



Charles County Planning Commission

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Kevin Wedding
Chair

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Secretary

Planning Commission Report to the County Commissioners

Zoning Text Amendment (ZTA) #23-177

Changes to the Transit Oriented Development Zoning District

Summary:

Section 297-447 of the Charles County Zoning Ordinance requires the Planning Commission to first consider the proposed amendments and provide a recommendation to the Board of County Commissioners as to whether the requested Zoning Text Amendment (ZTA) should be approved.

Designated as Zoning Text Amendment #23-177, this application is a request to amend the Charles County Zoning Ordinance to permit motor vehicle fuel sales and car washes (use codes #6.03.321, 6.03.322, and 6.03.330) to be “permitted with conditions” in the Transit Oriented Development Zoning district.

As summarized in the Staff Report, the proposed ZTA runs counter to the goals and objectives of the TOD zoning district in which no “Motor vehicle-related and service operations” uses are currently permitted. The applicant contends that such uses provide convenience and would be geographically limited in terms of their development within the district.

Public Hearing:

On November 6, 2023, the Planning Commission held a Public Hearing on the proposed Zoning Text Amendment (ZTA) #23-177. There were zero (0) written comment received prior to the hearing. The applicant was represented by Mr. Eric DeVito who provided testimony at the Public Hearing. At the conclusion of the Public Hearing, the Planning Commission held the record open until December 7, 2023. One (1) additional public comment was received during the open record period which did not support the ZTA.

Recommendation:

On December 18, 2023, after the conclusion of the Work Session, the Planning Commission voted unanimously to recommend approval of Zoning Text Amendment (ZTA) #23-177, with modifications, for adoption by the County Commissioners. The Planning Commission’s modifications were to permit

the proposed uses as Special Exception (SE) uses instead of Permitted with Conditions (PC), requiring that any future development of use codes #6.03.321, 6.03.322, and 6.03.330 be approved by the Board of Appeals subject to Subsections A-J of § 297-212 (99). The Commission also modified the amendment to the TOD District language to permit only one such use of use codes #6.03.321, 6.03.322, and 6.03.330 across the entire district.

Kevin Wedding
Kevin Wedding (Jan 22, 2024 08:39 EST)

Kevin Wedding, Chair