

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

2
3
4 **2024 Legislative Session**

5
6 Bill No. 2024-13 / Zoning Text Amendment 24-184

7 Chapter. No. 297

8 Introduced by Charles County Planning Division

9 Date of Introduction September 10, 2024

10
11 **BILL 2024-13**

12 AN ORDINANCE concerning

13
14 **ADDITIONAL TRANSITIONAL PROVISIONS FOR THE WALDORF ACTIVITY**
15 **CENTER ZONES**

16
17 FOR the purpose of

18 Amending the Charles County Zoning Ordinance to provide additional transitional
19 provisions for the Waldorf Central (WC) and Acton Urban Center (AUC) zones to provide
20 regulatory flexibility for an interim period to facilitate new development until a critical mass of
21 the overall vision for the Waldorf Urban Redevelopment Corridor (WURC) is achieved; and
22 also to amend the text of certain provisions in the Zoning Ordinance to allow for greater clarity
23 and ease of understanding of the requirements for these zones.

24
25 BY amending:

26
27 Chapter 297 – ZONING ORDINANCE

28 Article VI, §297-97, Activity Center Zones.

29 *Code of Charles County, Maryland*

30
31 Chapter 297 – ZONING ORDINANCE

32 Article VI, §297-97, Figure VI-8, Thresholds and Applicability of Standards.

33 *Code of Charles County, Maryland*

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, §297-212, Sections 3.03.100 and 3.03.200.

Code of Charles County, Maryland

Chapter 297 – ZONING ORDINANCE

Article XVIII, §297-306, Lighting standards.

Code of Charles County, Maryland

Chapter 297 – ZONING ORDINANCE

Article XIX, §297-319, General provisions.

Code of Charles County, Maryland

Chapter 297 – ZONING ORDINANCE

Article XXI, §297-358, Perimeter landscaping.

Code of Charles County, Maryland

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 VI: Base Zone Regulations

Section 297-97. Activity Center Zones.

A. Objectives.

- (1) The Activity Center Zones are established to promote and require forms of development that create cohesive communities through the integration of residential, retail, business, office and civic uses into a network of streets, pedestrian ways and open space. Activity center zones are intended to achieve the following objectives:

- (a) Range of uses. Permit residential, office, retail, commercial service and institutional uses. Restrict highway-oriented commercial uses.
- (b) Range of housing. Permit a range of housing types, including mixed-use buildings, attached, and multifamily dwellings.
- (c) Street network. Create a grid street network that provides multiple means of getting to destinations.
- (d) Streetscape character. Create attractive streetscapes with a lively, pedestrian- oriented character.
- (e) Modes of transportation. Provide pedestrian, bicycle and transit linkages.
- (f) Open space. Provide parks, plazas and greenways as community gathering spaces and natural areas.
- (g) Building form. Promote building forms that respect and improve the integrity of streets, open spaces and other public areas.
- (h) Visual harmony. Promote harmony in the visual relationships and transitions between buildings.
- (i) Transition to other districts. Provide transitions or buffers so that new development is compatible with or protective of surrounding residential uses.
- [(J) Transition time period for project design. Provide for a transitional period where new development is not subject to all of the design standards in this code as redevelopment transitions to the overall community vision for the area.**
- (k) Transitional time period for project uses. Provide that existing uses may continue and expand on-site during the transitional period.**
- (l) Require uses on vacant or adjacent properties, or for total voluntary demolition and redevelopment, to comply with permitted use requirements.]**
- (2) Waldorf Central Zone (WC). This zone provides for moderate - to high-density development in the pattern of the downtown core of a traditional town, with a mix and intensity of uses supportive of rail transit. Development is to be consistent with the Downtown Waldorf Vision Plan and Design Guidelines (RESOLUTION #2010-09) adopted by the County Commissioners.

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1 (3) Acton Urban Center Zone (AUC). This zone provides for high density, urban-
2 scaled development with a mix and intensity of uses supportive of rail transit.
3 Development is to be consistent with the Downtown Waldorf Vision Plan and
4 Design Guidelines adopted by the County Commissioners.

5 B. Uses Permitted.

6 (1) Permitted uses shall be in conformance with the Table of Permissible Uses (Figure
7 IV-2).

8 (2) The following additional requirements apply to the permitted uses of land within
9 the Waldorf Central and Acton Urban Center zones:

10 (a) Mixed use buildings are encouraged.

11 (b) Buildings abutting an arterial highway (U.S. 301 and MD Business Route
12 5) or a Waldorf Urban Major Collector, as identified in the Downtown
13 Waldorf Vision Plan and Design Guidelines, shall be developed for mixed
14 use or non-residential use. No solely residential buildings are permitted in
15 these locations. TRANSITIONAL PROVISIONS AND EXCEPTIONS
16 ARE NOTED IN §297-97(O).

17 (c) Residential uses in mixed-use buildings shall be above the ground floor.
18 TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN
19 §297-97(O).

20 (d) The retail component of mixed-use buildings shall be primarily on the
21 ground floor of the building and oriented towards a public street.

22 (e) Projects may be subdivided and/or phased as stand alone projects as desired
23 provided that each phase meets the code requirements. Phasing will permit
24 a single parcel to be developed in stages in compliance with the design
25 requirements of this ordinance. A conceptual phasing plan shall be included
26 as a part of the site development review process.

27 [(f) The transitional use period shall begin from the adoption date of this section
28 (6-10-2014) and ending two years from when sewer capacity is available to
29 service the property. Existing uses may remain as permitted and expand
30 only on-site, including:

- 1 [1] Construction services and supplies.
- 2 [2] Retail sales.
- 3 [3] Wholesale related businesses.
- 4 [4] Motor vehicle related sales and services.]

5 C. Density - WC and AUC Zones.

6 The following requirements apply in the Waldorf Central and Acton Urban Center Zones:

- 7 (1) Attached residences (Townhouse and Multiplex) shall be built at a minimum
- 8 density of 12 dwelling units per acre and a maximum density of 36 dwelling units
- 9 per acre.
- 10 (2) Garden apartment, mid-rise and high-rise dwellings in residential-only buildings
- 11 shall be subject to a minimum density of 15 dwelling units per acre. There is no
- 12 minimum density for apartments within mixed-use buildings.
- 13 (3) There are no maximum density requirements for apartments. The floor area ratio
- 14 and building height requirements in the Schedule of Zone Regulations determine
- 15 the allowed scale and intensity of apartment and mixed-use development.
- 16 (4) Transferable Development Rights (TDRs) are required at the following rates:
- 17 (a) No TDRs are required for the first 12 dwelling units per acre.
- 18 (b) For attached residences, one TDR is required per dwelling unit in excess of
- 19 12 units per acre.
- 20 (c) For garden apartment, mid-rise or high-rise residences in residential-only
- 21 buildings, one TDR is required per two dwelling units or fraction thereof in
- 22 excess of 12 units per acre.
- 23 (d) In mixed-use buildings, one TDR is required per three dwelling units or
- 24 fraction thereof in excess of 12 units per acre.
- 25 (e) TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN
- 26 §297-97(O).

27 * * * * *

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1 G. Streetscape Requirements.

2 * * * * *

3 (6) Sidewalks.

4 (a) For development activity requiring a subdivision plan or site plan,
5 sidewalks shall be installed along streets within and abutting the
6 development site [where appropriate,]. THE WIDTH AND DESIGN OF
7 SIDEWALKS AND PLANTING STRIPS SHALL BE [based upon]
8 CONSISTENT WITH the road standards established by the Downtown
9 Waldorf Vision Plan, Section 5.3 and Figures 4 through [8.] 8.1., AND
10 SECTIONS 4.1 AND 4.3 OF THE DOWNTOWN WALDORF DESIGN
11 GUIDELINES.

12 (b) Sidewalks shall also be provided to connect building entrances and parking
13 areas with the sidewalks along the streets.

14 (c) Sidewalks may be located partially within the street right-of-way and
15 partially within the front setback area of the abutting property.

16 (d) Where sufficient right-of-way is available, sidewalks shall be separated
17 from streets by landscape strips to allow for street trees and to buffer
18 pedestrians from street traffic.

19 (e) [The width and design of sidewalks and planting strips shall be guided by
20 the Downtown Waldorf Vision Plan and Sections 4.1 and 4.3 of the
21 Downtown Waldorf Design Guidelines and reviewed as part of the site
22 development plan review process.]

23 (7) Street Trees. Street trees shall be provided along all streets at the time of
24 development.

25 (a) Spacing: At least one large shade tree shall be planted per 40 linear foot of
26 frontage along all public streets and major private streets. Street trees may
27 be spaced between 35 and 45 feet apart on center.

28 (b) Planting Standards. Street trees shall be planted using either underground
29 planters with minimum dimensions of 6 feet by 8 feet and structural soil

amendments or the planting site shall be prepared with a minimum of 120 cubic feet of rootable soil with structural soil amendments.

(c) STREET TREE SPECIES SHALL BE CONSISTENT WITH THE RECOMMENDED LIST OF TREES FOR STREET PLANTING IN THE CHARLES COUNTY ROAD ORDINANCE.

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H. Signage.

(1) Intent. Site and building signs should complement the architectural composition and design of the building and the surrounding environment. Durable, attractive, and well-maintained signs attract potential customers, provide directional orientation, and contribute to the look and feel of the community.

(2) Signs shall be constructed of high-quality materials such as brick, cut stone, stainless steel, or other similar materials.

(3) The requirements of Article XIX, Signs, shall apply within the Activity Center Zones, with the following additional requirements. WHERE THE REQUIREMENTS IN THIS SECTION CONFLICT WITH THOSE IN ARTICLE XIX, THE REQUIREMENTS IN THIS SECTION SHALL APPLY.

(a) Freestanding pole-mounted commercial signs are not permitted.

(b) Signs located above or projecting from the roofline or parapet wall are not permitted.

(c) Illuminated signs shall be lit externally. External lighting fixtures used to illuminate signage shall provide full cut-off fixtures to reduce sky glow and glare.

(d) Common sign plans shall be provided for all new non-residential and mixed-use buildings.

(e) SIGNAGE SHALL COMPLY WITH THE STANDARDS ESTABLISHED IN SECTION 5.0 OF THE DOWNTOWN WALDORF DESIGN GUIDELINES.

- 1 I. Lighting.
- 2 (1) Intent. Lighting should be a cohesive element of architectural and environmental
- 3 design to strengthen the appearance and functionality of structures and their
- 4 surroundings while providing adequate safety and visibility. Light fixtures should
- 5 be constructed of attractive, high-quality materials, be incorporated into the design
- 6 of the project, direct glare away from adjoining properties and public rights-of-way,
- 7 and reduce light pollution.
- 8 (2) The requirements of § 297-306, “Lighting Standards,” apply. In addition, the
- 9 following requirements are applicable.
- 10 (a) Comprehensive lighting plans shall be provided with site plan submittals
- 11 for new institutional, office, mixed-use and retail/commercial buildings.
- 12 These lighting plans shall be accompanied by plans, sketches, or
- 13 photographs indicating the design, size, methods of lighting fixture
- 14 attachment and shielding.
- 15 (b) Illumination shall be provided for main entrances, parking lots, service
- 16 entrances, alleys, pathways, open space, and plazas.
- 17 (c) LIGHTING SHALL COMPLY WITH THE STANDARDS
- 18 ESTABLISHED IN SECTION 6.0 OF THE DOWNTOWN WALDORF
- 19 DESIGN GUIDELINES.
- 20 * * * * *
- 21 M. Reservation. If the property shown on a proposed site plan contains or abuts a public
- 22 infrastructure improvement (including but not limited to transit facilities, ROADS,
- 23 PARKLAND, OPEN SPACE and stormwater facilities) shown on the Downtown Waldorf
- 24 Vision Plan and Design Guidelines, to the extent possible other improvements shall be
- 25 located to reserve the full right-of-way for future construction of said public infrastructure
- 26 improvement.
- 27 (1) FOR PROJECT SITES THAT INCLUDE LAND IN THE FUTURE HIGH-
- 28 CAPACITY TRANSIT CORRIDOR, AS IDENTIFIED IN THE 2017
- 29 SOUTHERN MARYLAND RAPID TRANSIT ALTERNATIVES REPORT, THE
- 30 APPLICANT SHALL IDENTIFY THE FUTURE RIGHT OF WAY LINE FOR

1 SAID CORRIDOR ON THE PLAN, PROVIDE A NOTE INDICATING SUCH
2 ON THE PLAN, AND ENSURE ALL IMPROVEMENTS ARE LOCATED
3 OUTSIDE THE TRANSIT CORRIDOR RIGHT OF WAY AREA TO THE
4 EXTENT FEASIBLE.

5 N. Administration.

6 (1) A site development plan shall be required for all development within the Activity
7 Center Zones.

8 (2) Site development plans shall be reviewed for compliance with the requirements of
9 this District as well as the Design Guidelines adopted by the County
10 Commissioners for the specific area.

11 (3) Limits of Applicability.

12 The Activity Center Zones will be applied to areas with existing residences,
13 businesses and industries. The Activity Center Zones are intended to allow
14 existing uses to continue, while the goals of the zones are gradually realized
15 through infill, redevelopment and major expansion. Figure VI-8, THRESHOLDS
16 AND APPLICABILITY OF STANDARDS, establishes thresholds at which the
17 requirements of this Section shall be applied to proposed development in the WC
18 and AUC Zones. Any request for expansion or extension of a nonconforming use
19 shall first comply with the provisions and processes established in Article
20 XXVIII, Nonconforming Uses, of this Chapter. [These expansion or extension of
21 non-conforming use thresholds shall not apply during the transitional period.]

22 O. Transitional [design] provisions.

23 (1) THE TRANSITIONAL PERIOD SHALL BEGIN ON THE EFFECTIVE DATE
24 OF THIS SECTION (INSERT DATE) AND SHALL END FIVE (5) YEARS
25 FROM THE EFFECTIVE DATE OF THIS SECTION. ALL DEVELOPMENT
26 SHALL REFER TO THE THRESHOLDS AND APPLICABILITY OF
27 STANDARDS TABLE DURING THE TRANSITIONAL PERIOD.

28 (2) The following transitional [design] provisions apply within the WC and AUC
29 zones during the transitional time period:

- (a) For new principal structures, the building façade must occupy at least 50% percent of the street frontage.
- (b) No frontage requirement shall apply for additions to existing buildings.
- (c) The minimum building height required by Figure VI-9, Schedule of Zone Regulations,^[6] shall not apply to new buildings or building additions within the Acton Urban Center (AUC) Zone. The Waldorf Central Zone (WC) shall require a minimum of two stories for new development.
- [6] Editor's Note: VI-9 is **included as an attachment to this chapter.**
- (d) A minimum floor area ratio shall not apply to construction of additions or new principal structures.
- (e) The minimum fifteen- percent open space requirement for non-residential development shall not apply.
- (f) The maximum parking is set at 100% of the required parking for the proposed use, but 80% of the required parking can be provided with additional on-street or off-site parking allocated for the proposed use.
- (g) TRANSFERABLE DEVELOPMENT RIGHTS (TDRS) SHALL NOT BE REQUIRED DURING THE TRANSITIONAL PERIOD.
- (h) BUILDINGS ABUTTING AN ARTERIAL HIGHWAY (U.S. 301 AND MD BUSINESS ROUTE 5) OR A WALDORF URBAN MAJOR COLLECTOR, AS IDENTIFIED IN THE DOWNTOWN WALDORF VISION PLAN AND DESIGN GUIDELINES, MAY INCLUDE RESIDENTIAL USES ON THE GROUND FLOOR, PROVIDED THAT THE ENTIRE PORTION OF THE GROUND FLOOR FAÇADE FRONTING ON AND VISIBLE FROM THE STREET:
- [1] IS DEVELOPED FOR NON-RESIDENTIAL USE. SUCH USES COULD INCLUDE RETAIL, OFFICE, OR RECREATIONAL USES, INCLUDING THOSE THAT ARE ANCILLARY TO THE PRIMARY RESIDENTIAL USE; AND
- [2] HAS THE ARCHITECTURAL DESIGN AND APPEARANCE OF A NON-RESIDENTIAL USE. THE GROUND FLOOR

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ARCHITECTURE SHALL BE CLEARLY DIFFERENTIATED
FROM THAT OF THE UPPER FLOORS. THE BUILDING
ARCHITECTURE SHALL COMPLY WITH THE STANDARDS
FOR MIXED-USE AND NON-RESIDENTIAL STRUCTURES
AS PROVIDED FOR IN SECTION 3.3 OF THE DOWNTOWN
WALDORF DESIGN GUIDELINES.

Chapter 297. ZONING ORDINANCE
Article VI: Base Zone Regulations

Figure VI-8. Thresholds and Applicability of Standards.

Figure VI-8
Thresholds and Applicability of Standards: ACTIVITY CENTER ZONES*
[Added 4-23-2010 by Bill No. 2010-02, amended 6-10-2014 by Bill No. 2014-03]

Type of Development [THIS TABLE IS NOT APPLICABLE DURING THE TRANSITIONAL PERIOD]	Applicable Requirements								
	Building & Lot Standards	Architectural	Road Classification and Layout	Streetscape	Signs	Lighting	Landscape	Parking	Open Space
1. New Principal Building	√	√	√	√	√	√	√	√	√
[2. Additions to Single-Family Detached Dwellings]									
2. CHANGE IN USE OF EXISTING BUILDINGS				**	√	√	**	**	
3. Additions to Non-Residential or Multi-Family Building- Less than 20% of existing GFA or [1,000] 1,200 square feet GFA, whichever is less – Apply standards to new construction and areas affected by new site improvements		√	√		√	√	√		
4. Additions to Non-Residential or Multi-Family Building – 20% or greater, but not more than 100% of existing GFA or [1,000] 1,200 square feet GFA, whichever is less – Apply standards to new construction and areas affected by new site improvements.	√	√	√		√	√	√	√	√
5. Additions to Non-Residential or MF Building– Increase in existing GFA by more than 100% - Apply standards to entire site to the extent possible	√	√	√	√	√	√	√	√	√

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6. New Parking Areas That Add 1-10 Spaces			✓			✓	✓		
7. New Parking Areas – 11+ Spaces			✓			✓	✓	✓	✓

***PROVISIONS IN SECTION 297-97(O) SHALL APPLY TO THESE THRESHOLDS DURING THE TRANSITIONAL PERIOD.**

GFA = Gross Floor Area

****REQUIRED ONLY IF DEVELOPMENT RESULTS IN SUBSTANTIAL CHANGE/DISTURBANCE TO SITE (I.E. CHANGES TO PARKING, STORMWATER MANAGEMENT, ETC.)**

297 Attachment 3:19

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Chapter 297. ZONING ORDINANCE

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

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Section 297-212 Uses corresponding with Table of Permissible Uses. ^[1]

* * * * *

(27) 3.03.100 Multifamily residential: garden apartment. This use is permitted with conditions in the RM and RH Zones and in the CER, CRR, PRD, MX, WC and AUC Zones, subject to the following:

* * * * *

- B. In the WC and AUC Zones:
- (1) Development shall comply with all applicable requirements of § [297-97](#), Activity center zones.
 - (2) Buildings shall be sited and designed to comply with the Downtown Waldorf Design Guidelines.
 - [\[\(3\) Lots abutting a principal arterial highway \(U.S. 301\) or a Waldorf urban major collector street, as identified in the Waldorf Downtown Design Guidelines, shall be developed for mixed use or nonresidential use. No solely residential buildings are permitted in these locations.\]](#)

* * * * *

(28) 3.03.200 Multifamily residential: mid-rise. This use is permitted with conditions in the RM and RH Zones and in the PRD, MX, WC and AUC Zones, subject to the following:

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- B. Within the WC and AUC Zones:
- (1) Development shall comply with all applicable requirements of § [297-97](#), Activity center zones.
- (2) Buildings shall be sited and designed to comply with the Downtown Waldorf Design Guidelines.
- [\[\(3\) Lots abutting a principal arterial highway \(U.S. 301\) or a Waldorf urban major collector street, as identified in the Waldorf Downtown Vision Plan and Design Guidelines, shall be developed for mixed use or nonresidential use. No solely residential buildings are permitted in these locations.\]](#)

* * * * *

Chapter 297. ZONING ORDINANCE

Article XVIII, Site Design.

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Section 297-306, Lighting standards.

* * * * *

- E. LIGHTING IN THE WC AND AUC ZONES. LIGHTING LOCATED IN THE WALDORF CENTRAL (WC) AND ACTON URBAN CENTER (AUC) ZONES SHALL BE REQUIRED TO COMPLY WITH THE STANDARDS IN SECTION 297-97.I. OF THE ZONING ORDINANCE AND IN SECTION 6.0 OF THE DOWNTOWN WALDORF DESIGN GUIDELINES, IN ADDITION TO THE REQUIREMENTS IN SECTION 297-306. WHERE THE REQUIREMENTS IN SECTION 297.97.I. AND/OR THE DOWNTOWN WALDORF DESIGN GUIDELINES CONFLICT WITH THOSE IN SECTION 297-306, THE REQUIREMENTS IN SECTION 297-97.I. OF THE ZONING ORDINANCE AND THE DOWNTOWN WALDORF DESIGN GUIDELINES SHALL APPLY.

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Chapter 297. ZONING ORDINANCE

Article XIX, Signs.

Section 297-319. General provisions.

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M. SIGNS IN THE WC AND AUC ZONES. SIGNS LOCATED IN THE WALDORF CENTRAL (WC) AND ACTON URBAN CENTER (AUC) ZONES SHALL BE REQUIRED TO COMPLY WITH THE STANDARDS IN SECTION 297-97.H. OF THE ZONING ORDINANCE AND IN SECTION 5.0 OF THE DOWNTOWN WALDORF DESIGN GUIDELINES, IN ADDITION TO THE REQUIREMENTS IN ARTICLE XIX. WHERE THE REQUIREMENTS IN SECTION 297.97.H. AND/OR THE DOWNTOWN WALDORF DESIGN GUIDELINES CONFLICT WITH THOSE IN ARTICLE XIX, THE REQUIREMENTS IN SECTION 297-97.H. OF THE ZONING ORDINANCE AND THE DOWNTOWN WALDORF DESIGN GUIDELINES SHALL APPLY.

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Chapter 297. ZONING ORDINANCE

Article XXI, Landscaping of Parking Facilities.

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Section 297-358. Perimeter landscaping.

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G. THIS SECTION SHALL NOT APPLY TO DEVELOPMENT IN THE WC AND AUC
ZONES. DEVELOPMENT IN THESE ZONES SHALL INSTEAD COMPLY WITH
THE REQUIREMENTS IN SECTION 297-97.K.7.

* * * * *

SECTION 2. BE IT FURTHER ENACTED, that this act shall take effect forty-five (45)
calendar days after it is adopted.

ADOPTED this ____ day of _____, 2024.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., President

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

Gilbert O. Bowling, III

Thomasina O. Coates, M.S.

Amanda M. Stewart, Ed.D.

ATTEST:

Carol DeSoto, Clerk to the Commissioners

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