



**Tuesday, October 4, 2022**

**\*Charles County Board of County Commissioners Regular Session (Legislative Day)**

**Charles County Commissioners' Meeting-Hybrid Virtual/In-Person**

The County Commissioners will be holding these public meetings virtually and limited in-person. The public can watch this meeting on Comcast 95 (SD), Verizon FIOS 10, Roku or Apple TV streaming devices (Charles County Government), and the web at [www.CharlesCountyMD.gov/our-county/ccgtv-live-stream](http://www.CharlesCountyMD.gov/our-county/ccgtv-live-stream). Residents without internet service can listen to the meeting at 301-645-0500.

[Link: Live Streaming \(Day of Meeting\)](#)

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[Link: Meetings on Demand \(Previously Recorded Meetings\)](#)

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**[9:00 a.m.] Open Session (Hybrid- Virtual and In Person - Government Building Conference Room, 200 Baltimore Street, La Plata, MD 20646)**

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- Call to Order/Pledge of Allegiance
- Roll Call

**Charles County Proclamations**

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- **Proclamation(s) Issued in October 2022:**

[2022-62 Global Diversity Awareness Month.pdf](#)  
[2022-63 Domestic Violence Awareness Month.pdf](#)  
[2022-64 National Cybersecurity Awareness Month.pdf](#)  
[2022-65 National Breast Cancer Awareness Month.pdf](#)  
[2022-66 Italian American Heritage Month.pdf](#)  
[2022-67 National Disability Employment Awareness Month.pdf](#)  
[2022-68 White Cane Awareness Day.pdf](#)  
[2022-69 Child Health Day and Month.pdf](#)

**Commissioners' Comments**

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**Announcement(s)**

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- **Next Scheduled Commissioner Session(s): October 18 and 19, 2022.**  
**Reminder: October 5, 2022 Public Hearings at 6:00 p.m. Bond Resolution**

## **Approval of the Minutes**

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- **Minutes of September 27, 2022**
- **Minutes of September 28, 2022**

## **Approval Items**

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- **EBud(s):**  
(Mr. Jacob Dyer, Chief of Budget, and Ms. Jenifer Ellin, Director, Department of Fiscal and Administrative Services)
- **Local Emergency Planning Committee (LEPC) Bylaws**  
(Ms. Michelle Lily, Director, and Mr. Marc Potter, Associate County Attorney)

[LEPC Presentation Oct 4 2022\\_FINAL.pdf](#)  
[2022 LEPC By-Laws for Adoption by CCBOC.pdf](#)

- **Community Resource Day Funding Support**  
(Commissioner Coates, Ms. Corae Young, Chair, Charles County Homeless and Emergency Shelter Committee)

[CRD Presentation to Commissioners.pdf](#)

## **Briefings- Morning**

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- **Briefing and Request to Introduce and Schedule a Public Hearing: Zoning Text Amendment 22-168 Mini-Warehouses in Neighborhood Commercial (CN) Zone**  
(Ms. Kelly Palmer, Planner III, Ms. Cynthia Bilbra, Planning Supervisor, Ms. Jessica Andritz, Assistant Chief and Legal Counsel, and Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management)
- **Briefing and Request to Introduce and Schedule a Public Hearing: Bill 2022-( ) Zoning Text Amendment #21-169 Update Critical Area Overlay Zone**  
(Mr. Charles Rice, Assistant Chief of Planning, Mr. Kyle Redden, Planner I, Mr. Jim Campbell, Planning Director, and Ms. Lynn Knaggs, Planning Supervisor, Department of Planning and Growth Management)

[DRAFT Bill 2022-ZTA 22-168 - JSBA \(09.28.2022\).pdf](#)  
[Draft ZTA #22-168 Staff Report\\_Final.pdf](#)  
[Cobb Neck - 01-06-2022 ApplicationforZoningTextAm-SIGNED.pdf](#)  
[ZTA 22-168 Figure IV-1.pdf](#)  
[ZTA 22-168 Figure VI-5.pdf](#)  
[CN Zoning.pdf](#)  
  
[ZMA #21-02 Adoption of Critical Area Zone Layer \(1\).pdf](#)  
[ZTA #21-169 Adoption of Critical Area Zone Layer and Lot Coverage.pdf](#)



[Critical Area Map Update, Briefing for County Commissioners, Oct 4, 2022.pdf](#)

- **Briefing and Request to Schedule a Public Hearing: FY2023 Municipal Stormwater (MS4) Permit Financial Assurance Plan**

(Mr. Charles Rice, Assistant Chief of Planning, and Ms. Karen Wiggen, Planner III, Department of Planning and Growth Management; Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; and Mr. John Stevens, Chief of Capital Projects, Department of Public Works)

[FY23 Financial Assurance Plan.pdf](#)

[FY23 Financial Assurance Plan Briefing Slides for 10\\_4\\_2022.pdf](#)

- **Quarterly Update: Chief Equity Officer**

(Ms. Renesha Miles, Chief Equity Officer, Ms. Elaine Pollard, DEI/HR Coordinator, and Ms. Alexis Blackwell, Director, Department of Human Resources)

[DEI Update Sept 2022.pdf](#)

- **Update: Maryland Department of the Environment Groundwater Permits and La Plata Water Agreement**

(Mr. Jason Groth, Deputy Director and Ms. Deborah Carpenter, Director, Department of Planning and Growth Management)

[Water Supply Presentation .pdf](#)

**[2:00 p.m.] Open Session (Hybrid- Virtual and In Person - Government Building Conference Room, 200 Baltimore Street, La Plata, MD 20646)**

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- **Roll Call**

**Briefings-Afternoon**

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- **Annual Update: Docket 90**

(Mr. Matthew Wineman, Vice President of Operations, Lennar, and Mr. Rick Barnas, Barnas Engineering)

[22\\_09\\_29 Docket 90 Presentation \(002\).pdf](#)

- **Update: Commissioners' Goals and Objectives- Goal 3: Environment**

(Ms. Deborah Carpenter, Director, Department of Planning and Growth Management; Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator; Ms. Kelly Robertson-Slagle, Director, Department of Economic Development; Mr. Bernard Cochran, Acting Director, and Ms. Frances Sherman, Chief of Environmental Resources, Department of Public Work)

[Goal #3 - September 2022 \(5\).pdf](#)

- **Bi-Monthly Update: Western Parkway Roadway Improvements**

(Mr. John Stevens, Chief of Capital Services, and Mr. Brian Kagarise, Senior Project Manager, Department of Public Works; Mr. Jason Groth, Deputy Director, Department of Planning Growth Management)

[Western Parkway Commissioners Update Presentation 9-20-22 \(9-14-22\).pdf](#)

- **Work Session: Draft Bill 2022-06 Adequate Public Facilities 2022 Manual Update to Traffic Section**

(Mr. Jason Groth, Deputy Director, and Mr. Ben Yeckley, Planner III, Department of Planning and Growth Management)

[Bill 2022-06 APF Manual Changes - Traffic Regulations.pdf](#)

[Charles County Adequate Public Facilities Manual - 2022 \(Bill Format\).pdf](#)

## **Commissioners' New Business**

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### **[4:15 p.m.] Closed Session (Hybrid- Virtual and Limited In Person - Government Building Conference Room, 200 Baltimore Street, La Plata, MD 20646)**

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Closed Session: All or a portion of this session may be closed pursuant to Section 3-305(b)(1)(7) of the General Provisions Article of the Annotated Code of Maryland.

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Proclamations

**AGENDA SECTION:** Charles County Proclamations

**SUBJECT:**

- **Proclamation(s) Issued in October 2022:**

**SUGGESTED ACTION:**

### **ATTACHMENTS:**

[2022-62 Global Diversity Awareness Month.pdf](#)  
[2022-63 Domestic Violence Awareness Month.pdf](#)  
[2022-64 National Cybersecurity Awareness Month.pdf](#)  
[2022-65 National Breast Cancer Awareness Month.pdf](#)  
[2022-66 Italian American Heritage Month.pdf](#)  
[2022-67 National Disability Employment Awareness Month.pdf](#)  
[2022-68 White Cane Awareness Day.pdf](#)  
[2022-69 Child Health Day and Month.pdf](#)



# County Commissioners of Charles County

## PROCLAMATION 2022-62

### Global Diversity Awareness Month

**WHEREAS**, after the Second World War, The Universal Declaration of Human Rights was adopted by the United Nations General Assembly, this represents the first global expression of rights to which all human beings are inherently entitled; and

**WHEREAS**, it is essential that we remember and understand the value of each human being, regardless of their nationality, color, race, sex, gender, country of origin, language, or otherwise; and

**WHEREAS**, we live in a multicultural society, and embracing the values of various cultures only strengthens our understanding and appreciation of the world; and

**WHEREAS**, the more the world becomes a place where cultures and customs come together, there is an opportunity to learn from each other by being aware of the value of each person and culture; and

**WHEREAS**, research consistently shows that we learn more from people who are different from us than we do from those who are similar to us; and

**WHEREAS**, during October, Global Diversity Awareness Month reminds us of the positive impact a diverse workforce of men and women can have on society; and

**WHEREAS**, we celebrate Global Diversity Awareness Month and pay tribute to the diverse minds and beliefs held by all cultures around the world. Though we may differ in our languages, race, values, politics, religion, and philosophies, we are all, in the end, members of humankind. Our common humanity is the first step in the celebration of our differences.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 2022 as **Global Diversity Awareness Month** in Charles County and ask residents to open their minds to new views and ideas, appreciate cultural differences, and enjoy a fresh perspective of others.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
*District 4*

Gilbert O. Bowling, III  
*District 1*

Thomasina O. Coates, M.S.  
*District 2*

Amanda M. Stewart, M.Ed.  
*District 3*



Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-63

### Domestic Violence Awareness Month

**WHEREAS**, the crime of domestic violence violates an individual's humanity, privacy, dignity, and security due to the use of physical, emotional, and sexual abuse, which undermines the social fabric of our entire community; and

**WHEREAS**, domestic violence is a serious crime that affects people of all races, ages, gender, and economic levels; and

**WHEREAS**, the impact of domestic violence is wide ranging. It directly affects the victim, while also shaping the lives of children who must witness aggressive and violent acts amongst loved ones; and

**WHEREAS**, approximately 15.5 million children of varying socioeconomic backgrounds are exposed to domestic violence every year; and 1 out of every 10 teenagers are physically hurt by someone they are dating; and

**WHEREAS**, this year's campaign theme, #EveryIKnowsSome1, strives to highlight how common domestic violence is and that it is more than physical violence; and

**WHEREAS**, Domestic Violence Awareness Month provides an excellent opportunity for residents to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim the month of OCTOBER 2022, as **Domestic Violence Awareness Month** in Charles County and do hereby encourage residents to attend the Candlelight Vigil and wear purple as a sign of support of working toward the elimination of domestic violence.



COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
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Gilbert O. Bowling, III  
*District 1*

Thomasina O. Coates, M.S.  
*District 2*

Amanda M. Stewart, M.Ed.  
*District 3*

Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-64

### National Cybersecurity Awareness Month

**WHEREAS**, National Cybersecurity Awareness Month is a collaborative effort between government and industry to raise awareness about the importance of cybersecurity and to ensure that all Americans have the resources they need to be safer and more secure online; and

**WHEREAS**, today more people work from home relying on technology to communicate with the outside world for work, school, and personal socializing; and

**WHEREAS**, National Campaign, Stop. Think. Connect. <sup>TM</sup> was established to increase the understanding of cyber threats and empower the American public to be safer and more secure online; and

**WHEREAS**, this year's theme is, "See Yourself in Cyber" empowers individuals and organizations to own their role in protecting their part of cyberspace; and

**WHEREAS**, it is important that you and your organization, regardless of size or industry, engage and promote National Cybersecurity Awareness Month and positive lasting cybersecurity habits.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 2022 as **National Cybersecurity Awareness Month** in Charles County and ask our residents to learn and practice cybersecurity at home and at work.



#### COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
*District 4*

Gilbert O. Bowling, III  
*District 1*

Thomasina O. Coates, M.S.  
*District 2*

Amanda M. Stewart, M.Ed.  
*District 3*

Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-65

### National Breast Cancer Awareness Month

**WHEREAS**, more than 281,000 Americans, men and women, will be diagnosed with breast cancer this year, and more than 45,000 will likely die from this terrible disease. Undoubtedly, this is an illness that touches the lives of countless individuals within our County and beyond; and

**WHEREAS**, October 2022 marks the 31<sup>st</sup> anniversary of the National Breast and Cervical Cancer Early Detection Program which is the best protection against these diseases; and

**WHEREAS**, the County Commissioners of Charles County, Maryland recognizes the importance of raising awareness and increasing resources to support breast cancer research projects and community programs; and

**WHEREAS**, on behalf of the residents of Charles County, we express our gratitude to Sisters at Heart Breast Cancer Support Group of Southern Maryland; Alpha Kappa Alpha Sorority, Inc. Nu Zeta Omega Chapter; Ivy & Pearls of Southern Maryland Community Charities, Inc.; and all our community advocates and partners for their role as a resourceful catalyst in creating a future without breast cancer; and

**WHEREAS**, in an effort to raise awareness of the facts surrounding breast cancer prevention and treatment, the Charles County Commissioners encourage residents to wear pink during the month of October as a sign of the need to eradicate breast cancer and develop treatments and to find a cure.

**NOW, THEREFORE**, in recognition of Breast Cancer Awareness Month, **WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 2022 as **National Breast Cancer Awareness Month** in Charles County, and stand in solidarity with breast cancer survivors and reaffirm our commitment to raising awareness of this disease.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
*District 4*

Gilbert O. Bowling, III  
*District 1*

Thomasina O. Coates, M.S.  
*District 2*

Amanda M. Stewart, M.Ed.  
*District 3*

Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-66

### Italian American Heritage Month

**WHEREAS**, October was designated as Italian American Heritage Month by Congress in 1989; and

**WHEREAS**, Italian American Heritage Month honors the achievements and contributions of Italian immigrants and their descendants living in the United States; and

**WHEREAS**, Italian American people enrich our country and Charles County community by serving in a variety of occupations, including thriving businesses, education, and varying levels of government; and

**WHEREAS**, Charles County is proud to acknowledge and celebrate our ethnic diversity and rich culture, which benefits our community; and

**WHEREAS**, we encourage all Charles County residents to embrace cultural difference through recognition of the positive impact of the diversity of our community.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 2022 as **Italian American Heritage Month** in Charles County and encourage all residents to observe this month with appropriate programs, ceremonies, and activities.



#### COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
*District 4*

Gilbert O. Bowling, III  
*District 1*

Thomasina O. Coates, M.S.  
*District 2*

Amanda M. Stewart, M.Ed.  
*District 3*

Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-67

### National Disability Employment Awareness Month

**WHEREAS**, National Disability Employment Awareness month traces back to 1945 when Congress recognized the first week of October as disability employment week and then in 1988, when Congress expanded the week to a month and named it National Disability Employment Month; and

**WHEREAS**, it is important that America's workplaces continue to include and accommodate people with disabilities as an important part of our economic rebound and growth; and

**WHEREAS**, the purpose of National Disability Employment Awareness Month is to educate about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities; and

**WHEREAS**, this year's theme is "Disability: Part of the Equity Equation"; and

**WHEREAS**, workplaces welcoming of the talents of all people, including people with disabilities, are critical to build an inclusive community and strong economy.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 2022 as **National Disability Employment Awareness Month** in Charles County and call upon employers, schools, and other community organizations to advance the important message that people with disabilities are equal to the task throughout the year.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
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*District 3*

Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-68

### White Cane Awareness Day

**WHEREAS**, the white cane, which every blind resident of our County has the right to carry, demonstrates and symbolizes the ability to achieve a full and independent life and the capacity to work productively in competitive employment; and

**WHEREAS**, the white cane, by allowing every blind person to move freely and safely from place to place, makes it possible for the blind to fully participate in and contribute to our society and to live the lives they want; and

**WHEREAS**, every resident should be aware that the law requires that motorists and cyclists exercise appropriate caution when approaching a blind person carrying a white cane; and

**WHEREAS**, Maryland law calls upon employers, both public and private, to be aware of and utilize the employment skills of our blind citizens by recognizing their worth as individuals and their productive capabilities; and

**WHEREAS**, the State of Maryland and Charles County, through public agencies and with the cooperative assistance of the National Federation of the Blind of Maryland, can and should facilitate the expansion of employment opportunities for and greater acceptance of blind persons in the competitive labor market.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 15, 2022 as **White Cane Awareness Day** in Charles County and call upon our schools, and colleges to offer full opportunities for training to blind persons; for businesses to utilize the available skills of competent blind persons; and for residents to recognize the white cane as a tool of independence for blind persons.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
District 4

Gilbert O. Bowling, III  
District 1

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District 2

Amanda M. Stewart, M.Ed.  
District 3

Attest:

Carol A. DeSoto, Clerk to the Commissioners





# County Commissioners of Charles County

## PROCLAMATION 2022-69

### Child Health Day and Month

**WHEREAS**, Child Health Day was first celebrated by a proclamation presented by Calvin Coolidge on May 1, 1928 on May 1, and later moved to the first Monday in October in 1960; and

**WHEREAS**, in 1992, the American Academy of Pediatrics (AAP) designated October as Child Health Month to increase public awareness of the value of preventive health care for children.

**WHEREAS**, addressing the complex health needs of children, youth, and families today is fundamental to the future of Charles County, and it is appropriate that a day should be set apart each year for the direction of our thoughts toward our children's health and well-being; and

**WHEREAS**, the purpose of Child Health Day and Child Health Month is to educate the community about the importance of prenatal and newborn care, regular doctor visits, healthy eating and physical activity, and preventing and treating illnesses and injuries; and

**WHEREAS**, the need for comprehensive, coordinated health services for children, youth, young adults, and families' places is a critical responsibility for our community; and

**WHEREAS**, the Charles County Department of Health, through its unique approach to serving children, youth, young adults, and young adults, is effectively caring for the health needs of children, youth, young adults, and their families in our community.

**WHEREAS**, the Charles County Department of Health, The Charles County Public Schools, the Charles County Branch of the NAACP, the American Heart Association and other community partners are working together to ensure our children have heart healthy food at home, in schools, and in restaurants.

**NOW, THEREFORE, WE, THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, do hereby proclaim October 3, 2022 as **Child Health Day** and October as **Child Health Month** in Charles County and urge our citizens and all agencies and organizations interested in meeting every child's health needs to unite on that day to promote the fundamental necessity of year-round health and wellness programs and activities for children, youth, and young adults and their families.

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq., *President*

Bobby Rucci, *Vice President*  
District 4

Gilbert O. Bowling, III  
District 1

Thomasina O. Coates, M.S.  
District 2

Amanda M. Stewart, M.Ed.  
District 3

Attest:

Carol A. DeSoto, Clerk to the Commissioners

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Announcement: Next Scheduled Commissioners' Session(s)

**AGENDA SECTION:** Announcement(s)

**SUBJECT:**

- **Next Scheduled Commissioner Session(s): October 18 and 19, 2022.**  
**Reminder: October 5, 2022 Public Hearings at 6:00 p.m.**  
**Bond Resolution**

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Minutes

**AGENDA SECTION:** Approval of the Minutes

**SUBJECT:**

- Minutes of September 27, 2022

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Minutes

**AGENDA SECTION:** Approval of the Minutes

**SUBJECT:**

- Minutes of September 28, 2022

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** EBud(s):

**AGENDA SECTION:** Approval Items

**SUBJECT:**

- **EBud(s):**

(Mr. Jacob Dyer, Chief of Budget, and Ms. Jenifer Ellin, Director,  
Department of Fiscal and Administrative Services)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Bylaws and/or Rules of Procedures

**AGENDA SECTION:** Approval Items

**SUBJECT:**

- **Local Emergency Planning Committee (LEPC) Bylaws**  
(Ms. Michelle Lily, Director, and Mr. Marc Potter, Associate County Attorney)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[LEPC Presentation Oct 4 2022\\_FINAL.pdf](#)

[2022 LEPC By-Laws for Adoption by CCBOC.pdf](#)





# Local Emergency Planning Committee (LEPC) By Laws Update

October 4, 2022

Michelle Lilly, Director  
*Department of Emergency Services*  
Marc Potter  
*County Attorney's Office*

# Federal Legislation

- ▶ Emergency Planning and Community Right to Know Act - Title III of the Superfund Amendments and Reauthorization Act or SARA of 1986
- ▶ Establish the State Emergency Response Commission

# County requirements

- ▶ Establish the LEPC to oversee response to chemical emergencies
- ▶ Collect info about chemicals in the community
  - ▶ Tier II reports
    - ▶ Maintain
    - ▶ Make publicly available
- ▶ Review and Approve the Chemical Emergency Response and Preparedness Plan

# By Laws Update - DES Changes

- ▶ Original by laws were established in 2009
- ▶ Changes to
  - ▶ Membership
  - ▶ Officers

# By Laws Update - Legal Changes

- ▶ Addition of references to 42 U.S.C. §§ 11001-11050
- ▶ Changes to
  - ▶ **Article III, Section 1:** Specifying membership backgrounds to conform with 42 U.S.C. §11001(c)
  - ▶ **Article IV, Section 7:** Specifying that the Office of the County Attorney shall serve as legal advisor to the LEPC
  - ▶ **Article V, Section 7:** Inclusion of the Charles County Code of Civility
  - ▶ **Article IX, Section 2:** Statement of adherence to the most recent iteration of the United States Code, and to amend By-Laws as necessary to remain current



**Charles County Government**  
200 Baltimore Street • La Plata, MD • 301-645-0550  
Equal Opportunity Employer

**[www.CharlesCountyMD.gov](http://www.CharlesCountyMD.gov)**



### **About Charles County Government**

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning and have an appropriate managerial organization tempered by fiscal responsibility. We support and encourage efforts to grow a diverse workplace. Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount; where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.

It is the policy of Charles County to provide equal employment opportunity to all persons regardless of race, color, sex, age, national origin, religious or political affiliation or opinion, disability, marital status, sexual orientation, genetic information, gender identity or expression, or any other status protected by law.

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND  
RESOLUTION NUMBER 2022-\_\_**

**LOCAL EMERGENCY PLANNING COMMITTEE**

**WHEREAS**, Congress, as part of Superfund 1986 (SARA III) enacted the Emergency Planning Community Right-to-know Act (EPCRA) which establishes Local Emergency Planning Districts and Committees; and

**WHEREAS**, SARA Title III establishes requirements that federal, state, and local governments and industry must implement regarding emergency planning and community right-to-know reporting on hazardous and toxic chemicals; and

**WHEREAS**, Charles County recognizes that EPCRA was designed to provide all levels of government and the public with information required to plan for a chemical incident; and

**WHEREAS**, pursuant to Title III, the Maryland State Emergency Response Commission (SERC) has designated the area within the boundaries of the Charles County as a Local Emergency Planning District and Charles County is required to establish a Local Emergency Planning Committee for the District, in accordance with SERC Policy; and

**WHEREAS**, pursuant to Article IX, Section 1 of the Local Emergency Planning Committee By-Laws, effective October 6<sup>th</sup>, 2009, any amendments to the By-Laws are subject to the approval of the Charles County Board of County Commissioners; and

**WHEREAS**, the Local Emergency Planning Committee, during a duly held meeting on September 21<sup>st</sup>, 2022, held a vote to amend the By-Laws, voting unanimously to adopt the By-Laws as amended and attached herein;

**NOW, THEREFORE**, on this \_\_\_\_ day of \_\_\_\_\_, 2022, by the County Commissioners of Charles County, Maryland, **BE IT RESOLVED** as follows:

1. The Local Emergency Planning Committee By-Laws are hereby adopted and approved for implementation; and
2. This resolution shall be effective on the \_\_\_\_ day of \_\_\_\_\_, 2022.

**COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND**

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

\_\_\_\_\_  
Bobby Rucci, Vice President

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

**ATTESTED BY:**

\_\_\_\_\_  
Thomasina O. Coates, M.S.

\_\_\_\_\_  
Carol DeSoto, Clerk

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

*By-Laws of the Local Emergency Planning Committee  
of Charles County, Maryland*

**Article I: Committee Name**

**Section 1:** The official name of the organization shall be the "Charles County Local Emergency Planning Committee", hereinafter referred to as the "LEPC".

**Article II: Authorization and Purpose**

**Section 1:** The LEPC has been established pursuant to Subtitle A, Section 301 of Title III Emergency Planning and Community Right-To-Know Act (EPCRA) of the Superfund Amendment and Reauthorization Act (SARA) of 1986.

EPCRA and SARA have been amended and codified in United States Code (U.S.C.) Title 42, Chapter 116 (2020). The LEPC will adopt and implement any and all regulations and changes pertaining to EPCRA and SARA as they are in the most recent iteration of the United States Code.

The LEPC shall have all the powers and duties conferred upon it by said law, as amended.

**Section 2:** The responsibilities and objectives of the LEPC include:

- A. Comply with the guidelines established by Title III of the Superfund Amendment and Reauthorization Act of 1986 (SARA), later codified by the United States Code, the most recent iteration as of 2022 being Title 42, Chapter 116 of the 2020 edition of the United States Code.
- B. Develop an integrated chemical hazards emergency management partnership between business, industry, and local government.
- C. Review and make recommendations to the Chemical Emergency Response and Preparedness Plan in accordance with §303 of SARA. See also 42 U.S.C. §11003.
- D. Access resources necessary to implement the plan and make recommendations to appropriate individuals, agencies, and organizations regarding shortfalls in planning and resources.
- E. Receive reports and other information, (e.g. Tier II reports and chemical inventories) from covered facilities and other agencies.



- F. Comply with Community Right-to-Know requirements including public access to information in accordance with §324 of SARA. See also 42 U.S.C. §11044.

### Article III: Membership

**Section 1: Members.** The members of the LEPC will be nominated by the Chair of the LEPC and forwarded to the State Emergency Response Commission (SERC) for appointment. Pursuant to §301(c) of SARA (see also 42 U.S.C. §11001(c)), the LEPC shall, at a minimum, include a single representative from each of the following categories:

- Elected State and local officials
- Law enforcement, civil defense, firefighting, first aid, health, local environmental, hospital, and transportation personnel
- Broadcast and print media
- Community groups
- Owners and operators of facilities subject of the requirements of §§ 301-305 of SARA. See also 42 U.S.C. §§ 11001-11005.

The LEPC will endeavor to include a single representative from each of the following entities / groups:

- County Elected Official or designee;
- Municipal Elected Official or designee;
- Department of Emergency Services;
- Emergency Medical Services;
- Hazardous Material Team;
- Local Fire Department;
- Community Services, Transportation Division;
- State Highway Administration;
- Sheriff's Office;
- Maryland State Police Barrack "H";
- Health Department;
- Civista Medical Center;
- Indian Head Naval Base, Disaster Preparedness Office;
- Local Environmental Group;
- Constituency of Charles County;
- Representatives of facilities that are subject to EPCRA;
- Other representatives as deemed appropriate by the Chair;
- Local Broadcast media representative (**non-voting member**); and
- Local print media representative (**non-voting member**).

Interested persons may petition the SERC to modify the membership of the LEPC.

**Section 2:** **Term.** The membership term shall be two (2) years from the date of SERC appointment.

**Section 3:** **Inactive members.** Members shall be considered inactive when they have missed more than two consecutive LEPC meetings without notification to the Chair or other Officer.

**Section 4:** **Removal of members.** The Charles County LEPC Chair may remove a member deemed inactive as defined in Article III, Section 3. The LEPC may remove a member by a member moving to conduct a vote of no confidence; where a simple majority of the present voting members vote in the affirmative to remove the member subject to the vote, that member shall no longer be part of the LEPC.

**Section 5:** **Vacancies.** Any vacancy occurring by reason of resignation, death, or disqualification of a member will be filled by appointment in accordance with Article III, Section I.

**Section 6:** **Alternates.** Each entity represented on the LEPC shall designate a duly authorized alternate whose vote shall be counted in determining a quorum, and who is permitted to vote in place of the regular member.

**Section 7:** **Voting Members.** Each entity represented on the LEPC shall have one (1) vote for the transaction of official LEPC business. Media representatives will be considered non-voting members to preclude any possible conflicts of interest and are expected to perform their traditional duties while attending the LEPC meetings. The presence of media representative cannot be used to determine a quorum for the transaction of LEPC business.

**Section 8:** **Civility.** Members shall be governed by the Charles County Code of Civility, Section A, Resolution 2012-70.

## **Article IV: Officers and Duties**

**Section 1:** The Officers of the LEPC shall consist of the following members:

- Chair;
- Vice Chair; and
- Secretary.

Except as provided below, officers shall serve a term of one year. Elections for positions shall be held annually. However, the Chair and Secretary positions will not be elected. The Chair will be the Director of Emergency Services. The

Secretary will be an employee within the Charles County Emergency Management Division.

- Section 2:** The powers and duties of the Chair shall be to preside at meetings of the LEPC, appoint such standing and special subcommittees as shall be needed to conduct the business of the LEPC, serve as the (nonexclusive) spokesperson for the LEPC, act as the coordinating official with the SERC, and have such other powers and duties as are customary for the presiding officer on similar committees and boards.
- Section 3:** The powers and duties of the Vice Chair shall be to preside over meetings of the LEPC in the absence of the Chair, and to carry out such other duties as may be directed by the Chair.
- Section 4:** The powers and duties of the Secretary shall keep a written record of all business transacted by the LEPC, give notice to all members of all meetings, keep on file all official records of the committee, complete minutes pursuant to Article VIII of these By-Laws, certify all records and reports of the LEPC, serve notice of all hearings and public meetings, prepare and distribute information to the public, broadcast, and print media concerning LEPC activities and news. The position will also provide public notice of the availability of Tier II reports, Chemical Emergency Response and Preparedness Plan, and Material Safety Data Sheets (MSDS) as required by SARA Title III. See also 42 U.S.C. §§ 11001-11050.
- Section 6:** The Chair, together with the Secretary, shall sign all official documents of the LEPC in accordance with these bylaws, in addition to any and all applicable laws.
- Section 7:** The County Attorney shall be the legal advisor for the LEPC. The County Attorney shall attend the LEPC meetings, provide advice and assistance to the membership during hearings in their capacity as the LEPC Legal Advisor. The County Attorney may delegate these duties to an Associate County Attorney.

## **Article V: Meetings**

- Section 1:** The regular meetings of the LEPC shall be held at the call of the Chair and shall be as often as necessary to conduct business, or a minimum of two (2) times annually. The presence of fifty-one percent of the voting members of the LEPC shall constitute a quorum for the transaction of business. Special meetings of LEPC may be called by the Chair at such time and place as the Chair may designate.
- Section 2:** The LEPC shall conduct its business by means of resolutions adopted by a simple majority of the voting members present at a meeting. No motion, resolution, or other parliamentary instrument shall prevail unless it receives a simple majority of the votes of the voting members at a meeting.

- Section 3:** The LEPC shall be deemed to be a "Public Body" of Charles County, within the meaning of the Open Meetings Act, codified in Title 3 of the General Provisions Article in the Maryland Annotated Code, and the Public Information Act, codified in Title 4 of the General Provisions Article in the Maryland Annotated Code, in addition to the Freedom of Information Act (FOIA) statutes, except as those statutes may be superseded by applicable federal law.
- Section 4:** The public is encouraged to participate in the work of the LEPC by attendance at meetings and by addressing the LEPC when provided the opportunity to do so.
- Section 5:** The public shall be notified of meetings of the LEPC in accordance with applicable provisions of the Open Meetings Act, as codified in Title 3 of the General Provisions Article of the Maryland Annotated Code. Such notice shall be given to the appropriate local public media by the Secretary of the LEPC. Each year the LEPC shall review the Chemical Emergency Response and Preparedness Plan and shall make its proposed revisions available for public examination. No sooner than thirty (30) days after the proposed revisions have been made available to the public, the LEPC shall give notice of the conduct of at least one meeting at which the public shall be afforded the opportunity to discuss or provide written comments regarding the revisions to the Chemical Emergency Response and Preparedness Plan as proposed.
- Section 6:** After the public meeting(s) and the opportunity for public comment on the proposed revisions to the plan, the LEPC shall respond to comments and recommend changes to the plan for adoption and distribution.
- Section 7:** Meetings shall be conducted in accordance with the County Code of Civility, Section A, Resolution 2012-70.

## **Article VI: Correspondence and Communications**

- Section 1:** All official communications of the LEPC shall be carried out by the Chair or under their direction.
- Section 2:** Inquiries and/or written comment from the public relating to the activities of the LEPC, or any public dissemination of news of LEPC activities, shall be through the LEPC Secretary.
- Section 3:** The LEPC shall conduct a Community Right-To-Know Program as required by §§ 301, 312, and 324 of SARA; see also 42 U.S.C. §§ 11001, 11022, and 11044.

## **Article VII: Subcommittees**

**Section 1:** The Committee may appoint subcommittees to specialize in concerns relative to specific subject matters.

## **Article VIII: Books and Records**

**Section 1:** The Committee shall maintain minutes of its proceedings as well as any other books and records as may be required for the proper conduct of its business and affairs.

**Section 2:** The minutes of each meeting shall reflect the start and end times of the meeting, the members and County staff in attendance at the meeting, each matter considered during the meeting, and any actions taken regarding each matter considered during the meeting, including each vote recorded. Minutes for the LEPC are tentative and unofficial until approved by the LEPC at a subsequent meeting.

## **Article IX: Amendments**

**Section 1:** The Committee may recommend amendment of these by-laws during any regular or special meeting of the Committee by an affirmative vote with a simple majority of the voting members present. Written notice of the proposed by-law change shall be mailed, delivered or electronically sent to each member at least five (5) days prior to the date of the meeting. The approval of the Charles County Board of County Commissioners shall be required to approve any amendment to these by-laws.

**Section 2:** The LEPC will consider amendments to the By-Laws as needed and will subsequently amend the By-Laws as necessary to remain consistent with the most recent iteration of the United States Code and other applicable laws.

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Approval Item(s)

**AGENDA SECTION:** Approval Items

**SUBJECT:**

- **Community Resource Day Funding Support**  
(Commissioner Coates, Ms. Corae Young, Chair, Charles County Homeless and Emergency Shelter Committee)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[CRD Presentation to Commissioners.pdf](#)



# Charles County Community Resource Day

Tuesday, October 4, 2022

Presented by: Corae Young, Chair of the Charles County Homeless & Emergency Shelter Committee

# Community Resource Day

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Wednesday, October 26<sup>th</sup>, 2022; 10am – 1pm

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Hosted at Regency Furniture Stadium

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Collaborative effort of more than 50+ agencies providing on-site services

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Helps to reduce barriers of persons accessing services

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Purpose is to provide same-day resources for persons who are homeless, those at imminent risk of homelessness, or those in need of general services

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Resource Days occur in each county in Southern Maryland



# Charles County COMMUNITY RESOURCE DAY

WEDNESDAY  
OCT. 26TH  
10AM - 1PM

REGENCY FURNITURE STADIUM  
11765 SAINT LINUS DRIVE,  
WALDORF, MD 20602

## FREE RESOURCES



- Housing & utility financial assistance
- Rent assistance
- Food
- Flu shots & immunizations
- Dental & health screenings
- Vital records assistance
- Personal Hygiene Items
- On-site COVID-19 testing, vaccinations & much more!

**FREE**  
Lunch  
will be  
provided

*All participants must sign-in to receive an event lanyard & lunch ticket.*

For more information, email [charlescountyhomelessboard@gmail.com](mailto:charlescountyhomelessboard@gmail.com) or call Corae Young at 301-609-9900 x214.  
This event is not sponsored or endorsed by Charles County Public Schools.



# Free Services On-Site

MVA  
identification  
support

Birth  
certificates

Rent and  
utility  
assistance

Shelter  
resources

Behavioral  
health  
services

COVID testing  
& vaccinations

Food &  
Clothing

Toiletry items  
and personal  
products

Diapers

Hair cuts

# Funding

- Event budget: \$8,062
- Funding Committed:
  - Local Homelessness Coalition's Homelessness Solutions Grant: \$4,000
  - Department of Community Services: \$2,000
- Request \$2,000 from County Commissioners
- Funds Needed for:
  - Lunch meal provided to all participants and vendors
  - Cleaning services
  - Printing of marketing materials
  - Gas cards for participants
  - Supplies

# For More Information:

Corae Young

Chair

Charles County Homeless & Emergency Shelter  
Committee

Phone: 301-609-9900 ext. 214

[charlescountyhomelessboard@gmail.com](mailto:charlescountyhomelessboard@gmail.com)

# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Briefing and Request to Introduce

**AGENDA SECTION:** Briefings- Morning

**SUBJECT:**

- **Briefing and Request to Introduce and Schedule a Public Hearing: Zoning Text Amendment 22-168 Mini-Warehouses in Neighborhood Commercial (CN) Zone**  
(Ms. Kelly Palmer, Planner III, Ms. Cynthia Bilbra, Planning Supervisor, Ms. Jessica Andritz, Assistant Chief and Legal Counsel, and Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management)

### **SUGGESTED ACTION:**

#### **ATTACHMENTS:**

[DRAFT Bill 2022-ZTA 22-168 - JSBA \(09.28.2022\).pdf](#)

[Draft ZTA #22-168 Staff Report\\_Final.pdf](#)

[Cobb Neck - 01-06-2022 ApplicationforZoningTextAm-SIGNED.pdf](#)

[ZTA 22-168 Figure IV-1.pdf](#)

[ZTA 22-168 Figure VI-5.pdf](#)

[CN Zoning.pdf](#)



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

2  
3                   **2022 Legislative Session**

4  
5 Bill No. 22-\_\_\_\_\_  
6 Chapter. No. 297\_\_\_\_\_  
7 Introduced by \_\_\_\_\_  
8 Date of Introduction \_\_\_\_\_  
9

10                   **BILL**

11 AN ACT concerning:

12                   **REVISIONS TO THE USES ALLOWED IN THE**  
13                   **NEIGHBORHOOD COMMERCIAL (CN) ZONE**  
14

15 FOR the purpose of

16                   Amending certain provisions of the Zoning Ordinance of Charles County, Maryland to  
17                   permit Use #7.02.230, Mini-warehouses in the Neighborhood Commercial (CN) Zone by  
18                   special exception subject to certain conditions.  
19

20 BY Amending:

21                   Chapter 297 – ZONING ORDINANCE  
22                   Article IV, Permissible Uses,  
23                   § 297-63, Figure IV-1 Table of Permissible Uses  
24                   *Code of Charles County, Maryland*  
25

26 BY Amending:

27                   Chapter 297 –ZONING ORDINANCE  
28                   Article VI, Base Zone Regulations  
29                   Figure VI-5, Schedule of Zone Regulations: Commercial Zones  
30                   *Code of Charles County, Maryland*

1 BY Amending:

2 Chapter 297 – ZONING ORDINANCE

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

5 § 297-212(116), Uses Corresponding with Table of Permissible Uses; Use 7.02.230

6 *Code of Charles County, Maryland*

7  
8 **PREAMBLE**

9  
10 **WHEREAS**, property owners living in the rural areas of the County do not currently  
11 have access to off-site storage units (mini-warehouses) in close proximity to their homes;

12  
13 **WHEREAS**, many residential neighborhoods are subject to homeowners associations  
14 (HOAs) whose governing documents and recorded covenants prohibit the storage of certain  
15 oversized vehicles such as boats and recreational vehicles (RVs) within the neighborhood,  
16 including those in the CN Zone; and

17  
18 **WHEREAS**, allowing Use # 7.02.230 (mini-warehouses) in the Neighborhood  
19 Commercial (CN) Zone would enable residents living in some of the more rural areas of the  
20 County to safely store their personal property in an off-site location in closer proximity to their  
21 homes.

22  
23 **NOW, THEREFORE,**

24  
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26  
27 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**  
28 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**  
29 **follows:**

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Chapter 297 – ZONING ORDINANCE

Article IV, PERMISSIBLE USES

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§ 297-63, Figure IV-1 Table of Permissible Uses:

\*\*\*\*\*

Chapter 297 – ZONING ORDINANCE

Article VI, BASE ZONE REGULATIONS

\*\*\*\*\*

Figure VI-5, Schedule of Zone Regulations: Commercial Zones:

\*\*\*\*\*

Chapter 297 – ZONING ORDINANCE

Article XIII, MINIMUM STANDARDS FOR SPECIAL EXCEPTIONS

AND USES PERMITTED WITH CONDITIONS

§ 297-212 (116), Uses Corresponding with Table of Permissible Uses

\*\*\*\*\*

7.02.230 Mini-warehouses. This use is permitted with conditions in the IG and IH Zones and is permitted by special exception in the CC, CV, **CN**, CB, BP, PEP and MX Zones, provided that the following are met:

[Amended 7-6-1998 by Ord. No. 98-58; 3-30-1999 by Ord. No. 99-32; 1-10-2006 by Bill No. 2005-11]

Asterisks \*\*\* mean intervening code language remaining unchanged  
CAPITALS mean language added to the law  
[Brackets] mean language deleted from the law

1 A. At least 75% of the total on-site storage space shall be contained in individual enclosed stalls  
2 containing no more than 500 square feet each and no greater than 10 feet in height.

3  
4 B. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage  
5 space are permitted. Prohibited uses include but are not limited to miscellaneous sales;  
6 fabrication or repair of vehicles, equipment or other goods; transfer-storage business based on  
7 site; residential uses, other than the resident manager's apartment; or any use that creates a  
8 nuisance due to noise, odor, dust, light or electrical interference.

9  
10 C. Site plans submitted with applications for mini-warehouse development shall clearly  
11 demonstrate that adequate access for fire suppression and other emergency equipment is  
12 provided to and within mini-warehouse facilities. Inner drive/parking lanes shall be a minimum  
13 of 25 feet in width, with outermost lanes of such facilities a minimum of 35 feet in width. As an  
14 alternative design, the outermost lanes of such facilities may be no less than 30 feet in width,  
15 provided that at least a forty-foot outside turning radius, and a ten-foot inside turning radius, are  
16 installed for the turns at the corners of buildings on the outermost access lanes, thereby  
17 maintaining a minimum thirty-foot uniform access drive width. Buildings, bollards or other  
18 obstructions to traffic shall not interfere with the turning radii at the corners.

19  
20 D. Mini-warehouses shall not be allowed to use metal siding on those elevations that are visible  
21 from adjoining roads and streets.

22  
23 E. If adjoining properties are used or zoned for residential purposes:

24 (1) Property lines not facing a street shall be improved with a minimum six-foot-high,  
25 one-hundred-percent opaque solid wooden fence or masonry wall along the entire length,  
26 except for approved access crossings; such improvements are to be located outside any  
27 public right-of-way and interior to a Level E Buffer Yard as defined in Article XXIII.

28 (2) Property lines not facing a street shall be provided with a minimum six-foot, one-  
29 hundred-percent opaque, wooden fence or masonry wall along the entire length (except  
30 for approved access crossings); and all improvements are to be located outside any public

1 right-of-way and interior to a minimum twenty-foot landscape strip or Buffer Yard C, as  
2 in Article [XXIII](#).

3  
4 [F.](#) If all adjoining properties are used or zoned for other than residential purposes:

5 [\(1\)](#) Property lines not facing a street shall be improved with a minimum six-foot-high,  
6 one-hundred-percent opaque solid wooden fence or masonry wall along the entire length,  
7 interior to a ten-foot Buffer Yard B, as in Article [XXIII](#).

8 [\(2\)](#) Property lines facing a street shall be provided with a minimum twenty-foot  
9 landscape strip or buffer as specified in Article [XXII](#) and [Appendix E](#)<sup>[16]</sup> and a minimum  
10 six-foot-high, one-hundred-percent opaque wooden fence or masonry wall along the  
11 entire length (except for approved access crossings) located outside any public right-of-  
12 way and interior to any required landscape strips and/or buffers. In the CC, CB, CV, BP,  
13 IG and PEP Zones, a Buffer Yard B shall be required; a Buffer Yard C shall be required  
14 in the MX Zone; and a Buffer Yard D shall be required in the IH Zone, as defined in  
15 Article [XXIII](#).

16 [\[16\]](#) *Editor's Note: [Appendix E](#) is included as an attachment to this chapter.*

17  
18 [G.](#) Mini-warehouse facilities within the CB Zone and the CC Zone shall be subject to one of the  
19 following two requirements, in addition to Subsections A through F:

20 [\(1\)](#) Mini-warehouse facilities shall be designed and constructed as multilevel facilities, in  
21 accordance with the Base Zone Regulations for Commercial Zones, [Figure VI-](#)  
22 [5](#).<sup>[17]</sup> Elevators shall be incorporated to facilitate access to upper floors. Front elevations  
23 shall be designed to enhance the streetscape consistent with that of a downtown area,  
24 advancing the objectives of the Comprehensive Plan and subarea plans in terms of  
25 development character as it pertains to town centers; or

26 [\[17\]](#) *Editor's Note: [Figure VI-5](#) is included as an attachment to this chapter.*

27 [\(2\)](#) Mini-warehouse facilities shall be sited in locations removed from the streetfront, to  
28 the extent reasonable and practicable, to allow for the location, contiguous to the public  
29 road, of uses that are appropriate to the objectives of the CB Zone, CC Zone,  
30 Comprehensive Plan and subarea plans.

1     **H. MINI-WAREHOUSE BUILDINGS WITHIN THE CN ZONE WILL BE DESIGNED**  
2     **TO BE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD.**

3     \*\*\*\*\*

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

6

7                     ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

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COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND

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

\_\_\_\_\_  
Bobby Rucci, Vice President

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

\_\_\_\_\_  
Thomasina O. Coates, M.S.

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

23  
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29     ATTEST:

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33     \_\_\_\_\_  
Carol DeSoto, Clerk to the Commissioners





# **Charles County Planning Commission Meeting of May 16, 2022**

## **Department of Planning and Growth Management Staff Report**

**Project Name: Mini-Warehouses in the Neighborhood Commercial Zone  
ZTA #22-168**

**Type of Project: Zoning Text Amendment**

**Applicant: Lorenzi, Dodds, & Gunnill, Inc.**

**Prepared by:**

**Kelly Palmer, CFM, Planner III, Planning Division**

**For questions, contact the Planning Division at 301-645-0540**

### **TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
Background	2
Requested Amendment	2
Applicant Justification	2-4
Staff Analysis	4-5
Conclusions & Recommendation	5
Appendices	Attached

## **BACKGROUND**

The Neighborhood Commercial (CN) Zoning District currently encompasses approximately 320 acres of land in Charles County, Maryland. There are a total of 42 parcels of land zoned CN within the County, and the average CN zoned parcel is 7.62 acres in size. Locations of CN zoned properties can be found in rural areas and existing villages.

The CN zone provides limited retail and commercial services which satisfy those basic daily consumer needs of residential neighborhoods. Standards are established to minimize impact on residential zones by providing for similar building massing and low concentration of vehicular traffic.

## **REQUESTED AMENDMENT**

**General Description of the Request:** A Zoning Text Amendment (ZTA) application was filed by Lorenzi, Dodds, & Gunnill, Inc. on behalf of Cobb Neck Enterprises, LLC, for the purpose of amending certain provisions of the Zoning Ordinance of Charles County to permit use code 7.02.230, Mini-Warehouses, by special exception in the Neighborhood Commercial (CN) Zone. The application would amend Figure IV-1, Table of Permissible Uses, Figure VI-5, Schedule of Zone Regulations: Commercial Zones, and Article XIII Minimum Standards for Special Exceptions and Uses Permitted with Conditions of the Charles County Zoning Ordinance.

## **APPLICANT JUSTIFICATION**

A statement of justification summarizing the proposed amendments has been supplied by the Applicant. Within this statement, the Applicant asserts that the Neighborhood Commercial (CN) zone allows a variety of uses; however, use 7.02.230, Mini-warehouses, is not permitted in the CN Zone. Mini-warehouses enable residents to safely store materials that may not fit in their current residence or park items such as boats and RV's that may not be permitted to be stored on their property due to community covenants. By adding use 7.02.230 to the CN Zone, mini-warehouse facilities will be able to be located closer to residents in the rural areas. As noted in the description of the CN Zone, Mini-warehouses are a limited commercial use, have low concentration of vehicular traffic, and would serve the daily needs of consumers.

The Applicant is proposing to permit use 7.02.230, Mini-Warehouses by special exception in the CN Zone, with the conditions that are currently listed within the Zoning Ordinance for other similar zones. The conditions that are currently within the Zoning Ordinance for use 7.02.230, Mini-Warehouses are as follows:

- A. At least 75% of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and no greater than 10 feet in height.
- B. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage spaces are permitted. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, other than the resident manager's apartment; or any use that creates a nuisance due to noise, odor, dust, light or electrical interference.
- C. Site plans submitted with applications for mini-warehouse development shall clearly demonstrate that adequate access for fire suppression and other emergency equipment

is provided to and within mini-warehouse facilities. Inner drive/parking lanes shall be a minimum of 25 feet in width, with outermost lanes of such facilities a minimum of 35 feet in width. As an alternative design, the outermost lanes of such facilities may be no less than 30 feet in width, provided that at least a forty-foot outside turning radius, and a ten-foot inside turning radius, are installed for the turns at the corners of buildings on the outermost access lanes, thereby maintaining a minimum thirty-foot uniform access drive width. Buildings, bollards or other obstructions to traffic shall not interfere with the turning radii at the corners.

D. Mini-warehouses shall not be allowed to use metal siding on those elevations that are visible from adjoining roads and streets.

E. If adjoining properties are used or zoned for residential purposes:

(1) Property lines not facing a street shall be improved with a minimum six-foot-high, one-hundred-percent opaque solid wooden fence or masonry wall along the entire length, except for approved access crossings; such improvements are to be located outside any public right-of-way and interior to a Level E Buffer Yard as defined in Article XXIII.

(2) Property lines not facing a street shall be provided with a minimum six-foot, one-hundred-percent opaque, wooden fence or masonry wall along the entire length (except for approved access crossings); and all improvements are to be located outside any public right-of-way and interior to a minimum twenty-foot landscape strip or Buffer Yard C, as in Article XXIII.

F. If all adjoining properties are used or zoned for other than residential purposes:

(1) Property lines not facing a street shall be improved with a minimum six-foot-high, one-hundred-percent opaque solid wooden fence or masonry wall along the entire length, interior to a ten-foot Buffer Yard B, as in Article XXIII.

(2) Property lines facing a street shall be provided with a minimum twenty-foot landscape strip or buffer as specified in Article XXII and Appendix E<sup>[16]</sup> and a minimum six-foot-high, one-hundred-percent opaque wooden fence or masonry wall along the entire length (except for approved access crossings) located outside any public right-of-way and interior to any required landscape strips and/or buffers. In the CC, CB, CV, BP, IG and PEP Zones, a Buffer Yard B shall be required; a Buffer Yard C shall be required in the MX Zone; and a Buffer Yard D shall be required in the IH Zone, as defined in Article XXIII.

G. Mini-warehouse facilities within the CB Zone and the CC Zone shall be subject to one of the following two requirements, in addition to Subsections A through F:

(1) Mini-warehouse facilities shall be designed and constructed as multilevel facilities, in accordance with the Base Zone Regulations for Commercial Zones, Figure VI-

5. Elevators shall be incorporated to facilitate access to upper floors. Front elevations shall be designed to enhance the streetscape consistent with that of a downtown area, advancing the objectives of the Comprehensive Plan and subarea plans in terms of development character as it pertains to town centers; or
- (2) Mini-warehouse facilities shall be sited in locations removed from the street front to the extent reasonable and practicable, to allow for the location, contiguous to the public road, of uses that are appropriate to the objectives of the CB Zone, CC Zone, Comprehensive Plan and subarea plans.

## **STAFF ANALYSIS**

County staff have reviewed the proposed amendment and offer the following findings for the Planning Commission's consideration:

### **Analysis of Proposed Amendments**

The CN Zone was established during the 1997 comprehensive rezoning to recognize existing commercial uses that fell outside of rural villages. At the time, there were existing small scale commercial properties located along roadways consisting primarily of country stores, service stations and post offices that served the surrounding rural community. The CN zone was created to recognize these existing historic commercial uses without creating an excessive number of non-conforming uses.

These CN zoned areas were located outside of recognized rural villages. The rural villages were first established in the 1990 Comprehensive Plan as designated areas to focus the location of commercial uses in the rural areas of the county. Rural villages are designated as Priority Funding Areas (PFAs), where the county and state encourage a limited amount of economic development and growth. Villages have CV and/or RV zoning which allow for such development. CN zoned properties, on the other hand, were not intended for geographic expansion or expansion of uses. The majority of the CN zoned areas are located in areas designated as Agricultural Conservation, Rural Conservation, or Watershed Conservation in the 2016 Comprehensive Plan.

Staff finds that the proposed use could potentially be incompatible with the character of any neighborhood they may locate in, particularly in the rural areas of the county. For example, the applicant proposes to add the Industrial use category to Figure VI-5, Schedule of Zone Regulations, which regulates lot and building dimensions for development in the CN Zone. If this were to be approved, mini-warehouse buildings up to 3 stories would be allowed in this zone. Staff further finds that permitting the use by Special Exception in the CN Zone will provide a measure of control over review of potential impacts of this use to neighboring properties and the surrounding area.

To ensure even greater protection of neighborhood character, staff recommends adding a condition to § 297-212.116 for Use #7.02.230 that requires mini-warehouse buildings to be compatible with the scale of the surrounding neighborhood. This would apply to the use in all areas of the county but will be particularly important in preserving the character of the rural areas.

According to the 2016 Comprehensive Plan, Chapter 10, Community Development, “The overall vision for community character in the Rural Areas is to preserve rural character in an economically sustainable manner... New economic activity is necessary to keep the rural areas vibrant, but it respects and fits into the older, existing landscape rather than taking it over and dominating it”.

The conditions listed above are currently required within the Community Commercial (CC), Village Commercial (CV), Central Business (CB), Business Park (BP), Planned Employment Park (PEP), and Mixed-Use (MX) Zones. Similarly, this use is currently permitted by Special Exception in the CC, CV, CB, BP, PEP, and MX Zones, and permitted with conditions in the Light Industrial (IG) and Heavy Industrial (IH) Zones. The Applicant has only proposed to amend the conditions to insert the Neighborhood Commercial (CN) Zone into the list of zones where this use is permitted by special exception.

## **CONCLUSIONS & RECOMMENDATIONS**

In summary, County staff has reviewed the merits and rationale for ZTA #22-168 and we do not object to the Applicant’s desire to incorporate Use 7.02.230, Mini Warehouses as permitted by special exception in the Neighborhood Commercial (CN) Zone with the conditions listed in A through G above and adding an additional condition H. that states that mini-warehouse buildings shall be compatible with the scale of the surrounding neighborhood.

### **Appendices:**

The following items associated with the application are attached and have been uploaded to Board Docs for your review and consideration:

1. Application for Zoning Text Amendment (ZTA #22-168) – Submitted by Lorenzi, Dodds, & Gunnill, Inc.
2. Background and Purpose of Zoning Text Amendment to permit use 7.02.230, Mini-Warehouses by special exception
3. Zoning Map- Locations of Neighborhood Commercial (CN) Zoned properties in Charles County

# Application for Zoning Text Amendment

Charles County Planning & Growth Management  
Planning Division  
P.O. Box 2150  
La Plata, Maryland 20646

For Office Use Only

ZTA #
Date Submitted
Fees Paid
Staff Initials

Cobb Neck Enterprises, LLC  
Applicant's Name

C/O Thomas Mudd, 11520 Magnolia Ct., Swan Point, MD 20645  
Address


Scott Burroughs, Lorenzi, Dodds & Gunnill, Inc      301-645-2254  
Contact Person      Daytime Phone Number

**The new text to be added and the existing text, if any, to be deleted or amended:** (Attach additional pages if necessary)

Cobb Neck Enterprises, LLC is proposing a modification to Charles County Code, Chapter 297 Zoning Regulations. The requested changes will be to modify the permitted uses of the Neighborhood Commercial Zone (CN). Specific changes to Chapter 297 proposed, including a detailed cover letter and proposed zoning text modifications are included with this application.
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The specific reason why such a text amendment is necessary and should be approved by the County Commissioners:

The justification for the proposed zoning text amendment is to allow an additional use within the Neighborhood Commercial Zone (CN). The current permitted uses are very limited, restricting opportunities for property owners to utilize their property while meeting the specified intent of the CN Zone according to the Zoning Ordinance, which defines the CN zone as: "This zone provides limited retail and commercial services which satisfy those basic daily consumer needs of residential neighborhoods. Standards are established to minimize impact on residential zones by providing for similar building massing and low concentration of vehicular traffic". Further justification is provided in the attached letter.
---

  
Applicant's Signature

1-7-22  
Date



ZONING REGULATIONS  
297 Attachment 1

Charles County

Figure IV-1  
Table of Permissible 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; BILL 2022-XXX]

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

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
1.00.000 AGRICULTURAL																										
1.01.000 Agricultural operations, farming																										
1.01.100 Excluding livestock — horticultural, hydroponic, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		P						
1.01.200 Including livestock on a parcel greater than five acres — dairy farming, keeping or raising for sale large or small animals, reptiles, fish, birds, poultry, or aquaculture	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						
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										

CHARLES COUNTY CODE

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
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								
1.01.440 Accessory petroleum storage, not to exceed 20,000 gallons and subject to applicable safety codes, ordinances, and statutes	P												P		P	P		P								
1.01.450 Poultry houses, hog operations with six or more hogs	PC																									
1.01.460 Slaughterhouses	SE															SE										
1.01.470 Processing and selling products raised on-site	P	P	P																							
1.01.500 Commercial stables	P	P	P	SE		SE	SE			P	P		SE				SE		SE							
1.01.600 Farrier services	P	P	P							P	P	P	P													
1.01.700 Use of heavy cultivating machinery, spray planes, or irrigating machinery	P	P	P	P		PC	PC																			
1.02.000 Forestry	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								

ZONING REGULATIONS

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
1.06.000 Kennel, commercial	PC	SE	SE			SE				PC	PC		PC													
1.07.000 Cat boarding facility	PC	PC	PC	PC		PC																			P	P
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 Seafood processing																										
2.02.100 Seafood processing and seafood operations with products raised or harvested off-site											PC		P		P			SE	PC							
2.02.200 Seafood processing and seafood operations with products raised on the premises	PC	PC	PC																							
2.03.000 Marine terminal													SE		P	P		P	SE							
2.04.000 Commercial fishing	P	P	P		P																					
3.00.000 RESIDENTIAL																										
3.01.000 Single-family detached																										
3.01.100 Single-family detached	P	P	P	P	P	P	P	P	P				P		PC		P		P	P		PC	PC	PC		
3.01.200 Lot line																	PC		PC		PC			PC		
3.01.300 Patio/court/atrium			P														PC		PC		PC			PC		
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

CHARLES COUNTY CODE

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
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
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					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	PC	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
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
3.05.400 Country inn	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PC	PC	PC						SE		SE		P			
3.06.000 Shelters, permanent	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P		PC				P							
3.07.000 Migrant workers housing	PC	PC	PC																							
4.00.000 INSTITUTIONAL/UTILITIES/RECREATION																										



ZONING REGULATIONS

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
<b>4.01.000 Educational, cultural, religious, philanthropic, social, and fraternal uses</b>																										
4.01.100 Schools (Public schools are permitted in all zoning districts)																										
4.01.110 Private elementary and secondary (including preschool, kindergarten, associated grounds, athletic, and other facilities)	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE			P	P	P	P	P	SE	SE	SE		
4.01.120 Trade or vocational schools								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			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 elementary or secondary school buildings)	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
4.01.300 Private libraries, museums, art centers, and similar uses (including associated educational and instructional activities)																										
4.01.310 Located within a building designed and previously occupied as a residence or institutional use	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P		P	P	P	P	P	P	P	P	P		P	P
4.01.320 Located within any other structure	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	PC	P	P	P	P	P	P	P	P	P		P	P
4.01.400 Social, fraternal clubs and lodges, union halls, meeting halls, and similar uses	SE	SE	SE		SE				P	SE	P	P	P	SE	P	P	P	P	P	P	P		P		P	P
<b>4.02.000 Recreation, amusement, and entertainment</b>																										
4.02.100 Activity conducted entirely within building or substantial structure																										
4.02.110 Indoor recreation. For example, bowling alleys, skating rinks, indoor tennis and squash courts, billiard and pool halls, indoor athletic										SE	P	P	P	PC	PC			P	P		P	P	PC		P	P
4.02.120 Movie theaters, theaters, coliseums, and stadiums																										

CHARLES COUNTY CODE

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
4.02.121 Seating capacity of not more than 300										P	P	P	P				P	P	P		P	P	P		P	P
4.02.122 Seating capacity up to 1,000											P	P						P	P		P	P	P		P	P
4.02.123 Coliseums and stadiums with seating capacity more than 1,000											SE							P	P		P					
4.02.130 Indoor rifle and pistol ranges										SE	SE	SE	SE					SE								
4.02.140 Off-track betting facilities											SE	SE			SE			SE	SE		SE		SE		P	P
4.02.200 Activity conducted primarily outside enclosed buildings or structures																										
4.02.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, not constructed pursuant to a permit authorizing the construction of a residential development	SE	SE		SE	SE	SE	SE	SE		P	P		P	*			P	P	P	P	P			P		
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
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							

ZONING REGULATIONS

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
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								
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					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
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
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											
4.05.300 Helicopter facilities																										
4.05.310 Heliports	SE	SE		SE											PC	PC		SE	SE		SE					
4.05.320 Helistops	SE	SE		SE	SE					SE	SE	SE	SE	SE	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

CHARLES COUNTY CODE

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
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	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
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
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
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	PC	PC	SE	PC	SE	SE	SE	SE	SE	SE		
4.07.200 Satellite dishes	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
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								
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				P	P		P	PC	P		P	P
5.01.113 Dry cleaning/laundry and laundromats										P	P	P	P	PC				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
5.01.115 Business services									P	P	P	P	P	PC				P	P		P	P	P		P	P

ZONING REGULATIONS

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
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		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
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	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	PC					P		P	P	P		P	P
6.01.113 Antique shops, art galleries	SE	SE	SE		SE				P	P	P	P	P					P	P		P	P	P		P	P
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



CHARLES COUNTY CODE

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
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				
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
6.02.200 Restaurant, fast food carry-out and delivery										SE	P	P	SE	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					
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	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		PC			PC	PC			P	P			
6.03.311 For more than two buses, bus dispatching, storage, including parts, maintenance, washing and service facility	SE																									

ZONING REGULATIONS

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
6.03.320 Motor vehicle fuel sales																										
6.03.321 Associated with commercial uses > 3,500 square feet										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							
6.03.000 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 square feet per parcel										SE	P		SE	P	P	P		P	P			P			SE	SE
7.01.120 Buildings > 10,000 square feet per parcel													SE	P	P	P		P	SE			SE				SE
7.01.200 Operations conducted within or outside fully enclosed building																										
7.01.210 Blacksmith shops, welding shops, ornamental iron works, machine shops (excluding drop hammers and punch presses over 20 tons rated capacity), and sheet metal shops	SE												P		P	P		P								
7.01.220 Bottling, confectionary, food products except fish and meat, sauerkraut, vinegar, yeast, or the rendering fats and oils															P	P		P								
7.01.230 Saw mills	P	P	P										P		P	P										
7.01.240 Alcoholic beverage manufacturing																										
Farm alcohol production facility	PC	PC	PC																							

CHARLES COUNTY CODE

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
Alcohol production facility (Note: also see use 6.02.100 for zones where this use is permitted as an accessory use to use 6.02.100)											P	P	PC	P	P	P		P	P		P	P	P		P	P
7.01.260 Fertilizer mixing plants	SE															P		SE								
7.01.270 Brick or block manufacturing																P										
7.01.280 Asphalt plants/concrete plants, sand and gravel washing, crushing, and screening	SE	SE													SE	PC										
7.01.290 Wood/stump grinding	PC	PC													PC	PC										
<b>7.02.000 Storage and parking</b>																										
7.02.100 Automobile parking garages or parking lots not located on a lot where there is another principal use to which the parking is related											P	P	SE	P	P	P		P	P		P	P	P			
7.02.110 Automotive parking garage																									PC	PC
7.02.120 Automobile parking lot																										
7.02.200 Storage of goods not related to sale or use of those goods on the same lot where they are stored (warehousing)																										
7.02.210 All storage within completely enclosed structures											P		P	PC	P	P		P	PC		PC					
7.02.220 Warehouse storage inside or outside completely enclosed structures															P	P		P	P							
7.02.230 Mini-warehouses										SE	SE	SE	SE	SE	PC	PC		SE								
7.02.240 Storage of petroleum products															SE	SE		SE								
7.02.250 Consolidated storage													SE										SE			
7.02.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot; and (ii) parking or storage occupies more than 75% of the developed area (contractor's yard)											SE		SE	SE	P	P		P	SE							

ZONING REGULATIONS

Uses Description	Zones																									
	AC	RC	WCD	RR	RV	RL	RM	RH	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH	TOD	CER	CRR	CMR	Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)
7.02.400 Parking of motor vehicles (trucks)																										
7.02.410 Parking of one motor vehicle > 15,000 pounds gross vehicle weight	PC	PC	PC	PC	SE										P	P										
7.02.420 Parking of more than one motor vehicle > 15,000 pounds gross vehicle weight	SE	SE	SE	SE	SE										P	P										
7.03.000 Scrap materials, salvage yards, junkyards, and automobile graveyards															SE	SE										
7.04.000 Research facilities and laboratories																										
7.04.100 Without processing of materials	SE	SE	SE								SE			P	P	P		P	P		P	P				P
7.04.200 With processing or manufacturing of materials											SE			P	P	P		P	P		SE	SE				SE
7.04.210 Energetics research and development																		PC								
7.05.000 Mineral extraction																										
7.05.100 Surface mining																										
7.05.110 of > 10 acres	SE	SE	SE	SE		SE	SE	SE		SE	SE		SE	SE	SE	SE		SE		SE						
7.05.120 of < 10 acres	SE	SE	SE	SE		SE	SE	SE		SE	SE		SE	SE	SE	SE		SE		SE						
7.05.200 Wells for oil, natural gas, or petroleum	SE	SE		SE		SE	SE	SE		SE	SE		SE		SE	SE		SE		SE						
7.06.000 Pozzolan Management Facility	SE	SE													SE	SE										
7.07.100 Solar energy system, small	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
7.07.200 Solar energy system, large	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
7.07.300 Wind energy system, small	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
7.07.400 Wind energy system, large	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
8.00.000 MIXED-USE																										
8.01.000 Mixed-use building																			P		P	P	P		P	P
8.02.000 Mixed-use building, residential																			P		P	P	P		P	P

## ZONING REGULATIONS

*297 Attachment 3*

### **Charles County**

#### **Figure VI Schedules of Zone Regulations for Base Zones**

Figure VI-1	Agricultural Conservation Zone
Figure VI-2	Rural Residential Zones
Figure VI-3	Village Zones
Figure VI-4	Development District Residential Zones
Figure VI-5	Commercial Zones
Figure VI-6	Industrial Zones
Figure VI-7	Town Center Core Mixed Use Zones
Figure VI-8	Thresholds and Applicability of Standards
Figure VI-9	Activity Center Zones
Figure VI-10	Watershed Conservation District Zone
Figure VI-11	Vertical and Horizontal Articulation of Building Facades
Figure VI-12	Appropriate Subdivision Layouts
Figure VI-13	Thresholds and Applicability of Standards: Hughesville Village Zone
Figure VI-14	Schedule of Zone Regulations: Hughesville Village Zone
Figure VI-15	Table of Permitted Uses for Hughesville Village Zone



ZONING REGULATIONS  
Figure VI-1  
Schedule of Zone Regulations: Agricultural Conservation Zone

**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					
<b>AC Zone</b>																
Agricultural 1.00.000	3 acres		150	200	120	75	40	80	50	40						
Grain dryers, etc. 1.01.410	20 acres		600	600	450	200	200	400	200							
Commercial stables 1.01.500	20 acres		350	350	300	100	100	200	100	40						
Park-and-ride facilities 4.09.200	1 acre		100	150	75	30	15	30	20							
Sawmill 7.01.230	20 acres		800	800	650	100	300	600	300	40						
Residential lots less than three acres created before 12-31-1974	20,000 square feet					30	8	18	20							
All other permitted uses	3 acres		150	200	120	75	40	80	50	40	3					

ZONING REGULATIONS  
**Figure VI-2**  
**Schedule of Zone Regulations: Rural Residential Zones**  
 [Amended 12-11-2000 by Ord. No. 00-93; 6-16-2003 by Bill No. 2003-03]

**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					
<b>RC Zone</b>																
Agricultural 1.00.000	3 acres <sup>1</sup>		150	200	120	75	40	80	50	40						
Grain dryers, etc. 1.01.410	20 acres		600	600		200	200	400	200	40						
Residential 3.00.000	3 acres <sup>1</sup>		120	200	100	50	30	60	50	36	3					
Institutional/utilities/recreation 4.00.000	3 acres <sup>1</sup>		120	200	100	50	30	60	50	36	3		0.20 FAR			
Park-and-ride facilities 4.09.200	1 acre		100	150	75	30	15	30	20							
Sawmills 7.01.230	20 acres		800	800	650	100	300	600	300	40						
Residential lots less than three acres (existing prior to 10-31-2000)						30	15	35	36	36	3					
<b>RR Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Residential 3.00.000	30,000 square feet		100	150	80	40	20	40	40	36	3	25%		15%		
Institutional/utilities/recreation 4.00.000	1 acre		100	150	80	50	20	40	40	36	3	30%				
Residential lots less than three acres (existing prior to 10-31-2000)			100			30	15	35	30	36	3	30%				

**NOTES:**  
<sup>1</sup> For the RC(D) Zone, the minimum lot area shall be 10 acres, except as set forth in § 297-88D for Neighborhood Conservation Districts.

ZONING REGULATIONS  
**Figure VI-3**  
**Schedule of Zone Regulations: Village Zones**  
**[Amended 10-2-2018 by Bill No. 2018-06]**

**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					
<b>RV Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Single-family detached 3.01.000	20,000 square feet		80	100	65	30	10	25	30	36	3	30%		15%		
Duplex 3.02.100	18,000 square feet		50	100	45	30	15		40	36	3	30%				
Institutional/utilities/recreation 4.00.000	1 acre		100	150	80	50	20	40	40	36	3	30%	0.30 FAR		0.5	
<b>CV Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Marine 2.00.000	3 acres		150	200	150	75	6	12	10	40			0.40 FAR		0.7	
Residential; institutional/utilities/recreation; service-oriented commercial; commercial 3.00.000, 4.00.000, 5.00.000 and 6.00.000	1 acre	20,000	100	120	80	30	6	12	10	36	3		0.35 FAR		0.7	
Industrial within building 7.01.100	1 acre		100	120	80	30	6	12	10	36	3		0.35 FAR		0.7	
Industrial within or outside building 7.01.200	3 acres		150	200	120	30	6	12	10	36	3		0.35 FAR		0.7	
Industrial/consolidated storage 7.02.250	5 acres <sup>1</sup>		150	200	120	30	6	12	10	36	3		0.35 FAR		0.7	

**NOTES:**

<sup>1</sup> No more than 60,000 square feet of net floor area.

ZONING REGULATIONS  
**Figure VI-4**  
**Schedule of Zone Regulations; Development District Residential Zones**

**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					
<b>RV Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Residential 3.00.000	18,000 square feet		70	80	65	30	15	35	30	36	3	30%		15%		
Institutional 4.00.000	1 acre		100	150	80	50	20	40	40	36	3	30%	0.30 FAR			0.5
<b>RM Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Residential 3.00.000	12,000 square feet		60	65	50	25	8	20	25	36	3	35%		15%		
Institutional 4.00.000	1 acre		100	150	80	50	20	40	40	36	3	30%	0.35 FAR	60%	0.5	
<b>RH Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Residential 3.00.000	8,000 square feet		50	55	45	20	8	20	25	36	3	40%		15%		
Institutional 4.00.000	1 acre		100	150	80	50	20	40	40	36	3	30%	0.40 FAR	70%		
<b>RO Zone</b>																
Agricultural 1.00.000	3 acres		150	200	120	75	40	80	50	40						
Single-family detached 3.01.000	14,000 square feet		70	100	60	30	10	25	25	36	3	40%				
Group home (9 to 16 people) 3.04.120	1 acre		100	120	80	40	10	25	40	36	3	40%				
Halfway house 3.04.300	1 acre		100	120	80	40	10	25	40	36	3	40%			0.7	
Day-care center 3.04.220	1 acre		100	120	80	40	10	25	40	36	3	40%				
Institutional/utilities/recreation 4.00.000	14,000 square feet		70	100	60	30	10	25	25	36	3		0.40 FAR		0.7	
Service-Oriented commercial 5.00.000	14,000 square feet		70	100	60	30	10	25	25	36	3		0.40 FAR		0.7	
Commercial 6.00.000	14,000 square feet		70	100	60	30	10	25	25	36	3		0.40 FAR		0.7	

ZONING REGULATIONS

Figure VI-11  
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; AMENDED BY BILL NO. 2022-XX]

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					
<b>CN Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	40						
Residential 3.00.000		20,000	100	150	80	30	6	12	10	36	3					
Institutional/utilities/recreation 4.00.000			100	150	80	30	10	20	20	36	3		0.30 FAR			
Service-oriented commercial 5.00.000			100	150	80	30	6	12	10	36	3		0.30 FAR		0.8	
Commercial 6.00.000			100	150	80	30	6	12	10	36	3		0.30 FAR		0.8	
<b>INDUSTRIAL 7.00.000</b>			<b>100</b>	<b>150</b>	<b>80</b>	<b>30</b>	<b>6</b>	<b>12</b>	<b>10</b>	<b>36</b>	<b>3</b>		<b>0.30 FAR</b>		0.8	
<b>CC Zone</b>																
Agricultural 1.00.000	3 acres		150	200		100	40	80	30	40					0.85	
Residential 3.00.000	1 acre	20,000	100	150	80	75	30	60	50	36	3				0.85	
Institutional/utilities/recreation 4.00.000	1 acre		100	150	80	30	6 <sup>4</sup>	20	20	40	3		0.40 FAR		0.85	
Service-oriented commercial and commercial 5.00.000 and 6.00.000	2 acres <sup>1</sup>		150	200	120	30	6 <sup>4</sup>	12	10	40	3		0.40 FAR		0.85	5 acres
Industrial 7.00.000	1 acre		100	150	80	30	6 <sup>4</sup>	12	10	40	3		0.40 FAR		0.85	5 acres



ZONING REGULATIONS  
Figure VI-12

CB Zone																
Agricultural 1.00.000	3 acres		150	200	120	100	40	80	30	40	3					
Residential 3.00.000	1 acre	10,000	100	150	80	50	30	60	50	60					0.85	
Institutional/utilities/recreation 4.00.000	2 acres		150	200	120	25	6 <sup>4</sup>	12	10	60	5 <sup>3</sup>		0.60 FAR		0.9	
Service-oriented commercial and commercial 5.00.000 and 6.00.000	2 acres <sup>1</sup>		150	200	120	25	6 <sup>4</sup>	12	10	60	5 <sup>3</sup>		0.60 FAR		0.9	

CHARLES COUNTY CODE

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					
Industrial 7.00.000	3 acres		150	200	120	25	6 <sup>4</sup>	12	10	60	5 <sup>3</sup>		0.60 FAR		0.9	
<b>BP Zone</b>																
Agricultural 1.00.000	3 acres <sup>2</sup>		150	200	120	75	40	80	50	60	5 <sup>3</sup>					
Day care 3.04.200	1 acre <sup>2</sup>		100	150	80	40	20	40	40	60	5 <sup>3</sup>		0.35 FAR		0.6	10 acres
Hotels, motels, convention centers, etc. 3.05.300	3 acres <sup>2</sup>		150	200	120	50	20	40	25	60	5 <sup>3</sup>		0.50 FAR		0.7	10 acres
Institutional/utilities/recreation 4.00.000	2 acres <sup>2</sup>		100	150	80	50	20	40	25	60	5 <sup>3</sup>		0.35 FAR		0.7	10 acres
Service-oriented commercial and commercial 5.00.000 and 6.00.000	2 acres <sup>2</sup>		100	150	80	50	20	40	25	60	5 <sup>3</sup>		0.35 FAR		0.7	10 acres
Industrial 7.00.000	2 acres <sup>2</sup>		100	150	80	50	20	40	25	60	5 <sup>3</sup>		0.35 FAR		0.7	10 acres

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.

ZONING REGULATIONS  
**Figure VI-13**  
**Schedule of Zone Regulations: Industrial Zones**

[Amended 3-10-1997 by Ord. No. 97-21; 3-30-1999 by Ord. No. 99-34; 2-7-2000 by Ord. No. 00-07; 7-9-2019 by Bill No. 2019-01]

**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					
<b>IG Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	36	3					
Marine 2.00.000	3 acres		150	200	120	75	40	80		36	3		0.40 FAR		0.5	
Residential 3.00.000	1 acre		100	150	80	75	30	60	50	36	3		0.40 FAR		0.3	
Shelter, permanent 3.06.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75 <sup>1</sup>	
Institutional/utilities/recreation 4.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75	
Service-oriented commercial, commercial and industrial 5.00.000, 6.00.000 and 7.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75 <sup>1</sup>	
<b>IH Zone</b>																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	50	4					
All except agricultural and industrial 2.00.000, 3.00.000, 4.00.000, 5.00.000 and 6.00.000	1 acre		100	150		50	6	12	10	50	4		0.50 FAR		0.6	
Industrial 7.00.000	3 acres		150	200		50	6	12	10	50	4		0.50 FAR		0.6	

**NOTES:**

<sup>1</sup> The ISR may be increased to 85% on a lot if stormwater management facilities are located regionally, off site.

ZONING REGULATIONS

Figure VI-15

Schedule of Zone Regulations: Town Center Core Mixed Use Zones

[Amended 4-13-2010 by Bill No. 2010-05; 10-2-2018 by Bill No. 2018-06; 10-23-2018 by Bill No. 2018-09]

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.

Uses	Minimum Lot Criteria					Minimum Yard Requirements (feet)				Maximum Yard (feet)	Maximum Height		Lot Coverage	Intensity	Minimum Open Space
	Area	Square Feet per du	Width (feet)	Depth (feet)	Frontage (feet)	Front	Side	Total	Rear		Feet	Stories			
Core Retail/Residential (CRR) Zone															
Single-family detached 3.01.100	5,000 square feet		55	75	30	10	6	12	20		40	3	50 to 70		20%
Patio/court/atrium	3,000 square feet		45		30	10	6	12	20		40	3	50 to 70		20%
Duplex 3.02.100	6,000 square feet	3,000	45	75	30	10	6	12	20		40	3			20%
Townhouse 3.02.200		1,200		18	10	0	0	20			40	3	50 to 70		20%
Garden apartment 3.03.100	2,500 square feet		200	200	200	10	10	20	50		40	3			10%
Mixed-use building 8.01.000 and 8.02.000	10,000 square feet		100	100		10	0	0	20	18	50	2-4		0.50	20%
Commercial apartment 3.03.400		1,000									50	2-4			20%
Inst./util./rec. 4.00.000	10,000 square feet		100	100		10	0	0	50	18	50	2-4		0.50	20%
Service-oriented commercial 5.00.000	10,000 square feet		100	100		10	0	0	20	18	50	2-4		0.50	20%
Commercial 6.00.000	10,000 square feet		100	100		10	0	0	20	18	50	2-4		0.50	20%
Industrial 7.00.000	10,000 square feet		100	100		10	10	20	50	18	50	2-4		0.50	20%
Industrial/consolidated storage 7.02.250	5 acres <sup>1</sup>		100	100		10	0	0	20	18	50	4		0.50	10% – 20% <sup>2</sup>
Core Employment/Residential (CER) Zone															
Single-family detached 3.01.100	5,000		55	75	30	10	6	12	20		40	3	50 to 70		20%
Patio/court/atrium 3.01.300	3,000		45		30	10	6	12	20		40	3	50 to 70		20%
Duplex 3.02.100	6,000	3,000	45	75	30	10	6	12	20		40	3			20%
Townhouse 3.02.200		1,200			18	10	0	0	20		40	3	50 to 70		20%

CHARLES COUNTY CODE

Uses	Minimum Lot Criteria					Minimum Yard Requirements (feet)				Maximum Yard (feet)	Maximum Height		Lot Coverage	Intensity	Minimum Open Space
	Area	Square Feet per du	Width (feet)	Depth (feet)	Frontage (feet)	Front	Side	Total	Rear		Feet	Stories			
Garden apartment 3.03.100	2,500		200	200	200	10	10	20	50		40	3			20%
Mixed-use building 8.01.000 and 8.02.000	10,000		100	100		10	0	0	20	18	50	2-4		0.50	20%
Inst./util./rec. 4.00.000	10,000		100	100		10	0	0	50	18	50	2-4		0.50	20%
Service-oriented commercial 5.00.000	10,000		100	100		10	0	0	20	18	50	1-4		0.50	20%
Commercial 6.00.000	10,000		100	100		10	0	0	20	18	50	1-4		0.50	20%
Industrial 7.00.000	10,000		100	100		10	10	20	50	18	50	2-4		0.50	20%
Core Mixed/Residential (CMR) Zone															
Single-family detached 3.01.100	5,000		55	75	30	10	6	12	20		16	3	50 to 70		
Patio/court/atrium 3.01.300	3,000		45		30	10	6	12	20		36	3	50 to 70		
Duplex 3.02.100	6,000	3,000	45	75	30	10	6	12	20		36	3			
Townhouse 3.02.200		1,200			18	10	0	0	20		36	3	50 to 70		
Commercial apartment 3.03.400		1,000													
Inst./util./rec. 4.00.000	10,000		100	100		10	20	40	50		36	3		0.50	
Service-oriented commercial 5.00.000	10,000		100	100		10	20	40	50		36	3		0.50	
Commercial 6.00.000	10,000		100	100	10	10	20	40	50		36	3		0.50	
Industrial 7.00.000	10,000		100	100		10	20	40	50		36	3		0.50	

NOTES:

<sup>1</sup> No more than 60,000 square feet of net floor area

<sup>2</sup> 10% open space required if use 7.02.250 is to go into an existing retail shopping center. 20% open space required if use 7.02.250 is to go into a retail shopping center yet to be built.



ZONING REGULATIONS  
Figure VI-17  
Thresholds and Applicability of Standards

[Added 4-13-2010 by Bill No. 2010-02; amended 6-10-2014 by Bill No. 2014-03]

Type of Development	Applicable Requirements								
	Building and Lot Standards	Architectural	Road Classification and Layout	Street Scape	Signs	Lighting	Landscape	Parking	Open Space
This table is not applicable during the transitional period.									
1. New principal building									
2. Additions to single-family detached dwellings									
3. Additions to nonresidential or multifamily building - less than 20% of existing GFA or 1,000 square feet GFA, whichever is less - apply standards to new construction and areas affected by new site improvements									
4. Additions to nonresidential or multifamily building - 20% or greater, but not more than 100% of existing GFA or 1,000 square feet GFA, whichever is less - apply standards to new construction and areas affected by new site improvements									
5. Additions to nonresidential or MF building - increase in existing GFA by more than 100% - apply standards to entire site to the extent possible									
6. New parking areas that add 1 to 10 spaces									
7. New parking areas - 11 + spaces									

NOTE:  
GFA = gross floor area

**ZONING REGULATIONS**

**Figure VI-9**

**Schedule of Zone Regulations: Activity Center Zones**

[Added 4-13-2010 by Bill No. 2012-02; amended 6-10-2014 by Bill No. 2014-03]

	Minimum Lot Criteria				Front Setback Requirements		Minimum, Yard Requirements (feet)		See Transitional provisions in § 297-97O.			
	Area (square feet)	Width (feet)	Depth (feet)	Frontage (feet)	Minimum	Maximum	Side	Rear	Minimum and Maximum Height (stories)	Minimum and Maximum Floor Area Ratio (FAR)	Maximum Lot Coverage	Minimum Open Space
<b>Uses: Waldorf Central (WC) Zone</b>												
Townhouse 3.02.200		18	50	18	6	15	0	0	2 to 3		70%	20%
Multiplex 3.02.300	10,000	18	50		6	15	0	0	2 to 3		70%	20%
Garden apartment 3.03.100	10,000	50	80	50	0	12	0	0	2 to 3	0.5 to 1.6	90%	20%
Mid-rise 3.03.200	10,000	50	80	50	0	12	0	0	4 to 5	0.5 to 1.6	90%	15%
Commercial apartment 3.03.400	10,000	50	80	50	0	12	0	0	2 to 5	0.5 to 1.6	90%	15%
Inst./utility/recreation 4.00.000	10,000	50	80	50	0	12	0	0	2 to 5	0.5 to 1.6	90%	15%
Service commercial 5.00.000	10,000	50	80	50	0	12	0	0	2 to 5	0.5 to 1.6	90%	15%
Commercial 6.00.000	10,000	50	80	50	0	12	0	0	2 to 5	0.5 to 1.6	90%	15%
Townhouse 3.02.200		18	50	18	6	15	0	0	2 to 4		70%	20%
Multiplex 3.02.300	10,000	18	50		6	15	0	0	2 to 4		70%	20%
Garden apartment 3.03.100	10,000	50	80	50	0	12	0	0	2 to 3	0.5 to 2.0 <sup>1</sup>	90%	20%
Mid-rise 3.03.200	10,000	50	80	50	0	12	0	0	4 to 5	0.5 to 2.0 <sup>1</sup>	90%	15%
High-rise 3.03.300	20,000	100	200	100	0	12			6 to 10	0.5 to 2.0 <sup>1</sup>	90%	15%
Commercial apartment 3.03.400	10,000	50	80	50	0	12	0	0	3 to 10	0.5 to 2.0 <sup>1</sup>	90%	15%
Inst./utility/recreation 4.00.000	10,000	50	80	50	0	12	0	0	3 to 10	0.5 to 2.0 <sup>1</sup>	90%	15%
Service commercial 5.00.000	10,000	50	80	50	0	12	0	0	3 to 10	0.5 to 2.0 <sup>1</sup>	90%	15%
Commercial 6.00.000	10,000	50	80	50	0	12	0	0	3 to 10	0.5 to 2.0 <sup>1</sup>	90%	15%

**NOTES:**

<sup>1</sup> Maximum FAR may be increased under the following circumstances:

- An FAR up to 2.5 shall be permitted for buildings within 1/4 mile of an existing or planned light rail station.
- An FAR up to 6.0 shall be permitted within the AUC Zone, provided that structured parking shall be required if the FAR exceeds 2.5, and a traffic study and trip management plan are submitted demonstrating that the available road, pedestrian and transit facilities are adequate to handle projected trips.

ZONING REGULATIONS  
**Figure VI-10**  
**Schedule of Zone Regulations: Watershed Conservation District Zone**  
[Added 6-6-2017 by Bill No. 2017-03]

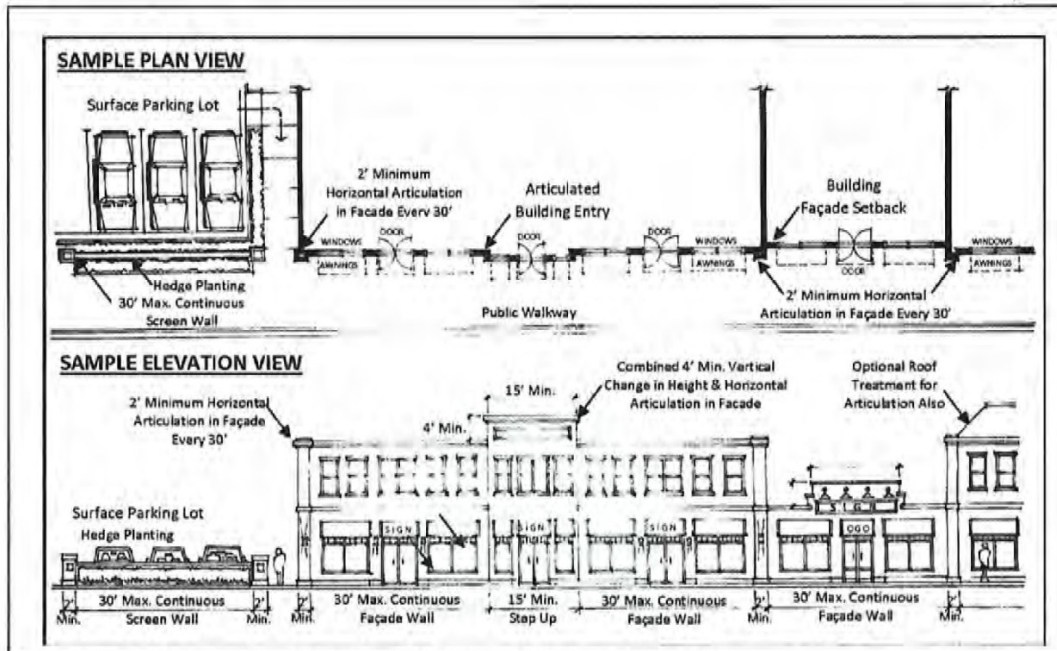
	Minimum Lot Criteria					Minimum Yard Requirements (feet)				Maximum Height		Lot Coverage	Intensity	Minimum Open Space	Maximum ISR	Minimum Tract Size
Uses	Area	Square Feet per d.u.	Width (feet)	Depth (feet)	Frontage (feet)	Front	Side	Total	Rear	Feet	Stories					
WCD Zone																
Agricultural 1.00.000, Livestock 1.01.400, Forestry 1.02.000	10 acres		150	200	120	75	40	115	50			10%			8%	
Residential 3.00.000, Group homes 3.04.100	20 acres		200	200	200	50	50	100	50	40		10%			8%	
Commercial stables 1.01.500	5 acres		350	350	300	100	100	200	100	40		10%			8%	
Campgrounds 4.02.240	10 acres		350	350	350	100	100	200	100			10%			8%	
Emergency Services 4.045.000	1 acre		—	—	—	—	—	—	—	—		10%			n/a	
Residential lots less than 20 acres created before 12-31-1974	20,000 square feet		50	50	50	30	8	46	20	40		10%			n/a	
Greenhouses and kennels 1.05.000	10 acres		150	200	120	75	40	115	50			10%			8%	
All other permitted uses	20 acres		200	200	200	50	50	100	50			10%			8%	

ZONING REGULATIONS

**Figure VI-11**

**Vertical and Horizontal Articulation of Building Facades**  
**[Added 11-28-2017 by Bill No. 2017-07]**

## ZONING REGULATIONS

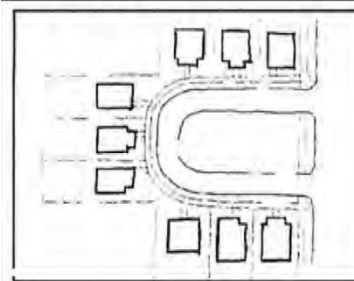


**Figure VI-12**  
**Appropriate Subdivision Layouts**  
 [Added 11-28-2017 by Bill No. 2017-07]

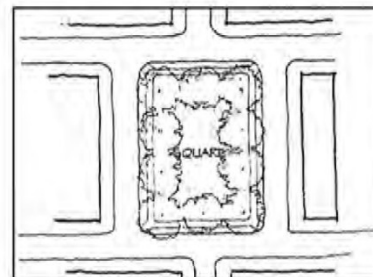
### Type of Subdivision Layout

a. Eyebrow: A layout in which a narrow street that provides access to several lots curves around a small common area, thus performing the same function as a cul-de-sac.

### Illustration of Subdivision Layout

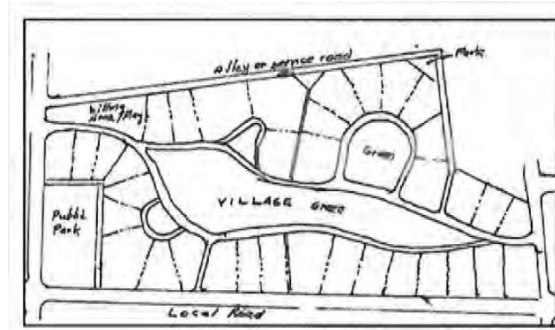


b. Square: Lots front on or face a symmetrical public open space that is framed by the surrounding streets and building facades and accessible by more than one street.



## CHARLES COUNTY CODE

c. Green: Curving public streets frame an informal public open space area.





# ZONING REGULATIONS

Figure VI-13

## Thresholds and Applicability of Standards: Hughesville Village Zone [Added 11-28-2017 by Bill No. 2017-07]

Type of Development	Applicable Standards					
	Roads	Architectural Standards	Signage and Lighting	Residential Subdivision	Core, Gateway and Employment Subzone Standards	Residential Subzone Standards
<b>New Subdivision</b>	√			√	√	√
<b>Single-Family Residential Dwellings:</b>						
New Dwelling		√	√			√
Additions to single-family detached dwellings			√			√
<b>Nonresidential and Mixed Use:</b>						
New principal structure	√	√	√		√	
Additions that do not add more than 2,000 square feet of gross floor area or alter more than 25% of the building or site area: Apply standards only to new construction and areas affected by new site improvements			√		√	
Additions that add more than 2,000 square feet of gross floor area or that alter more than 25% of the building or site area: Apply standards only to new construction and areas affected by new site improvements		√	√		√	

ZONING REGULATIONS  
**Figure VI-14**  
**Schedule of Zone Regulations: Hughesville Village Zone**  
**[Added 11-28-2017 by Bill No. 2017-07]**

**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, streets and sidewalks.

Uses	Minimum Lot Criteria					Front Yard Requirements (feet)		Minimum Yard Requirements (feet)			Maximum Height		Lot Coverage <sup>4</sup>	Minimum Open Space	Maximum ISR
	Area <sup>1</sup>	Square feet per du	Width (feet) <sup>2</sup>	Depth (feet)	Frontage (feet)	Minimum	Maximum <sup>3</sup>	Side	Total of side setbacks	Rear	Feet	Stories			
<b>Hughesville Village Core Subzone</b>															
Agricultural: 1.00.000	3 acres		150	200		75		40	80	50	36	3			
Single-family detached 3.01.100	5,000 square feet		50	80	25	10	25	6	12	20	36	2	50%	25%	
Inst./Util./Rec. 4.00.000	10,000 square feet		50	80		0		10	20	10	36	2			0.80
Service-oriented commercial, commercial, industrial and mixed use building: 5.00.000, 6.00.000, 7.00.000 and 8.01.00 and 8.02.00	10,000 square feet	5,000	50	80	50	0	15	0	5	10	36	2			0.80
<b>Hughesville Village Gateway Subzone</b>															
Agricultural: 1.00.000	3 acres		150	200		75		40	80	50	36	3			
Single-family detached 3.01.100	5,000 square feet	5,000	50	80	25	10	25	6	12	20	36	2	50%	25%	
Inst./Util./Rec. 4.00.000	10,000 square feet		50	80	0	0		10	20	50	36	2			0.80
Service-oriented commercial, commercial, industrial and mixed use building: 5.00.000, 6.00.000, 7.00.000 and 8.01.00 and 8.02.00	10,000 square feet	5,000	50	80	50	0	40	0	5	50	36	2			0.80
<b>Hughesville Village Residential Subzone</b>															
Agricultural: 1.00.000	3 acres		150	200		75		40	80	50	36	3			
Single-family detached 3.01.100	10,000 square feet		70	100	40	25		8	20	25	36	2	35%	20%	
Inst./Util./Rec.: 4.00.000	1 acre		100	150	80	25		20	40	40	36	3	30%		0.50
<b>Hughesville Village Employment Subzone</b>															
Agricultural: 1.00.000	3 acres		150	200		75		40	80	50	36	3			
Inst./Util./Rec.: 4.00.000	10,000 square feet		100	100		10		20	40	50	36	2			0.75
Service-oriented commercial, commercial, and industrial 5.00.000, 6.00.000, and 7.00.000	10,000 square feet		100	100		10		20	40	50	36	2			0.75

**NOTES:**

- For development without public water and sewer, the minimum lot area shall be that which is permitted by the County Health Department.
- Width measured at minimum building restriction line.
- In the Hughesville Village Core and Gateway Zones, for rear lots without street frontage, the required maximum setback from a public street shall not apply. Also see additional requirements in § 297-99H.
- Lot coverage includes the square footage on the ground of all buildings located on the lot.

# ZONING REGULATIONS

**Figure VI-15**

**Table of Permitted Uses for Hughesville Village Zone  
[Amended 9-11-2018 by Bill No. 2018-04]**

**KEY:**

P	=	Permitted
PC	=	Permitted with Conditions
SE	=	Special Exception
BLANK	=	Not Permitted

	HV ZONE			
	HVR Residential	HVC Core	HVG Gateway	HVE Employment
<b>1.00 AGRICULTURAL</b>				
<b>1.01.000 Agricultural operations, farming</b>				
1.01.100 Excluding livestock - horticultural, hydroponic, chemical or general farming truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees and shrubs	P	P	P	P
1.01.200 Including livestock on a parcel greater than 5 acres - dairy farming keeping or raising for sale large or small, animals, reptiles, fish, birds, poultry or aquaculture	PC	PC	PC	PC
1.01.300 Keeping of livestock on less than or equal to 5 acres				
1.01.310 Horses, livestock maintained as pets, and 4-H or school projects	PC	PC	PC	
1.01.320 Cattle, swine, goats and sheep, rabbits, poultry or fowl raised for sale				
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				
1.01.420 Fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building				
1.01.430 Commercial assembly and repair of all equipment normally used in agriculture		PC	PC	PC
1.01.440 Accessory petroleum storage, not to exceed 20,000 gallons and subject to applicable safety codes, ordinances and statutes				
1.01.450 Poultry houses, hog operations with 6 or more hogs				
1.01.460 Slaughterhouses				
1.01.470 Processing and selling products raised on site				
1.01.500 Commercial stables				
1.01.600 Farrier services				
1.01.700 Use of heavy cultivating machinery, spray planes or irrigating machinery				
1.01.800 Farm incubator			PC	PC
<b>1.02.000 Forestry</b>	P	P	P	P
<b>1.03.000 Open-air markets and horticultural sales</b>				
	HV ZONE			
	HVR Residential	HVC Core	HVG Gateway	HVE Employment

CHARLES COUNTY CODE

1.03.100 Open-air markets				
1.03.110 Farm and craft markets, flea markets		P	P	
1.03.120 Open-air produce markets		P	P	
1.03.200 Horticultural sales with outdoor display		P	P	
1.03.300 Livestock markets				
<b>1.04.000 Hunting and fishing cabins</b>				
<b>1.05.000 Commercial greenhouse operation</b>				
1.05.100 No on-premises sale				
1.05.200 On-premises sales permitted		P	P	
<b>1.06.000 Kennel, commercial</b>				
<b>1.07.000 Cat boarding facility</b>				
<b>2.00.000 MARINE</b>				
<b>2.01.000 Marina, including boat sales and repair and boat rental including sailboards and jet skis</b>		PC	PC	PC
<b>2.02.000 Seafood processing</b>				
2.02.100 Seafood processing and seafood operations with products raised or harvested off site			PC	PC
2.02.200 Seafood processing and seafood operations with products raised on the premises			PC	PC
<b>2.03.000 Marine terminal</b>				
<b>2.04.000 Commercial fishing</b>				
<b>3.00.000 RESIDENTIAL</b>				
<b>3.01.00 Single-family detached</b>				
3.01.100 Single-family detached	P	P	P	
3.01.200 Lot line				
3.01.300 Patio/court/atrium				
3.01.400 Class A manufactured home				
3.01.500 Class B manufactured home				
3.01.600 Tenant house				
3.01.700 Primary residence with accessory apartment	PC	PC	PC	
3.01.800 Single room occupancy units		P	P	
<b>3.02.000 Single-family attached</b>				
3.02.100 Duplex				
3.02.200 Townhouse				
3.02.300 Multiplex				
<b>3.03.000 Multifamily</b>				
3.03.100 Garden apartment				
3.03.200 Midrise				
3.03.300 High-rise				
3.03.400 Commercial apartment		P	P	
<b>3.04.000 Homes emphasizing special services, treatment, or supervision, and residential elderly care homes</b>				
3.04.100 Group homes				
3.04.110 Not more than 8 people	PC	PC	PC	
	<b>HV ZONE</b>			
	<b>HVR Residential</b>	<b>HVC Core</b>	<b>HVG Gateway</b>	<b>HVE Employment</b>

## ZONING REGULATIONS

3.04.120 With between 9 and 16 people	SE	SE	SE	
3.04.200 Day care				
3.04.210 Day-care home (having fewer than 9 recipients)	P	P	P	
3.04.220 Day-care center, day nursery (between 9 and 30 care recipients)	SE	P	P	
3.04.300 Halfway house	SE	SE	SE	
3.04.400 Elderly care homes				
3.04.410 Elderly care homes (1-8 people)	P	P	P	
3.04.420 Elderly care homes (9-16 people)	SE	SE	SE	
3.04.500 Retirement housing complex				
<b>3.05.000 Miscellaneous rooms-for-rent situations</b>				
3.05.100 Rooming houses, boarding houses rented by the month				
3.05.200 Bed-and-breakfast, tourist homes	PC	PC	PC	
3.05.300 Hotels, motels, convention centers, conference centers, and similar business or institutions providing overnight accommodations		P	P	P
3.05.400 Country inn				
<b>3.06.000 Shelters, permanent</b>		SE	SE	
<b>3.07.000 Migrant workers housing</b>				
<b>4.00.000 INSTITUTIONAL/UTILITIES/RECREATION</b>				
<b>4.01.000 Educational, cultural, religious, philanthropic, social and fraternal uses</b>				
4.01.100 Schools				
4.01.110 Private elementary and secondary (including preschool, kindergarten, associated grounds, athletic, and other facilities)	SE	SE	SE	
4.01.120 Trade or vocational schools		P	P	P
4.01.130 Private colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)				
4.01.131 Private colleges, universities and community colleges, limited to classrooms and offices		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 elementary or secondary school buildings)	P	P	P	P
4.01.300 Private libraries, museums, art centers, and similar uses (including those associated education and instructional activities)				
4.01.310 Located within a building designed and previously occupied as a residence or institutional use	PC	P	P	
4.01.320 Located within any other structure		P	P	
4.01.400 Social, fraternal clubs and lodges, union halls, meeting halls and similar uses		P	P	
	<b>HV ZONE</b>			
	<b>HVR Residential</b>	<b>HVC Core</b>	<b>HVG Gateway</b>	<b>HVE Employment</b>

CHARLES COUNTY CODE

<b>4.02.000 Recreation, amusement and entertainment</b>				
4.02.100 Activity conducted entirely within building or substantial structure				
4.02.110 Indoor recreation. For example, bowling alleys, skating rinks, indoor tennis and squash courts, billiard and pool halls, indoor athletic		SE	SE	
4.02.120 Movie theaters, theaters, coliseums and stadiums				
4.02.121 Seating capacity of not more than 300		P	P	
4.02.122 Seating capacity up to 1,000			SE	
4.02.123 Coliseums and stadiums with seating capacity more than 1,000				
4.02.130 Indoor rifle and pistol ranges				
4.02.140 Off-track betting facilities				
4.02.200 Activity conducted primarily outside enclosed buildings or structures				
4.02.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, not constructed pursuant to a permit authorizing the construction of a residential development				
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	P		P	
4.02.230 Recreation vehicle parks				
4.02.240 Campgrounds and camps				
4.02.250 Automobile and motorcycle racing tracks				
4.02.260 Drive-in movie theatres, open-air theaters, and amphitheaters				
4.02.270 Amusement and theme parks				
4.02.280 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, batting cages, and similar uses				
4.02.290 Rifle and pistol ranges, war games, archery ranges, or other recreational activities using weapons				
<b>4.03.000 Institutional residence or care or confinement facilities</b>				
4.03.100 Hospital and other in-patient medical (including mental health treatment) facilities in excess of 10,000 square feet of floor area				
4.03.200 Nursing care, intermediate care, handicapped, infirm, and child care institutions	SE	P	P	
<b>4.04.000 Emergency services</b>				
4.04.100 Fire stations	P	P	P	P
4.04.200 Rescue squads, ambulance services	P	P	P	P
<b>4.05.000 Miscellaneous public and semi-public facilities</b>				
4.05.100 Post office				
	<b>HV ZONE</b>			
	<b>HVR Residential</b>	<b>HVC Core</b>	<b>HVG Gateway</b>	<b>HVE Employment</b>



## ZONING REGULATIONS

4.05.110 Local		P	P	P
4.05.120 Regional				
<b>4.05.200 Airport</b>				
4.05.210 Private use				
4.05.220 General aviation airport				
<b>4.05.300 Helicopter facilities</b>				
4.05.310 Heliports				
4.05.320 Helistops				
<b>4.06.000 Public utilities (including towers and related structures)</b>				
4.06.100 Neighborhood essential service	P	P	P	P
4.06.200 Electric power, gas transmission, and telecommunications buildings and structures not associated with a tower				P
4.06.300 Towers more than 50 feet tall	SE	SE	SE	SE
4.06.400 Towers and antennas 50 feet tall or less	P	P	P	P
4.06.500 Wireless communication antennas	PC	PC	PC	PC
<b>4.07.000 Satellite dishes and earth stations</b>				
4.07.100 Earth stations	SE	SE	SE	PC
4.07.200 Satellite dishes	PC	PC	PC	PC
<b>4.08.000 Cemeteries and crematoriums</b>				
4.08.100 Cemeteries				
4.08.110 Family burial sites	PC	PC	PC	PC
4.08.120 Other cemeteries				
4.08.200 Crematoriums				
<b>4.09.000 Transportation</b>				
4.09.100 Bus stations, train stations				
4.09.200 Park and ride facilities				
<b>5.00.000 SERVICE-ORIENTED COMMERCIAL</b>				
<b>5.01.000 All operations conducted entirely within fully enclosed building</b>				
<b>5.01.100 Operations designed to attract and serve customers or clients on the premises</b>				
5.01.111 Professional offices (examples are attorneys, architects, engineers, insurance and stock brokers, travel agents, government office buildings, etc.)		P	P	P
5.01.112 Personal services (see definition)		P	P	
5.01.113 Dry cleaning/laundry and laundromats		P	P	
5.01.114 Banks and financial institutions		P	P	P
5.01.115 Business services		P	P	P
5.01.116 Office or clinics of physicians, dentists, and chiropractors		P	P	
<b>5.02.000 Operations conducted within and/or outside fully enclosed building</b>				
5.02.100 Construction services and supplies				P
5.02.200 Retail, concrete mixing				
5.02.300 Funeral homes		PC	PC	
5.02.400 Veterinarians and veterinary hospitals		PC	PC	
5.02.500 Nursery schools and day-care centers with more than 30 children	SE	P	P	
	<b>HV ZONE</b>			
	<b>HVR Residential</b>	<b>HVC Core</b>	<b>HVG Gateway</b>	<b>HVE Employment</b>

CHARLES COUNTY CODE

<b>6.00.00 COMMERCIAL</b>				
<b>6.01.000 Commercial sales and rental of goods, merchandise and equipment</b>				
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	
6.01.112 Specialty shops (see definition)		P	P	
6.01.113 Antique shops, art galleries		P	P	
6.01.120 Building floor area > 15,000 square feet				
6.01.121 Shoppers merchandise stores (see definition)		P	P	
6.01.122 Specialty shops (see definition)		P	P	
6.01.123 Antique shops, art galleries		P	P	
6.01.130 General merchandise (see definition)		P	P	
6.01.140 Convenience stores		P	P	
6.01.150 Retail sales over 100,000 square feet on one floor (see definition)				
6.01.200 Wholesale sales (see definition)				
<b>6.02.000 Restaurants</b>				
6.02.100 Restaurant, standard, fast food, bars, nightclubs, dinner theaters		PC	PC	
6.02.200 Restaurant, fast food carry-out and delivery		PC	PC	
6.02.300 Restaurant, fast food drive-in and drive-through				
6.02.310 With direct highway access to a public street				
6.02.320 Part of a shopping center with no direct access to a public street				
<b>6.03.000 Motor vehicle related and service operations</b>				
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				
6.03.120 All other motor vehicle sale or rental; mobile home sales		PC	PC	
6.03.200 Sales and installation of motor vehicle parts or accessories such as tires and mufflers		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
6.03.320 Motor vehicle fuel sales				
6.03.321 Associated with commercial uses >3,500 square feet				
6.03.322 All other				
6.03.330 Car wash				
	<b>HV ZONE</b>			
	<b>HVR Residential</b>	<b>HVC Core</b>	<b>HVG Gateway</b>	<b>HVE Employment</b>
6.03.400 Motor vehicle painting and body work				PC
6.03.500 Automotive parks				

## ZONING REGULATIONS

<b>6.04.000 Medical cannabis</b>				
6.04.100 Processing operation				
6.04.200 Dispensary operation				
<b>7.00.000 INDUSTRIAL</b>				
<b>7.01.000 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, and assembling of goods, merchandise, and equipment</b>				
7.01.100 All operations conducted entirely within fully enclosed building				
7.01.110 Buildings <10,000 square feet per parcel				P
7.01.120 Buildings >10,000 square feet per parcel				P
7.01.200 Operations conducted within or outside fully enclosed building				
7.01.210 Blacksmith shops, welding shops, ornamental iron works, machine shops (excluding drop hammers and punch presses over 20 tons rated capacity), and sheet metal shops				P
7.01.220 Bottling, confectionary, food products except fish and meat, sauerkraut, vinegar, yeast, or the rendering fats and oils				P
7.01.230 Saw mills				
7.01.240 Alcoholic beverage manufacturing				
Farm alcohol production facility				
Alcohol production facility		PC	PC	
7.01.260 Fertilizer mixing plants				
7.01.270 Brick or block manufacturing				
7.01.280 Asphalt plants/concrete plants, sand and gravel washing, crushing and screening				
7.01.290 Wood/stump grinding				
<b>7.02.000 Storage and parking</b>				
7.02.100 Automobile parking garages or parking lots not located on a lot where there is another principal use to which the parking is related				
7.02.110 Automobile parking garage		PC	PC	PC
7.02.120 Automobile parking lot		PC	PC	PC
7.02.200 Storage of goods not related to sale or use of those goods on the same lot where they are stored (warehousing)				
7.02.210 All storage within completely enclosed structures				P
7.02.220 Warehouse storage inside or outside completely enclosed structures				
7.02.230 Mini-warehouses				
7.02.240 Storage of petroleum products				
7.02.300 Parking of vehicles or storage of equipment outside enclosed structures where: (1) vehicles or equipment are owned and used by the person making use of the lot and (2) parking or storage occupies more than 75% of the developed area (contractor's yard)				
	<b>HV ZONE</b>			
	<b>HVR</b>	<b>HVC</b>	<b>HVG</b>	<b>HVE</b>

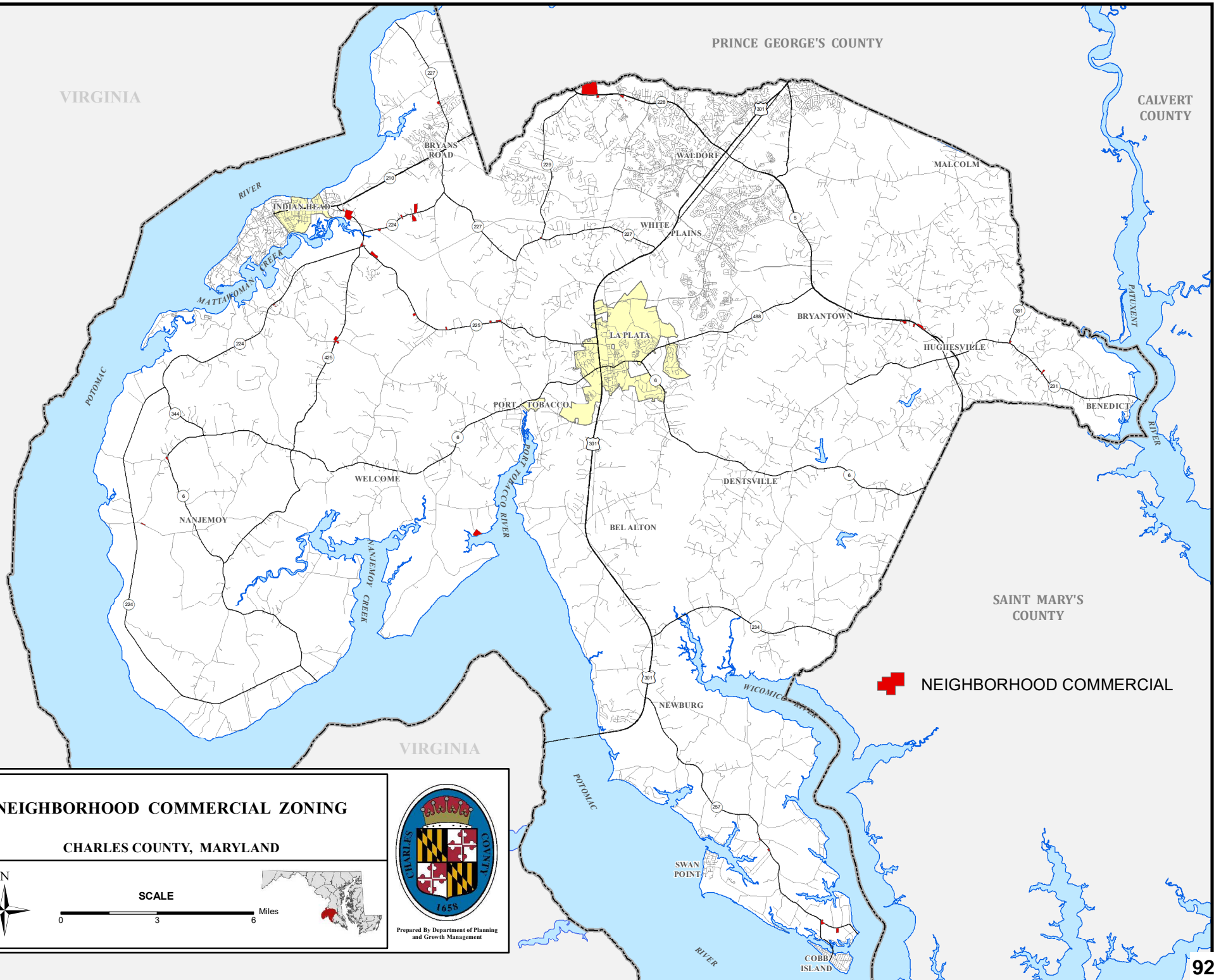
CHARLES COUNTY CODE

	Residential	Core	Gateway	Employment
7.02.400 Parking of motor vehicles (trucks)				
7.02.410 Parking of one motor vehicle > 15,000 pounds gross vehicle weight				P
7.02.420 Parking of more than one motor vehicle > 15,000 pounds gross vehicle weight				P
<b>7.03.000 Scrap materials, salvage yards, junkyards, and automobile graveyards</b>				
<b>7.04.000 Research facilities and laboratories</b>				
7.04.100 Without processing of materials				P
7.04.200 With processing or manufacturing of materials				P
<b>7.05.000 Mineral extraction</b>				
7.05.100 Surface mining				
7.05.110 of <10 acres				
7.05.120 of >10 acres				
7.05.200 Wells for oil, natural gas, or petroleum				
<b>7.06.000 Pozzolan management facility</b>				
<b>7.07.000 Alternative energy systems</b>				
7.07.100 Solar energy system, small	PC	PC	PC	PC
7.07.200 Solar energy system, large	SE	SE	SE	SE
7.07.300 Wind energy system, small	PC	PC	PC	PC
7.07.400 Wind energy system, large	SE	SE	SE	SE
<b>7.08.000 Processing and distribution of local agricultural products</b>				
7.08.100 Processing facilities				
7.08.110 Agricultural processing facility, local			PC	PC
7.08.120 Agricultural processing facility, local, slaughterhouse			SE	SE
7.08.200 Storage, distribution and wholesale sales of local agricultural products			PC	PC

VIRGINIA

PRINCE GEORGE'S COUNTY

CALVERT  
COUNTY



## NEIGHBORHOOD COMMERCIAL ZONING

CHARLES COUNTY, MARYLAND



SCALE  
0 3 6 Miles



Prepared By Department of Planning  
and Growth Management



NEIGHBORHOOD COMMERCIAL

# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Request to Introduce and Schedule a Public Hearing

**AGENDA SECTION:** Briefings- Morning

**SUBJECT:**

- **Briefing and Request to Introduce and Schedule a Public Hearing: Bill 2022-() Zoning Text Amendment #21-169 Update Critical Area Overlay Zone**  
(Mr. Charles Rice, Assistant Chief of Planning, Mr. Kyle Redden, Planner I, Mr. Jim Campbell, Planning Director, and Ms. Lynn Knaggs, Planning Supervisor, Department of Planning and Growth Management)

### **SUGGESTED ACTION:**

### **ATTACHMENTS:**

[ZMA #21-02 Adoption of Critical Area Zone Layer \(1\).pdf](#)

[ZTA #21-169 Adoption of Critical Area Zone Layer and Lot Coverage.pdf](#)

[Critical Area Map Update, Briefing for County Commissioners, Oct 4, 2022.pdf](#)

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

2  
3                   **2022 Legislative Session**

4  
5 Bill No.     Zoning Map Amendment (ZMA) #21-02    

6 Chapter. No. n/a (cross-reference ZTA 21-169)

7 Introduced by \_\_\_\_\_

8 Date of Introduction \_\_\_\_\_

9  
10                   **ADOPTION OF CRITICAL AREA ZONE LAYER 2022**

11  
12 AN ACT concerning:

13  
14                   An Amendment of the Critical Area Maps and boundary

15  
16 FOR the purpose of:

17  
18                   Amending the Critical Area Zone boundary by establishing the digitally generated, geo-  
19 referenced 1,000-foot Critical Area Boundary

20  
21 BY Repealing:

22  
23                   Critical Area Zone Maps as referenced in Chapter 297 – Zoning Ordinance  
24                   *Code of Charles County, Maryland*

25  
26 BY Adopting:

27  
28                   The digitally generated, georeferenced 1,000-foot Critical Area Boundary for integration  
29 into the Charles County’s Geographic Information System as cross-referenced in Zoning  
30 Text Amendment (ZTA 21-169)



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**PREAMBLE**

WHEREAS, the purpose of the Critical Area Zone (Overlay Zone) is to establish regulatory protection for land and water resources within 1,000 feet of tidal waters and tidal wetlands, including land use development standards and requirements to reduce impacts to water quality and natural habitats; and

WHEREAS, the Maryland General Assembly passed the Chesapeake Bay Critical Area Protection Program in 1984, which amongst other things, established the Critical Area Commission which was responsible for creating the criteria for local jurisdictions to minimize the adverse effects of human activities on water quality and natural habitats;

WHEREAS, the criteria, promulgated by the Critical Area Commission in 1985 and approved by the General Assembly in 1986, included three land classifications based upon the predominant land use and intensity of development at the time that the areas were first mapped on State wetlands maps, which were originally hand-drawn and therefore had inherent inaccuracies;

WHEREAS, Chapter 119 (House Bill 1253) (2008) requires, amongst other things, the transition from reliance upon the State wetland maps to a Statewide Base Map that includes a State-determined shoreline and landward boundary of tidal wetland and a digitally generated, georeferenced 1,000-foot Critical Area Boundary as appropriate for integration into a Geographic Information System; and

WHEREAS, the Department of Natural Resources (DNR) is required to distribute the portion of the Statewide Base map to each local jurisdiction with an approved Critical Area Program; and

WHEREAS, HB 1253 requires local jurisdictions to formally adopt its amended Critical Area Map based on the Statewide Base Map within twenty-four (24) months of its receipt from the Department of Natural Resources; now therefore

1           **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**  
2   **CHARLES COUNTY, MARYLAND, that** the following shall serve as description and  
3 verification of the official Critical Area Zone layer as required by State law:  
4

5           Exhibit A, which is a visual depiction of the draft layer (dashed line) as it would appear  
6 in the County’s GIS program:  
7

8           [https://charlesco.maps.arcgis.com/apps/webappviewer/index.html?id=892d02e7dabb43f0](https://charlesco.maps.arcgis.com/apps/webappviewer/index.html?id=892d02e7dabb43f080823a531072ba55)  
9           [80823a531072ba55](https://charlesco.maps.arcgis.com/apps/webappviewer/index.html?id=892d02e7dabb43f080823a531072ba55)  
10

11           **SECTION 2. BE IT FURTHER ENACTED** that as a result of the remapping under this  
12 act, the designation of an unclassified area that was not previously within the Chesapeake and  
13 Atlantic coastal Bays Critical Area may not affect any development and/or development activity  
14 shown on a plan under review by the Department of Planning and Growth Management as of  
15 September 19, 2022;  
16

17           **SECTION 3. BE IT FURTHER ENACTED** that the applicability of this act shall take  
18 effect immediately upon the effective date of the cross-referenced Zoning Text Amendment (ZTA  
19 21-169).  
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ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND

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

\_\_\_\_\_  
Bobby Rucci, Vice President

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

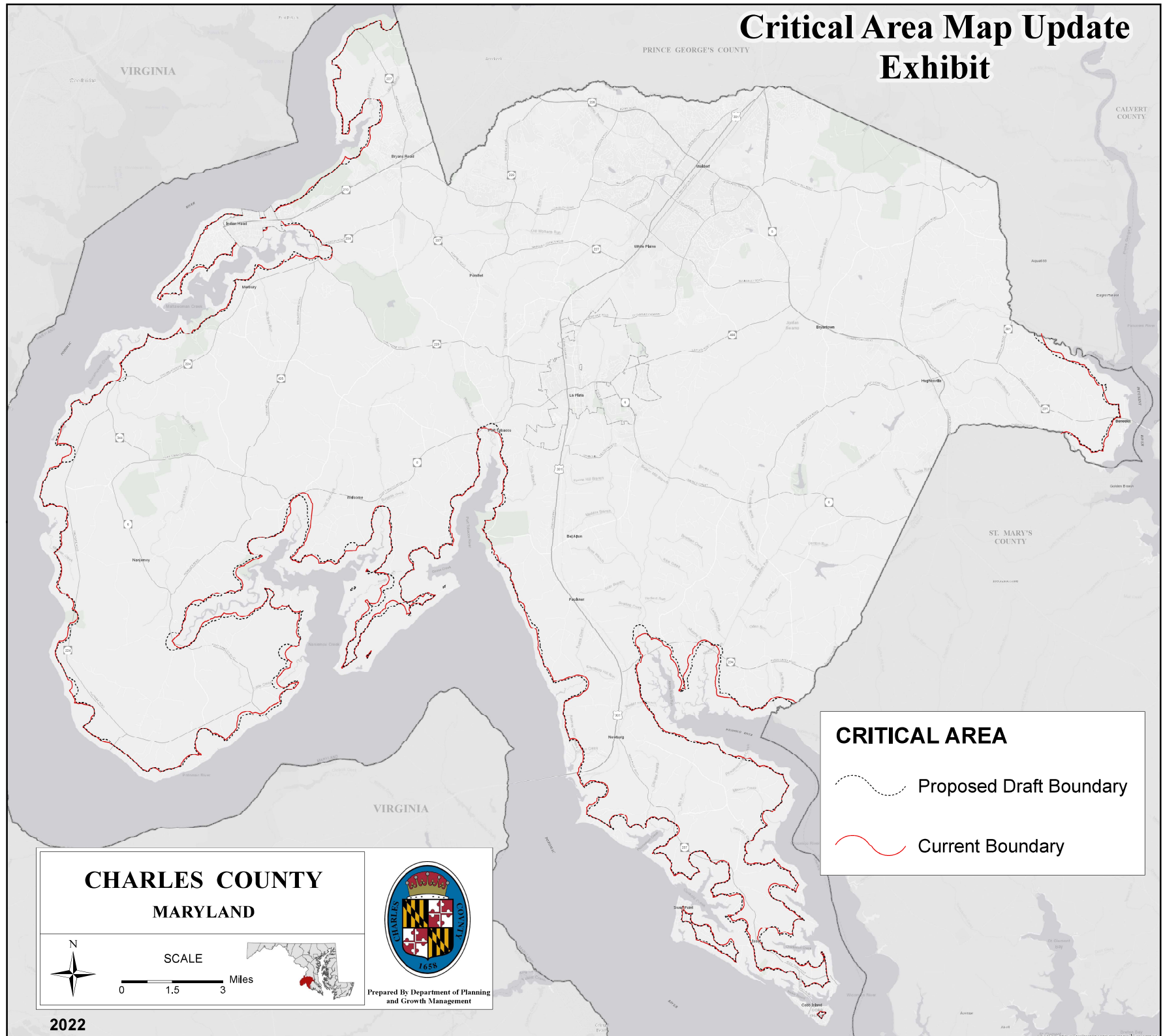
\_\_\_\_\_  
Thomasina O. Coates, M.S.

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

ATTEST:

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

# Critical Area Map Update Exhibit



**CHARLES COUNTY**  
**MARYLAND**



SCALE  
0 1.5 3 Miles



Prepared By Department of Planning  
and Growth Management

2022

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

2  
3                   **2022 Legislative Session**

4  
5 Bill No. \_\_\_\_\_ / Zoning Text Amendment (ZTA) #21-169

6 Chapter. No. 297

7 Introduced by \_\_\_\_\_

8 Date of Introduction \_\_\_\_\_

9  
10                   **BILL**

11  
12 AN ACT concerning:

13  
14                   **UPDATING THE BOUNDARY OF THE CRITICAL AREA OVERLAY ZONE AND**  
15                   **REVISING LOT COVERAGE LIMITATIONS STANDARDS WITHIN THE LIMITED**  
16                   **DEVELOPMENT ZONE (LDZ) AND RESOURCE CONSERVATION ZONE (RCZ)**

17  
18 FOR the purpose of:

19  
20                   Amending the Zoning Ordinance to reflect a State law requirement in how the boundary of the  
21                   Critical Area Overlay Zone is re-mapped, clarifying the applicability of the re-mapping, and  
22                   revising lot coverage limitations in the Limited Development Zone (LDZ) and Resource  
23                   Conservation Zone (RCZ) for lots of record impacted by ZMA #21-02.

24  
25 BY Amending:

26                   Chapter 297- Zoning Ordinance

27                   Article IX, Critical Area Zone (Overlay Zone)

28                   § 297-126. Purpose; statutory authority.

29                   *Code of Charles County, Maryland*

1 Chapter 297- Zoning Ordinance

2 Article IX, Critical Area Zone (Overlay Zone)

3 § 297-127. Applicability.

4 *Code of Charles County, Maryland*

5  
6 Chapter 297 – Zoning Ordinance

7 Article IX, Critical Area Zone (Overlay Zone), § 297-132.G(8), Development Standards,  
8 Development Standards in Limited Development Zone (LDZ) and Resource  
9 Conservation Zone (RCZ), Lot Coverage Requirements.

10 *Code of Charles County, Maryland*

11  
12 **PREAMBLE**

13  
14 WHEREAS, the purpose of the Critical Area Zone (Overlay Zone) is to establish regulatory  
15 protection for land and water resources within 1,000 feet of tidal waters and tidal wetlands,  
16 including land use development standards and requirements to reduce impacts to water quality and  
17 natural habitats; and

18  
19 WHEREAS, the Maryland General Assembly enacted the Chesapeake Bay Critical Area  
20 Protection Program in 1984, which amongst other things, established the Critical Area  
21 Commission which was responsible for creating the criteria for local jurisdictions to minimize the  
22 adverse effects of human activities on water quality and natural habitats;

23  
24 WHEREAS, the criteria, promulgated by the Critical Area Commission in 1985 and  
25 approved by the General Assembly in 1986, included three land classifications based upon the  
26 predominant land use and intensity of development at the time that the areas were first mapped on  
27 State wetlands maps;

28  
29 WHEREAS, Chapter 119 (House Bill 1253) (2008) required a transition from reliance  
30 upon the State wetland maps to a Statewide Base Map prepared by the Maryland Department of  
31 Natural Resources (DNR) that includes a State-determined shoreline and landward boundary of

1 tidal wetland and a digitally generated, georeferenced 1,000-foot Critical Area Boundary as  
2 appropriate for integration into a Geographic Information System; and  
3

4 WHEREAS, the County’s current Critical Area maps are being updated in accordance  
5 with requirements from HB 1253 through a Zoning Map Amendment (ZMA 21-02);  
6

7 WHEREAS, certain parcels and lots of record previously unclassified as being within the  
8 Critical Area Zone may be affected by the remapping due to the changes along the shorelines of  
9 Maryland, including Charles County; and  
10

11 WHEREAS, HB 1253 did establish some flexibility for local jurisdictions if, as a result  
12 of the remapping, a greater portion of a parcel or existing lot of record is included within the  
13 Critical Area Zone; now therefore,  
14

15 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**  
16 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**  
17 **follows:**  
18

19 \*\*\*\*\*

20 Chapter 297 – Zoning Ordinance

21 Article IX – Critical Area Zone (Overlay Zone)  
22

23 § 297-126. Purpose; statutory authority.  
24

\*\*\*\*\*

25 C. The Charles County Chesapeake Bay Critical Area Program consists of the requirements  
26 contained in this chapter, other applicable requirements set forth in the Zoning Ordinance,  
27 the official Critical Area Zone [maps] LAYER, the Charles County Comprehensive Plan,  
28 Charles County Subdivision Regulations, and all other applicable County regulations.  
29

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Chapter 297 – Zoning Ordinance  
Article IX – Critical Area Zone (Overlay Zone)

§ 297- 127. Applicability

A. No person shall develop, alter or use any land for residential, commercial, industrial or institutional uses; nor conduct agricultural, fishery or forestry activities in the Charles County Critical Area, except in compliance with the applicable provisions contained herein.

B. Article IX shall only apply to the Charles County Critical Area, hereafter referred to as the "Critical Area Zone." The Critical Area Zone shall include all lands and waters within 1,000 feet beyond the landward boundaries of state or private wetlands and the heads of tides designated under Title 16 of the Natural Resources Article, Annotated Code of Maryland.

C. Development in accordance with the [Swan Point] General Development Plan FOR “THE VILLAGES OF SWAN POINT” shall be reviewed in accordance with the [g]Growth [a]Allocation [i] Indenture and Docket 250 [i]Indenture, which shall supersede any contrary language in this [a]Article. TO THE EXTENT THAT ANY PORTION OF THE PROPERTY SUBJECT TO THE APPROVED GROWTH ALLOCATION AND DOCKET 250 INDENTURE IS SHOWN TO BE WITHIN THE CRITICAL AREA ZONE AS AMENDED BY VIRTUE OF ZMA 21-02, THE REMAPPING SHALL NOT AFFECT THE INITIAL DEVELOPMENT AND/OR CONSTRUCTION OF THE PROPERTY.

\*\*\*\*\*

Chapter 297 – Zoning Ordinance  
Article IX - Critical Area Zone (Overlay Zone)  
§ 297-132 – Development Standards

\*\*\*\*\*

G. Development standards in the Limited Development Zone (LDZ) and Resource Conservation Zone (RCZ). All development and redevelopment in the LDZ and RCZ shall be subject to the

1 following development standards and/or conditions, in addition to those established elsewhere  
2 in this chapter:

3 \*\*\*\*\*

4 (8) Lot coverage requirements.

5 \*\*\*\*\*

6 (E) IF ADOPTION OF THE UPDATED CHESAPEAKE BAY CRITICAL AREA ZONE  
7 LAYER INCREASES THE CRITICAL AREA OF A LOT OF RECORD EXISTING  
8 AS OF [INSERT EFFECTIVE DATE OF ZMA #21-02] THE FOLLOWING LOT  
9 COVERAGE LIMITATION SHALL APPLY TO THAT LOT:

10

11 [1] LOTS GREATER THAN ½ ACRE, LOT COVERAGE MAY NOT EXCEED  
12 15% OF THE TOTAL LOT AREA LOCATED WITHIN THE CRITICAL  
13 AREA.

14 [2] LOTS ½ ACRE OR LESS, LOT COVERAGE MAY NOT EXCEED 40% OF  
15 THE TOTAL LOT AREA LOCATED WITHIN THE CRITICAL AREA.

16

17 (F) [(e)] This subsection does not apply to a trailer park that was in residential use on or  
18 before December 1, 1985.

19

20 (G) [(f)] The Charles County Planning Division may allow a property owner to exceed the  
21 lot coverage limits provided above in Subsection G(8)(b) through (d) of this section,  
22 if the following conditions exist and if the following actions are taken:

23 \*\*\*\*\*

24

25 (H) [(g)] When a portion of a lot or parcel is located within the Limited Development Zone  
26 or Resource Conservation Zone, lot coverage shall be limited to 15% of that portion  
27 of the lot or parcel that is designated LDZ and 15% of that portion that is designated  
28 as RCZ.

29

30 \*\*\*\*\*

31

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq. President

---

Bobby Rucci, Vice President

---

Gilbert O. Bowling, III

---

Thomasina O. Coates, M.S.

---

Amanda M. Stewart, M.Ed.

ATTEST:

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Carol DeSoto, Clerk to the Commissioners



# Chesapeake Bay Critical Area Mapping Update

**County Commissioner Briefing  
October 4, 2022**

## **Presenters**

Charles Rice, Assistant Chief of Planning

Kyle Redden, Planner III

# What is the Critical Area?

- The waters of the Chesapeake Bay, the Atlantic Coastal Bays, their tidal tributaries, and lands underneath these tidal areas
- All land within 1,000 feet of tidal waters and tidal wetlands



# Background

- The original 1000-foot Critical Area Boundary was manually drawn using the 1972 Tidal Wetlands Maps
- Significant changes to the landscape, shoreline, and wetlands
- New mapping technology allows for a more accurate delineation of the 1000-foot boundary
- Electronic maps are now the standard

# Background

- 2008 House Bill 1253 contained Mapping Provisions
- Legislation required the State to work cooperatively with local governments to update the Critical Area Maps
- HB 1253 directed the Department of Natural Resources to prepare a Statewide Base Map with a State-determined shoreline
- The new boundary line has been drawn using Color Infrared Imaging, new Light Detection and Ranging Data (LiDAR), new aerial photography, and GIS software





# Background

- Critical Area Commission Staff, MD Department of the Environment Tidal Wetlands Division, and Salisbury University GIS Staff worked with local governments to draw the new Boundary Line
- Field visits were conducted to ground truth aerial photography and color infrared imagery
- Property owners with at least a 1% change in the Critical area Boundary were notified by letter of the change
- Informational video and state mapping web site was made available along with significant direct staff contact availability

# Summary Draft Map Delivered

- Summary Draft Map was delivered to the County for formal adoption by the Critical Area Commission
- County Zoning Map Amendment (ZMA) will adopt the new map “Layer”
- County Zoning Text Amendment (ZTA) will change the reference to “maps” to “layer” and addresses lot coverage on existing lots of record

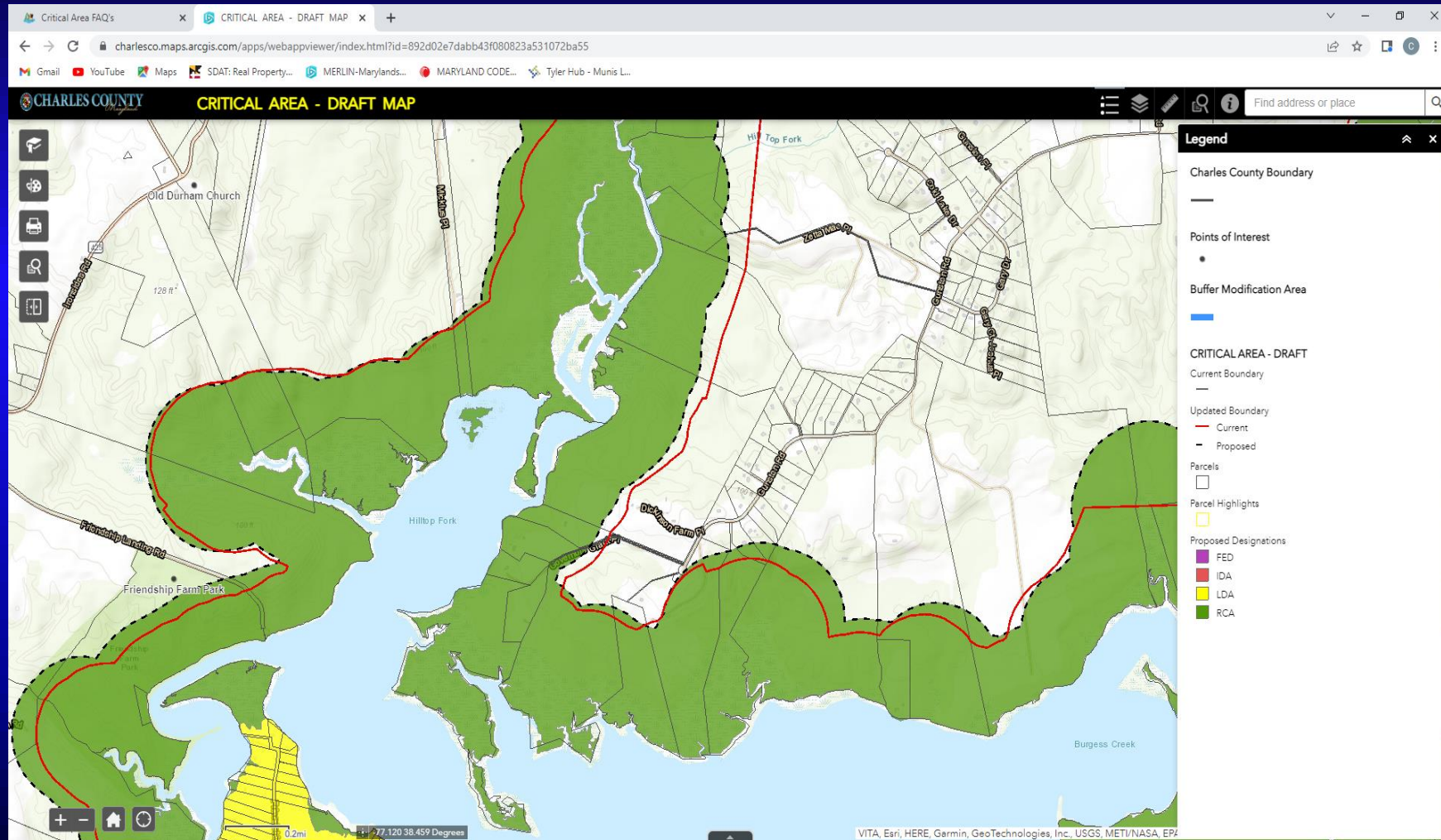


# Critical Area Map Draft

The screenshot shows the Charles County Maryland website's 'Mapping Services' page. The browser address bar displays [charlescountymd.gov/government/planning-and-growth-management/mapping-services](https://www.charlescountymd.gov/government/planning-and-growth-management/mapping-services). The page has a navigation menu on the left with the following items: Planning and Growth Management, Apply for a Permit, Planning and Growth Management Appointment Request, Development Engineering, Education and Outreach, Mapping Services (selected), GIS Interactive Map, Order a Map, Planning and Growth Management Supported Boards and Commissions, Preservation and Long Range Planning, Publications and Documents, Report a Structure or Property Complaint, Septic System Reimbursement Programs, Stormwater Management, VanGO Public Transportation, and Nuisance Education. The main content area is titled 'Mapping Services' and includes a 'Font Size' selector, 'Share & Bookmark', 'Feedback', and 'Print' links. Below these links is a grid of map options: GIS INTERACTIVE, INTERACTIVE MAP GUIDE, CRITICAL AREA MAP (DRAFT) (highlighted with a red arrow), CENSUS TRACT MAP, COUNTY ROADS MAP, ELECTION DISTRICT MAP, LAND USE PLAN MAP, MATTAWOMAN, PRIORITY, PROTECTED, and RURAL LEGACY.

<https://www.charlescountymd.gov/government/planning-and-growth-management/mapping-services>

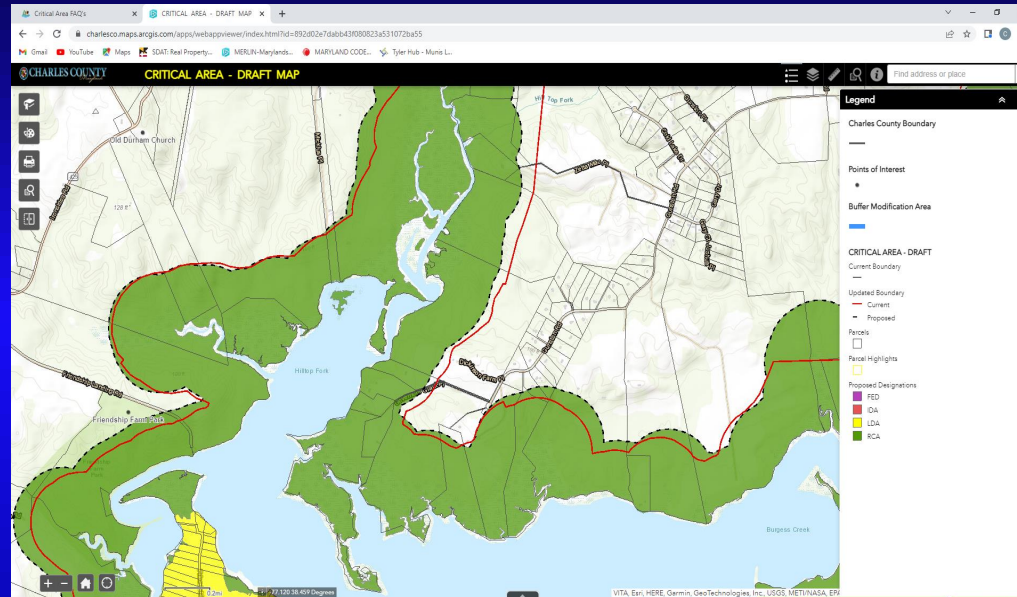
# Critical Area Map Draft





## 113

# Critical Area Map Draft



Added	2,765 Acres
Subtracted	3,061 Acres
Stayed the Same	30,148 Acres
<b>Net Change</b>	<b>(-296 Acres)</b>



# Charles County Local Map Amendment

- Certified letters mailed to property owners within 200 feet of the new Critical Area Boundary
- 1,200 certified letters mailed



# Diversity, Equity and Inclusion Review

- Staff is coordinating with the Chief Equity Officer and will provide any additional feedback at the public hearing
- Extensive outreach to property owners by the State and County
  - Dedicated interactive web pages
  - Direct mailings
  - One on one interactions to answer questions
  - 1,200 certified letters (mailed 2 times)
  - Multiple staff addressing questions



# Process Moving Forward

- Planning Commission's Public Hearing (9/19/2022)
- Planning Commission Recommendation of Approval to the County Commissioners (9/19/2022)
- County Commissioner Briefing (10/4/2022)  
(Certified Letters will be mailed again)
- County Commissioner Public Hearing (11/2/2022)
- County Commissioner Adoption by the end of December

# Staff Request

- County Commissioners schedule a Public Hearing for November 2, 2022



# **Charles County Department of Planning and Growth Management**

**200 Baltimore Street, La Plata, MD 20646**

**(301) 645-0692**

**PGM/Planning Charles County**

**[www.charlescountymd.gov](http://www.charlescountymd.gov)**

## **Mission Statement**

**The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient, and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning, and have an appropriate managerial organization tempered by fiscal responsibility.**

## **Vision Statement**

**Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount, where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.**

# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Request to Introduce and Schedule a Public Hearing

**AGENDA SECTION:** Briefings- Morning

**SUBJECT:**

- **Briefing and Request to Schedule a Public Hearing:**  
**FY2023 Municipal Stormwater (MS4) Permit Financial Assurance Plan**  
(Mr. Charles Rice, Assistant Chief of Planning, and Ms. Karen Wiggen, Planner III, Department of Planning and Growth Management; Mr. Jacob Dyer, Chief of Budget, Department of Fiscal and Administrative Services; and Mr. John Stevens, Chief of Capital Projects, Department of Public Works)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[FY23 Financial Assurance Plan.pdf](#)

[FY23 Financial Assurance Plan Briefing Slides for 10\\_4\\_2022.pdf](#)

Watershed Protection and Restoration Program  
**Financial Assurance Plan**  
Charles County, Maryland  
Fiscal Year 2023

**Executive Summary**

**Background**

This Financial Assurance Plan (FAP) is prepared to fulfill requirements specified in the Annotated Code of Maryland (COMAR), Environment Article, § 4-202.1.

The purpose is to describe actions and revenue necessary to implement impervious surface restoration requirements of Charles County's National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) Permit Number MD0068365 and demonstrate sufficient funding for the 2-year period immediately following the filing date of the FAP. Although the County's new MS4 permit has not been issued, the public comment period has closed, and final determination is expected in 2022. The data in the FAP correlates to the new permit.

State law requires that the County hold a public hearing and approve the FAP prior to filing with Maryland Department of Environment.

**Summary of Charles County FAP**

Five elements are specified in COMAR as necessary to demonstrate financial assurance and are each represented by a corresponding table attached hereto. Information included on the FAP tables is prior actual costs and projections. The FAP is an evaluation tool, and not used for adopting new budgets or authorizing new projects. A summary of each table follows.

**Table 1: All actions necessary to meet the Impervious Surface Restoration Plan (ISRP).**

Current and future actions to achieve the ISRP are itemized into two parts: (1) obligations from the previous permit that must be continued totaling 138 acres, and (2) restoration required for the new permit totaling 1,083 acres. (Completed actions are on Table 5.)

Under the first part: 'Operational Programs' include storm drain vacuuming and septic pump-out programs, which will be maintained at prior levels. A 'Capital Project' is also included to replace street sweeping that was previously credited. The acres of restoration generated by operational programs are averaged over the permit term and the annual average is credited.

Under the second part: 'Capital Projects' to be implemented by the County are listed with status, and 'Other' projects to be implemented by private parties, non-profits, other agencies, and the County are listed. These include connection of septic systems to public sanitary

sewer systems, installation of septic system denitrification units, and nutrient trading from oyster restoration.

**Table 2: Projected annual and 5-year costs to meet the ISRP.**

This table includes Operational and Capital expenditures from the second half of FY 2020 through FY 2027. The total ISRP costs except debt service through FY 2027 are projected to be \$38.2 million.

**Table 3: Projected annual and 5-year revenues and other funds that will be used to meet the costs of the ISRP.**

By FY 2025, total revenue appropriated for the ISRP is projected to be \$59.2 million.

**Table 4: Sources of funds that will be utilized by the County to meet the entire MS4 permit**

Table 4 shows the funding to implement all requirements of the MS4 permit, which includes: permit administration, legal authority, permit geodatabase, stormwater management program, sediment and erosion control program, illicit discharge program, litter management, good housekeeping on County properties, public education and outreach, impervious surface restoration, watershed management and restoration plans, water quality monitoring, and program funding.

Funding to implement these programs is from the following: Watershed Protection and Restoration Fund, General Fund, Inspection and Review Fund, and General Obligation Bonds. The total projected through FY 2027 is \$98 million.

**Table 5: Specific actions and expenditures that the county implemented in previous fiscal years to meet the ISRP.**

Completed actions to achieve the ISRP are itemized into two parts: (1) obligations from the previous permit that must be continued totaling 138 acres, and (2) restoration required for the new permit totaling 1,083 acres.

Under the first part: ‘Operational Programs’ include storm drain vacuuming and septic pump-out programs, which will be maintained at prior levels. A ‘Capital Project’ is also included to replace street sweeping that was previously credited. To date the acres of restoration generated by operational programs, averaged over the permit term is 170 acres.

Under the second part: ‘Capital Projects’ completed by the County are listed, and ‘Other’ projects completed by private parties, non-profits, other agencies, and the County are listed. These include connection of septic systems to public sanitary sewer systems and installation of septic system denitrification units.

To date, the County has completed 502 acres of impervious surface restoration towards the new permit. This is 46% of the total goal.

## Watershed Protection and Restoration Program

### Financial Assurance Plan (FAP)

Filing Date: December 26, 2022

The purpose is to describe actions and revenue necessary to implement impervious surface restoration (ISR) requirements of Charles County's National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) Permit Number MD0068365 and demonstrate sufficient funding for the 2-year period immediately following the filing date of the FAP.

MS4 Information	
Jurisdiction	Charles County
Contact Name	James Campbell
Phone	301-645-0598
Address	200 Baltimore Street
City	La Plata
State	Maryland
Zip	20646
Email	<a href="mailto:CampbellJ@CharlesCountyMD.gov">CampbellJ@CharlesCountyMD.gov</a>
Continued Annual Alternative ISR (ac)	138
Required ISR New Permit (ac)	1,083
Total ISR (ac)	1,221
Current Permit Number	11-DP-3322
New Permit Period (CY) <sup>1, 2</sup>	2022-2027
Reporting FY	2023

<sup>1</sup> As of September 27, 2022 the County's new MS4 permit has not been issued by the Maryland Department of Environment (MDE).

<sup>2</sup> Data contained within this report correlates to the new MS4 permit.



Article 4-202.1(j)(1)(i)1: Actions that will be required of the county or municipality to meet the requirements of its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.

Continued Annual Alternative ISR (ac): 138 11%  
Required ISR New Permit (ac): 1,083  
Total ISR (ac): 1,221

REST BMP TYPE <sup>1</sup>	BMP CLASS	IMPERVIOUS ACRES	% ISR GOAL	IMPLEMENTATION COSTS	IMPLEMENTATION STATUS	IMPLEMENTATION COMPLETION YEAR (FY)
Obligations from Previous Permit That Must Be Continued or Met						
Operational Programs <sup>2,3</sup>						
Storm Drain Vacuuming	A	40.23	29%	\$120,000	UNDER CONST	2023
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2024
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2025
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2026
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2027
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2028
Septic Pumping	A	29.98	22%	\$265,100	UNDER CONST	2023
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2024
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2025
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2026
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2027
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2028
Operations Next Two Years (FY23-24) <sup>4</sup>		70.2	51%	\$770,200		
Operations Next Five Years (FY23-27) <sup>4</sup>		70.2	51%	\$1,925,500		
Capital Projects (Completed to Replace Annual Obligations) <sup>2,3</sup>						
SHST	A	70.2	51%	\$1,364,385	COMPLETE	2022
Subtotal Capital Next Two Years		0	0%	\$0		
Subtotal Capital Next Five Years (FY23-27)		0	0%	\$0		
Other (Completed to Replace Annual Obligations) <sup>2,3</sup>						
N/A			0%			N/A
N/A			0%			N/A
Subtotal Other Next Two Years (FY23-24)		0	0%	\$0		
Subtotal Other Next Five Years (FY23-27)		0	0%	\$0		

Total Continued Obligations Next Two Years (FY23-24)		70	51%	\$770,200			
Total Continued Obligations Next Five Years (FY23-27)		70	51%	\$1,925,500			
Restoration for the New Permit							
Operational Programs <sup>3,5</sup>							
N/A			0%				N/A
N/A			0%				N/A
Operations Next Two Years (FY23-24) <sup>4</sup>		0	0%	\$0			
Operations Next Five Years (FY23-27) <sup>4</sup>		0	0%	\$0			
Capital Projects <sup>3,5</sup>							
STRE	A	53.5	5%	\$1,369,580	UNDER CONST	2023	CSM Tributaries Stream Restoration (3 parts)
STRE	A	17.08	2%	\$877,140	UNDER CONST	2023	Ruth B. Swann Tributary Stream Restoration
OUT	A	2.3	0%	\$119,610	UNDER CONST	2023	Ruth B. Swann Tributary Outfall Stabilizations
STRE	A	10.91	1%	\$1,248,810	UNDER CONST	2024	Acton Village - Westdale Drive Stream Restoration
PWET	S	21.01	2%	\$867,870	PLANNING	2024	White Oak Pond Retrofit
PPKT	S	10.24	1%	\$117,390	PLANNING	2024	Wilton Court Pond Retrofit
STRE	A	78.1	7%	\$1,697,700	PLANNING	2025	Ruth B. Swann Upper Stream Restoration
STRE	A	61.88	6%	\$1,816,398	PLANNING	2024	Marbella Stream Restoration
OUT	A	1.62	0%	\$46,325	PLANNING	2024	Marbella Outfall Stabilizations
STRE	A	84.6	8%	\$1,972,800	PLANNING	2025	Port Tobacco Stream Restoration
STRE	A	29.5	3%	\$1,261,665	PLANNING	2025	Milton Somers Stream Restoration
PWED	S	9.9	1%	\$420,555	PLANNING	2025	Milton Somers Pond Retrofit
MMBR	E	1.3	0%	\$75,000	PLANNING	2025	Walter Mitchell Bioretention
STRE	A	30.9	3%	\$887,655	PLANNING	2025	Walter Mitchell Stream Restoration
PWED	S	11.4	1%	\$598,958	PLANNING	2025	South Hampton-Greenville Pond
PWED	S	4.3	0%	\$226,320	PLANNING	2025	South Hampton-Walden Pond
PWED	S	3.5	0%	\$184,214	PLANNING	2025	South Hampton-Sir Douglas Pond
OUT	A	15.9	1%	\$401,333	PLANNING	2025	South Hampton-Amherst Step Pool Stream
SPSC	A	2.3	0%	\$121,055	PLANNING	2025	South Hampton-Amherst Step Pool - WQ <sub>v</sub>
STRE	A	120.72	11%	\$1,500,000	PLANNING	2025	Oak Ridge Park West Stream Restoration
STRE	A	18	2%	\$1,500,000	PLANNING	2026	Oak Ridge Park East Stream Restoration
STRE	A	16.45	2%	\$810,500	PLANNING	2026	Locust Grove Farm Stream Restoration
PWET	S	16.66	2%	\$366,069	PLANNING	2026	White Plains Golf Course Pond Retrofit
STRE	A	10	1%	\$1,000,000	PLANNING	2027	Stream Restoration - Port Tobacco Watershed TBD
TBD	S	10	1%	\$750,000	PLANNING	2027	Stormwater Management Retrofits - TBD
STRE	A	21.1	2%	\$1,000,000	PLANNING	2027	Stream Restoration - Strawberry Hills

TBD	S	10	1%	\$500,000	PROPOSED	2027	Full Delivery Contract Projects
STRE	A	5	0%	\$1,000,000	PROPOSED	2028	Stream Restoration - Port Tobacco Watershed TBD
TBD	S	10	1%	\$750,000	PROPOSED	2028	Stormwater Management Retrofits - TBD
TBD	S	10	1%	\$500,000	PROPOSED	2028	Full Delivery Contract Projects
Subtotal Capital Next Two Years (FY23-24)		179	16%	\$6,463,123			
Subtotal Capital Next Five Years (FY23-27)		673	62%	\$21,736,946			
Other <sup>3,5</sup>							
SEPD	A	1.5	0%	\$150,000	UNDER CONST	2023	Septic Denitrif. Units-Bay Restoration Fund Grant
SEPD	A	1.5	0%	\$150,000	PLANNING	2024	Septic Denitrif. Units-Bay Restoration Fund Grant
SEPD	A	1.5	0%	\$150,000	PLANNING	2025	Septic Denitrif. Units-Bay Restoration Fund Grant
SEPD	A	1.5	0%	\$150,000	PLANNING	2026	Septic Denitrif. Units-Bay Restoration Fund Grant
SEPD	A	1.5	0%	\$150,000	PLANNING	2027	Septic Denitrif. Units-Bay Restoration Fund Grant
SEPD	A	1.5	0%	\$150,000	PLANNING	2028	Septic Denitrif. Units-Bay Restoration Fund Grant
SEPC	A	0.5	0%	\$40,000	UNDER CONST	2023	Septic Connect to WWTP-Bay Restoration Fund Grant
SEPC	A	0.5	0%	\$40,000	PLANNING	2024	Septic Connect to WWTP-Bay Restoration Fund Grant
SEPC	A	0.5	0%	\$40,000	PLANNING	2025	Septic Connect to WWTP-Bay Restoration Fund Grant
SEPC	A	0.5	0%	\$40,000	PLANNING	2026	Septic Connect to WWTP-Bay Restoration Fund Grant
SEPC	A	0.5	0%	\$40,000	PLANNING	2027	Septic Connect to WWTP-Bay Restoration Fund Grant
SEPC	A	0.5	0%	\$40,000	PLANNING	2028	Septic Connect to WWTP-Bay Restoration Fund Grant
OTHER	A	3	0%		PLANNING	2027	Oyster Restoration
Subtotal Other Next Two Years (FY23-24)		4	0%	\$380,000			
Subtotal Other Next Five Years (FY23-27)		13	1%	\$950,000			
<b>Total Next Two Years (FY23-24)</b>		<b>183</b>	<b>17%</b>	<b>\$6,843,123</b>			
<b>Total Next Five Years (FY23-27)</b>		<b>686</b>	<b>63%</b>	<b>\$22,686,946</b>			

**Notes:**

1. Use BMP domains from MDE Geodatabase.
2. % ISR Complete compared to continued annual alternative ISR.
3. Insert additional rows as necessary.
4. Impervious Acres are the average for the time period, Implementation Costs are totaled.
5. % ISR Complete compared to ISR new permit.

**Article 4-202.1(j)(1)(i)2: Projected annual and 5-year costs for the county or municipality to meet the impervious surface restoration plan requirements of its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.**

DESCRIPTION	PREVIOUS YEAR FY 2021	CURRENT YEAR FY 2022	PROJECTED YEAR 1 FY 2023	PROJECTED YEAR 2 FY 2024	PROJECTED YEAR 3 FY 2025	PROJECTED YEAR 4 FY 2026	PROJECTED YEAR 5 FY 2027	TOTAL <sup>4</sup>
<b>Operating Expenditures (costs)</b>								
Inlet Cleaning	\$595,046	\$440,500	\$494,200	\$504,100	\$514,200	\$524,600	\$535,200	\$3,607,847
Support of Capital Projects	\$284,486	\$280,647	\$331,200	\$263,300	\$230,500	\$236,600	\$261,400	\$1,888,133
Debt Service Payment <sup>1</sup>	\$496,295	\$564,599	\$690,285	\$1,052,278	\$1,623,405	\$1,839,988	\$2,051,405	\$8,318,256
Septic Pump-Out Program	\$316,293	\$116,317	\$150,000	\$153,000	\$156,100	\$159,200	\$162,400	\$1,213,309
<b>Capital Expenditures (costs)<sup>3</sup></b>								
Debt Service	\$7,629,273	\$1,050,000	\$1,932,100	\$5,564,723	\$8,779,621	\$3,329,409	\$3,250,000	\$31,535,126
Subtotal operation and paygo:	\$1,692,120	\$1,402,063	\$1,665,685	\$1,972,678	\$2,524,205	\$2,760,388	\$3,010,405	\$15,027,544
<b>Total expenditures:</b>	<b>\$9,321,393</b>	<b>\$2,452,063</b>	<b>\$3,597,785</b>	<b>\$7,537,401</b>	<b>\$11,303,826</b>	<b>\$6,089,797</b>	<b>\$6,260,405</b>	<b>\$46,562,670</b>

Total ISRP costs except debt service: \$38,244,414

Compare ISRP costs (except debt service) / total ISRP proposed actions for next five years: 169%

Total capital expenditures: \$31,535,126

Compare total capital expenditures / total ISRP proposed actions capital costs for next five years: 145%

**Notes:**

1. Debt service payments include debt service used to support capital projects from current and previous permit.
2. Insert additional rows as necessary.
3. Capital costs shown in FY 2021 include costs in FY 2021 and previous years, spent on capital projects attributed to the current permit. Total permit cycle includes the previous permit cycle.
4. Total cycle includes FY 2021 (costs associated with capital projects attributed to the current permit) to FY 2027.

**Article 4-202.1(j)(1)(i)3: Projected annual and 5-year revenues or other funds that will be used to meet the cost for the county or municipality to meet the impervious surface restoration plan requirements under the National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.**

DESCRIPTION	PAST UP THRU FY 21	CURRENT YEAR FY 22	PROJECTED YEAR 1 FY 23	PROJECTED YEAR 2 FY 24	PROJECTED YEAR 3 FY 25	PROJECTED YEAR 4 FY 26	PROJECTED YEAR 5 FY 27	TOTAL NEXT 2-YEARS FY 23-24 <sup>1</sup>	TOTAL
Annual Revenue <sup>2</sup> Appropriated for ISRP	\$14,847,703	\$9,651,380	\$12,903,900	\$12,866,900	\$13,442,400	\$14,025,900	\$14,614,100	\$25,770,800	\$92,352,282
Annual Costs towards ISRP <sup>3</sup>	\$9,321,393	\$2,452,063	\$3,597,785	\$7,537,401	\$11,303,826	\$6,089,797	\$6,260,405	\$11,135,186	\$46,562,670

Compare revenue appropriated / annual costs: **231%**

Reporting Criteria: **100%**

**Notes:**

1. Article 4-202.1(j)(2): Demonstration that county or municipality has sufficient funding in the current fiscal year and subsequent fiscal year budgets to meet its estimated cost for the 2-year period immediately following the filing date of the FAP. Note that the appropriations and expenditures include time period up to FY22.
2. Revenue means "dedicated revenues, funds, or sources of funds (per Article 4-202.1(j)(4)(ii)). Note that budget appropriations have only been approved by governing bodies through FY 23 at the time of FAP reporting.
3. See table of ISRP Cost.

**Article 4-202.1(j)(1)(i)4: Any sources of funds that will be utilized by the county or municipality to meet the requirements of its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.**

SOURCE	PAST UP THRU <sup>1</sup> FY 21	CURRENT YEAR FY 22	PROJECTED YEAR 1 FY 23	PROJECTED YEAR 2 FY 24	PROJECTED YEAR 3 FY 25	PROJECTED YEAR 4 FY 26	PROJECTED YEAR 5 FY 27	TOTAL
<b>Paygo Sources</b>								
Stormwater Remediation Fees (WPR Fund)	\$ 6,699,757	\$ 5,915,720	\$ 6,607,400	\$ 6,708,900	\$ 6,781,300	\$ 6,861,700	\$ 6,946,700	\$ 46,521,477
Miscellaneous Fees (WPR Fund)	\$ 53,701	\$ 14,343	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 93,044
General Fund	\$ 575,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 575,000
Fund Balance (WPR Fund)	\$ 402,953	\$ 105,000	\$ 81,500	\$ -	\$ -	\$ -	\$ -	\$ 589,453
Sediment & Erosion Control Fees (Insp & Review Fund)	\$ 531,912	\$ 585,285	\$ 364,000	\$ 364,000	\$ 364,000	\$ 364,000	\$ 364,000	\$ 2,937,197
Stormwater Maintenance Inspection Fees (Insp & Review Fund)	\$ 725,993	\$ 762,007	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 3,988,000
Subtotal Paygo Sources	\$ 8,989,315	\$ 7,382,355	\$ 7,557,900	\$ 7,577,900	\$ 7,650,300	\$ 7,730,700	\$ 7,815,700	\$ 54,704,170
<b>Debt Service (paygo sources will be used to pay off debt service. Note that previous appropriations for debt service used for ISRP is listed in FY 2021).</b>								
County Transportation Bonds								\$ -
General Obligation Bonds	\$ 6,800,000	\$ 3,500,000	\$ 6,060,000	\$ 6,000,000	\$ 6,500,000	\$ 7,000,000	\$ 7,500,000	\$ 43,360,000
Revenue (Utility) Bonds								\$ -
State Revolving Loan Fund								\$ -
Public-private partnership (debt service)								\$ -
Subtotal Debt Service	\$ 6,800,000	\$ 3,500,000	\$ 6,060,000	\$ 6,000,000	\$ 6,500,000	\$ 7,000,000	\$ 7,500,000	\$ 43,360,000
<b>Grants and Partnerships (no payment is expected)</b>								
State funded grants								\$ -
Federal funded grants								\$ -
Public-private partnership (matched grant)								\$ -
Subtotal Grants and Partnerships	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Annual Sources of Funds</b>	<b>\$ 15,789,315</b>	<b>\$ 10,882,355</b>	<b>\$ 13,617,900</b>	<b>\$ 13,577,900</b>	<b>\$ 14,150,300</b>	<b>\$ 14,730,700</b>	<b>\$ 15,315,700</b>	<b>\$ 98,064,170</b>
<b>Percent of Funds Directed Toward ISRP</b>								

Compare total permit term paygo ISRP costs / subtotal permit term paygo sources: 22%

Compare total ISRP expenditures / total permit term annual sources of funds: 23%

\* WPR Fund: Watershed Protection and Restoration Fund.

**Note:**

1. Previous accumulated revenue should be specifically designated for use for the new MS4 permit.

**Article 4-202.1(j)(1)(i)5: Specific actions and expenditures that the county or municipality implemented in the previous fiscal years to meet its impervious surface restoration plan requirements under its National Pollutant Discharge Elimination System Phase I Municipal Separate Storm Sewer System Permit.**

REST BMP ID	REST BMP TYPE <sup>1</sup>	BMP CLASS <sup>1</sup>	NUM BMP	IMPERVIOUS ACRES	% ISRP COMPLETE	IMPLEMEN- TATION COST	BUILT DATE	IMPLEMENTATION STATUS	GENERAL COMMENTS
Obligations from Previous Permit That Must Be Continued or Met				138.00					
Operational Programs <sup>2,3</sup>									
Storm Drain Vacuuming	SDV	A	150	62.16	45%	\$99,991	6/30/2020	Complete	155.4 tons removed (0.4 ac/ton)
Storm Drain Vacuuming	SDV	A	123	127.68	93%	\$147,784	6/30/2021	Complete	319.2 tons removed (0.4 ac/ton)
Storm Drain Vaccuming	SDV	A	TBD	24.26	18%	\$148,979	6/30/2022	Complete	60.65 tons removed (0.4 ac/ton)
Septic Pumping	SEPP	A	946	22.40	16%	\$123,289	6/30/2020	Complete	Cost of Septic Pump-out Reimbursement Program
Septic Pumping	SEPP	A	1627	32.54	24%	\$254,648	6/30/2021	Complete	Cost of Septic Pump-out Reimbursement Program
Septic Pumping	SEPP	A	1499	29.98	22%	\$116,317	6/30/2022	Complete	Cost of Septic Pump-out Reimbursement Program
Subtotal Operations <sup>4</sup>			4345	99.67	217%	\$891,008			
Capital Projects (Completed to Replace Annual Obligations) <sup>2,3</sup>									
CH20ALN000028	SHST	A	1	70.2	51%	\$1,391,444	6/30/2020	Complete	Potomac Heights Shoreline Stabilization
Subtotal Capital			1	70	51%	\$1,391,444			
Other (Completed to Replace Annual Obligations) <sup>2,3</sup>									
N/A				0	0%	\$0		N/A	N/A
Subtotal Other			0	0	0%	\$0			
Total Continued Obligations from Previous Permit			4,346	170	123%	\$2,282,452			
Restoration for the New Permit				1083.00					
Operational Programs <sup>3,5</sup>									
N/A				0	0%	\$0		N/A	N/A
Subtotal Operations <sup>4</sup>			0	0	0%	\$0			
Capital Projects <sup>3,5</sup>									
CH17ALN000011	STRE	A	1	18.02	2%	\$816,760	3/31/2020	Complete	Apple Creek Stream Restoration
CH16RST000097	PWED	S	1	29	3%	\$793,680	5/30/2020	Complete	La Plata High School Pond Retrofit
CH17ALN000014	STRE	A	1	50	5%	\$965,268	6/30/2020	Complete	Higdon Elementary School Stream Restoration
CH17ALN000005	STRE	A	1	7.1	1%	\$689,233	6/30/2020	Complete	St. Charles Parkway Stream Restoration
CH18ALN000004	SHST	A	1	82.16	8%	\$1,432,670	7/31/2020	Complete	Cliffton Shoreline Stabilization Phase 1
CH20ALN000027	SHST	A	1	92.72	9%	\$1,616,710	7/31/2020	Complete	Cliffton Shoreline Stabilization Phase 2
CH16RST000014	BIO	E	1	2.07	0%	\$252,450	9/30/2020	Complete	General Smallwood Middle School Bioretention
CH17RST000067	BIO	E	1	2.57	0%	\$252,450	9/30/2020	Complete	General Smallwood Middle School Bioretention
CH17RST000062	ODSW	S	1	1.15	0%	\$78,461	11/30/2020	Complete	Bensville Park Dry Swale with 2 Check Dams
CH17RST000002	ODSW	S	1	1.69	0%	\$145,713	11/30/2020	Complete	Bensville Park Dry Swale
CH17RST000063	FSND	S	1	3.33	0%	\$116,083	11/30/2020	Complete	Bensville Park Sand Filter
CH17APY000456	FPU	A	1	1.76	0%	\$88,795	11/30/2020	Complete	Bensville Park Reforestation
CH19RST000005	PWET	S	1	12.66	1%	\$286,000	5/28/2021	Complete	Best Buy Wetpond Expansion
CH19RST000006	PPKT	S	1	3.61	0%	\$95,000	6/30/2021	Complete	Cedar Tree Pond Retrofit
CH17ALN000013	STRE	A	1	106.07	10%	\$1,050,000	7/28/2022	Complete	Ruth B. Swann Park Main Stream Restoration
CH17ALN000013	STRE	A	1	73.28	7%	\$1,081,110	8/28/2022	Complete	Hunt Club - Bridle Path Stream Restoration



Subtotal Capital			16	487.19	45%	\$9,760,383			
<b>Other<sup>3,5</sup></b>									
	SEPD	A	36	5.76	1%	\$270,863	6/30/2020	Complete	Septic Denitrif. Units-Bay Restoration Fund Grant
	SEPD	A	15	2.4	0%	\$167,405	6/30/2021	Complete	Septic Denitrif. Units-Bay Restoration Fund Grant
	SEPD	A	32	5.12	0%	\$382,861	6/30/2022	Complete	Septic Denitrif. Units-Bay Restoration Fund Grant
	SEPC	A	2	0.46	0%	\$3,226	6/30/2020	Complete	Septic Connect to WWTP-Bay Restoration Fund Grant
	SEPC	A	3	0.69	0%	\$37,686	6/30/2021	Complete	Septic Connect to WWTP-Bay Restoration Fund Grant
	SEPC	A	3	0.69	0%	\$15,988	6/30/2022	Complete	Septic Connect to WWTP-Bay Restoration Fund Grant
Subtotal Other			91	15.12	1%	\$878,029			
<b>Total Additional Restoration</b>			<b>107</b>	<b>502</b>	<b>46%</b>	<b>\$10,638,412</b>			

**Notes:**

1. Use BMP domains from MDE Geodatabase.
2. % ISR Complete compared to continued annual alternative ISR.
3. Insert additional rows as necessary.
4. Impervious Acres are the average for the time period, Implementation Costs are totaled.
5. % ISR Complete compared to ISR new permit.

Code Description	Code	Class
<b>Ponds</b>		
Micro-Pool Extended Detention Pond	PMED	S
Multiple Pond	PMPS	S
Pocket Pond	PPKT	S
Wet Extended Detention Pond	PWED	S
Wet Pond	PWET	S
<b>Wetlands</b>		
ED Shallow Wetland	WEDW	S
Pocket Wetland	WPKT	S
Pond Wetland System	WPWS	S
Shallow Marsh	WSHW	S
<b>Infiltration</b>		
Infiltration Basin	IBAS	S
Infiltration Trench	ITRN	S
Landscape Infiltration	MILS	E
Infiltration Berm	MIBR	E
Dry Well	MIDW	E
<b>Filtering Systems</b>		
Surface Sand Filter	FSND	S
Underground Filter	FUND	S
Perimeter Filter	FPER	S
Organic Filter	FORG	S
Pocket Filter	FPKT	S
Bioretention	FBIO	S
Submerged Gravel Wetland	MSGW	E
Micro-Bioretention	MMBR	E
Rain Garden	MRNG	E
Enhanced Filter	MENF	E
<b>Open Channel Systems</b>		
Dry Swale	ODSW	S
Wet Swale	OWSW	S
Bio-Swale	MSWB	E
Grass Swale	MSWG	E
Wet Swale	MSWW	E
<b>Alternative Surfaces</b>		
Green Roof - Extensive	AGRE	E
Green Roof - Intensive	AGRI	E
Permeable Pavement	APRP	E
Reinforced Turf	ARTF	E

Code Description	Code	Class
<b>Nonstructural Techniques</b>		
Non-Rooftop Disconnect	NDNR	E
Rooftop Disconnect	NDRR	E
Sheetflow to Conservation Area	NSCA	E
<b>Other Systems</b>		
Rainwater Harvesting	MRWH	E
<b>Other Practices</b>		
Extended Detention Structure, Dry	XDED	S
Detention Structure (Dry Pond)	XDPD	S
Flood Management Area	XFLD	S
Oil Grit separator	XOGS	S
Other	OTH	
<b>Alternative BMP</b>		
Mechanical Street Sweeping	MSS	A
Regenerative/Vacuum Street Sweeping (i.e., Advanced Street Sweeping)	VSS	A
Catch Basin Cleaning	CBC	A
Storm Drain Vacuuming (i.e., Storm Drain Cleaning)	SDV	A
Stream Restoration	STRE	A
Outfall Stabilization	OUT	A
Shoreline Management	SHST	A
Septic Connections to WWTP	SEPC	A
Septic Denitrification	SEPD	A
Septic Pumping	SEPP	A
Elimination of Discovered Nutrient Discharges from Grey Infrastructure	DGI	A
Floating Treatment Wetlands	XFTW	A
Impervious Surface Reduction (i.e., impervious to pervious)	IMPP	A
Impervious Surface to Forest (i.e., IMPP + FPU)	IMPF	A
Forestation on Pervious Urban (i.e., Forest Planting)	FPU	A
Conservation Landscaping	CLTM	A
Forest Conservation	FCO	A
Riparian Conservation Landscaping	RCL	A
Riparian Forest Planting	RFP	A
Street Trees	STCI	A
Urban Soil Restoration (Compacted Pervious Surfaces)	USRP	A
Urban Soil Restoration (Removed Impervious Surfaces)	USRI	A
Urban Tree Canopy (i.e., Pervious Turf to Dry Channel Regenerative Step Pool)	UTC	A
	SPSD	A



# Financial Assurance Plan

## Watershed Protection & Restoration Program

### Presenters

Charles Rice, Assistant Chief of Planning  
Dept. of Planning and Growth Management  
Karen Wigger, Planner  
Dept. of Planning and Growth Management

October 4, 2022

# Financial Assurance Plan (FAP)

- Applies to Maryland jurisdictions with Phase I municipal stormwater discharge permits (aka MS4 permits), which are jurisdictions that had a population of 100,000 or greater in 1990.
- In **2012** Phase I permittee jurisdictions were required to charge stormwater remediation fees to fund implementation of the MS4 permits. These fees are deposited into the Watershed Protection and Restoration Fund.
- In **2015** FAPs were required to ensure the funds collected are sufficient to implement the requirements of Phase I MS4 permits.

# Financial Assurance Plan (FAP)

Maryland Environment Article, § 4-202.1

- FAP is to demonstrate the local jurisdiction has sufficient funding in the current fiscal year and subsequent fiscal years to meet estimated costs for the 2-year period immediately following the filing date.
  - FAP uses **prior actual costs** and **projections**
  - FAP does not adopt a new budget or authorize new projects
- FAP is required to be approved following a public hearing.

Charles County has approved FAPs for FY17, FY19 & FY21

## Maryland Environment Article, § 4-202.1 – FAP must identify:

- (1) **Actions required** to meet the impervious surface restoration requirement, which is 13% or 1,083 acres in County's draft MS4 permit.
- (2) **Projected annual and 5-year costs** for county to meet impervious surface restoration requirement
- (3) **Projected annual and 5-year revenues** or other funds that will be used to meet the impervious surface restoration requirement
- (4) **Any sources of funds** that will be utilized by the county to meet requirements of the MS4 permit
- (5) **Specific actions and expenditures** county implemented in previous fiscal year(s) to meet the impervious surface restoration requirement

# Cover Page of FAP

MS4 Information	
Jurisdiction	Charles County
Contact Name	James Campbell
Phone	301-645-0598
Address	200 Baltimore Street
City	La Plata
State	Maryland
Zip	20646
Email	<a href="mailto:CampbelJ@CharlesCountyMD.gov">CampbelJ@CharlesCountyMD.gov</a>
Continued Annual Alternative ISR (ac)	138
Required ISR New Permit (ac)	1,083
Total ISR (ac)	1,221
Permit Number	11-DP-3322
Permit Period (CY)	2022-2027
Reporting FY	2022

ISR = Impervious Surface Restoration



# Table 1 – Actions required to meet Impervious Surface Restoration Plan (ISRP)

Continued Annual Alternative ISR (ac):		138				
Required ISR New Permit (ac):		1,083				
Total ISR (ac):		1,221				
REST BMP TYPE <sup>1</sup>	BMP CLASS	IMPERVIOUS ACRES	% ISR GOAL	IMPLEMENTATION COSTS	IMPLEMENTATION STATUS	IMPLEMENTATION COMPLETION YEAR (FY)
Obligations from Previous Permit That Must Be Continued or Met						
Operational Programs <sup>2,3</sup>						
Storm Drain Vacuuming	A	40.23	29%	\$120,000	UNDER CONST	2023
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2024
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2025
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2026
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2027
Storm Drain Vacuuming	A	40.23	29%	\$120,000	PLANNING	2028
Septic Pumping	A	29.98	22%	\$265,100	UNDER CONST	2023
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2024
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2025
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2026
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2027
Septic Pumping	A	29.98	22%	\$265,100	PLANNING	2028
Operations Next Two Years (FY23-24) <sup>4</sup>		70.2	51%	\$770,200		
Operations Next Five Years (FY23-27) <sup>4</sup>		70.2	51%	\$1,925,500		
Capital Projects (Completed to Replace Annual Obligations) <sup>2,3</sup>						
SHST	A	70.2	51%	\$1,364,385	COMPLETE	2022

# Table 1 – Actions required to meet ISRP

	BMP CLASS	IMPERVIOUS ACRES	% ISR GOAL	IMPLEMENTATION COSTS	IMPLEMENTATION STATUS	IMPLEMENTATION COMPLETION YEAR (FY)	
<b>Restoration for the New Permit:</b>		<b>1,083</b>					
<b>Capital Projects</b>							
STRE	A	53.5	5%	\$1,369,580	UNDER CONST	2023	CSM Tributaries Stream Restoration (3 parts)
STRE	A	17.08	2%	\$877,140	UNDER CONST	2023	Ruth B. Swann Tributary Stream Restoration
OUT	A	2.3	0%	\$119,610	UNDER CONST	2023	Ruth B. Swann Tributary Outfall Stabilizations
STRE	A	10.91	1%	\$1,248,810	UNDER CONST	2024	Acton Village - Westdale Drive Stream Restoration
PWET	S	21.01	2%	\$867,870	PLANNING	2024	White Oak Pond Retrofit
PPKT	S	10.24	1%	\$117,390	PLANNING	2024	Wilton Court Pond Retrofit
STRE	A	78.1	7%	\$1,697,700	PLANNING	2025	Ruth B. Swann Upper Stream Restoration
STRE	A	61.88	6%	\$1,816,398	PLANNING	2024	Marbella Stream Restoration
OUT	A	1.62	0%	\$46,325	PLANNING	2024	Marbella Outfall Stabilizations
STRE	A	84.6	8%	\$1,972,800	PLANNING	2025	Port Tobacco Stream Restoration
STRE	A	29.5	3%	\$1,261,665	PLANNING	2025	Milton Somers Stream Restoration
PWED	S	9.9	1%	\$420,555	PLANNING	2025	Milton Somers Pond Retrofit
MMBR	E	1.3	0%	\$75,000	PLANNING	2025	Walter Mitchell Bioretention
STRE	A	30.9	3%	\$887,655	PLANNING	2025	Walter Mitchell Stream Restoration
PWED	S	11.4	1%	\$598,958	PLANNING	2025	South Hampton-Greenville Pond
PWED	S	4.3	0%	\$226,320	PLANNING	2025	South Hampton-Walden Pond
PWED	S	3.5	0%	\$184,214	PLANNING	2025	South Hampton-Sir Douglas Pond
OUT	A	15.9	1%	\$401,333	PLANNING	2025	South Hampton-Amherst Step Pool Stream
SPSC	A	2.3	0%	\$121,055	PLANNING	2025	South Hampton-Amherst Step Pool - WQ <sub>y</sub>
STRE	A	120.72	11%	\$1,500,000	PLANNING	2025	Oak Ridge Park West Stream Restoration
STRE	A	18	2%	\$1,500,000	PLANNING	2026	Oak Ridge Park East Stream Restoration
STRE	A	16.45	2%	\$810,500	PLANNING	2026	Locust Grove Farm Stream Restoration
PWET	S	16.66	2%	\$366,069	PLANNING	2026	White Plains Golf Course Pond Retrofit
STRE	A	10	1%	\$1,000,000	PLANNING	2027	Stream Restoration - Port Tobacco Watershed TBD
TBD	S	10	1%	\$750,000	PLANNING	2027	Stormwater Management Retrofits - TBD
STRE	A	21.1	2%	\$1,000,000	PLANNING	2027	Stream Restoration - Strawberry Hills
TBD	S	10	1%	\$500,000	PROPOSED	2027	Full Delivery Contract Projects
STRE	A	5	0%	\$1,000,000	PROPOSED	2028	Stream Restoration - Port Tobacco Watershed TBD
TBD	S	10	1%	\$750,000	PROPOSED	2028	Stormwater Management Retrofits - TBD
TBD	S	10	1%	\$500,000	PROPOSED	2028	Full Delivery Contract Projects
Subtotal Capital Next Two Years (FY23-24)		179	16%	\$6,463,123			
Subtotal Capital Next Five Years (FY23-27)		673	62%	\$21,736,946			

## Table 1 – Actions required to meet ISR

	BMP CLASS	IMPERVIOUS ACRES	% ISR GOAL	IMPLEMENTATION COSTS	IMPLEMENTATION STATUS	IMPLEMENTATION COMPLETION YEAR (FY)
<b>Restoration for the New Permit 1,083</b>						
<b>Other</b>						
SEPD	A	1.5	0%	\$150,000	UNDER CONST	2023
SEPD	A	1.5	0%	\$150,000	PLANNING	2024
SEPD	A	1.5	0%	\$150,000	PLANNING	2025
SEPD	A	1.5	0%	\$150,000	PLANNING	2026
SEPD	A	1.5	0%	\$150,000	PLANNING	2027
SEPD	A	1.5	0%	\$150,000	PLANNING	2028
SEPC	A	0.5	0%	\$40,000	UNDER CONST	2023
SEPC	A	0.5	0%	\$40,000	PLANNING	2024
SEPC	A	0.5	0%	\$40,000	PLANNING	2025
SEPC	A	0.5	0%	\$40,000	PLANNING	2026
SEPC	A	0.5	0%	\$40,000	PLANNING	2027
SEPC	A	0.5	0%	\$40,000	PLANNING	2028
OTHER	A	3	0%		PLANNING	2027
Subtotal Other Next Two Years (FY23-24)		4	0%	\$380,000		
Subtotal Other Next Five Years (FY23-27)		13	1%	\$950,000		

**SEPC = Septic Connection**

**SEPD = Septic Denitrification**

## Table 2 – Projected annual and 5-year costs for ISRP

DESCRIPTION	PREVIOUS YEAR FY 2021	CURRENT YEAR FY 2022	PROJECTED YEAR 1 FY 2023	PROJECTED YEAR 2 FY 2024	PROJECTE D YEAR 3 FY 2025	PROJECTED YEAR 4 FY 2026	PROJECTED YEAR 5 FY 2027	TOTAL
<b>Operating Expenditures (costs)</b>								
Inlet Cleaning	\$595,046	\$440,500	\$494,200	\$504,100	\$514,200	\$524,600	\$535,200	\$3,607,847
Support of Capital Projects	\$284,486	\$280,647	\$331,200	\$263,300	\$230,500	\$236,600	\$261,400	\$1,888,133
Debt Service Payment <sup>1</sup>	\$496,295	\$564,599	\$690,285	\$1,052,278	\$1,623,405	\$1,839,988	\$2,051,405	\$8,318,256
Septic Pump-Out Program	\$316,293	\$116,317	\$150,000	\$153,000	\$156,100	\$159,200	\$162,400	\$1,213,309
<b>Capital Expenditures (costs)</b>								
Debt Service	\$7,629,273	\$1,050,000	\$1,932,100	\$5,564,723	\$8,779,621	\$3,329,409	\$3,250,000	\$31,535,126
Subtotal operation and paygo:	\$1,692,120	\$1,402,063	\$1,665,685	\$1,972,678	\$2,524,205	\$2,760,388	\$3,010,405	\$15,027,544
Total expenditures:	\$9,321,393	\$2,452,063	\$3,597,785	\$7,537,401	\$11,303,826	\$6,089,797	\$6,260,405	\$46,562,670
							Total ISRP costs except debt service:	\$38,244,414
							Compare ISRP costs (except debt service) / total ISRP proposed actions for next five years:	169%
							Total capital expenditures:	\$31,535,126
							Compare total capital expenditures / total ISRP proposed actions capital costs for next five years:	145%

## Table 3 - Projected annual and 5-year revenues for ISR

DESCRIPTION	PAST UP THRU FY 21	CURRENT YEAR FY 22	PROJECTED YEAR 1 FY 23	PROJECTED YEAR 2 FY 24	PROJECTED YEAR 3 FY 25	PROJECTED YEAR 4 FY 26	PROJECTED YEAR 5 FY 27	TOTAL NEXT 2-YEARS FY 23-24	TOTAL
Annual Revenue Appropriated for ISRP	\$14,847,703	\$9,651,380	\$12,903,900	\$12,866,900	\$13,442,400	\$14,025,900	\$14,614,100	\$25,770,800	\$92,352,282
Annual Costs towards ISRP	\$9,321,393	\$2,452,063	\$3,597,785	\$7,537,401	\$11,303,826	\$6,089,797	\$6,260,405	\$11,135,186	\$46,562,670
						Compare revenue appropriated / annual costs:		231%	
						Reporting Criteria:		100%	

# Table 4 – Any sources of funds used to meet the MS4 permit

SOURCE	PAST UP THRU <sup>1</sup> FY 21	CURRENT YEAR FY 22	PROJECTED YEAR 1 FY 23	PROJECTED YEAR 2 FY 24	PROJECTED YEAR 3 FY 25	PROJECTED YEAR 4 FY 26	PROJECTED YEAR 5 FY 27	TOTAL
Paygo Sources								
Stormwater Remediation Fees (WPR Fund)	\$ 6,699,757	\$ 5,915,720	\$ 6,607,400	\$ 6,708,900	\$ 6,781,300	\$ 6,861,700	\$ 6,946,700	\$ 46,521,477
Miscellaneous Fees (WPR Fund)	\$ 53,701	\$ 14,343	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 93,044
General Fund	\$ 575,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 575,000
Fund Balance (WPR Fund)	\$ 402,953	\$ 105,000	\$ 81,500	\$ -	\$ -	\$ -	\$ -	\$ 589,453
Sediment & Erosion Control Fees (Insp & Review Fund)	\$ 531,912	\$ 585,285	\$ 364,000	\$ 364,000	\$ 364,000	\$ 364,000	\$ 364,000	\$ 2,937,197
Stormwater Maintenance Inspection Fees (Insp & Review Fund)	\$ 725,993	\$ 762,007	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 3,988,000
Subtotal Paygo Sources	\$ 8,989,315	\$ 7,382,355	\$ 7,557,900	\$ 7,577,900	\$ 7,650,300	\$ 7,730,700	\$ 7,815,700	\$ 54,704,170
Debt Service (paygo sources will be used to pay off debt service. Note that previous appropriations for debt service used for ISRP is listed in FY 2021).								
County Transportation Bonds								\$ -
General Obligation Bonds	\$ 6,800,000	\$ 3,500,000	\$ 6,060,000	\$ 6,000,000	\$ 6,500,000	\$ 7,000,000	\$ 7,500,000	\$ 43,360,000
Revenue (Utility) Bonds								\$ -
State Revolving Loan Fund								\$ -
Public-private partnership (debt service)								\$ -
Subtotal Debt Service	\$ 6,800,000	\$ 3,500,000	\$ 6,060,000	\$ 6,000,000	\$ 6,500,000	\$ 7,000,000	\$ 7,500,000	\$ 43,360,000
Total Annual Sources of Funds	\$ 15,789,315	\$ 10,882,355	\$ 13,617,900	\$ 13,577,900	\$ 14,150,300	\$ 14,730,700	\$ 15,315,700	\$ 98,064,170
Percent of Funds Directed Toward ISRP								
				Compare total permit term paygo ISRP costs / subtotal permit term paygo sources:				22%
				Compare total ISRP expenditures / total permit term annual sources of funds:				23%
* WPR Fund: Watershed Protection and Restoration Fund.								

# Table 5 – Specific actions and expenditures towards ISRP

REST BMP ID	REST BMP TYPE <sup>1</sup>	BMP CLASS <sup>1</sup>	NUM BMP	IMPERVIOUS ACRES	% ISRP COMPLETE	IMPLEMENTATION COST	BUILT DATE	IMPLEMENTATION STATUS	GENERAL COMMENTS
<b>Capital Projects</b>									
CH17ALN000011	STRE	A	1	18.02	2%	\$816,760	3/31/2020	Complete	Apple Creek Stream Restoration
CH16RST000097	PWED	S	1	29	3%	\$793,680	5/30/2020	Complete	La Plata High School Pond Retrofit
CH17ALN000014	STRE	A	1	50	5%	\$965,268	6/30/2020	Complete	Higdon Elementary School Stream Restoration
CH17ALN000005	STRE	A	1	7.1	1%	\$689,233	6/30/2020	Complete	St. Charles Parkway Stream Restoration
CH18ALN000004	SHST	A	1	82.16	8%	\$1,432,670	7/31/2020	Complete	Cliffon Shoreline Stabilization Phase 1
CH20ALN000027	SHST	A	1	92.72	9%	\$1,616,710	7/31/2020	Complete	Cliffon Shoreline Stabilization Phase 2
CH16RST000014	BIO	E	1	2.07	0%	\$252,450	9/30/2020	Complete	General Smallwood Middle School Bioretention
CH17RST000067	BIO	E	1	2.57	0%	\$252,450	9/30/2020	Complete	General Smallwood Middle School Bioretention
CH17RST000062	ODSW	S	1	1.15	0%	\$78,461	11/30/2020	Complete	Bensville Park Dry Swale with 2 Check Dams
CH17RST000002	ODSW	S	1	1.69	0%	\$145,713	11/30/2020	Complete	Bensville Park Dry Swale
CH17RST000063	FSND	S	1	3.33	0%	\$116,083	11/30/2020	Complete	Bensville Park Sand Filter
CH17APY000456	FPU	A	1	1.76	0%	\$88,795	11/30/2020	Complete	Bensville Park Reforestation
CH19RST000005	PWET	S	1	12.66	1%	\$286,000	5/28/2021	Complete	Best Buy Wetpond Expansion
CH19RST000006	PPKT	S	1	3.61	0%	\$95,000	6/30/2021	Complete	Cedar Tree Pond Retrofit
CH17ALN000013	STRE	A	1	106.07	10%	\$1,050,000	7/28/2022	Complete	Ruth B. Swann Park Main tream Restoration
CH17ALN000013	STRE	A	1	73.28	7%	\$1,081,110	8/28/2022	Complete	Hunt Club - Bridle Path Stream Restoration
Subtotal Capital			16	487.19	45%	\$9,760,383			
<b>Other</b>									
	SEPD	A	36	5.76	1%	\$270,863	6/30/2020	Complete	Septic Denitrif. Units-Bay Restoration Fund
	SEPD	A	15	2.4	0%	\$167,405	6/30/2021	Complete	Septic Denitrif. Units-Bay Restoration Fund
	SEPD	A	32	5.12	0%	\$382,861	6/30/2022	Complete	Septic Denitrif. Units-Bay Restoration Fund
	SEPC	A	2	0.46	0%	\$3,226	6/30/2020	Complete	Septic Connect to WWTP-Bay Restoration Fund
	SEPC	A	3	0.69	0%	\$37,686	6/30/2021	Complete	Septic Connect to WWTP-Bay Restoration Fund
	SEPC	A	3	0.69	0%	\$15,988	6/30/2022	Complete	Septic Connect to WWTP-Bay Restoration Fund
Subtotal Other			91	15.12	1%	\$878,029			
<b>Total</b>									
Additional Restoration			107	502	46%	\$10,638,412			



# Financial Assurance Plan

**Proposed 13% impervious surface restoration requirement.**

- **Total requirement: 1,083 acres**
- **From January 2020 to present 46% (502 acres) impervious surface restoration has been completed and we appear to be on track to achieve the 1,083 acres by 2027.**
- **The next step is to hold a public hearing and approval of the FAP.**



Presented By:

**Charles County Government**

**Department of Planning and Growth**

**Management**

**200 Baltimore Street, La Plata, MD 20646**

**MD Relay Service: 7-1-1**

**Equal Opportunity Employer**

It is the policy of Charles County to provide equal employment opportunity to all persons regardless of race, color, sex, age, national origin, religious or political affiliation or opinion, disability, marital status, sexual orientation, genetic information, gender identity or expression, or any other status protected by law.

**[www.CharlesCountyMD.gov](http://www.CharlesCountyMD.gov)**

# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Update

**AGENDA SECTION:** Briefings- Morning

**SUBJECT:**

- **Quarterly Update: Chief Equity Officer**  
(Ms. Renesha Miles, Chief Equity Officer, Ms. Elaine Pollard, DEI/HR Coordinator, and Ms. Alexis Blackwell, Director, Department of Human Resources)

**SUGGESTED ACTION:**

**ATTACHMENTS:**  
[DEI Update Sept 2022.pdf](#)



# DEI Update September 2022

Renesha Miles, Chief Equity Officer  
September 27, 2022

# Equity Community of Practice

- ▶ Deborah Hall - Deputy County Administrator
- ▶ Alexis Blackwell - Director of Human Resources
- ▶ Dina Barclay - Director of Community Services
- ▶ Cathy Reisinger - Chief of Administrative Operations, PGM
- ▶ Austin Flowers - Sports Program Supervisor, RPT
- ▶ Ben Yeckley - Planner III, PGM
- ▶ Britta Hertling - Senior Project Manager, DPW- Facilities
- ▶ Eric Jackson - Chief of Treasury, DFAS
- ▶ Jeremy Dautenhahn - Housing Program Supervisor, DCS
- ▶ Jessica Andritz - Assistant Chief and Legal Counsel, PGM
- ▶ Martin Proulx - Agriculture Business Development Manager, EDD
- ▶ Renesha Miles - Chief Equity Officer, HR
- ▶ Elaine Pollard - DEI/HR Coordinator, HR

## **DIVERSITY**



of people and perspectives

## **EQUITY**



in policy and practice

## **INCLUSION**



of all voices and visions

# Whole of Government Equity Programming

# Leadership Involvement

Continued education ensures decision making is equity and outcomes based

Strategic engagement is increasing opportunity for all voices to be heard

The success of the equity vision requires the mobilization of many members of the organization to make necessary changes.



# Employee Engagement



EMPLOYEE SURVEY DATA

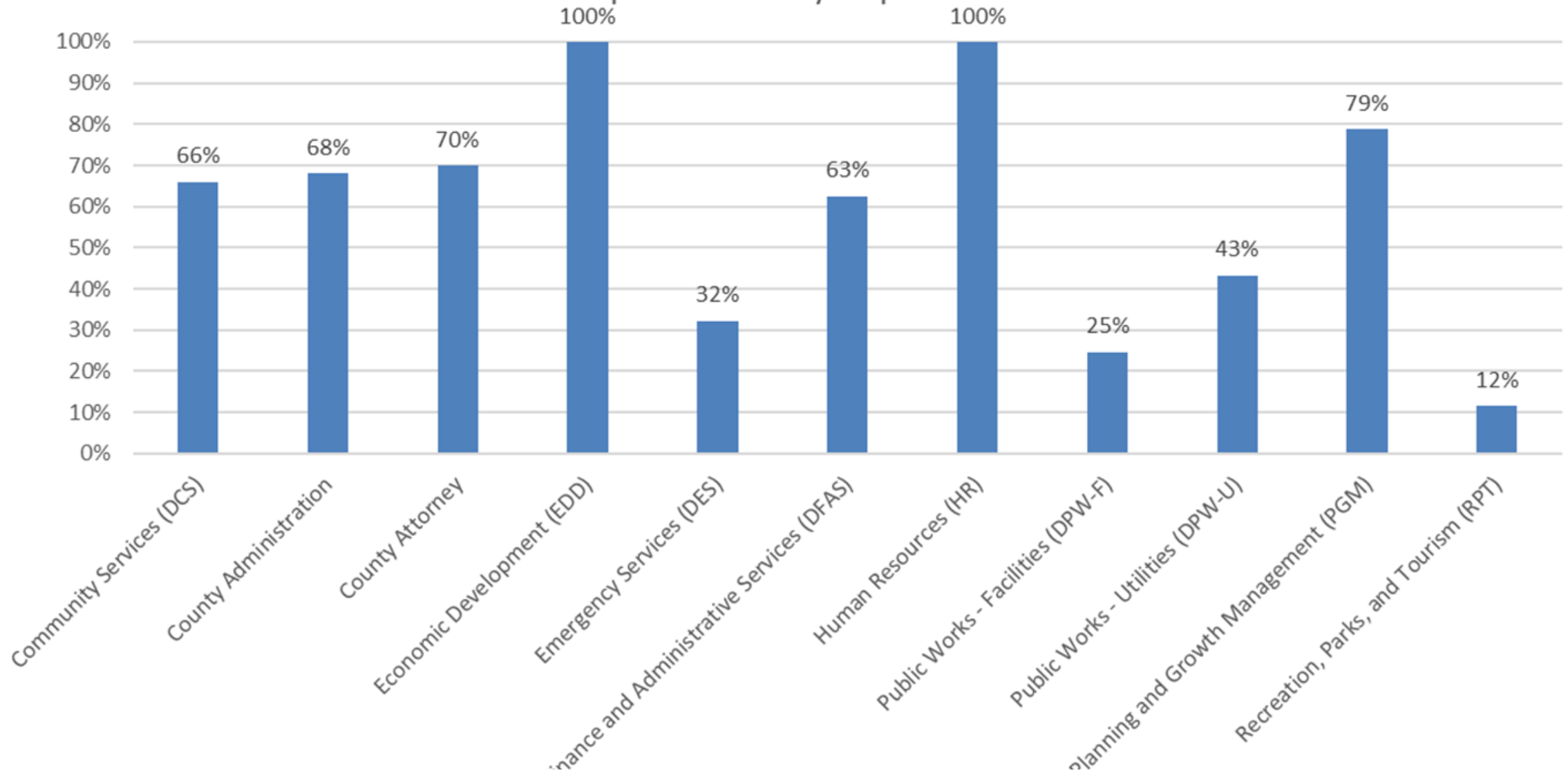


ADDRESSING  
COMMUNICATION  
CONCERNS WITHIN



PROGRAMS WITH DEI  
FOCUS

## Response Rate by Department

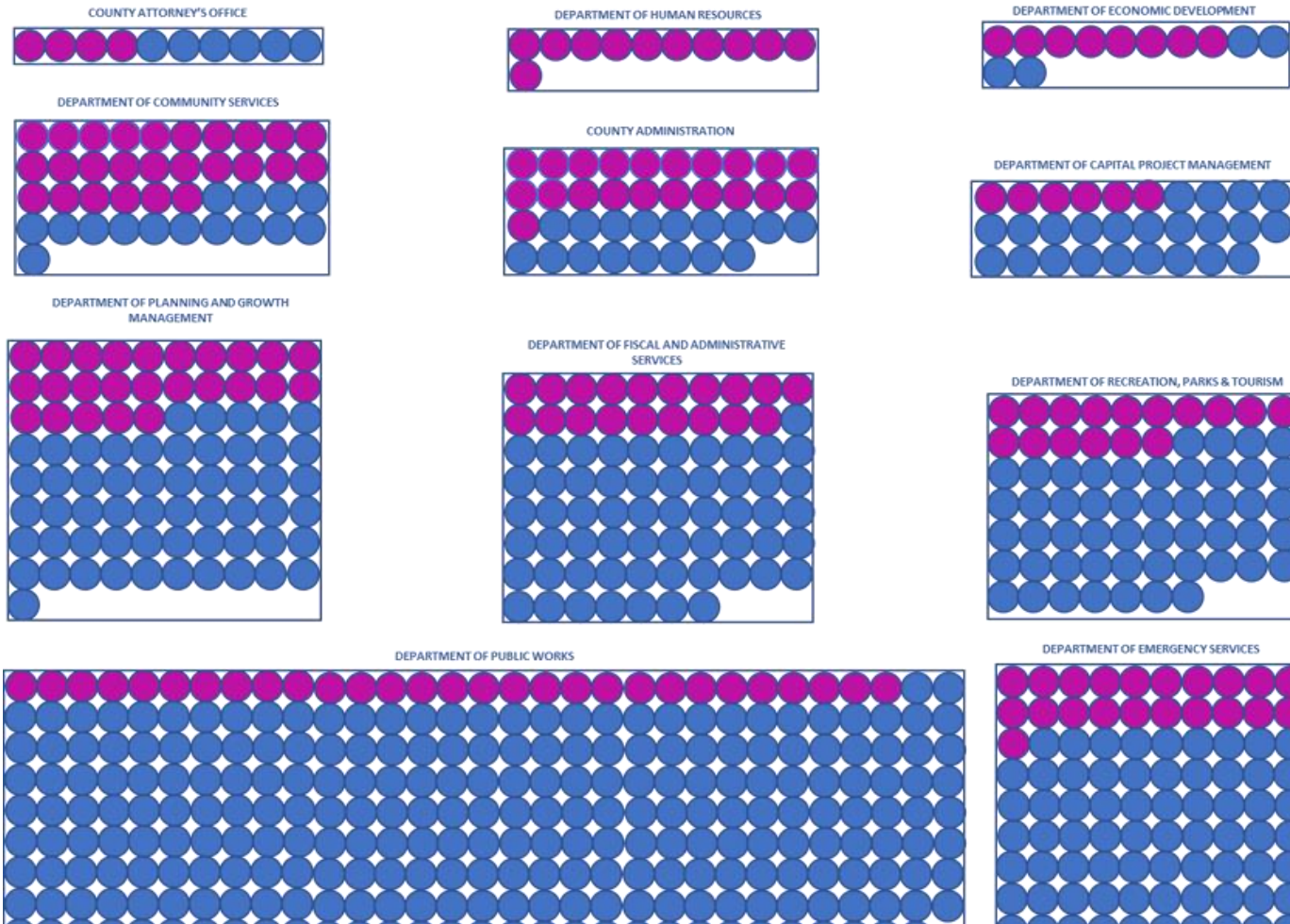




# Embedding Equity

- ▶ Establishing the Why
- ▶ Explaining the What
- ▶ Embedding the How

# Shared Understanding of DEI



- ▶ 12 GARE trained staff
- ▶ About 175 staff with some form of DEI training
- ▶ Workforce of almost 1400 staff

Purple indicated employees who have participated in any sponsored DEI training

\* Fulltime positions based on organizational charts from <https://icg.charlescountymd.gov/> on 06/30/2022.

# Resolution in Action



HR/DEI Coordinator



DEI Consultant



Development of Racial  
Equity Tool in progress

# Resolution in Action

Equity Community of Practice



Equity must be included from the beginning of a process

RPT Project  
Planning Task Force

Broadband Task  
Force

RFP Evaluation  
Committee

# 3-Year Strategic Plan

Normalize FY22

Organize FY23

Operationalize FY24



# Thank You for Your Continued Support

Together we can cultivate an environment that normalizes, organizes, and operationalizes diversity, equity, and inclusion.





## Charles County Government

200 Baltimore Street • La Plata, MD • 301-645-0550

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[www.CharlesCountyMD.gov](http://www.CharlesCountyMD.gov)



### About Charles County Government

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning and have an appropriate managerial organization tempered by fiscal responsibility. We support and encourage efforts to grow a diverse workplace. Charles County is a place where all people thrive, and businesses grow and prosper; where the preservation of our heritage and environment is paramount; where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.

It is the policy of Charles County to provide equal employment opportunity to all persons regardless of race, color, sex, age, national origin, religious or political affiliation or opinion, disability, marital status, sexual orientation, genetic information, gender identity or expression, or any other status protected by law.

# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Update

**AGENDA SECTION:** Briefings- Morning

**SUBJECT:**

- **Update: Maryland Department of the Environment  
Groundwater Permits and La Plata Water Agreement**  
(Mr. Jason Groth, Deputy Director and Ms. Deborah Carpenter,  
Director, Department of Planning and Growth Management)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[Water Supply Presentation .pdf](#)



# Water Supply Agreement with the Town of La Plata

## Presenter

Jason Groth, Deputy Director of PGM

October 4, 2022

Slide 1

# Executive Summary

## La Plata Water Sharing/Sales Agreement

- Began water supply discussion with La Plata staff March 2021
- Discussion has reached a stalemate
- La Plata is lobbying MDE for more groundwater allocation or a cap on WSSC water costs
- MDE is offering ideas, but *does not* want to mediate the deal
- County staff proposes La Plata pay for all water received
- La Plata staff proposal results in County subsidizing the Town

# County Efforts to date

## Completed Items:

- Accelerated Capital Projects to provide water to La Plata
- Negotiated watermain upgrade with St. Charles
  - Expedited County Plan Review
  - Worked closely with MDE on Expedited State Approval
  - Expedited County Construction Inspections
  - County agreed to pay half of watermain costs w/out commitment from La Plata
- County executed the Agreement w/WSHC to ensure water supply

# Negotiations

## County Proposal

- County and Town split all construction costs 50/50, or according to proportional benefit
- Town will reimburse County for 50% of St. Charles watermain cost
- County/Town will split watermain extension to Tighlman Lake Park
- County/Town will split cost of Mariellen Park/Ellenwood watermain
- County will pay for watermain from La Plata to Chapel Point
- County will buy water from Town for Chapel Point System
- County will sell/deliver WSSC water to Town at same WSSC rates



# Negotiations

## Town Proposal

- ✓ County and Town split all construction costs 50/50, or according to proportional benefit
- ✓ Town will reimburse County for 50% of St. Charles watermain cost
- ✓ County/Town will split watermain extension to Tilghman Lake Park
- ✓ County/Town will split cost of Mariellen Park/Ellenwood watermain
- ✓ County will pay for watermain from La Plata to Chapel Point
- ✓ County will buy water from Town for Chapel Point System
- ❖ County will sell/deliver WSSC water to Town at same WSSC rates

# Town Proposal

## Outstanding/Unresolved Issues

- Town wants a “cap” on the proportion of WSSC water they purchase
- They want assurance they will never buy a higher total percentage of WSSC water than the County buys from WSSC
  - **Example:** If the County buys a total of 15% of our water from WSSC, and the Town buys 25% of their water from WSSC, they want their bill “capped” at 15%
  - **Issue:** County Rate Payers would subsidize La Plata Rate Payers to accomplish this request; any water provided to La Plata would need to come from WSSC
- The Alternative would be the County “giving up” a portion of our groundwater allocation to La Plata
  - **Issue:** County would have to purchase more WSSC water to make up the difference, subsidizing the La Plata Rate Payers again.



# What if:

## County does not execute the La Plata Agreement

- County absorbs the cost of the St. Charles Watermain
  - Can be used for future development in the area (within the County)
- County will continue to operate the Chapel Point, Mariellen Park, and Ellenwood wells/water systems as-is
- Leaves the Town with no *alternative* water source unless MDE grants them additional groundwater appropriation
- County will purchase WSSC water to supplement groundwater supply as planned for Charles County Only Customers

# What if:

## County reaches agreement with La Plata

- County splits the cost of watermain projects
- County sells water to La Plata based on their usage
- County purchases La Plata water for Chapel Point, Mariellen Park, and Ellenwood water systems

# Next Steps

## County Efforts

- **Short Term**
  - Pursue additional / available groundwater
  - Attempt to reach agreement with La Plata
- **Mid Term**
  - Construct new Pipeline to WSSC – Brandywine
  - Continue planning the Surface Water Treatment Plant on the Potomac
  - Possible interconnection with La Plata and Small County Water Systems
- **Long Term**
  - Construct Surface Water Treatment Plant & Pipelines



Presented By:

**Charles County Government**

**Department of Planning & Growth**

**Management**

(301) 396-5814 • [grothj@charlescountymd.gov](mailto:grothj@charlescountymd.gov)

200 Baltimore Street

La Plata, MD 20646

MD Relay Service: 7-1-1

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# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Update

**AGENDA SECTION:** Briefings-Afternoon

**SUBJECT:**

- **Annual Update: Docket 90**  
(Mr. Matthew Wineman, Vice President of Operations, Lennar, and  
Mr. Rick Barnas, Barnas Engineering)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[22\\_09\\_29 Docket 90 Presentation \(002\).pdf](#)



# ANNUAL DOCKET 90 REPORT ON THE ST. CHARLES COMMUNITY

October 4, 2022



**EVERYTHING'S  
INCLUDED  
HOMES™**



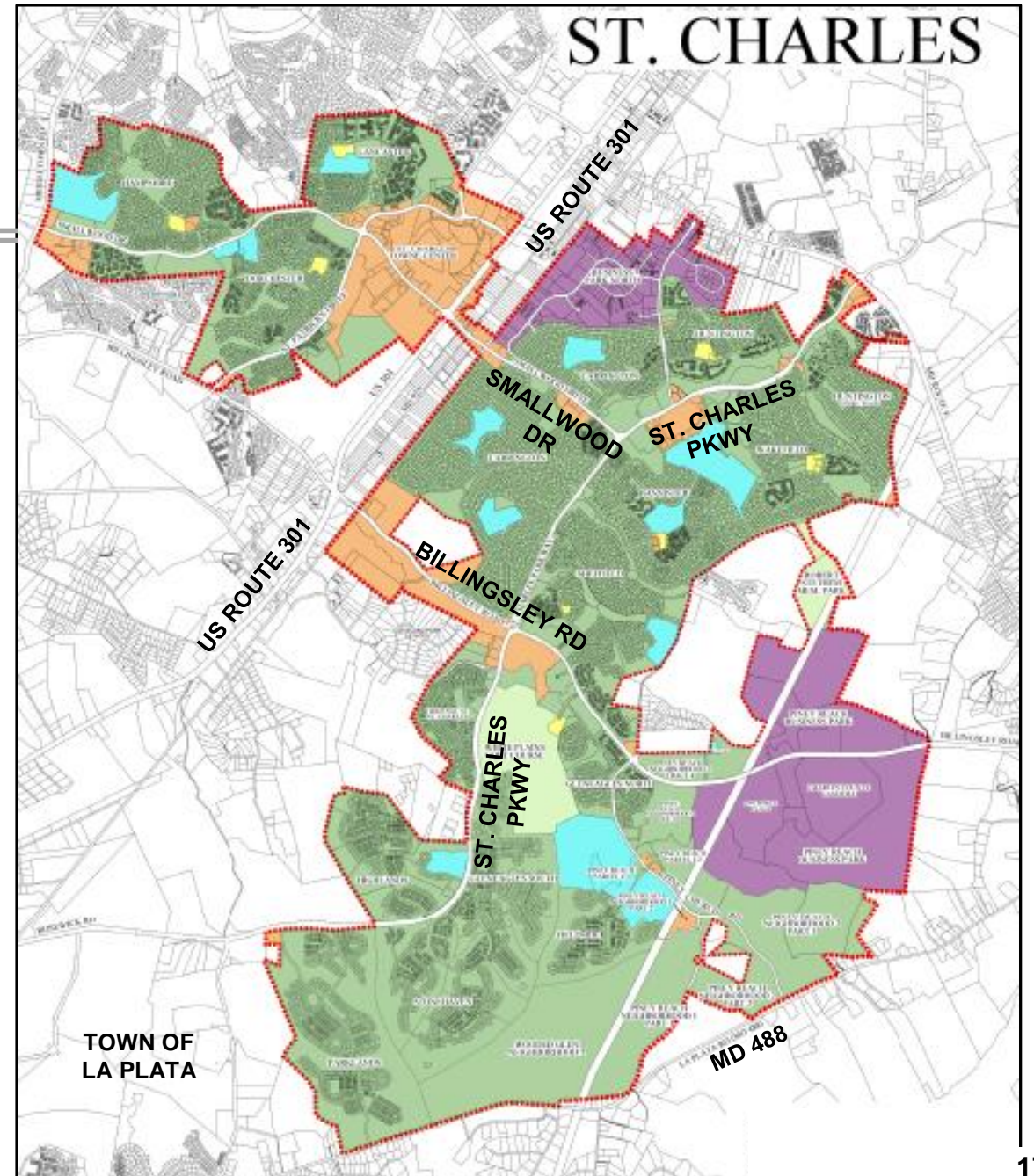
# ST. CHARLES PUD

## Five Residential Villages:

1. Smallwood Village
2. Westlake Village
3. Fairway Village
4. Southern Villages
  - Wooded Glen
  - Piney Reach



**ST. CHARLES**  
— MARYLAND —  
A **LENNAR** COMMUNITY



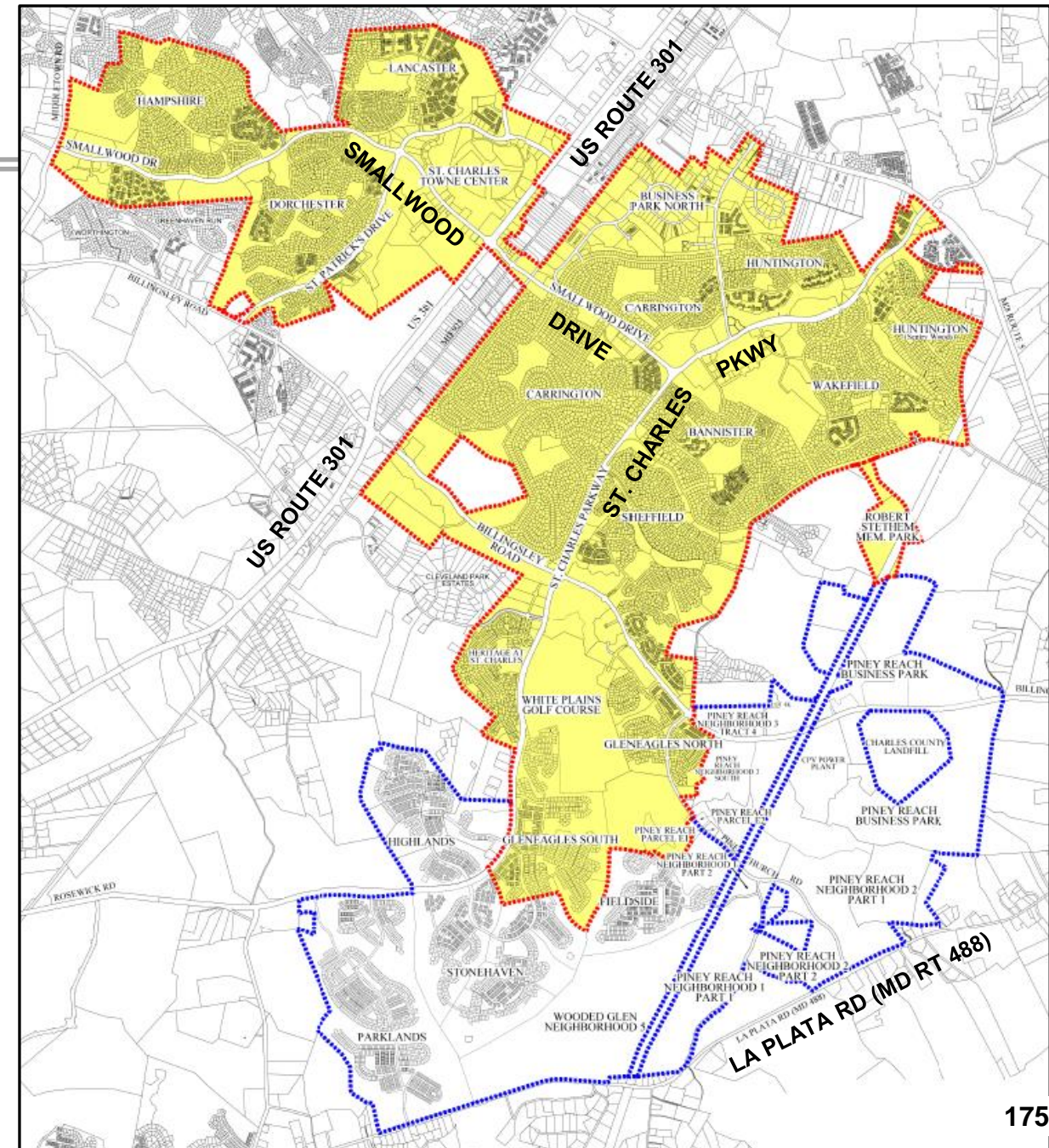


# DEVELOPED VILLAGES

1. WESTLAKE VILLAGE
2. SMALLWOOD VILLAGE
3. FAIRWAY VILLAGE



**ST. CHARLES**  
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# DEVELOPED VILLAGES

## 1. WESTLAKE VILLAGE

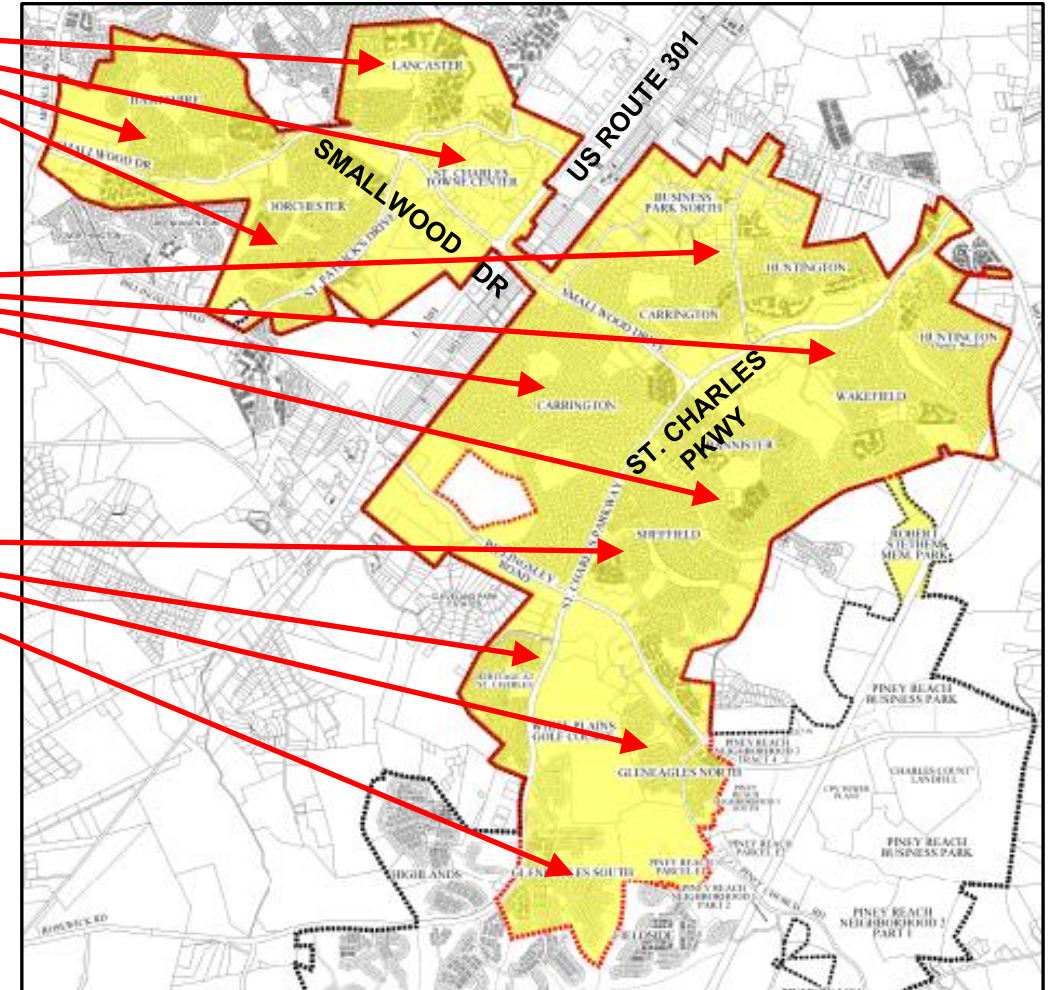
- i.e. Hampshire, Dorchester, Lancaster Neighborhood(s) and Town Center
- Amendment to Docket 90 Satisfied 12/31/12

## 2. SMALLWOOD VILLAGE

- i.e. Carrington, Bannister, Wakefield, Huntington Neighborhood(s)
- Amendment to Docket 90 Satisfied 7/22/02

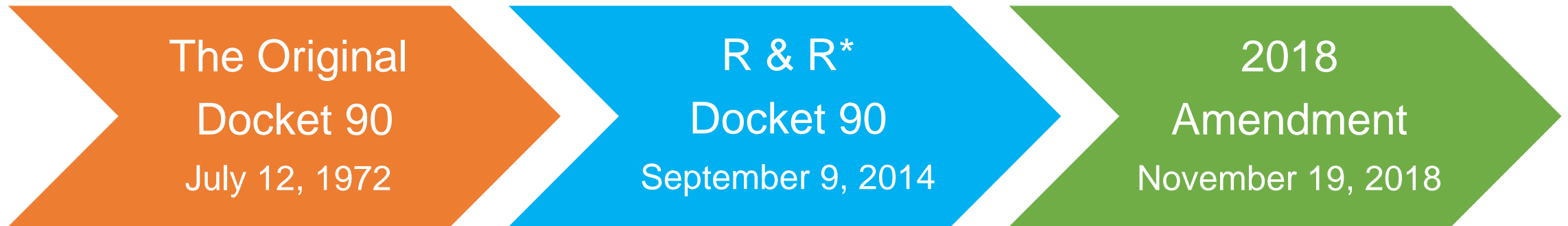
## 3. FAIRWAY VILLAGE

- i.e. Sheffield, The Heritage, Gleneagles, Middle Bus. Park, Parcel AA
- Substantially Built out with the exception of Parcel EE1 and Parcel AA, Lots 5 and 6 (owned by others), and Parcel AA Lots 1-3 owned by University of MD Charles Regional Medical Center



# DOCKET 90 TIMELINE

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# St. Charles Development Highlights

---

1. Remaining Development
2. School Allocations
3. Wetland Mitigation
4. St. Charles Neighborhood Centers
  - A. Stonehaven (Completed Spring 2022)
  - B. Parklands (Currently under Construction)

# 1. REMAINING DEVELOPMENT

---

- 7,000 Units comprising of:
  - 6,792\* Units in Southern Villages (Wooded Glen and Piney Reach)
    - where 1,002 lots do not require school allocations
  - 208 Units in Fairway Village, Parcel EE1 (owned by others)
- 180 Units in Fairway Village, Parcel AA, Lots 5 and 6 (owned by others)
  - where 180 lots do not require school allocations

\* Of the 6,792 Units allowed within the Southern Villages of Wooded Glen and Piney Reach, a total of 1,427 lots have been recorded since July 2017.

## 2. SCHOOL ALLOCATIONS PER UNIT PAYMENT FOR INFRASTRUCTURE

---

- For 2018, 2019 and 2020, SCC is to receive 300 school allocations for an annual payment of \$1,320,000 for a total contribution paid to date of \$3,960,000.
  - Any un-utilized allocations may be used in subsequent years when subdivision plats are recorded for fee simple lots (or site plans are approved for apartments or condominiums).
- Commencing January 1, 2021, SCC is to receive 300 school allocations to be applied towards the remaining “Subsequent Year Allocations”
  - any un-utilized (i.e. by recordation of a corresponding subdivision plats for fee simple lots or obtaining site plan approval for apartments or condominiums) during the calendar year in which they are allocated, may **NOT** be rolled over or used in subsequent years.
  - SCC (or the building permit applicant) shall pay \$4,400 per unit payment simultaneously with each building permit application for any units that school seat allocations are issued i.e. payment is **NOT** required for any units that school seat allocations are not issued.
  - From and after January 1, 2021, the amount of Per Unit Payment shall be annually adjusted at the rate equal to the annual average of CPI-All Urban Consumer (Washington-Baltimore) for the year prior. For FY2022 the amount paid was \$4,574.10 per lot.

# SCHOOL ALLOCATION OVERVIEW

St. Charles School Allocation Summary			
Year	School Allocations Received	School Allocations to be Utilized*	School Allocations to Roll-Over to Subsequent Year
2019	300	132	468
2020	300	208	560
2021	300	410	450
2022	300	402	348
2023	300	543**	105
2024	300	405	0

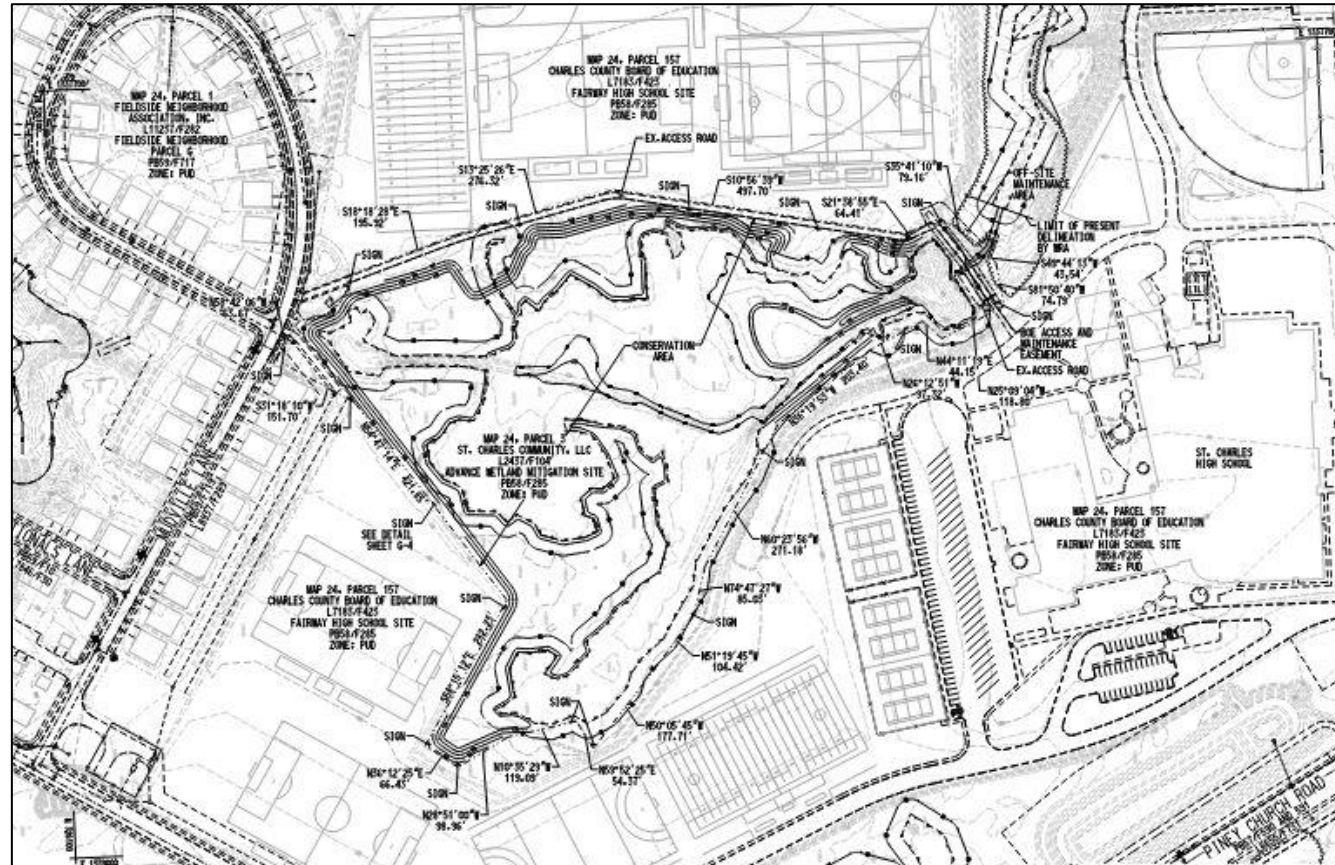


NOTE: \*The Number of School Allocations to be utilized are projected Estimates and shall be subject to Change on a Yearly Basis.  
\*\*208 Apartment Units on Parcel EE1 included (owned by others)



# 3. St. Charles High School Wetland Mitigation Site

- Interagency Review Team – U.S. Army Corps of Engineers (Corps), Maryland Department of the Environment (MDE), the U.S Environmental Protection Agency (EPA), and the U.S. Fish and Wildlife Service (USFWS), the National Oceanic and Atmospheric Administration (NOAA), the Maryland Department of Natural Resources (DNR), and the Maryland Historic Trust (MHT).



# 3. St. Charles High School Wetland Mitigation Site

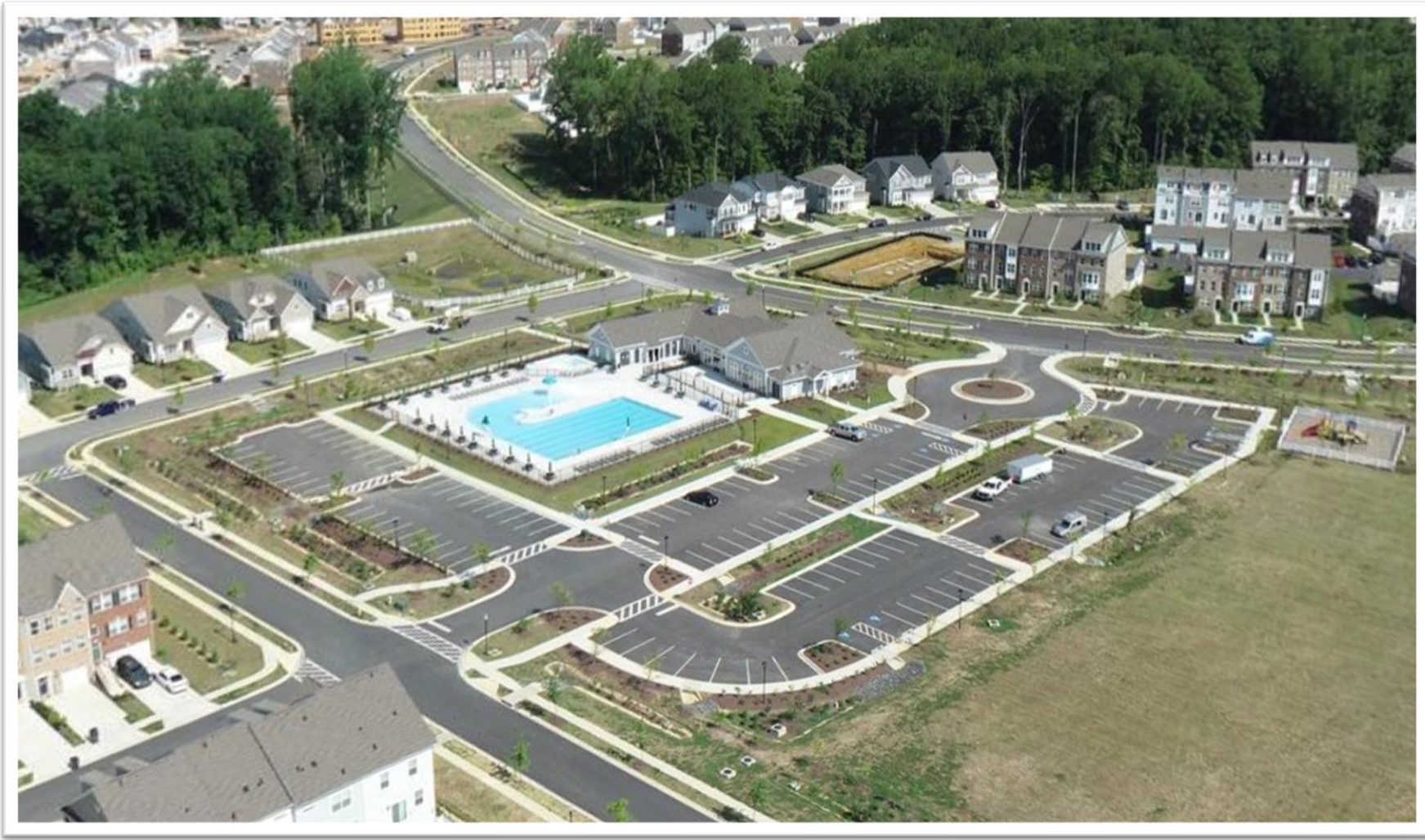
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- Located at the headwaters of the Zekiah Swamp.
- The goal of the bank is to establish and preserve approximately 12.62 Ac. of diverse, self-sustaining, functional wetlands to replace the functional values and acreage adversely affected by authorized projects. This will also provide wildlife habitat, water quality improvement to the Zekiah Swamp, and educate the local youth on its benefit.





## 4.A. STONEHAVEN NEIGHBORHOOD CLUBHOUSE



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## 4.A. STONEHAVEN NEIGHBORHOOD CLUBHOUSE



**ST. CHARLES**  
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## 4.B. PARKLANDS NEIGHBORHOOD CLUBHOUSE

- 10,245sft Clubhouse
- (6) Pickle ball Courts
- (2) Bocce ball Courts
- Infinity Swimming Pool
- Stage with Open Lawn Area
- Fire and Ice Tables
- Currently Under Site Construction with completion scheduled for 2024



**ST. CHARLES**  
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## 4.B. PARKLANDS NEIGHBORHOOD CLUBHOUSE



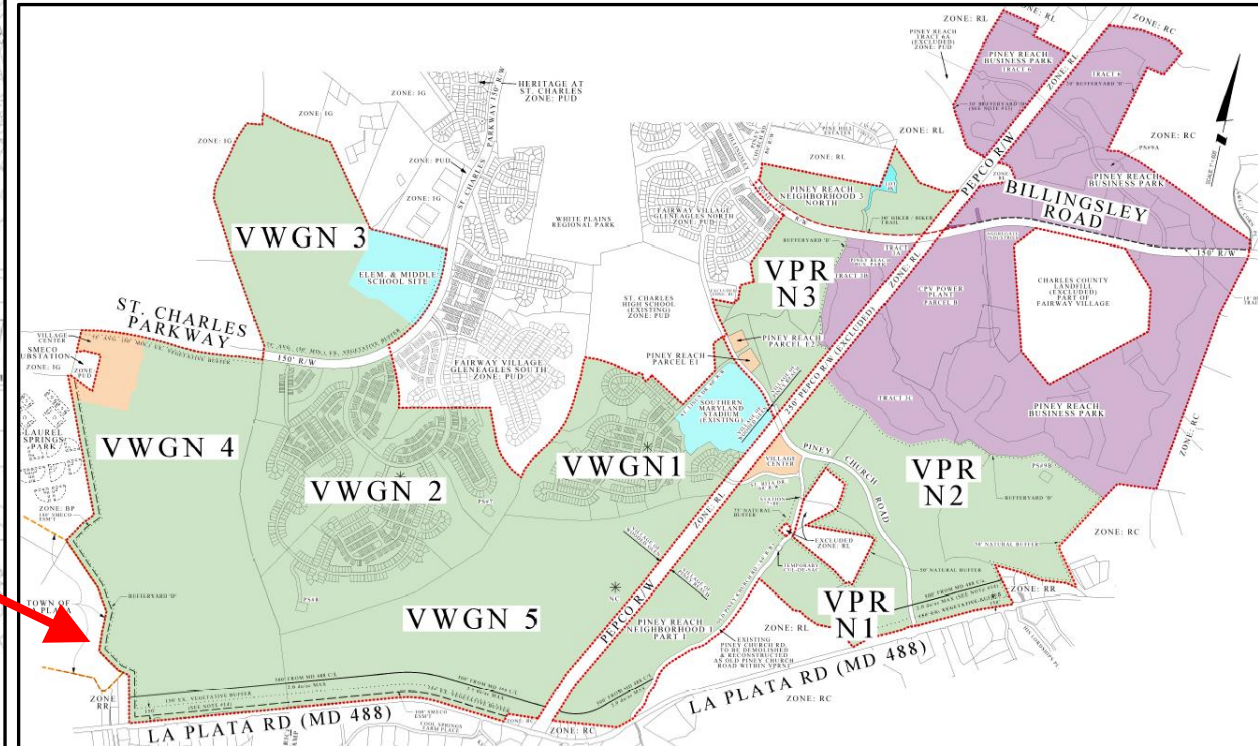
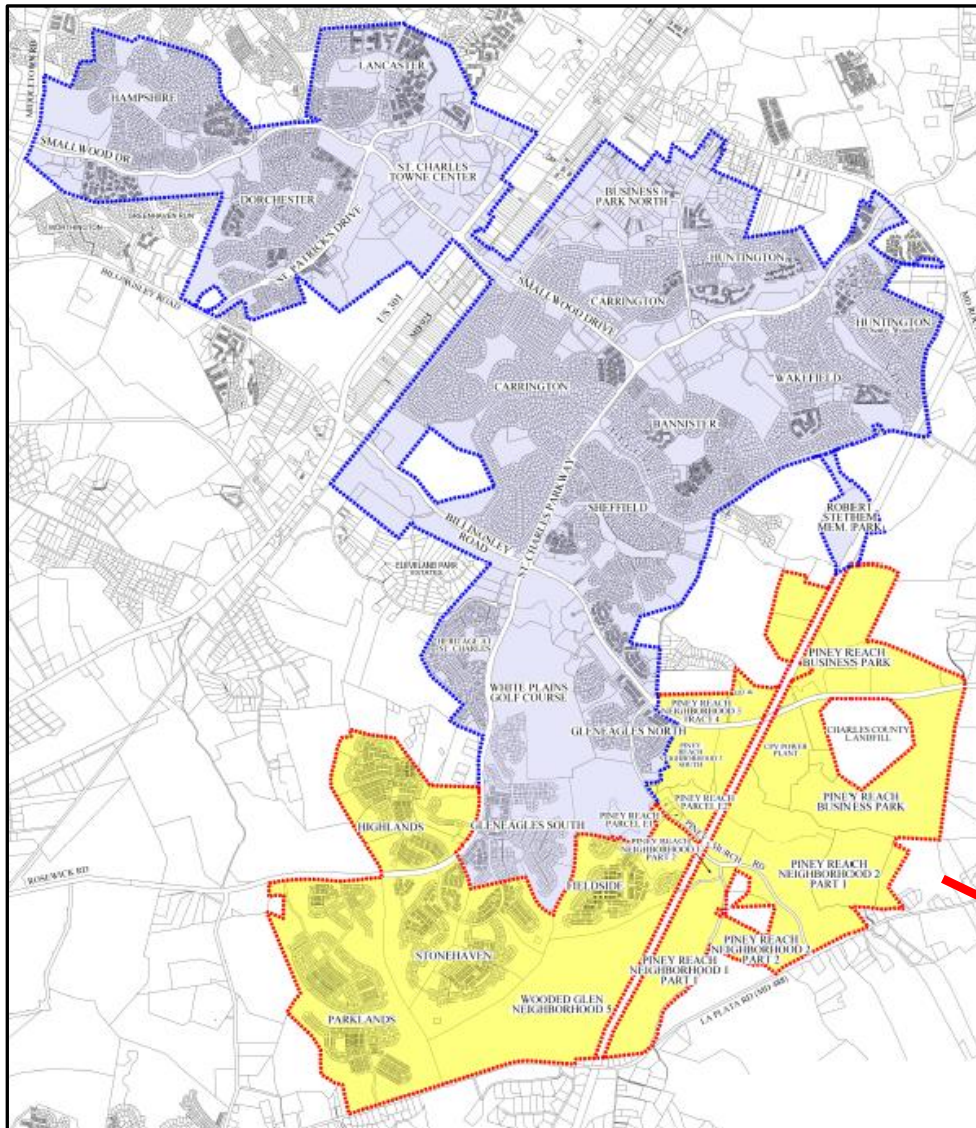
RIGHT SIDE ELEVATION

LEFT SIDE ELEVATION



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# SOUTHERN VILLAGES (WOODED GLEN AND PINEY REACH)



- **Wooded Glen** – Stonehaven, Parklands, and the Highlands Neighborhoods are currently in development and remaining Neighborhoods are in Design (Horizon)
- **Piney Reach** – Future and Final Village



**ST. CHARLES**  
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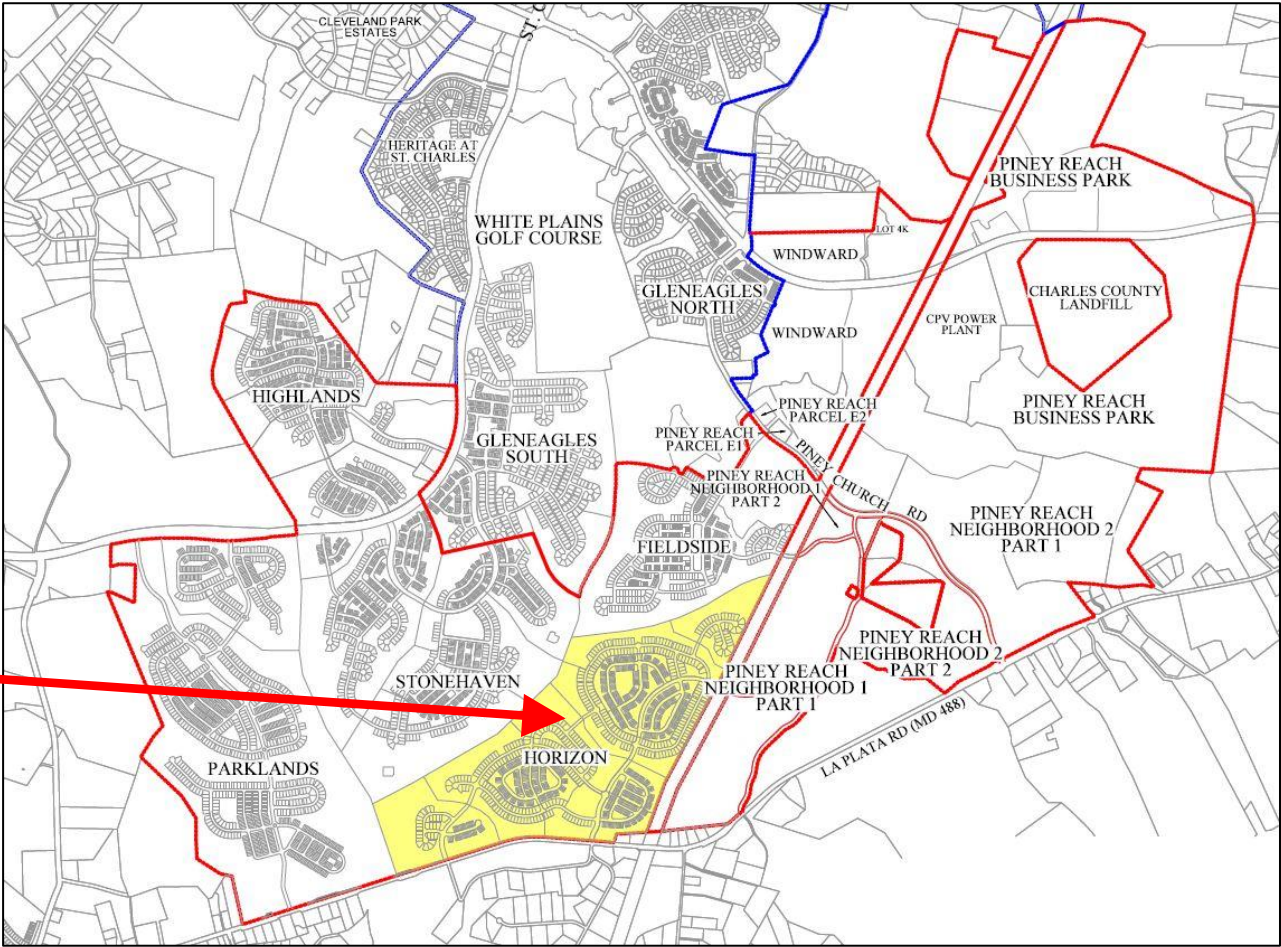
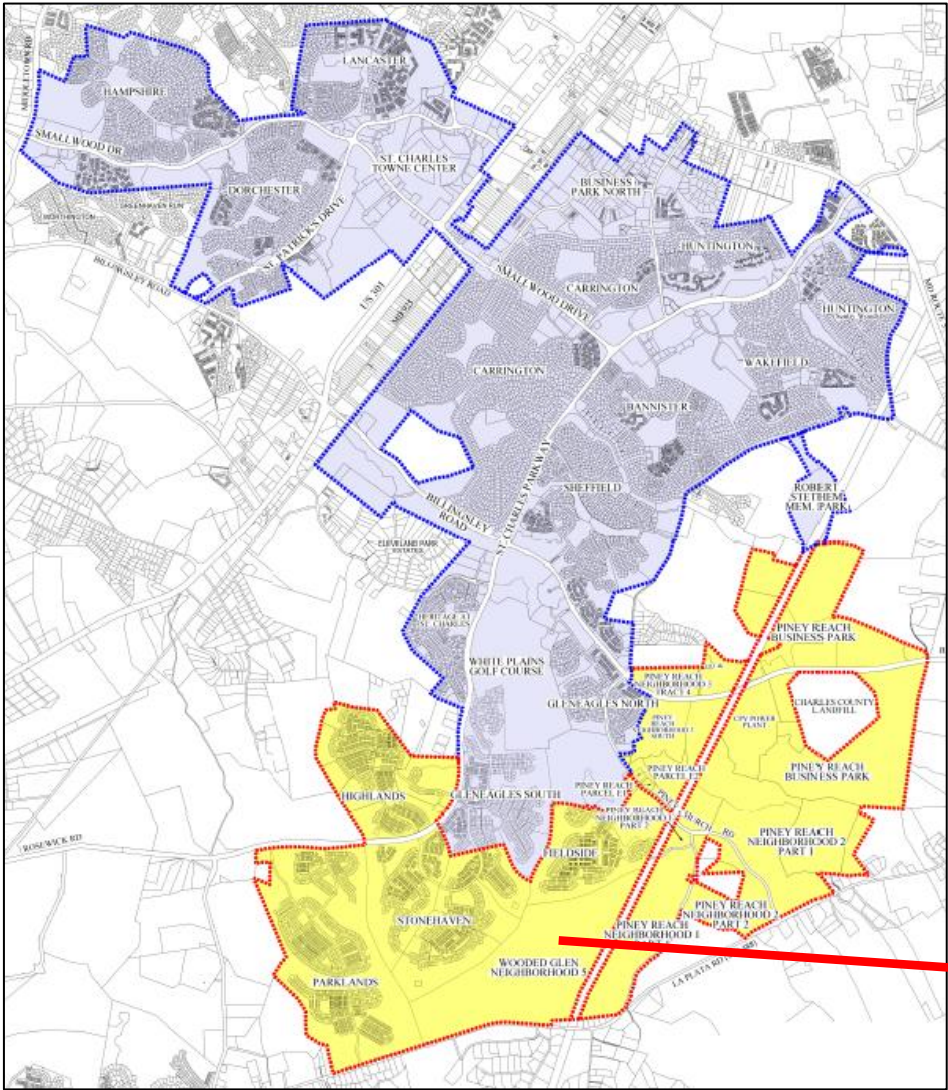
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# HORIZON NEIGHBORHOOD CURRENTLY UNDER DESIGN



**ST. CHARLES**  
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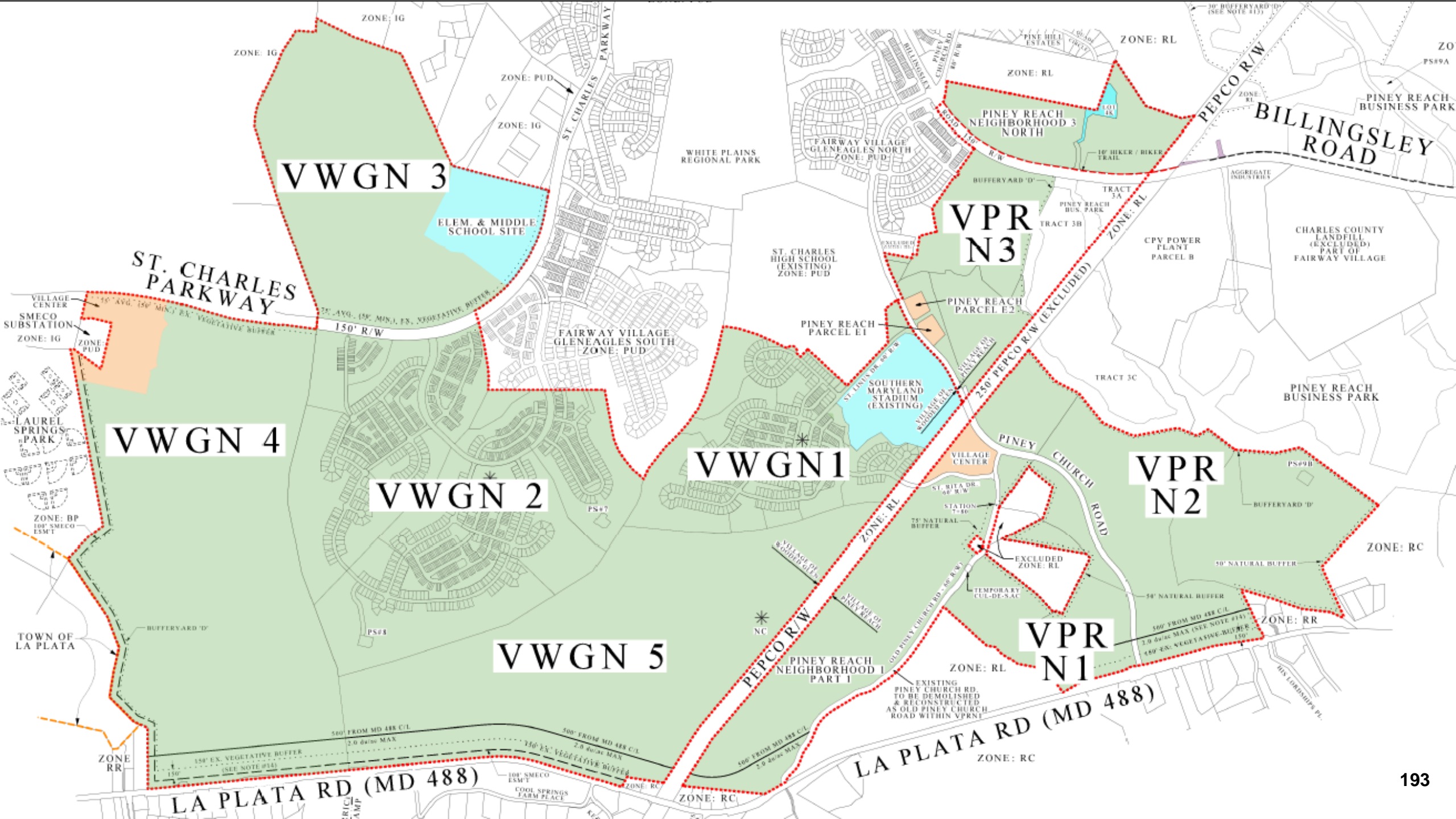


THANK YOU

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ANY QUESTIONS?





# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Goals and Objectives

**AGENDA SECTION:** Briefings-Afternoon

**SUBJECT:**

- **Update: Commissioners' Goals and Objectives- Goal 3: Environment**  
(Ms. Deborah Carpenter, Director, Department of Planning and Growth Management; Ms. Deborah Hall, Deputy County Administrator, Office of the County Administrator; Ms. Kelly Robertson-Slagle, Director, Department of Economic Development; Mr. Bernard Cochran, Acting Director, and Ms. Frances Sherman, Chief of Environmental Resources, Department of Public Work)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[Goal #3 - September 2022 \(5\).pdf](#)





# Goal #3: Environment

September 27, 2022



# Goals & Objectives

- 1. Economic Development**
- 2. Institutional Governance & Policy**
- 3. Environment**
- 4. Education**
- 5. Quality of Life**



# 2022 Presentation Schedule

## DATE

February 1, 2022

March 1, 2022

March 29, 2022

April 26, 2022

May 24, 2022

## GOAL

1. Economic Development

2. Institutional Governance & Policy

3. Environment

4. Education

5. Quality of Life

June 21, 2022

July 26, 2022

September 27, 2022

October 25, 2022

November 29, 2022

1. Economic Development

2. Institutional Governance & Policy

3. Environment

4. Education

5. Quality of Life

# Presentation Team



**Deborah E. Hall**  
Deputy County  
Administrator



**Deborah A. Carpenter**  
Director, Planning and  
Growth Management



**Kelly Robertson-Slagle**  
Director, Economic  
Development



**Bernard Cochran**  
Deputy Director, Public  
Works- Utilities

**Frances Sherman**  
Chief of Environmental  
Resources, Public  
Works

# Environment

---

Charles County is protecting the environment by carefully managing its natural resources; conserving its forested, agricultural, and rural lands; ensuring clean waterways and shoreline, and responsibly managing its solid waste. Charles County is integrating climate change management practices, investing in renewable energy sources, and replacing infrastructure that will ensure a clean and sustainable water supply.

# Conservation Programs

---

**Conserve natural resource assets through sustainable forestry and agricultural/rural land preservation. Plan and implement climate change best management practices throughout county government operations.**



# Forest Conservation



## FINAL DRAFT

Planning Commission recommended approval on August 29, 2022 with final adoption by Commissioners expected by the end of the year.

## PRIORITY AREAS

Final draft contains enhanced thresholds for forest retention in areas with the highest ecosystem services.





# Chesapeake Bay Critical Area Mapping Update

## FINAL DRAFT

State of Maryland, Critical Area Commission, delivered the amended boundary to the County.

**February 2023-** Final adoption by the County required.

## NOTIFICATION

**August 5, 2022-** Certified letters mailed to 1,000+ property owners.

**September 19, 2022-** Planning Commission Public Hearing

## MAPPING RESOURCES

PGM created an interactive map showing the new boundary for public review.



# **Readiness & Environmental Protection Integration**

- Established CIP budget for Readiness and Environmental Protection Integration (REPI) program.
- Zekiah Rural Legacy Area and Nanjemoy-Mattawoman Forest Rural Legacy Area include REPI-eligible land.
- Southern MD Resource Conservation & Development Inc. is working with County staff and has presented an option contract to purchase a conservation easement using REPI funds.

# MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION (MALPF)



FY 21 — **8** **1,623**  
Easements Acquired Acres Preserved

FY 22 — **12** **1,097**  
Easements Acquired Acres Preserved

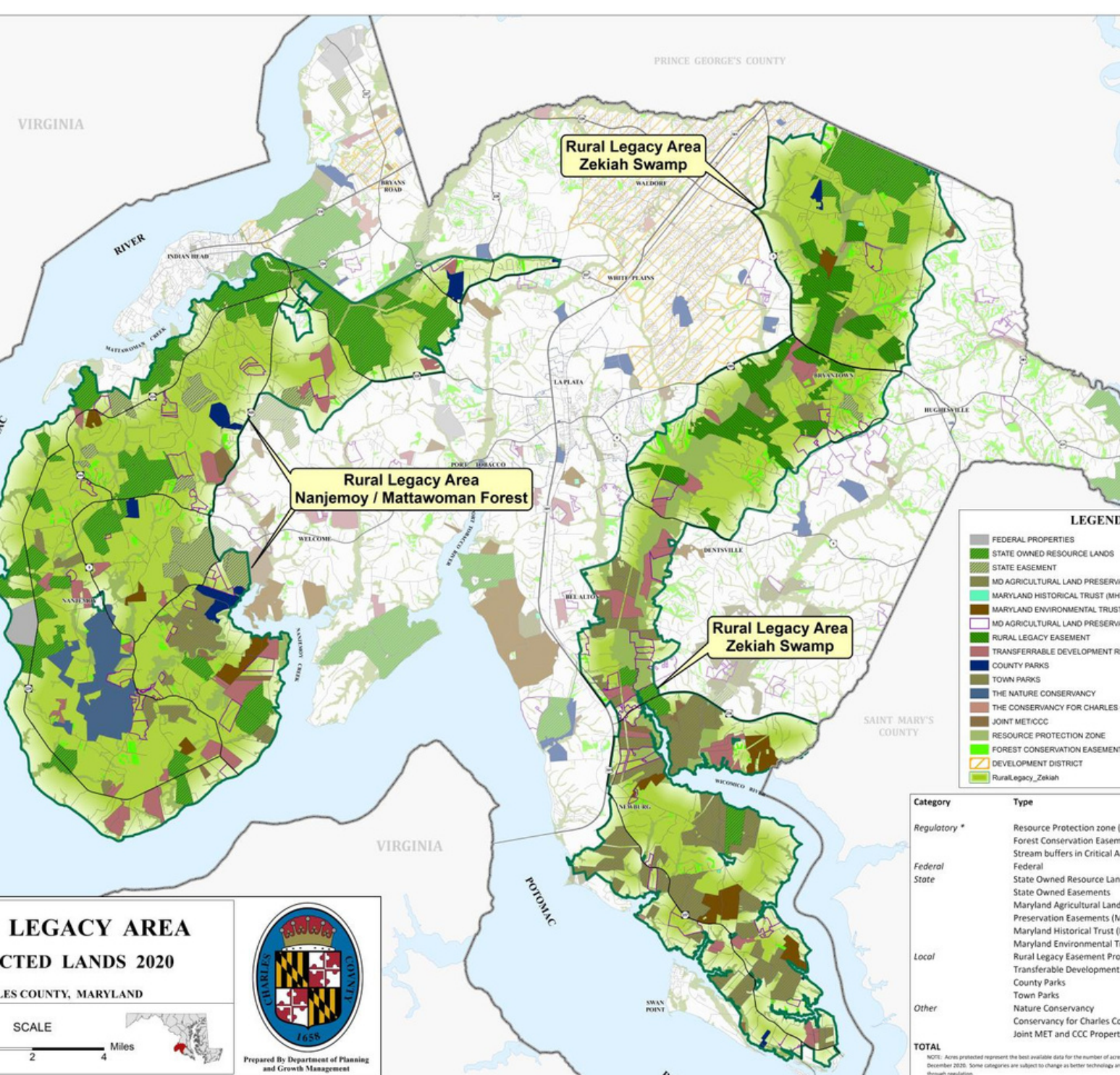
FY 23 — **12** **1,217**  
Applications Acres Pending

*New applications due June 2023 for FY 24*



LAND PRESERVATION

# Rural Legacy Area Program



## Recent Activity

**August 2022:** Closed on a conservation easement preserving 376 acres in Bryantown

# Snapshot in Time

**September 2022**  
**In the Acquisition Process**



# TRANSFERABLE DEVELOPMENT RIGHTS



622

Acres preserved

151

TDRs transferred, purchased  
and retired

---

2021 Planning Commission  
Annual Report



Calendar Year 2021

LAND PROTECTED  
THROUGH ALL  
PRESERVATION  
PROGRAMS



\$4.1m

Investment

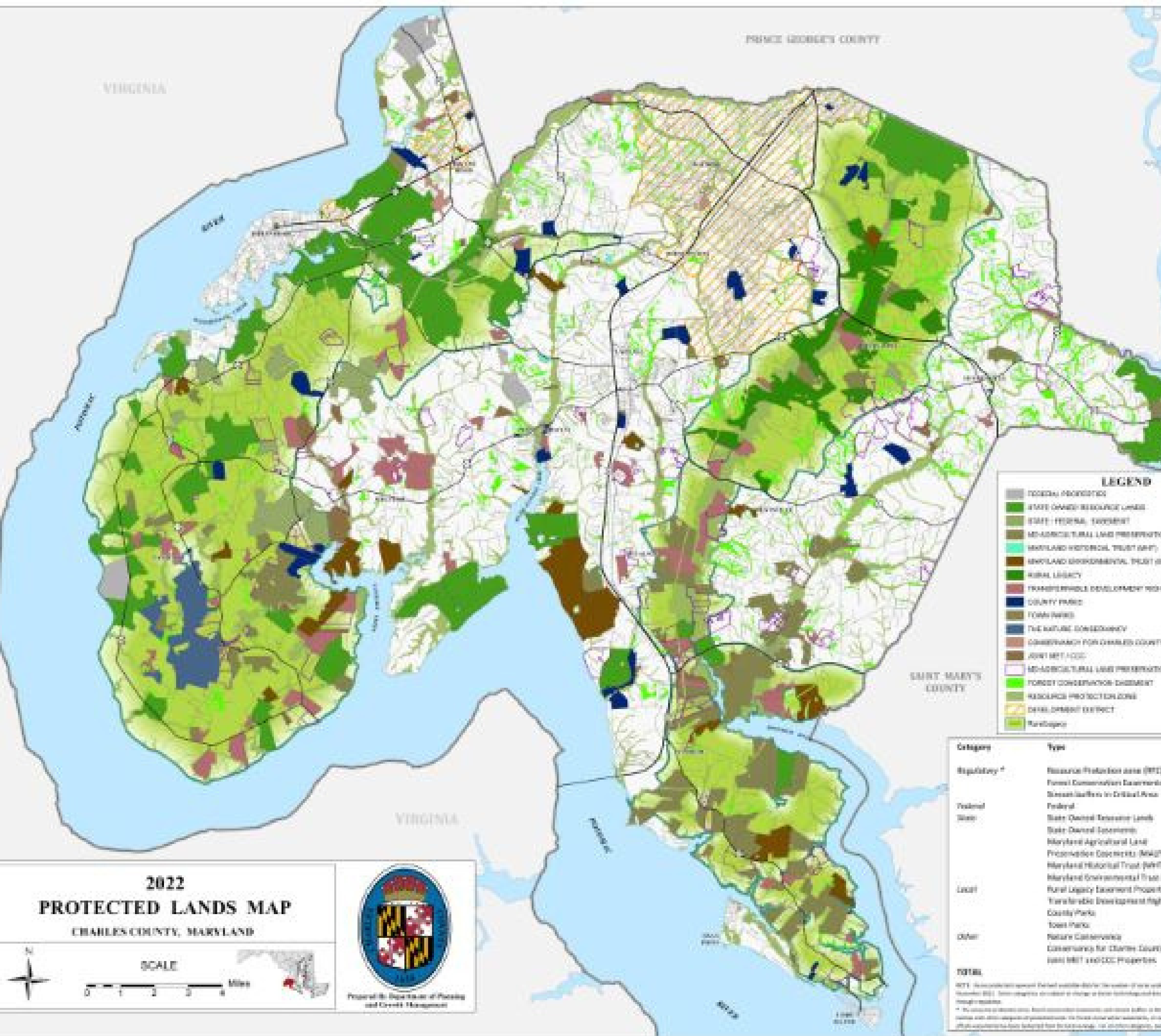


1,490+

Acres preserved

2021 Planning Commission  
Annual Report





# Charles County Protected Lands

- Protected lands map available on website
- Updated annually
- Displays land protected through all preservation programs



**102,583**

Acres preserved

Cumulative

# Climate Change Best Management Practices

---

# CLIMATE CHANGE MANAGEMENT

**Beginning Fall 2022**

**First Phase of Climate Action Planning Process**

**Part 1**

Climate Resilience Plan for  
Government Operations

**Part 2**

Climate Action (Mitigation) Plan and  
Greenhouse Gas Emissions  
Inventory for Government Operations



# Private Stormwater Drainage Improvement Program



Biohabitats was hired to assess and prioritize approximately 100 neighborhoods with stormwater drainage issues.

The field assessment phase was recently completed and they will be developing the suitability model to prioritize the assessed neighborhoods.



# **Military Installation Resilience Review**

Received grant in March of 2021 and launched initiative for Military Installation Resilience Review (MIRR) for NSF-Indian Head and the Town of Indian Head.

- 12 Stakeholder meetings held with the Military, the Town of Indian Head and CCG Staff and 4 Regional Collaboration Forums held for MIRR grantees
- Draft final report currently undergoing review.
- Project to be completed by November 30, 2022.



# **ZEKIAH WATERSHED URBAN FLOODING ANALYSIS & SOLUTIONS**



**\$65,000**

Grant awarded through the Community  
Resilience Grant Program  
*(July, 2021)*

**Kick-off meeting was held in June 2022**  
**Field visit with project team conducted in July 2022**

# ELECTRIC VEHICLE CHARGING STATIONS



12

Installed

5–8

Locations under  
consideration

# Natural Resource Management

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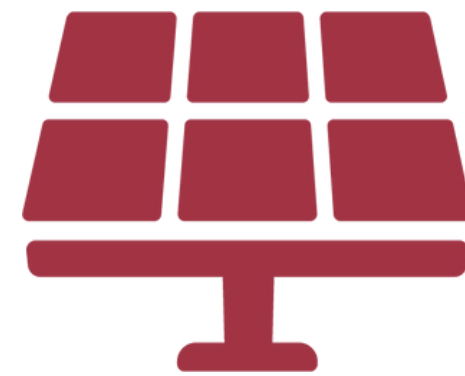
Manage natural resources effectively by investing in renewable energy, reducing stormwater runoff and expanding recycling.

# Expand Solar Energy

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**EXPANDED  
SOLAR ENERGY**

ECONOMIC DEVELOPMENT



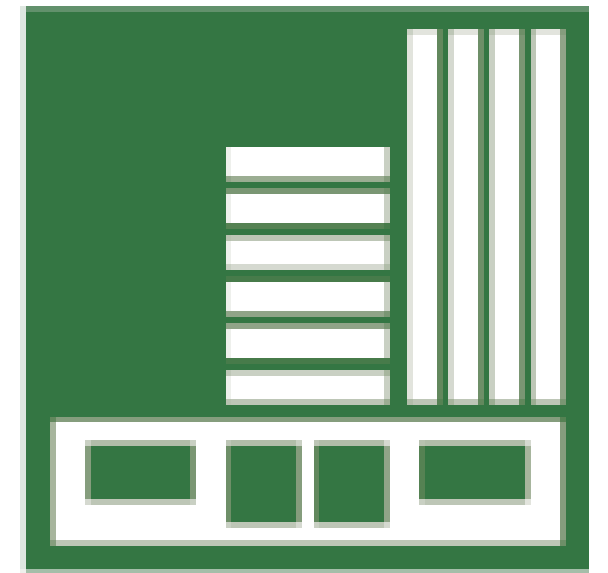
**256**

**Acre Parcel**



# Maryland's Commercial Property Assessed Clean Energy Program

Always a good reminder, local property and business owners can take advantage of Maryland's Commercial Property Assessed Clean Energy (MD-PACE) program.



# Increase Rainwater Collection

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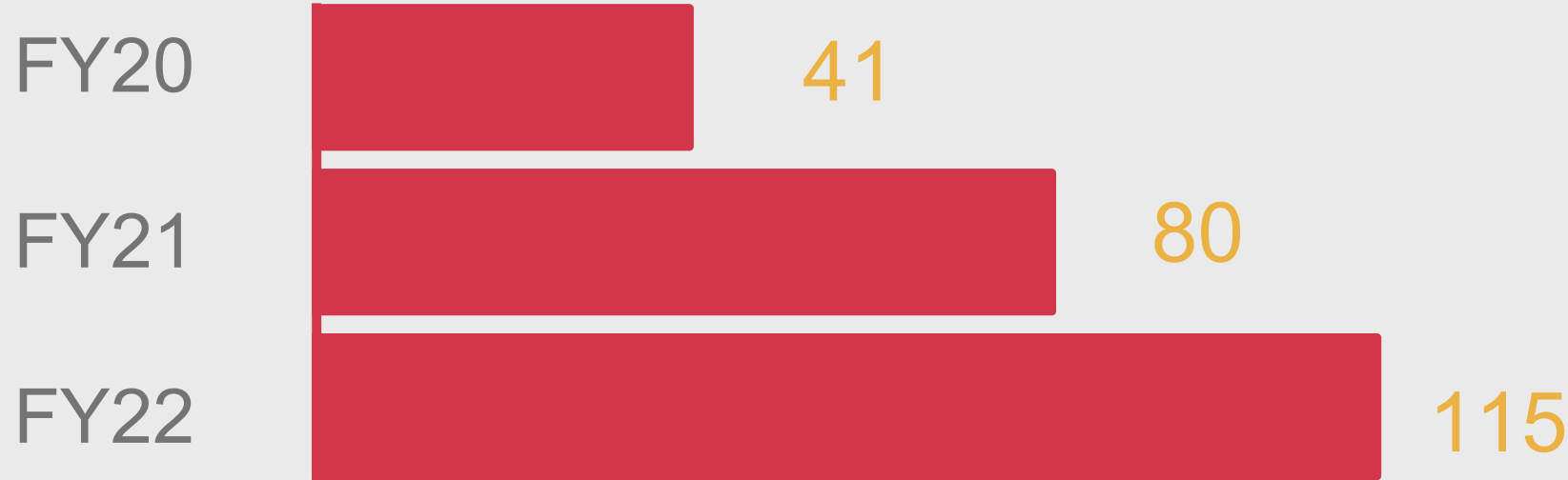
# Rain Barrel Workshops

Tax credits and subsidies offered for the purchase and proper installation of rain barrels.

## 2022/2023 Workshop Dates

- October 22, 2022
- April 22, 2023
- July 22, 2023
- October 21, 2023

## Rain Barrels Given at Workshops



# Expand Commercial Recycling

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# Commercial Recycling



Charles County, Maryland

Ten-Year Comprehensive Solid  
Waste Management Plan  
(2022-2031)

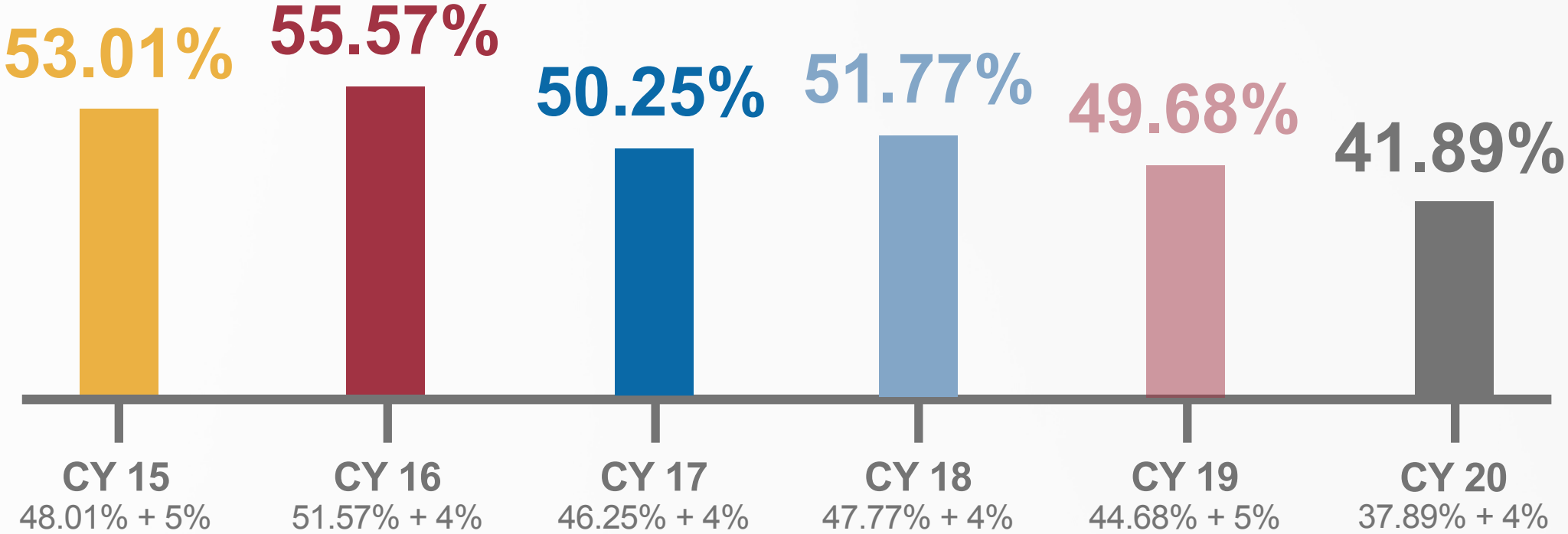
February 9, 2022

Commercial recycling initiatives incorporated into approved 2022-31 Solid Waste Management Plan.

- DPW continues to work on increasing the commercial recycling rate.
  - Evaluating infrastructure improvements
  - Open facilities able to accept and manage commercially generated recyclables.
- Evaluate established rates for scrap metal and other recyclable materials at county facilities.



TOTAL WASTE  
DIVERTED  
THROUGH  
RECYCLING,  
REUSE, OR  
COMPOSTING



# Reduce Impervious Surfaces

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# Stream Restoration Projects

## Completed:

- Ruth B Swann- Lower Stream
- Hunt Club- Bridal Path
- Apple Creek
- St. Charles Parkway
- Higdon Elementary School

## In Progress:

- College of Southern Maryland
- Ruth B Swann Tributary
- Acton Village- Westdale Drive

## Planned:

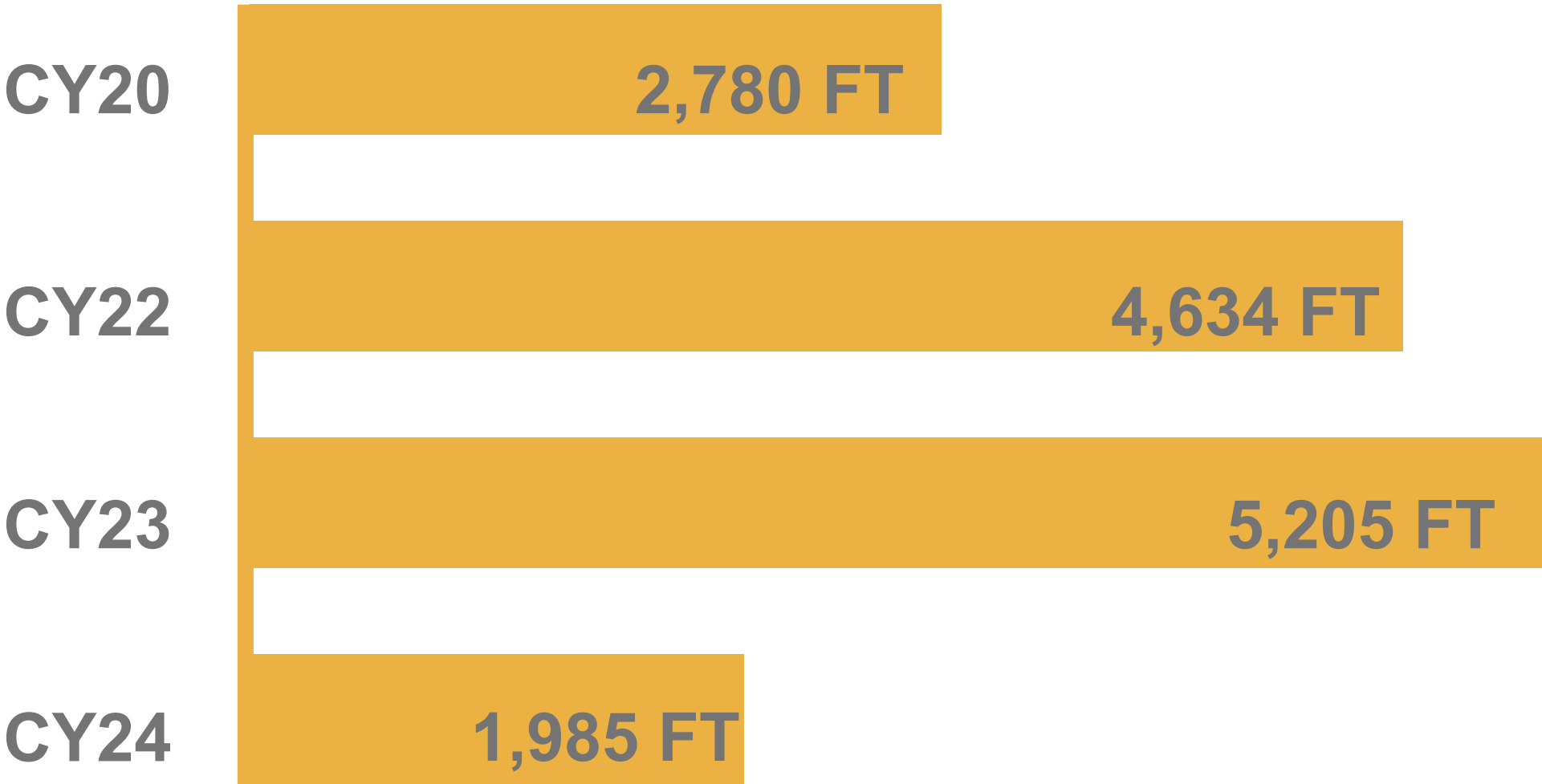
- Marbella Community
- Walter J Mitchell Elementary School
- Milton Somers Middle School



**Hunt Club Estates Stream Restoration**



# LINEAR FEET OF STREAM RESTORATION



Total Linear Feet of Stream Restoration = 14,604

Hunt Club Estates Stream Restoration

# Environmental Management

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**Ensure clean water through effective wastewater treatment and stormwater management.**



# Wastewater Treatment

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WATER  
TREATMENT

Water and sewer regulatory compliance

8

Violations at Mattawoman Water Treatment Plant  
(last 3 months)

93%

Preventative maintenance achieved as scheduled

56%

Corrective work orders

vs

46%

Preventative work orders

# Clean Water Supply

---

## CLEAN WATER SUPPLY

Four quarterly meetings held with PGM

95%

Compliance with flushing program

98%

Preventative maintenance achieved as scheduled

59%

Corrective work orders

vs

41%

Preventative work orders

# Water Conservation

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# Water Conservation

## FINAL DRAFT APPROVED

**July 2022:** First Water Conservation Plan for the Waldorf System was adopted and submitted to Maryland Department of the Environment.

## MEASURES FOR IMPLEMENTATION

Final Draft Recommendations

- Revisions to water bills
- Distribution of retrofit kits

## LIVING DOCUMENT

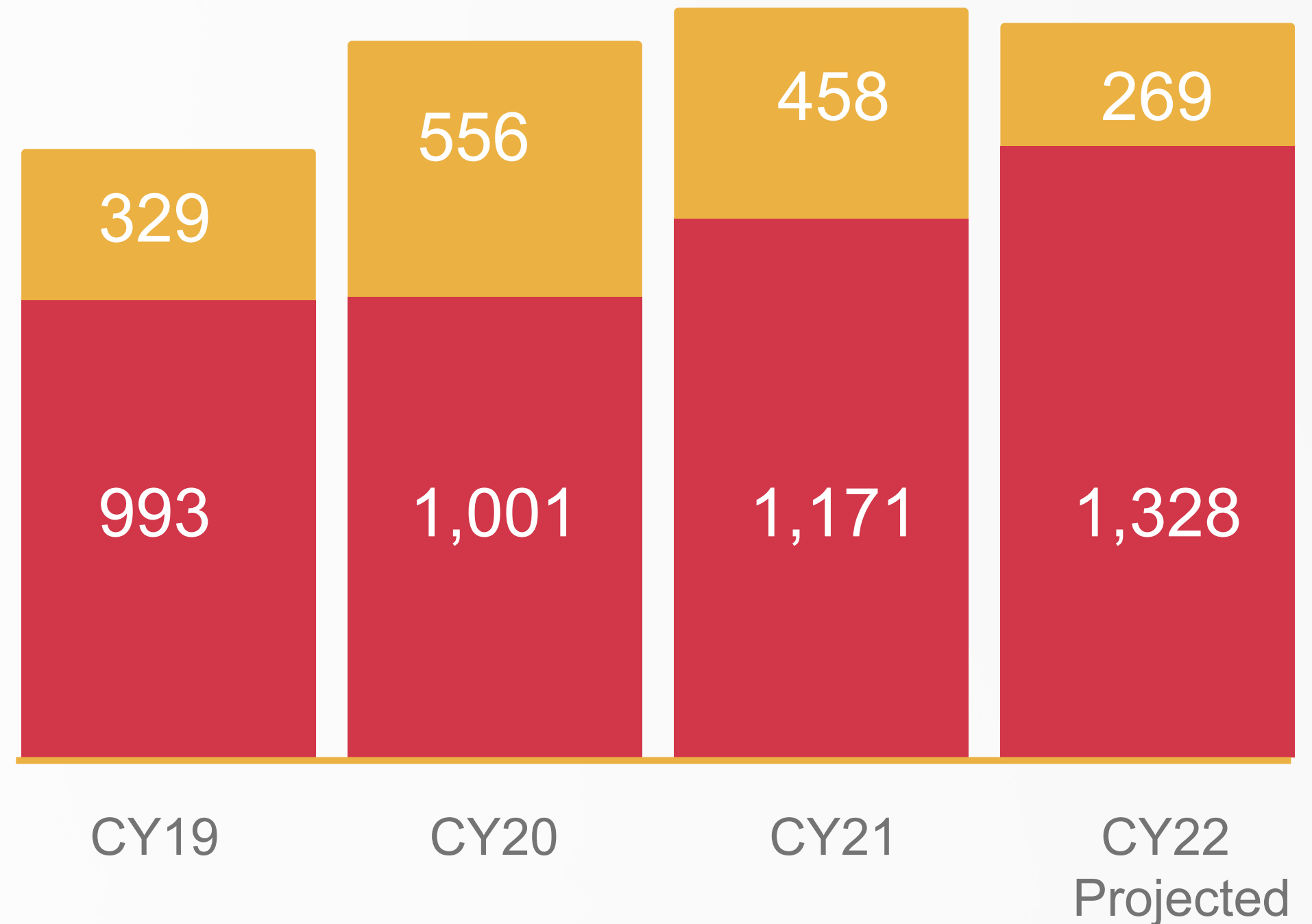
Measures will be implemented and evaluated for benefit. The document will be updated regularly with results and new recommendations about every 3 years.

# Stormwater Management

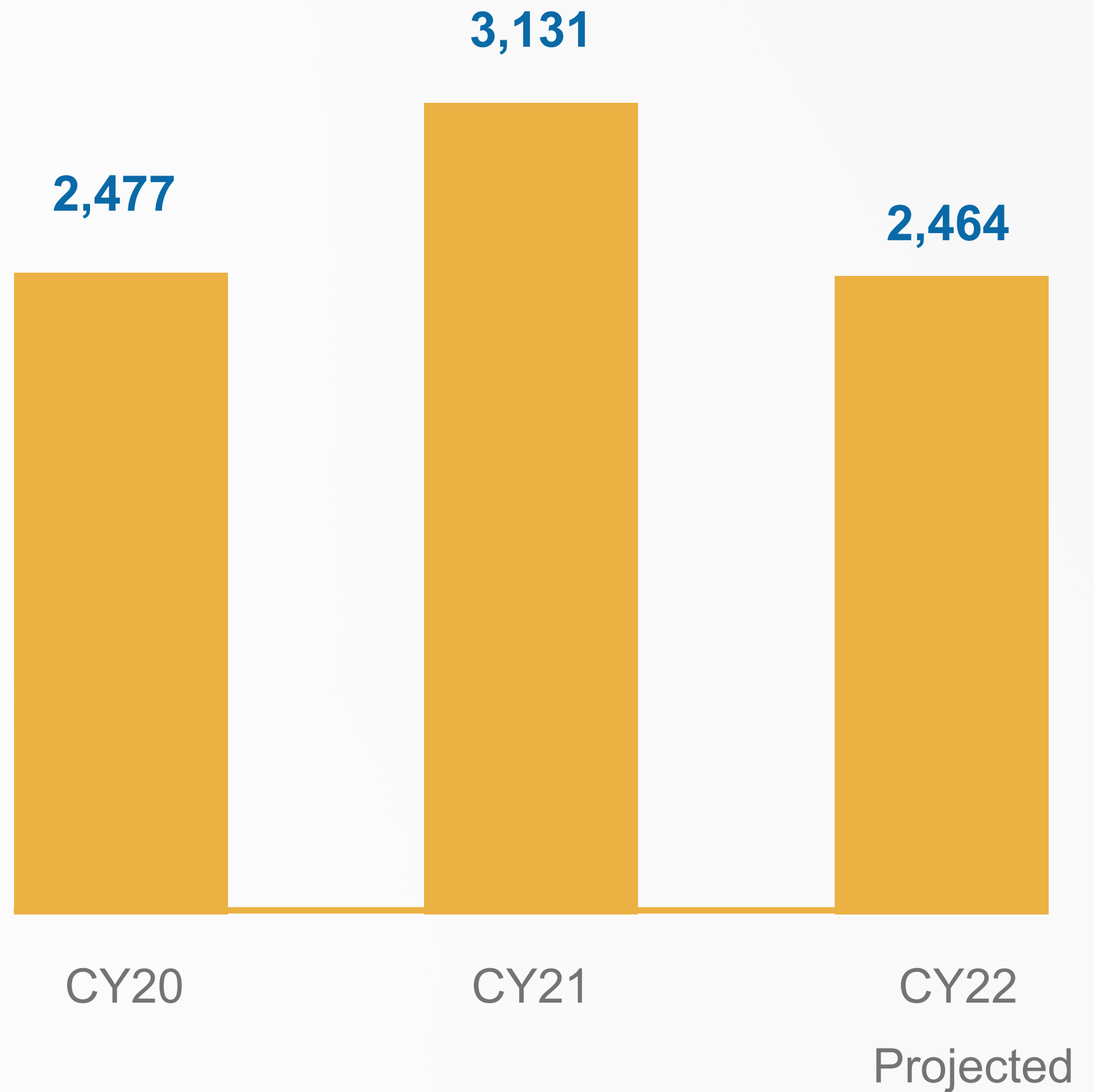
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# STORMWATER MANAGEMENT CONSTRUCTION INSPECTIONS

- Building Permits
- Development Services



# STORMWATER MANAGEMENT MAINTENANCE INSPECTIONS



# STORMWATER MANAGEMENT MAINTENANCE INSPECTIONS

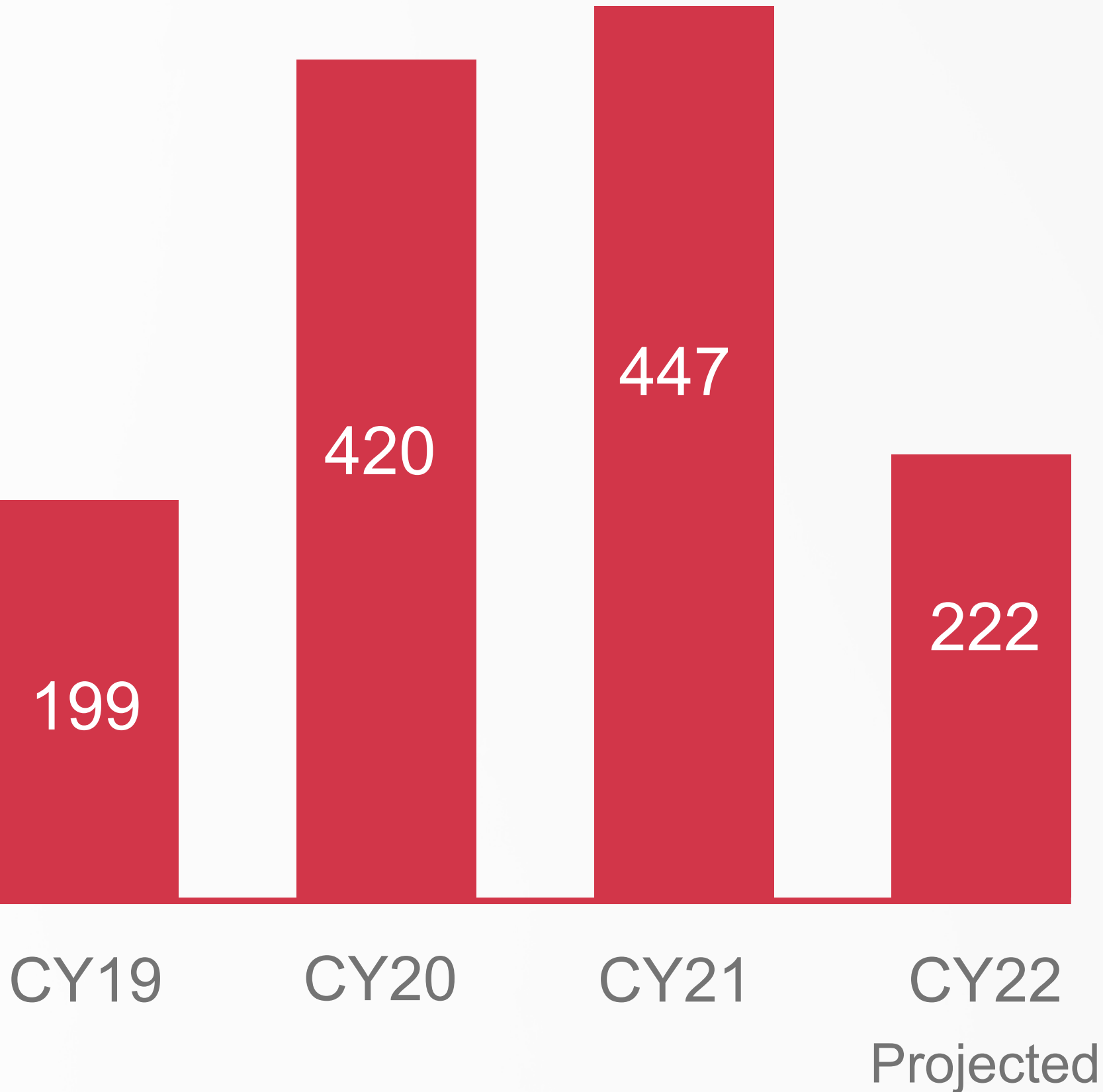


CY 2020-2022

**Stormwater Management Facility  
Initial Inspection Pass Rate**



REQUEST CASES:  
DRAINAGE,  
STORMWATER,  
AND ILLICIT  
DISCHARGE







# Charles County Government

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It is the policy of Charles County to provide equal employment opportunity to all persons regardless of race, color, sex, age, national origin, religious or political affiliation or opinion, disability, marital status, sexual orientation, genetic information, gender identity or expression, or any other status protected by law.



# Item Cover Page

## \*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Update

**AGENDA SECTION:** Briefings-Afternoon

**SUBJECT:**

- **Bi-Monthly Update: Western Parkway Roadway Improvements**  
(Mr. John Stevens, Chief of Capital Services, and Mr. Brian Kagarise, Senior Project Manager, Department of Public Works; Mr. Jason Groth, Deputy Director, Department of Planning Growth Management)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[Western Parkway Commissioners Update Presentation 9-20-22 \(9-14-22\).pdf](#)



# **Charles County Government**

## **Bi-Monthly Project Update**

### **Western Parkway Phase 3 Roadway Improvements**

#### **Department of Public Works**

##### **Capital Services Division**

#### **Presented By:**

John Stevens, Chief of Capital Services

Brian Kagarise, Acting Program Manager

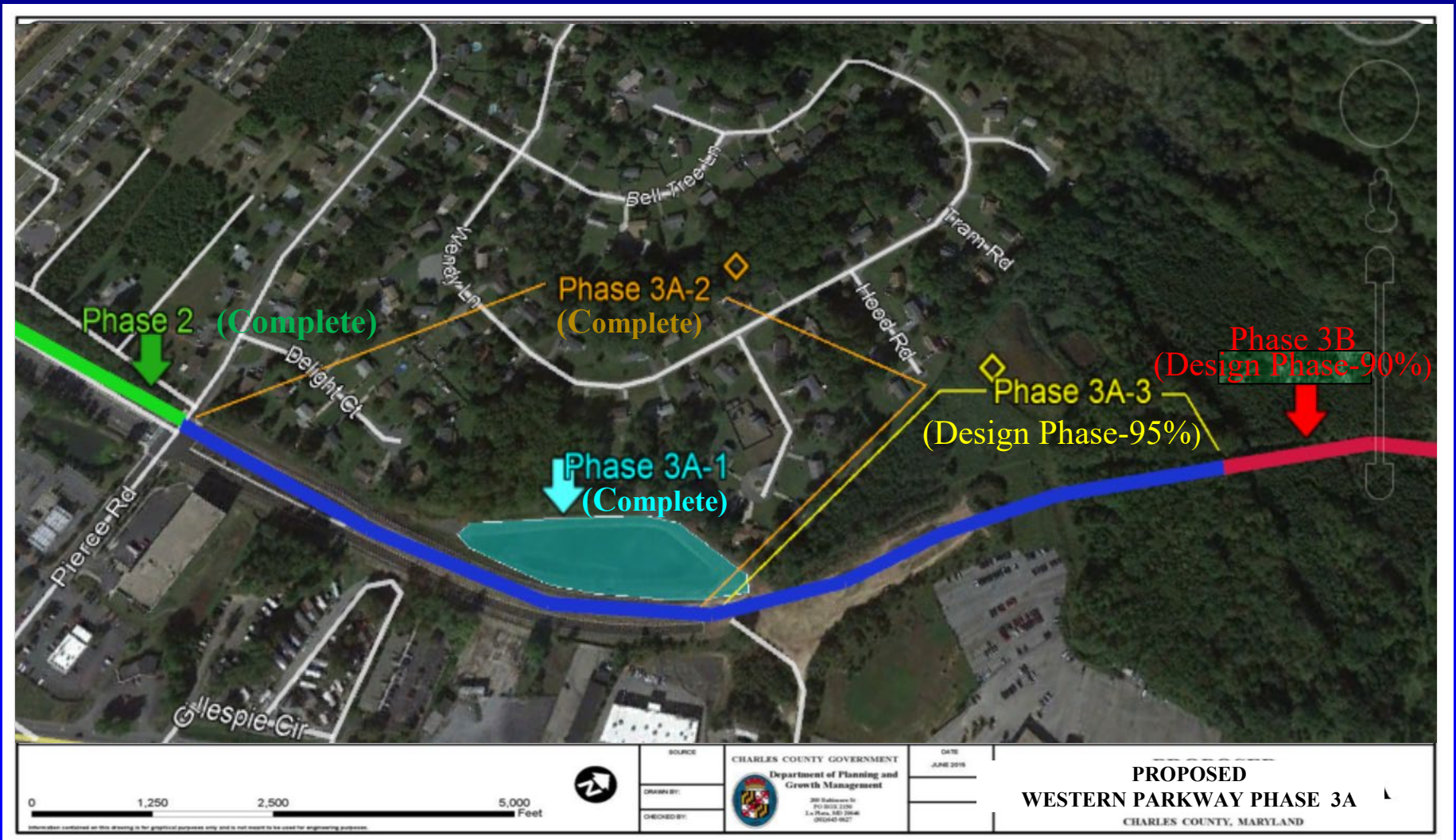
**September 20, 2022**

# Western Parkway Phase 3A

Phase 3A-1 – SWM Pond

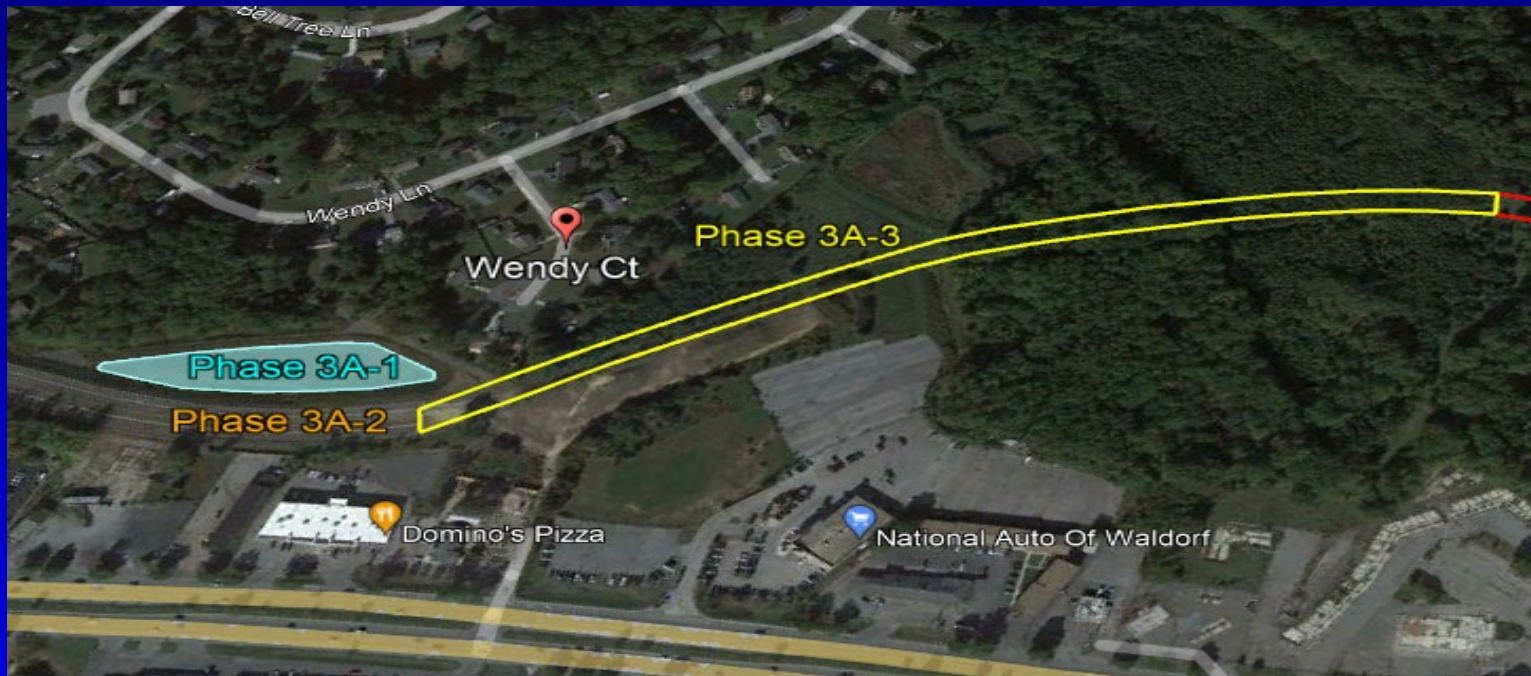
Phase 3A-2 - 1,350 LF

Phase 3A-3 – 1,165 LF





# Western Parkway Phase 3A-3



## Project Description

Construct an 1,165-linear foot extension of Western Parkway to include a four-lane divided roadway with a shared use hiker/biker facility. This road will serve as a north-south alternative route for local traffic.

## Project Status

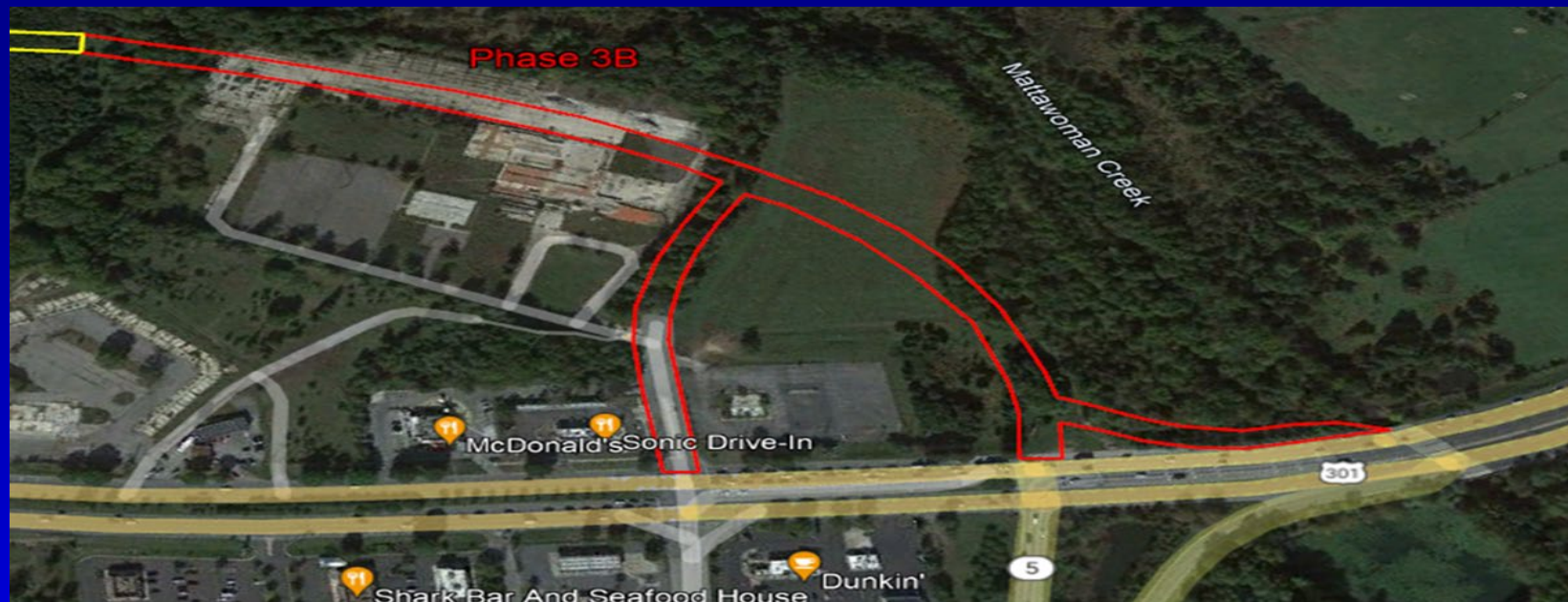
- Design - 95% complete
- Permits – MDE (Approved); USACE (Approved); SCD (Pending); County (Pending)

# Western Parkway Phase 3

## Project Timeline for the Completion of Western Parkway Road Improvements

PROJECTED TIMELINE - Phase 3A & 3B									
Estimated Remaining in Current Phase:			106	Esitimated Day Remaining in Project Timeline: 797					
<u>Start</u>	-	-	<u>Finish</u>	<u>Start</u>	-	<u>Finish</u>	<u>Start</u>	-	<u>Finish</u>
1-Aug-22			15-Nov-22						
COMPLETE DESIGN/PERMITTING			106	15-Dec-22	14-Apr-23				
				PROCUREMENT/AWARD	120	15-Apr-23	6-Oct-24		
						CONSTRUCTION	540		

# Western Parkway Phase 3B



## Project Description

Construct a 2,735-linear foot extension of Western Parkway to include a four-lane divided roadway with a hiker/biker trail and sidewalk.

## Project Status

- Design Status: 95% submission anticipated on or about October 1, 2022
- Permits Status:
  - MDE (Approved)
  - USACE (Approved)
  - SCD (Pending)
  - County (Pending)

# Western Parkway Phase 3B

## Current Issues

Current remaining issues are centered to one critical task, obtaining the required permits. This task represents the critical path for this project.

### ➤ Permit Status:

#### ➤ County Development Services Permit:

- 95% and 100% design submissions/approval
- PGM's review and acceptance of Flood Plain Analysis and H&H Report
- Forest Stand Delineation (preliminary approval received on 8/17/22)
- Forest Conservation Plan approval
- Soil Conservation District approval (separate submission pending 100% design approval)

#### ➤ MDE Nontidal Wetlands & Waterways Permit:

- Permit Received: Expires 3/6/23 (new joint permit application will be required)

# Western Parkway Phase 3B

---

## Current Issues

- Permit Status (continued):
  - MDE's NPDES/NOI Permit with Tier II review: Pending
    - Design consultant plans to submit this permit application in **November 2022** following the 95% submission to CPIS
  - US Army Corp of Engineers: Received - Expires December 31, 2025



# Western Parkway Phase 3B

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## Current Issues

- Design Submission Dependent Issues:
  - Review/process Change Authorization #5 for additional engineering services
  - The 95% design submission to the County (PGM) is anticipated on or about October 1, 2022, after approval of Change Authorization #5
  - Non-Critical Path Issues:
    - Easement and right-of-entry negotiations
    - Reviewing proposed language changes in right-of-entry document
- Sub-Station Road Improvements:
  - Currently coordinating with Task Order design consultants for this work

Thank You



**Presented By:**

**Charles County Government  
Department of Public Works**

**(301) 932-3440 • [DPF@charlescountymd.gov](mailto:DPF@charlescountymd.gov)**

**10403 Audie Lane, La Plata, MD 20646**

**MD Relay Service: 7-1-1**

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# Item Cover Page

## **\*CHARLES COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REPORT**

**DATE:** October 4, 2022

**SUBMITTED BY:** Carol DeSoto

**ITEM TYPE:** Follow-Up Work Session

**AGENDA SECTION:** Briefings-Afternoon

**SUBJECT:**

- **Work Session: Draft Bill 2022-06 Adequate Public Facilities 2022 Manual Update to Traffic Section**  
(Mr. Jason Groth, Deputy Director, and Mr. Ben Yeckley, Planner III, Department of Planning and Growth Management)

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[Bill 2022-06 APF Manual Changes - Traffic Regulations.pdf](#)

[Charles County Adequate Public Facilities Manual - 2022 \(Bill Format\).pdf](#)

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**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2022 Legislative Session**

Bill No. 2022-06  
Chapter. No. 297  
Introduced by Charles County Commissioners  
Date of Introduction \_\_\_\_\_

**BILL**

AN ACT concerning

**Adequate Public Facilities – Traffic Section**

FOR the purpose of

Amending the Zoning Ordinance provisions governing adequate public facilities for traffic impact study processes and ensure consistency with the Adequate Public Facilities Manual.

BY amending:

CHAPTER 297- Zoning Regulations  
Article XVI, §256. Adequate public facilities required.  
*Code of Charles County, Maryland*

CHAPTER 297- Zoning Regulations  
Article XVI, §257. Roads.  
*Code of Charles County, Maryland*

CHAPTER 297- Zoning Regulations  
Article XVI, §264. Mitigation.  
*Code of Charles County, Maryland*

Asterisks \*\*\* mean intervening code language remaining unchanged  
CAPITALS mean language added to the law[Brackets] mean language  
deleted from the law



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

3  
4 §297-256. Adequate public facilities required.

5  
6 \* \* \* \* \*

7  
8 A. No preliminary plan for a subdivision, or major site plan required for a zoning permit  
9 THAT REQUIRES MITIGATION, shall be approved unless the Planning Commission first  
10 determines that the proposed subdivision or development will not adversely affect the adequacy  
11 of public facilities serving the area, project or development.

12  
13 B. For roads and water supply system, this article does not apply to minor residential  
14 subdivisions and nonresidential developments OR REDEVELOPMENTS containing less than  
15 1,200 square feet of floor area. [except as that development required public water and sewer]

16  
17 \* \* \* \* \*

18  
19 §297-257. Roads.

20  
21 \* \* \* \* \*

22  
23 B. This section does not apply to those projects INCLUDING EITHER DEVELOPMENTS  
24 OR REDEVELOPMENTS which generate fewer than [140 daily vehicle trips or] 35 [14] peak-  
25 hour trips per day.

26  
27 C. Roads shall be considered adequate to accommodate the projected traffic to be generated  
28 by the proposed development if:

29  
30 (1) Roads serving the project are or will be capable of accommodating existing traffic,  
31 traffic projected to be generated from developments for which plats and plans have  
32 been approved and traffic projected to be generated from the proposed development at  
33 an adequate level of service, as set forth below, for a specified design year as  
34 established by the Commission. Service levels shall at all intersections in the immediate  
35 vicinity of the project, as designated by the [Zoning Officer] PLANNING DIRECTOR,  
36 be defined by the CRITICAL LANE METHODOLOGY OR current edition of the  
37 Highway Capacity Manual published by the Transportation Research Board; or

38  
39 (2) The County, state or one of the incorporated towns has programmed for construction  
40 in a capital improvements plan or similar plan, additional roads or road improvements  
41 necessary, in combination with existing roads and intersections, to comply with the  
42 standards specified in Subsection C(1). The programmed improvements must be  
43 scheduled to be completed at the time the proposed development will generate new  
44 trips.

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Asterisks \*\*\* mean intervening code language remaining unchanged  
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D. (1) The established minimum LEVEL OF SERVICE (LOS) for roads and intersections is LOCATED IN APPENDIX B OF THE CHARLES COUNTY ADEQUATE PUBLIC FACILITIES MANUAL.

[Level of Service

Comprehensive Plan District	Off-Peak	Peak Hour
Development district	C	C
Village centers	B	C
Rural / agricultural conservation areas and others	A	B
Town centers and urban core	C	D
Mixed-use districts (limited to the Waldorf Central And Action Urban Center Zones)]	D	D

(2) If the existing LOS of the affected road or street is less than the standard [above] LOCATED IN APPENDIX B OF THE CHARLES COUNTY ADEQUATE PUBLIC FACILITIES MANUAL, then the transportation facility will be considered inadequate if the proposed development degrades the facility by more than a factor of 0.01 based on the volume-to-capacity ratio.

(a) To meet the Level of Service[D requirements in the WC and AUC Zones], MITIGATION SHALL BE APPLIED TO THE FACILITY(S) BY THE DEVELOPER. A[a]lternate types of transportation improvements, in lieu of roADWAY IMPROVEMENTS[add widening,] may be CONSIDERED IF CIRCUMSTANCES DEEM THAT IMPROVEMENTS WILL BE INFEASIBLE [required]. Alternative types of transportation improvements shall include construction of or fee-in-lieu contributions to off-street public parking, road grid network development, transit facilities, or streetscape improvements.

\* \* \* \* \*

A. Prior to the submission of a preliminary subdivision plan, SITE PLAN, or an application for a zoning permit, the applicant shall submit a preliminary ADEQUATE PUBLIC FACILITIES APPLICATION (PAPF) [traffic analysis] which indicates the development's anticipated trip generation rates, a list of existing roads and intersections that will be impacted by traffic to and from the development and a design year based upon anticipated completion of the proposed project. The PLANNING DIRECTOR [Zoning Officer] shall review the PAPF [preliminary analysis] to determine if it satisfies the standards adopted by the County Commissioners for the proposed development and shall add or delete roads or intersections necessary to evaluate the impact of the development.

#### §297-264. Mitigation

A. MITIGATION BY THE DEVELOPER IS PREFERRED, YET ALTERNATIVELY

Asterisks \*\*\* mean intervening code language remaining unchanged  
CAPITALS mean language added to the law[Brackets] mean language  
deleted from the law

1 [M]Mitigation is not limited to, dedication of property to the County, payment of impact fees,  
2 fees in lieu of an improvement payment to an escrow account, participation in private/public  
3 partnerships, developer agreements, off-site improvements or other mechanisms as may be  
4 determined by the Planning Commission. THE MITIGATION SHALL ADDRESS THE  
5 NEGATIVELY AFFECTED GEOMETRIC ELEMENT OR ANY OTHER  
6 TRANSPORTATION RELATED ELEMENT BECAUSE OF THE PROPOSED PROJECT.  
7 ANY PAYMENT IN LIEU OF CONSTRUCTION SHALL BE GREATER THAN OR EQUAL  
8 TO THE ESTIMATED COST OF THE IMPROVEMENT.

9  
10 \* \* \* \* \*

11

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

14

15

16 ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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40 ATTEST:

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COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND

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

\_\_\_\_\_  
Bobby Rucci, Vice President

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

\_\_\_\_\_  
Thomasina O. Coates, M.S.

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

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deleted from the law

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Carol DeSoto, Clerk to the Commissioners

Asterisks \*\*\* mean intervening code language remaining  
unchanged CAPITALS mean language added to the law  
[Brackets] mean language deleted from the l

Asterisks \*\*\* mean intervening code language remaining unchanged  
CAPITALS mean language added to the law[Brackets] mean language  
deleted from the law

# Adequate Public Facilities Manual

*Schools, Water Resources, and Transportation  
Procedures and Guidelines*



Adopted July 7, 1997 – ~~December 15, 2020~~ 2022 Update  
Charles County Department of Planning & Growth Management



# CHARLES COUNTY COMMISSIONERS



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Department of Planning & Growth Management

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## ***Mission Statement***

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient, and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning and have an appropriate managerial organization tempered by fiscal responsibility. We support and encourage efforts to grow a diverse workplace.

## ***Vision Statement***

Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount; where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.

## ***Equal Opportunity Employer***

It is the policy of Charles County to provide equal employment opportunity to all persons regardless of race, color, sex, age, national origin, religious or political affiliation or opinion, disability, marital status, sexual orientation, genetic information, gender identity or expression, or any other status protected by law.

## Table of Contents:

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>[1]4</b>
1.1	WHEN REQUIRED .....	[1]4
1.2	PROCESS .....	[2]5
<b>2.0</b>	<b>PRELIMINARY ADEQUATE PUBLIC FACILITIES STUDY (APFS) [APF ANALYSIS].....</b>	<b>[2]5</b>
2.1	TRAFFIC IMPACT STUDY (TIS) REQUIREMENTS.....	5
2.2	TRANSITIONAL PROVISIONS .....	8
<b>3.0</b>	<b>POLICY FOR DETERMINING ADEQUACY OF EXISTING ROADS.....</b>	<b>[2]8</b>
3.1	INTRODUCTION .....	[2]8
3.2	ROADWAY ELEMENTS.....	[3]9
3.3	TRIP GENERATION .....	[4]10
3.4	INTERSECTION ANALYSIS .....	[5]11
3.4.1	UNSIGNALIZED INTERSECTIONS.....	[5]11
3.4.2	SIGNALIZED INTERSECTIONS .....	[6]12
3.5	ROADWAY LINK ANALYSIS .....	[7]13
3.5.1	MULTI-LANE HIGHWAYS: [- ]LEVEL OF SERVICE CRITERIA .....	[8]14
3.5.2	TWO-LANE HIGHWAYS: [- ]LEVEL OF SERVICE CRITERIA.....	[9]14
3.6	CAPITAL IMPROVEMENTS .....	[9]15
3.7	IMPACTS OF APPROVED PRELIMINARY SUBDIVISION & SITE PLANS[PRELIMINARIES].....	[9]15
<b>4.0</b>	<b>POLICY FOR DETERMINING ADEQUACY OF SCHOOLS.....</b>	<b>[10]15</b>
<b>5.0</b>	<b>POLICY FOR DETERMINING ADEQUACY OF GROUNDWATER SUPPLY ...</b>	<b>[18]23</b>
5.1	PUBLIC SYSTEMS .....	[18]23
5.2	GROUND WATER .....	[18]23
5.3	FIRE SUPPRESSION FOR RURAL AREAS .....	[18]24
<b>6.0</b>	<b>APFS SUBMITTAL.....</b>	<b>[19]25</b>
6.1	ADEQUACY .....	[19]25
6.2	PHASING .....	[20]25
<b>7.0</b>	<b>MITIGATION.....</b>	<b>[20]26</b>
<b>8.0</b>	<b>PLANNING COMMISSION CONSIDERATION.....</b>	<b>[21]27</b>
<b>9.0</b>	<b>ADEQUATE PUBLIC FACILITIES MANUAL.....</b>	<b>[21]27</b>
	<b>APPENDIX A: DEFINITIONS .....</b>	<b>[22]28</b>
	<b>APPENDIX B: COUNTY LEVEL OF SERVICE (LOS) MAP.....</b>	<b>31</b>

## 1.0 INTRODUCTION

The Adequate Public Facilities element of the Charles County Zoning Ordinance is designed to accomplish several things:

- Assure that proposed developments will not adversely affect the [public] health, safety, and welfare of the public.
- Encourage new development to occur in areas of the County where public facilities are being provided and which are designated in the Comprehensive Plan.
- Require developers to provide new, additional, or upgrades of existing public facilities which are necessary to address the impact on public facilities from their project, when the existing and planned facilities will not provide or maintain an adequate level of service.

This element of the Zoning Ordinance provides a significant tool for implementation of the Comprehensive Plan. Through the development and adoption process of both documents, the public identified the need for having adequate facilities in place when development occurs as a major issue facing the community. The ordinance addresses this need while also providing the opportunity for economic development to continue in the County.

The ordinance provides exemptions for small projects or those that will have a minimal impact. It also requires that an applicant only mitigate [his or her impact on the facility and not the correction of previous capacity problems. The correction of any existing problems are the responsibility of the various levels of governmental agencies] the impact caused by the proposed development.

This manual is intended to provide clear guidance to the interpretation, administration, and application of this element of the Charles County Zoning Ordinance. It specifies the standards, criteria, and procedures that are to be followed by both the applicant and County staff in executing this provision of the ordinance.

### 1.1 WHEN REQUIRED

An Adequate Public Facilities Study (APFS) is required for any subdivision, site plan, or zoning permit application with the following exceptions:

- I. [Minor residential or commercial subdivisions; containing five lots or less. Commercial site plans will be subject to the APF at the time of site plan submittal. Major commercial subdivisions will be subject to APF at subdivision and reviewed at site plan.] Residential subdivisions that meet the definition of Minor, in accordance with §278, Subdivision Regulations
- II. [Non-residential development containing less than 1200 square feet of floor area. If the site plan involves a change in use, where the change doesn't involve adding more than 1200 square feet of floor area, and the new use has the same or a lesser trip generation rate than the previous legal or non-conforming use, then no further study will be required for roads.] Non-residential subdivisions that meet the definition of Minor, in accordance with §278, Subdivision Regulations.

- III. New non-residential development containing less than 1,200 square feet (total) of floor area.
- IV. An existing non-residential structure adding less than 1,200 square feet of floor area.
- V. Site Development Plans for a non-residential change-in-use, where the new use has the same or a lesser trip generation than the previous legal or non-conforming use.  
Reconstruction of non-residential buildings that have suffered a loss or damage due to fire, floods, wind, geological occurrence, or other natural disasters, provided they are reconstructed in-kind and do not exceed an additional 1,200 square feet.

[In all other cases the Preliminary APF Analysis shall be submitted.]

## 1.2 PROCESS

[The attached flow chart (Appendix C) indicates the general path of a submittal for APF review. The majority of this]The Adequate Public Facilities (APF) process would run concurrently with the review of a subdivision or site plan submission. In the case of a subdivision, the Planning Commission would consider both the preliminary subdivision plan and the [APFS ]APF findings concurrently. In the case of a site plan, the Planning Commission will consider the [APFS ]APF findings before site plan approval can be granted by the [Zoning Officer]Planning Director.

## 2.0 PRELIMINARY ADEQUATE PUBLIC FACILITIES STUDY (APFS) [APF ANALYSIS]

Prior to submittal of [an application which requires ]an APFS, a Preliminary [APF Analysis (Appendix A)]Adequate Public Facilities (PAPF) Application must be filed by the applicant with the County. The [Preliminary APF]PAPF Analysis is described as a "Preliminary Traffic Analysis" in the Zoning Ordinance. However, in practice it was found that it was more efficient to identify information for all elements of the study as early as possible. Therefore, the [Preliminary APF]PAPF Analysis considers roads,[ schools] sewer, and water supply and establishes how the study will proceed. The [Preliminary APF]PAPF analysis will determine whether [or not school impact or] a Traffic Impact Study (TIS) is required by the applicant for the proposed project and, if so, what will be considered in the study[. Furthermore, it will determine if there is a concern with groundwater supply in the area of the development which should be addressed in the APFS]. If a development generates[ more than 140 vehicle trips per 24 hours, or 14] 35 peak hour trips or greater, it will require a [traffic study]TIS for which parameters are determined prior to submittal of either a site plan or a [subdivision plat]preliminary subdivision plan. [When a project is connecting to a county- owned public water system, no further study of groundwater is required.]

When a TIS is required, the study area should include both the existing and proposed site access point(s) as well as one intersection from the site access point(s) and extend to and including the first intersection with an arterial or higher classification roadway in each direction for urban/sub-urban areas (Septic Tier 1 & 2), or the first intersection with a collector or higher classification roadway in rural areas (Septic Tier 3 & 4). In each of these cases, if the roadway at the entrance of the project is an Arterial (for Tiers 1 & 2) or a Collector (for Tiers 3 & 4), the study area should extend to the next intersecting Arterial or Collector, respectively. In cases where the Applicant believes this requirement is unreasonable, a written appeal by the applicant may be considered to not include the first intersection with an arterial (or collector) or higher classification roadway in each direction. A response will be provided by the Planning Director within ten (10) business days.

The design year of a proposed project is the year in[at] which the project, or the phase being considered when appropriate, is expected to be completed. This needs to be considered when background traffic is calculated as defined in 3.2 VI. [The design year is less important in calculating school impact than the recordation date of the final plats.] Adequate facilities are required during all phases of a proposed project.

The determination regarding the acceptability of the [Preliminary APF Analysis]PAPF will be made by the [Zoning Officer]Planning Director. Applicants are encouraged to consult with County staff prior to submittal of the Preliminary APF Analysis [in order]to minimize any issues that might exist and thereby expedite the entire process.

## **2.1 TRAFFIC IMPACT STUDY (TIS) REQUIREMENTS**

A traffic impact study is a report that assesses the impact of a development, redevelopment or land rezoning on the transportation infrastructure. It is designed to provide data on the adequacy of the existing facilities and its ability to maintain adequate operational performance while providing ingress/egress to the proposed development. When a TIS is needed for a particular development, it must contain the information as outlined in this section in order to be deemed acceptable.

The TIS must follow the outline as described below:

- I. Title sheet including the name of the development and date.
  - i. Name of the Consultant and Developer should be visible.
- II. Table of Contents
- III. Introduction/Study Area
  - i. Clearly define the scope of the project including the intended land use and impact on the study area.
  - ii. Define the expected year of project completion.
  - iii. Describe all key roads and intersections in the study area.
  - iv. Describe Multimodal/transit transportation where applicable.
  - v. Include a figure with an aerial of the study area and clearly display the roadways and intersections. The study area diagram should highlight the site location.
- IV. Existing Conditions
  - i. Describe any transportation related deficiencies that can be observed during the existing conditions.
  - ii. Confirm if the use was in existence as of the date of the traffic count
  - iii. Include a figure with the existing traffic volumes.
  - iv. Include a figure with the existing lane use configurations.
  - v. Include a table(s) with the results of the existing traffic analysis.
- V. Background Condition
  - i. Define the background projected growth and include any information that led to the final decision.
  - ii. List the background developments and their associated trips that will be included in the background condition. Describe any approved yet unbuilt capital projects in the study area.
  - iii. Include a figure with background condition lane use configurations if a change occurs from the existing condition.



- iv. Include a figure with the background growth volumes.
- v. Include a figure with the trips from the approved yet unbuilt background developments within the study area.
- vi. Include a figure with the total background volumes.
- vii. Include a table(s) with the results of the background traffic analysis.

#### VI. Total Condition

- i. Display the trip generation for the study site and include a figure with the trip distribution through the study area. (Before finalizing the TIS, the Applicant shall consult with County Staff to confirm direction of approach percentages).
- ii. Include a figure with total condition lane use configurations.
- iii. Include a figure with the total condition volumes.
- iv. Include a table(s) with the results of the total traffic analysis. These results should be on a table with both the existing and background conditions to highlight changes through the project duration.

#### VII. Recommendations/Provided Mitigation

- i. Describe the recommended mitigation where applicable to meet the requirements defined by this manual.
- ii. Include a figure with the proposed mitigation.
- iii. Include a table(s) with the results of the traffic analysis with mitigation. These results should be on a table with both the existing, background, and total conditions to highlight changes through the project duration and to display how the mitigation will improve the facility.

#### VIII. Conclusion

- i. Concisely summarize the report and provide any additional information that will be examined during the review process.

#### IX. Appendix

- i. Include supplemental information including turning movement counts, pictures, layouts, site plans, etc.
- ii. Include all CLV and/or Synchro/SimTraffic HCM and queueing (if required) reports. Also include the approved trip generation for both the study development as well as any background developments.

The TIS report shall include but not be limited to the following recommendations to mitigate the traffic impact on the transportation system in the area:

- Location of traffic control devices. Recommended intersection for signalization shall include a warrant analysis from the latest Manual on Uniform Traffic Control Devices (MUTCD).
- Access points shall be located and designed in a way to qualify for a traffic signal or otherwise operate at a minimum acceptable level of service without signalization.
- Widening of roadways, intersections and needed right of way.
- Pedestrian and bicycle traffic movements.
- Specific off-site and on-site improvements.

The recommended design of the improvements must be feasible and achievable and designed to the latest MDOT standards and AASHTO sources including any specific Charles County design

standards. A TIS without specific recommendation to mitigate negative impacts shall be considered incomplete.

The traffic analysis shall follow the format as described in this section:

- For each intersection in the study area, Critical Lane Volume (CLV) analysis must be completed. The following thresholds shall be used to determine the LOS:

Level of Service	Critical Lane Volume
<b>A</b>	CLV < 1,000 VPH
<b>B</b>	1,000 VPH ≤ CLV ≤ 1,150 VPH
<b>C</b>	1,151 VPH ≤ CLV ≤ 1,300 VPH
<b>D</b>	1,301 VPH ≤ CLV ≤ 1,450 VPH
<b>E</b>	1,451 VPH ≤ CLV ≤ 1,600 VPH
<b>F</b>	CLV > 1,600 VPH

- If the CLV is greater than 1,300 or the intersection is unsignalized, HCM (latest edition) analysis will be necessary. In rural areas, as defined by Appendix B, HCM analysis will be needed when the CLV is greater than 1,150. Once the HCM analysis is triggered, this analysis shall be used as the main method of analysis for the TIS.
- All queueing analysis, when requested, must report the queue length as well as the available storage capacity.
- All analysis results shall be summarized and compared in the same table.

A TIS scope may also include the following types of analysis based upon requirements set during the Preliminary APF Analysis meeting:

- I. Queueing Analysis - This analysis may be required to determine whether existing and proposed left-turn storage at the site entrance(s) and nearby intersections is adequate, to assess U-turn lane storage adequacy, or to determine that lane queueing does not block access to turn lanes or spill back into upstream intersections.
- II. Multi-Modal Transportation – An analysis of bicycle, pedestrian, and transit facilities may be required to identify and evaluate the related impact and the need for enhancements of these types of facilities within the study area.

## 2.2 TRANSITIONAL PROVISIONS

- I. Applications for Preliminary Adequate Public Facilities (PAPF) Studies and Traffic Impact Studies (TIS), submitted after (insert effective date here), shall be subject to full compliance with the requirements herein.
- II. Preliminary Adequate Public Facilities (PAPF) Studies and Traffic Impact Studies (TIS) submitted as of (insert effective date) may elect to utilize the requirements in effect at the time of submittal for a period of one (1) year from the adoption of these requirements. After the one-year period, all applications shall be subject to full compliance with the requirements herein.

## 3.0 POLICY FOR DETERMINING ADEQUACY OF EXISTING ROADS

### 3.1 INTRODUCTION

This policy sets forth the criteria used to determine adequacy of existing roads to handle additional traffic proposed by land development or subdivision. This policy is intended to be used in conjunction with the Adequate Public Facilities (APF) element of Charles County Zoning Ordinance, effective October 1, 1992 or any latest revisions.

This policy establishes the minimum requirements for roadway elements and traffic operations prior to approval of a preliminary subdivision or site plan.

It should be noted that this policy is generic in scope. Because of the vast roadway configurations and inability to speculate the type of development proposed, the County has issued this policy only as a guide. The [Zoning Officer]**Planning Director** reserves the right to evaluate each existing road segment on an individual basis and make a determination of the level of study required prior to approval of additional development by the Planning Commission.

Nothing in this policy shall prevent a development from being developed in phases (sections). Road adequacy determinations shall be binding only for those phases submitted for preliminary approval.

### 3.2 ROADWAY ELEMENTS

This portion of the policy describes the minimum requirements to deem a road adequate. Traffic generated by the development shall be assigned to the existing road network according to the probable origins and destinations based on existing traffic patterns and experience.

A facility is inadequate if its level of service (LOS) drops below the designated level stated in this manual for each specific type of analysis. The established minimum level of service (LOS) for multi-lane highways and signalized intersections **can be found in Appendix B: County Level of Service (LOS) Map.**[are as follows:]

***[TABLE 3.1  
MINIMUM LEVELS OF SERVICE FOR MULTI-LANE HIGHWAYS,  
TWO LANE HIGHWAYS, SIGNALIZED INTERSECTIONS  
AND UNSIGNALIZED INTERSECTIONS]***

COMPREHENSIVE PLAN DISTRICT	PEAK HOUR
Development District	LOS C
Village Centers	LOS C
Rural/Ag Conservation Areas and Others	LOS B
Town Centers and Urban Core	LOS D

The LOS is a representation of **critical lane volume**, volume (of vehicles) to capacity (of the road),

or delay caused to a vehicle at a signalized intersection. Road segments and intersections must be analyzed and either can be the source of the inadequacy. The study must consider existing traffic, background traffic, and the traffic expected to be generated by the proposed development. This is evaluated for a design year, which is established in the preliminary traffic analysis as part of the PAPF [form] **Application**. The design year will usually correspond to projected build-out of the project, although it may be shorter for particularly large projects which are done in phases. In these cases the analysis shall be done for each phase as application is made for each phase. The analysis should also consider any projects that have been funded for construction in either the State, County or Towns Capital Improvement Projects budget.

If the facility will not meet the LOS standard and/or its volume to capacity ratio is degraded by a factor of 0.01 or more (a one percent change), then mitigation will be required to offset this impact. The calculations shall be done in accordance with the methods for link and intersection analysis established in the **latest edition of the** Highway Capacity Manual[, (Special Report #209)] or any subsequent revisions by the Transportation Research Board. This manual describes techniques for computing highway capacity. A copy of the Highway Capacity Manual is available at the Department of Planning and Growth Management, Planning Office.

The following assumptions [should ] **shall** be used wherever applicable for the traffic impact analyses.

- I. "Free Right Turns" are defined as movements typically isolated by channelization and controlled by a yield sign. Only if the right turning vehicles are separated from the queue of through vehicles on the approach leg, and there is sufficient exclusive acceleration opportunity on the turn leg, can they be excluded from the analysis.
- II. Where no separate left turn lanes occur at high volume intersections, the left most approach lane should be assumed to handle all the lefts with the other lanes carrying the through traffic and rights. Actual observation/documentation of other conditions will be reviewed on a case-by-case basis.
- III. On one lane approaches where a bypass of the left turning vehicle exists, a separate left turn lane can be assumed, only if there is sufficient stacking to accommodate a through/right lane. Otherwise, it should be considered a left/through/right lane. Actual observation/documentation of other conditions will be reviewed on a case-by-case basis.
- IV. The County will not accept turning movements or 24 hour counts more than 12 months out of date. **Turning movement counts shall be conducted when schools are in session.**
- V. If data is available, (e.g. peak hour factors, truck percentages) then those figures shall be used in the traffic analyses. Otherwise, default values in the Highway Capacity Manual shall be utilized unless specified by County staff.
- VI. Background traffic to be added to existing volumes should include traffic projected to be generated by any development or site plan that has preliminary approval and identified by County staff to have an impact on the study area. **Annual background growth** [and growth ]in traffic [increased annually ]up to the project design year **be determined and a 1% growth rate per year should be utilized.** Growth in traffic is described as a factor representative of travel growth outside the study area.

Transportation improvements to be used in the analysis must have 100% of the construction funds programmed in either a Town or current Charles County Capital Improvement Program or the current State Consolidated Transportation Program prior or concurrent to project design year.

### 3.3 TRIP GENERATION

The latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual will be used as the primary source of trip generation factors for all land uses. The fitted curve equation shall be used for all trip generation estimates except for land uses where the fitted curve equation is not available, or County staff recommends using an average rate instead of the fitted curve equation<sup>[A1][A2]</sup>. Trip generation rates for many uses not specifically cited in the ITE Manual may be estimated by using other available sources of information, subject to approval by the [Zoning Officer]Planning Director. All traffic studies will consider AM, [ and] PM, and Saturday peak hour trip generation, unless specified by County staff<sup>[A3][A4]</sup>. [In some cases, where a particular problem is known to exist or commercial retail development is proposed, weekend rates may be required to be analyzed by the Zoning Officer.]All traffic studies will consider AM and PM peak hour trip generation and analysis for both weekday and weekends.

In addition to peak hour trip generation, a computation of average daily traffic generation should also be made and included in the traffic impact study[Consultant's report].

For commercial retail development only, the applicant may make reasonable assumptions regarding pass-by traffic. Pass-by percentages may be selected after consultation with the [Zoning Officer<sup>[A5][A6]</sup>Planning Director or his/her designee and in accordance with [Chapter VII]the latest edition of the ITE, Trip Generation Manual. Pass-by percentages shall not be used to reduce parking or other on-site requirements, or to determine the threshold level for performing a full traffic impact study.

The [Zoning Officer]Planning Director may approve the use of public transit or other transportation modes rather than vehicular traffic when performing traffic studies where available.

### [3.4 TRIP GENERATION]

Site generated traffic volumes entering and exiting, shall be assigned to the roadway network within the impact area by the Applicant using the distribution factors based on the current directional distribution subject to approval by County staff. The Developer/Consultant may conduct independent traffic studies necessary to justify trip distribution factors different from the ones established by the historical trends.

### 3.4 INTERSECTION ANALYSIS

Any intersection that has been identified in the preliminary analysis (PAPF) shall be analyzed using the methods identified in the following sections. Any intersection that is not controlled by at least a three-section traffic signal (red, yellow, green) is required to perform the unsignalized analysis. Any intersection that is controlled by at least a three-section traffic signal shall utilize the signalized intersection analysis only if the critical lane volume exceeds the thresholds noted in Section 2.1 of this document.

#### 3.4.1 [3.5.1] UNSIGNALIZED INTERSECTIONS

At any unsignalized intersection the procedures recommended in the latest edition of the Highway



Capacity **Manual (HCM)**[(Chapter 10)] for analyzing such intersections should be employed. Unsignalized intersections make up the vast majority of at-grade junctions in any street system. Stop and yield signs are used to assign the right-of-way to one street at such intersections. This designation forces drivers on the controlled street to judgmentally select gaps in the major street flow through which to execute crossing or turning maneuvers.

The Highway Capacity Manual unsignalized intersection analysis is used to determine the reserve capacity of the conflicting movements as well as average total delay during the peak hour flow. The following table shall be used to determine the level of service at an unsignalized intersection:

**TABLE 3.1[2]**  
**LEVEL OF SERVICE CRITERIA**  
**UNSIGNALIZED INTERSECTIONS – TWO WAY STOP CONTROLLED**

LEVEL OF SERVICE	<b>CONTROL</b> [Average Total] D[elay] <b>ELAY</b> (Seconds/Vehicle)
A	$\leq 10[5.0]$
B	$> 10[5]$ and $\leq 15[0]$
C	$> 15[0]$ and $\leq 25[0]$
D	$> 25[0]$ and $\leq 35[0]$
E	$> 35[0]$ and $\leq 50[45]$
F	$> 50[45]$

[The above] Table 3.1[2] corresponds to **Exhibit 20-2** in[the] **Volume 3** of the HCM. In the event that a new version of the Highway Capacity Manual is released, the updated table referencing this information shall be used. [Manual's Table 10.3.]

Unsignalized intersections shall be determined to be inadequate if future traffic analyses result in intersection delay/level of service which drops below the designated levels of service **as shown on the map provided in Appendix B of this manual**[for the different Comprehensive Planning Districts as outlined in Table 3.1], or if there is no reserve capacity in any movement in the future traffic condition. If negative capacity exists for the background analyses, then any degradation of the negative capacity (future traffic shows a greater negative number, e.g. -20 future vs -10

background) will be deemed as creating an inadequate condition. [For 1994 HCM Unsignalized computer program, ]Reserve capacity is to be calculated [(as with the 1985 HCM) ]by subtracting movement capacity minus the flow rate for each applicable movement.

Additional studies should be conducted to determine potential means to correct the deficiency. The type of study deemed appropriate should be determined after consultation with County staff.

If a traffic signal warrant analysis is deemed appropriate, the study must be conducted in accordance with the requirements set forth in the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD).

### 3.4.2 [3.5.1] SIGNALIZED INTERSECTIONS

Signalized intersections shall be analyzed utilizing Critical Lane Volume (CLV) or the Highway Capacity Manual (Chapter 19), when required (See Section 2.1 of this manual), for determining its level of service. Capacity analysis of signalized intersections results in the computation of volume to capacity (v/c) ratios for individual movements and a composite v/c ratio for the sum of critical movements. The v/c ratio is the actual or projected rate of flow on an approach or designated group of lanes during a peak 15-minute interval divided by the capacity of the approach or designated group of lanes. Level of service is based on the average stopped delay per vehicle for various movements within the intersection. While v/c ratios affect delay, there are other parameters that more strongly affect it, such as the quality of progression, length of green phases, cycle lengths, and others.

The following level of service criteria for signalized intersections will be used:

**TABLE 3.2[3]**  
**LEVEL OF SERVICE CRITERIA**  
**SIGNALIZED INTERSECTIONS**

LEVEL OF SERVICE	CONTROL[STOPPED] DELAY [PER VEHICLE] (Seconds/ <b>Vehicle</b> )
A	$\leq 10$ [5.0]
B	$> 10$ and $\leq 20$ [5.1 to 15.0]
C	$> 20$ and $\leq 35$ [15.1 to 25.0]
D	$> 35$ and $\leq 55$ [25.1 to 40.0]
E	$> 55$ and $\leq 80$ [40.1 to 60.0]

F	> 80
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Table 3.2 corresponds to Exhibit 19-8 in Volume 3 of the 6<sup>th</sup> Edition of the Highway Capacity Manual (HCM). In the event that a new version of the Highway Capacity Manual is released, the updated table referencing this information shall be used.

Roadways controlled by a coordinated signal system should be analyzed using Synchro/SimTraffic or a similar industry standard programs to determine the adequacy of intersections.[A7] [Progression analysis shall be performed, if requested by County staff, for impacted arterials containing two or more traffic signals within one-half of a mile, where the development proposal will generate a significant impact. ]The TRANSYT-7F or Passer II-90 computer software program shall be utilized for the purpose of progression analysis. Intersections shall be analyzed for queuing, (i.e. queuing analysis to determine the required storage area needed for a left turn lane) if requested by County staff. The Maryland State Highway Administration queuing analysis method shall be utilized to determine the required storage area needed. In addition, 95<sup>th</sup> percentile and average queues from Simtraffic shall be utilized.

### 3.5 [3.6] ROADWAY LINK ANALYSIS

When intersections within the study area operate at inadequate levels of service, roadway link analysis as defined by the latest edition of the HCM shall be necessary. Rated capacity for roadway links shall be determined using acceptable methods described in the latest edition of the Highway Capacity Manual.[, (Chapter 7 and 8).]

The following information is required as inputs to the operational analysis procedure:

- I. Geometrics - refers to the physical roadway characteristics.
  - Design Speed - the maximum safe speed the road was designed or constructed that can be maintained over a specified section of highway
  - Lane Widths - the widths of the travel lane
  - Shoulder and Median Clearances - the distance of any object from the travel lane, such as curbs, poles, guardrails etc.
  - Grades and Lengths of Grades - Describes the slope of a section of Highway.
  - Type of Terrain - 3 general types of terrain: Level, Rolling, Mountainous
- II. Volumes
  - Existing traffic volume and the projected future volume
- III. Traffic Characteristics
  - Peak Hour Factor (PHF) - depicts the flow rates during the peak hour
  - Percent Trucks - Percentage of total traffic comprised of trucks
  - Percent Recreation Vehicles (RVs) - Percentage of total traffic comprised of Recreation vehicles
  - Percent Buses - Percentage of total traffic comprised of Buses
  - Driver Population - factors in users utilizing highway: commuter, Recreational,

etc.

### 3.5.1 [3.6.1] MULTI-LANE HIGHWAYS: LEVEL OF SERVICE CRITERIA

An operational analysis for a multi-lane highway will require input in terms of geometric conditions for an existing highway or projections of those for a future highway. These are analyzed to determine the existing or projected level of service and the approximate speed and density of the traffic stream. The multi-lane highway must also be classified as either divided or undivided and either rural or suburban.

Level of service (LOS) criteria for multi-lane highways is defined in terms of density. Density is a measure which quantifies the proximity to other vehicles in the traffic stream or passenger cars per mile per lane (pc/mi/ln). It expresses the degree of maneuverability within the traffic stream. Boundary values of density are given, as follows, for the various levels of service:

**TABLE 3.4**  
**LEVEL OF SERVICE CRITERIA**  
**MULTI-LANE HIGHWAYS**

LEVEL OF SERVICE	MAXIMUM DENSITY (pc/mi/ln)
A	$\leq 11$ [12]
B	$> 11$ and $\leq 18$ [20]
C	$> 18$ and $\leq 26$ [28]
D	$> 26$ and $\leq 35$ [34]
E	$> 35$ and $\leq 45$ [40]
F	Demand Exceeds Capacity or Density $> 45$

Complete LOS criteria are given in Chapter 12[7] (Exhibit 12-15[Table 7.1]) of the 6<sup>th</sup> Edition of the Highway Capacity Manual. In the event that a new version of the Highway Capacity Manual is released, the updated table referencing this information shall be used. [For average free-flow speeds of 60 mph, 55 mph, 50 mph, and 45 mph, the table gives the average travel speed, the maximum value of volume to capacity ratio (v/c), and the corresponding maximum service flow rate (MSF), for each level of service. The speeds, v/c ratios, and maximum service flow rates tabulated are expected to exist in traffic streams operating at the densities defined for each level of service under ideal conditions.]

Level of Service criteria depends on the free-flow speed of the highway element being studied. A "highway element" can be an isolated geometric element, such as a curve or grade having a reduced design speed, or a series of such geometric elements that dominate the operation of a longer segment of highway.

### 3.5.2 [3.6.2] TWO LANE HIGHWAYS: LEVEL OF SERVICE CRITERIA

Two lane highways may be defined as a two-lane roadway having one lane for use in each direction. An operational analysis **may be required**[will be performed] to analyze the level of service on the two-lane roads **when applicable, as required above in Section 3.5**[6]. The inputs will consist of existing traffic, roadway conditions or projected future conditions, and general terrain or specific grades. To perform a two-lane highway link analysis the study will follow the standards and methodology mentioned in [Chapter 8 of ]the **latest edition of the** Highway Capacity Manual.

The Highway Capacity Manual analysis evaluates the potential delay due to the unavailability of vehicles to pass or **overtake**[get by] slower vehicles. Therefore, when there is a significant volume of vehicles on a roadway with little or no passing opportunities, there is a chance that some vehicles will experience a delay, due to slower vehicles. This type of situation could be labeled as a LOS "E" condition, which would require mitigation under existing conditions, even though the roadway is not operating at or near capacity. These analyses have illustrated that many of the two-lane roadways would need to be four-lanes [in order to]**to** operate at acceptable levels of service. [Other local jurisdictions (Prince George's County, Frederick County and Washington County) have opted to modify the LOS standards to be consistent with actual conditions.]

Therefore, two-lane highways shall be determined to be adequate if actual capacity does not exceed 80% of rated capacity as determined by the Highway Capacity Manual.

### **3.6 [3.7] CAPITAL IMPROVEMENTS**

Any project that is included in an adopted Capital Improvements Program of the State, Charles County, or an incorporated Town, may be considered when **analyzing**[calculating] the adequacy of road facilities. The capacity associated with such an improvement may only be counted when the project is scheduled for completion prior or concurrent to project design year. If the road facilities are not adequate to serve the proposed development, and improvements are programmed that would address the needs of the proposed development, then the proposed development may not proceed until those improvements are scheduled to be in place.

### **3.7 IMPACTS OF APPROVED PRELIMINARY SUBDIVISION and SITE PLANS [IES]**

In calculating the impact of a development proposal, all approved preliminary subdivisions and site plans must be considered. The applicant should consult with County staff [in order] to determine which approved subdivisions will have an impact on the roads associated with the development proposal. Only those approved preliminary subdivisions and site plans that directly impact the road facilities **within the study area of the proposed development**[adjacent to the proposal] will need to be considered. This determination will be made formally as part of the Preliminary APF Analysis. The impact of these approved subdivisions is then incorporated into the background traffic volumes that are analyzed in the Traffic Study.

## **4.0 POLICY FOR DETERMINING ADEQUACY OF SCHOOLS**

This document is intended to provide guidance in the application of the Adequate Public Facilities element of the Charles County Zoning Ordinance as it applies to school facilities. It sets forth the criteria to be used in combination with the Zoning Ordinance to determine the ability of existing school facilities to adequately accommodate the students projected to be generated by the proposed development.

### **I. PURPOSE**



In order to provide for the orderly expansion of public school facilities and at the same time manage the county's growth in a manner consistent with the goals and objectives of the comprehensive plan, this policy for the allocation of school capacity has been developed. The statutory authority and regulatory requirements, as specified in the Land Use Article of the Annotated Code of Maryland, and in Article XVI, Adequate Public Facilities Requirement, Charles County Zoning Ordinance, provide the basis for the establishment of a policy to allocate school capacity.

## **II. APPLICABILITY**

This policy applies to all residential subdivisions and developments proposing dwelling units in the unincorporated areas of Charles County. This policy is not applicable to subdivisions or developments within the limits of any incorporated towns in the county.

## **III. ALLOCATION OF AVAILABLE CAPACITY**

- A. An allocation shall be required for any residential project located within the unincorporated areas of Charles County, which is potentially capable of generating school students, as required in II. Applicability, above, and as required by the adequate public facilities requirements of the Charles County Zoning Ordinance. No plat of subdivision shall be approved by the County without School Allocations, either through the bulk allocations, School Adequate Public Facilities Eligibility List allocations, Development Rights and Responsibilities Agreement allocations, granting of allocations under the time limit provisions of section VI.C, or granting of allocations under the priority development project provisions of section VIII.
- B. The annual school capacity allocation committee, composed of the Charles County Commissioners and the Charles County Board of Education, and/or their designated representatives, will meet to decide on the appropriate allocations for the upcoming year. This committee will consider the following factors, as well as any other information deemed pertinent, in establishing the allocatable school capacity for the upcoming year:
  - 1. Current enrollments;
  - 2. Projected enrollments;
  - 3. Current capacities of individual schools;
  - 4. student yield for each dwelling type by school level;
  - 5. Capacity to be provided by any current Capital Improvement Program (CIP) projects;
  - 6. Additional capacity provided by the use of relocatables within the Board of Education's relocatable policy guidelines;
  - 7. Current district boundaries for school attendance and redistricting opportunities within the Board of Education's policy guidelines;
  - 8. Residential development and growth within the incorporated towns which will impact the enrollments at County schools;
  - 9. Number of lots from minor subdivisions recorded in previous year;
- C. With the exception of allocations granted to Priority Development Projects and those projects granted allocations under the time limit provisions of Section VI, allocations may be granted to a project only if school capacity current exists or is programmed to exist under the then applicable capital improvement projects program. Allocatable capacity will be based on 110% of state rated capacity in all schools, except where it is not feasible. School capacity must exist at all three school levels within the current school

district attendance boundaries for which the board of education has determined the students from the project will attend. All schools (elementary, middle and high) to which the students from the project attend must have capacity. When capacity is programmed to exist through an approved CIP project, allocations may be granted within the eighteen month period prior to the opening of the new school facility.

- D. Upon agreement on the amount of allocatable school capacity for the upcoming year, the County Commissioners shall publish a listing of the approved allocatable school capacity.
- E. The number of development units will be determined by applying the student generation yield factors to the dwelling unit type per school level.
- F. Residential school capacity allocations shall be granted in the order in which projects appear on the school capacity allocation eligibility list.
- G. The project allotments may be supplemented from unused allocations. In no case shall a project be eligible for an additional allocation prior to the Charles County Government first offering allocatable capacity to all eligible projects on the school capacity allocation eligibility list.
- H. A single development project may not receive more than fifty percent (50%) of the available allocations for a specific school zone until all other eligible development projects in the same school zones have declined their offer of the balance of available allocations.
- I. All valid preliminary subdivision plans shall be placed on the school capacity eligibility list in the order in which they receive approval from the Planning Commission. Site plans approved after the effective date of this policy shall be placed on the list in the order in which they receive approval from either the Charles County Planning Commission or the Department of Planning and Growth Management, whichever is applicable. If two or more projects receive preliminary approval on the same date, the order of position shall be determined by the date in which the projects were originally submitted for review.  
Minor subdivisions that exceed five (5) total lots including the parent parcel shall be placed on the list according to their official submittal date to the Department of Planning and Growth Management. Subdivision proposals that create no more than five (5) lots since October 1992, the adoption of the APF provisions, may proceed to final plat without waiting on the school allocation eligibility list. This is consistent with the treatment of minor subdivisions which create no more than five (5) lots, including the parent parcel.
- J. Bulk reservations- A quantity of bulk reservations shall be set aside annually to provide for the approval of school APF minor subdivisions, as defined by this policy and lots recorded prior to the effective date of this policy. Although exempt from the requirement of having to be placed on the school capacity allocation eligibility list, the following projects will be subject to all other provisions of this policy.

1. Residential lots recorded after October 1992.

2. Multi-Family dwelling units building up to four (4) new units; however, multi-family buildings may not be phased such that four (4) units are approved with the balance of

the building being unfinished. Where a habitable residential structure(s) exist(s) on the lot, parcel or property and a building permit is submitted to replace or improve the existing structure(s), then that unit will not be counted toward the 4 new units and will not be deducted from the bulk allocation. The determination of habitable structure will be as set forth in the policy and procedure for excise tax exemption adopted 8/24/2005.

- K. The Director of Planning and Growth Management, or the Director's designee, is authorized to approve allocations for school capacity in conformance with this policy, and in the manner established in Section VII and Section VIII.

#### **IV. TRANSITION PROVISION**

Any lot recorded prior to the effective date of this policy shall be considered as part of the bulk reservation allocation.

#### **V. TRANSFERS OF ALLOCATION**

- A. An approved school capacity allocation may be transferred from one developer or builder to another developer or builder for the same number of units in the same project, subject to the same conditions and time limit as the original allocation and subject to approval as explained below. A school capacity allocation is granted for a specific site plan or subdivision and may not be transferred to another project.
- B. All requests for a transfer of allocation shall be made in writing to the Director of Planning and Growth Management with reasons given for the need for a transfer. The Charles County Commissioners shall set appropriate fees for the transfer of school capacity allocations. The Charles County Commissioners may elect to deny such a request for a transfer of allocation if such request is deemed to be not in the best interest of the health, safety, welfare, or convenience of the citizens of Charles County. All such requests shall be made subject to the provisions of Section V. A. above.
- C. A grant of a special exception, zoning reclassification or change of use of any project does not entitle a person, corporation or public entity to an allocation, or an increase in a previous allocation, of school capacity. If a grant of special exception, zoning reclassification or change of use within a part of any project reduces the school capacity needed for that project, the excess allocated capacity may be transferred within the remainder of that project but may not be transferred to another project. This excess allocated capacity, if not transferred within a specific project, shall be duly allocated to the next project in line on the priority listing. If a grant of special exception, zoning reclassification or change of use within a part of any project increases the school capacity needed for that project, an "application for School Capacity Allocation" must be submitted and approved in accordance with these regulations.

In cases where a Planned Development Zone (PDZ) is applied to an approved preliminary plan, the preliminary plan may maintain the position on the school eligibility list as long as the preliminary plan remains valid. In cases where a preliminary plan of subdivision is reconfigured to add more lots, the portion of the project with the increased lots will be treated separately with a new approval date. The additional lots will be placed on the school allocation eligibility list based on the approval date of the revised preliminary plan. The additional lots can be shown on the revised preliminary plan of

subdivision; however, they need to be clearly identified.

## **VI. TIME LIMIT ON ALLOCATIONS**

- A. Whenever preliminary plans, site plans or other Planning Commission reviews are part of a project, an allocation will not be granted until the plans have been (1) approved by the Planning Commission, as in the case of preliminary plans or other projects required to be approved by the Planning Commission, or (2) administratively approved by the Director of Planning and Growth Management, as in the case of site plans. Any allocation granted after the adoption of this policy shall be valid for a period of sixty (60) months from the date granted. An allocation for school capacity will automatically become void if the preliminary plan or site plan with which it is associated becomes invalid for any reason.
- B. Failure of the applicant (or his successor or assignee) to record the lots for which an allocation has been granted, within sixty (60) months of the date of the grant of the allocation, will result in the forfeiture of the allocation and 50% of the deposit. In the case of a residential multi-family apartment / condominium site plan, an issued development services permit must be obtained within sixty (60) months of the date of the grant of the allocation. Forfeiture of allocations under these circumstances are not reoffered to projects on the waiting list since the school capacity for individual schools is set each year by the student enrollment counts.
- C. Development projects that have remained on the school allocation eligibility waiting list shall be granted school allocations no later than six (6) years from their date of initial/original approval of the preliminary subdivision plan and/or site development plan. On the sixth (6<sup>th</sup>) anniversary date of the initial/original preliminary subdivision plan and/or site development plan, the development project shall be granted fifty-percent (50%) of the remaining allocations for the subject project based on the school allocation eligibility waiting list. On the seventh (7<sup>th</sup>) anniversary of the initial/original development project, the remaining allocations shall be granted. This section does not apply to portions of development projects that have a valid Development Rights and Responsibilities Agreement (DRRA).
- D. Development projects that have been on the school allocation eligibility waiting list for at least six (6) years as of December 15, 2020 shall be subject to the following transition provisions:
  - 1. Development projects that meet this criteria shall be granted twenty-five percent (25%) of their remaining allocations from the school capacity eligibility waiting list each year for four (4) consecutive years.
  - 2. In no circumstance will a development project receive greater than sixty (60) allocations per year under this provision.
  - 3. Any development projects which meet this criterion, and which have eighty (80) units or less awaiting school allocations will be granted no fewer than twenty (20) school allocations per year.
  - 4. If at any point ten (10) or fewer allocations remain on the school capacity eligibility waiting list for a given development project, the balance shall be granted to the

development project.

5. Upon the effective date of this amendment (December 15, 2020), and in the case where the annual school allocation cycle meeting has occurred, the planning director will issue allocations to eligible development projects consistent with the criteria of this section.
6. These allocations will be valid not to exceed five (5) years from the date of granting.
7. Development projects taking advantage of this provision shall be awarded school allocations in ascending order based upon the original preliminary plan and/or site plan approval date.
8. The Director of Planning and Growth Management shall grant allocations not to exceed 250 per year under this provision.

## **VII. ADMINISTRATIVE PROCEDURES FOR THE ALLOCATION OF AVAILABLE SCHOOL CAPACITY**

- A. Prior to seeking approval for a school capacity allocation, the applicant shall have obtained preliminary plan and/or site plan approval, or, in the case of APF school minor subdivisions shall have submitted their final plats, in accordance with the requirements above and be placed on the school capacity allocation eligibility list. If two or more projects receive preliminary approval on the same date, the order of position shall be determined by the order in which the projects were originally submitted for review.
- B. Projects may seek school capacity allocation only from the individual schools to which the students they generate will attend. However, if a project's location is split between more than one school attendance zone, the following provisions shall apply:
  1. Projects containing 100 lots or less - the school attendance zone in which the project may apply for and receive allocation will be decided by where the majority of the lots approved for the preliminary or site plan (not the majority of the land area) are located. Allocation for all lots in the project will be granted from the district in which the majority of the lots are located. For example, if the project contains 96 lots and 56 are located in a certain school attendance zone, all allocations will be granted from that zone.
  2. Projects greater than 100 lots - school capacity allocation must be granted for each lot shown on the approved preliminary or site plan only from the school attendance zone in which the lots are located.
- C. Within 30 days of the effective date of this policy, the Department of Planning and Growth Management shall notify the owners of the residential projects on the school capacity allocation eligibility list of their opportunity to apply for allocations.
- D. Application for school capacity shall require the submittal of an "Application for School Capacity Allocation" provided by the Charles County Department of Planning and Growth Management. These applications shall include, but not be limited to, the following information:



1. Location;
2. Specific address, plus location, description and tax map and parcel numbers for the subject proper, school impact fee districts for elementary, middle and high school;
3. Name, address and telephone number of developer, builder and owner;
4. Tax identification number;
5. Type of project;
6. Total number of lots or units to be developed, and type(s) of units;
7. Number of lots current application is requesting approval for
8. Date of preliminary or site plan approval;
9. Phasing plan or number of units to be constructed per year;
10. Date application filed;
11. Signature of owner and developer, builder;
12. A block "for office use only", stating the action taken (granted, conditioned, denied, amount of allocation, number of units allocated, signature of acting official, time limitations, time extensions or other changes).

**E.** The Department of Planning and Growth Management shall notify all applicants within thirty (30) calendar days after the application closing date what action has been taken on the applications.

**F.** The annual school capacity allocation committee shall decide on the number of bulk reservations which shall be set aside each year.

[H] Within sixty (60) months of the date of the grant of an allocation, the applicant (or successor or assignee) shall record all lots for which allocation has been granted on a final plat of subdivision or, in the case of a site plan, shall have their development services permit issued for all portions of the project for which allocation has been granted. Failure to do so shall cause a forfeiture of the allocation and 50% of the deposit. Development projects that had valid school allocations at the time of the implementation of the Watershed Conservation District (WCD) Zone shall be entitled to a full refund under this policy.

**G.** No application for allocation on a project will be accepted on a project that has had a previous allocation forfeited until the next allocation cycle following the forfeiture.

**H.** When an allocation is forfeited, by a project owner through the decline of an offer, the resultant number of lots or units shall be offered to the next eligible project on the school allocation waiting list during the same allocation cycle.

**I.** If an application for allocation of units within a project does not cover all units within the project, the remaining units shall retain the same priority as the original project for allocations in subsequent years.

**J.** Approval of an allocation for a portion of a site plan or subdivision project in no way assures the future availability of school capacity on demand for lots or units other than those with approved allocations.

## **VIII. PRIORITY DEVELOPMENT PROJECTS**

**A.** This section determines the applicable criteria and regulations for Priority Development Projects (PDP). These projects shall be exempt from all other provisions of Section 4.0.

- B. The Director of Planning and Growth Management shall grant allocations equivalent not to exceed 650 per year under this provision.
- C. These allocations will be offered to development projects that are located within the areas corresponding to the Comprehensive Plan's Development District or the land zoned Waterfront Planned Community (WPC), provided that at least one of the following criteria is met (C.i, C.ii, or C.iii) and a Development Agreement is executed with Charles County and includes a build-out schedule. In the case of a Mixed-Use development, the build-out schedule must include a proportional build-out/phasing plan of commercial and residential development phases throughout the project. The residential development may not be granted allocations until each sequential commercial phase has commenced construction (completion of foundation or footings). Priority Development Projects must include one (1) of the following:
- i. The development project must be a Mixed-Use development
  - ii. The development project must be a minimum of twenty-five percent (25%) affordable / workforce housing
  - iii. The development project must be located within either the WC or AUC zone within the Waldorf Urban Redevelopment Corridor (WURC)
- D. Development projects which meet the above criteria, may file an application that is provided by the Charles County Department of Planning and Growth Management. The application may be filed when the development project has recorded a Development Agreement, which includes a build-out schedule, and meets one or more of the following criteria:
- i. The development project has obtained preliminary subdivision plan approval.
  - ii. The development project has obtained site development plan approval.
  - iii. The development project has obtained master plan approval.
- E. Development projects that have successfully submitted a PDP Allocation Application will be granted school allocations on a first come first serve basis.
- i. The allocations will be granted for the year in which they are to be utilized, consistent with the build-out schedule within the subject project's executed Development Agreement. Allocations are considered to be utilized upon issuance of a valid building permit for multi-family projects or the recording of plats for single family attached or detached homes.
  - ii. PDP allocations will be granted on a first come first serve basis.
  - iii. In the case of two (2) or more Priority Development Projects seeking school allocations for the same school allocation year, allocations will be offered in the order of the earliest date of approval between preliminary subdivision plans, site development plans, or master plans.

F. PDP school allocations will remain valid as long as the development project is adhering to the executed Development Agreement and build-out schedule.

- i. If the development project progress falls behind more than two (2) years on their build-out schedule, the Development Agreement will become void.
- ii. The development project may revise the Development Agreement and build-out schedule at any time to maintain the PDP allocation status. Any request to revise the Development Agreement must be made to the Director of Planning and Growth Management in writing, prior to the end of the 2-year grace period allowed under F.i above.

## **IX. SEVERABILITY**

If any section, subsection, sentence, phrase, or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and said holding shall not affect the validity of the remaining portion of these regulations; it being the intent of the County Commissioners of Charles County that these regulations remain in effect, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion thereof.

## **5.0 POLICY FOR DETERMINING ADEQUACY OF GROUNDWATER SUPPLY**

This document is intended to provide guidance in the application of the Adequate Public Facilities element of the Charles County Zoning Ordinance as it applies to water supply. It sets forth the criteria to be used in combination with the Zoning Ordinance to determine the ability of existing ground water supplies and facilities to accommodate the demands projected to be generated by the proposed development.

### **5.1 PUBLIC SYSTEMS**

If a development is to be connected to the public water system, then the adequacy of the system which will provide the water to the site is the concern and then such issues as line size, capacity, looping, fire protection, and ultimate system design will be considered in the project design and in the review of the engineering drawings.

### **5.2 GROUND WATER**

If a development is proposed to utilize groundwater from wells, then a Ground Water Appropriation Permit (GAP) shall be required prior to recordation of the final site plan. The applicant shall also demonstrate that there is no adverse impact on adjacent properties. In practice, this shall require that in appropriating groundwater, the applicant will demonstrate in any area where there has been a problem with any existing wells, that this appropriation would not [effect]affect the water levels of wells in that aquifer. The GAP, for a development will be approved based on the 80% safe yield management level as permitted by the Maryland Department of Natural Resources, Water Rights Division. The 80% safe yield is generally considered to be the quantity of water that can be withdrawn indefinitely without lowering the water levels to uneconomical limits and without impairing the quality of the water. In determining the rates of withdrawal from a groundwater reservoir, the limiting factors are rates of recharge, the

transmissibility (or productivity) of the aquifer, and its susceptibility to contamination.

### **5.3 FIRE SUPPRESSION FOR THE RURAL AREAS**

#### **I. Subdivision Design Criteria**

Residential preliminary major subdivision plans located in a W6 Water Service Area will be required to provide adequate fire suppression, as per Section 261 of the Zoning Ordinance. The level of service for fire suppression is directly related to the size of the development. If adequate water sources are not found to exist, then the developer must mitigate.

#### **II. Determination of Acceptable Water Source**

For locations where an off-site water source is acceptable, the developer may contact existing landowners (private party, County, State, or Federal Government) with ponds or streams meeting the requirements and negotiate access to the water source. The developer may need to develop all weather access to the water source. The distance from the existing water source to the project will be scaled off a map to check that the source is within the four (4) mile round trip distance. This distance, from the water source to the project, is driving distance and not straight-line distance.

#### **III. Alternative Mitigation Options**

1. If the existing water source does not have all weather access, a dry hydrant may be installed to provide all weather access if it can draw at least 1,000 gallons per minute (gpm) of flow for a minimum duration of thirty (30) minutes. This could be applied to either streams or ponds which are easily accessible from a County or State road.
2. The developer may use existing water sources or develop new sources such as designing a pond with a dry hydrant or installing an underground storage tank.
3. A storage tank must be capable of holding 30,000 gallons and a suitable method for replenishment of the tank must be approved by the Planning Commission.
4. The Planning Commission can approve alternative but equal mitigation for fire suppression, as a condition of the adequate public facilities findings for a residential subdivision.

#### **IV. General Regulations for Existing Water Source or Mitigation Options**

1. The developer must convey a perpetual easement to the County or dedicate the easement to the fire department, for water sources within the subdivision or elsewhere. The easement is for access to the water source, either existing or proposed. This easement will be required at the time of approval of the final plat(s) of subdivision.
2. All water sources, whether on-site or off-site, must be approved by the County and coordinated with the "first due" fire department prior to final design of the storage tank or dry hydrant assembly. This approval will be part of the preliminary

subdivision review process and will be approved by all parties before being presented to the Planning Commission.

## **6.0 APFS SUBMITTAL**

At the time of site plan or subdivision submittal, an APFS shall be submitted and a fee paid for its review. The report shall evaluate the proposed development's impact on the public facilities in the area. It shall include background information regarding the proposed development, its location, and the condition of the existing public facilities in the area. It shall include the amount of traffic that the development will likely generate. The impact of the demands on the road and water supply facilities must be evaluated and where inadequacies exist that will be exacerbated by the proposal, or will be created by the proposed development, a mitigation proposal will be submitted.

### **6.1 ADEQUACY**

A facility is adequate if the facility will not be utilized beyond its ability to function. This determination varies depending on the type of facility being analyzed.

If a Preliminary APF Analysis report can demonstrate that all the following are true, it will be considered sufficient, and would be granted an exemption from performing a full study of the impacted facility.

- I For roads: The development will generate [fewer than 140 vehicle trips per day or 14 ]~~34~~ peak hour trips ~~or fewer~~.
- II For ground water supply: The development proposed will be connecting to existing public water system.
- III For all facilities: If it demonstrates that the existing facilities, considering all other approved developments, are adequate or improvements are currently funded by the State, County, or Town which will make the facility adequate.

### **6.2 PHASING**

A project can be phased in sections. This is an acceptable method of delaying the build-out of a project so that it coincides with the improvement of the public facilities. This can be accomplished by conditioning the preliminary approval such that final plat approval will only occur after specific milestones or dates are reached. Phasing to lessen the degree of inadequacy is not acceptable without some other form of mitigation.

## **7.0 MITIGATION**

If the initial computation of the impact on a public facility, which is subject to the Adequate Public Facilities element of the Charles County Zoning Ordinance, results in the finding of inadequacy, then the applicant must prepare a mitigation proposal. A fee is paid when a mitigation proposal is submitted for review. See current fee schedule. The submittal is then reviewed by the appropriate agencies and comments or further requests are provided to the applicant. If the mitigation proposal requires a mitigation program agreement, then the applicant shall provide such a document. It is then forwarded to the County Attorney for review of form and content. Finally, a staff report is prepared for Planning Commission consideration of the proposal.



In the case of traffic, mitigation shall be proposed when the total condition causes the facility to become inadequate as defined by Appendix B in the APFM or the volume to capacity ratio degrades by 0.01 or more when compared to the background condition. [A mitigation proposal must demonstrate that it will offset any impact that the development proposal will have that exceeds the facilities capacity as defined by the Charles County Zoning Ordinance and further defined by this manual. The applicant is not required to mitigate any existing deficiencies in facilities that are being impacted, nor is the applicant expected to mitigate the entire impact of the development proposal if capacity exists for a portion of the impact.]

The Developer shall propose mitigation for the degradation of the facility (intersection and/or road link) and present a mitigation proposal to the Planning Commission that demonstrates how the chosen physical improvement option mitigates the degradation that was caused by the development. If the Planning Commission deems that the required physical mitigation is excessive for the development, the following are alternative mitigation options that may then be considered, and must be approved by the Planning Commission:<sup>[A8]</sup>

- Fee in lieu
- Alternative off-site improvements
- Participation in a Public-Private Partnership (PPP)

Fees in lieu shall only be utilized when the Planning Commission deems that the physical improvement is not reasonable for the scale of the development. When this occurs, the developer shall provide<sup>[A9]</sup> a detailed cost-estimate of the required physical improvements and submit the estimate for County staff review. A mitigation agreement shall be drafted that outlines that rationale for the fee in lieu that includes how the calculation was achieved, the timing of the payment, and the addition of CPI if the project is going to take multiple years to complete.

Alternative off-site improvements may also be considered when the Planning Commission deems that physical mitigation at the affected facility is excessive for the development. Off-site improvements shall only be proposed to other facilities that were studied in the same Traffic Impact Study (TIS). When this occurs, the Developer must complete an off-site improvement that is greater than the pro-rata share of the originally required physical improvements to mitigate the impacts of the development project.

At the County's discretion, the Developer and the County may also enter in a Public-Private Partnership (PPP). For the purposes of APF mitigation, a PPP can be one or more developers entering into a mitigation agreement to share costs of a physical improvement that benefits the public road or intersection impacted by the proposed development project(s). This option shall only be available when there is a proposed State or County Capital Project for the impacted intersection or road link. The developer shall submit a detailed cost estimate for the physical improvements and a proposed apportionment of the cost-share among the parties involved. If acceptable to the County, the PPP mitigation proposal must be presented to the Planning Commission for approval. If approved, a mitigation agreement shall be drafted that outlines the terms and conditions of the PPP that includes how the calculation was achieved, the timing of the developer(s) payment(s), and the addition of Consumer Price Index (CPI) if the project is going to take multiple years to complete.

[The applicant is encouraged to consider all potential mitigation measures available to offset the impact of the development. Construction of the necessary facilities is the most obvious option, however, it may include dedication of property to the County, payment of impact fees, fees in lieu

of an improvement paid to an escrow account, participation in a private/public partnership, developer agreements, off-site improvements, delaying of project, or other mechanisms as may be determined acceptable by the Planning Commission.]

When roads are determined to require mitigation, the proposal must at least maintain the **Background Condition**[existing] level of service where appropriate[and maintain the existing level of function elsewhere]. Often, the traffic study which is done as part of the APFS will describe what improvements would be necessary to meet these criteria. This is not **to** say that the applicant is committed to only considering those improvements described in the study, however, it does provide a point of reference for negotiation.

The mitigation proposal shall include the type or types of mitigation, the methods, and schedules including project phasing, if applicable, for the implementation of the mitigation program.

The mitigation program shall be contained in a legal, binding, adequate public facilities agreement between the applicant and the County, which has been approved for form and content by the County Attorney.

A mitigation program shall also run with the land. The deed or title for a property shall contain references to the mitigation program.

## **8.0 PLANNING COMMISSION CONSIDERATION**

The Planning Commission shall review the Adequate Public Facilities Study and other information submitted by the applicant to determine if the level of infrastructure exists or will exist to meet the standards of the Charles County Zoning Ordinance and whether the approval of the proposed development is in the public interest. This review shall occur for any project which is subject to the specific provisions of each section of Article XII of the Zoning Ordinance.

The Planning Commission shall find that: 1) the public facilities are adequate and grant approval of the APFS, 2) find that they are inadequate, and approve the mitigation, or 3) find that they are inadequate and do not find the mitigation acceptable, in which case the subdivision or site plan is not approved.

If the Planning Commission determines that the public facilities are not adequate, they may disapprove the project or require mitigation from an applicant to assure that there exists adequate public facilities consistent with the County standards.

## **9.0 ADEQUATE PUBLIC FACILITIES MANUAL**

This document is intended to establish specific standards, criteria, and procedures for use in determining the adequacy of the public facilities required to support and service any proposed subdivision or development. This manual is adopted by the County Commissioners after public hearings have been held in accordance with the Charles County Zoning Ordinance provisions.

The Commissioners shall consider any proposed changes to this manual on at least a bi-annual basis. Any request for revision should be submitted in writing to the Zoning Officer in accordance with the provisions for a Zoning Ordinance text amendment.

## APPENDIX A: DEFINITIONS

**Adequate Road** - Road(s) segment determined to be adequate for the additional traffic generated by a proposed development, based on actual measurements and traffic engineering studies.

**ADT** - Average Daily Traffic. Two-way volume.

**Affordable / Workforce Housing** – For purposes of the Charles County School Allocation Policy, affordable / workforce housing shall be defined as development projects that contain at least twenty-five percent (25%) of the housing units that are affordable to households earning eighty percent (80%) or less of the Average Family Income (AFI) for Charles County.

**Allocatable School Capacity** - The discrete amount of public-school capacity in each high school district, available for allocation. A new listing of the allocatable school capacity shall be made available each year and shall be used to allocate school capacity for the period of one year.

**Allocation** - The granting of an allocation of school capacity is an assurance of the availability of public school capacity for the students generated by the proposed residential dwelling units from the county for the time period specified in this policy, when such capacity is requested and allotted in conformance with the procedures outlined in this policy.

**APF** - The adopted Adequate Public Facilities element of the Charles County Zoning Ordinance effective October 1, 1992, and any revision thereof.

**APFS** - Adequate Public Facilities Study. The complete analysis of public facilities that must be submitted with preliminary subdivision or site plan submittals.

**APF School Minor Subdivisions** – Residential subdivisions proposing the creation of four (4) or less dwelling units or those projects proposing the creation of FOUR (4) or less dwelling units. The parent parcel retains one (1) development right in addition to the proposed subdivided lots, not to exceed five (5) total lots. The definition of minor subdivisions for the purposes of this policy shall not be confused with the definition of a minor subdivision as defined by the Charles County Subdivision Regulations. Subdivisions proposing the creation of six (6) or seven (7) lots shall not be considered a minor subdivision under this policy.

**BOE** - The Board of Education for Charles County.

**Build-Out Schedule**: A timeline which describes the unit type and unit count for each phase of development and specifies when residential building construction will begin.

**Capacity** - Maximum number of vehicles which can pass a give point during a one-hour period under prevailing conditions. Computed using methods of critical lane volume technique and/or Highway Capacity Manual method, (modified).

**Consultant** - Architect, Civil Engineer, Traffic Engineer, Land Surveyor or other professional retained by the developer to act on behalf of or perform various professional assignments to obtain development approval.

**Developer** - Any individual commencing proceedings to affect a subdivision or development of land for himself or another.

**Development** - Consisting of new subdivisions and site plans for new construction received for approval by the Charles County Planning Commission after the effective date of the ordinance.

**DHV** - Design Hourly Volume.

**Final Plat** - The official division of land approved by the department and recorded in the land records of Charles County. It is the formal plat prepared for legal recordation of land subdivision, easements, buffers, or other matters of real property ownership or responsibilities.

**Floor Area** - The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

**Horizontal Sight Distance** - the length of roadway ahead of any object in the roadway, of specified height, visible to the driver when negotiating a horizontal curve.

**Intersection** - The crossing of two or more roads at the same elevation.

**LOS** - Level of Service. A set of rating conditions describing the ability of a road network to handle traffic efficiently.

**Mitigation of Impacts** - Steps taken to correct adverse effects of proposed development to the levels or requirements established in the policy.

**Mixed-Use Development** – Mixed-Use Development is a development that 1) provides three or more significant revenue-producing uses (such as retail/entertainment, office, residential, hotel, and/or civic/cultural/recreation), 2) fosters integration, density, and compatibility of land uses, and 3) creates a walkable community with uninterrupted pedestrian connections. (citation: urban land institute’s mixed-use development handbook)

**Original Tract of Land** - A parcel of real estate un-subdivided as of the effective date of the APFO (October 1, 1992).

**Plat** - A map, plan, chart or drawing indicating the subdivision or re-subdivision of land filed or intended to be filed for the record.

**Preliminary Consultation** - A meeting with the Planning Staff prior to submittal of a subdivision plat or site plan, to determine preliminary requirements and development criteria required by the County.

**Preliminary Subdivision Plan Approval** - Approval of a preliminary plan of subdivision, or a portion thereof, by the Charles County Planning Commission. Approval of a single phase or portion of a project by the Planning Commission shall not constitute approval of the plan in its entirety but only of that phase or portion.

**Project** -A residential development being proposed on a preliminary plan of subdivision, a final plat, or a site plan, or a distinctly identifiable phase or portion of that development in accordance with the policies of the Charles County Government.

**Road** - Public right-of-way, intended for vehicular traffic, including freeways, expressway, arterials, parkways, thoroughfares, collector streets, local streets, cul-de-sacs, marginal access roads, avenues, boulevards, lanes and other public ways.

**Roadway Link** - Segment of road between intersecting roads which have traffic control devices which interrupt traffic flow.

**Road Width** - Measured width of a road from edge of usable pavement to edge of usable pavement.

**School Capacity Allocation Eligibility List** - Listing of approved residential development projects, consisting of either preliminary subdivision plans, minor subdivisions creating four (4) or more lots, or site development plans. Placement on the school capacity allocation eligibility list does not guarantee the availability of school capacity for the students generated by the proposed residential dwelling units.

**Site Plan Approval** - Administrative approval of a site plan by the Director of Planning and Growth Management, or, as in the case of a proposed residential use in a Planned Unit Development (PUD), Waterfront Planned Community Zone (WPC) or any zoning approval with a special condition requiring approval, then action by the Charles County Planning Commission shall constitute approval of the site plan.

**Trip Distribution** - Method of assigning trips to road network based on projected travel origins and destinations.

**Trip Generation** - Analytical process that provides the relationship between land use and vehicle trip production. A one-way movement.

**Zoning Officer** - Director of Planning and Growth Management or a person duly authorized by the County Administrator shall be the Zoning Officer. Zoning Officer shall have primary responsibility for the administration and enforcement of this ordinance and the established guidelines.

**Zoning Permit (also known as Building Permit)** - Official document issued by the Department of Planning and Growth Management which grants legal permission to start construction of a building project.



## APPENDIX B: COUNTY LEVEL OF SERVICE (LOS) MAP

