

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND
LEGISLATIVE SESSION, 2018
BILL NO. 2018-02

Introduced: February 6, 2018

BY: The Council President at the request of the County Executive.

AN ACT to amend Chapter 225 of the Wicomico County Code, titled "Zoning", Section 225-67, Table of Permitted Uses, and Section 226-108, Retail Sales, to add General Merchandise Retail Sales in Commercial Buildings not exceeding 10,000 sq. ft. of gross floor area by Special Exception in the LB-2 Light Business and Residential District.

WHEREAS, the County Council of Wicomico County is empowered to regulate and restrict the use of land and buildings, the density of population, and the location and use of buildings, structures and land for residence or other purposes and to adopt from time to time such other regulations and maps as may be required; and

WHEREAS, all such zoning regulations may be enacted for the purpose of: preserving and promoting the health, safety, and general welfare of the citizens of Wicomico County; guiding the future growth and development of the County generally in accordance with the overall Comprehensive Plan or special area plans in a manner which represents the most beneficial land use relationships among the residential, nonresidential, and public areas; and, providing for the orderly growth and development of the County in a manner which will protect, conserve, and stabilize the value of land, structure, and neighborhoods; and

WHEREAS, the Planning and Zoning Commission, after a public hearing, recommended the amendment of Chapter 225, titled "Zoning," Section 225-67, Table of Permitted Uses, and Section 225-108, Retail Sales; and

WHEREAS, the County Council, after reviewing the record and receiving testimony determined the aforesaid amendments were appropriate for the properties in the LB-2 Light Business and Residential District.

SECTION I. BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 225, Section 225-67, entitled Table of Permitted Uses and Section 225-108, Retail Sales be and is amended as follows:

Amend Section 225-67, LB-2 Light Business and Residential (Commercial Retail and Wholesale, Retail Sales, Use Description) by adding the following:

FREESTANDING RETAIL DEPARTMENT OR GENERAL MERCHANDISING STORES NOT EXCEEDING 10,000 SQUARE FEET OF GROSS FLOOR AREA, NOT LOCATED IN A SHOPPING CENTER, PERMITTED BY SPECIAL EXCEPTION OF THE WICOMICO COUNTY BOARD OF APPEALS.

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

2018 Legislative Session

Legislative Day No. 03

LEGISLATIVE BILL NO. 2018-02

INTRODUCED BY: President of the Council at the request of the County Executive

AN ACT to amend Chapter 225 of the Wicomico County Code, titled "Zoning", Section 225-67, Table of Permitted Uses, and Section 226-108, Retail Sales, to add General Merchandise Retail Sales in commercial Buildings not exceeding 10,000 sq. ft. of gross floor area by Special Exception in the LB-2 Light Business and Residential District.

Introduced and read first time on February 6, 2018. Ordered posted and public hearing scheduled for March 6, 2018 at 6:00 p.m.



Laura Hurley, Council Administrator

PUBLIC HEARING: Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held on March 6, 2018 and concluded on March 6, 2018.




Laura Hurley, Council Administrator

CERTIFICATION: The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 6th day of March, 2018.



Laura Hurley, Council Administrator

Presented to the County Executive for approval this 8th day of March, 2018 at 4:00 p.m. (5 days §411)



Laura Hurley, Council Administrator

BY THE EXECUTIVE:



County Executive

APPROVED
Date: 3-8-18
(21 days §411)

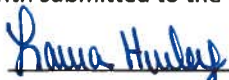
VETOED
Date: _____

BY THE COUNCIL:

Option One: This Bill, having been approved by the County Executive and returned to the Council, becomes law on March 8, 2018 and effective on: May 7, 2018.
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the Executive within 21 days of its presentation, stands enacted on _____ and becomes effective on _____.
(60 days §311)

ENROLLMENT: Legislative Bill No. 2018-02 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.



Laura Hurley, Council Administrator
Date: 3/9/2018

Amend Section 225-108 by adding the following:

- C. **IN AN LB-2 LIGHT BUSINESS AND RESIDENTIAL DISTRICT, RETAIL SALES MAY BE PERMITTED BY SPECIAL EXCEPTION IN A BUILDING NOT EXCEEDING 10,000 SQUARE FEET OF GROSS FLOOR AREA.**

SECTION II. BE IT FURTHER ENACTED THAT this Bill will be known as Bill No. 2018-02 of Wicomico County, Maryland, and will take effect 60 days after its final passage, unless a proper Petition for Referendum is filed before then. If a timely Petition is filed, the Bill will not take effect until the expiration of 30 days following the approval of this Bill by a majority of the qualified voters of the County voting in a referendum.

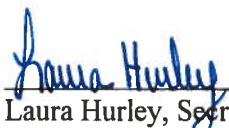
6th Certified correct as passed and adopted by the County Council of Wicomico County, Maryland, this day of March, 2018.

WICOMICO COUNTY, MARYLAND


BY: John T. Cannon, President


BY: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available for distribution to the public and press at the time of its introduction.


Laura Hurley, Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strikeout indicates matter deleted from law.~~

~~CAPITAL STRIKEOUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill.