

ORDINANCE NO. 410

AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF ST. MICHAELS AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 (ZONING), §340- 26 "CENTRAL COMMERCIAL ZONE", TO ALLOW COMMUNITY CENTERS AS A PERMITTED USE AND TO AMEND §340-108 (DEFINITIONS) TO ADD A DEFINITION OF "COMMUNITY CENTER"; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY OF ORDINANCE NO. 410; AND MATTERS GENERALLY RELATING TO COMMUNITY CENTERS IN THE TOWN OF ST. MICHAELS

WHEREAS, the Commissioners of the Town of St. Michaels (the "Commissioners") desire to provide for a place where the members of the community can meet for social, cultural, educational or recreational purposes; and

WHEREAS, the Commissioners find that such a place ideally should be located within the Town to provide for ease in accessing the facility for all citizens of the Town; and

WHEREAS, it is the desire of the Commissioners of the Town of St. Michaels (the "Commissioners") to amend Chapter 340 of the Code of the Town of St. Michaels by making textual changes to Sections 340-26 (Central Commercial Zone) to permit community centers within that zone; and to amend Chapter 108 (Definitions) to include a definition of "Community Center"; and

WHEREAS, the Commissioners referred proposed Ordinance No. 410 to the St. Michaels Planning Commission (hereinafter the "Planning Commission") for the purpose of evaluating the consistency of the proposal with the Comprehensive Plan and after taking into consideration the comments made at that meeting, the Planning Commission has recommended to the Commissioners that Chapter 340 of the Code of the Town of St. Michaels **(be/not be)** amended substantially in the form as hereafter set forth; and

WHEREAS, public notice was published on November 2, 2009 and November 9, 2009 that a public hearing would be held by the Commissioners on November 18, 2009 concerning Ordinance 410; and

WHEREAS, all the requirements of the Maryland Code (1957) Article 66B, as amended, and Article XII of Chapter 340 of the Code of the Town of St. Michaels, have been satisfied; and

WHEREAS, after having given due public notice, the Commissioners conducted a public hearing on November 18, 2009 to receive public comment on the aforesaid amendments; and

WHEREAS, the Commissioners deem it in the interest of the public and for the good government of the Town to enact the following Ordinance.

SECTION 1.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 340 (Zoning), Section 340-26 "Central Commercial Zone CC of the Code of the Town of St. Michaels is hereby amended to add community centers as a permitted use as follows, with new language shown in *italics* and underlined and deleted language shown in **bold** and with a ~~strikethrough~~:

§340-26 Central Commercial Zone CC.

The regulations of this zone are intended to promote, protect and provide for the retail services center of the community and the surrounding regions.

A. Permitted principal uses:

- 1) Retail and/or service-oriented businesses.
- 2) Business and/or professional and/or government offices and/or banks.
- 3) Restaurants.
- 4) Hotels and/or motels.
- 5) Clubs and/or lodges.
- 6) Automobile parking lots.
- 7) Theaters and places of indoor amusement.
- 8) Bed-and-breakfast inns.
- 9) Libraries and schools as defined in §340-108 of this chapter.
- 10) Police stations and other government services.
- 11) Public parks.
- 12) Apartments on the second and third floors of commercial structures.
- 13) Municipal parking lots.
- 14) Community Center

SECTION 2.

BE IT FURTHER ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 340 (Zoning), Section 340-108 "Definitions" of the Code of the Town of St. Michaels is hereby amended to add a definition for "community center" as follows, with new language shown in *italics* and underlined.

340-108 Definitions

COMMUNITY CENTER - A meeting place used by members of the community for social, cultural, educational or recreational purposes.

SECTION 3.

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 for public review at a Public Meeting of The Commissioners of St. Michaels held on the 18th day of November 2009, at 6:30 o'clock p.m., in the meeting room at the Edgar M. Bosley, Jr. Municipal Building, (Town Office), 300 Mill Street, St. Michaels, Maryland.

I HEREBY CERTIFY THAT A COPY OF THE ORDINANCE AS INTRODUCED WAS

Ordinance 410
Adopted 12/16/09

POSTED for public review in the lobby of the Town Office from 8:30 a.m. on the 19th day of November, 2009 to 8:30 a.m. on the 16th day of December, 2009.

Cheril S Thomas (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 16th day of December, 2009, at 6:30 o'clock p.m. in the meeting room at 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. 410 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 16th day of December, 2009.

ATTEST:

THE COMMISSIONERS OF ST. MICHAELS

Cheril S Thomas
Cheril S. Thomas, Town Clerk\Manager

BY: *Michael W Brady* (SEAL)
Michael W. Brady, President

I HEREBY CERTIFY that an exact copy of this Ordinance, as adopted, was posted for public review from the 17th day of December, 2009, at 8:30 o'clock a.m. to the 5th day of January, 2010, at 4:30 o'clock p.m., in the lobby of the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 410, the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read in the lobby 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: *January 6*, 2010

Cheril S Thomas (Seal)
Cheril S. Thomas, Town Clerk\Manager