

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

2
3 **2025 Legislative Session**

4
5 Bill No. 2025-02 (Zoning Text Amendment #23-179)

6 Chapter. No. 297

7 Introduced by Board of County Commissioners

8 Date of Introduction January 14, 2025_____

9
10 **BILL**

11 AN ACT concerning

12 **RESIDENTIAL OFFICE (“RO”) ZONE**

13 **MULTI-FAMILY USES AND INFILL DEVELOPMENT**

14 FOR the purpose of

15 *Amending certain provisions of the Zoning Ordinance of Charles County to permit*
16 *certain residential development on properties zoned Residential Office (“RO”) and for the*
17 *purposes of modifying certain provisions of the development regulations to facilitate development*
18 *of infill parcels and to provide affordable housing.*

19
20 BY Repealing and Reenacting with Amendments:

21 Chapter 297- Zoning Ordinance

22 Article IV – Permissible Uses

23 §297-63, Permissible Uses.

24 Figure IV-1, the Table of Permissible Uses

25 *Code of Charles County, Maryland*

26
27 BY Repealing and Reenacting with Amendments:

28 Chapter 297- Zoning Ordinance

29 Article V – Residential Density

30 §297-75 Permissible Uses.

31 Figure V-2, Residential Density Ranges

Asterisks *** mean intervening code language remaining unchanged

CAPITALS mean language added to the law

[Brackets] mean language deleted from the law

1 *Code of Charles County, Maryland*

2

3 BY Repealing and Reenacting with Amendments:

4 Chapter 297- Zoning Ordinance

5 Article VI – Base Zone Regulations

6 §297-90 Development District Residential Zones

7 *Code of Charles County, Maryland*

8

9 BY Repealing and Reenacting with Amendments:

10 Chapter 297- Zoning Ordinance

11 Article VI – Base Zone Regulations

12 §297-90 Development District Residential Zones

13 Figure VI-4 Development District Residential Zones

14 *Code of Charles County, Maryland*

15

16 BY Repealing and Reenacting with Amendments:

17 Chapter 297 –Zoning Ordinance

18 Article X, Highway Corridor (Overlay Zone),

19 §297-151, Road Buffer Standards

20 Figure X-1, Road Corridor Buffer Yard and Building Setback Requirements

21 *Code of Charles County, Maryland*

22

23 BY Repealing and Reenacting with Amendments:

24 Chapter 297- Zoning Ordinance

25 Article XIII – Minimum Standards for Special Exceptions and Uses Permitted

26 With Conditions

27 §297-212 Uses corresponding with Table with Permissible Use

28 *Code of Charles County, Maryland*

29

30 BY Repealing and Reenacting with Amendments:

31 Chapter 297- Zoning Ordinance

32 Article XVIII – Site Design

1 *****

2 § 297-90. Development district residential zones.

3

4 *****

5

6 C. Permitted uses.

7 (1) The permitted uses within the development district residential zones shall be in

8 conformance with the uses permitted in the Table of Permissible Uses.

9 (2) RO ZONE INFILL DEVELOPMENT

10 (a) NOTWITHSTANDING SECTION §297-90 (B) and (C)(1), THE

11 RESIDENTIAL USES IDENTIFIED AS USE 3.03.100 GARDEN APARTMENT

12 AND USE 3.03.200 MID-RISE, AND THE MIXED-USE BUILDING USES,

13 IDENTIFIED AS USE 8.01.000 MIXED-USE BUILDING AND 8.02.000

14 MIXED-USE BUILDING, RESIDENTIAL, SHALL BE PERMITTED ON

15 PROPERTIES WITHIN THE RO ZONE WHICH MEET THE FOLLOWING

16 CRITERIA:

17 (i) SHALL BE ON PROPERTIES CONSISTING OF NO LESS

18 THAN TWO ACRES AND NO GREATER THAN NINE ACRES;

19 (ii) SHALL BE LOCATED WITHIN THE DEVELOPMENT

20 DISTRICT, AS SET FORTH ON THE COUNTY’S LAND USE MAP;

21 (iii) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS

22 SET FORTH ON THE COUNTY’S LAND USE MAP;

23 (iv) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT

24 BY THE DEPARTMENT OF HOUSING AND URBAN

25 DEVELOPMENT; AND

26 (v) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE

27 DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS

28 THAT TERM IS DEFINED BY THE DEPARTMENT OF HOUSING

29 AND URBAN DEVELOPMENT.

30 (b) GARDEN APARTMENT (USE 3.03.100), MID-RISE (USE 3.03.200),

31 AND RESIDENTIAL USES INCLUDED WITHIN THE MIXED-USE

32 BUILDING (8.01.000) AND MIXED-USE BUILDING, RESIDENTIAL

33 (8.02.000) USES, SHALL BE SUBJECT TO A MINIMUM DENSITY OF 15

1 DWELLING UNITS PER ACRE AND A MAXIMUM DENSITY OF 28
2 DWELLING UNITS PER ACRE.

3 (c) THE FLOOR AREA RATIO AND BUILDING HEIGHT
4 REQUIREMENTS IN THE SCHEDULE OF ZONE REGULATIONS
5 DETERMINE THE ALLOWED SCALE AND INTENSITY OF
6 DEVELOPMENT.

7 (d) IN ORDER TO PROMOTE INFILL DEVELOPMENT AND/OR
8 REDEVELOPMENT OF DIFFICULT SITES AND THE PROVISION OF
9 AFFORDABLE HOUSING, PROPERTIES MEETING THE CRITERIA SET
10 FORTH IN §297-90(C)(2)(a) MAY SUBMIT AN ALTERNATIVE DESIGN
11 AND DEVELOPMENT CODE FOR A PARTICULAR PROJECT.

12 (i) THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE
13 MAY INCLUDE FLEXIBLE DEVELOPMENT STANDARDS, INCLUDING
14 BUT NOT LIMITED TO, LOT AREAS, WIDTHS AND YARDS, SETBACKS,
15 PARKING REQUIREMENTS, SEPARATION BETWEEN BUILDINGS,
16 BUILDING HEIGHTS, IMPERVIOUS SERVICE RATIO (ISR) AND OTHER
17 DEVELOPMENT STANDARDS.

18 (ii) THE ALTERNATIVE DESIGN CODE SHOULD
19 DEMONSTRATE COMPATIBILITY WITH USES, EXISTING OR PROPOSED
20 IN THE COMPREHENSIVE PLAN, IN THE GENERAL VICINITY OF THE
21 PROPOSED PROJECT AND SHALL INCLUDE:

- 22 1. PEDESTRIAN CONNECTIVITY;
- 23 2. SETBACKS, BUILDING ENVELOPES, AND PARKING
24 COMPATIBLE WITH THE SURROUNDING COMMUNITY;
- 25 3. ARCHITECTURAL FEATURES WHICH DEMONSTRATE THE
26 RELATIONSHIP OF THE PROJECT WITH THE ADJACENT
27 COMMUNITY TO INCLUDE, TREATMENT OF CORNER UNITS,
28 ENTRANCE FEATURES, BREAKS IN FACADES, BREAKS IN ROOF
29 LINES, TRASH STORAGE AREAS OR SOLID WASTE
30 MANAGEMENT, GRADE BREAKS BETWEEN UNITS, DECK AND

PATIOS, PRIVATE ROAD STANDARDS, AND RV AND BOAT STORAGE;

4. THE OPTIMIZATION OF PRIVACY OF RESIDENTS AND THE MINIMIZATION OF INFRINGEMENT ON THE PRIVACY OF ADJOINING LAND USES BY THE CONSIDERATION OF PLACEMENT OF WINDOWS AND DOOR ENTRANCES; AND

5. LANDSCAPING DESIGNED TO ENHANCE THE PROJECT AND INTEGRATION INTO THE SURROUNDING AREA.

(iii) THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE MAY BE SUBMITTED WITH ANY PRELIMINARY PLAN OR SITE PLAN.

(iv) 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.

(v) 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.

SCHEDULE OF ZONE REGULATIONS

Figure VI-4,

DEVELOPMENT DISTRICT RESIDENTIAL ZONES

SEE ATTACHED

1 *****

2 Chapter 297 ZONING ORDINANCE

3 Article X, HIGHWAY CORRIDOR (OVERLAY ZONE)

4 *****

5 §297-151, ROAD BUFFER STANDARDS, Figure X-1, Road Corridor Buffer Yard and Building
6 Setback Requirements as shown herein

7 *****

8 **NOTES:**

- 9 1. ‘A’ through ‘E’ designates type of Buffer required as illustrated in Article XVII, Part II.
- 10 2. Numbers given are the building setback requirements in feet.
- 11 3. Single-family residential lots and minor subdivisions will be exempt from the buffer
- 12 requirements above.
- 13 4. Setbacks may be reduced to 30 feet if located in Community Mixed-Use Areas, Business
- 14 Corridor Mixed-Use Areas, Opportunity Mixed-Use Areas or Employment Areas as defined by
- 15 adopted subarea plans.
- 16 5. In the BP zone, evergreen and coniferous trees shall be exempt from the requirements of buffer
- 17 yard D.
- 18 6. In the BP zone, canopies associated with motor vehicle fuel sales, which cover fuel station
- 19 product dispensers, are not defined as a building for applicability of building restriction lines, nor
- 20 are they restricted by §297-26 c(1)(a) which limits projections of canopies into yards to a
- 21 maximum of three feet. By way of example see table below:
- 22 7. IN THE RO ZONE, MULTI-FAMILY RESIDENTIAL AND MIXED-USE PROJECTS
- 23 ARE EXEMPT FROM THE BUFFER YARD REQUIREMENTS AND HAVE A MINIMUM
- 24 SETBACK OF 15 FEET.

25 *****

26 Chapter 297-Zoning Ordinance

27 Article XIII – Minimum Standards for Special Exceptions

28 and Uses Permitted With Conditions

29 §297-212 Uses Corresponding with Table of Permissible Uses

30 *****

1 **(27) 3.03.100 Multifamily residential: garden apartment.** This use is permitted with conditions
2 in the RM, [and] RH AND RO Zones and in the CER, CRR, PRD, MX, WC and AUC Zones,
3 subject to the following:

4 *****

5 D. THIS USE IS PERMITTED IN THE RO ZONE, SUBJECT TO THE
6 FOLLOWING REQUIREMENTS:

7 (1) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO
8 ACRES AND NO GREATER THAN NINE ACRES.

9 (2) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.

10 (3) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET
11 FORTH ON THE COUNTY’S LAND USE MAP.

12 (4) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY
13 THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

14 (5) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE
15 DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT
16 TERM IS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN
17 DEVELOPMENT.

18 (6) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE
19 BETWEEN ANY TWO BUILDINGS SHALL BE 15 FEET.

20
21 *****

22 **(28) 3.03.200 Multifamily residential: mid-rise.** This use is permitted with conditions in the RM
23 [and] RH AND RO Zones and in the PRD, MX, WC and AUC Zones, subject to the following:

24 *****

25 C. THIS USE IS PERMITTED IN THE RO ZONE SUBJECT TO THE FOLLOWING
26 REQUIREMENTS:

27 (1) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO
28 ACRES AND NO GREATER THAN NINE ACRES.

29 (2) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.

30 (3) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET
31 FORTH ON THE COUNTY’S LAND USE MAP.

1 (4) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY
2 THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

3 (5) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE
4 DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT
5 TERM IS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN
6 DEVELOPMENT.

7 (6) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE
8 BETWEEN ANY TWO BUILDINGS SHALL BE 15 FEET.

9 *****

10 **(8.01.000 MIXED-USE BUILDING.** THIS USE IS PERMITTED WITH CONDITIONS IN
11 THE RO ZONE, SUBJECT TO THE FOLLOWING REQUIREMENTS:

12 (A) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES
13 AND NO GREATER THAN NINE ACRES.

14 (B) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.

15 (C) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH
16 ON THE COUNTY'S LAND USE MAP.

17 (D) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE
18 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

19 (E) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING
20 UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED
21 BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

22 (F) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE BETWEEN ANY
23 TWO BUILDINGS SHALL BE 15 FEET.

24

25 **8.02.000 MIXED-USE BUILDING, RESIDENTIAL.** THIS USE IS PERMITTED WITH
26 CONDITIONS IN THE RO ZONE, SUBJECT TO THE FOLLOWING REQUIREMENTS:

27 (A) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES
28 AND NO GREATER THAN NINE ACRES.

29 (B) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.

30 (C) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH
31 ON THE COUNTY'S LAND USE MAP.

1 (D) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE
2 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
3 (E) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING
4 UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED
5 BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
6 (F) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE BETWEEN ANY
7 TWO BUILDINGS SHALL BE 15 FEET.
8
9 *****
10

Chapter 297-Zoning Ordinance

ARTICLE XVIII

Site Design

§297-298 General site design standards.

A. The applicant shall submit a site analysis of the characteristics of the development site, such as site context, geology and soil, topography, climate, natural features, visual features, past and present use of the site, historic features, existing vegetation, structures and road networks.

B. The Charles County Site Design and Architectural single-family dwelling and commercial and industrial guidelines and standards shall guide:

(1) The approval of preliminary plans and architectural elevations for all single-family subdivisions in the RL, RM, RH, RO, RR, PRD, MX, PUD, WPC, TOD, PEP, PMH, CER, CRR, CRM, HVC, HVG, and HVR Zones that are greater than 10 lots and within sewer service areas S-1, S-3, S-5.

(2) The approval of site plans and buildings for all commercial construction in the CV, CN, CC, CB, BP, IG, IH, CER, CRR, CRM, HVC, HVG, and HVE Zones. All new construction, renovation and expansion projects shall comply with all applicable sections of the 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.

C. Notwithstanding the above, if an alternative design and development code has been submitted and approved in the PRD, PEP, MX, PUD, WPC, PMH, TOD, [or the] BP, OR THE RO Zone the alternative design and development code shall govern site design. 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

1 standards in the Zoning Ordinance, the alternative design and development code shall
2 apply. Where the alternative design and development code is silent, the zoning ordinance
3 shall apply.

4
5 **SECTION 2.** BE IT FURTHER ENACTED, that this act shall take effect forty-five (45)
6 calendar days after it becomes law.

7
8 ADOPTED this _____ day of _____ 2025.

9
10 **COUNTY COMMISSIONERS**
11 **CHARLES COUNTY, MARYLAND**

12
13 _____
14 **Reuben B. Collins, II, Esq., President**

15
16 _____
17 **Ralph E. Patterson, II, M.A., Vice President**

18
19 _____
20 **Gilbert O. Bowling, III**

21
22 _____
23 **Thomasina O. Coates, M.S.**

24
25 _____
26 **Amanda M. Stewart, Ed.D.**

27
28 **ATTEST:**

29
30 _____
31 **Carol DeSoto, Clerk to the Commissioners**

32
33

Figure VI 4
Schedule of Zone Regulations

					***** *****															
Uses: RO Zone		Minimum Lot Criteria					Front Setback Requirement (feet)		Minium Yard Requirements (feet)				Maximum Height		Lot Coverage	Intensity	Minimu m Open Space	Minim um ISR	Minim um Tract Size	
		Area	Square Feet per du	Width (feet)	Depth (feet)	Fro nta ge (fee t)	Mini mum	Maxi mum	Front	Side	Total	Rea r	Feet	Stories						
					***** *****															
Garden Apartment 3.03.100		10,000 square feet		50	80	50	0	12		0		0		2 to 3 ¹	90%	0.5 to 1.0 FAR	20%			
Mid-Rise 3.03.200		10,000 square feet		50	80	50	0	12		0		0		4 to 5	90%	0.5 to 1.0 FAR	15%			
					***** *****															
8.01.000 Mixed Use Building		10.000 square feet		50	80	50	0	12		0		0		2-4	90%	0.5 to 1.0 FAR	15%			
8.02.000 Mixed-Use building, residential		10,000 square feet		50	80	50	0	12		0		0		2-4	90%	0.5 to 1.0 FAR	15%			

¹ A habitable area enclosed by the roof assembly (area between the roof eave and the roof edge) one level the third story may be added and the allowable building height may be exceeded in accordance with § 297-27A(3). 297

ZONING REGULATIONS

Figure V-2

Residential Density Ranges (Dwelling Units per Acre)

[Amended 12-11-2000 by Ord. No. 00-93; 6-16-2003 by Bill No. 2003-03; 1-25-2005 by Bill No. 2005-04;
7-25-2005 by Bill No. 2005-01; 4-13-2010 by Bill No. 2010-05; 6-6-2017 by Bill No. 2017-03; 11-28-2017
by Bill No. 2017-07]

Residential Zones	Density Range ¹	Density Range Achieved through application of PDR, MDC or PMH ²
Agricultural Conservation (AC)	0.33 to 0.40	N/A
Rural Conservation (RC)	0.10 to 0.40	N/A
Rural Residential (RR)	1.00 to 1.22	N/A
Village Residential (RV)	1.80 to 3.40	N/A
Low-Density Residential (RL)	1.00 to 3.97	1.75 to 5.72
Medium-Density Residential (RM)	3.00 to 6.56	4.00 to 10.86
High-Density Residential (RH)	5.00 to 13.10	7.00 to 20.10
Residential Office (RO)	1.00 to 3.97 ³	1.75 to 5.72
Core Employment/Residential (CER)	2.00 ³	N/A ⁴
Core Retail/Residential (CRR)	2.00 ³	N/A ⁴
Core Mixed Residential (CMR)	2.00 ³	N/A ⁴
Watershed Conservation District (WCD)	0.05 ⁵	N/A
Hughesville Village Core (HVC)	5.00 to 8.00 ⁶	N/A ⁴
Hughesville Village Gateway (HVG)	5.00 to 8.00 ⁶	N/A ⁴
Hughesville Village Residential (HVR)	1.80 to 3.00 ⁶	N/A ⁴

NOTES:

- Maximum densities allowed varies depending on the bonus densities achieved through housing and TDRs.
- Maximum densities allowed varies depending on the bonus densities achieved through housing and TDRs as well as the maximum allowed through performance identified in the Development Guidance System set forth in Article VIII.
- Densities noted for the core mixed-use zones are minimum densities.
- Application of floating zones not permitted.
- Density bonuses are not allowed within the Watershed Conservation District (WCD).
- Density bonuses are not allowed within the Hughesville Village Core (HVC), Hughesville Village Gateway (HVG), and Hughesville Village Residential (HVR) Zones.
- GARDEN APARTMENT, AND MID-RISE DWELLINGS AND MIXED-USE IN RESIDENTIAL-ONLY BUILDINGS THE RO ZONE SHALL BE SUBJECT TO A MINIMUM DENSITY OF 15 DWELLING UNITS PER ACRE AND A MAXIMUM DENSITY OF 28 DWELLING UNITS PER ACRE.**