



Charles County Planning Commission

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Planning Commission Report to the County Commissioners

Zoning Text Amendment, ZTA #22-173

Independent Living Senior Housing Complex

Summary:

Chapter § 297-447 of the Charles County Zoning Ordinance requires the Planning Commission to first consider proposed Zoning Text Amendments and then to provide a recommendation to the Board of County Commissioners for approval or denial of the proposed Zoning Text Amendment.

Zoning Text Amendment (ZTA) #22-173, submitted by The Master's Child Church seeks to define and permit a new land use classification known as Independent Living Senior Housing Complex, use code #3.04.600, as follows: *"A residential facility providing affordable housing for individuals who are 55 years of age or older and who are able to live independently. Allowed building types include single-family attached or multifamily dwelling units. Such Independent Living facilities may include common recreation, library, meeting space, and office space for medical and personal services. These ancillary services are intended to serve seniors who reside on the premises only and are not available to the general public unless otherwise permitted within the zone in which the use is located."*

The Application requests that this use be permitted with the following conditions in the Watershed Conservation District:

- A. The minimum area shall be three acres.*
- B. An Independent Living Senior Housing Complex shall abut a property owned by a church that is a minimum of 10 acres in size and that has direct access to a roadway of arterial or higher classification.*
- C. Allowed building types include single-family attached or multifamily dwelling units.*
- D. Independent living facilities shall include common recreation, library, meeting space and office space for medical and personal services. These ancillary services are intended to serve seniors who reside on the premises only and are not available to the general public unless otherwise permitted within the zone in which the use is located.*
- E. The project shall comply with the 2020 Enterprise Green Communities requirements, as amended from time to time, or comparable nationally recognized standard approved for multifamily project use by the*

Maryland Department of Housing and Community Development. The Applicant shall provide documentation demonstrating compliance with this requirement prior to the issuance of a Final Use and Occupancy Permit.

F. All residential units shall be limited to affordable housing for individuals who are 55 years of age or older, and who are able to live independently. The term “affordable” shall mean that the average household income in the project may not exceed 60% of the area median income as defined from time to time by the U.S. Department of Housing and Urban Development.

G. The maximum density for an Independent Living Senior Housing Complex shall not exceed 96 units.

H. Only one Independent Living Senior Housing Complex shall be approved on a tract of land, regardless of whether the property is further subdivided in the future.

Public Hearing:

On June 26, 2023, the Planning Commission held a Public Hearing on the proposed Zoning Text Amendment (ZTA) #22-173, Independent Living Senior Housing Complex. There was no public testimony at the hearing. At the conclusion of the Public Hearing, the record was left open for thirty (30) days until July 27, 2023. The Planning Commission received seventy-two (72) written comments from members of the public. Of the 72, seventy (70) were in favor of the proposed amendment and two (2) were in opposition.

Recommendation:

On September 18, 2023, after the conclusion of the open record period, the Planning Commission conducted a work session. The work session was continued until the October 2, 2023, hearing. At the conclusion of the work session, a motion was made to forward ZTA 22-173 to the County Commissioners with a strong recommendation for approval because this amendment will further the goals of the Comprehensive Plan by providing housing to a needed segment of the County’s population and by encouraging more diversity in the types of available housing.



[Robin Barnes \(Oct 24, 2023 19:51 EDT\)](#)

Robin Barnes, Chair