

ORDINANCE O-23-21

AN ORDINANCE  
OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,  
TO AMEND THE LANGUAGE OF THE ZONING CODE REGARDING COMMERCIAL USES  
IN THE RV-1 ZONE

WHEREAS, Chesapeake Beach, Maryland (the "Town") is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, The Town has a Zoning Code that has adopted zoning regulations since 1972 into its Town Code; and

WHEREAS, The Town Council desires to amend the Chesapeake Beach Zoning Code as it relates to commercial uses in the RV-1 Zone; and

WHEREAS, The Planning Commission and the Town Council find that further expansion of the RV-1 Zone for commercial uses would be contrary to the adopted Town Comprehensive Plan.

WHEREAS, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

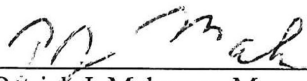
1. The zoning code for Chesapeake Beach is amended for commercial uses in the RV-1 Zone per the attached language hereby incorporated herein by reference as Exhibit "A".


**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on July 20, 2023, that a public hearing was held on Sept 21, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and 5 votes of approval and 1 votes of disapproval were cast. The resulting majority of at least 2/3 of the Council approved (approved/disapproved) the passage of this Ordinance this 21<sup>st</sup> day of


Passed:  
Effective:


Sept, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this 21<sup>st</sup> day of Sept 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

**CHESAPEAKE BEACH, MARYLAND**


  
Patrick J. Mahoney, Mayor

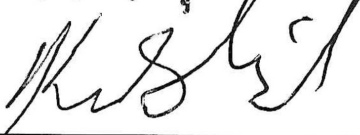
  
Lawrence P. Jaworski, Council Vice-President

  
Valerie L. Beaudin, Councilwoman

  
L. Charles Fink, Councilman

  
Margaret P. Hartman, Councilwoman

  
Gregory J. Morris, Councilman

  
Keith L. Pardieck, Councilman

**Exhibit "A"**

**AMENDMENT TO THE TOWN OF CHESAPEAKE BEACH ZONING ORDINANCE**, Article III, Zoning Districts, Subsection 290-10, Land Use Table, and Subsection 290-11, Conditions and Standards for Conditional and Special Exception Uses

PURPOSE: To revise the above referenced sections to designate certain commercial uses as "permitted with conditions" within a duly approved and existing non-conforming mixed commercial/high density residential building in the RV-1 District.

New text is shown in: **BOLD CAPS**

Removed text is shown in: ~~Strikethrough~~

1. RE: Office or clinic for medical or dental examination or treatment of persons as outpatient, including laboratories incidental thereto.

A. Amend Subsection 290-10, Table 1, Land Use Classifications to make the following use a Conditional (C) use in the RV-1 District:

**OFFICE OR CLINIC FOR MEDICAL OR DENTAL EXAMINATION OR TREATMENT OF PERSONS AS OUTPATIENT, INCLUDING LABORATORIES INCIDENTAL THERETO.**

B. Amend Section 290-11, Conditions and Standards for Conditional and Special Exception Uses as follows:

Office or clinic for medical or dental examination or treatment of persons as outpatient, including laboratories incidental thereto: conditional use in the NC, TC, PC, and MC Districts, subject to the requirements of the district where located except as herein provided:

**AND WITHIN THE RV-1 DISTRICT IT SHALL BE A CONDITIONAL USE, SUBJECT TO THE REQUIREMENTS OF THE DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:**

**(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND RECORDED PRIOR TO JANUARY 20, 2005.**

2. RE: Retail establishment carrying one type of interrelated goods, such as a bookstore, gift shop, florist shop.

A. Amend Subsection 290-10, Table 1, Land Use Classifications to make the following use a Conditional (C) use in the RV-1 District:

**RETAIL ESTABLISHMENT CARRYING ONE TYPE OF INTERRELATED GOODS, SUCH AS A BOOKSTORE, GIFT SHOP, FLORIST SHOP.**

Passed:  
Effective:

- B. Amend Section 290-1, Conditions and Standards for Conditional and Special Exception Uses by adding the following:

**RETAIL ESTABLISHMENT CARRYING ONE TYPE OF INTERRELATED GOODS, SUCH AS A BOOKSTORE, GIFT SHOP, FLORIST SHOP: CONDITIONAL USE IN THE RV-1 DISTRICT, SUBJECT TO THE REQUIREMENTS OF THE DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:**

**(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND RECORDED PRIOR TO JANUARY 20, 2005.**

**3. RE: PERSONAL SERVICES, INCLUDING BARBERSHOPS, SALONS, LAUNDRY, DRY CLEANING (RECEIVING STATIONS) TRAVEL AGENCY, INSURANCE, REAL ESTATE, REPAIR SHOPS FOR SHOES, BIKES, WATCHES, LOCKS.**

- A. Amend Subsection 290-10, Table 1, Land Use Classifications to make the following use a Conditional (C) use in the RV-1 District:

**PERSONAL SERVICES, INCLUDING BARBERSHOPS, SALONS, LAUNDRY, DRY CLEANING (RECEIVING STATIONS) TRAVEL AGENCY, INSURANCE, REAL ESTATE, REPAIR SHOPS FOR SHOES, BIKES, WATCHES, LOCKS.**

- B. Amend Section 290-11, Conditions and Standards for Conditional and Special Exception Uses by adding the following:

**PERSONAL SERVICES, INCLUDING BARBERSHOPS, SALONS, LAUNDRY, DRY CLEANING (RECEIVING STATIONS) TRAVEL AGENCY, INSURANCE, REAL ESTATE, REPAIR SHOPS FOR SHOES, BIKES, WATCHES, LOCKS: CONDITIONAL USE IN THE RV-1 DISTRICT, SUBJECT TO THE REQUIREMENTS OF THE DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:**

**(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND RECORDED PRIOR TO JANUARY 20, 2005.**

**4. RE: ARTISTS, PHOTOGRAPHER'S GALLERY, STUDIO**

- A. Amend Subsection 290-10, Table 1, Land Use Classifications to make the following use a Conditional (C) use in the RV-1 District:

**ARTISTS, PHOTOGRAPHER'S GALLERY, STUDIO**

- B. Amend Section 290-11, Conditions and Standards for Conditional and Special Exception Uses by adding the following:

Passed:  
Effective:

**ARTISTS, PHOTOGRAPHER'S GALLERY, STUDIO: CONDITIONAL USE  
IN THE RV-1 DISTRICT, SUBJECT TO THE REQUIREMENTS OF THE  
DISTRICT WHERE LOCATED EXCEPT AS HEREIN PROVIDED:**

**(1) THE USE SHALL BE AN INTEGRAL PART OF AN EXISTING AND  
OTHERWISE PERMITTED MIXED USE COMMERCIAL AND MULTI-  
FAMILY DEVELOPMENT THAT WAS PERMITTED, PLATTED, AND  
RECORDED PRIOR TO JANUARY 20, 2005.**