

TOWN OF CHESAPEAKE CITY, MARYLAND
ORDINANCE NO: 01.09.2017

AN ORDINANCE OF THE TOWN OF CHESAPEAKE CITY TO AMEND THE CHESAPEAKE CITY COMPREHENSIVE DEVELOPMENT ORDINANCE TO PROVIDE FOR SATELLITE PARKING AND TO CODIFY THE EXISTING ARCHITECTURAL DESIGN STANDARDS.

WHEREAS, The Land Use Article of the Annotated Code of Maryland, authorizes the governing body of municipal corporations to implement planning and zoning controls for the orderly development and use of land and structures, such powers are for public purposes of promoting the health, safety, and general welfare of the community;

WHEREAS, Section 26-20 of the Charter of the Town of Chesapeake City (the "Town") grants the Town Council the authority to exercise the powers as to planning and zoning, conferred upon municipal corporations generally in The Land Use Article of the Annotated Code of Maryland;

WHEREAS, on May 14, 2012, the Town adopted Ordinance No. 4.9.2012, which adopted the Town's Comprehensive Development Ordinance and repealed the Town's prior zoning ordinance;

WHEREAS, provisions for Satellite Parking were contained in the prior zoning ordinance, but are not in the current Comprehensive Development Ordinance; and

WHEREAS, the Town adopted Architectural Design Standards by Resolution in 2006;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND COUNCIL OF CHESAPEAKE CITY, MARYLAND AS FOLLOWS:

SECTION 1. Section 6.3.3.E. "Satellite Parking" is hereby added to the Comprehensive Development Ordinance adopted by the Town on May 14, 2012 to read as follows:

"6.3.3.E. Satellite Parking

1. If the number of off-street parking spaces required by this ordinance cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, or if the on-site parking for an existing commercial use is otherwise inadequate, then spaces may be provided on adjacent or nearby lots in accordance with the provisions

of this section. These off-site spaces are referred to in this section as satellite parking spaces.

2. If the property upon which the satellite parking is to be located is not under the same ownership as the property upon which the principal associated use is located, written authorization of the owner of the property upon which the satellite parking is to be located is required, and evidence of such shall be furnished.
3. All satellite parking spaces shall be located in the same zoning district as the structures or uses served or shall abut the property upon which the principal use is associated, or shall be directly across a street, roadway, or alley from the associated property.
4. Satellite parking spaces shall be used solely for the parking of passenger vehicles. No sign of any kind, other than designating ownership, entrances, exits, and condition of use, shall be maintained on such satellite parking areas.
5. Each new entrance and exit to and from such parking area shall be at least 20 feet distant from any adjacent lot line located in any residential zone.
6. The satellite parking areas shall be subject to all requirements of this ordinance concerning surfacing, lighting, drainage, landscaping, screening, and setbacks."

SECTION 2. Section 6.3.3.D. "Parking in Front Yards in TND Zone" of the Comprehensive Development Ordinance adopted by the Town on May 14, 2012 is hereby amended to read as follows:

"D. Parking in Front Yards in TND Zone

The use of the required front yard on single-family lots in the TND zone for the parking or storage of motorized and non-motorized vehicles of any kind is prohibited, except where the creation of the lot predates the adoption of this zoning ordinance, AND EXCEPT FOR LOTS USED SOLELY FOR SATELLITE PARKING."

*Wording to be added in in Capital Letters.

SECTION 3. Table 1 (Part 4 of 4) "PERMITTED USES BY ZONING DISTRICT" of Section 4.2.2.2. "Land Uses by District" of the Comprehensive Development Ordinance adopted by the Town on May 14, 2012 are hereby amended to read as follows:

TABLE 1 (Part 4 of 4) PERMITTED USES BY ZONING DISTRICT	P: Permitted PC: Permitted, subject to conditions SE: Special Exception SC: Special Exception, subject to conditions						
Land Use	Zoning Districts						Use Regs.
	TND	V-1	V-2	GC	MC	RC	

Emergency Services							
Police Stations	SE	SE	P	P	P		
Fire Stations	SE	SE	P	P	P		
Rescue squad, ambulance service	SE	SE	P	P	P		
Civil defense operation	SE	SE	P	P	P		

Miscellaneous Uses							
Utilities							
Neighborhoods Service	P	P	P	P	P	P	
Water or sewerage treatment facilities	P	P	P	P	P	P	
Public utility building and structures	P	P	P	P	P	P	
Public utility building and structures with towers or antennas					SC	SC	Sect 4.2.3D1
Temporary Structures incidentals to construction (non-residential)	PC	PC	PC	PC	PC	PC	Sect 4.2.3D2
Christmas tree sales	P	P	P	P	P	P	
Satellite Parking	P	P	P	P	P	P	Sect 6.3.3.E

SECTION 4. Section 6.4.2.C. "Architectural Design Standards" is hereby added to the Comprehensive Development Ordinance adopted by the Town on May 14, 2012 to read as follows:

"6.4.2.C. Architectural Design Standards

The Chesapeake City, Maryland Architectural Design Standards, which were adopted pursuant to the Architectural Review Resolution: 2006, which may be revised from time to time by resolution, and which were previously designated as Section One of the Planning and Zoning Ordinances and Regulations, are hereby adopted and made a part of this Ordinance as if fully set forth herein, and are incorporated herein by reference."

SECTION 5. Should any provision, section, paragraph, or subparagraph of this ordinance, including, any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having jurisdiction, the

same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph, or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph, or subparagraph is expressly declared to be and is deemed severable.

SECTION 6. The title of this ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this ordinance for publication and all other purposes.

This Ordinance having been introduced on January 9, 2017, and adopted on _____, 2017, we hereby affix our signatures. Effective _____, 2017. A summary of this Ordinance shall be published in at least one newspaper having general circulation within the Town of Chesapeake City.

BY AUTHORITY OF THE MAYOR
AND COUNCIL OF THE TOWN
OF CHESAPEAKE CITY,
MARYLAND

Valarie Walls, Clerk

Dean Geracimos, Mayor

Ayes

Nayes

Absent

Approved as to Form:

Thomas N. Yeager,
Attorney for the Town of Chesapeake City