

**Council of the Town of Leonardtown**

---

**Date Introduced on First Reading: April 14, 2008**

**Amendment Adopted: N/A**

**Date Adopted on Second Reading: May 20, 2008**

**Date Effective: June 9, 2008**

---

**Ordinance No. 139**

**Zoning Ordinance Text Amendment**

**Subject: Mixed Use Planned Unit**

**Development (PUD-M) – Amendment**

**To Article IV**

**Purpose**

For the purpose of amending the Zoning Ordinance of the Town of Leonardtown in order to revise existing provisions.

**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 heretofore adopted and currently in effect shall be and the same is hereby amended as follows:


**§ 155-24. Application and review procedure.**

- A. The applicant is encouraged to seek the advice of the Town's administrative staff, and/or professional designers, architects, planners, engineers and lawyers in the preparation of plans and documents to implement a planned unit development.
- B. In order to benefit the applicant by providing information and guidance before entering into binding commitments or incurring substantial expense, review of planned unit development applications shall proceed in two stages: the concept plan stage and the engineering stage.
  - (1) The concept development plan and a proposed design code, which establishes the framework for a planned unit development, shall be reviewed by the Planning and Zoning Commission.
    - (a) The concept development plan application and proposed design code, together with the recommendations of the Planning and Zoning Commission, shall be reviewed by the Mayor and Council and, after public hearing, approved, approved with modification or disapproved by the Mayor and Council.
    - (b) The Mayor and Council may deny a planned unit development application if, in their judgment, the proposed development is not consistent with the intent and purpose of this section.
    - (c) The initial concept development plan application may be reviewed and approved concurrently with the adoption of a Zoning Map for parcels to be annexed to the Town.
  - (2) After the approval of the concept development plan application, the site plan or subdivision plat, detailing the engineering elements of a planned unit development, with Planning and Zoning Commission recommendations, shall be submitted to and approved or disapproved by the Mayor and Council. The applicant for a planned unit development shall have the burden of proof, which shall include the burden of persuasion on all questions of fact which are to be determined by the Mayor and Council and the Planning and Zoning Commission.

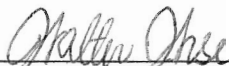
D. Procedures for the preparation and filing of the site plan or subdivision plat are as follows:

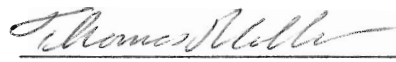
- (1) Upon the approval of the exploratory application by the Mayor and Council, the applicant shall prepare and submit to the Planning and Zoning Commission the required studies and material. The process of review shall proceed in accordance with the approved schedule of development; however, the detailed studies may be filed for all or a portion of the subject tract, as required by the Planning and Zoning Commission in each individual case.
- (2) The Planning and Zoning Commission shall recommend to the Mayor and Council approval or disapproval of the submitted documents in accordance with the development principles, standards and performance criteria of this article, within the limitations of the exploratory application approved by the Mayor and Council. The Mayor and Council shall have final approval or disapproval of the submitted documents.

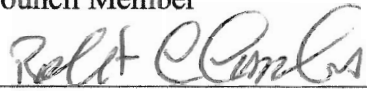
Attest:

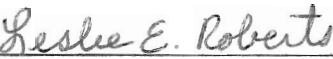
  
Laschelle E. Miller  
Town Administrator


Commissioners of Leonardtown:

  
Walter Wise  
Vice President

  
Thomas R. Collier  
Council Member

  
Robert C. Combs  
Council Member

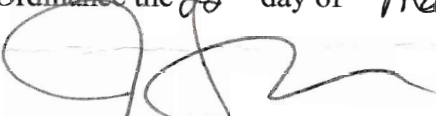
  
Leslie E. Roberts  
Council Member

  
Council Member

This ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 22<sup>nd</sup> day of May, 2008.

  
Laschelle E. Miller, Town Administrator

In accordance with Section 210 of the Charter of the Town of Leonardtown, I hereby (Approve) or (Disapprove) approve this Ordinance the 22<sup>nd</sup> day of May, 2008.

  
J. Harry Norris, III, Mayor