

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

LEGISLATIVE SESSION, 2023

LEGISLATIVE BILL 2023-10

Introduced: July 5, 2023

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 225-12, ENTITLED “LOTS DIVIDED BY ZONING DISTRICT BOUNDARY LINES” TO ALLOW USES IN A ZONING DISTRICT THAT COVERS THE MAJORITY OF THE LAND AREA OF A PARCEL TO EXTEND OVER THE ENTIRE PARCEL.

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 residential 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 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 225-12, entitled “Lots Divided By Zoning District Boundary Lines” to allow uses in a zoning district that covers the majority of the land area of a parcel to extend over the entire parcel; and

WHEREAS, the County Council, after reviewing the record and receiving testimony determined the aforesaid amendment was appropriate.

SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 225, Section 225-12, entitled “Lots Divided By Zoning District Boundary Lines”, be and is amended as follows:

Amend Section 225-12, Lots Divided By Zoning District Boundary Lines.

- A. Whenever a single lot ~~two (2) acres or less in size~~ is located within two or more different zones, the zoning regulations applicable to the zone which constitutes the larger portion of the lot ~~shall apply to the entire lot~~. **AS DETERMINED BY THE DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT MAY APPLY TO THE ENTIRE LOT.**
- B. ~~Whenever a single lot greater than two acres in size is located within two or more different zones, each portion of that lot shall be subject to all the regulations applicable to the zone in which it is located.~~

SECTION II: BE IT ENACTED that this Legislative Bill shall be known 2023 10 of Wicomico County, Maryland, and shall take effect sixty (60) days after its final passage, unless a proper Petition for

Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 1st day of August, 2023.

WICOMICO COUNTY, MARYLAND

 (SEAL)

By: John T. Cannon, President

 (SEAL)

By: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

 (SEAL)

By: Laura Hurley, Secretary

Explanation:

~~Strike Out~~ indicates matters deleted from existing law.

CAPITALS INDICATE MATTERS ADDED TO EXISTING LAW.

~~CAPITAL STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

2023 Legislative Session

Legislative Day No. 13

LEGISLATIVE BILL NO. 2023-10

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


Legislative Bill No. 2023-10: AN ACT TO AMEND CHAPTER 225 OF THE WICOMICO COUNTY CODE, TITLED "ZONING," SECTION 225-12, ENTITLED "LOTS DIVIDED BY ZONING DISTRICT BOUNDARY LINES" TO ALLOW USES IN A ZONING DISTRICT THAT COVERS THE MAJORITY OF THE LAND AREA OF A PARCEL TO EXTEND OVER THE ENTIRE PARCEL.

Introduced and read first time on July 5, 2023. Ordered posted and public hearing scheduled for August 1, 2023 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 August 1, 2023.



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 1st day of August, 2023.



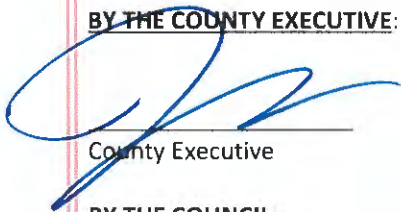
Laura Hurley, Council Administrator

Presented to the County Executive for approval this 2nd day of August at 9:40 a.m./p.m. (5 days §411)



Laura Hurley, Council Administrator

BY THE COUNTY EXECUTIVE:



County Executive

APPROVED
Date: 8/2/23
(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 August 2, 2023 and effective on: October 2, 2023.
(60 days §311)

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

Option Three: This Bill, being exempt from the Executive Veto stands enacted on _____ and becomes effective on _____. (Charter Section 305)

ENROLLMENT: Legislative Bill No. 2023-10 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.



Laura Hurley, Council Administrator