

# COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

## 2024 Legislative Session

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

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

Introduced by County Commissioners of Charles County, Maryland

Date of Introduction March 5, 2024

## BILL

## AN ORDINANCE concerning:

## IMPLEMENTATION OF THE AVIATION BUSINESS PARK (ABP) ZONE

FOR the purpose of:

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

## **PREAMBLE**

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

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

Asterisks \*\*\* mean intervening code language remaining unchanged  
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[Brackets] indicate language deleted from existing law

1           **WHEREAS**, in 2017, approximately 565 acres of land surrounding the Maryland Airport  
2 were rezoned from General 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;

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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;

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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;

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

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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;

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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;

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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;

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6           **WHEREAS**, pursuant to § 4-201 *et seq.* of the 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;

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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;

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 March 22, 2024 and March 29, 2024 in Southern Maryland News  
30 – Maryland Independent in accordance with both § 4-203(b)(2) of the Land Use Article and § 297-

1 448.Q. of the County's Zoning Ordinance, the County Commissioners of Charles County,  
2 Maryland, held a public hearing on April 9, 2024; and

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4 **WHEREAS**, at the April 9, 2024 public hearing, the County Commissioners of Charles  
5 County, Maryland, expressed various concerns with the proposed rezoning and that the area to be  
6 rezoned should be reduced. The Commissioners voted to hold the record open for additional public  
7 comment until June 8, 2024; and

8

9 **WHEREAS**, at a regularly scheduled meeting held on July 9, 2024, the County  
10 Commissioners of Charles County, Maryland, held a Work Session on the proposed ZMA #23-02.  
11 At this meeting, staff presented a revised rezoning map that reduced the area to be rezoned, in  
12 response to Commissioner and public concerns. The Commissioners requested that the proposed  
13 rezoning map be revised again to further reduce the area to be rezoned. In addition, the  
14 Commissioners requested that the revised amendments go back to the Planning Commission for  
15 another public hearing; and

16

17 **WHEREAS**, on August 5, 2024, the Planning Commission of Charles County, Maryland,  
18 held a second public hearing on the proposed ZMA #23-02, at which time the revised amendments  
19 to the official Zoning Maps of Charles County, Maryland were considered; and

20

21 **WHEREAS**, at a regularly scheduled meeting held on September 16, 2024, the Planning  
22 Commission of Charles County, Maryland, held a Work Session, where they discussed their  
23 additional recommended revisions to the rezoning map. At the conclusion of this Work Session,  
24 the members of the Planning Commission of Charles County, Maryland, voted unanimously to  
25 recommend approval of ZMA #23-02, with the additional Planning Commission-recommended  
26 revisions to the amendments of the official Zoning Maps of Charles County, Maryland included,  
27 which was documented in the Planning Commission Report dated September 24, 2024; and

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29 **WHEREAS**, at a regularly scheduled meeting held on October 1, 2024, the County  
30 Commissioners of Charles County, Maryland, held a second Work Session on the proposed ZMA  
31 #23-02. At this meeting, the Commissioners discussed the additional revisions recommended by

1 the Planning Commission. At the conclusion of the meeting, the Commissioners voted to retain  
2 the rezoning map that they had revised at their July 9, 2024 work session and to hold a Public  
3 Hearing on this map dated July 9, 2024 (see Attachment A); and

4

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

9

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

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

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

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COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

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Reuben B. Collins, II, Esq., President

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

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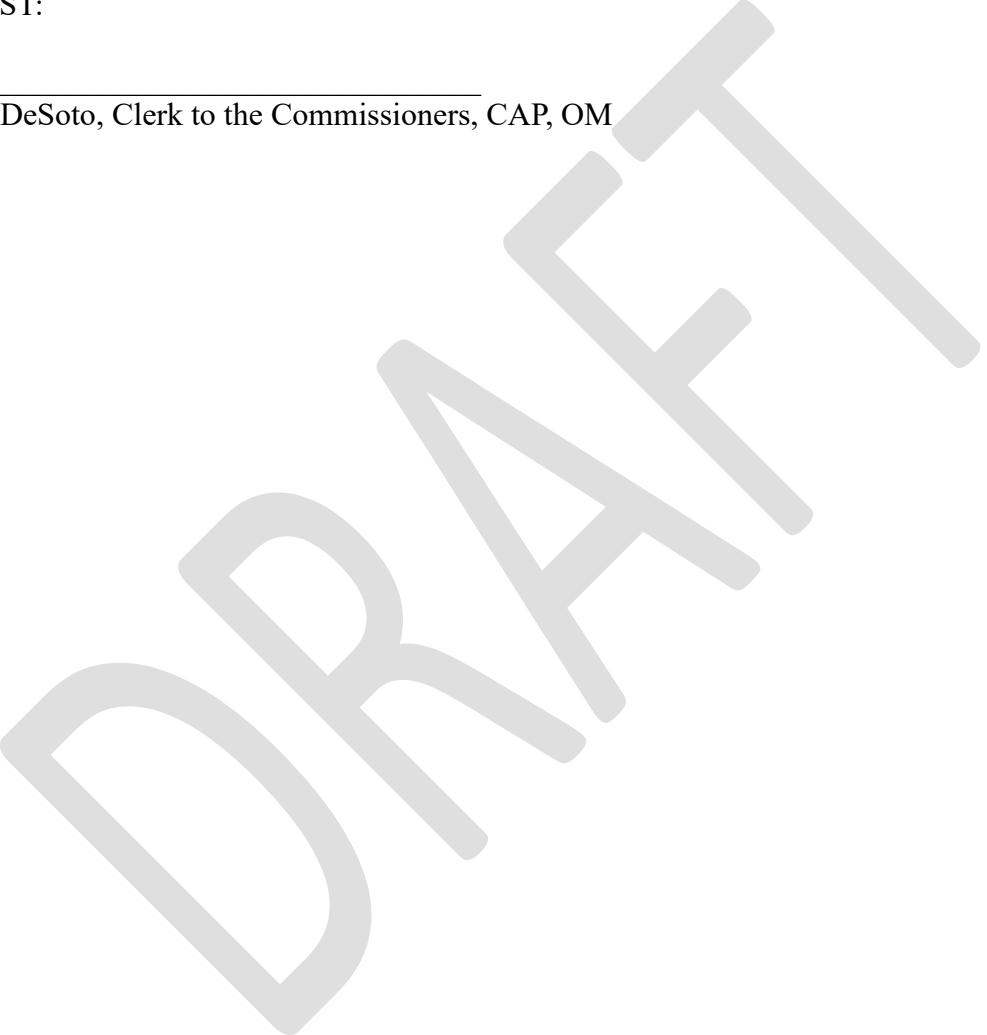
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3 Amanda M. Stewart, Ed.D.  
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10 ATTEST:  
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13 Carol DeSoto, Clerk to the Commissioners, CAP, OM  
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**ATTACHMENT A**

**Proposed Amended Zoning Map**

**COUNTY COMMISSIONER PROPOSED JULY 9, 2024**

