

1                   **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

2  
3                                   **2024 Legislative Session**

4  
5 Bill No. 2024-07 / Zoning Text Amendment 23-176

6 Chapter. No. 297

7 Introduced by Board of Charles County Commissioners

8 Date of Introduction March 5, 2024

9  
10                                   **BILL 2024-07**

11  
12 AN ORDINANCE concerning:

13  
14                   **THE INCORPORATION OF THE AVIATION BUSINESS PARK ZONE PROVISIONS**  
15                   **WITHIN THE ZONING ORDINANCE OF CHARLES COUNTY, MARYLAND**

16  
17 FOR the purpose of

18  
19 Amending certain provisions of the Zoning Ordinance of Charles County, Maryland to add an  
20 Aviation Business Park Zone on lands in the vicinity of the Maryland Airport.

21  
22 BY amending:

23                   Chapter 297 – ZONING ORDINANCE

24                   Article II, General Provisions

25                   Section 297-32, Adding noise requirements for the Aviation Business Park Zone.

26                   *Code of Charles County, Maryland*

27  
28 BY amending:

29                   Chapter 297 – ZONING ORDINANCE

30                   Article III, Definitions and Interpretations

31                   Section 297-49, Adding definition for new use.

32                   *Code of Charles County, Maryland*

1  
2 BY amending:

3 Chapter 297 – ZONING ORDINANCE

4 Article IV, Permissible Uses

5 Section 297-63, Amending Figure IV-1, Table of Permissible Uses

6 *Code of Charles County, Maryland*  
7

8 BY adding:

9 Chapter 297 – ZONING ORDINANCE

10 Article VI, Base Zone Regulations

11 Section 297-91, Adding a base Aviation Business Park Zone and amending Figure VI-5, to  
12 add the Aviation Business Park Zone to the Schedule of Zone Regulations for Commercial  
13 Zones.

14 *Code of Charles County, Maryland*  
15

16 BY amending:

17 Chapter 297 – ZONING ORDINANCE

18 Article VII, Planned Development Zone Regulations

19 Section 297-102, Amending Figure VII-1, Location of Planned Development Zones

20 *Code of Charles County, Maryland*  
21

22 BY amending:

23 Chapter 297 – ZONING ORDINANCE

24 Article X, Highway Corridor (Overlay Zone)

25 Section 297-151, Amending Figure X-1, Road Corridor Buffer Yard and Building Setback  
26 Requirements

27 *Code of Charles County, Maryland*  
28

29 BY amending:

30 Chapter 297 – ZONING ORDINANCE

31 Article XIII, Minimum Standards for Special Exceptions and Uses Permitted with

32 Conditions, Adding Section 7.09.000 and amending Sections 1.01.200, 4.05.310, 4.05.320,

1 4.06.200, 4.07.100, 6.02.100, 6.02.200, 6.02.330, 7.02.210, 7.02.220, and 7.04.210.

2 *Code of Charles County, Maryland*

3  
4 BY amending:

5 Chapter 297 – ZONING ORDINANCE

6 Article XXII, Screening and Trees

7 Section 297-370, Amending Figures XXII-1, XXII-2, and XXII-3, Buffer Yards Between  
8 Adjacent Zones

9 *Code of Charles County, Maryland*

10  
11 **PREAMBLE**

12  
13 **WHEREAS**, the Maryland Airport, established in 1943, is a privately owned, general  
14 aviation airport located in western Charles County that provides charter service;

15  
16 **WHEREAS**, an Airport Master Plan for the Maryland Airport was approved by the Federal  
17 Aviation Administration (FAA) and Maryland Aviation Administration (MAA) in 1999 which has  
18 served as a blueprint for improvements, including a new runway that was constructed in 2013;

19  
20 **WHEREAS**, in 2017, approximately 565 acres of land surrounding the Maryland Airport  
21 were rezoned from Light Industrial (IG) and Business Park (BP) to Watershed Conservation District  
22 (WCD), significantly restricting the potential for economic development in areas in the vicinity of  
23 and in proximity to the Airport;

24  
25 **WHEREAS**, since 2017, the Charles County Economic Development Department (EDD)  
26 has received inquiries and interest from various investors who are interested in locating near the  
27 Maryland Airport;

28  
29 **WHEREAS**, in 2018 a new owner acquired the Maryland Airport property, who has  
30 continued to invest in improvements to the airport and has seen an increase in operations at the  
31 airport since their purchase;

1       **WHEREAS**, the County’s Economic Development Department commissioned a report  
2 entitled, “Current Conditions and Economic Assessment of Bryans Road,” which was published in  
3 April 2020;

4  
5       **WHEREAS**, the April 2020 report indicates that the area surrounding the Maryland Airport  
6 could support considerable employment supporting development over the next twenty to thirty years,  
7 with the potential to provide jobs and increase the County’s commercial tax base;

8  
9       **WHEREAS**, the Maryland Airport is an integral part of the County’s economic development  
10 strategy because it has the capability to serve a vital role in the National, State and local transportation  
11 framework;

12  
13       **WHEREAS**, in furtherance of the updated vision for Bryans Road and the immediate vicinity  
14 of the Maryland Airport, on October 19, 2021, the Charles County Commissioners adopted  
15 Resolution # 2021-26, which amended the County’s Comprehensive Plan to change the land use  
16 designation for an approximately 565-acre area surrounding the Maryland Airport from the  
17 Watershed Conservation District to the Employment and Industrial District; now therefore:

18  
19       **SECTION 1. BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF**  
20 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**  
21 **follows:**

22  
23       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*

Chapter 297. ZONING ORDINANCE

Article II GENERAL PROVISIONS

§ 297-32 Noise.

A. The following is the Table of Maximum Permitted Sound Levels, dB(A), Re: 0.0002:

<b>Figure II-2 Maximum Permitted Sound Levels dB(A) Re: 0.0002 Microbar</b>				
<b>Zoning of Adjacent Lot</b>				
	<b>Residential (7:00 p.m. to 7:00 a.m.)</b>	<b>PMH, PRD, MX (7:00 p.m. to 7:00 a.m.)</b>	<b>Commercial</b>	<b>Industrial PEP Zoning</b>
IG, PEP	50	45	55	65
IH, BP, <b>ABP</b>	50	45	60	70

B. Except as provided in Subsection [F](#), Figure II-2 establishes the maximum permissible noise levels for a use by location, and, as indicated, the maximum permissible noise levels vary according to the zoning of the lot adjacent to the lot on which the use is located.

C. A decibel is a measure of a unit of sound pressure. Since sound waves having the same decibel level "sound" louder or softer to the human ear depending upon the frequency of the sound wave in cycles per second (i.e., whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with the specifications of the American National Standards Institute, which automatically takes into account the varying effect on the human ear of different pitches, shall be used on any sound level meter taking measurements required by this section. Accordingly, all measurements are expressed in dB(A) to reflect the use of this A-weighted filter.

D. The standards established in Figure II-2 are expressed in terms of the equivalent sound level (Leq), which must be calculated by taking 100 instantaneous A-weighted sound levels at ten-second intervals (see [Appendix H<sup>\[1\]</sup>](#)) and computing the Leq in accordance with the table set forth in [Appendix H](#). The measurements shall be taken at all property lines of the source of the noise.

[\[1\]](#) Editor's Note: [Appendix H](#) is *included as an attachment to this chapter*.

E. Impact noises are sounds that occur intermittently rather than continuously. Impact noises

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generated by sources that do not operate more than one minute in any one-hour period are permissible up to a level of 10 dB(A) in excess of the figures listed in Figure II-2, except that this higher level of permissible noise shall not apply from 7:00 p.m. to 7:00 a.m. when the adjacent lot is zoned residential. The impact noise shall be measured using the fast response of the sound level meter.

F. Noise resulting from temporary construction activity that occurs between 7:00 a.m. and 7:00 p.m. shall be exempt from the requirements of this section.

\* \* \* \* \*

## Chapter 297. ZONING ORDINANCE

### Article III DEFINITIONS AND INTERPRETATIONS

§ 297-49. Word usage; definitions.

E. Definitions.

\* \* \* \* \*

### AIRCRAFT MAINTENANCE

**THE PERFORMANCE OF TASKS REQUIRED TO ENSURE THE CONTINUING AIRWORTHINESS OF AN AIRCRAFT OR AIRCRAFT PART, INCLUDING OVERHAUL, INSPECTION, REPLACEMENT, DEFECT RECTIFICATION, AND THE EMBODIMENT OF MODIFICATIONS, COMPLIANCE WITH AIRWORTHINESS DIRECTIVES AND REPAIR. THIS INCLUDES AVIONICS (A BLEND OF AVIATION AND ELECTRONICS) WHICH ARE THE ELECTRONIC SYSTEMS USED ON AIRCRAFT. AVIONIC SYSTEMS INCLUDE COMMUNICATIONS, NAVIGATION, THE DISPLAY AND MANAGEMENT OF MULTIPLE SYSTEMS, AND THE HUNDREDS OF SYSTEMS THAT ARE FITTED TO AIRCRAFT TO PERFORM INDIVIDUAL FUNCTIONS.**

\* \* \* \* \*

## Chapter 297. ZONING ORDINANCE

### Article IV, Permissible Uses

Section 297-63, Amending Figure IV-1, Table of Permissible Uses as shown herein.

# ZONING REGULATIONS

297 Attachment 1

Charles County

**Figure IV-1**  
**Table of Permitted Uses**

[Amended 8-2-1993 by Ord. No. 93-82; 12-7-1993 by Ord. No. 93-100; 12-7-1993 by Ord. No. 93-101; 12-7-1993 by Ord. No. 94-4; 9-12-1994 by Ord. No. 94-83; 11-21-1994 by Ord. No. 94-100; 10-31-1995 by Ord. No. 95-96; 11-7-1995 by Ord. No. 95-97; 2-13-1996 by Ord. No. 96-7; 9-10-1996 by Ord. No. 96-88; 5-5-1997 by Ord. No. 97-44; 7-8-1997 by Ord. No. 97-83; 3-1-1999 by Ord. No. 99-16; 3-30-1999 by Ord. No. 99-32; 3-30-1999 by Ord. No. 99-33; 10-25-2000 by Ord. No. 99-92; 2-22-2000 by Ord. No. 00-10; 5-2-2000 by Ord. No. 00-37; 8-21-2000 by Ord. No. 00-64; 10-23-2000 by Ord. No. 00-84; 12-11-2000 by Ord. No. 00-93; 10-23-2001 by Ord. No. 01-87; 5-21-2002 by Ord. No. 02-58; 9-23-2002 by Ord. No. 02-80; 3-21-2005 by Bill. No. 2005-03; 7-25-2005 by Bill. No. 2005-01; 8-9-2005 by Bill. No. 2005-13; 1-10-2006 by Bill. No. 2005-11; 3-14-2007 by Bill. No. 2007-05; 5-7-2008 by Bill. No. 2008-02; 9-3-2008 by Bill. No. 2008-11; 10-22-2008 by Bill. No. 2008-12; 10-22-2008 by Bill. No. 2008-21; 4-13-2010 by Bill. No. 2010-02; 4-13-2010 by Bill. No. 2010-05; 4-13-2010 by Bill. No. 2010-06; 3-30-2011 by Bill. No. 2011-02; 6-19-2012 by Bill. No. 2012-08; 5-6-2014 by Bill. No. 2014-02; 3-15-2016 by Bill. No. 2016-01; 9-20-2016 by Bill. No. 2016-06; 6-13-2017 by Bill. No. 2017-01; 6-6-2017 by Bill. No. 2017-03; 9-11-2018 by Bill. No. 2018-04; 10-2-2018 by Bill. No. 2018-05; 10-2-2018 by Bill. No. 2018-06; 7-9-2019 by Bill. No. 2019-01; 6-16-2020 by Bill. No. 2020-04; 4-13-2021 by Bill. No. 2021-01; 10-5-2021 by Bill. No. 2021-04; 9-29-2021 by Bill. No. 2021-06; 9-28-2021 by Bill. No. 2021-08; 11-17-2021 by Bill. No. 2021-10; 11-2-2022 by Bill. No. 2022-09]

P = Permitted; PC = Permitted with Conditions; SE = Special Exception; Blank = Not Permitted; \* = See Sec § 297-91D, Commercial

Uses Description	Zones																										
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC
1.00.000 AGRICULTURE																											
1.01.000 Agricultural operations																											
1.01.100 Agricultural operations as defined in § 297-49, excluding livestock, farm alcohol production, forestry operations, aquaculture operations, agritourism, and ecotourism	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P		P						
1.01.200 Livestock on a parcel greater than five acres	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC		PC		PC						
1.01.300 Keeping of livestock on less than or equal to five acres																											
1.01.310 Horses, livestock maintained as pets, and 4-H or school projects	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC		PC						
1.01.320 Cattle, swine, goats and sheep, rabbits, poultry or fowl raised for sale	SE		SE	SE																							
1.01.400 Uses located greater than 200 feet from the nearest boundary line of the land on which located																											
1.01.410 Grain dryers and related structures	P										P		P			P	P										
1.01.420 Fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building	P										P		P			P	P										
1.01.430 Commercial assembly and repair of all equipment normally used in agriculture	P												P			P	P		P								

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[illegible]

Uses Description	Zones																										
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	M X	PMH	TOD	CER	CRR	CMR	WC	AUC
1.01.700 Use of heavy cultivating machinery, spray planes, or irrigating machinery	P	P	P	P		PC	PC																				
1.02.000 Forestry operations	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P		P						
1.03.000 Open-air markets and horticultural sales																											
	1.03.100 Open-air markets																										
1.03.110 Farm and craft markets, flea markets			P							P	P	P	P							P		P		P		P	P
1.03.120 Open-air product markets	PC	PC	PC	PC						P	P	P	P							P		P		P		P	P
1.03.200 Horticultural sales with outdoor display	SE	SE	SE								P	P	P							P		P					
1.03.300 Livestock markets	SE	SE															PC										
1.04.000 Hunting and fishing cabins	PC		PC																								
1.05.000 Commercial greenhouse operation																											
1.05.100 No on-premises sale	P	P	P	P						P	P		P			P	P										
1.05.200 On-premises sales permitted	P	SE	SE	SE						P	P		P			P	P										
1.05.300 Medical cannabis dispensary											PC	PC		PC		PC	PC		PC								
1.06.000 Kennel, commercial	PC	SE	PC			SE				PC	PC		PC														
1.07.000 Cat boarding facility	PC	PC	PC	PC		PC																				P	P
1.08.000 Agritourism/ecotourism	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC			PC	PC	PC	PC		PC					PC	PC
2.00.000 MARINE																											
2.01.000 Marina, including boat sales and repair and boat rental including sailboards and jet skis											PC		PC						PC	PC							
2.02.000 Aquacultural operations																											

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[illegible]

Uses Description	Zones																											
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC	
3.01.400 Class A manufactured home	P	P	P	P	P	P	P	P													P							
3.01.500 Class B manufactured home	P	P	SE	SE		SE															P							
3.01.600 Tenant house	PC	PC	PC	PC		PC																						
3.01.700 Primary residence with accessory apartment	PC	PC	PC	PC	PC	PC	PC	PC	PC	P										PC		PC	PC	PC	PC			
3.01.800 Single-room-occupancy units								P	P	P	P	P	P					P		P		P	P	P	P			
3.02.000 Single-family attached																												
3.02.100 Duplex					P		PC	PC										PC		PC		PC	PC	PC	PC			
3.02.200 Townhouse							PC	PC										PC		PC		PC	PC	PC	PC	PC	PC	
3.02.300 Multiplex							PC	PC										PC		PC		PC	PC	PC	PC	PC	PC	
3.03.000 Multifamily																												
3.03.100 Garden apartment							PC	PC										PC		PC		P	PC	PC		PC	PC	
3.03.200 Midrise							PC	PC										PC		PC		P				PC	PC	
3.03.300 High-rise																		SE		SE		SE					PC	
3.03.400 Commercial apartment									P	P	P	P	P							P		P	P	P		PC	PC	
3.04.000 Homes emphasizing special services, treatment, or supervision, and residential elderly care homes																												
3.04.100 Group homes																												
3.04.110 Not more than eight people	PC	PC	PC	PC	PC	PC	PC	PC	PC									PC		PC	PC	PC	PC	PC	PC	PC	PC	
3.04.120 With between nine and 16 people	SE	SE	SE	SE	SE	SE	SE	SE	P	P			P					SE		SE	SE	SE	SE	SE	SE	SE	SE	
3.04.200 Day care																												
3.04.210 Day-care home (having fewer than nine care recipients)	P	P	P	P	P	P	P	P	P	P			P					P		P	P	P	P	P	P	P	P	

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3.04.220 Day-care center, day nursery (between nine and 30 care recipients)	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	PC		SE		P	P	P	SE	P	P	P	SE	P	P
3.04.300 Halfway house	SE	SE	SE	SE	SE	SE	SE	SE	P									SE		SE	SE	SE			SE	SE	SE
3.04.400 Elderly care homes																											
3.04.410 Elderly care homes (1 - 8 people)	P	P	P	P	P	P	P	P	P									P		P	P	P	P	P	P	P	P
3.04.420 Elderly care homes (9 - 16 people)	SE	SE	SE	SE	SE	SE	SE	SE	SE									SE		SE	SE	SE	SE	SE	SE	SE	SE
3.04.500 Retirement housing complex								SE	SE			SE	SE					P		P		P	P	P	P	P	P
3.05.000 Miscellaneous rooms-for-rent situations																											
3.05.100 Rooming houses, boardinghouses rented by the month	PC	PC	SE	PC	PC	SE	SE	SE	PC	PC	PC	PC	PC					SE		SE		SE		PC	PC	PC	PC
3.05.200 Bed-and-breakfast, tourist homes (including new structures)	PC	PC	PC	PC	PC	SE	SE	SE	PC	PC	PC	PC	PC					SE		PC		PC		P	SE	PC	PC

Uses Description	Zones																										
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC
3.05.300 Hotels, motels, convention centers, conference centers, and similar business or institutions providing overnight accommodations	SE	SE									P	P	P	PC	P				P	P		P	P	P		P	P
3.05.400 Country inn	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PC	PC	PC						SE		SE		P				
<b>3.06.000 Shelters, permanent</b>	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P						P								
<b>3.07.000 Migrant workers housing</b>	PC	PC	PC																								
<b>4.00.000 INSTITUTIONAL/UTILITIES/RECREATION</b>																											
<b>4.01.000 Educational, cultural, religious, philanthropic, social and fraternal uses</b>																											
<b>4.01.100 Schools</b>																											
4.01.110 Private elementary and secondary (included preschool, kindergarten, associated grounds, athletic, and other facilities)	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE <sup>2</sup>				P	P	P	P	P	SE	SE	SE	P	
4.01.120 Trade or vocational schools								P		P	P	P	P	P	P	P	P	P	P	SE		SE	P			P	P
4.01.130 Private colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			SE					SE	P	P		P				P	P
4.01.200 Churches, synagogues, and temples (including associated cemeteries, associated residential structures for religious personnel and associated buildings with religious classes not including	P	P	P	P	P	P	P	P	P	P	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	P	P	P

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4.02.220 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, approved as part of a residential development; kayak, sailboard, bicycle sales and rentals	P	P	P	P	P	P	P	P	P									P		P	P	P	P	P	P	P	P	P
4.02.230 Recreation vehicle parks	SE	SE								PC		PC																
4.02.240 Campgrounds and camps	SE	SE	SE																									
4.02.250 Automobile and motorcycle racing tracks	SE	SE														SE	SE											
4.02.260 Drive-in movie theaters, open-air theaters, and amphitheaters	SE	SE											SE															
4.02.270 Amusement and theme parks	SE	SE		SE																SE								
4.02.280 Golf driving ranges not accessory to golf courses, par three golf courses, miniature golf courses, skateboard parks, water slides, batting cages, and similar uses	SE	SE	SE	SE						P	P		P						P	P								
4.02.290 Rifle and pistol ranges, war games, archery ranges, or other recreational activities using weapons	SE	SE	SE	SE						SE	SE		SE					SE	SE									

Uses Description	Zones																											
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC	
4.03.000 Institutional residence or care or confinement facilities																												
4.03.100 Hospitals and other inpatient medical (including mental health treatment) facilities in excess of 10,000 square feet of floor area	SE	SE								PC	PC	PC	PC	PC					PC	PC		PC	PC			P	P	
4.03.200 Nursing care, intermediate care, handicapped, infirm, and child care institutions	SE	SE		SE	SE	SE	SE	SE	SE	P	P	P	P	SE <sup>2</sup>					P	P		P	P			P	P	
4.04.000 Emergency Services																												
4.04.100 Fire Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
4.04.200 Rescue squads, ambulance services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
4.05.000 Miscellaneous public and semi-public facilities																												
4.05.100 Post Office																												
4.05.110 Local	SE	SE	SE		SE				P	P	P	P	P	P		P			P	P		P	P	P		P	P	
4.05.120 Regional											P			P		P	P		P	P		P	P					
4.05.200 Airport																												
4.05.210 Private use	SE	SE		SE																								
4.05.220 General aviation airport																PC												

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#### 4.05.300 Helicopter facilities

4.05.310 Heliports	SE	SE		SE											PC	PC	PC		SE	SE		SE					
4.05.320 Helistops	SE	SE		SE	SE					SE	SE	SE	SE	SE	PC	PC	PC		PC	PC		SE					PC

#### 4.06.000 Public utilities (including towers and related structures)

4.06.100 Neighborhood essential service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
4.06.200 Electric power, gas transmission, and telecommunications buildings and structures not associated with a tower	SE	SE	SE	SE		SE	SE	SE	SE		SE			SE	SE	P	P		SE	SE		SE	SE			SE	SE
4.06.300 Towers more than 50 feet tall	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
4.06.400 Towers and antennas 50 feet tall or less	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
4.06.500 Wireless communication antennas	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

#### 4.07.000 Satellite dishes and earth stations

4.07.100 Earth stations	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PC	PC	SE	PC	SE	SE	SE	SE	SE	SE		
4.07.200 Satellite dishes	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	P	P	P	PC	P	P	P	PC	P	PC	PC	PC	PC	PC	PC	PC	PC	PC

#### 4.08.000 Cemeteries and crematoriums

4.08.100 Cemeteries																											
4.08.110 Family burial sites	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC					PC	PC							

Uses Description	Zones																										
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC
4.08.120 Other cemeteries	SE	SE	SE	SE	SE	SE	SE	SE										SE									
4.08.200 Crematoriums	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P		P			P	P	SE	P				SE				

#### 4.09.000 Transportation

4.09.100 Bus stations, train stations									P		P	P	P	P		P	P		P	P		P	P	P	P	P	P
4.09.200 Park and ride facilities	P	P		P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P

#### 5.00.000 SERVICE-ORIENTED COMMERCIAL

##### 5.01.000 All operations conducted entirely within fully enclosed building

##### 5.01.100 Operations designed to attract and serve customers or clients on the premises

5.01.111 Professional offices (examples are attorneys, architects, engineers, insurance and stock brokers, travel agents, government office buildings, etc.)										P	P	P	P	P	P	P	P			P	P			P	P			P	P	
5.01.112 Personal services (see definition)										P	P	P	P	P	PC <sup>1</sup>					P	P			P	PC	P			P	P
5.01.113 Dry cleaning/laundry and laundromats											P	P	P	P	PC <sup>1</sup>					P	P			P				P	P	
5.01.114 Banks and financial institutions											P	P	P	P	P	P	P			P	P			P	P	P			P	P
5.01.115 Business services										P	P	P	P	P	PC <sup>1</sup>	P				P	P			P	P	P			P	P

Asterisks \*\*\* mean intervening code language remaining unchanged

Note: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law

5.01.116 Office or clinics of physicians, dentists, and chiropractors										P	P	P	P	P	P	P					P	P			P	P			P	P
---	--	--	--	--	--	--	--	--	--	---	---	---	---	---	---	---	--	--	--	--	---	---	--	--	---	---	--	--	---	---

#### 5.02.000 Operations conducted within and/or outside fully enclosed building

5.02.100 Construction services and supplies												P		P	<sup>1</sup>		P			P	P		P						
5.02.200 Retail concrete mixing											PC	PC					P	P											
5.02.300 Funeral homes	SE	SE	SE	SE	SE					PC	PC	PC	PC	PC						PC	PC		PC	PC				PC	PC
5.02.400 Veterinarians and veterinary hospitals	P	P	SE	SE	SE	SE					PC	PC	PC	PC						PC	PC		PC	PC				PC	PC
5.02.500 Nursery schools and day-care centers with more than 30 children	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	P	PC		SE		SE	P	P	SE	P	P	P	SE	P	P	

#### 6.00.000 COMMERCIAL

#### 6.01.000 Commercial sales and rental of goods, merchandise and equipment

##### 6.01.100 Retail sales

##### 6.01.110 Building floor space <15,000 square feet/parcel

6.01.111 Shoppers merchandise stores (see definition)											P	P	P	P	PC					P	P		P	P	P		P	P
6.01.112 Specialty shops (see definition)									P	P	P	P	P	<sup>1</sup>						P		P	P	P			P	P
6.01.113 Antique shops, art galleries less than 15,000 square feet	SE	SE	SE		SE				P	P	P	P	P	<sup>1</sup>					P	P		P	P	P			P	P

Uses Description	Zones																											
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC	

##### 6.01.120 Building floor area > 15,000 square feet

6.01.121 Shoppers merchandise stores (see definition)											P	P	SE						P	P		P				P	P
6.01.122 Specialty shops (see definition)											P	P	SE						P	P		P				P	P
6.01.123 Antique shops, art galleries	SE	SE									P	P	SE						P	P		P				P	P
6.01.130 General merchandise (see definition)											P		SE	PC					P	P		P					
6.01.140 Convenience Stores									SE		P	P	SE	PC					P	P		P	SE	SE	SE	P	P
6.01.150 Retail sales over 100,000 square feet (see definition)											SE	SE								SE		SE					
6.01.200 Wholesale sales (see definition)											P			P	P	P	P	P		P	P		P	P			

##### 6.02.000 Restaurants

6.02.100 Restaurant, standard, fast food, bars, nightclubs, dinner theaters										PC	SE	PC	PC	PC	PC	PC	PC				PC	PC		PC	PC	PC		PC	PC
6.02.200 Restaurant, fast food carry-out and delivery											SE	P	P	SE	PC	PC	P				P	P		P	P	P		P	P

##### 6.02.300 Restaurant, fast food drive-in, and drive-through and mobile food service facilities

6.02.310 With direct highway access to a public road											SE	SE	SE						SE	SE		SE						
--	--	--	--	--	--	--	--	--	--	--	----	----	----	--	--	--	--	--	----	----	--	----	--	--	--	--	--	--

Asterisks \*\*\* mean intervening code language remaining unchanged

Note: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law

6.02.320 Part of a business park or shopping center with no direct access to a public road												P	P	P	PC					P	P		P	P	P				
6.02.330 Mobile food service facilities												PC	PC	PC	PC	PC	PC			PC	PC		PC	PC	PC		PC	PC	
6.03.000 Motor vehicle related and service operations																													
6.03.100 Motor vehicle sales or rental; mobile home sales																													
6.03.110 Motor vehicle sale or rental in the CB Zone on >3 acres													SE																
6.03.120 All other motor vehicle sale or rental; mobile home sales												PC	PC	PC						PC	PC			SE					
6.03.200 Sales and installation of motor vehicle parts or accessories such as tires and mufflers.											PC	PC		PC			PC			PC	PC								
6.03.300 Motor vehicle repair and maintenance, fuel sales, car wash (not including auto body work)																													
6.03.310 Motor vehicle repair and maintenance											PC	PC	PC	PC	2		PC				PC	PC			P	P			
6.03.311 For more than two buses, bus dispatching, storage, including parts, maintenance, washing, and service facility, as incorporated herein	SE																												
Uses Description	Zones																												
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	ABP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	WC	AUC		
6.03.320 Motor vehicle fuels sales																													
6.03.321 Associated with commercial uses >3,500 sq. ft.											SE	SE	SE	PC	PC		SE				SE	SE							
6.03.322 All other											SE	PC	PC	PC	PC		PC				PC	PC							
6.03.330 Car wash											PC	PC	PC	PC	PC		PC				PC	PC							
6.03.400 Motor vehicle painting and body work												PC		PC			PC				PC								
6.03.500 Automotive parks												PC					PC				PC	PC							
6.04.000 Medical Cannabis																													
6.04.100 Processing Operation	PC											PC	PC		PC		PC	PC			PC								
6.04.200 Dispensary Operation												PC	PC		PC		PC	PC			PC								
7.00.000 INDUSTRIAL																													
7.01.000 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, and assembling of goods, merchandise, and equipment																													
7.01.100 All operations conducted entirely within fully enclosed building																													
7.01.110 Buildings <10,000 sq. ft. per parcel											SE	P		SE	P	P	P	P		P	P			P			SE	SE	
7.01.120 Buildings >10,000 sq. ft. per parcel														SE	P	P	P	P		P	SE			SE				SE	
7.01.200 Operations conducted within or outside fully enclosed building																													

Asterisks \*\*\* mean intervening code language remaining unchanged

Note: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law







[illegible]

NOTES:

<sup>1</sup> This use is permitted without conditions when located in flex space.

<sup>2</sup> This use is permitted with conditions when located in flex space.

Asterisks \*\*\* mean intervening code language remaining unchanged

Note: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law

2 Chapter 297. ZONING ORDINANCE

3 Article VI, Base Zone Regulations

4  
5 Section 297-91 Commercial zones.

6 A. Objectives. These zones, Neighborhood Commercial (CN), Community Commercial (CC),  
7 Central Business (CB), **AVIATION BUSINESS PARK (ABP)**, and Business Park (BP),  
8 provide distinctive standards for the range of commercial uses from neighborhood business to  
9 highway-oriented commercial uses. They direct commercial activities into commercial  
10 clusters to discourage "strip" development.

11 (1) CN Neighborhood Commercial Zone. This zone provides limited retail and  
12 commercial services which satisfy those basic daily consumer needs of residential  
13 neighborhoods. Standards are established to minimize impact on residential zones by  
14 providing for similar building massing and low concentration of vehicular traffic.

15 (2) CC Community Commercial Zone. This zone provides a wide range of commercial  
16 uses and establishments to serve several neighborhoods in appropriate locations along  
17 major roads while discouraging strip development.

18 (3) CB Central Business Zone. This zone provides appropriate locations for high-intensity  
19 commercial uses and encourages development consistent with a traditional downtown  
20 area. This zone is located in town centers and the urban core as designated in the  
21 Comprehensive Plan.

22 (4) BP Business Park Zone. This zone concentrates business and light industrial uses along  
23 with other supporting uses in a parklike setting to promote economic development and  
24 job creation while protecting the environment and reducing impacts on the  
25 surrounding residential neighborhoods. This zone is located where a large area of land  
26 permits horizontal expansion sufficient to accommodate various types of buildings,  
27 including flex space, to provide for a mis of uses and to provide on-site storage,  
28 parking and landscaped areas. These locations can be served by a complete array of  
29 community facilities, and supporting amenities, and provide for the regional  
30 transportation network.

31 [Amended 6-16-2020 by Bill No. 2020-04; 9-28-2021 by Bill No. 2021-08]

32 **(5) ABP AVIATION BUSINESS PARK ZONE. THIS ZONE FACILITATES THE**

1                   **DEVELOPMENT OF COMMERCIAL, EMPLOYMENT, AND LIGHT**  
2                   **INDUSTRIAL USES THAT ARE COMPATIBLE WITH A GENERAL**  
3                   **AVIATION AIRPORT.**

4       B.       General regulations.

- 5           (1)     Minimum lot area, area per dwelling unit, building setback from adjacent lot lines,  
6                   lot width, front yard, side yard, rear yard and maximum building height, as displayed  
7                   in [Figure VI-5](#), shall apply subject to other requirements of this chapter.<sup>[1]</sup>

8                   [1]     *Editor's Note: [Figure VI-5](#) is included as an attachment to this chapter.*

- 9           (2)     Minimum lot sizes may be reduced to 10,000 square feet when the lot is created as  
10                   part of a subdivision with an internal circulation network where the lot does not  
11                   access directly on a collector or arterial street. However, the lot may access directly  
12                   on a service road.

- 13          (3)     The minimum side yard building restriction line as contained in CC and CB Zones  
14                   may be eliminated in the case where adjacent fee-simple lots share a building wall on  
15                   common property lines. Reduction in the building restriction lines under this  
16                   subsection must comply with the following conditions:

17                   [Added 10-31-1995 by Ord. No. 95-95]

- 18           (a)     The off-street parking requirements of § [297-335](#), number of parking spaces  
19                   required, must be met for the individual use for each fee-simple lot.  
20           (b)     A maximum of one freestanding sign structure shall be permitted for the  
21                   collective buildings.  
22           (c)     Legally binding documents are required to identify that all subdivided parcels  
23                   are provided with unrestricted ingress and egress.

24       C.       Permitted uses. The permitted uses within the commercial zones shall be in conformance  
25                   with the uses permitted in the [Table of Permissible Uses](#).<sup>[2]</sup>

26                   [2]     *Editor's Note: The [Table of Permissible Uses](#) is included as an attachment to this*  
27                   *chapter.*

28       D.       Uses permitted in the BP Zone. In addition to those accessory uses allowed under § [297-](#)  
29                   [29C](#) and uses allowed by Figure IV-1, the following uses shall be allowed in the Business  
30                   Park (BP) Zone when intended to primarily serve the employees of the business park subject  
31                   to the restrictions set forth herein.

32                   [Added 10-23-2001 by Ord. No. 01-87; amended 6-16-2020 by Bill No. 2020-04]

(1) Permitted uses with conditions (PC) are:

- (a) Day-care center, day nursery (between nine and 30 care recipients), Use 3.04.220;
- (b) Indoor recreation, Use 4.02.110;
- (c) Privately owned outdoor recreational facilities, Use 4.02.210;
- (d) Personal services, Use 5.01.112;
- (e) Dry cleaning, Use 5.01.113;
- (f) Business services, Use 5.01.115;
- (g) Nursery schools and day-care centers with more than 30 children, Use 5.02.500;
- (h) Shoppers merchandise stores, Use 6.01.111;
- (i) Specialty shops, Use 6.01.112;
- (j) Convenience stores, Use 6.01.140;
- (k) Restaurant, fast food carry-out and delivery, Use 6.02.200;
- (l) Restaurant, fast-food drive-in, and drive-through and mobile food service facilities, part of a business park or shopping center with no direct access to a public road, Use 6.02.320;
- (m) Motor vehicle fuel sales associated with commercial uses greater than 3,500 square feet or which provide more than 12 fueling positions, Use 6.03.321;
- (n) Motor vehicle fuel sales not associated with commercial uses greater than 3,500 square feet or providing more than 12 fueling positions, Use 6.03.322; and
- (o) Car wash, Use 6.03.330.

(2) The aggregate building floor area containing uses set forth in § [297-91D\(1\)](#) shall not exceed 25% of the total building floor area of the business park tract, or subdivision, whichever is greater. Notwithstanding the foregoing, uses permitted with conditions by § [297-91D\(1\)](#) are not subject to the twenty-five percent limitation set forth above, when such uses are located within flex space.

[Amended 9-28-2021 by Bill No. 2021-08]

E. Site design and architectural review ("SDAR") of site plans and buildings for all commercial construction in the CN, CC, CB, **ABP**, and BP Zones must be obtained. All new construction, renovation and expansion projects shall comply with all applicable sections of

the site design and architectural commercial and industrial guidelines and standards. Projects that do not add more than 2,000 square feet of gross floor area or alter more than 25% of the building facade or site area are exempt. The guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the specific zone. In the BP Zone, ingress and egress to individual uses in a business park shall be via an internal road network of the business park.

[Added 5-2-2005 by Bill No. 2005-08; amended 10-22-2008 by Bill No. 2008-13; 6-16-2020 by Bill No. 2020-04]

(1) Alternative design and development code. In the BP Zone and in order to encourage and promote economic vitality, enhance the community's appearance, and foster flexibility and innovation of design, as an alternative to using the county's Schedule of Zone Regulations and applying the strict application of the Zoning Ordinance for the particular project, an applicant may submit an alternative design and development code. The alternative design and development code may be submitted with any preliminary plan or site plan. The alternative design and development code shall govern the location and design of signage, landscaping and parking within the business park.

[Added 9-28-2021 by Bill No. 2021-08]

(a) The standards set forth in the alternative design and development code may not strictly conform to and may vary from the standards set forth in the Zoning Ordinance. Where the standards set forth in the alternative design and development code vary from the standards in the Zoning Ordinance, the alternative design and development code shall apply. Where the alternative design and development code is silent, the Zoning Ordinance shall apply.

(b) The alternative design and development code shall include the following:

- [1] The overall planned development design concept;
- [2] Standards for street, block and lot layouts;
- [3] Streetscape design standards;
- [4] Building and lot design and development standards;
- [5] A master landscape plan and landscape standards, to include landscaping of parking areas;
- [6] Architectural design standards;

- [7] Minimum yard and setback requirements;
- [8] A master sign plan governing the location, number, height, illumination, size and design of signage; and
- [9] A master parking plan.

(c) The Planning Commission is authorized to review and approve the alternative design and development code. Once approved, the Planning Director is authorized to approve minor amendments to the alternative design and development code. Major amendments to the alternative design and development code would need to be authorized by the Planning Commission.

F. Ancillary equipment, facilities, and utilities necessary to support a general aviation airport.  
[Added 10-22-2008 by Bill No. 2008-12]

\* \* \* \* \*

\* \* \* \* \*

## Chapter 297. ZONING ORDINANCE

### Article VI, Base Zone Regulations

Section 297-91, Aviation Business Park (ABP) Zone, Amending Figure VI-5 as shown herein.



ZONING REGULATIONS

Figure VI-5

Schedule of Zone Regulations: Commercial Zones

[Amended 10-31-1995 by Ord. No. 95-95; 1-10-2006 by Bill No. 2005-11;  
6-16-2020 by Bill No. 2020-04; 9-28-2021 by Bill No. 2021-08; 11-2-2022  
by Bill No. 2022-09]

ABBREVIATIONS:

du: Dwelling unit.  
FAR: Floor area ratio. An intensity measured as a ratio derived by dividing the total floor area of a building by the base site area.  
ISR: Impervious surface ratio. The ratio derived by dividing the area of impervious surface by the base site area. Impervious surfaces are those which do not absorb water. They consist of all buildings, parking areas, driveways, roads and sidewalks.

\*\*\*\*\*

Uses	Minimum Lot Criteria					Minimum Yard Requirements (feet)				Maximum Height		Lot Coverage	Intensity	Minimum Open Space	Maximum ISR	Minimum Tract Size
	Area	Square feet per du	Width (feet)	Depth (feet)	Frontage (feet)	Front	Side	Total	Rear	Feet	Stories					
ABP ZONE																
AGRICULTURAL 1.00.000	3 ACRES <sup>2</sup>		150	200	120	75	40	80	50	36	3					
RESIDENTIAL LOTS CREATED BEFORE 6-6-2017						30	8	46	20	40						
HOTELS, MOTELS, CONVENTION CENTERS, ETC. 3.05.300	3 ACRES <sup>2</sup>		150	200	120	50	20	40	25	36	3		0.50 FAR		0.7	
INSTITUTIONAL/UTILITIE S/RECREATION 4.00.000	2 ACRES <sup>2</sup>		100	150	80	50	20	40	25	36	3		0.35 FAR		0.7	
SERVICE-ORIENTED COMMERCIAL AND COMMERCIAL 5.00.000 AND 6.00.000	2 ACRES <sup>2</sup>		100	150	80	50	20	40	25	36	3		0.35 FAR		0.7	
INDUSTRIAL 7.00.000	2 ACRES <sup>2</sup>		100	150	80	50	20	40	25	36	3		0.35 FAR		0.7	
FLEX SPACE 9.00.000	2 ACRES <sup>2</sup>		100	150	80	50	20	40	25	36	3		0.50 FAR		0.7	

NOTES:

<sup>1</sup>Minimum lot sizes may be reduced to 10,000 square feet when created as part of a subdivision with consolidated access and an internal traffic network.  
<sup>2</sup>Minimum lot sizes may be reduced to 30,000 square feet when created as part of a subdivision with consolidated access and an internal traffic network.  
<sup>3</sup>May be increased as set forth in § 297-27, Article II.  
<sup>4</sup>May be reduced as per § 297-91B, general regulations for Commercial Zones.  
<sup>5</sup>The maximum height for mini-warehouse facilities, Permissible Use No. 7.02.230, in the CC Zone and in the development district, as provided in the Charles County Comprehensive Plan, is 60 feet, five stories.  
<sup>6</sup>The intensity for mini-warehouse facilities, Permissible Use No. 7.02.230, in the CC Zone and in the development district, as provided in the Charles County Comprehensive Plan, and in the CB Zone, is 1.0 FAR. In the CC Zone exterior to the development district, the maximum intensity is 0.6 FAR.  
<sup>7</sup>The perimeter of the BP zoned tract shall be identified via a plan or plat, and the County-required setbacks, building restriction lines, and buffer yards shall be applicable to this perimeter boundary.  
<sup>8</sup>Section 297-26A(2), which requires an additional ten-foot offset from the right-of-way line, is not applicable to the BP Zone.  
<sup>9</sup>When prepared and adopted as part of a BP alternative design and development code, front yard setbacks to new private or public rights-of-way that are to be part of/within the BP preliminary plan are not applicable, and instead, the alternative design and development guidelines shall provide for the establishment of front yard setbacks to roadways.  
<sup>10</sup>When not otherwise part of a BP preliminary plan. In the case with a BP preliminary plan, there are no minimum lot criteria.

\* \* \* \* \*

Chapter 297. ZONING ORDINANCE

Article VII, Planned Development Zone Regulations

Section 297-102(A), General Regulations, Amending Figure VII-1 as shown herein.

DRAFT

**Figure VII-1**  
**Location of Planned Development Zones**  
 [Amended 3-1-1999 by Ord. No. 99-16; 7-25-2005 by Bill No. 2005-01;  
 3-17-2007 by Bill No. 2006-15; 4-13-2010 by Bill No. 2010-02; 4-  
 13-2010 by Bill No. 2010-06; 11-28-2017 by Bill No. 2017-07]

Base Zone	Planned Development Zones				
	PRD	MX	PEP	PMH	TOD
AC			P		
RC			P		
RR			P		
RV		P	P		
RL	P		P		
RM	P	P	P	P	P
RH	P	P	P	P	P
RO					
CN			P		
CC		P	P		P
CB		P	P		P
CV		P	P		P
BP		P	P		P
<b>ABP</b>					
IG		P	P		P
IH		P	P		P
CER					
CRR					
CMR					
WC					
AUC					
HVC					
HVG					
HVR					
HVE					

- NOTES:
1. A blank indicates that planned development is not allowed in the base zone.
  2. P = Permitted

Asterisks \*\*\* mean intervening code language remaining unchanged  
 Note: CAPITALS indicate language added to existing law  
 [Brackets] indicate language deleted from existing law

1  
2  
3  
4  
5

Chapter 297. ZONING ORDINANCE  
Article X, Highway Corridor (Overlay Zone)

Section 297-151, Road buffer standards, Amending Figure X-1 as shown herein.

DRAFT

Charles County

Figure X-1  
Road Corridor Buffer Yard and Building Setback  
Requirements  
(Buffer yard by type and setback in feet)

[Amended 8-30-2004 by Bill No. 2004-06; 7-25-2005 by Bill No. 2005-01; 4-13-2010 by Bill No. 2010-02; 6-10-2014 by Bill No. 2014-03; 11-28-2017 by Bill No. 2017-07; 6-16-2020 by Bill No. 2020-04; 1-12-2022 by Bill No. 2021-12]

Road Classification	AC, RC, RR	RV, HVR	RM, RL	RH	RO, CN	CC	CB	CV, HVE	BP	ABP	IG	IH	PMH, PRD	PEP	MX	CRR, CER	CMR	WC, AUC
Principal arterial	D 100	B 50	D 75	C 50	C 50	C 40	B 30	B 30	D 50	D 50	B 100	E 125	D 125	C 100 <sup>4</sup>	D 75 <sup>4</sup>	D 40	C 50	B 30
Parkway			D 50	C 50	B 40	B 40	B 25	B 40	C 40	C 40	B 75	E 75	C 75	C 75 <sup>4</sup>	C 50 <sup>4</sup>	B 40	C 50	
Other arterials	C 75	B 50	D 50	B 40	B 50	C 40	B 25	B 30	C 40	C 40	B 75	E 80	C 100	C 75 <sup>4</sup>	D 60 <sup>4</sup>	C 20	B 50	
Collector	B 50	A 40	C 40	B 40	A 30	A 30	A 25	A 30	B 30	B 30	A 50	B 50	B 75	B 50 <sup>4</sup>	C 40 <sup>4</sup>	B 25	B 40	

NOTES:

- <sup>1</sup> “A” through “E” designates type of buffer required as illustrated in Article XXII.
- <sup>2</sup> Numbers given are the building setback requirements in feet.
- <sup>3</sup> Single-family residential lots and minor subdivisions will be exempt from the buffer requirements above.
- <sup>4</sup> Setbacks may be reduced to 30 feet if the site is located in designated community mixed-use areas, business corridor mixed-use areas, opportunity mixed-use areas, or employment areas, as defined by adopted subarea plans; as well as those properties located within a designated federal opportunity zone.
- <sup>5</sup> In the BP Zone, evergreen and coniferous trees shall be exempt from the requirements of Buffer Yard D.
- <sup>6</sup> In the BP Zone, canopies associated with motor vehicle fuel sales, which cover fuel station product dispensers, are not defined as a building for applicability of building restriction lines, nor are they restricted by § 297-26C(1)(a), which limits projections of canopies into yards to a maximum of three feet. By way of example, see table below:

FUEL CANOPY MINIMUM SETBACK TABLE: BP ZONE

Road Classification Buffer Yard Type	Principal Arterial Buffer Yard D	Parkway Buffer Yard C	Other Arterial Buffer Yard C	Collector Buffer Yard B
Buffer Yard Variable Depth Options § 297-385:				
10				
15				25
20		30	30	30
25	35	35	35	30
30	40	40	40	30
40	50			

Asterisks \*\*\* mean intervening code language remaining unchanged  
Note: CAPITALS indicate language added to existing law  
[Brackets] indicate language deleted from existing law

## Chapter 297. ZONING ORDINANCE

### Article XIII, Minimum Standards for Special Exceptions and Uses Permitted with Conditions

Adding Section 7.09.000 and amending Sections 1.01.200, 4.05.310, 4.05.320, 4.06.200, 4.07.100, 6.02.100, 6.02.200, 6.02.330, 7.02.210, 7.02.220, and 7.04.210.

#### Section 297-212 Uses corresponding with Table of Permissible Uses <sup>[1]</sup>

The following uses are listed according to the numbering system on the [Table of Permissible Uses](#) and establish the specific minimum requirements for uses permitted with conditions or special exception uses:

**(1) 1.01.200 Livestock on a parcel greater than five acres.** This use is permitted with conditions in the following zones: AC, RC, WCD, RR, RV, RL, RM, RH, RO, CN, CC, CB, **ABP**, CV, IG, IH, PRD, PEP, and PMH Zones. However, any and all areas of animal confinement less than one acre, manure storage or feed storage shall be a minimum distance of 75 feet from any public right-of-way and in no case closer than 250 feet from any existing residential dwellings on an adjoining parcel. [Amended 12-7-1993 by Ord. No. 93-100; 11-21-1994 by Ord. No. 94-100; 4-13-2021 by Bill No. 2021-01]

\* \* \* \* \*

**(66) 4.05.310 Heliports.** Heliports are permitted with conditions in the **ABP**, IG and IH Zones and are permitted by special exception in the AC, RC, RR, BP, PEP, MX and TOD Zones, provided that the following are met:

[Amended 10-25-1999 by Ord. No. 99-92]

- A. The facility meets the standards of the Federal Aviation Administration.
- B. A site plan showing compliance with all of the following standards is submitted.
- C. The land areas to be used by helicopters are provided with a dustproof surface.
- D. Parking of vehicles is not permitted within the setback requirements for the zone in which the facility is located.
- E. The day-night noise level (Ldn) at the property line, as determined in accordance with State Department of Transportation Regulation COMAR 11.03.03.01, does not exceed:
  - (1) Seventy-five Ldn in an industrial, commercial or planned development zone.
  - (2) Sixty-five Ldn in:
    - (a) Any zone or development not specified in Subsection E(1) above.
    - (b) Any zone or development specified in Subsection E(1) above if it abuts a

Asterisks \*\*\* mean intervening code language remaining unchanged

Note: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law

residential property line.

F. For a heliport, the following additional requirements apply:

- (1) The housing and repair of helicopters and all structures or facilities used to house and repair helicopters shall be located at least:
  - (a) Fifty feet from any property line; and
  - (b) Two hundred feet from any dwelling or public or private institution.
- (2) Each heliport facility is surrounded by a well-constructed, toddler-proof fence or by dense planting at least six feet in height, with a suitable gate effectively controlling access to the area.

**(67) 4.05.320 Helistops.** This use is permitted with conditions in the **ABP**, IG, IH, PEP, MX, TOD and AUC Zones and is permitted by special exception in the AC, RC, RR, RV, CN, CC, CB, CV and BP Zones, provided that the following are met:

[Amended 10-25-1999 by Ord. No. 99-92; 4-13-2010 by Bill No. 2010-02]

A. The requirements of 4.05.310, Subsections A through D.

B. For a helistop that is a structural part of a building, the following additional requirements apply:

- (1) Landing areas and supports for landing areas are constructed of fire-retardant material.
- (2) A guardrail that does not penetrate the approach departure surface is provided around the facility in accordance with the County Building Code.<sup>[101](#)</sup>

[10] *Editor's Note: See Ch. [224](#), Building Construction.*
- (3) A safety net or fence that begins below the surface of the pad, does not rise above it and is at least five feet in width around the pad is provided around each raised landing pad.

**(68) 4.06.200 Electric power, gas transmission and telecommunications buildings and structures not associated with a tower.** This use is permitted by special exception in the AC, RC, RR, RL, RM, RH, RO, CC, BP, **ABP**, PEP, MX, TOD, CER, WC and AUC Zones, subject to the following standards:

[Amended 9-7-1999 by Ord. No. 99-85; 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No. 2005-01; 4-13-2010 by Bill No. 2010-02]

A. Utility buildings or structures may be allowed, subject to the following:

- (1) The proposed building or structure at the location is necessary for public convenience and service.
- (2) The proposed building or structure at the location will not endanger the health and safety of workers and residents in the community and will not substantially impair or be detrimental to neighboring properties.

- 1 B. Public utility buildings in any permitted residential zone shall, whenever practicable, have the  
2 exterior appearance of residential buildings and shall have suitable landscaping and screen  
3 planting and fencing.
- 4 C. The Board shall prescribe appropriate conditions and safeguards to minimize adverse effects on  
5 the character of the surrounding area, including soundproofing; for the construction of fences,  
6 barriers or other safety devices; for surfacing of all access roads and driveways; shielding of  
7 floodlights or other artificial illumination; and landscaping or screening.

8 \* \* \* \* \*

9 **(71) 4.07.100 Earth stations.** This use is permitted with conditions in the HVE, IG, IH and PEP Zones  
10 and is permitted by special exception in the WCD, HVC, HVG, HVR, AC, RC, RR, RV, RL, RM, RH,  
11 RO, CN, CC, CB, CV, BP, **ABP**, PRD, MX, PMH, TOD, CER, CMR and CRR Zones, provided that:  
12 [Amended 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No. 2005-01; 6-6-2017 by Bill No. 2017-  
13 03; 11-28-2017 by Bill No. 2017-07]

- 14 A. This use and/or all associated facilities shall be located in the rear yard.
- 15 B. This use and/or all associated facilities are sufficiently screened to avoid visual impacts from  
16 public rights-of-way or adjoining properties.

17 \* \* \* \* \*

18 **(89) 6.02.100 Restaurant, standard, fast-food, bars, nightclubs and dinner theaters.** This use is  
19 permitted with conditions in the RO, [and] BP, **AND ABP** Zones and is permitted by special exception  
20 in the CN Zone, subject to the following:

- 21 A. In the RO Zone, the use is limited to 3,000 square feet of floor space.
- 22 B. In the BP Zone, the use must be oriented internally and have internal access such that it is  
23 incorporated into and as part of the business park.
- 24 C. In the CN Zone, the use is subject to the following:
- 25 (1) The use at the proposed location will not create a traffic hazard or safety problem because  
26 of its locations in relation to similar uses, necessity of turning movements in relation to  
27 its access to public roads and intersections or its location in relation to other buildings or  
28 proposed buildings.
- 29 (2) Materials, textures, colors and design of fences, walls and screening shall be compatible  
30 with on-site development, the adjacent property and the neighborhood. When solid walls  
31 are required, a planting strip five feet wide shall also be provided. Such planting shall  
32 include trees or shrubs at least two feet tall at time of planting, which may be expected to



form a year-round dense screen within three years.

(3) Lighting, including permitted illuminated signs, shall be arranged and directed so as not to reflect or cause glare into any residential zone.

(4) The Board of Appeals will regulate hours of operation so as to diminish adverse impact on adjoining properties.

D. An alcohol production facility may be approved as an accessory use to a restaurant subject to the following:

(1) In the CV Zone, alcohol production facilities are limited to less than 4,000 square feet of production area and shall be included within the same building as the primary restaurant use.

(2) In the CC, CB, BP, IG, PEP, MX, TOD, CER, CRR, WC, and AUC Zones, alcohol production facilities shall be included within the same building as the primary restaurant use and shall comprise a maximum of 49% of the total floor area of the overall restaurant use.

(3) In the HVC and HVG Zones, the alcohol production accessory use is subject to the following:

(a) The building comprises no more than 15,000 square feet of gross floor area, including restaurant area, production, storage and retail sales areas.

(b) All operations and storage shall be within an enclosed building. No outside storage of equipment, materials, inventory or waste is permitted.

(c) The alcohol production facilities shall comprise a maximum of 49% of the total floor area of the overall restaurant use.

**E. IN THE ABP ZONE, THIS USE SHALL ONLY BE PERMITTED IF LOCATED IN FLEX SPACE.**

(90) **6.02.200 Restaurant, fast-food, carry-out and delivery.** This use is permitted with conditions in the HVC, HVG, **ABP**, and BP Zones and by special exception in the CN and CV Zones, subject to the following: [Amended 11-28-2017 by Bill No. 2017-07]

A. In the BP Zone, the use must be oriented and have access internally so that it is incorporated as part of the business park, and the use is subject to the 15% area limitations set forth in § [297-91D\(2\)](#).

[Amended 6-16-2020 by Bill No. 2020-04]

B. In the CN and CV Zones, this use is subject to the following:

- (1) The use at the proposed location will not create a traffic hazard or safety problem because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads and intersections or its location in relation to other buildings or proposed buildings.
- (2) Materials, textures, colors and design of fences, walls and screening shall be compatible with on-site development, the adjacent property and the neighborhood. When solid walls are required, a planting strip five feet wide shall also be provided. Such planting shall include trees or shrubs at least two feet tall at time of planting, which may be expected to form a year-round dense screen within three years.
- (3) Lighting, including permitted illuminated signs, shall be arranged so as not to reflect or cause glare into any residential zone.
- (4) The Board may regulate hours of operation so as to prevent adverse impact on adjoining properties.

C. In the HVC and HVG Subzones, this use is subject to the following:

- (1) The use at the proposed location will not create a traffic hazard or safety problem because of its location in relation to similar uses, necessity of turning movements in relation to public streets and intersections or its location in relation to other buildings or proposed buildings.
- (2) The use is located within a building that has a front facade and primary customer entrance oriented toward the public street frontage and designed for convenient and attractive pedestrian access.

**D. IN THE ABP ZONE, THIS USE SHALL ONLY BE PERMITTED IF LOCATED IN FLEX SPACE.**

\* \* \* \* \*

**(90.1) 6.02.330 Mobile food services facilities.** This use is permitted with conditions in the CC, CB, CV, BP, **ABP**, IG, IH, PEP, MX, TOD, CER, CRR, WC, AUC and RC Zoned sites and publicly owned sites or facilities and within PUD zoned areas as permitted by the St. Charles Planning and Design Review Board, subject to the following conditions:

[Added 9-20-2016 by Bill No. 2016-06]

A. Permit required; fee.

- (1) A mobile food services facilities application, associated fee and permit is required by the Charles County Planning and Growth Management Department.

(2) Health Department permits for mobile food service facility (COMAR 10.15.03.02) must be obtained prior to issuance of the Charles County planning and growth management permit.

(3) A general site location map which illustrates the location of the proposed facility and setbacks to the property lines and access areas and a written description of the desired location is required along with written permission of the property owner at the time of application.

B. Standard dimensions and appearance.

(1) The maximum vehicle size is 24 feet long, 12 feet tall and 8.5 feet wide while in motion.

(2) Signs shall either attach to the mobile unit or be limited to three feet by five feet maximum-sized reader board temporarily placed on the ground within five feet of the facility.

(3) Facilities must not look dirty, damaged, or in disrepair, causing unsightly appearances.

C. Operational standards.

(1) Operating hours are limited to 5:00 a.m. through 10:00 p.m.

(2) Paved off-street parking must be designated for the use.

(3) Sound amplifiers, noise-making devices are prohibited. Excessively loud music and other unreasonable disturbances to the public peace are forbidden.

(4) Facilities are not permitted to provide tables, chairs, or umbrellas.

D. Safety and sanitation.

(1) Facilities may not restrict or interfere with the ingress or egress of an abutting property owner or tenant, create or become a nuisance or hazard to public health, safety or welfare.

(2) Facilities may not increase traffic congestion or delay or constitute an obstruction to adequate fire, police or sanitation vehicles.

(3) No mobile food service facility is permitted in a restricted parking zone, or within 15 feet of a fire hydrant.

(4) Facility managers and staff must have readily available access to a restroom at all times, during operating hours.

(5) Facilities must be clean.

(6) The placement of equipment, including propane tanks or generators into the public right-of-way is prohibited.

(7) Trash containers must be provided, maintained and emptied when full. A ten-foot radius

of the operating space must remain free of all refuse of any kind generated from the operation of the business.

E. Insurance.

- (1) Facilities must be properly licensed, tagged, and insured.
- (2) A copy of the insurance policy covering the mobile food service facility must be filed with the Charles County Planning and Growth Management Department.

F. Suspension or revocation of license; appeals.

- (1) Licenses may be suspended or revoked due to violation of the regulations and upon discovery that the applicant has knowingly mistated or omitted a material fact from the submitted application; or has refused to leave any premises when lawfully directed by an owner, occupant or authorized government official to do so; or is not in compliance with local, state or federal regulations.
- (2) Upon inspection, if the mobile food service facility is found not to comply with these regulations, the Zoning Officer or his/her designee shall provide written notice to the applicant or permit holder of any action taken or proposed to be taken. The applicant will be given a reasonable period to respond.
- (3) In deciding the length of time for suspension or revocation of a permit, the Department of Planning and Growth Management shall consider:
  - (a) The nature of the offense, the extent to which the offense impacts public health, safety and welfare;
  - (b) The nature and number of previous offenses;
  - (c) Actions needed to correct violations in a timely manner.
- (4) An appeal of a permit suspension, revocation, or denial must be made in writing to the Zoning Officer within seven days of the suspension, revocation or denial date. Reissuance of the license may be permitted once the violation is remedied. The applicant/owner may submit an application for administrative appeal of the Zoning Officer's determination to the Board of Appeals for a final determination of compliance.

\* \* \* \* \*

**(113) 7.02.210 All storage within completely enclosed structures.** This use is permitted with conditions in the BP AND ABP [Zone] ZONES, subject to the following:

- A. The use is oriented and accessed through an internal vehicle circulation system so that it is incorporated as part of the business park.

1 **B. IN THE ABP ZONE, THIS USE SHALL ONLY BE PERMITTED IF LOCATED IN FLEX**  
2 **SPACE.**

3 **(114) 7.02.220 Warehouse storage inside or outside completely enclosed structures where**  
4 **the storage of goods is not related to sale or use of those goods on the same lot where they are**  
5 **stored.** [Amended 9-28-2021 by Bill No. 2021-08]:

6 A. This use is permitted by special exception in the BP Zone, subject to the following:

- 7 (1) The total lot coverage, including outside storage area, shall not exceed 35% of total lot  
8 area.
- 9 (2) The exterior storage shall not exceed 75% of the square footage of the floor area of the  
10 principal structure. No exterior storage shall occur on the lot without a principal structure.
- 11 (3) Any exterior storage shall be screened from any adjacent residential zones or uses.

12 B. This use is permitted with conditions in the **BP AND ABP** [Zone] **ZONES** when located in flex  
13 space, subject to the following:

- 14 (1) The exterior storage shall not exceed 50% of the square footage of the floor area of the  
15 principal structure if the flex building is used by a single tenant or user. The exterior storage  
16 shall not exceed 25% of the square footage of the floor area of the principal structure if the  
17 flex building is a multi-tenanted building. No exterior storage shall occur on the lot without  
18 a principal structure.
- 19 (2) Any exterior storage shall be screened from any adjacent residential zones.
- 20 (3) **IN THE BP ZONE, THE** [The] type and design of screening will be determined through  
21 the Charles County Architectural and Site Design Guidelines and Standards (ASDGS) or  
22 the approval of an alternative design and development code.

23 \* \* \* \* \*

24 **(123) 7.04.210 Energetics research and development.** This use is permitted with conditions in the  
25 **ABP AND** Planned Employment and Industrial Park (PEP) [Zone] **ZONES**, provided that the following  
26 requirements are met:

27 [Added 10-22-2008 by Bill No. 2008-21]

28 [(A) Required to be located within a technology park that is associated with a military  
29 research/development facility.]

30 [(B)](A) Required to comply with all state and federal government regulations regarding  
31 energetics research and development.

32 \* \* \* \* \*

1 **(136) 7.09.000 AIRCRAFT MAINTENANCE. THIS USE IS PERMITTED WITH CONDITIONS**  
2 **IN THE ABP ZONE, SUBJECT TO THE FOLLOWING:**

3 **(A) THE USE SHALL BE REQUIRED TO COMPLY WITH ALL APPLICABLE FEDERAL,**  
4 **STATE, AND LOCAL GOVERNMENT REGULATIONS, INCLUDING BUT NOT**  
5 **LIMITED TO THE NOISE REGULATIONS CONTAINED IN SECTION 297-32 OF THIS**  
6 **CHAPTER.**

7 **(B) MAINTENANCE AREAS SHALL BE LOCATED COMPLETELY WITHIN A**  
8 **STRUCTURE. ANY OUTDOOR STORAGE OR REFUSE AREA SHALL BE FENCED OR**  
9 **SCREENED FROM VIEW WITH EITHER A MINIMUM SIX-FOOT, ONE-HUNDRED-**  
10 **PERCENT OPAQUE FENCE OR A TWENTY-FOOT BUFFER YARD C.**

11 **(D) THE SITE PLAN SHALL INDICATE THE LOCATION OF ANY WASTE GENERATED**  
12 **AND HOW IT WILL BE STORED BEFORE BEING DISPOSED OF OFFSITE.**

Chapter 297, ZONING ORDINANCE  
Article XXII, Screening and Trees

6 Section 297-370, Amending Figures XXII-1, Buffer Yards Between Adjacent Zones: Residential Zones;  
7 Figures XXII-2, Buffer Yards Between Adjacent Zones: Commercial and Industrial Zones; and Figures  
8 XXII-3, Buffer Yards Between Adjacent Zones: Planned Development Zones, as shown herein.  
9

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Asterisks \*\*\* mean intervening code language remaining unchanged  
Note: CAPITALS indicate language added to existing law  
[Brackets] indicate language deleted from existing law

## Figure XXII-1 Buffer Yards Between Adjacent Zones: Residential Zones

[Amended 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No. 2005-01; 4-13-2010 by Bill No. 2010-02; 11-28-2017 by Bill No. 2017-07]

Zone	AC	RC	RR	RV	RL	RM	RH	CRR	CER	CMR	WC	AUC	HVR
AC	--	B	B	C	C	C	C	--	--	--	--	--	C
RC	--	--	--	--	A	A	B	C	C	B	C	C	--
RR	--	--	--	B	--	A	B	C	C	B	C	C	B
RV	A	A	B	--	--	--	B	B	B	B	--	--	--
RL	A	A	--	--	--	--	B	C	C	B	C	C	--
RM	A	A	A	--	--	--	B	C	C	B	C	C	--
RH	A	B	B	B	B	B	--	C	C	B	C	C	B
RO	B	B	B	B	--	--	--	A	A	B	A	A	B
CN	C	C	C	C	C	C	B	--	--	--	A	A	C
CC	C	C	C	C	C	C	B	B	B	C	B	B	C
CB	C	C	C	C	C	C	B	A	A	B	A	A	C
CV	C	C	C	B	C	C	B	A	A	B	--	--	B
BP	C	C	C	C	C	C	B	A	A	B	A	A	C
<b>ABP</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>B</b>	<b>A</b>	<b>A</b>	<b>B</b>	<b>A</b>	<b>A</b>	<b>C</b>
IG	E	E	E	E	E	E	D	D	D	D	D	D	E
IH	E	E	E	E	E	E	E	E	E	E	E	E	E
PMH	D	D	D	C	C	C	A	C	C	C	C	C	C
PRD	C	C	C	B	B	B	A	--	--	--	--	--	B
PEP	--	E	E	E	E	E	D	A	A	--	A	A	E
MX	D	D	D	D	D	D	C	A	A	A	--	--	D
TOD	D	D	D	D	D	D	C	--	A	A	A	A	D
CRR	--	C	C	B	C	C	C	--	B	C	--	--	B
CER	--	C	C	B	C	C	C	B	--	B	--	--	B
CMR	--	B	B	B	B	B	B	C	C	--	C	C	B
WC	--	C	C	--	C	C	C	--	--	C	--	--	--
AUC	--	C	C	--	C	C	C	--	--	C	--	--	--
HVR	A	A	B	--	--	--	B	B	B	B	--	--	--
HVC	C	C	C	B	C	C	B	--	--	B	--	--	B
HVG	C	C	C	B	C	C	B	--	--	B	--	--	B
HVE	E	E	E	E	E	E	D	D	D	D	D	D	E

### NOTES:

1. — indicates that either buffer yards are not required or not applicable.
2. “A” through “E” designates type of buffer required as illustrated in Article XXIII.
3. For the CV and CN Zones: If the adjacent single-family vacant residential lot is greater than five acres in size, or the closest residence is greater than 200 feet from the property line, no buffer yard will be required.



Figure XXII-2

Buffer Yards Between Adjacent Zones: Commercial and Industrial Zones

[Amended 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No. 2005-01; 4-13-2010 by Bill No. 2010-02; 11-28-2017 by Bill No. 2017-07]

Zone	CRR	CER	CMR	WC	AUC	CN	CC	CB	BP	ABP	CV	HVC	HVG	HVE	RO	IG	IH
AC	--	--	--	--	--	B	B	B	C	C	B	B	B	B	B	B	B
RC	C	C	B	C	C	B	C	C	C	C	B	B	B	E	B	E	E
RR	C	C	B	C	C	B	C	C	C	C	B	B	B	E	B	E	E
RV	B	B	B	--	--	B	C	C	C	C	A	B	B	E	B	E	E
RL	C	C	B	C	C	B	C	C	C	C	B	B	B	E	B	E	E
RM	C	C	B	C	C	B	C	C	C	C	B	B	B	E	B	E	E
RH	C	C	B	C	C	A	B	B	B	B	A	A	A	D	A	D	E
RO	A	A	B	A	A	--	A	A	--	--	--	--	--	B	--	B	C
CN	--	--	--	A	A	--	--	--	--	--	--	--	--	B	--	B	A
CC	B	B	C	B	B	--	--	--	--	--	--	--	--	A	--	A	A
CB	A	A	B	A	A	--	--	--	--	--	--	--	--	A	--	A	A
CV	A	A	B	--	--	--	--	--	--	--	--	--	--	B	--	B	A
BP	A	A	B	A	A	--	--	--	--	--	--	--	--	--	--	--	A
ABP	A	A	B	A	A	--	--	--	--	--	--	--	--	--	--	--	A
IG	D	D	D	D	D	B	--	B	--	--	B	E	E	--	B	--	--
IH	E	E	E	E	E	B	--	B	--	--	--	E	E	--	A	--	--
PMH	C	C	C	C	C	A	B	B	C	C	B	B	B	D	B	C	D
PRD	C	C	C	C	C	B	C	C	D	D	B	B	B	D	B	D	D
PEP	--	--	--	A	A	B	A	A	--	--	A	--	--	--	B	--	--
MX	A	A	--	--	--	B	B	B	D	D	A	--	--	D	A	D	D
CRR	--	B	C	--	--	A	B	A	A	A	A	--	--	D	A	D	E
CER	B	--	B	--	--	A	B	A	A	A	A	--	--	D	A	D	E
CMR	C	C	--	C	C	B	C	B	B	B	B	B	B	D	B	D	E
WC	--	--	C	--	--	A	B	A	A	A	--	--	--	D	A	D	E
AUC	--	--	C	--	--	A	B	A	A	A	--	--	--	D	A	D	E
HVR	A	A	B	--	--	--	--	--	--	--	--	B	B	E	--	B	A

Asterisks \*\*\* mean intervening code language remaining unchanged

Note: CAPITALS indicate language added to existing law

[Brackets] indicate language deleted from existing law

HVC	-	--	B	--	--	--	--	--	--		--	--	---	B	--	B	D
HVG	-	--	B	--	--	--	--	--	--		--	--	--	B	--	B	D
HVE	D	D	D	D	D	B	B	B	--		B	B	B	--	B	--	--

**NOTES:**

1. — indicates that either buffer yards are not required or not applicable.
2. “A” through “E” designates type of buffer required as illustrated in Article XXIII.
3. For the CV and CN Zones: If the adjacent single-family vacant residential lot is greater than five acres in size, or the closest residence is greater than 200 feet from the property line, no buffer yard will be required.

**Figure XXII-3**  
**Buffer Yards Between Adjacent Zones: Planned Development Zones**  
[Amended 10-25-1999 by Ord. No. 99-92; 4-13-2010 by Bill No. 2010-02; 11-28-2017 by Bill No. 2017-07]

Zone	PMH	PRD	PEP	MX	TOD
AC	B	C	--	C	C
RC	D	C	E	D	D
RR	D	C	E	D	D
RV	C	B	E	D	D
RL	C	B	E	D	D
RM	C	B	E	D	D
RH	A	A	D	C	C
RO	B	B	B	A	A
CN	A	B	B	B	B
CC	B	C	A	B	B
CB	B	C	A	B	B
CV	B	B	A	--	--
BP	B	C	A	B	B
<b>ABP</b>	<b>B</b>	<b>C</b>	<b>A</b>	<b>B</b>	<b>B</b>
IG	C	D	--	D	D
IH	D	D	--	D	D
WC	C	C	A	--	--
AUC	C	C	A	--	--
PMH	--	--	C	--	--
PRD	--	--	D	--	--
PEP	C	D	--	D	D
MX	--	--	D	--	--
TOD	--	--	D	--	--
HVR	A	A	B	B	B
HVC	B	B	--	--	--
HVG	B	B	--	--	--
HVE	D	D	--	D	D

**NOTES:**

1. — indicates that either buffer yards are not required or not applicable.
2. “A” through “E” designates type of buffer required as illustrated in Article XXIII.

Asterisks \*\*\* mean intervening code language remaining unchanged  
Note: CAPITALS indicate language added to existing law  
[Brackets] indicate language deleted from existing law

\* \* \* \* \*

**SECTION 2.** BE IT FURTHER ORDAINED that this Ordinance shall take effect forty-five (45) calendar days after it is adopted.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

\_\_\_\_\_  
Reuben B. Collins, II, Esq., President

\_\_\_\_\_  
Ralph E. Patterson, II, M.A., Vice President

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Thomasina O. Coates, M.S.

\_\_\_\_\_  
Amanda M. Stewart, M.Ed.

\_\_\_\_\_  
Gilbert O. Bowling, III

ATTEST:

\_\_\_\_\_  
Carol DeSoto, Clerk to the Commissioners, CAP, OM

1                   **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

2  
3                                   **2024 Legislative Session**

4  
5 Bill No. 2024-08 / Zoning Map Amendment (ZMA) 23-02

6 Chapter. No. n/a (cross-referenced with Bill No. 2024-07 / ZTA 23-176)

7 Introduced by County Commissioners of Charles County, Maryland

8 Date of Introduction March 5, 2024

9  
10                                   **BILL 2024-08**

11  
12 AN ORDINANCE concerning:

13  
14                   **IMPLEMENTATION OF THE AVIATION BUSINESS PARK (ABP) ZONE**

15  
16 FOR the purpose of:

17  
18                   Amending the official Zoning Maps of Charles County, Maryland to change the zoning  
19 designation for certain properties within the immediate vicinity of the Maryland Airport from the  
20 Watershed Conservation District (WCD) and Business Park (BP) zones to either the Aviation  
21 Business Park (ABP) zone or Light Industrial (IG) zone.

22  
23                                   **PREAMBLE**

24  
25                   **WHEREAS**, the Maryland Airport, established in 1943, is a privately owned, general  
26 aviation airport located in western Charles County that provides charter service;

27  
28                   **WHEREAS**, an Airport Master Plan for the Maryland Airport was approved by the Federal  
29 Aviation Administration (FAA) and Maryland Aviation Administration (MAA) in 1999 which has  
30 served as a blueprint for improvements, including a new runway that was constructed in 2013;

1           **WHEREAS**, in 2017, approximately 565 acres of land surrounding the Maryland Airport  
2 were rezoned from Light Industrial (IG) and Business Park (BP) to Watershed Conservation  
3 District (WCD), significantly restricting the potential for economic development in areas in the  
4 vicinity of and in proximity to the Airport;

5  
6           **WHEREAS**, since 2017, the Charles County Economic Development Department (EDD)  
7 has received inquiries and interest from various investors who are interested in locating near the  
8 Maryland Airport;

9  
10           **WHEREAS**, in 2018 a new owner acquired the Maryland Airport property, who has  
11 continued to invest in improvements to the airport and has seen an increase in operations at the  
12 airport since their purchase;

13  
14           **WHEREAS**, the County's Department of Economic Development commissioned a report  
15 entitled, "Current Conditions and Economic Assessment of Bryans Road," which was published  
16 in April 2020;

17  
18           **WHEREAS**, the April 2020 report indicates that the area surrounding the Maryland  
19 Airport could support considerable employment supporting development over the next twenty to  
20 thirty years, with the potential to provide jobs and increase the County's commercial tax base;

21  
22           **WHEREAS**, the Maryland Airport is an integral part of the County's economic  
23 development strategy because it has the capability to serve a vital role in the National, State and  
24 local transportation framework;

25  
26           **WHEREAS**, in furtherance of the updated vision for Bryans Road and the immediate  
27 vicinity of the Maryland Airport, on October 19, 2021, the Charles County Commissioners adopted  
28 Resolution # 2021-26, which amended the County's Comprehensive Plan to change the land use  
29 designation for an approximately 565-acre area surrounding the Maryland Airport from the  
30 Watershed Conservation District to the Employment and Industrial District;

1           **WHEREAS**, pursuant to § 4-101 *et seq.* of the Land Use Article of the Annotated Code of  
2 Maryland, as may be amended from time to time (hereinafter referred to as the “Land Use  
3 Article”), the County Commissioners of Charles County, Maryland are empowered to enact and  
4 establish zoning regulations;

5  
6           **WHEREAS**, pursuant to § 4-201 *et seq.* of Land Use Article, as may be amended from  
7 time to time, the County Commissioners of Charles County, Maryland, are empowered to create  
8 districts and zones and regulate certain uses within those districts and zones;

9  
10           **WHEREAS**, § 297-448 of the Charles County Zoning Ordinance establishes the process  
11 by which a property owner may request a change in the base zone of the property as set forth in §  
12 4-204(b)(2) of the Land Use Article and it has been the practice of the County to follow the same  
13 process when the proposed change in zoning district is initiated by the County and not the property  
14 owner;

15  
16           **WHEREAS**, on September 18, 2023, the Planning Commission of Charles County,  
17 Maryland, held a public hearing on the proposed ZMA #23-02, at which time the amendments to  
18 the official Zoning Maps of Charles County, Maryland were considered (see Attachment A);

19  
20           **WHEREAS**, at a regularly scheduled meeting held on December 4, 2023, the members of  
21 the Planning Commission of Charles County, Maryland, voted to recommend approval of ZMA  
22 #23-02, which was documented in the Planning Commission Report dated December 14, 2023;

23  
24           **WHEREAS**, on February 1, 2024, a copy of the Planning Commission Report was  
25 transmitted to the County Commissioners of Charles County, Maryland;

26  
27           **WHEREAS**, after all signs were posted and certified letters were mailed (in accordance  
28 with § 297-448.L and § 297-448.O of the County’s Zoning Ordinance, respectively) and after a  
29 Public Notice was published on \_\_\_\_\_ (insert date) and \_\_\_\_\_ (insert date) in \_\_\_\_\_  
30 (insert name of newspaper) in accordance with both § 4-203(b)(2) of the Land Use Article and §  
31 297-448.Q. of the County’s Zoning Ordinance, the County Commissioners of Charles County,

1 Maryland, held a public hearing on \_\_\_\_\_ (insert date) upon submission of an affidavit of  
2 posting as required by § 297-448.N.; and  
3

4 **WHEREAS**, upon review and consideration of all documents and testimony received, the  
5 County Commissioners of Charles County, Maryland have made certain findings of fact (in  
6 accordance with § 4-204(b)(1) of the Land Use Article and conclusions of law as set forth in the  
7 Decision and Order, which is attached hereto and incorporated by reference as Attachment B.  
8

9 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS**  
10 **OF CHARLES COUNTY, MARYLAND**, that the official Zoning Maps of Charles County,  
11 Maryland, shall be amended as shown on Attachment A; and  
12

13 **BE IT FURTHER ORDAINED** that Bill 2024-08 shall take effect immediately upon the  
14 effective date of the cross-referenced Zoning Text Amendment (ZTA 23-176), as set forth in Bill  
15 2024-07.  
16

17 ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.  
18  
19

20 COUNTY COMMISSIONERS OF  
21 CHARLES COUNTY, MARYLAND  
22  
23

24 \_\_\_\_\_  
25 Reuben B. Collins, II, Esq., President  
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28 \_\_\_\_\_  
29 Ralph E. Patterson, II, M.A., Vice President  
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33 Thomasina O. Coates, M.S.  
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Amanda M. Stewart, M.Ed.

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Gilbert O. Bowling, III

ATTEST:

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Carol DeSoto, Clerk to the Commissioners, CAP, OM

**ATTACHMENT A**  
**Proposed Amended Zoning Map**

- BASE ZONES**
- AC AGRICULTURAL CONSERVATION
  - RC RURAL CONSERVATION
  - WCD WATERSHED CONSERVATION DISTRICT
  - RR RURAL RESIDENTIAL
  - RV VILLAGE RESIDENTIAL
  - RL LOW DENSITY SUBURBAN RESIDENTIAL
  - RM MEDIUM DENSITY SUBURBAN RESIDENTIAL
  - RH HIGH DENSITY SUBURBAN RESIDENTIAL
  - RO RESIDENTIAL / OFFICE
  - CER CORE DEVELOPMENT / RESIDENTIAL
  - CMR CORE MIXED RESIDENTIAL
  - CRR CORE RETAIL RESIDENTIAL
  - CN NEIGHBORHOOD COMMERCIAL
  - CC COMMUNITY COMMERCIAL
  - CB CENTRAL BUSINESS
  - CV VILLAGE COMMERCIAL
  - BP BUSINESS PARK
  - IG LIGHT INDUSTRIAL
  - IH HEAVY INDUSTRIAL
  - AUC ACTON URBAN CENTER
  - WC WALDORF CENTRAL
- OVERLAY ZONES**
- Highway Corridor
  - Resource Protection
  - Critical Area Boundary
- FLOATING ZONES**
- PRD PLANNED RESIDENTIAL DEVELOPMENT
  - PMH PLANNED MOBILE HOME PARK
  - PEP PLANNED EMPLOYMENT/INDUSTRIAL PARK
  - MX PLANNED MIX USE
  - PUD PLANNED UNIT DEVELOPMENT
  - WPC WATERFRONT PLANNED COMMUNITY
  - TOD TRANSIT ORIENTED DEVELOPMENT

