

Ordinance No.99  
Zoning Ordinance Amendment  
Subject: Article IV PUD-M  
Article V C-G  
Article VII C-H

**Purpose**

For the purpose of amending the Zoning Ordinance in order to revise existing provisions.  
Text amendments adopted April 12, 1999.

**Ordinance**

Whereas, under the provisions of Article 66B of the Annotated Code of Maryland, the Town Council of Leonardtown for Leonardtown, Maryland, is empowered to adopt, revise and amend the Leonardtown Zoning Ordinance; and

Whereas, the current Zoning Ordinance, Article IV PUD-M, Article V C-G, Article VII C-H has been amended.

Section 1. The Leonardtown Zoning Ordinance heretofore adopted and currently in effect shall be and the same is hereby amended as follows: See schedule A attached.

Section 2. This ordinance shall have retroactive effect, effective the date of adoption.

Approval date: March 12, 2001

Attest:

Laschelle E. Miller  
Laschelle E. Miller  
Town Administrator

**Commissioners of Leonardtown**

J. Harry Norris  
J. Harry Norris, Mayor

Ruth W. Proffitt  
Ruth W. Proffitt, Vice President

Michael L. Bridges  
Michael L. Bridges, Councilman

Charles R. Faunce  
Charles R. Faunce, Councilman

Walter R. Gillette  
Walter R. Gillette, Councilman

Walter Wise  
Walter Wise, Councilman

PUD-M  
C-H, ✓  
+ C-G ✓  
IV  
VI

ARTICLE V

C-G General Commercial District

§ V-1. PERMITTED USES.

No building or premises shall be erected, structurally altered, enlarged or maintained nor shall any land be used, except for the following purposes:

- A. Retail stores *under 20,000 sq. ft.*
- B. Personal service establishments, such as, but not limited to, banks, barbershops, restaurants, florists, newspaper dealers, taverns, dressmaking, tailors, decorators and repair shops.
- C. Offices and office buildings, which may have a height of five stories or fifty feet.
- D. Medical office buildings and clinics, which may have a height of five stories or fifty feet.
- E. Semipublic and institutional uses, such as but not limited to service clubs, fraternal orders, boys clubs, girls clubs and scout clubs.
- F. Theaters, except drive-in theaters.
- G. Hotels and motels, guesthouses or tourist homes.
- H. Temporary exposition centers, fairgrounds, circus or carnival grounds, amusement parks or midways for a time period not to exceed fourteen days.
- I. Funeral homes.
- J. Self-service laundry and dry-cleaning establishments.
- K. Accessory buildings and uses.
- L. Multiple-family dwellings, conditioned upon demonstration of strict compliance with the off-street parking requirements of Article XI.

§ V-2. Conditional Uses.

The following uses of land, buildings or structures in the C-G District shall be permitted only after Planning and Zoning Commission review and recommendation and with the approval of the Town Commissioners. Supplementary regulations and procedures are contained in Article XIII.

- A. Filling stations, so long as the bulk storage of flammable liquids is underground and pumps are located at least fifteen feet from the street line. The orientation of the building shall be such

that the service bays are not facing the main street. Screen planting and walls shall be so located as to enhance the design of the building and lessen impact on neighboring structures.

B. Hospitals or clinics for small household pets and dog kennels, so long as odors and noise do not permeate beyond the premises and into the surrounding area.

C. Automobile-related uses, such as but not limited to new and used car lots, automobile repair shops, automobile storage lots and garages, automobile parts shops, automobile upholstery and paint shops and automobile body shops.

D. Bowling alleys and billiard parlors.

*E. Retail stores 20,000 sq. ft. and over must present a concept plan, market study, traffic study and any additional information requested.*

#### § V-3. SPECIAL EXCEPTION USES

The following uses of land and buildings within the C-G District shall be allowed only by special exception to this chapter, granted only by the Board of Zoning Appeals. Standards and procedures for special exceptions are contained in Article XVII.

A. Joint use of off-street parking facilities.

B. One or more dwelling units.

#### § V-4. HEIGHT, BULK AND AREA REQUIREMENTS.

All standards are summarized in Chart A, Height, Bulk and Area Requirements. The setback for all buildings in the C-G District shall be three feet for buildings of a height up to fifteen feet, for buildings over fifteen feet, an additional foot of setback shall be provided for each foot of building height over fifteen feet. Freestanding buildings or structures shall have landscaping at the sides and in the rear of the lot. Where a group of businesses share a common wall, they shall be considered as one building occupying one lot. No building shall exceed a height of forty-five feet or three stories, unless otherwise provided.

**Commissioners of Leonardtown**  
**Minutes**  
**Monday, April 12, 1999**  
**4:00 P.M.**

**Attendees:**

**J. Harry Norris, III, Mayor**  
**Ruth W. Proffitt, vice-president**  
**Susan H. Erichsen, Commissioner**  
**Charles R. Faunce, Commissioner**  
**Walter R. Gillette, Commissioner**  
**Walter Wise, Commissioner**  
**Teresa A. Saulen, Secretary**

Also, in attendance were: Robert O. Guyther, Town Administrator; Rebecca Sothoron, Treasurer; Colleen Bonnel, Town Planner; DFC Craig Guy and Mark Clark, SMCSO; Doug Ritchie, SMENS; Frank and Joan Holmes, and Joseph W. Wood.

The regular meeting of the Commissioners of Leonardtown was at Tudor Hall and convened at 4:00 P.M. and was called to order by Mayor Norris. The Pledge of Allegiance was led by Teresa Saulen.

**The regular Town Council meeting was closed for the Public Hearing regarding the FY2000 Budget. Commissioner Gillette made a motion to close the meeting. The motion was seconded by Commissioner Faunce; approved and carried unanimously.**

The regular Town Council reconvened at 4:10 P.M.

**Commissioner Erichsen made a motion to adopt Ordinance 86: FY2000 Budget as presented. The motion was seconded by Commissioner Wise; approved and carried unanimously.**

### **TREASURER'S REPORT**

Mrs. Sothoron informed the Council of the following:

- As of March 31, the town is 75% through the Budget Year. The Income Statement looks good.
- There was a \$20,000 transfer from the MLGIP account to the Operating Account to cover expenses.

Mrs. Sothoron said that a gentleman will be coming to the office to discuss software for the Y2K issues. He is from the firm that has merged with the Town's prior software consultant. Mrs. Sothoron said probably she will know where the Town's computer system stands for the Y2K issues. He will hopefully recommend upgrades for the software and hardware for the Y2K. Mrs. Sothoron said that the staff will continue to experience problems until all staff is operating with the same software.

TC MINUTES  
4/12/99

Mr. Guyther stated that the motions that are required for the Public Hearing for the State Highway Property are for the Annexation, Creation of the Recreation, Parks Zoning District, Rezoning the State Highway Property to the Recreation, Parks District and last would be the Text Amendment on the retail stores.

**Commissioner Erichsen made a motion to annex the State Highway Property, known as Parcel #173, #85, and #84 located on Tax Map #26. The motion was seconded by Commissioner Proffitt; approved and carried unanimously.**

**Commissioner Erichsen made a motion to adopt the Text Amendment for the Recreation and Parks District to the Leonardtown Zoning Ordinance. The motion was seconded by Commissioner Proffitt; approved and carried unanimously.**

**Commissioner Erichsen made a motion to Rezone Parcels #173, #85, and #84 on Tax Map #126 to the newly created Recreation, Parks District for the Leonardtown Zoning Ordinance. The motion was seconded by Commissioner Faunce; approved and carried unanimously.**

**Commissioner Erichsen made a motion to adopt the Text Amendment to include retail stores more than 20,000 square feet to be Conditional Use. The motion was seconded by Commissioner Gillette; approved and carried unanimously.**

**COUNCIL REPORTS Cont...**

Police Report cont. . . . Commissioner Gillette said that he is trying to set up a meeting with Sheriff Voorhaar to discuss a few issues.

Planning and Zoning. The Site Plan for the combined KFC and Taco Bell was approved on the site to be known as the Dash-In located on the corner of Routes 243 and 5. The Shops at Breton Bay presented their Site Plan and was tabled until the next meeting. The car port structure located outside of Mattingly's Finer Foods was approved and can be purchased at the True Value store.

Commissioner Wise questioned why was the Shops at Breton Bay tabled? Commissioner Erichsen responded that there were numerous items that need to be addressed and clarified on their Site Plan.

Culture and History. There was a total of 10 scholarship applications submitted for the SMMA Scholarship. Out of the ten, four were being considered for the scholarship. One was from Lusby, two from Waldorf, and one from Huntingtown. The scholarship will be awarded at the next SMMA meeting which will be held in Port Tobacco on Tuesday, May 18. The meeting will be held in their Court House at 7:00 P.M. Port Tobacco has just recently become a member of the SMMA.

Commissioners of Leonardtown  
Public Hearing: Annexation, Rezoning and Text Amendment  
Monday, April 12, 1999  
4:30 P. M.

SHA + 20,000  
sq. ft

Attendees:

J. Harry Norris, III, Mayor  
Ruth W. Proffitt, vice president  
Susan H. Erichsen, Commissioner  
Charles R. Faunce, Commissioner  
Walter R. Gillette, Commissioner  
Walter Wise, Commissioner

Also, in attendance were: Robert O. Guyther, Town Administrator; Rebecca Sothoron, Treasurer; Colleen Bonnel, Town Planner; Doug Ritchie, SMENS; Frank and Joan Holmes, and Joseph W. Wood.

Mayor Norris opened the Public Hearing meeting at 4:30 P. M. for the Annexation, Rezoning and Text Amendment of the State Highway Property. Mayor Norris asked Mrs. Bonnel, Town Planner, to present and explain the hearing.

Mrs. Bonnel said a legal notice was published in the Enterprise. The first item to be addressed is the annexation of the State Highway Property into the Leonardtown Corporate limits. The parcel numbers are #173, #85 and #84. Leonardtown is the owner of parcels #173 and #85. The County is the owner of parcel #84. A copy of the public hearing notice was mailed to the County Commissioners. A letter was also mailed to the County Commissioners and at this time there has been no response from the County Commissioners. The second issue of the State Highway property is the new zoning category, which will be Recreation and Parks. Included in the Council's package is the zoning category for Recreation, Parks. This was approved by the Planning and Zoning Commission last month. Mrs. Bonnel stated there was an additional clarification since the Planning and Zoning Commission met. This use falls under Section 8 Permitted Uses: Public Parks and Public Use Buildings, such as, but not limited to pavilions, museums, boat ramps and amphitheater. Mr. Guyther said that a new zoning category is being created.

The third item refers to the PUD M and all Commercial categories is to limit permitted retail stores to not more than 20,000 square feet. This adds another category under the Conditional Uses. Mrs. Bonnel said for any retail store for or over 20,000 square feet or more must present a Concept Plan, market study, traffic study and any additional information requested and be approved as Conditional Use. This would go before the Planning and Commission as well as the Town Commissioners. **Attached are the Text Amendments.**

Mr. Guyther said with the annexation, staff is authorized to post the Resolution and comments can be taken for forty days. If there are no comments then the Resolution becomes effective.

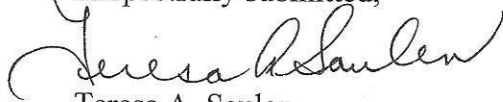
Commissioner Gillette asked what is the total size of the State Highway property? Mrs. Bonnel

stated that it is 3.5 acres. The county's portion is 3/4 acre. This does not require a survey because as Mr. Guyther stated it a distinct complete parcel shown on the tax maps.

Mayor Norris opened up the public hearing for discussion to the audience. There were no comments taken.

**Commissioner Erichsen made a motion to close the Public Hearing. The motion was seconded by Commissioner Wise; approved and carried unanimously. The meeting adjourned at 4:45 P. M.**

Respectfully submitted,



Teresa A. Saulen  
Town Secretary

