

**THE TOWN OF GALENA
ORDINANCE NO. 2026-02**

AN ORDINANCE OF THE TOWN OF GALENA AMENDING ARTICLE V, DISTRICT REGULATIONS, PART III, SUPPLEMENTARY USE REGULATIONS, OF THE TOWN OF GALENA ZONING ORDINANCE TO ADD SECTION 7.20 “MOTOR VEHICLE SALES” TO PROVIDE DEFINITIONS AND SUBSTANTIVE CONDITIONS FOR SUCH USE.

WHEREAS, the Town of Galena Zoning Ordinance currently identifies “Motor Vehicle Sales” as a Permitted Use with Conditions (PC) in the C-1 and C-2 Commercial Districts; and

WHEREAS, the supplementary use regulations in Article V, Part III, currently lack the specific substantive conditions necessary to regulate the arrangement and operation of motor vehicle sales lots; and

WHEREAS, the Mayor and Council find it necessary to protect the small-town character and pedestrian-friendly environment of Galena by establishing clear standards for the display, storage, and buffering of motor vehicle inventory; and

WHEREAS, the Mayor and Council wish to clarify the distinction between standard Motor Vehicles and Power Sports Vehicles to ensure proper site plan review and MVA coordination; and

WHEREAS, the Mayor and Council are authorized by §4-204 of the Land Use Article of the Code to amend, supplement, modify or repeal sections of the Town zoning ordinance; and

WHEREAS, the Mayor and Council duly adopted its current Zoning Ordinance on July 17, 2020 (Ord. 2020-01) as amended; and

WHEREAS, Section 119 of the Zoning Ordinance states that the regulations, restrictions, and boundaries set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed, provided, however, that no such action may be taken until after the Mayor and Council shall hold a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard; and

WHEREAS, Section 120 of the Zoning Ordinance states that proposed amendments may be originated by the Mayor and Council, Planning Commission, or the owner(s) of the property(s) for which a zoning change is sought, and that after submittal to the Zoning

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Coordinator, the proposed amendments shall be submitted for review by the Planning Commission which shall submit its recommendations to the Mayor and Council after holding a public hearing conducted by the Planning Commission; and

WHEREAS, pursuant § 4-203 of the Land Use Article of the Code, a legislative body shall hold at least one (1) public hearing on a proposed zoning regulation or boundary at which parties in interest and citizens have an opportunity to be heard, and the legislative body shall publish notice of the time and place of the public hearing, together with a summary of the proposed zoning regulation or boundary, in at least one (1) newspaper of general circulation in the local jurisdiction once (1) each week for two (2) successive weeks, and the legislative body shall publish the first notice of the hearing at least fourteen (14) days before the hearing, and the zoning regulation or boundary may not become effective until ten (10) days after the hearing or hearings; and

WHEREAS, the Town Charter in Section 308 provides that no ordinance shall be passed at the meeting at which it is introduced, and at any regular or special meeting of the Council held not less than six (6) nor more than sixty (60) days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date, but in cases of emergency, the above requirement may be suspended by the affirmative votes of four (4) members of the Council, and every ordinance, unless it be passed as an emergency ordinance, shall become effective at the expiration of twenty (20) calendar days following approval by the Mayor or passage by the Council over the Mayor’s veto; and

WHEREAS, the Town Charter in Section 308 further provides that a fair summary of each ordinance shall be published at least twice (2) in a newspaper or newspapers having general circulation in the municipality and that an emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over the Mayor's veto by the Council; and

WHEREAS, the Mayor and Council held a duly noticed public hearing on this Zoning Amendment Application on _____.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of Galena, Maryland that Article V, Part III, Section 24 of the Zoning Ordinance is hereby amended to add **Section 7.20 (Motor Vehicle Sales)**, to read as follows:

* * *

ARTICLE V. DISTRICT REGULATIONS
PART III. SUPPLEMENTARY USE REGULATIONS

* * *

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SECTION 24. MOTOR VEHICLE & BOATS – RELATED SALES AND SERVICE OPERATIONS - 7.00 - Site plan shall be required.

7.10 Car Wash - shall be permitted with conditions (PC) in the C-2 District provided:

7.15 Motor Vehicle Filling Station - filling station, or service stations or facilities for the sale of gasoline and repair of vehicles but not the major body or fender repair auto salvage or junk, and any major repair of equipment or materials or damaged vehicles shall be inside a completely enclosed building shall be permitted as Special Exception (SE) by the Board of Appeals in C-1 and C-2 districts, provided:

7.20 MOTOR VEHICLE SALES – SHALL BE PERMITTED WITH CONDITIONS (PC) IN THE C-1 AND C-2 DISTRICTS PROVIDED:

1. DEFINITIONS: FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING DEFINITIONS APPLY:

MOTOR VEHICLE: ANY SELF-PROPELLED VEHICLE REQUIRED TO BE TITLED AND REGISTERED BY THE MARYLAND MOTOR VEHICLE ADMINISTRATION (MVA) FOR USE ON PUBLIC HIGHWAYS, INCLUDING BUT NOT LIMITED TO PASSENGER CARS (CLASS A), FOR-HIRE VEHICLES (CLASS B), FUNERAL/AMBULANCE (CLASS C), AND MOTORCYCLES (CLASS M).

POWER SPORTS VEHICLE: MOTORIZED RECREATIONAL VEHICLES INCLUDING, BUT NOT LIMITED TO, ALL-TERRAIN VEHICLES (ATVS), UTILITY TASK VEHICLES (UTVS/SIDE-BY-SIDES), SNOWMOBILES, DIRT BIKES, AND PERSONAL WATERCRAFT. THESE ARE GENERALLY CHARACTERIZED BY SADDLE-STYLE SEATING AND HANDLEBAR STEERING OR ARE DESIGNED PRIMARILY FOR OFF-ROAD USE.

2. SITE PLAN REQUIREMENT: A MAJOR SITE PLAN IS REQUIRED IN ACCORDANCE WITH ARTICLE VIII, SECTION 55. THE PLAN MUST DESIGNATE SPECIFIC AREAS FOR VEHICLE DISPLAY, CUSTOMER PARKING, AND INVENTORY STORAGE.

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3. AUTHORIZATION; SCOPE: AUTHORIZATION IS LIMITED TO THE SPECIFIC VEHICLE CLASSES APPROVED BY THE PLANNING COMMISSION. A PERMIT FOR “POWER SPORTS VEHICLES” OR “EQUIPMENT” DOES NOT AUTHORIZE THE SALE OF STANDARD MOTOR VEHICLES (MVA CLASSES A, B, C, OR M) UNLESS SUCH USE IS EXPLICITLY STATED ON THE ZONING PERMIT.

4. SCREENING AND BUFFERING: A BUFFER YARD OF AT LEAST TEN (10) FEET IN WIDTH SHALL BE PROVIDED ALONG ANY BOUNDARY WITH AN ADJACENT RESIDENTIAL LOT. A CONTINUOUS VISUAL SCREEN (FENCE OR EVERGREEN HEDGE) WITH A MINIMUM HEIGHT OF SIX (6) FEET MUST BE PROVIDED WHERE THE USE ADJOINS A RESIDENTIAL DISTRICT.

5. SURFACING: ALL AREAS USED FOR THE DISPLAY OR STORAGE OF VEHICLES FOR SALE MUST BE SURFACED WITH AN ALL-WEATHER, DUST-FREE MATERIAL (STONE OR PAVEMENT). PARKING ON GRASS OR DIRT SURFACES IS STRICTLY PROHIBITED.

6. OPERATION LIMITATIONS: LOADING AND UNLOADING OF VEHICLES FROM TRANSPORTERS MUST OCCUR ENTIRELY ON-SITE AND NOT WITHIN THE PUBLIC RIGHT-OF-WAY. NO DISMANTLED, CRASHED, OR “JUNK” VEHICLES MAY BE DISPLAYED OR STORED IN AREAS VISIBLE FROM A PUBLIC STREET.

7. SIGNAGE: ALL SIGNAGE MUST COMPLY WITH ARTICLE VII. VEHICLES USED PRIMARILY FOR ADVERTISING (I.E., PARKED TO ATTRACT ATTENTION RATHER THAN FOR ACTIVE INVENTORY) ARE PROHIBITED.

7.30 Motor Vehicle & Boat Repair and Maintenance - shall be permitted with conditions (PC) in the C-1 District provided:

* * *

AND BE IT FURTHER ORDAINED AND ENACTED, that a fair summary of this ordinance shall be published at least twice (2) after the date of passage in a newspaper or newspapers having general circulation in the Town.

HAVING BEEN DULY ADOPTED on the _____ day of _____, 2026 to be effective at the expiration of twenty (20) calendar days following approval on the ____ day of _____ 2026, we hereby affix our signatures. Following adoption, a fair summary

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of this Ordinance will be published at least twice (2) in a newspaper having circulation in the area.

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Tyler J. Carpenter, Mayor

Sarah E. Merrell, Councilmember

Cheryl A. Richwine, Councilmember

John T. Carroll, Jr., Councilmember

John W. Duhamell, Jr., Councilmember

ATTEST:

Marisa R. Pisapia, Town Administrator

APPROVED AS TO FORM:

Kevin J. Best, Town Attorney

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