

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2023 Legislative Session

Bill No. 2023-__ (Zoning Text Amendment #22- __)

Chapter. No. 297

Introduced by Board of County Commissioners

Date of Introduction _____

BILL

AN ACT concerning

MIXED USE (MX) ZONE

FOR the purpose of

Amending certain provisions of the Zoning Ordinance of Charles County pertaining to projects within the Transit Oriented Development (TOD) Zone for the purposes of modifying the ISR requirement to be consistent with other transit oriented zoning within the County and to modify the parking space requirements for garages within the TOD to be consistent with transit oriented development and other urban zoning in the County.

BY Repealing and Reenacting with Amendments:

Chapter 297- Zoning Ordinance

Article III – Definitions and Interpretations

§297-49 Word usage, definitions

Code of Charles County, Maryland

(20 Edition)

BY Repealing and Reenacting with Amendments:

Chapter 297- Zoning Ordinance

Article VII – Planned Development Zone Regulations

§297-106 Mixed Use (MX) Zone

Code of Charles County, Maryland

(20____ Edition)

SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

Chapter 297-Zoning Ordinance

Article III Definitions and Interpretations

§297-49 Word usage, definitions

E. Definitions.

HOUSING FOR SPECIFIC POPULATIONS

HOUSING FOR A POPULATION WITH SPECIFIC CHARACTERISTICS THAT, IN THE SOLE DETERMINATION OF THE COUNTY COMMISSIONERS, QUALIFIES FOR SUBSTITUTION OF COMMERCIAL OR OFFICE USES IN A PROJECT LOCATED IN THE MX ZONE. SUCH HOUSING FOR SPECIFIC POPULATIONS MAY INCLUDE (BUT ARE NOT LIMITED TO): QUALIFIED AFFORDABLE HOUSING UNITS; LIVE WORK HOUSING UNITS; ARTISTS UNITS; AGE RESTRICTED UNITS; OR VETERANS' HOUSING. THE HOUSING TYPE TO ACCOMMODATE THESE POPULATIONS MAY BE SINGLE-FAMILY DETACHED UNITS, SINGLE-FAMILY ATTACHED UNITS, OR MULTI-FAMILY UNITS.

Chapter 297-Zoning Ordinance

Article VII – Planned Development Zone Regulations

§297-106 Mixed Use (MX) Zone

A. Purpose. It is the purpose of the Mixed Use (MX) Zone to establish standards for the implementation of the Comprehensive Plan for planned projects which will successfully integrate residential (including, but not limited to, housing for specific populations), commercial, industrial and institutional uses into a master-planned development. Additional purposes of this zone are:

(21) TO PROMOTE THE CREATION OF HOUSING FOR SPECIFIC POPULATIONS WHICH IS INTEGRATED INTO A LARGER RESIDENTIAL

1 DEVELOPMENT. THE HOUSING FOR SPECIFIC POPULATIONS MAY
2 INCLUDE AFFORDABLE UNITS, ACCESSORY DWELLING UNITS TO
3 SINGLE-FAMILY UNITS, ARTIST HOUSING/STUDIO, LIVE-WORK UNITS,
4 AGERESTRICTED HOUSING, OR HOUSING FOR VETERANS.

5 *****
6 F. Use distribution. Development within an MX Zone may incorporate residential,
7 commercial retail/office, institutional/civic, and low-intensity industrial uses, **AND**
8 **HOUSING FOR SPECIFIC POPULATIONS** (see Figure IV-1, Table of Permissible
9 Uses, for a comprehensive list of uses; **HOUSING FOR SPECIFIC POPULATIONS**
10 **SHALL BE PERMITTED IN ACCORDANCE WITH THE PHYSICAL FORM OF**
11 **THE PROPOSED HOUSING RATHER THAN AS A SEPARATE USE).**[2] Projects
12 shall be approved through the planned development zone process in accordance with the
13 criteria set forth below:

14 **Required Percentage Mix of Uses for Residential, Commercial Retail/Office, and**
15 **Institutional/Civic**

16 Uses	17 Percentage of Development as Measured in Square Feet
18 Residential **	
19 Maximum	70%
20 Minimum	20%
21 Commercial, retail*	
22 Maximum	30%
23 Minimum	10%
24 Commercial, office*	
25 Maximum	30%
26 Minimum	10%
27 Institutional and/or civic	
28 Maximum	10%
29 Minimum	3%

30 *Note: Light industrial employment uses may be substituted for commercial or office uses
31 as desired. **HOUSING FOR SPECIFIC POPULATIONS MAY BE SUBSTITUTED**
FOR COMMERCIAL (RETAIL AND/OR OFFICE) USES AS DESIRED WITH

1 **THE MAXIMUM PERCENTAGE OF THE SUBSTITUTED USES WITH**
2 **HOUSING FOR SPECIFIC POPULATIONS BEING NO MORE THAN THE**
3 **MAXIMUM PERCENTAGE OF THE SAID COMMERCIAL (RETAIL AND/OR**
4 **OFFICE) USES. THERE IS NO REQUIRED MINIMUM PERCENTAGE FOR**
5 **HOUSING FOR SPECIFIC POPULATIONS.**

6

7 **** EXCLUSIVE OF HOUSING FOR SPECIFIC POPULATIONS.**

8

9 [2] Editor's Note: Figure IV-1 is included as an attachment to this chapter.

10

11 **SECTION 2. BE IT FURTHER ENACTED**, that this act shall take effect forty-five (45)
12 calendar days after it becomes law.

13

14 ADOPTED this _____ day of 2023.

15

16 **COUNTY COMMISSIONERS**
17 **CHARLES COUNTY, MARYLAND**

20

Reuben B. Collins, II, Esq., President

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Bobby Rucci, Vice President

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Gilbert O. Bowling, III

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Thomasina O. Coates, M.S.

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Amanda M. Stewart, M.Ed.

34 **ATTEST:**

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Carol DeSoto, Clerk to the Commissioners