

For Discussion - 12/9/2015  
Introduction - 12/9/2015  
Public Hearing - 12/9/2015  
Adopted – 1/13/2016  
Effective – 2/3/2016

**ORDINANCE NO. 469**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP FOR THE TOWN OF ST. MICHAELS TO RECORD THE COMPREHENSIVE REZONING OF INDIVIDUAL PARCELS AS NOTED HEREIN AND FURTHER DETERMINED IN THE LAND USE AND GROWTH MANAGEMENT CHAPTER OF THE 2015 COMPREHENSIVE PLAN FOR THE TOWN OF ST. MICHAELS AS ADOPTED ON OCTOBER 28, 2015.**

WHEREAS, the Commissioners of St. Michaels (the “Commissioners”), a Municipal Corporation, has been delegated certain powers pursuant to the Maryland Annotated Code, Local Government Code, Division II, and Land Use Article, Division II to govern the zoning and land use within its municipal boundaries; and

WHEREAS, the Code of the Town of St. Michaels, §340-92 Map amendments for comprehensive rezoning establishes that procedure for the Town to amend its Official Zoning Map by way of comprehensive rezoning; and

WHEREAS, the municipal boundaries of the Town, which include multiple zoning districts, were reviewed as part of the comprehensive rezoning process and as required by the Town Code; and

WHEREAS, in accordance with the requirements set forth under §340-92 of the Code of the Town of St. Michaels, a study of areas considered for rezoning were reviewed by the public under the 2015 Comprehensive Plan process and by the Planning Commission as part of the November 19, 2015 regular meeting; and

WHEREAS, the Planning Commission reviewed characteristics such as: the nature and extent of existing land uses, future conditions and purposes, and restraints, if any, imposed by roads, sewer facilities, and environmental factors; and

WHEREAS, a petition for a rezoning was received by the property owners herein; and

WHEREAS, all zoning changes proposed herein are found consistent with the future land uses proposed in the adopted 2015 Comprehensive Plan; and

WHEREAS, the comprehensive rezoning as proposed was approved by the Planning Commission and recommended by the Planning Commission to the Town Commissioners; and

WHEREAS, in accordance with §340-92(C) of the Code of the Town of St. Michaels, prior to voting on legislation to amend the Official Zoning Map through a comprehensive rezoning, the Commissioners shall conduct a public hearing on the legislation. Notice of the hearing shall be provided according to the requirements of § 340-93. A complete record of the hearing shall be kept. Once public notice of the hearing has been given, the legislation may not be altered prior to vote by the Commissioners; and

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WHEREAS, the Commissioners of St. Michaels held a public hearing on this 9<sup>th</sup> day of December, 2015 in the meeting room of the Edgar M. Bosley, Jr. Municipal Administration Building (Town Office), St. Michaels, Maryland.

NOW, THEREFORE BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that the Official Zoning Map of the Town of St. Michaels shall be and is hereby amended as follows;

AND BE IT FURTHER ORDAINED AND ENACTED, the Official Zoning Map of the Town of St. Michaels shall reflect the following changes:

<i>PROPERTY</i>	<i>ADDRESS</i>	<i>CURRENT ZONE</i>	<i>PROPOSED ZONE</i>
<i>Map 0200 Parcel 1570</i>	<i>211 N. Talbot</i>	<i>Partial Maritime Museum</i>	<i>Central Commercial</i>
<i>Map 0200 Parcel 1720</i>	<i>200 Dodson</i>	<i>Residential 2</i>	<i>Residential 3</i>
<i>Map 0200 Parcel 1719</i>	<i>202 Dodson</i>	<i>Residential 2</i>	<i>Residential 3</i>
<i>Map 0200 Parcel 1825</i>	<i>SW Fremont and Railroad</i>	<i>Residential 1</i>	<i>Central Commercial</i>
<i>Map 0201 Parcel 1855</i>	<i>123 Grace</i>	<i>Select Light Commercial</i>	<i>Residential 1</i>
<i>Map 0201 Parcel 1391</i>	<i>505 S. Talbot</i>	<i>Residential 1</i>	<i>Central Commercial</i>
<i>Map 0200 Parcel 2168</i>	<i>308 Watkins Ln.</i>	<i>Partial Residential 1</i>	<i>Waterfront Development</i>
<i>Map 0200 Parcel 1611</i>	<i>second parcel on Mill Street</i>	<i>Central Commercial</i>	<i>Maritime Museum</i>

AND BE IT FURTHER ORDAINED AND ENACTED, that the draft zoning map reflecting the above enumerated changes, attached hereto and incorporated by reference herein, shall become the Official Zoning Map for the Town of St. Michaels;

AND BE IT FURTHER ORDAINED AND ENACTED, that no new zones are being introduced or zoning being taken away from the zoning permitted by Chapter 340 of the Code of the Town of St. Michaels;

AND BE IT FURTHER ORDAINED AND ENACTED, that no proposed changes under Ordinance 469 alter any district boundaries of the Official Critical Area Overlay District Map;

AND BE IT FURTHER ORDAINED AND ENACTED, that no proposed changes under Ordinance 469 modify the Historic District boundaries;

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AND BE IT FURTHER ORDAINED AND ENACTED, that no proposed changes under Ordinance 469 alter the Priority Funding Areas as established by the Town of St. Michaels and State of Maryland;

AND BE IT FURTHER ORDAINED AND ENACTED, that no proposed changes under Ordinance 469 change the Sustainable Communities boundaries as previously adopted;

AND BE IT FURTHER ORDAINED AND ENACTED, that if any provisions of this Ordinance or the application thereof to any person(s) or circumstance(s) is held invalid for any reason in a court of law, the invalidity does not affect other provisions or any other applications of this Ordinance which can be given effect without the invalid provision(s) as contested, and for this purpose the provisions of Ordinance 469 and the Official Zoning Map of the Town of St. Michaels are declared severable;

AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect twenty (20) days from the date of its enactment, having been read at two (2) meetings of The Commissioners of St. Michaels and having been passed by a yea and nay vote of The Commissioners of St. Michaels.

HAVING BEEN READ for the second time and passed by a yea and nay vote of The Commissioners of St. Michaels at a Public Meeting of the Commissioners of St. Michaels held on this 13<sup>th</sup> day of January, 2016 in the meeting room of the Edgar M. Bosley, Jr. Municipal Administration Building (Town Office), St. Michaels, Maryland.

BORDERS	__yea__
CLARK	__yea__
HARROD	__yea__
MYERS	__yea__
WINDON	__yea__

I HEREBY CERTIFY that the above Ordinance No. 469 was passed by a yea and nay vote of The Commissioners of St. Michaels on this 13<sup>th</sup> day of January, 2016.

ATTEST  
\_\_\_\_\_

THE COMMISSIONERS OF ST. MICHAELS  
By: \_\_\_\_\_(SEAL)

Jean R. Weisman,  
Town Clerk / Manager

Joanne R. Clark, President

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I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 14<sup>th</sup> day of January, 2016, at 8:30 o'clock a.m. until the 2<sup>nd</sup> day of February, 2016, at 4:30 o'clock p.m., on the bulletin board at the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No 469, the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read on the bulletin board of the Town Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said Ordinance in a newspaper having general circulation in the Town of St. Michaels.

\_\_\_\_\_ (Seal)

Jean R. Weisman,  
Town Clerk / Manager