

Ordinance No. 93
Zoning Ordinance Amendment
Subject: Article X C-SC

Purpose

For the purpose of amending the Zoning Ordinance in order to revise existing provisions. Text amendments adopted November 13, 1995.

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 X, C-CS Commercial Shopping Center District, has been amended to I/O, Institutional/Office District.

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.

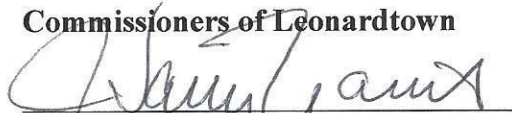
Section 2. This ordinance shall have retroactive effect, effective the date of adoption.

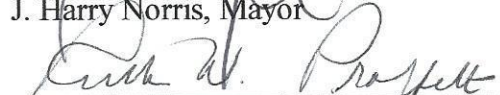
Approval date: March 12, 2001

Attest:

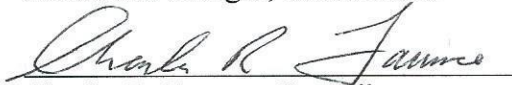

Laschelle E. Miller
Town Administrator

Commissioners of Leonardtown


J. Harry Norris, Mayor


Ruth W. Proffitt, Vice President


Michael L. Bridges, Councilman


Charles R. Faunce, Councilman

Walter R. Gillette, Councilman


Walter Wise, Councilman

SCHEDULE A

AMENDMENTS TO THE LEONARDTOWN ZONING ORDINANCE

ARTICLE X A.

Institutional/Office District (I/O)

Intent.

The Institutional/Office (I/O) district is created to permit the development of institutional type uses primarily for functions of government together with medical facilities, schools, and accessory uses as may be necessary or normally compatible with institution type offices. It is intended to permit the establishment of such facilities in planned centers with carefully organized buildings, service areas, parking areas and landscaped open space. Facilities in Institutional Office districts will serve demonstrated public needs while minimizing impacts on surrounding neighborhoods.

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. Governmental offices and office buildings.
- B. Public utility buildings and installations.
- C. Religious institutions.
- D. Schools and academies both public and private.
- E. Day care and child care facilities.
- F. Libraries.
- G. Accessory buildings and uses.
- H. Medical offices (Excluding Drug and Alcohol Rehabilitation Centers).
- I. Safety Organizations (Rescue Squad, Fire Department).

Conditional Uses

The following uses of land, buildings or structures in the I/O District shall be permitted by approval of the Town Council. The Planning and Zoning Commission shall review each project and make a recommendation to the Town Council.

The Town Council approval is limited to the establishment of the Conditional Use in a particular location, though the Council may require a concept plan in making its determination. The approval

of the site plan for development is the responsibility of the Planning and Zoning Commission.

Once a Conditional Use is established, it may be expanded or enlarged through the site plan approval process. Town Council approval is not required for additions to an established Conditional Use. However, Town Council approval is required if another or different Conditional Use is proposed for a site.

Conditional Uses existing at the time of the establishment of this Zoning District, and the concurrent rezoning of certain parcels of land to the Institutional/Office District, shall be considered Conditional Uses approved by the Town Council.

- A. Nursing centers
- B. Detention centers.
- C. Outside storage areas and impound lots.
- D. Community Colleges and institutions of higher learning.
- E. Hospitals.
- F. Drug and Alcohol Rehabilitation Centers.

Height, bulk and area requirements.

Minimum Lot Area: All uses, structures and buildings permitted in the I-O District shall be located on a lot having a minimum area of 10,000 square feet.

Front Yard: A minimum front yard of seventy (70) feet shall be established from the street right-of-way line for I-O uses.

Rear & Side Yards: A minimum rear and side yard of twenty (20) feet shall be maintained between any structure, use, parking area or driveway and the side lot of adjacent properties. When the I-O side yard adjoins a residential district, the minimum side yard shall be fifty (50) feet.

Landscape: The front yard shall be maintained as landscaped open space and shall not be used for any building, structure, use or parking area except for access roads, driveways and permissible identification signs. Such side yards shall consist of a minimum landscaped buffer area as determined by the Planning and Zoning Commission.

A minimum landscaped area, not less than 20% of the buildable lot, shall be provided. Such area can be used to meet the forest conservation requirement of the Forest Conservation Ordinance.

Buffering and Screening: It is required that the buffering and screening be specifically addressed when the concept plan / site plan is submitted. Issues to be addressed:

- a. Buffering between parking lots and adjoining uses.
- b. Buffering between institution zone and residential zone and use.
- c. Street Trees.

Height: A maximum height of four (4) stories and fifty (50) feet shall be established for any building or structure in the I-0 zone. Principal structures may be erected to a height not exceeding 100 feet when the required side and rear yards are each increased by at least one (1) foot for each additional foot of building height above the height restriction. Any structure over 45 feet in height must be provided with a State Fire Marshal approved sprinkler system.

Location of Parking: Parking facilities shall be located on the side and the rear yards of the property. No parking shall be permitted in the required front yard of the property. [This means all parking must be at least 70 ft. from the street right-of-way.]

Parking Requirements. (Amendment to Article XI, Sec. 155-47.)¹

Child Care & Day Care Facilities	1 per employee plus 1 per 6 children.
Library, Museum, Historic Institution	2 per 1,000 sq. ft. of gross floor area plus one for each 4 employees
Detention Centers	To be determined by the planning commission.
Community Colleges and/or Institutions of Higher Learning	1 per 4 students per design capacity

Landscaping of Parking Facilities. (Amendment to Article XI, Sec 155-44.E.)

¹Source: Parking Table, St. Mary's County Zoning Ordinance, November 1994)

It is intended that the application of the landscape standards set forth below will reduce the visual and environmental impacts of large expanses of parking areas. Breaking up of paved parking areas with plantings will provide improved aesthetics and micro-climatic benefits by reducing heat and glare.

Parking facilities with more than ten (10) parking spaces shall comply with the requirements set forth below:

- a. Interior Landscaping: For surface parking facilities, at least ten (10%) percent of the parking facility shall be permanently landscaped. The net parking facility shall include the area occupied by parking stalls, access drives, aisles, walkways, dead spaces, and required separations from structures, but shall not include required street setbacks or access driveways or walkways within such setbacks.
- b. Planting beds: All landscaping shall be contained in planting beds. Each planting bed shall have a minimum area of twenty five (25) square feet and shall be enclosed by appropriate curbing or similar device at least six (6) inches wide and six (6) inches in height above the paving surface.
- c. Plant Materials: Surface parking shall contain at least one (1) tree for each 5 spaces of required parking. Each ten (10) spaces shall require an interior planting bed island or median a minimum of eight (8) feet in width. Fifty percent (50%) of all interior parking aisles or bays shall end in a minimum eight (8) feet wide planting island. In addition to required trees, each planting bed, island or median shall contain appropriate ground cover or shrubbery.

Definitions. (Amendment to Article I, Section 155-4.)²

Family Day Care Home. A private residence where eight (8) or fewer children receive care and supervision, provided primarily by the permanent resident of said home, for periods of less than 24 hours per day. Such homes are permitted in any zoning district where residential uses are allowed.

Child Care Centers (or Day Care Centers). Any place, home or institution which receives nine (9) or more children under the age of 14 years, and not of common parentage, for care apart from their natural parents, legal guardians, or custodians, when received for regular periods of time for compensation, provided that this

²Source: Article VIII, Section 80.02, St. Mary's County Zoning Ordinance, November 1994.

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definition shall not include public or private schools organized, operated or approved under Maryland laws, custody of children fixed by a court of competent jurisdiction, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children within the institutional building while their parents or legal guardians are attending service, activities, or meetings.

Religious Institutions. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by recognized religious body organized to sustain public worship. Religious institutions include but are not limited to churches, parish halls, temples, convents, mosques, and monasteries.

Nursing Home, Rest Home or Convalescent Home. A private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care for the treatment of disease or injury.

ZONING

PUD 5 PLANNED UNIT DEVELOPMENT, 5du/ac

R-SF RESIDENTIAL -- SINGLE-FAMILY

R-MF RESIDENTIAL -- MULTI-FAMILY

C-G COMMERCIAL-GENERAL

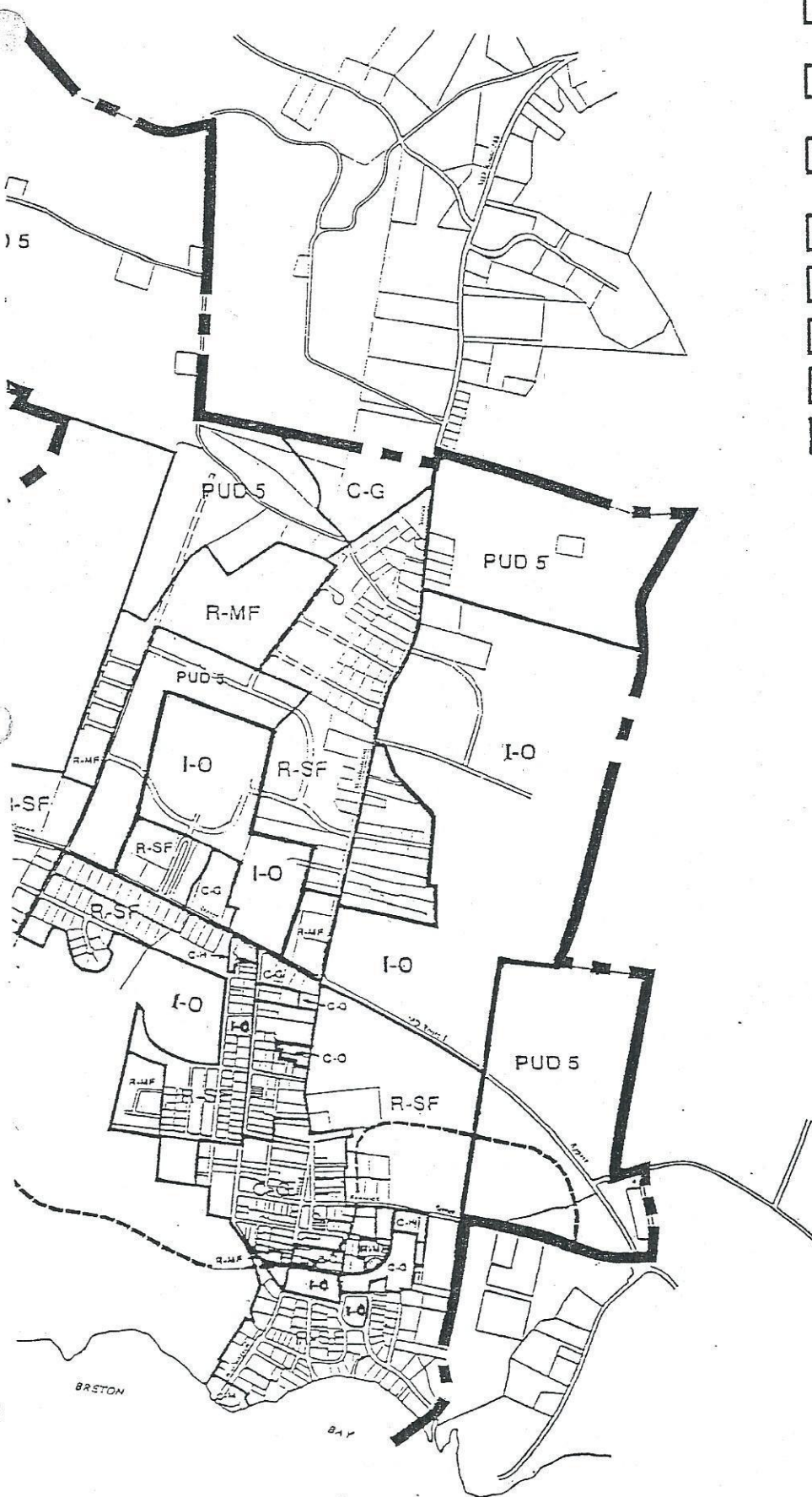
C-H COMMERCIAL-HIGHWAY

C-M COMMERCIAL-MARINE

C-O COMMERCIAL-OFFICE

I-O INSTITUTIONAL-OFFICE

--- CRITICAL AREA BOUNDARY



COMMISSIONERS OF LEONARDTOWN
PUBLIC HEARING
MONDAY, NOVEMBER 13, 1995
5:00 P.M.

ATTENDEES:

J. Harry Norris III, Mayor
Norman A. Norris, Vice President
Leon E. Battle, Councilman
Ruth W. Proffitt, Councilwoman
Walter Wise, Councilman
Teresa A. Saulen, Secretary

Also in attendance were: Robert O. Guyther, Town Administrator; Colleen Bonnel, Town Planner; Doug Ritchie, Channel 10; Anne Marum, Chamber of Commerce; Julia Palmer, Brenda Wagner, Karen D. Miles and Lorrie Wallace, St. Mary's County Genealogical Society and Mr. and Mrs. Holmes.

Mayor Norris called the Public Hearing to order at 5:00 P.M.

Ms. Bonnel summarized the purposed amendments of the Leonardtown Zoning Ordinance. Ms. Bonnel stated letters had been sent to all the affected landowners explaining the Institutional Office/Zoning. Ms. Bonnel said she had not received any response from the any of the landowners.

Mr. Guyther said there are currently no landscaping requirements in the Town. The first of the landscaping requirements is for the Institutional Office District. The second set of the landscaping requirements is for the shopping centers. Ms. Bonnel stated this was recommended for approval by the Planning Commission at the October meeting.

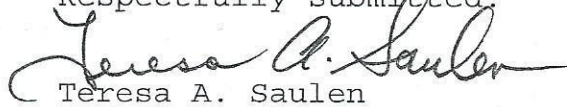
Councilman Norris stated that at the Planning and Zoning meeting, when the College was approved, it was made abundantly clear that the Board did not want any fast food chains opening from across the College. He further went on to say this would happen if there was a change in the zoning of the neighborhood or an error in the original zoning. Councilman Norris asked "would this change put the Town in a situation it does not want." Mr. Guyther said the College site is not a change in the neighborhood because it was a school on a school site.

Mayor Norris said you are actually creating a new zoning. Mayor Norris went on to ask "do you have to show just cause." Mr. Guyther responded, "no". Mr. Guyther said all of the owners were notified and the staff did not receive any responses. Mayor Norris said the Planning and Zoning Commission has recommended approval to the Town Council. Mr. Guyther added that, when doing a comprehensive rezoning, "change or mistake" does not have to be demonstrated.

Councilman Wise made a motion to approve the New Institutional Zoning as presented and confirm rezoning of the properties listed on the attached map. The motion was seconded by Councilman Norris; approved and carried unanimously

The meeting was adjourned at 5:30 P.M.

Respectfully submitted:

A handwritten signature in cursive script that reads "Teresa A. Saulen". The signature is written in dark ink and is positioned above the printed name.

Teresa A. Saulen