

**[Article III. Designation of Districts.**

**§ 340-12 Enumeration of districts.**

**A. For the purposes of this chapter, the incorporated area of St. Michaels is hereby divided into the following types of districts.**

**(1) Base Zoning Districts**

- (a) A - Agriculture Zone (A)**
- (b) R-1 -Residential1 Zone**
- (c) R-2 - Residential Zone**
- (d) R-3 Residential Zone**
- (e) RG - Residential Gateway Zone**
- (f) WD - Waterfront Development Zone**
- (g) CC - Central Commercial Zone**
- (h) SLC - Select Light Commercial Zone**
- (i) GC - Gateway Commercial Zone**
- (j) HR - Historic Redevelopment Zone**
- (k) MC - Maritime Commercial Zone**
- (l) MM - Maritime Museum Zone**
- (m) PF - Public Facilities Zone**

**(2) Overlay Districts**

- (a) Chesapeake Bay Critical Area Overlay District**
- (b) Historic District Overlay District**
- (c) Planned Redevelopment Zone (PR) Overlay District**

**(3) Floating Zone Districts**

- (a) GA Growth Allocation Floating Zone**

**§ 340-13. Purpose of Districts.**

A. Base Zoning Districts

(1) A - Agriculture Zone

The regulations of the Agricultural A Zone are intended to promote and protect agricultural land uses and related activities that are compatible with neighboring residential and commercial uses. The agricultural zone may provide a greenbelt around the Town's outer limits or may simply preserve farmland.

(2) R-1 -Residential1 Zone

The regulations of the R-1 Residential Zone are intended to provide for a pleasant, quiet, residential environment permitting residential and related uses. Presently developed single-family residential areas are included in this zone as well as land which will develop in the manner as set forth here in the future.

**NOTE: Encourage compatible infill and redevelopment?**

(3) R-2 - Residential Zone

The regulations of the R-2 Residential Zone are intended to provide for a pleasant, quiet, residential environment permitting residential and related uses while permitting higher density and a wider variety of dwelling types.

**NOTE: Encourage compatible infill and redevelopment?**

(4) R-3 Residential Zone

The regulations of the R-3 Residential Zone are intended to provide for a pleasant, quiet, hazard-free residential environment permitting residential and related uses while permitting higher density and a variety of dwelling types.

(5) RG - Residential Gateway Zone

The RG Residential Gateway Zone is intended to serve as a transitional zone from the more rural county development patterns to the more intense development patterns of the Town. In addition, this zone is intended to promote natural looking vistas entering and leaving the Town boundaries.

(6) WD - Waterfront Development Zone

The regulations of the Waterfront Development Zone are intended to promote the development of the tourist trade in the area adjacent to the Town harbor to take advantage of the unique natural attraction of scenic tidewater which is not appropriate for maritime

use, while preserving historic features and protecting adjacent residential areas. ~~Uses not specifically enumerated in this chapter are excluded.~~

(7) CC - Central Commercial Zone

The regulations of the Central Commercial Zone are intended to promote, protect and provide for the retail services center of the community and the surrounding regions.

(8) SLC - Select Light Commercial Zone

The Select Light Commercial Zone is intended to provide land adjacent to residential areas for uses which are not detrimental to adjacent residential neighborhoods by functioning within the general standards and limitations set forth in **Article \* § \***. The intent of the zone is to create the potential for employment opportunities in Town, especially agricultural and seafood-related activities. ~~Uses not specifically enumerated in this section are not permitted.~~

(9) GC - Gateway Commercial Zone

The regulations of the Gateway Commercial Zone are to provide a viable commercial area where, through increased landscaping, alternative parking layouts and maximum lot coverage limitations, an attractive entrance into the Town can be provided.

(10) HR - Historic Redevelopment Zone

The HR is a zone whose use is restricted to properties meeting the following criteria: 1) the property is surrounded by residential zones; 2) the property has traditionally been used for commercial/industrial purposes; and 3) the property contained within the HR encompasses which will act as the corner stone for the development of the project. The HR acknowledges those existing commercial/industrial uses and provides a mechanism for the establishment of new commercial uses, thus adding to the number of jobs in Town, while protecting and preserving the adjacent residences and the residential character of the surrounding neighborhoods.

**NOTE: Alternative language – The purpose of the HR - Historic Redevelopment zone is to foster compatible commercial and light industrial development and redevelopment in areas of the Town traditionally used for commercial/industrial purposes and where remaining historic commercial structures are suitable for adaptive reuse.**

(11) MC - Maritime Commercial Zone

The regulations of the Maritime Commercial Zone are intended to provide areas in which water-related commercial activities can be conducted. Care must be taken to ensure that

activities in this zone do not detrimentally affect uses conducted in areas adjacent to the Maritime Commercial Zone.

(12) MM - Maritime Museum Zone

The intent and purposes of the Museum Zone are to:

(a) Provide a place for the Chesapeake Bay Maritime Museum to exist and operate as a permitted use, so as to:

[1] Preserve and perpetuate the character and orientation of the Town to the Chesapeake Bay and its tributaries (hereinafter collectively the "Chesapeake Bay") on land that is adjacent to or near the St. Michaels Harbor. ~~and~~

[2] Encourage appreciation, understanding, collection, preservation, perpetuation, exhibition and education concerning the history of the Chesapeake Bay, the animal life, marine life and plant life indigenous to the Chesapeake Bay, and man's commercial, recreational and other activities directly related to the Chesapeake Bay by means of artifacts, exhibits, models, displays, examples, art, writings, and teachings regarding vessels, equipment, customs, methods and heritage.

~~(2) Provide a place for other museums to exist and operate.~~

[3] Encourage, perpetuate and protect the existence of residential uses adjacent to museums and in areas of the Town through which museum visitors must travel for ingress and egress.

(b) The museum zone is intended to contain restrictions and provisions which make it compatible with adjacent residential zones without the need for controls generally imposed through the special exception process.

(c) For the purposes of this chapter, museums shall be considered neither a residential use nor a commercial use. **\*\*NOTE: Institutional use re: Critical Area and water dependent. A museum may collect donations and may make a charge for admission or for enrollment in its activities but is otherwise limited in the commercial activities in which it can engage. to those described in Subsection B(5), (6), (11) and (12) under "Museum — Maritime" in § 340-32.1, Notes to Table of General Land Uses.**

(13) PF - Public Facilities Zone

The regulations of the Public Facilities Zone are intended to provide for the location and concentration of public facility uses that might, if located in other zones, tend to detract from the Town's historic character and its architectural and natural beauty. While the Town is not bound by the provisions of this chapter in the location of governmental or

other public facility uses, the owners of property in the Public Facilities Zone are placed on notice that the Town intends, where practical, to concentrate in this zone those public facility uses for which it finds this location appropriate.

B. Overlay Districts.

(1) Chesapeake Bay Critical Area Overlay District.

The purpose of the Chesapeake Critical Area Overlay district is to instituted regulations intended to accomplish the following:

- (a) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or runoff from surrounding lands;
- (b) Conserve fish, wildlife, and plant habitat; and
- (c) Establish land use policies for development in the Critical Area which accommodate growth as well as address the environmental impacts that the number, movement, and activities of people may have on the area.

(2) Historic District

The purpose of creating the Historic District is to safeguard the heritage of St. Michaels by protecting and preserving buildings, structures and sites which reflect elements of the Town's cultural, social, political, and architectural history, and to promote the educational, cultural, and economic value to the public by maintaining said area as a landmark of the Town's history and architecture. This Article VI and its provisions shall regulate the construction, alteration, reconstruction, moving and demolition of structures, and their appurtenances within the Historic District. Further, this chapter prohibits willful neglect in the maintenance and repair of an income-producing property within the Historic District.

(3) Planned Redevelopment Zone (PR) Overlay District. [Added 5-26-2010 by Ord. No. 416]

- (a) The purpose of the Planned Redevelopment Overlay District (PR) is to provide a mechanism for the redevelopment, rehabilitation, and general improvement of certain areas within the Town of St. Michaels that have fallen into a somewhat neglected or dilapidated state or have simply been used for a purpose that no longer serves the health, safety or general welfare of the neighborhood. PR applications may be submitted only if the project is located within the Planned Redevelopment Overlay District. However, this mechanism is optional and shall not be required of all projects located within this zone. Projects not being developed in accordance with PR District standards shall be developed in accordance with the development standards of the underlying base zoning district.

- (b) The nature, size, scale or intensity of a proposed use may cause a particular site not to be suitable for a specific PR proposal. Therefore, there is no general presumption that an application for such a use at a particular location is valid, inures to the general benefit of the Town, is compatible with surrounding uses, or is in compliance with the Town's Comprehensive Plan. Instead each application will be evaluated according to its particular location and the degree to which the developer is willing or able to propose a development plan which ameliorates possible adverse impacts and furthers the goals and objectives of this section and the Code of the Town of St. Michaels (Code) generally.

### C. Floating Zone Districts.

- (1) Purpose. Floating zones are districts that may be appropriate for the Town but are not mapped out at the time of adoption of the most recent comprehensive revision to the St. Michaels Zoning Chapter. The purpose of the designated floating zones is to permit the mapping of appropriate areas for land uses that may be required over the next twenty (20) years. The designated floating zone provides a mechanism for the establishment of the district in appropriate areas, limiting the areas to be zoned and setting conditions that must be met by any development proposal seeking such a designation. The Town Commissioners and Planning Commission find that they are not able to locate the Floating Zones with precision in advance and that it is desirable to leave specific locations and conditions for future determination as the Town grows and specific needs develop.

- (2) Designation of floating zones. The following are designated as floating zones:

**[(a) "GA" Growth Allocation Floating Zone. The GA Growth Allocation Floating Zone is not mapped but is designated for use in areas classified as Resource Conservation Areas (RCA) and/or Limited Development Area (LDA) within the St. Michaels Chesapeake Bay Critical Area Overlay District. The purpose of the floating zone is to permit a change in the land management classification on specific sites so that they may be developed to the extent permitted by the underlying zoning classification. Only projects which have been approved by the Town Commissioners for award of the Critical Area Growth Allocation are eligible for floating zones.]**

**(b) PD Planned Development Floating Zone. The PD Planned Development District is a floating zone, which means that while provisions and regulations are made to govern any development within a PD District, no such district will be pre-mapped on the Official Zoning Map. The PD District is intended to permit master planned, mixed-use developments of large tracts of land. The PD District permits development and land use pursuant to an approved Master**

**Development Plan that meets the requirements of the Zoning Chapter and that is approved by the Town Commissioners at the time the PD zoning is applied to specific land(s). The PD provisions provide for the development of well-planned, mixed-use neighborhoods that exhibit the following characteristics:**

- [1] A range of housing types and densities to accommodate a diverse population of age groups and income levels;**
- [2] Interconnected streets designed to balance the needs of all users, with sidewalks and on-street parking when appropriate for the development;**
- [3] Open spaces integral to the community; and,**
- [4] Location adjacent to and extending the fabric of existing development.**

**NOTE: Recommend that the PD Planned Development which is subject to the special exception process with the Board of Zoning Appeals the approving authority under the current code be converted to a floating zone with the Town Commissioners as the approving authority after recommendation from the Planning Commission. Planned developments are typically applicable to large tracts where development is staged in phases and where a DRRA is executed to among other things guarantee zoning through more than one administration. Because future development in the Town is more likely to be infill and redevelopment of smaller parcels suggest the Planning Commission consider deleting these provisions and rely on the PR overlay district as a tool to foster design solutions that fit the market and are representative of the Town's and the public's concerns.**

**NOTE: Article IV is under review by the Critical Area Commission Staff beginning March 2019.**