

ORDINANCE NO. 418

**AN ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ST. MICHAELS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CODE OF THE TOWN OF ST. MICHAELS FOR A COMPREHENSIVE REZONING AND THE RECOMMENDATIONS OF THE TOWN'S COMPREHENSIVE PLAN DATED DECEMBER 3, 2008.**

WHEREAS, the Code of the Town of St. Michaels, §340-92 (Map Amendments for Comprehensive Rezoning) establishes the procedure for the Town to amend its Official Zoning Map by way of a comprehensive rezoning; and

WHEREAS, in accordance with the requirements of Town Code, §340-92, this Ordinance was preceded by a study of the area considered for rezoning that was directed by the Town Planning Commission in response to the adoption of the 2008 Town Comprehensive Plan; and

WHEREAS, the study area included the entire Town and included a review of multiple zones as is required by the Town Code; and

WHEREAS, as is required by the Town Code, the study involved citizen participation in the form of information-gathering meetings; and

WHEREAS, the Planning Commission reviewed the characteristics of the study area, 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, the study assessed, for all areas the Planning Commission recommends for rezoning, consistency of the recommended zoning with the Comprehensive Plan; and

WHEREAS, the Planning Commission recommends to the Town Commissioners the proposed amendments to the Official Zoning Map of the Town of St. Michaels contained herein; and

WHEREAS, on the basis of the study, the Town Commissioners hereby propose this legislation amending the Official Zoning District Maps; and

WHEREAS, in accordance with the requirements of the Town Code, and prior to voting on this Ordinance to amend the Official Zoning Map of the Town of St. Michaels through this comprehensive rezoning, the Town Commissioners conducted a public hearing on the Ordinance, notice of which was provided in accordance with the requirements of Town Code, §340-93. Furthermore, a complete record of the hearing was kept; and

WHEREAS, once public notice of the hearing was given, the Ordinance was not substantively altered prior to the vote on the Ordinance by the Town Commissioners.

**SECTION 1. BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS, that the Official Zoning Map for the Town of St. Michaels shall be, and is hereby amended to reflect the following zoning changes:**

<u>Parcel</u>	<u>Current Zoning</u>	<u>New Zoning</u>
1564	NC	CC
1565	NC	CC
1566	NC	CC
1567	NC	CC
1568	NC	CC
1569	NC	CC
1570	NC	CC
1571	NC	CC
1572	NC	CC
1573	NC	CC
1611	MM	CC
1612	NC	CC
1613	NC	CC
1656	NC	CC
1657	NC	CC
1658	NC	CC
1663	NC	CC
1660, 1661-1662 (P/O)	NC	CC
1719	R2	R1
1720	R2	R1
112 Map 23	R1	RG
1365	PR	HRZ
1366	PR	HRZ
1367	PR	HRZ
1300	R-3/NC	GC
1301	NC	GC
1302	NC	GC
1231	NC	GC
1292	NC	GC
1293	NC	GC
1312	NC	GC
1313	NC	GC
1314	NC	GC
1315	NC	GC
1816	CC	PR Overlay
1817	CC	PR Overlay
1818	CC	PR Overlay
1831	CC	PR Overlay
1832	CC	PR Overlay
1833	CC	PR Overlay
1834	CC	PR Overlay
1854A		R1
1862	SL	R1
110	R1	PF
7 Map 32	A	RG

The Official Zoning Map of the Town of St. Michaels reflecting the above-enumerated changes, which is attached hereto and is incorporated by reference herein (to include the digital data from which the maps have been generated), shall become the Official Zoning Map for St. Michaels.

SECTION 2. BE IT FURTHER ORDAINED AND ENACTED, that the Official Zoning Map shall take effect immediately upon the effective date hereof.

SECTION 3. BE IT FURTHER ORDAINED AND ENACTED, that nothing in this Ordinance amends any existing district boundary between the Critical Area and the non-Critical Area, or any existing boundary between Resource Conservation Areas, Limited Development Areas, or Intensely Developed Areas within the Critical Area.

SECTION 4. BE IT FURTHER ORDAINED AND ENACTED, that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. 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 INTRODUCED, read for the first time and ordered posted on the Town bulletin board at the Public Meeting of The Commissioners of St. Michaels held on the 12<sup>th</sup> day of May, 2010, at 5:00 o'clock p.m., in the meeting room at the Town Office, St. Michaels, Maryland.

 (SEAL)  
CHERIL S. THOMAS  
Town Clerk\Manager

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 26<sup>th</sup> day of May, 2010, at 6:30 o'clock p.m., in the meeting room of the Town Office, St. Michaels, Maryland.


BRADY	-	<u>yea</u>
CLARK	-	<u>yea</u>
DINKEL	-	<u>yea</u>
HUNT	-	<u>yea</u>
SNYDER	-	<u>yea</u>

I HEREBY CERTIFY that the above Ordinance No. 418 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 26<sup>th</sup> day of May, 2010.

ATTEST:

THE COMMISSIONERS OF ST. MICHAELS

  
Cheril S. Thomas, Town Clerk\Manager

By:  (Seal)  
Michael W. Brady, President

Ordinance 418  
Adopted 05/26/10

I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 27<sup>th</sup> day of May, 2010, at 8:30 o'clock a.m. to the 17<sup>th</sup> day of June, 2010, at 8:30 o'clock a.m., on the bulletin board at the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 418, 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.

Date: 6/17, 2010

 (Seal)  
Cheryl S. Thomas, Town Clerk/Manager