characteristic landscapes, and open space is perhaps the most devastating visual result of conventionally regulated commercial highway development in suburban areas. The tendency has been for zoning to encourage new development to line both sides of major roadways, eventually obscuring fields, pastures, or woodlands behind commercial frontage lots. This kind of homogenous development contributes greatly to the loss of rural character and community identity.

Another recurring design issue is citizen concern about scattered strip residential development (meaning a series of houses along a road each taking access from that road) in the rural areas of the County. This type of strip development presents a jarring visual intrusion into the County's flat and open landscape and adversely impacts the visual image one gets entering the Town from along the routes

The entrances to the Town are areas where access and aesthetics should be controlled in order to either avoid unappealing forms of commercial strip-development and resultant traffic congestion, or to preserve scenic rural views. Achieving this objective will require cooperation from the County. The entrances along MD 313, Camp Road, Hobbs Road, and MD 404 should be designated by the County and Town as important visual control corridors.

The Town should encourage the County to develop special zoning ordinance amendments and design guidelines to address this issue along the entryways into Denton. Access and aesthetics should be controlled in order to either avoid unappealing forms of commercial strip-development and resultant traffic congestion, or to preserve scenic rural views. Both of these objectives have great merit for the maintenance and improvement of rural character. Specific techniques that are recommended include minimum landscape requirements for all development, including street trees and bufferyards and access controls along all County roads.

Public perception of community character is most commonly experienced moving along public roads and from boats on water. Rural character along roads can be protected by requiring setbacks and vegetative screens to mitigate the harsh contrast of houses in the middle of open fields and the natural landscape.

The transportation (and visual) impacts of strip development can be limited by requiring that all lots be served by an internal access road. Driveway connection along entry roads to the Town from any site or lot to any street or road should be strictly limited, except where separate

entrances and exit driveways may be necessary to safeguard against hazards and to avoid congestion. These special Town entryway protection provisions should apply to all development including major and minor residential subdivisions.

Subdivision Controls

The second major implementation tool available to the Town is a Subdivision Ordinance. Under Maryland law, the Town has the authority to regulate the subdivision of land within Denton. After local adoption, subdivision regulations provide the local legislative body with regulatory powers to assure that land is developed in a manner which will best promote the public health, welfare, and safety, consistent with the Comprehensive Plan. Local regulations provide for the control of land development practices, establish uniform standards of development and recording, establish erosion control measures, guide the arrangement of streets, and establish the relationship between subdivision access routes and the existing transportation routes of the community. Local subdivision regulations provide a regulatory tool for coordinating the private division of land into lots or parcels consistent with public policy established by the Plan.

The primary purpose of the subdivision regulation is to coordinate private development practices with public policy. To this end, the regulation establishes basic standards and design principles for constructing community facilities. Although these facilities are normally paid for and installed by the private developer, the ultimate goal is to dedicate these facilities to the public body for maintenance and ownership. Therefore, it is necessary to establish standards in advance of installation by the developer in order that the Town be assured of developing a uniform system of public facilities.

As appropriate, the Town's Subdivision Regulations should be amended to implement the recommendations of this Comprehensive Plan. The Subdivision Regulations should give the Planning Commission the same authority to require land dedication for recommend pedestrian facilities, e.g., greenways, trails, sidewalks that they have in the case of streets.

ANNEXATION

Future annexations should be of sufficient size to allow for proper planning of land use and community facilities. Annexations should be in accordance with a predetermined policy which permits smaller areas to be annexed as a part of an overall pattern. Smaller area annexations should also be undertaken to clarify boundaries and to prevent "enclaves" from occurring.

Financial considerations play the paramount role in determining the course of future annexations both from the standpoint of the Town and its current residents and prospective residents of the area proposed for annexation.

The Town assumes considerable obligations to supply basic Town services to these areas as they develop. Unless development occurs within the areas immediately adjacent to existing development, a waste of public funds is involved in attempting to service remote and scattered

clusters of development. Financial policy is equally important to public policy criteria for annexation and for resolving practical problems for people living in future Town areas.

To avoid Town-County conflicts which might result from annexation broad annexation objectives are presented which establish guidelines for future annexation efforts.

- The primary purpose of future efforts should be to provide existing residents and future citizens of the area with public facilities and services necessary for protection of health and property.
- Proposed annexation areas should be economically self sufficient and should not result in larger municipal expenditures than anticipated revenues, which would indirectly burden existing Town residents with the costs of services or facilities to support the area annexed.
- The costs of providing roads, utilities, parks, other community services should be borne by those people gaining the most value from their existence through either income, profits or participation.

Consideration of these guidelines for future annexations should result in the expansion of the Town at a pace and manner which provides the maximum benefits of service at the lowest possible costs. Assurance is also extended to existing Town residents that new additions to the Town will be in accordance with long-range public policy.