Monday, September 21, 2026
Charles County Planning Commission Meeting

The meeting begins at 6:00 p.m.
This agenda is tentative and subject to change without notice.
A portion of this meeting may be held in Closed Session.
The Planning Commission will be holding this public meeting as a "Hybrid meeting" which means it will be both virtual 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 https://www.charlescountymd.gov/services/media-services/charles-county-government-television/ccgtv-live-stream. Residents without internet service can listen to the meeting at 301-645-0500.

1. Call to Order/Roll Call

2. APPROVAL OF THE AGENDA - no public comments

3. APPROVAL OF THE MINUTES

3.a **July 20, 2026 Minutes**

3.b **August 17, 2026 Minutes**

4. CHAIRPERSON'S COMMENTS - no public comments

5. PERSONAL APPEARANCES (items not on the agenda): PUBLIC COMMENTS

6. PUBLIC HEARING: PUBLIC COMMENTS

6.a **Forest Conservation Ordinance Update**

The Planning Commission will hold a Public Hearing to consider an update to the Forest Conservation Ordinance to bring the Charles County Code into conformance with Maryland's Forest Conservation Act.

Staff:
Lynn Knaggs, Planning Supervisor
Kyle Redden, Planner III
Katelyn Kluh, Planner I

Public Participation:

The Hearing is open to the public and may be attended in person or viewed on CCGTV (Comcast: 95

and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located HERE. Written comments must be received by **4:30 p.m. on Friday, September 18, 2026** in order to allow the Planning Commission time to review them prior to the Hearing. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

Those wishing to provide comments by speaking during the Public Comment portion of the Hearing may choose to either speak virtually or attend the Hearing in person. **Virtual** speaker registration forms can be submitted online by using the webform located HERE. Virtual speaker registration forms must be received by **4:30 p.m. on Friday, September 18, 2026.**

Staff Report
Forest Conservation Ordinance Draft Bill

6.b **3279 Leonardtown Road Project, Planned Development Zone Amendment (PDZA) #25-26**

The Planning Commission will hold a Public Hearing to consider an Applicant's request to rezone properties from the current base zones of IG (General/Light Industrial) and CB (Central Business) to the MX (Mixed Use) Zone to facilitate the development of 252 affordable multifamily dwelling units pursuant to Chapter 297, Article VII, Planned Development Zone Regulations, and Article XVII, Section 297-488, Local Map Amendments, of the Charles County Zoning Ordinance. The Applicant is also requesting approval of a 100% density bonus pursuant to Article XV, Moderately Priced Dwellings, of the Zoning Ordinance.

Staff:
Heather Kelley

Applicant (Agent):
Standard Development Partners, LLC (Judd Ullom)
Agent: ATCS

Public Participation:

The Hearing is open to the public and may be attended in person or viewed on CCGTV (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located HERE. Written comments must be received by **4:30 p.m. on Friday, September 18, 2026** in order to allow the Planning Commission time to review them prior to the Hearing. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

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Staff Report

Location Map_Zoning Map_Aerial Map
Section A_Cover Sheet_Table of Contents_Signed Application
Section B_Subject Property Owners_Adjacent Property Owners
Section C_Project Team
Section E_Introduction and Property History
Section F_Schedule
Section G_Architectural Elevations
Section H_Fiscal Impact Analysis
Section I_Comprehensive Plan Justification Statement
Section J_Waldorf Sub-Area Plan Justification Statement
Section K_MX Justification Statement
Section L_Adequate Public Facilities Report
Section M_Neighborhood Description
Section N_Vehicular and Pedestrian Access Exhibit
Section O_Boundary Exhibit_Site Characteristics_Existing Conditions
Section P_Concept Plan_Land Use Master Plan_Open Space Exhibit
Section Q_Site Design and Architectural Code
Section R_Superior Design Criteria Justification
Section S_Generalized Traffic Assessment
Voluntary Concessions Memo

7. PUBLIC MEETING: PUBLIC COMMENTS

8. WORK SESSIONS: No Public Comments

8.a

Subdivision Regulations Amendment (SRA) #26-01 Amendment to Preliminary Subdivision Plan Completion Conditions

The Planning Commission will hold a work session for a request to consider SRA #26-01. The Public Hearing for this item was held on August 3, 2026, at which time the Planning Commission held the record open for comments until September 3, 2026. SRA #26-01 proposes to amend the Charles County Subdivision Regulations' current requirement for preliminary plans to reach a certain threshold of progress in development before being allowed to continue to completion of the project without requiring approvals for additional extensions of time.

The August 3, 2026 Planning Commission agenda, corresponding documents, and recorded meeting can be viewed HERE.

Documents Pending

9. UNFINISHED BUSINESS: No Public Comments

10. NEW BUSINESS: No Public Comments

10.a **Briefing: Preliminary Subdivision Plan, PLREV-250007, Potomac Chase**

The Applicant will provide an update to the Planning Commission on progress.

10.b **Poll of the Planning Commission for new business.**

11. DIRECTOR'S REPORT: No Public Comments

12. ADJOURNMENT

13. VIRTUAL MEETING INFORMATION

14. Signed Minutes

AGENDA ITEM NO. 3.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	September 21, 2026
SUBMITTED BY:	Amy Brackett
ITEM TYPE:	Minutes
AGENDA SECTION:	APPROVAL OF THE MINUTES
SUBJECT:	**July 20, 2026 Minutes**
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. 3.b

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: September 21, 2026

SUBMITTED BY: Amy Brackett

ITEM TYPE: Minutes

AGENDA SECTION: APPROVAL OF THE MINUTES

SUBJECT: **August 17, 2026 Minutes**

SUGGESTED ACTION:

ATTACHMENTS:

AGENDA ITEM NO. 6.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: September 21, 2026

SUBMITTED BY: Amy Brackett

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARING: PUBLIC COMMENTS

SUBJECT: **Forest Conservation Ordinance Update**

The Planning Commission will hold a Public Hearing to consider an update to the Forest Conservation Ordinance to bring the Charles County Code into conformance with Maryland's Forest Conservation Act.

Staff:
Lynn Knaggs, Planning Supervisor
Kyle Redden, Planner III
Katelyn Kluh, Planner I

Public Participation:

The Hearing is open to the public and may be attended in person or viewed on CCGTV (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located HERE. Written comments must be received by **4:30 p.m. on Friday, September 18, 2026** in order to allow the Planning Commission time to review them prior to the Hearing. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

Those wishing to provide comments by speaking during the Public Comment portion of the Hearing may choose to either

speak virtually or attend the Hearing in person. **Virtual** speaker registration forms can be submitted online by using the webform located HERE. Virtual speaker registration forms must be received by **4:30 p.m. on Friday, September 18, 2026.**

SUGGESTED ACTION:

ATTACHMENTS:
Staff Report
Forest Conservation Ordinance Draft Bill

Charles County Planning Commission
Meeting of September 21, 2026

Department of Planning and Growth Management Staff Report

Project Name: Forest Conservation Ordinance update

Prepared by Kyle Redden, Planner III
Lynn Knaggs, Planning Supervisor &
Katelyn Kluh, Planner I
For questions, contact Planning at 301-645-0721

TABLE OF CONTENTS

ITEM		PAGE NUMBER
I.	Applicant & Project Information	1-3
II.	Compliance with Regulatory requirements	3
III.	Conclusion & Recommended Condition	3
IV.	Appendices: a. Forest Conservation Ordinance – Bill Format	Attached & Online

I. Applicant & Project Information:

a. Project Name: Forest Conservation Ordinance update
   i. Applicant: Charles County Planning Division Staff

b. General Description of the Request**:** County Staff is requesting that the Planning Commission review the proposed amendments to the Charles County Forest Conservation Ordinance and recommend approval of the amendments to the County Commissioners as written.

c. Background / History: The Charles County Forest Conservation Ordinance was originally adopted January 1, 1993, and has been amended a few times since that time with the latest amendment being July 13, 2004. Since that time, the State's Forest Conservation Act has been updated. These amendments are meant to bring the Charles County Code into conformance with State law.

One of the most substantial changes to State Forest Conservation Act since 2004 includes Senate Bill 666 (May 2009), which changed variance exemptions to reduce clearing allowances from 40,000 sq. ft. to 20,000 sq. ft. The Bill also categorized two sets of priority forests, with some requiring the applicant to demonstrate all reasonable efforts to leave them undisturbed, while the other set of priority forests require the applicant to obtain a variance to the Forest Conservation Ordinance to clear or disturb.

The next substantial changes to State law were enacted through HB 723/SB 526 in 2023. The legislation amended several definitions, including "Qualified Conservation," which affects the extent to which a project may satisfy its forest conservation requirements through off-site conservation. The legislation also revised planting requirements by eliminating the previous conservation threshold and generally requiring one acre of planting for each acre of forest removed. Partial exemptions were established for certain transit-oriented development (TOD), solar, multifamily projects with more than 25 units, and projects within Priority Funding Areas (PFAs), if priority forests are not cleared.

The legislation also expanded the types of forests considered priority for retention to include forests suitable for Forest Interior Dwelling Species (FIDS) habitat and forests associated with Tier II and Tier III watersheds. A full exemption was also established for certain federal facilities with at least 2,500 employees. In addition, State stream buffer requirements were established based upon stream classification. These buffers generally must be fully planted unless a specific exemption applies, and the required planting may be in addition to a project's reforestation or afforestation requirements.

HB 723/SB 526 also established new provisions for the use of off-site Qualified Conservation. A project may generally satisfy up to 50 percent of its planting requirement through off-site Qualified Conservation. This amount may be increased to 60 percent when the applicant provides written justification, completes the required public notification process, and receives approval from the Planning Commission. Finally, the legislation expanded the options available to satisfy forest

conservation planting requirements, including restoration of degraded forests, planting of green infrastructure, and implementation of environmental site design (ESD) measures beyond applicable stormwater management requirements.

Other State law updates incorporated into the proposed ordinance include an exemption for qualifying stream restoration projects and updated references to the current State Forest Conservation Technical Manual.

In addition to changes necessary to maintain consistency with State law, Planning Division staff proposes several amendments to clarify existing requirements and improve administration of the County's Forest Conservation Ordinance. These amendments include establishing a 1.5-to-1 replacement ratio for the abandonment of existing forest conservation easements and clarifying that specimen tree impacts must be addressed as part of the first applicable Forest Conservation Plan approval, whether a Preliminary Forest Conservation Plan (PFCP) or Final Forest Conservation Plan (FFCP). The amendments also allow off-site forest conservation for projects throughout the County, rather than limiting this option to projects within the Development District. Finally, the proposed amendments revise certain enforcement provisions based on the County's experience administering the Ordinance, providing greater flexibility in addressing violations while maintaining applicable forest conservation requirements.

II. Compliance with Regulatory requirements:

Although the Charles County Forest Conservation Ordinance has not yet been formally amended to incorporate all recent changes to State law, applicable State requirements have been implemented by the County in accordance with their required effective dates. Under the Maryland Forest Conservation Act, local forest conservation requirements may be more stringent than State requirements but may not be less stringent. Most recently, the requirements established by HB 723/SB 526 were phased in, with certain provisions taking effect on July 1, 2024, and the remaining provisions taking effect on July 1, 2026. The proposed amendments will formally incorporate these requirements into the County Ordinance.

III. Conclusion & Staff Recommendation:

County staff finds that the proposed amendments will bring the Charles County Forest Conservation Ordinance into conformity with current State law, clarify existing requirements, and improve administration of the County's forest conservation program. Staff recommends that the Planning Commission recommend approval of the proposed Forest Conservation Ordinance amendments to the Board of County Commissioners.

IV. Appendices: Attached and Online.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2026 Legislative Session

Text Amendment/BillNo._____

Chapter. No. _____

Introduced by _____

Date of Introduction _____

AMENDMENT TO CHAPTER 298

AN ACT concerning

REPEAL AND REENACT WITH AMENDMENTS CHAPTER 298: FOREST CONSERVATION ORDINANCE

FOR the purpose of

Updating the Forest Conservation Ordinance to conform with State legislative updates and to clarify any language that was difficult to understand or ambiguous.

BY adding a new/amending/repealing:

Chapter 298 – FOREST CONSERVATION ORDINACE

Code of Charles County, Maryland

(2004 Edition)

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

Chapter 298

Forest Conservation Ordinance

Article I

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General Provisions

§ 298-1 Purpose

Pursuant to the requirements of the Natural Resources Article, §§ 5-1601 through 5-1613, of the Annotated Code of Maryland, the purpose of this Chapter is to establish a Charles County Forest Conservation Ordinance to minimize the loss of the County's forest resources during land development by making the identification and protection of Forests, and other sensitive areas, an integral part of the site planning process.

§ 298-2 Definitions.

In this Chapter, the following terms have the meanings indicated. Any term not defined in this Chapter shall have the meaning as defined in Articles III & IX, § 297-128, of the Charles County Zoning Ordinance.

AFFORESTATION OR AFFORESTED

"Afforestation" or "Afforested" means the:

A. Establishment of a Forest on an area from which Forest Cover has been absent for a long period of time; or

B. Planting of open areas which are not presently in Forest Cover; or

C. Establishment of a Forest according to Afforestation standards as provided in the State Forest Conservation Technical Manual.

AGRICULTURAL ACTIVITY

Farming activities including plowing, tillage, cropping, installation of best management practices, seeding, cultivating and harvesting for production of food and fiber products

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(except commercial logging and timber harvesting operations), the grazing and raising of livestock, aquaculture, sod production, Orchards, nursery, and other products cultivated as part of a recognized commercial enterprise.

AGRICULTURAL AND RESOURCE AREAS

Areas zoned for residential densities of less than or equal to one (1) dwelling unit per five (5) acres.

APPLICANT

A Person who is applying for approval of a Regulated Activity or site plan or who is seeking or who has received approval of a Forest Stand Delineation or Forest Conservation Plan.

APPROVED FOREST MANAGEMENT PLAN

A document:

A. Approved by the Department of Natural Resources forester assigned to the County in which the property is located; and

B. Which operates as a protective agreement for forest conservation as described in the Natural Resources Article, § 5-1607(e) and (f), of the Annotated Code of Maryland.

CALIPER

The diameter of a Tree measured at six (6) inches above the root collar for Trees less than four (4) inches in diameter, and twelve (12) inches above the root collar for Trees more than four (4) inches in diameter.

CHAMPION TREE

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The largest Tree of its species within the United States, the State, the County, municipality, or as otherwise determined by the Maryland Department of Natural Resources.

CHARLES COUNTY COMPREHENSIVE PLAN

The Comprehensive Plan for Charles County Maryland as adopted by the Charles County Commissioners.

CHESAPEAKE BAY CRITICAL AREA

Lands governed by the Chesapeake Bay Critical Area Protection Law, Natural Resources Article §§ 8-1801 through 8-1817, of the Annotated Code of Maryland.

COMMERCIAL AND INDUSTRIAL USE

Includes manufacturing operations, office complexes, shopping centers and other similar uses and their associated storage areas, yarding and parking areas, as may be permitted as established in the Charles County Zoning Ordinance.

COMMERCIAL LOGGING OR TIMBER HARVESTING OPERATIONS

Timber Harvesting on a site for commercial purposes.

COUNTY

The Charles County Government.

COUNTY PROJECT

A Subdivision or Development Project on an area forty thousand (40,000) square feet or

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greater by a County agency.

CRITICAL HABITAT AREA

A critical habitat for an endangered species and its surrounding protection area. This area shall:

A. Be likely to contribute to the long-term survival of the species; and

B. Be likely to be occupied by the species for the foreseeable future; and

C. Constitute habitat of the species which is considered critical pursuant to the Natural Resources Article, §§4-2A-06 or 10-2A-06, of the Annotated Code of Maryland.

CRITICAL HABITAT FOR ENDANGERED SPECIES

A habitat occupied by an endangered species as determined or listed under the Natural Resources Article, §§ 4-2A-04 or 10-2A-04, of the Annotated Code of Maryland.

CRITICAL ROOT ZONE

The area around a Tree which is one (1) foot of radial distance, or one and one-half (1.5) feet for a Specimen Tree, for every inch of Tree diameter at breast height.

DECLARATION OF INTENT

A. A signed statement by a landowner or the landowner's agent certifying that the activity on the landowner's property:

(1) Is for certain activities exempted under this **C**hapter or the Natural Resources Article, §§ 5-103 and 5-1601 through 5-1613, of the Annotated Code of Maryland; and

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(2) Does not circumvent the requirements of this Chapter or the Natural Resources Article, §§ 5-103 and 5-1601 through 5-1613, of the Annotated Code of Maryland; and

(3) Does not conflict with the purposes of any other Declaration of Intent; or

B. The document required under COMAR 08.19.01.05 or this Chapter.

DEGRADED FOREST

A forest ecosystem that has lost its natural structure, function, and/or diversity due to human activity or other disturbances, leading to diminished capacity to regenerate and provide ecosystem services.

DEPARTMENT

The Charles County Department charged with implementing the Charles County Forest Conservation Ordinance.

DEVELOPMENT DISTRICT

The area designated as a "Development District" in the Charles County Comprehensive Plan.

DEVELOPMENT PROJECT

A. The grading or construction activities occurring on a specific Tract that is forty thousand (40,000) square feet or greater in area.

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B. Includes Redevelopment.

DEVELOPMENT PROJECT COMPLETION

For the purposes of Afforestation, Reforestation, or payment into the Charles County Forest Conservation Fund:

A. The release of the development bond, if required, and/or payment into the County Forest Conservation Fund in the event that the Afforestation or Reforestation is not successful; or

B. Designation by the Department or State that a:

(1) Development Project has been completed; or

(2) Particular stage or Phase of a staged or Phased Development Project, including a Planned Unit Development, has been completed.

EXTENUATING CIRCUMSTANCES

Conditions requiring extension of a set time limit to process an application, render a decision or conduct a public hearing. Including but not limited to weather events, public health emergencies, or government closures.

FOREST

A. A biological community dominated by Trees and other woody plants covering a land area of ten thousand (10,000) square feet or greater with a minimum width of at least thirty-five (35) feet, which includes:

(1) Areas that have at least one hundred (100) live Trees per acre with at

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least fifty percent (50%) of those Trees having a two-inch or greater diameter at four and one-half (4.5) feet above the ground and larger; and

(2) Areas that have been cut and have not been grubbed or had root mass removed.

B. Does not include Orchards.

FOREST CONSERVANCY DISTRICT BOARD

The Charles County Forest Conservancy District Board created under the Natural Resources Article, §§ 5-601 through 5-610, of the Annotated Code of Maryland.

FOREST CONSERVATION

The Retention of existing Forest or the creation of new Forest according to Afforestation or Reforestation standards, as provided in the State Forest Conservation Technical Manual.

FOREST CONSERVATION AND MANAGEMENT AGREEMENT

An agreement as stated in the Tax - Property Article, § 8-211, of the Annotated Code of Maryland.

FOREST CONSERVATION PLAN

A plan approved pursuant to the Charles County Forest Conservation Ordinance and the Natural Resources Article, §§ 5-1605 through 5-1607, of the Annotated Code of Maryland.

FOREST COVER

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The area of a site meeting the definition of Forest.

FOREST MANAGEMENT PLAN

A plan establishing best conservation and management practices for a landowner in assessment of the resource values of a Forested property.

FOREST MANAGEMENT PRACTICE

An activity that is reasonably likely to affect the health of individual trees and other vegetation that is performed in accordance with:

A. A Forest Stewardship Plan or a Forest Management Plan prepared by a licensed forester and approved by the Maryland Department of Natural Resources,

B. The Maryland Soil Erosion and Sediment Control Standards and Specifications for Forest Harvest Operations, prepared by the Maryland Department of the Environment, ("Guidelines") or comparable provisions of any guidelines or regulations which may replace the Guidelines in the future or as they may be amended from time to time, and

C. All applicable State laws and regulations as they may be amended from time to time.

FOREST MITIGATION BANK

An approved area of land intentionally afforested or reforested for the express purpose providing credits for reforestation requirements.

FOREST MITIGATION BANK AGREEMENT

An agreement entered by an individual owning a forest mitigation bank and the Department which commits the banker to certain procedures and requirements when

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creating and operating the forest mitigation bank.

FOREST MITIGATION BANK PLAN

A plan submitted for approval of a Forest Mitigation Bank to the Department by a Person proposing to create a Forest Mitigation Bank.

FOREST STAND

An area of Forest catalogued in accordance with the State Forest Conservation Manual.

FOREST STAND DELINEATION

The methodology for evaluating the existing vegetation on a site proposed for a Regulated Activity as provided in the State Forest Conservation Technical Manual

FORESTED

An area of land on which Forest is present, or which contains Trees contiguous to a Forest.

FORESTED SLOPES

An area that contains Forest that is also on a slope of twenty-five percent (25%) or greater and covering an area of at least ten thousand (10,000) square feet.

GROWING SEASON

The period of consecutive frost-free days as stated in the current Charles County Soil Survey, published by the National Cooperative Soil Survey Program, 16 U.S.C. § 590(a) through (f).

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HIGH-DENSITY RESIDENTIAL USE

Residential uses in areas zoned, in accordance with the Charles County Zoning Ordinance, which allow for base densities greater than one (1) dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities and water and sewer service.

HISTORIC SITE

A site listed on the National Register of Historic Places, the Maryland Register of Historic Properties or an historic preservation easement monitored by the Maryland Historical Trust.

HISTORIC STRUCTURE

A structure listed on the National Register of Historic Places, the Maryland Register of Historic properties or an historic preservation easement monitored by the Maryland Historical Trust.

INSTITUTIONAL DEVELOPMENT USE

Includes schools, colleges, universities, military installations, transportation facilities, utility and sewer projects, government offices and facilities, golf courses, recreation areas, parks, religious facilities and cemeteries.

INTERMITTENT STREAM

A Stream in which surface water is absent during a portion of the year as confirmed by field verification.

LANDSCAPING PLAN

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A plan, also known as an Afforestation or Reforestation Plan:

A. Drawn to scale, showing dimensions and details for Afforesting or Reforesting an area at least thirty-five (35) feet wide and covering two thousand five hundred (2,500) square feet or greater in size; and

B. Using native or indigenous plants; and

C. Which is made part of an approved Forest Conservation Plan.

LINEAR PROJECT

A project whose configuration is elongated with nearly parallel sides and used to transport a utility product or public service not otherwise contained in an application for Subdivision, such as electricity, gas, water, sewer, communications, trains, and vehicles. Linear projects may traverse fee simple properties through defined boundaries or through easement rights.

LOCAL AGENCY

Units of the Charles County Government.

LOT

A unit of land, the boundaries of which have been established by **S**ubdivision of a larger parcel, and which will not be the subject of further Subdivision, as defined by the Natural Resources Article, § 5-1601, of the Annotated Code of Maryland and this Chapter, without an approved Forest Stand Delineation and Forest Conservation Plan.

MAINTENANCE AGREEMENT

The two-year management agreement associated with Afforestation or Reforestation Plans required under the Natural Resources Article, § 5-1605, of the Annotated Code of Maryland

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and this Chapter.

MEDIUM-DENSITY RESIDENTIAL USE

Residential uses in areas zoned, in accordance with the Charles County Zoning Ordinance, which allow for base densities greater than one (1) dwelling unit per five (5) acres and less than or equal to one (1) dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities and water and sewer service.

MINOR DEVELOPMENT PROJECT

A project on less than five (5) acres of land containing not more than four (4) Lots per acre.

MIXED-USE DEVELOPMENT

A single high density Development Project, usually commercial in nature, which includes two (2) or more types of uses.

NATURAL REGENERATION

The natural establishment of Trees and other vegetation with at least four hundred (400) woody, free-to-grow Seedlings per acre, which are capable of reaching a height of at least twenty (20) feet at maturity.

NAVIGABLE AIRSPACE

Airspace at and above the minimum flight altitudes prescribed by or under 14 CFR, Chapter 1 of FAA Regulations, including airspace needed for safe takeoff and landing.

NET TRACT AREA

A. Except in Agriculture and Resource Areas or Linear Project Areas, the total area of a site,

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including that which is Forested and is not Forested, to the nearest one-tenth (1/10) acre reduced by the area where Forest clearing is restricted by another County Ordinance or Program.

A. In Agriculture and Resource Areas, the part of the total Tract for which land use will be changed or will no longer be used for primarily agricultural activities, reduced by the area where Forest clearing is restricted by another County Ordinance or Program.

B. For a Linear Project:

(1) The area of a right-of-way width, new access roads and storage; or

(2) The limits of disturbance as shown on an application for sediment and erosion control approval or in a capital improvements program project description.

NONTIDAL WETLAND

A. An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as "hydrophytic vegetation."

B. An area considered a nontidal wetland in accordance with the “Federal Manual for Identifying and Delineating Jurisdictional Wetlands”, published in 1989 and as may be amended and interpreted by the U.S. Environmental Protection Agency.

C. Does not include tidal wetlands regulated under the Natural Resources Article, Title 8, of the Annotated Code of Maryland.

OFF-SITE

Outside of the limits of the area encompassed by the Net Tract Area.

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ONE-HUNDRED-YEAR FLOODPLAIN

A nontidal floodplain zone which has a one-percent (1%) chance of being inundated by a flood in any given year.

ON-SITE

Within the limits of the area encompassed by the Net Tract Area.

ORCHARD

A group of Trees which are cultivated to produce crops, not to include timber.

PAVED SURFACE

Any ground surface that satisfies the definition of semi-impervious or impervious surface as defined under Article IX, Critical Area Zone, of the Charles County Zoning Ordinance.

PERENNIAL STREAM

A Stream containing surface water throughout an average rainfall year as confirmed by field verification.

PERSON

The Federal Government, the State, a County, a municipal corporation, or other political subdivision of the state or any of their units or an individual, receiver, trustee, guardian, executor, administrator, fiduciary or representative of any kind or any partnership, firm, association, public or private corporation or any of their affiliates, or any other entity.

PHASED PLAN

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A. A Forest Conservation Plan for a Tract which is currently subject to an application for a Regulated Activity; and

B. Will address Forest Conservation requirements for each Phase with an approved Phasing Schedule; and

C. Conceptually shows all remaining Phase(s) with their individual Tract(s); and

D. Each Phase must have adequate Forest Conservation for its individual Tract; and

E. Each Phase shall provide its mitigation pursuant to Article III, § 298-15, Subsection A; and

F. No Phase shall be subject to an exemption under this Article, § 298-4.

PLANNED UNIT DEVELOPMENT

Development comprised of a combination of land uses or varying intensities of the same land use in accordance with an integrated plan that provides flexibility in land use design approved by Charles County with at least twenty percent (20%) of the land permanently dedicated to Open Space.

PLANNING DIVISION

The Planning Division within the Charles County Department of Planning and Growth Management.

PLANTED GREEN INFRASTRUCTURE

An area designated as a Priority Funding Area on the Charles County Priority Funding Area Map.

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PUBLIC UTILITY

Any:

A. Transmission line or electric generating station; or

B. Water, sewer, electric, or gas line; or

C. Telephone, fiber optic, or cable television service line.

QUALIFIED CONSERVATION

The conservation of all or part of an existing forest that:

A. Has been approved by Charles County Planning Department for the purpose of establishing a forest mitigation bank: and

B. Is encumbered in perpetuity by a restrictive easement, covenant, or another similar mechanism recorded in the county land records to conserve its character as a forest.

QUALIFIED PROFESSIONAL

An individual who:

A. Is a licensed forester; or

B. Is a licensed landscape architect; or

C. Meets the requirements found in COMAR 08.19.06.01B.

REDEVELOPMENT

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Any proposed activity including the expansion or addition to an existing building, structure, parking facility, impervious surfaces, or artificial pervious surfaces; which would result in an increase in size of twenty percent (20%) or ten thousand (10,000) square feet, whichever is less.

REFORESTATION OR REFORESTED

A. "Reforestation" or "Reforested" means the:

1) Creation of a biological community dominated by Trees and other woody plants containing at least one hundred (100) live Trees per acre with at least fifty percent (50%) of those Trees having the potential of attaining a two-inch or greater diameter measured at four and one-half (4.5) feet above the ground, within seven (7) years; or.

2) Establishment of a forest according to procedures set forth in the Forest Conservation Technical Manual.

B. "Reforestation" or "Reforested" includes landscaping of areas under an approved Landscaping Plan establishing a Forest:

1) At least thirty-five (35) feet wide and covering a minimum of two thousand five hundred (2,500) square feet; or

2) Contiguous to an area of Forest Retained under a permanent protective easement at least thirty-five (35) feet wide and covering a minimum of ten thousand (10,000) square feet.

C. "Reforestation" or "Reforested" for a Linear Project involving overhead transmission lines may consist of a biological community dominated by Trees and woody shrubs with no minimum height or diameter criteria.

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REGULATED ACTIVITY

Any of the following activities, when that activity occurs on a unit of land which is forty thousand (40,000) square feet or greater:

A. Subdivision

B. Grading

C. Development Project

D. An activity that requires a Sediment Control Approval; or

E. A County Project

RESIDUE

A residue, as defined in the Charles County Subdivision Regulations.

RETENTION OR RETAINED

The deliberate holding and protecting of existing Trees, shrubs, or plants on the site according to established standards as provided in the State Forest Conservation Technical Manual.

SEDIMENT CONTROL APPROVAL

The authorization of an activity regulated under a sediment control plan as provided in the Environment Article, Title 4, of the Annotated Code of Maryland.

SEEDLING

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An unbranched woody plant less than twenty-four (24) inches in height and having a diameter of less than one-half (1/2) inch measured at two (2) inches above the root collar.

SELECTIVE CLEARING

The careful and planned removal of Trees, shrubs, and plants using specific standards and protection measures under an approved Forest Conservation Plan.

SPECIMEN TREE

A live Tree having a diameter measured at four and one-half (4.5) feet above the ground of thirty (30) inches or more, or Trees having seventy-five percent (75%) or more of the diameter of the current County or State Champion Tree of that species.

STATE FOREST CONSERVATION TECHNICAL MANUAL

The technical manual published by the Maryland Department of Natural Resources, Maryland Forest Service and hereby incorporated herein by reference, which is used to establish standards of performance required in preparing Forest Stand Delineations and Forest Conservation Plans.

STATE STREAM BUFFER

A. All lands lying within 50 feet, measured from the top of each normal bank of intermittent stream; or

B. All lands lying within 100 feet, measured from the top of each normal bank of perennial.

STREAM

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A perennial or intermittent watercourse created naturally or artificially which contains flow from surface water and water originating from a groundwater source during a portion of the year, as field verified.

STREAM RESTORATION PROJECT

An activity that:

A. Is designed to stabilize Stream banks or enhance Stream function or habitat located within an existing Stream, waterway, or floodplain;

B. Avoids and minimizes impacts to Forests and provides for replanting On-Site an equivalent number of Trees to the number removed by the project;

C. May be performed under a municipal separate storm sewer permit, a Watershed implementation plan growth offset, or another plan administered by the State or County to achieve or maintain water quality standards; and

D. Is not performed to satisfy stormwater management, wetlands mitigation, or any other regulatory requirement associated with proposed development activity.

SUBDIVISION

A subdivision, as defined in the Charles County Subdivision Regulations.

TIMBER HARVESTING

A. A Tree cutting operation affecting one (1) or more acres of Forest or developed woodland within a one-year interval that disturbs five thousand (5,000) square feet or more of Forest floor.

B. "Timber harvesting" does not include grubbing and clearing of root mass.

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TRACT

Any parcel of real property, unit of land, or other areas of land specified in this Chapter, subject to an application for a Regulated Activity or site plan approval.

TRACT PLANNED UNIT DEVELOPMENT

The entire property subject to a Planned Unit Development.

TREE

A large, branched woody plant having one (1) or several self-supporting stems or trunks and that reaches a height of twenty (20) feet or more at maturity.

VARIANCE

Relief from any of the provisions of this Chapter sought pursuant to § 298-26.

WATERSHED

All land lying within an area described as a subbasin in water quality regulations adopted by the Department of the Environment under COMAR 26.08.02.08.

WHIP

An unbranched woody plant greater than twenty-four (24) inches in height and having a diameter of less than one (1) inch Caliper measured at two (2) inches above the root collar.

§ 298-3 Applicability.

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Except as provided in § 298-4 of this article, this Chapter applies to:

A. A Person making application for a Regulated Activity or site plan approval on Tracts of land forty thousand (40,000) square feet or greater after the effective date of this Chapter.

B. A Public Utility not exempt under § 298-4E and G of this article.

C. County Projects on areas forty thousand (40,000) square feet or greater.

§ 298-4 Exemption.

This Chapter does not apply to:

A. Highway construction activities under the Natural Resources Article, § 5-103, of the Annotated Code of Maryland.

B. Areas governed by the Chesapeake Bay Critical Area Protection Law, Natural Resources Article §§ 8-1801 through 8-1816, Annotated Code of Maryland.

C. Commercial Logging and Timber Harvesting Operations, including harvesting conducted subject to the Forest Conservation and Management Program under the Tax – Property Article, § 8-211, Annotated Code of Maryland, and are conducted on property which is the subject of a Declaration of Intent, Commercial Logging and Timber Harvesting Operation Exemption, as provided for in § 298-5 of this article and approved by the Department.

D. Agricultural activities not resulting in a change in land use category, including agricultural support buildings and other related structures built using accepted best management practices, except that a Person engaging in an Agricultural Activity clearing forty thousand (40,000) square feet or greater of Forest within a one-year period may not receive an agricultural exemption unless the Person obtains approval

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from the Department and files a Declaration of Intent, Agricultural Activity Exemption, as provided for in § 298-5 of this article, which includes:

(1) A statement that the landowner or landowner's agent will practice agriculture on that portion of the property for five (5) years from the date of the declaration; and

(2) A sketch map or detailed site plan of the property which shows approximate existing Forest Cover and the Forested area to be cleared.

E. The cutting or clearing of Public Utility rights-of-way licensed pursuant to § 7-204, § 7-205, § 7-207, or § 7-208 of the Annotated Code of Maryland, or land for electric generating stations licensed under Public Utility companies, § 7-205, § 7-207, or § 7-208 of the Annotated Code of Maryland, if:

(1) Required certificates of public convenience and necessity have been issued in accordance with the Natural Resources Article, § 5-1603(f), of the Annotated Code of Maryland; and

(2) Cutting or clearing of the Forest is conducted to minimize the loss of Forest; and,

(3) Said exemption is requested by the Applicant and approved by the Department prior to the commencement of clearing.

F. Routine maintenance or emergency repairs of Public Utility rights-of-way licensed under Public Utility Companies § 7-207 and § 7-208 or § 7-205 of the Annotated Code of Maryland.

G. Except for a Public Utility subject to this Chapter, routine maintenance or emergency repairs of a Public Utility right-of-way if:

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(1) The right-of-way existed before the effective date of this Chapter; or

(2) The right-of-way's initial construction was approved under this Chapter.

H. A residential Development Project conducted on an existing single Lot of any size, or a Linear Project provided that the activity:

(1) Does not result in the cumulative cutting, clearing or grading of twenty thousand (20,000) square feet or more of Forest;

(2) Does not result in the cutting, clearing, or grading of a Forest that is subject to the requirements of a previous Forest Conservation Plan approved under this Chapter; and

(3) Is the subject of a Declaration of Intent, single lot exemption, filed with the Department, as provided for in § 298-5 of this article, which includes a separate sketch map or includes a detailed site plan showing existing Forest Cover and the area of Forest to be cleared.

I. Strip or deep mining of coal regulated under the Environment Article, Title 15, Subtitle 5 or 6, of the Annotated Code of Maryland.

J. Noncoal surface mining regulated under the Environment Article, Title 15, Subtitle 8, of the Annotated Code of Maryland.

K. An activity required for the purpose of constructing a dwelling house intended for the use of the owner or a child of the owner, provided that:

(1) The activity does not result in the cutting, clearing or grading of more than 20,000 square feet of Forest; and

(2) The activity is the subject of a Declaration of Intent, intrafamily transfer exemption, filed with the Department, as provided for in § 298-5 of this

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article, which includes a sketch map or includes a detailed site plan showing existing Forest Cover and the area of Forest to be cleared, and which states that transfer of ownership may result in a loss of exemption.

(3) Each proposed lot or parcel will be at least forty thousand (40,000) square feet; and

(4) If the activity requires a final plat of **S**ubdivision, the plat must include the following:

(a) The signature of each grantor, with the relationship to the grantee, and the signature of each grantee, with the relationship to the grantor; and

(b) A note which states that the **S**ubdivision is for the purpose of constructing a dwelling house for the use of the grantee and that, if the land does not remain in the possession of the grantee for five (5) years, the owner must notify the Department and shall lose exemption from the Charles County Forest Conservation Ordinance. If another exemption from this Chapter cannot be obtained, then the requirements established in the Charles County Forest Conservation Ordinance shall be satisfied.

L. A final plat of **S**ubdivision, a final site plan or a Sediment Control Plan approved before the effective date of the Charles County Forest Conservation Ordinance.

M. A valid Preliminary Subdivision Plan approved before July 1, 1991.

N. All or parts of a Planned Unit Development that, by December 31, 1991, have:

(1) Met all local requirements for Planned Unit Development approval; and

(2) Obtained initial development plan approval by the Charles County Commissioners.

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O. A real estate transfer to provide a security, leasehold or other legal or equitable interest, including a transfer of title, for a portion of a Lot or parcel, if:

(1) The transfer does not involve a change in land use or new development or Redevelopment with associated land disturbing activities; and

(2) The transfer is the subject of a Declaration of Intent, real estate transfer exemption, as provided for in § 298-5 of this article; and

(3) Each proposed lot or parcel will be at least forty thousand (40,000) square feet; and

(4) The final plat includes:

(a) A note stating that the Subdivision is for the sole purpose of a real estate transfer and the lots are not buildable unless the entire subdivision complies with Foret Conservation or 5 years has passed since the date of recordation of the plat; and

(b) The signatures of all grantors and grantees.

P. A Subdivision activity required for the purpose of separating an existing dwelling unit from the parent parcel, provided that:

(1) The proposed activity does not result in the cutting, clearing or grading of more than 20,000 square feet of Forest.

(2) The new Lot shall be less than two times the existing base zoning minimum Lot size requirement and therefore could not be further subdivided.

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(3) The Residue shall be consistent with the definition of "residue" as defined under § 298-2 of this Chapter.

(4) The Residue will be subject to the Charles County Forest Conservation Ordinance when it is further developed or subdivided.

Q. The cutting or clearing of Trees to comply with the requirements of 14 CFR 77.25 relating to objects affecting Navigable Airspace, provided that the Federal Aviation Administration has determined that the Trees are a hazard to aviation, and any disturbance not located within the Navigable Airspace will be subject to this Chapter, unless otherwise exempt.

R. An activity on a previously developed area covered by impervious surface and located in the Priority Funding Area.

S. Maintenance or retrofitting of a stormwater management structure that may include clearing of vegetation or removal and trimming of Trees, so long as the maintenance or retrofitting is within the original limits of disturbance for construction of the existing structure, or within any maintenance easement for access to the structure.

T. A Stream Restoration Project, as defined in this Chapter, for which the Applicant for a grading or sediment control permit has executed a binding Maintenance Agreement of at least five (5) years with the affected property owner or owners.

U. Forest Management associated with a plan prepared by a licensed forester and approved by the State.

V. The construction of a new Federal Government Facility projected to house the employment of at least two thousand and five hundred (2,500) persons.

§ 298-5 Declaration of Intent.

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A. The purpose of the Declaration of Intent is to verify that the proposed activity is exempt under the Natural Resources Article, §§ 5-103 and 5-1601 through 5-1613, of the Annotated Code of Maryland and this Chapter.

B. A Person seeking an exemption under § 298-4C, D, H, K and O of this article shall file the applicable Declaration of Intent with the Department.

C. The existence of a Declaration of Intent does not preclude another exempted activity on the property subject to a Declaration of Intent, if the activity:

(1) Does not conflict with the purpose of any existing Declaration of Intent; and

(2) Complies with the applicable requirements for an exempted activity.

D. If a Regulated Activity on the area covered by the Declaration of Intent occurs within five (5) years of the effective date of the Declaration of Intent:

(1) There shall be an immediate loss of exemption; and

(2) There may be a noncompliance action taken by the Department, as appropriate, under this Ordinance.

E. An Applicant may apply for a Regulated Activity on that area of the property not covered under the Declaration of Intent if the requirements of this Chapter are satisfied.

F. The Department may require a Person failing to file a Declaration of Intent or found to be in noncompliance with a Declaration of Intent to:

(1) Meet the Retention, Afforestation and Reforestation requirements established in Article III of this Chapter;

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(2) Pay a noncompliance fee found in the Charles County Government Fees and Charges Schedule for the current fiscal year per square foot of Forest cut or cleared under the Declaration of Intent;

(3) Be subject to other enforcement actions appropriate under the Natural Resources Article, §§ 5-1601 through 5-1613, of the Annotated Code of Maryland and this Chapter; or

(4) File a Declaration of Intent with the Department.

G. In its determination of appropriate enforcement action, the Department may consider whether failure to file a Declaration of Intent by a Person required to file is a knowing violation of this Chapter.

H. A Declaration of Intent is effective for five (5) years.

I. Commercial Logging and Timber Harvesting. The requirements for a Declaration of Intent may be satisfied by a Forest Management Plan for the entire Tract, prepared by a forester licensed in Maryland according to the Business Occupations and Professions Article, Title 7, of the Annotated Code of Maryland, which outlines management practices needed to meet the stated objectives for a minimum of five (5) years.

J. Agricultural Activities or Commercial Logging and Timber Harvesting. A Declaration of Intent may be part of an amended sediment and erosion control plan which ensures that the activity meets the conditions for an exemption as stated in Article III, § 298-4-C & D of this Chapter.

§ 298-6 Application requirements.

A. A Person making application on or after the effective date of January 1, 1993, for Subdivision plan approval for an area of land of forty thousand (40,000) square feet or greater shall:

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(1) Submit to the Department a Forest Stand Delineation and a Forest Conservation Plan for the parcel on which the subdivision plan is located; or

(2) Use methods approved by the Department, as provided in the State Forest Conservation Technical Manual, to protect Retained Forests and Trees during construction; or

(3) On properties with proposed commercial and industrial uses and portions of the Planned Unit Development areas with these above uses shall be entitled to Phase or defer submittal of a Forest Stand Delineation and Forest Conservation plan until application is made for a Regulated Activity or site plan approval, whichever comes first, provided that:

(a) The Subdivision plan proposes to create no more than one (1) additional buildable Lot;

(b) Forest Conservation Plan requirements may be deferred for no more than one (1) (s)Subdivision plan on the parent parcel; and

(c) A note is included on the final plat which states that all parcels must satisfy requirements of the Charles County Forest Conservation Ordinance and the requirements of the Subdivision Regulations § 278-52 at the time application is made for a Regulated Activity, site plan, or Development Project Approval, and that the parcels are not eligible for the single lot exemption.

B. A Person making application for any other Regulated Activity on or after the effective date of January 1, 1993, shall:

(1) Submit to the Department a Forest Stand Delineation and a Forest Conservation Plan for the Tract on which the Regulated Activity is located.

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(2) Use methods approved by the Department, as provided in the State Forest Conservation Technical Manual, to protect Retained Forests and Trees during construction.

§ 298-7 Application using state funds.

If a Local Agency or Person using state funds makes an application to conduct a Regulated Activity, the provisions of COMAR 08.19.04.01D shall apply.

§ 298-8 Forest Stand Delineation criteria.

A. A Forest Stand Delineation shall be submitted prior to or simultaneously with a Preliminary Subdivision Plan, a Minor Subdivision as defined in the Subdivision Regulations, site plan, County Project plan, or a Development Project application.

B. A Forest Stand Delineation shall be submitted prior to or simultaneously with a Preliminary Forest Conservation plan or Final Forest Conservation Plan, as applicable.

C. The delineation shall be prepared and signed by a Qualified Professional.

D. The Forest Stand Delineation shall be used in the development review process to determine the most suitable and appropriate sites for Forest Conservation and shall contain the following information:

(1) A topographic map delineating Intermittent and Perennial Streams, slopes over fifteen percent (15%) and steep slopes over twenty-five percent (25%).

(2) A soils map delineating soils with structural limitations, hydric soils, soils containing hydric-inclusion or soils with a soil "K" value greater than 0.35 on slopes of fifteen percent (15%) or more.

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(3) Forest Stand maps indicating species present, location and size of Trees and showing dominant and codominant Forest types in conformance with the standards for Stand Delineations, as contained in the State Forest Conservation Technical Manual.

(4) Location of One-Hundred-Year Floodplains, existing conservation easements, Resource Protection Zone areas, tidal and Nontidal Wetlands, Critical Habitat Areas and Natural Heritage Areas.

(5) Location of existing structures and the historic significance of the structures on the subject Tract or adjacent Lots or parcels.

(6) Information outlined within the State Forest Conservation Technical Manual.

(7) A letter of review from the Maryland Department of Natural Resources, Wildlife and Heritage Service, regarding the presence of rare, threatened or endangered species, dated not more than five (5) years prior to the initial submittal of the plan.

(8) Other information the Department determines is necessary to implement this Chapter.

E. Simplified Forest Stand Delineation:

(1) May be submitted:

(a) When no Forest exists On-site; or

(b) When no Forest On-Site is to be cut, cleared, or graded during a change of use or a Regulated Activity, and all Forest on the site is or will be retained and subject to a long-term protective agreement; or

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(c) For Tracts subject to an application for a Regulated Activity wherein development of the Tract requires clearing and grading of ninety-five percent (95%) or more of the Tract; or

(d) When approved by the Department.

(2) The Department shall consider a Simplified Forest Stand Delineation complete if it includes:

(a) All requirements under this article in § 298-8, Subsection D;

(b) A map showing existing Forest Cover;

(c) Confirmation by a walk-through survey to determine that the proposed limit of disturbance will not contain any priority Forest areas or Retention areas listed in Article III, §298-13, Subsection B; and

(d) A descriptive narrative of the applicable Forest Stands which addresses the informational categories in a stand summary data sheet, as contained in the State Forest Conservation Technical Manual; and

(e) The Forest Conservation Worksheet.

F. A Full Forest Stand Delineation:

(1) Shall be used if a Regulated Activity does not qualify for an Intermediate or Simplified Forest Stand Delineation; and

(2) The Department shall consider a Full Forest Stand Delineation complete if it includes an environmental features map and narrative containing:

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(a) All of the previously stated requirements of this Article in § 298-8, Subsection D(1-8); and

(b) Location, description, and size of Forest Stands with the best available information regarding the Forest Stand boundaries extending two hundred (200) feet from the Tract; and

(c) Sampling location used for analysis and, if a plot method is used, the center of the plots marked in the field; and

(d) Field-verified locations of any priority Retention areas listed in Article III, §298-13, Subsection (B); and

(e) Field verified locations of any priority Afforestation or Reforestation areas located outside of existing Forest areas.

G. An approved forest stand delineation may remain in effect for a period not longer than five years.

Commented [CK1]: Can you clarify if this language should be present in this Final Draft? Looks like there are strikethroughs on top of bracketed text, so unsure if this is meant to be included.

H. Time for submittal review period.

(1) Within thirty(30) calendar days after receipt of the Forest Stand Delineation, the Department shall notify the Applicant whether the Delineation is complete and correct.

(2) If the Department fails to notify the Applicant within thirty (30) days, the Delineation shall be treated as approved.

(3) Under Extenuating Circumstances the Department may require further information and/or extend the review of a submittal by an additional fifteen (15) calendar days and will notify the Applicant accordingly.

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Article II

Forest Conservation Plan

§ 298-9 General provisions.

A. In developing a Forest Conservation Plan, the Applicant shall give priority to techniques for retaining existing Forest on the site.

B. If existing Forest on the site subject to a Forest Conservation Plan cannot be Retained, the Applicant shall demonstrate to the satisfaction of the Department:

(1) How techniques for Forest Retention have been exhausted; and

(2) Why the priority Forests and priority areas specified in the Natural Resources Article, § 5-1607(c), of the Annotated Code of Maryland, cannot be left in an undisturbed condition:

(a) If priority Forests and priority areas cannot be left undisturbed, how the sequence for Afforestation or Reforestation in Article III, § 298-15, will be followed in compliance with the Natural Resources Article, § 5-1607, of the Annotated Code of Maryland; and

(b) Where on the site in priority areas Afforestation or Reforestation, as specified in Article III § 298-15, will occur in compliance with the Natural Resources Article, § 5-1607, of the Annotated Code of Maryland; and

(3) How the disturbance to priority Forests and priority areas specified in Article III, § 298-15, in accordance with the Natural Resources Article, § 5-1607(c)(2), Annotated Code of Maryland, qualifies for a Variance under Article III, §298-26.

C. In order to make a payment to the County Forest Conservation Fund in lieu of Afforestation or Reforestation requirements, the Applicant shall demonstrate to the

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satisfaction of the Department that the requirements for Afforestation or Reforestation On-Site or Off-Site cannot be reasonably accomplished.

D. A Regulated Activity within the Net Tract Area that occurs wholly or partly in areas regulated as Nontidal Wetlands under the Environment Article, §§ 5-901-911, of the Annotated Code of Maryland, and COMAR 26.23.01-06 is subject to both the Nontidal Wetlands regulatory requirements and the requirements of this Chapter, subject to the following:

(1) Any area of Forest in the Net Tract Area, including Forest in Nontidal Wetlands that is Retained, shall be counted towards Forest Conservation requirements under this Chapter.

(2) For the purpose of calculating Reforestation mitigation under this Chapter, a Forested Nontidal Wetland permitted to be cut or cleared and required to be mitigated under COMAR 26.23.04 shall be shown on the Forest Conservation Plan and subtracted on an acre-for-acre basis from the total amount of Forest to be cut or cleared as part of a Regulated Activity.

(3) Nontidal Wetlands shall be considered priority areas as specified in § 298-15 of this Chapter in accordance with the Natural Resources Article, § 5-1607(c)(2), Annotated Code of Maryland, for retention and replacement.

(4) Forested Nontidal Wetland identification and delineation shall be included at the earliest stage of planning to assist the Applicant in avoidance and reduction of impacts to the Nontidal Wetlands and to avoid delay in the approval process.

§ 298-10 Preliminary Forest Conservation Plan.

A. A Preliminary Forest Conservation Plan shall be prepared and signed by a Qualified Professional.

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B. Except for a Minor Subdivision as defined in the Subdivision Regulations, for minor Development Projects and projects where a simplified delineation applies on a Tract, a Preliminary Forest Conservation Plan shall:

(1) Be submitted with a preliminary plan of (s)Subdivision, County Project, or site plan unless a Final Forest Conservation Plan is provided and is accepted by the Department.

(2) Include the information provided on a Forest Stand Delineation as required in Article I, § 298-8, Subsection(D), for the site.

(3) Include a table that lists the proposed values of the following, in both acres and square feet:

(a) Tract Area

(b) Net Tract Area.

(c) Area of Forest On Site within the Net Tract Area.

(d) Area of Forest proposed to be cleared.

(e) Area of Forest Conservation required, or the Break-Even Point; and

(f) Area of Forest Conservation proposed including both On-Site and Off-Site areas.

(4) Include a clear graphic depiction of the following:

(a) Limits of the Tract area; and

(b) Limits of the Net Tract Area; and

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(c) Proposed limits of disturbance; and

(d) Forest Conservation easements proposed for the site drawn to scale; and

(e) Existing Forest Cover; and

(f) Limits of proposed Forest clearing; and

(g) Area of Forest Retention, Afforestation and/or Reforestation being proposed; and

(h) Location and types of protective devices to be used during construction activities to protect Trees and areas of Forest designated for conservation; and

(i) Champion and/or Specimen Trees, including their associated Critical Root Zone; and

(i) Any proposed protection devices for Champion and/or Specimen Trees.

(5) Incorporate a proposed 2-year Maintenance Agreement that shows how areas designated for Afforestation or Reforestation will be maintained to ensure protection and satisfactory establishment.

(6) Include a narrative of how the provisions of Article II, § 298-9, have been met.

(7) Include any approved or requested Variances associated with the project.

C. Preliminary Subdivision Plans using Open Space for the establishment of a Forest Conservation and/or Forest Mitigation Bank for Off-Site Forest Conservation

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easements must be approved by the Planning Commission as part of the preliminary plan process.

D. The review of the Preliminary Forest Conservation Plan, or a Final Forest Conservation Plan submitted under this Section, shall be concurrent with the review of a site plan, County Project, or preliminary Subdivision plan.

E. During the different stages of the review process, the Preliminary Forest Conservation Plan may be modified, provided that the Department approves of the changes.

§ 298-11 Final Forest Conservation Plan.

A. A Final Forest Conservation Plan shall be prepared and signed by a Qualified Professional.

B. A Final Forest Conservation Plan shall:

(1) Include the submitted or approved Forest Stand Delineation, as applicable, and the approved Preliminary Forest Conservation Plan or the information required for a Preliminary Forest Conservation Plan when a Preliminary Forest Conservation Plan is not required.

(2) Be submitted:

(a) After the approval of a Preliminary Subdivision Plan, if applicable, but prior to the commencement of any clearing, grading, or construction, for a site subject to a County Project, Development Project, or site plan; or

(b) With any application for a Regulated Activity if (2)(a) of this Subsection does not apply.

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(3) Show proposed locations and types of protective devices to be used during construction activities to protect Trees and Forests designated for conservation.

(4) Include a proposed construction timetable showing the sequence of Forest conservation procedures.

(5) Show proposed stockpile areas.

(6) Submit a narrative.

(7) In the case of Afforestation or Reforestation, include an Afforestation or Reforestation Plan, with a timetable and description of needed site and soil preparation, species, size and spacing to be used.

(8) Incorporate a binding two-year Maintenance Agreement specified in COMAR 08.19.05.01 that details how the areas designated for Afforestation or Reforestation will be maintained to ensure protection and satisfactory establishment, including:

(a) Watering; and

(b) A reinforcement planting provision, if survival rates fall below standards identified, within the State Forest Conservation Technical Manual.

(c) A monitoring report to demonstrate how the protection has been achieved and satisfactory establishment has been accomplished within the reforestation and/or afforestation areas per the State Technical Manual.

(9) Incorporate a long-term binding protective agreement as specified in COMAR 08.19.05.02 that:

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(a) Provides protection for areas of Forest Conservation, including areas of Afforestation, Reforestation and Retention; and

(b) Limits uses in areas of Forest Conservation to those uses that are designated and consistent with Forest Conservation, including recreational activities and Forest Management practices that are used to preserve Forest; and

(c) Incorporates conservation easements, deed restrictions, covenants and other agreements as required.

(10) Include the information required on a Forest Stand Delineation.

(11) Include a tie-down method for any proposed Forest Conservation easement, i.e., metes and bounds or distances and angles.

(12) Include the Critical Root Zones of any individual Trees or clusters of Trees, shrubs, or plants not located in a proposed long-term protective agreement but identified as having a priority for Retention in § 298-13.

(13) Include other information the Department determines is necessary to implement this Chapter.

C. Review period.

(1) Within forty-five (45) calendar days after receipt of the Final Forest Conservation Plan, the Department shall notify the Applicant whether the Forest Conservation Plan is complete and approved.

(2) If the Department fails to notify the Applicant within forty-five (45) calendar days, the plan shall be treated as complete and approved.

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(3) Under Extenuating Circumstances the Department may require further information and/or extend the review of a submittal by an additional fifteen (15) calendar days and will notify the Applicant accordingly.

(4) At the request of the Applicant, the Department may extend the deadline under Extenuating Circumstances.

(5) If the Plan does not propose to clear any portion of a Priority Area of Retention, as described in, then the Department's review of a Final Forest Conservation Plan shall be concurrent with the review of any County application associated with the proposed Regulated Activity.

(6) If the Plan proposes to clear any portion of a Priority Area of Retention, then the Planning Director may require approval of the Final Forest Conservation Plan before the Department accepts an application for a review of a Final Plat or Development Services Permit.

D. Approval Period.

(1) A Final Forest Conservation Plan which does not propose to clear any Priority Area of Retention may be approved by the Department.

(2) If a Final Forest Conservation Plan which proposes to clear any portion of a Priority Area of Retention receives conditional approval from the Department, then the following shall occur:

(a) The Department shall provide an opportunity for written and verbal comment before The Charles County Planning Commission in the form of a Public Meeting, as described in the Rules or Practice and Procedures of the Charles County Planning Commission; and

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(b) At least twenty (20) days before the scheduled Public Meeting, the Applicant shall provide notice to all adjacent property owners, including those separated from the subject property by a public right-of-way, of the subject property which shall include:

(i) The total Priority Area proposed to be cleared; and

(ii) The percentage of the Priority Area on the Subject Property proposed to be cleared; and

(iii) Summary of any Variances to this Ordinance being requested; and

(iv) Dates of any scheduled Public Meeting and/or comment period.

-and-

(c) The Charles County Planning Commission shall motion to either approve or deny the Plan, or make another action found in the Rules or Practice and Procedures of the Charles County Planning Commission as determined to be necessary.

(3) A person petitioning for judicial review of an approved Final Forest Conservation Plan shall file the petition in accordance with the Maryland Rules not later than thirty (30) days after approval of the Plan.

(a) Any judicial review of a Forest Conservation Plan shall be:

(i) Conducted in accordance with the Maryland Rules; and

(ii) Limited to the record compiled by the Department.

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E. The Department may revoke an approved Forest Conservation Plan and assess a penalty if it finds that:

(1) A provision of the plan has been violated; or

(2) Approval of the plan was obtained through fraud, misrepresentation, a false or misleading statement or omission of a relevant or material fact; or

(3) Changes in the development or in the condition of the site necessitate preparation of a new or amended plan.

F. The Department may issue a stop-work order against a Person who violates a provision of this Chapter or a regulation, order, approved Forest Conservation Plan or Maintenance Agreement.

G. After revoking approval of a Forest Conservation Plan, the Department shall notify the violator, in writing, and provide an opportunity for an informal administrative review hearing conducted by the Director of the Department or their designee.

Article III

Afforestation; Retention; Reforestation

A Person making application after the effective date of this Chapter for any Tract, except as provided for in Article I, § 298-4, shall:

A. Conduct Afforestation on the Tract in accordance with the following:

(1) A Tract having less than twenty percent (20%) of the Net Tract Area in Forest Cover shall be Afforested up to at least twenty percent (20%) of the Net Tract Area for the following land use categories:

(a) Agriculture and Resource Areas; and

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(b) Medium-Density Residential Use.

(2) A Tract with less than fifteen percent (15%) of its Net Tract Area in Forest Cover shall be Afforested up to at least fifteen percent (15%) of the Net Tract Area for the following land use categories:

(a) Institutional Development Use; and

(b) High-Density Residential Use; and

(c) Mixed-Use Development; and

(d) Planned Unit Development ; and

(e) Commercial and Industrial Uses.

B. Comply with the following when cutting or clearing Forest Cover that is currently below the Afforestation percentages described in Subsection A (1) and (2) of this section:

(1) The required Afforestation level shall be determined by the amount of Forest existing before cutting or clearing begins.

(2) Forest cut or cleared below the required Afforestation level shall be Afforested or Reforested at a two-to-one ratio (2:1) and added to the amount of Afforestation necessary to reach the minimum required Afforestation level, as determined by the amount of Forest existing before cutting or clearing began.

C. Afforestation requirements under this section shall be accomplished within one (1) year or two (2) Growing Seasons after Development Project Completion.

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D. If Afforestation cannot be reasonably accomplished On-Site or Off-Site, the requirement to pay into to a Forest Conservation Fund shall be met upon approval of the Final Forest Conservation Plan and prior to Department approval of a Subdivision or Development Project.

E. Linear Projects that involve no change in land use may not be subject to Afforestation requirements.

F. Solar Photovoltaic Facilities may not be subject to Afforestation requirements.

G. All unforested stream buffers must be afforested or reforested, unless the applicant demonstrates to the Department that afforestation in the riparian buffer:

(1) Would be in conflict with allowable uses as established for the riparian buffer;

(2) Is located on park property and conflicts with the mission and established stewardship practices of the park; or

(3) Is not suitable for the establishment and retention of the required planting materials, in which case substitute environmental protection measures must be implemented.

H. Afforestation planting requirements shall be implemented in accordance with the State Technical Manual with respect to the number of Trees per acre, spacing, and survivability requirements.

I. Afforestation requirements must conform to the conditions in Natural Resources Article §5-1607 and §5-1610 Annotated Code of Maryland.

§ 298-13 Retention.

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A. The following Trees, shrubs, plants and specific areas shall be considered priority for Retention and protection and shall be left in an undisturbed condition unless the Applicant has demonstrated, to the satisfaction of the Charles County Planning Commission, that all reasonable efforts have been made to protect them and the plan cannot be reasonably altered:

(1) Trees, shrubs, and plants located in or any combination of the following sensitive areas

(a) One Hundred-Year Floodplains; and

(b) Intermittent Streams and their Stream Buffers of at least fifty (50) feet as measured from the top of the normal bankstream channel stream channel; and

(c) Perennial Streams and their Stream buffers of at least on hundred (100) feet as measured from the top of the normal bankstream channel stream channel; and

(d) coastal bays and their buffers; and

(e) steep slopes exceeding twenty-five percent (25%); and

(f) steep slopes exceeding fifteen percent (15%), with soils having a K value greater than seven-twentieths (0.35); and

(g) Nontidal Wetlands and Critical Habitat Areas.

(2) Contiguous Forest that connects the largest undeveloped or most vegetated areas of land within and adjacent to the site.

(3) Forest Suitable for Forest Interior-Dwelling Species.

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(4) Forest Located in a Tier II or Tier III High Quality Watershed as identified by the Maryland Department of the Environment.

(5) Forest located in a Resource Protection Zone, a reservoir watershed, or a wellhead protection area as defined by the Department.

(6) Forest in urban areas:

(a) As delineated in the Priority Urban Forest Mapping in the State Forest Conservation Technical Manual Requirements; or

(b) That are the most important for providing wildlife habitat or mitigating flooding, high temperatures, or air pollution.

B. The following trees, shrubs, plants, and specific areas shall be considered priority for Retention and protection, and they shall be left in an undisturbed condition unless the Applicant has demonstrated, to the satisfaction of the Charles County Planning Commission, that the Applicant qualifies for and has obtained a Variance under § 298-26 of this Chapter;

(1) Trees that are located on a Historic Site; or

(2) Trees that are associated with a Historic Structure; or

(3) Champion Trees and their Critical Root Zones; or

(4) Specimen Trees and their Critical Root Zones; or

(5) Trees, shrubs or plants determined to be rare, threatened or endangered under the Federal Endangered Species Act of 1973, 16 U.S.C. §§ 1531 through 1544, published in 50 CFR 17.11 and 17.12, and the Maryland list of threatened and endangered species published under the Natural Resources

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Article, §§ 4-2a-01 through 4-2a-09 and 10-2a-01 through 10-2a-09, of the Annotated Code of Maryland, published in COMAR 08.03.08 and 08.02.12.

C. The Department shall issue written findings and justification for any clearing of a priority retention area described in § 298-13.A and B during the Final Forest Conservation Plan approval process as described in § 298-11.D.

D. A judicial review of a final determination made under this paragraph shall be:

(1) Conducted in accordance with the Maryland Rules; and

(2) Limited to the record compiled by the Department.

§ 298-14 Reforestation requirement.

A Person making application after the effective date of this Chapter for any Tract, except as provided for in Article I, § 298-4, shall comply with the following:

A. For all existing forest cover measured to the nearest 1/10th acres cleared on the net tract area, the area of forest removed shall be reforested at a ratio of 1 acre planted for every 1 acre removed; and

B. For all existing forest cover located in the Charles County priority funding area, and not identified as a priority for retention as described in Section 298-13, of this Article, measured to the nearest 1/10th acre cleared on the net tract area, the area of forest removed shall be reforested at a ratio of ½ acre planted for every 1 acre removed.

C. All existing Forest Cover in an area associated with a Transit-Oriented Development, as defined under § 7-101 of the Transportation Article, shall be:

(1) Reforested at a ratio of at least twenty-five percent (25%) replanted for each acre removed; or

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(2) Mitigated at a ratio of at least fifty percent (50%) permanently protected for each acre removed.

D. All existing Forest Cover which would be disturbed or removed with the Construction of Multifamily Housing, which consist of single structures individually containing at least 25 dwelling units, shall be:

(1) Reforested at a ratio of at least twenty-five percent (25%) replanted for each Forested acre removed; or

(2) Mitigated at a ratio of at least fifty percent (50%) permanently protected for each Forested acre removed.

E. All other areas of existing Forest Cover shall be reforested at a ratio of 1 acre planted for every 1 acre removed.

F. Calculations.

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(1) Each acre of Forest Retained on the Net Tract Area shall be credited against the total number of acres required to be Reforested under Subsection D(1) of this section. The calculation of the credit shall be according to the criteria provided in the State Forest Conservation Technical Manual.

(2) Forest Retained On-Site but not subject to long-term binding protective agreements shall be considered as Forest removed for the purpose of determining Afforestation or Reforestation requirements.

G. In addition to meeting the Afforestation and Reforestation Requirements, all Riparian Buffers which are not Forested on the subject property shall be Afforested and Reforested, unless the applicant demonstrates to the Department that Afforestation in the Riparian Buffer:

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(1) Would be in conflict with the allowable uses as established for the Riparian Buffer; or

(2) Is located on park property and conflicts with the mission and established stewardship practices of the park; or

(3) Is not suitable for the establishment and retention of the required planting materials, in which case substitute environmental protection measures must be implemented.

H. Reforestation requirements under this section shall be accomplished within one (1) year or two (2) Growing Seasons after Development Project Completion.

I. If Reforestation cannot be reasonably accomplished On-Site or Off-Site, the requirement to pay into a Forest Conservation Fund shall be met upon approval of the Final Forest Conservation Plan and prior to Department approval of a Subdivision or Development Project.

§ 298-15 Sequence for On-Site and Off-Site Afforestation, Reforestation, and Retention.

A. After techniques for retaining existing Forest on the site have been exhausted, the alternative methods for Afforestation, Reforestation and Off-Site Retention, as determined by the Department, in order of most to least preferred, is as follows:

(1) On-Site Afforestation or Reforestation using transplanted nursery stock that is greater than one and one-half (1.5) inches caliper;

(2) On-Site Afforestation or Reforestation, using:

(a) Whips; and/or

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(b) Seedling stock; and/or

(c) Container grown seedling tubes;

(3) Natural Regeneration, in accordance with the State Forest Conservation Technical Manual;

(4) Acquisition of Off-Site protective easements which are within a Forest Mitigation Bank, not to exceed fifty percent (50%) of the Afforestation or Reforestation requirement when combined with other Off-site protective easements, in order of the most preferred to least preferred with the given ratios as follows:

(a) The Off-Site easement is located within the same MD DNR eight-digit Watershed as the project and is credited at a one-to-one ratio (1:1).

(b) The Off-Site easement is not located within the same MD DNR 8-digit Watershed as the project and is credited at a two-to-one ratio (2:1).

(5) Acquisition of Off-Site protective easements for existing Forested areas, not to exceed fifty percent (50%) of the Afforestation or Reforestation requirement when combined with other Off-site protective easements, in order of the most preferred to least preferred with the given ratios is as follows:

(a) The project is located within the Development District and/or a Priority Funding Area and the Off-Site easement is located within the same MD DNR eight-digit Watershed as the project. Area obtained to meet this criterion shall be Retained at a two-to-one ratio (2:1) or planted at a one-to-one ratio (1:1).

(b) The project is located within the Development District and/or a Priority Funding Area and the Off-Site easement is not located within the same MD DNR eight-digit Watershed as the project. Area obtained to meet this criterion

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shall be Retained at a two-and-one-half-to-one ratio (2.5:1) or planted at a two-to-one ratio (2:1).

(c) The project is not within the Development District and/or a Priority Funding Area and the Off-Site easement is located within the same MD DNR 8-digit Watershed as the project. Area obtained to meet this criterion shall be Retained at a two-to-one ratio (2:1) or planted at a one-to-one ratio (1:1).

(d) The project is not within the Development District and/or a Priority Funding Area and the Off-Site easement is not within the same MD DNR 8-digit Watershed as the project. Area obtained to meet this criterion shall be Retained at a four-to-one ratio (4:1) or planted at a two-to-one ratio (2:1).

(6) The applicant may be allowed to increase a projects acquisition of Off-site protective easements of existing Forest areas, up to 60% if:

(a) The applicant provides written justification for the requested increase; and

(b) The request is approved by the Maryland Department of Natural Resources; and

(c) The Department shall provide an opportunity for written and verbal comment before The Charles County Planning Commission in the form of a Public Meeting, as described in the Rules or Practice and Procedures of the Charles County Planning Commission; and

(d) At least twenty (20) days before the scheduled Public Meeting, the Applicant shall provide notice to all adjacent property owners, including those separated from the subject property by a public right-of-way, of the subject property which shall include:

(i) Approval Status of any associated Forest Conservation Plan; and

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(ii) Summary of the request including the justification provided to the Department; and

(iii) Dates of any scheduled Public Meeting and/or comment period.

-and-

(e) The Charles County Planning Commission shall motion to either approve or deny the request, or make another action found in the Rules or Practice and Procedures of the Charles County Planning Commission as determined to be necessary.

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(7) The restoration of degraded forest, including soil enhancement without grading, the removal of invasive species, wildlife control, the improvement of understory, and new tree plantings, as appropriate, in which case the Afforestation or Reforestation credit granted may not exceed fifty percent (50%) of the area of Forest restored.

(8) The establishment of planted green infrastructure or planted environmental site design practices beyond the amount required under § 274 Stormwater Management, may grant credit as a mitigation technique.

(9) Afforestation and Reforestation planting requirements in order of most to least preferred are as follows:

(a) Off-Site Afforestation or Reforestation in areas described as a priority in this Article, § 298-13, Subsection A, using transplanted or nursery stock that is greater than 1.5 inches caliper;

(b) Off-Site Afforestation or Reforestation in areas described as a priority in this Article, § 298-13, Subsection A, using Whip and Seedling stock;

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(c) Off-Site Afforestation or Reforestation in areas described as a priority in this Article, § 298-13, Subsection A, using Natural Regeneration;

(d) Off-Site Afforestation or Reforestation in areas not specified as a priority in this Article, § 298-13, Subsection A, using transplanted or nursery stock that is greater than 1.5 inches caliper;

(e) Off-Site Afforestation or Reforestation in areas not specified as a priority in this Article, § 298-13, Subsection A, using Whip and Seedling stock;

(f) On-Site Afforestation or Reforestation in areas not specified as a priority in this Article, § 298-13, Subsection A, using Natural Regeneration;

(g) Off-Site Afforestation or Reforestation in areas not specified as a priority in this Article, § 298-13, Subsection A using Natural Regeneration;

(h) For redevelopments, high-density residential developments, commercial and industrial developments, high density mixed-use developments, and some institutional areas On-Site Afforestation or Reforestation using street trees may be used to meet Afforest and Reforest requirements, based on a mature canopy coverage. These trees shall be provided over and above those trees required for other Ordinances. Individual trees may receive full credit for the projected area of their Mature canopy coverage at 20 years, subtracting any overlapping canopy areas for existing or proposed trees.

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(10) When all other options, both On-Site and Off-Site, have been exhausted, landscaping as a mitigation technique, conducted under an approved Tree Management Plan that establishes a Forest at least thirty-five (35) feet wide and covering at least two thousand five hundred (2,500) square feet of area.

B. A sequence other than the one described in Subsection A of this section may be approved by the Planning Director or designee to be used for a specific project, if

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necessary, to achieve the objectives of the Charles County Comprehensive Plan or to take advantage of opportunities to consolidate Forest Conservation efforts.

C. The following shall be considered priorities for Afforestation or Reforestation:

(1) Establish or enhance Forest buffers adjacent to Intermittent and Perennial Streams and coastal bays to widths of at least fifty (50) feet.

(2) Establish or enhance Forested areas on One-Hundred-Year Floodplains, when appropriate.

(3) Establish or increase existing Forested corridors to connect existing Forests within or adjacent to the site and, where practical, Forested corridors should be a minimum of three hundred (300) feet in width to facilitate wildlife movement.

(4) Establish or enhance Forest buffers adjacent to critical habitats, where appropriate.

(5) Establish plantings to stabilize slopes of 25 percent (25%) or greater and slopes of 15 percent (15%) or greater with a soil K value greater than seven-twentieths (0.35), including the slopes of ravines or other natural depressions.

(6) Establish or enhance Forest plantings on marginal agricultural areas, where appropriate.

(7) Establish buffers adjacent to areas of differing land use, when appropriate, or adjacent to highways or utility rights-of-way.

(8) Establish Forest areas adjacent to existing Forests to increase the overall area of contiguous Forest Cover, when appropriate.

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(9) Use Maryland native plant materials for Afforestation or Reforestation.

§ 298-16 Submission requirements for Off-Site Afforestation, Reforestation, and Retention areas.

A. The Off-Site area has a Forest Stand Delineation approved by the Department and is associated with an approved Forest Conservation Bank Plan or Forest Mitigation Bank Plan.

B. The Final Forest Conservation Plan for the project is submitted for Department approval.

C. A final plat showing each Off-Site area for long-term protection and the benefiting project name, or an exhibit showing each offsite area for long term protection, i.e., metes and bounds or distances and angles, with the benefitting project name is submitted for Department approval.

D. The appropriate long-term binding protective agreement is submitted for approval by the Department.

E. Once the required Maintenance and Monitoring period has concluded the applicant shall provide a monitoring report to demonstrate how the protection has been achieved, and satisfactory establishment has been accomplished within the reforestation and/or afforestation areas per the State Technical Manual.

F. Other information the Department determines is necessary to implement this Chapter is provided.

§ 298-17 Binding protective agreements.

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A. A Person retaining Forest or conducting Afforestation or Reforestation pursuant to an approved Forest Conservation Plan shall comply with the requirements of COMAR 08.19.05.

B. The County may require a surety instrument, as described in this Article, § 298-22, to cover the monitoring and enforcement costs of long-term protective agreements. Surety instruments shall be deposited into a separate account for the sole use of monitoring and enforcing long-term protective agreements and conservation easements.

C. Approved final site plans, grading plans and Subdivision plans shall indicate those areas subject to long-term protective agreements of conservation easements.

§ 298-18 Forest Conservation Fund.

A. The County shall establish a Forest Conservation Fund.

B. If a Person subject to this Chapter demonstrates to the satisfaction of the Department that requirements for Afforestation or Reforestation On-Site or Off-Site cannot be reasonably accomplished, and appropriate areas for easement inside a Forest Mitigation Bank in the County or within the same Watershed as the project are not available, the Person shall contribute money into the County Forest Conservation Fund, at a rate found in the Charles County Government Fees and Charges Schedule for the current fiscal year.

C. Money contributed to the Forest Conservation Fund shall be paid prior to approval of a Development Project, final plat, or Department permit.

D. The County shall accomplish the Afforestation or Reforestation for which the money is deposited within five (5) years or six (6) Growing Seasons, whichever is a greater time period, after receipt of the money.

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E. Money contributed under this article may remain in the account for a period of up to five (5) years or six (6) Growing Seasons, and at the end of that time period, any portion that has not been used to meet the Afforestation or Reforestation requirements shall be returned to the Person who provided the money to be used for documented Tree planting in the County and within the same Watershed as the project beyond that required by this Chapter or other applicable statutes.

F. Money deposited in the Forest Conservation Fund:

(1) May be spent on the costs directly related to Afforestation and Reforestation, including site identification, acquisition and preparation, maintenance of existing Forests, and achieving urban canopy goals.

(2) Shall be deposited in a separate Forest Conservation Fund.

(3) May not revert to the general fund.

G. Sites for Afforestation or Reforestation using Forest Conservation Fund money.

(1) Except as provided in Subsection G(2) of this Section, the Afforestation or Reforestation requirement under this article shall occur in Charles County and the Watershed in which the project is located.

(2) If the Afforestation and Reforestation requirement cannot be reasonably accomplished in Charles County and the Watershed in which the project is located, then the Afforestation or Reforestation shall occur in the Watershed in which the project is located but in a different county.

(3) If the Afforestation or Reforestation requirement cannot be reasonably accomplished in the Watershed in which the project is located, then the Afforestation or Reforestation shall be accomplished through purchase of credits in, establishment, or maintenance of a Forest Mitigation Bank in accordance with

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this Chapter. The Fund may not be used to finance administrative activities associated with a Bank and any binding protective agreements created by the Forest Conservation Fund may not be sold to compensate for additional Forest impacts.

§ 298-19 Recommended Tree species list for Afforestation or Reforestation.

Tree species used for Afforestation or Reforestation shall be selected from a list of species approved by the Department.

§ 298-20 Forest Mitigation Banks

A. A Person may create a Forest Mitigation Bank from which applicants may acquire mitigation credit to meet the Afforestation and Reforestation requirements of this Chapter.

B. The Forest Mitigation Bank shall:

(1) Preserve an area existing Forest, Afforestation, or Reforestation for the benefit of a project not located on the Bank property; and

(2) Be protected by an easement, deed restrictions, or covenants which require the land in the Bank to remain Forested in perpetuity and are enforceable by the County; and

(3) Limit the use of the land in the Bank to those activities which are consistent with Forest Conservation such as recreational activities, Forest Management under a Forest Conservation and Management Program under Tax-Property Article, §8-211, Annotated Code of Maryland, or activities specified in a Forest Management Plan prepared by a licensed forester and approved by the Department; and

(4) Use Maryland native plant materials for Afforestation or Reforestation;

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(5) Be located in areas which are considered Priority Retention Areas as identified in § 298-13, and

(6) Cause Trees to be planted or include areas of Retention which:

(a) Establish and/or enhance Forested Stream Buffers adjacent to Intermittent and Perennial Streams and coastal bays to widths of at least fifty (50) feet;

(b) Establish and/or increase existing Forested corridors, which, where practical, should be a minimum of three hundred (300) feet in width to facilitate wildlife movement, to connect existing Forests within or adjacent to the site;

(c) Establish and/or enhance Forest buffers adjacent to critical habitats that contain Trees, shrubs or plants determined to be rare, threatened or endangered under the Federal Endangered Species Act of 1973, 16 U.S.C. §§ 1531 through 1544, published in 50 CFR 17.11 and 17.12, and the Maryland list of threatened and endangered species published under the Natural Resources Article, §§ 4-2a-01 through 4-2a-09 and 10-2a-01 through 10-2a-09, of the Annotated Code of Maryland, published in COMAR 08.03.08 and 08.02.12;

(d) Establish and/or enhance Forested areas in One-Hundred-Year Floodplains;

(e) Retain and/or stabilize slopes of twenty-five percent (25%) or greater;

(f) Retain and/or stabilize slopes of fifteen percent (15%) or greater with a soil K value greater than seven-twentieths (0.35) including the slopes of ravines or other natural depressions;

(g) Establish buffers adjacent to areas of differing land use where appropriate, or adjacent to highways or utility rights-of-way;

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(h) Establish Forest areas adjacent to existing Forests to increase the overall area of contiguous Forest Cover, when appropriate; or

(i) Establish or enhance Forest plantings on marginal agricultural areas, where appropriate.

C. A Person proposing to create a Forest Mitigation Bank shall submit to the Department a:

(1) Completed application for a Forest Mitigation Bank Plan; and

(2) Forest Mitigation Bank Plan which contains a:

(a) Vicinity map of the proposed Bank site; and

(b) An approved Forest Stand Delineation which meets the criteria in Article I, § 298-8; and

(c) Detailed Afforestation or Reforestation Plan, where applicable, which shall include a timetable and description of the site and soil preparation needed, species, size, and spacing to be utilized, prepared by a Qualified Professional; and

(d) Proposed two-year Maintenance Agreement that:

(i) Sets forth how the areas Afforested or Reforested will be maintained to ensure protection and satisfactory establishment; and

(ii) Complies with COMAR 08.19.04.05C(4)(a); and

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(iii)Includes watering and reinforcement planting provisions if survival falls below required standards; and

(3) Copy of the deed to the property; and

(4) Survey or other legal description of the Bank site for inclusion in the deeds of easement, deed restrictions, or covenants; and

(5) Title report or other assurance that:

(a) The property is not encumbered by any covenants or other types of restrictions which would impair the property's use as a Bank; and

(b) There is legally sufficient access to the Bank site which can be used by the Department and its assignees to inspect the Bank; and

(6) Description of the system to be used by the Person owning and operating the Bank to identify and keep track of which portions of the bank have been debited to meet an applicant's offsite Afforestation or Reforestation requirements.

(7) Preliminary Subdivision Plans using Open Space for the establishment of a Forest Mitigation Bank(s) must be approved by the Planning Commission as part of the Preliminary Subdivision Plan process.

D. The owner of an approved Forest Mitigation Bank shall enter into an agreement with the County which contains:

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(1) The approved Forest Stand Delineation and Reforestation or Afforestation plan, where applicable; and

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(2) The approved system for marking and tracking which portions of the Bank have been debited; and

(3) An acknowledgment that the Bank may not debit any portion of the Afforested or Reforested land until 2 years of successful growth has been achieved.

E. If a Person subject to this Chapter demonstrates to the satisfaction of the approving body that requirements for Reforestation or Afforestation cannot be reasonably accomplished On-Site, the Person may acquire mitigation credit from a Forest Mitigation Bank.

F. The mitigation credit shall be debited from an approved Forest Mitigation Bank prior to Development Project approval.

§ 298-21 Bonding.

A. A Person required to conduct Afforestation or Reforestation under this article shall furnish financial security in the form of a bond, an irrevocable letter of credit or other security approved by the Department. The surety shall:

(1) Assure that the Afforestation, Reforestation, and the associated Maintenance Agreement are conducted and maintained in accordance with the approved Forest Conservation Plan.

(2) Be in an amount equal to the estimated cost, as determined by the Department, of Afforestation and Reforestation.

(3) Be in a form and of a content approved by the Department.

B. If, after two (2) Growing Seasons, the plantings associated with the Afforestation or Reforestation meet or exceed the standards of the State Forest Conservation

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Technical Manual, the amount of the cash bond, letter of credit, surety bond or other security shall be returned or released.

§ 298-22 Changes to an approved Forest Stand Delineation.

With the appropriate review and inspection fees, if applicable, the Department, consistent with the requirements of this Chapter, shall review for approval any revisions to an approved Forest Stand Delineation.

§ 298-23 Changes to an approved Final Forest Conservation Plan, with binding protective agreement(s) recorded.

A. The Applicant shall provide a written request to the Planning Director containing the following information:

(1) The reason for the revision;

(2) The location of the binding protective agreement(s) to be released; and

(3) A proposed location of better than equal Retention area, which is:

(a) Another On-Site area of at least the same size that is a higher Priority Area of Retention, in accordance with sequencing requirements in § 298-15.C; or

(b) Another On-Site area that is at least one and one-half (1.5) times the area being released; or

(c) An Off-Site area that is at least one and one-half (1.5) times the area being released and multiplied by the applicable ratio in § 298-15.A(4); or

(d) A combination of mitigation areas approved by the Planning Director.

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B. The Planning Director shall review the request and notify the Applicant by letter to either:

(1) Deny the request with an explanation; or

(2) Approve the request, if no additional disturbances to Priority Areas of Retention are being proposed, and notify the Applicant of the additional items needed to complete the revision, which include the following:

(a) Fees; and

(b) Revised Final Forest Conservation Plan; and

(c) Release of the approved long-term protection; and

(d) Implementation of the revised long-term protection; and

(e) Final plat or an exhibit showing the existing and proposed areas for long term protection, i.e., metes and bounds, or distances and angles with the benefitting project name; and

(f) Other information the Department determines is necessary to implement this Chapter; and

(g) Inform the applicant whether they are subject to the current Ordinance or can proceed using the requirements under which the Final Forest Conservation Plan was approved.

—or—

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(3) Inform the applicant that the revision the approved plan would need to follow the approval process as described in § 298-11.D, in addition to including the items listed in § 298-23.B(2) above.

§ 298-24 Protection of Trees from construction activities.

A. The County thereby adopts the standards provided in the State Forest Conservation Manual.

B. Before cutting, clearing, grading or construction begins on a site for which a Forest Conservation Plan is required by this Chapter, the Applicant shall demonstrate to the Department that protective devices have been established.

§ 298-25 Variance procedure.

A. A Person may request a Variance from this Chapter by submitting an application for a Variance to the Director of Planning and Growth Management or designee.

B. The Charles County Planning Commission is authorized to grant Variances from the strict application of these regulations where the strict application of these regulations or amendments would result in peculiar and unusual practical difficulties to, or hardship upon, a property owner.

C. An Applicant requesting a Variance shall submit a letter including the following:

(1) Description of the special features of a site or other circumstances which with implementation of this Chapter would result in unwarranted hardship.

(2) Documentation that the Variance request is not based on conditions or circumstances which are the result of actions by the applicant.

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(3) Documentation detailing how the granting of a Variance will not adversely affect water quality through proposed mitigation and protection measures.

D. The Director of Planning and Growth Management or designee shall notify the Applicant that the Variance request has been reviewed.

E. If a submitted variance request is not associated with an active application for a Final Forest Conservation Plan, then the following shall occur:

(f) The Department shall provide an opportunity for written and verbal comment before The Charles County Planning Commission in the form of a Public Meeting, as described in the Rules or Practice and Procedures of the Charles County Planning Commission; and

(g) At least twenty (20) days before the scheduled Public Meeting, the Applicant shall provide notice to all adjacent property owners, including those separated from the subject property by a public right-of-way, of the subject property which shall include:

(iv) Approval Status of any associated Forest Conservation Plan; and

(v) Summary of the Variance(s) to this Ordinance being requested; and

(vi) Dates of any scheduled Public Meeting and/or comment period.

-and-

(h) The Charles County Planning Commission shall motion to either approve or deny the Plan, or make another action found in the Rules or Practice and Procedures of the Charles County Planning Commission as determined to be necessary.

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F. If the Charles County Planning Commission would reject a Variance request, the Applicant may file an appeal to the Board of Appeals within fifteen (15) days of the signing of the decision. The appeals process shall conform to the following requirements:

(1) Whenever an appeal is filed, the Director of Planning and Growth Management, or their designee, shall transmit to the Board the entire record relating to the action appealed from. All Board hearings or appeals are de novo proceedings.

(2) An appeal stays all construction or activities that are the subject of a duly issued stop-work order. An appeal stays all other actions by the Director of Planning and Growth Management, or their designee, seeking enforcement or compliance with the order or decision appealed from, unless the Director of Planning and Growth Management, or their designee, certifies to the Board that a stay would cause imminent peril to life or property. In that case, proceedings shall not be stayed except by order of the Board or a court, issued on application of the party seeking the stay, for due cause shown.

(3) The Board may reverse or affirm, in whole or in part, or may modify the order, requirement, decision or determination appealed from and may make any order, requirement, decision or determination that, in its opinion, ought to be made in the case before it. To this end, the Board shall have all the powers from whom the appeal was taken.

(4) When an appeal is taken to the Board in accordance with this section, the Director of Planning and Growth Management or their designee, shall have the initial burden of presenting to the Board sufficient evidence and argument to justify the order or decision appealed from. The burden of presenting evidence and argument to the contrary then shifts to the appellant, who shall have the burden of persuasion on all questions of fact which are to be determined by the Board.

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G. The Applicant shall provide to the Maryland Department of Natural Resources notification of a Variance request within fifteen (15) days of the receipt of the request by the Director of Planning and Growth Management or designee.

H. There is established by this Chapter the right and authority of the Maryland Department of Natural Resources to initiate or intervene in an administrative, judicial, or other original proceeding or appeal in the state concerning an approval of a Variance under the Natural Resources Article, §§ 5-1601 through 5-1612, of the Annotated Code of Maryland, or this Chapter.

I. A Variance granted from this Chapter must be approved before, or with, any associated Preliminary or Final Forest Conservation Plan can be approved, whichever comes first.

Article IV
Administration and Enforcement

§ 298-26 Enforcement.

A. Noncompliance contribution rates.

(1) A Person found to be in noncompliance with this Chapter, regulations adopted under this Chapter, the Forest Conservation Plan or the associated two-year Maintenance Agreement shall be assessed by the Department the required contribution found in the Charles County Government Fees and Charges Schedule for the current fiscal year of the area found to be in noncompliance.

(2) Money collected under Subsection A(1) shall be deposited in a separate account in the Forest Conservation Fund as required by Article III, § 298-18, and may be used by the Department for purposes related to implementing and enforcing this Chapter.

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(3) A Person found to have removed a Champion or Specimen Tree without an approved Variance shall:

(a) Be assessed by the Department the required contribution of twice the fee for a Forest Conservation Variance and Specimen Tree Variance Request as found in the Charles County Government Fees and Charges Schedule for the current fiscal year; and

(b) Be required to plant one (1) three (3) inch caliper tree for every six (6) inches of diameter at breast height of the removed tree within one (1) year or two (2) growing seasons; and

(c) Revise the approved Final Forest Conservation Plan to reflect the new site conditions and mitigation requirement.

B. Violations.

(1) In addition to the provisions under Subsection A of this section, a Person who violates a provision of this Chapter or a regulation or order adopted or issued under this Chapter is liable for a civil monetary penalty not to exceed $1,000, which may be recovered in a civil action brought by the County.

(2) Each day a violation continues is a separate violation.

C. The Department may seek an injunction requiring the Person to cease violation of this Chapter and take corrective action to restore or reforest an area.

D. The Department may revoke an approved Forest Conservation Plan for cause, including violation of conditions of the plan, obtaining a plan approval by misrepresentation, failing to disclose a relevant or material fact or change in conditions. The Department shall notify the violator, in writing, and provide an opportunity for a hearing.

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E. The Department may issue a stop-work order against any Person who violates any provision of this Chapter or of any regulation, order, approved plan or management agreement.

F. The Department shall give notice to the Department of Natural Resources within fifteen (15) days after commencement of enforcement activity.

§ 298-27 Annual report.

On or before August 31st of each year, the Department shall submit to the Maryland Department of Natural Resources a report on:

A. The number, location and type of projects subject to the provisions of this Chapter; and

B. The amount and location of acres cleared, conserved and planted, including any areas which utilize Forest Mitigation Bank acreage or areas located in the One-Hundred-Year Floodplain, in connection with a Development Project; and

C. The amount of Afforestation fees, Reforestation fees, and noncompliance penalties collected and expended, the number of acres for which the fees were collected, and the number of acres Afforested, Reforested, or conserved using the fees; and

D. The costs of implementing the Forest Conservation Program; and

E. Location and size of all Forest Mitigation Banks created during the past year with a description of the priority areas Afforested or Reforested as specified in Article III, § 298-15, and in accordance with the Natural Resources Article, § 5-1607(c)(2), Annotated Code of Maryland by the Bank; and

F. Number of acres debited from each Forest Mitigation Bank since the last annual report; and

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G. Forest Mitigation Banks inspected since the last annual report; and

H. Number, location, and types of violations and types of enforcement activities conducted; and

I. The size and location of all conserved and planted Forest areas shall be submitted in an electronic geographic information system or computer aided design format if possible. If not possible, the location shall be given by Maryland State Plane Grid Coordinates and 8 digit subwatershed.

§ 298-28 Biennial review by the Maryland Department of Natural Resources.

The Department shall submit the necessary documentation to comply with COMAR 08.19.02.04.

§ 298-29 Severability.

If any part of this Chapter or the State Forest Conservation Technical Manual is declared invalid, the remainder of the Chapter shall not be affected and shall remain in force.

§ 298-30 Amendments.

The County Commissioners may amend this Chapter from time to time, as may be necessary, after conducting a public hearing. Prior to the adoption of an amendment, the County Commissioners shall provide notice of the proposed changes to the Department of Natural Resources at least thirty (30) days prior to the public hearing.

§ 298-31 Effective Date and Transition Provision.

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A. This Chapter is hereby adopted on (insert date), and effective June 30, 2024(insert date). This Chapter is hereby adopted on (insert date), and effective (insert date).

B. This Chapter will apply to applications filed after the effective date of the Chapter. Project applications currently under review have two (2) years from the effective date of this Chapter to be approved. Applications not approved within two (2) years of the effective date of this Chapter will be deemed void and new application under the most current ordinance will be required.

C. All Preliminary Forest Conservation Plans approved prior to the effective date of this Chapter may proceed to Final Forest Conservation Plan using the requirements under which the Preliminary Forest Conservation Plan was approved.

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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 20_____.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

_____
Reuben B. Collins, II, Esq. President

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

_____
Gilbert O. Bowling, III

_____
Thomasina O. Coates, M.S.

_____
Amanda M. Stewart, M.Ed.

ATTEST:

_____
Clerk to the Commissioners

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AGENDA ITEM NO. 6.b

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: September 21, 2026

SUBMITTED BY: Amy Brackett

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARING: PUBLIC COMMENTS

SUBJECT: **3279 Leonardtown Road Project, Planned Development Zone Amendment (PDZA) #25-26**

The Planning Commission will hold a Public Hearing to consider an Applicant's request to rezone properties from the current base zones of IG (General/Light Industrial) and CB (Central Business) to the MX (Mixed Use) Zone to facilitate the development of 252 affordable multifamily dwelling units pursuant to Chapter 297, Article VII, Planned Development Zone Regulations, and Article XVII, Section 297-488, Local Map Amendments, of the Charles County Zoning Ordinance. The Applicant is also requesting approval of a 100% density bonus pursuant to Article XV, Moderately Priced Dwellings, of the Zoning Ordinance.

Staff:
Heather Kelley

Applicant (Agent):
Standard Development Partners, LLC (Judd Ullom)
Agent: ATCS

Public Participation:

The Hearing is open to the public and may be attended in person or viewed on CCGTV (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the

webform located HERE. Written comments must be received by **4:30 p.m. on Friday, September 18, 2026** in order to allow the Planning Commission time to review them prior to the Hearing. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

Those wishing to provide comments by speaking during the Public Comment portion of the Hearing may choose to either speak virtually or attend the Hearing in person. **Virtual** speaker registration forms can be submitted online by using the webform located HERE. Virtual speaker registration forms must be received by **4:30 p.m. on Friday, September 18, 2026.**

SUGGESTED ACTION:

ATTACHMENTS:
Staff Report
Location Map_Zoning Map_Aerial Map
Section A_Cover Sheet_Table of Contents_Signed Application
Section B_Subject Property Owners_Adjacent Property Owners
Section C_Project Team
Section E_Introduction and Property History
Section F_Schedule
Section G_Architectural Elevations
Section H_Fiscal Impact Analysis
Section I_Comprehensive Plan Justification Statement
Section J_Waldorf Sub-Area Plan Justification Statement
Section K_MX Justification Statement
Section L_Adequate Public Facilities Report
Section M_Neighborhood Description
Section N_Vehicular and Pedestrian Access Exhibit
Section O_Boundary Exhibit_Site Characteristics_Existing Conditions
Section P_Concept Plan_Land Use Master Plan_Open Space Exhibit
Section Q_Site Design and Architectural Code
Section R_Superior Design Criteria Justification
Section S_Generalized Traffic Assessment
Voluntary Concessions Memo

Charles County Planning Commission
Meeting of September 21, 2026

Department of Planning and Growth Management Staff Report

Project Name & Number: 3279 Leonardtown Road Project
Planned Development Zone Amendment (PDZA) #25-26

Type of Project: Request for Rezoning to the Mixed Use (MX) Zone
Prepared by Heather Kelley, Planning Division

For questions, contact the Planning Division at 301-645-0692

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V.	Appendices:	Attached & Online

a. Location Map, Zoning Map, Aerial Map
b. Section A: Cover Sheet / Table of Contents / Signed Application
c. Section B: Subject Property Owners / Adjacent Property Owners

Appendices, continued:

d. Section C: Project Team
e. Section E: Introduction and Property History
f. Section F: Schedule
g. Section G: Architectural Elevations
h. Section H: Fiscal Impact Analysis
i. Section I: Comprehensive Plan Justification Statement
j. Section J: Waldorf Sub-Area Plan Justification Statement
k. Section K: MX Justification Statement
l. Section L: Adequate Public Facilities Report
m. Section M: Neighborhood Description
n. Section N: Vehicular and Pedestrian Access Exhibit
o. Section O: Boundary Exhibit / Site Characteristics / Existing Conditions
p. Section P: Concept Plan / Land Use Master Plan / Open Space Exhibit
q. Section Q: Site Design and Architectural Code
r. Section R: Superior Design Criteria Justification
s. Section S: Generalized Traffic Assessment
t. Voluntary Concessions Memo

I. Project & Applicant Information:

A. Project Name: 3279 Leonardtown Road Project

Owners:	Enterprise Industrial Partnership (Holly Sadeghian) Steven and Holly Sadeghian
Applicant:	Standard Development Partners, LLC (Judd Ullom)
Consultant:	ATCS

B. Project Number: PDZA #25-26

C. Subject Property: Tax Map 15, Grid 4, Parcel 332 (Tax ID No. 06-034306)
Tax Map 15. Grid 4, Parcel 438 (Tax ID No. 06-034381)
Tax Map 15, Grid 4, Parcel 332 (Tax ID No. 06-034403)
Tax Map 15, Grid 4, Parcel 439 (Tax ID No. 06-023754)
Tax Map 15, Grid 3, Parcel 450, Lot 5 (Tax ID No. 06-157769)

The subject property (the "Property") consists of approximately 19.89 acres in the 6th election district. The project is located on the southbound side of Leonardtown Road (MD 5), between Parsons Lane and Gough Drive, and Pika Drive. Location, Zoning and Aerial maps of the property area are attached and have been uploaded online.

D. Land Use & Zoning Category:

Parcel 332 (Tax ID No. 06-034306), Parcel 438 and Parcel 439 (approximately 2.365 acres total) are currently zoned Central Business (CB) and are within the Mixed-Use District as designated in the 2016 Comprehensive Plan.

Parcel 332 (Tax ID No. 06-034403) and Parcel 450 (Lot 5) (approximately 17.524 acres total) are currently zoned IG (Light Industrial) and are within the Employment and Industrial District as designated in the 2016 Comprehensive Plan.

The Property is located within the Development District, the Waldorf Sub-Area, and the Priority Funding Area.

E. General Description of the Request:

Pursuant to Chapter 297, Article VII, *Planned Development Zone Regulations*, and Article XVII, § 297-448, *Local Map Amendments*, of the Charles County Zoning Ordinance, the Applicant is requesting the rezoning of the subject properties from the current base zones of IG (General/Light Industrial) and CB (Central Business) to the MX (Mixed Use) Zone to facilitate the development of 252 affordable multifamily dwelling units.

The Applicant is also requesting approval of a 100% density bonus pursuant to Article XV, *Moderately Priced Dwellings*, of the Zoning Ordinance. Although Article XV provides that its provisions will become fully applicable upon the Commissioners' adoption of the Moderately Priced Dwelling Unit (MPDU) Program and Regulations, it further provides that, prior to such adoption, the Charles County Commissioners may approve MPDUs and associated density bonuses pursuant to an agreement with an applicant, as provided in § 297-243. Section 297-243 allows for a density bonus of up to 100% where at least 75% of the total units are moderately priced dwelling units, subject to approval of the project and density bonus by the County Commissioners. Because 100% of the proposed units will be affordable, the Applicant is requesting the maximum 100% density bonus.

F. Background:

The Mixed Use (MX) Zone is one of the County's planned development zones, also known as "floating zones", which are intended to encourage innovative and creative development and provide a broad range of housing and economic opportunities consistent with the Comprehensive Plan. A request for the rezoning of a property to a planned development ("floating") zone is not subject to the same analysis as a request for the rezoning of a property from one base zone to

another. Specifically, an application for a planned development zone is not required to assert that either a change in the character of the neighborhood has occurred or that a mistake was made in the current zoning of the property. Rather, the Zoning Ordinance, Figure VII-1, indicates the appropriate base zone locations for each of the planned development zones. The CB and IG zones of the Property are noted as appropriate locations for an MX zone. The planned development process establishes the proposed development's density and intensity of uses through a master plan, which provides the Planning Division, Planning Commission, and County Commissioners with the information necessary to evaluate the proposed development. Pursuant to § 297-104, the County Commissioners may approve a planned development zone only upon finding that the proposed project and master plan (1) are sufficient to achieve the purposes of the requested zone, (2) are compatible with the surrounding area, and (3) are consistent with the Comprehensive Plan.

II. Environmental, Historical & Archeological Information

A. Environmental Information, Resources, Watershed

1. Watershed: The Property is located within the Zekiah Swamp watershed and is within a Tier II watershed with no assimilative capacity remaining.

2. Forest Conservation: This Planned Development Zone Amendment application is not subject to Forest Conservation requirements, but the future development plan will be. The Applicant has started to assess the priority areas for forest preservation, and a Forest Stand Delineation and Forest Conservation Plan will need to be submitted and approved prior to a Site Development Plan, Development Services Permit or Plat, whichever comes first.

3. Habitat Protection Plan: A Maryland Department of Natural Resources, Wildlife and Heritage Services review letter dated June 12, 2024 confirmed there are no official records for State or Federal listed, proposed, or rare, plant or animal species within the project area. Therefore, no Habitat Protection Plan will be required for this or the future development plan moving forward on this property.

4. Resource Protection Zone (RPZ): There are non-tidal wetlands on and adjacent to the site that connect to a stream offsite; therefore, the RPZ is applicable to this project. The conceptual RPZ has been provided on the applicant's plan and will be confirmed during review of the future Forest Stand Delineation.

B. Historic & Archeological

Currently, no archaeological survey work is recommended as the request is solely for rezoning of the subject property; however, further development or subdivision of the property may require archaeological survey. There are no known historic structures, sites or vistas associated with the subject property.

III. Project Consistency, Impacts and Findings

A. Impact on Public Facilities

The Zoning Ordinance, § 297-103A(5) requires that the PDZA application include "A generalized impact mitigation report, giving a preliminary analysis of the impact of the proposal on public facilities such as roads, schools, water, sewer, fire, police services and parks and any measures proposed to adequately mitigate for these impacts or provide for an acceptable level of services."

The Applicant has provided an overview concerning the impact on public facilities in the attached Section L "Adequate Public Facilities Report" and Section S "Generalized Traffic Assessment." The following provides a preliminary review of potential impacts and findings for applicable public facilities:

1. Roads: The Applicant provided a generalized traffic assessment which analyzed Leonardtown Road (MD 5), Pika Drive, and the projected traffic generation based on the maximum allowable development of the site for both the existing Light Industrial (IG) and Central Business (CB) zoning designations and the proposed Mixed Use (MX) zone.
   The Applicant's analysis showed that at maximum buildout, the subject property was projected to generate more traffic with the existing zoning than with the proposed zoning. The assessment also indicated that the additional trips generated by the planned development were not projected to exceed the Average Annual Daily Traffic (AADT) threshold of either Leonardtown Road as an Intermediate Arterial or Pika Drive as a local road.

   The generalized traffic assessment analyzed the potential impacts of the zoning change; however, any development will be subject to all applicable Adequate Public Facilities requirements. A Preliminary Adequate Public Facilities (PAPF) Study will be required for each Site Development Plan (SDP), unless otherwise exempted by Section 1.1 of the Charles County Adequate Public Facilities Manual. Any Traffic Impact Study (TIS) required as a result of a PAPF must be reviewed and approved by both the State Highway Administration (SHA) and Charles County before the SDP or PSP can receive approval. If mitigation is required, the terms must be approved and implemented in accordance with Section 297-264 of the Zoning Ordinance.

2. Schools: The subject property is located within 3 school districts that include Dr. Samuel Mudd Elementary School, John Hanson Middle School, and Thomas Stone High School. The planned residential development is subject to the County's School Allocation Policy and will be required to obtain allocations for capacity prior to receiving a Development Services Permit.

3. Water & Sewer: The subject properties are designated with the water and sewer service categories of W1 and S1, "Existing Service." These service categories require developments to connect to the public water and sewer systems. The subject properties are located within the Waldorf Water System and Zekiah Pump Station (Mattawoman Wastewater Treatment Plant) service areas. Adequate capacity currently exists in both the water and sewer systems.

   Any project connecting to the public water and sewer systems is required to obtain an allocation of available capacity prior to the issuance of a Development Services Permit; approval of a PDZA application does not secure capacity.

4. Fire and EMS: The Waldorf Volunteer Fire Department Company 3 station is located 0.5 miles west of the subject property and would be the first responding Company to provide both fire and EMS service to emergency calls. The Applicant states that estimated response time from the Waldorf Station to the subject property is within five (5) minutes, which is within the American Insurance Association's response time standard of 7.5 minutes or less.

5. Police: The subject property is located approximately 0.6 miles west of the Charles County Sherrif Office's District 3 Station.

B. Consistency with the 2016 Charles County Comprehensive Plan

The Zoning Ordinance, § 297-103(4) requires a statement showing the relationship of the proposed development to the Comprehensive Plan. The Applicant has provided a statement of consistency in the attached Section I "Consistency with 2016 Comprehensive Plan". Additionally, staff have the following comments:

1. Land Use

   The subject property is located partially within the Employment and Industrial District and partially within the Mixed-Use District as designated in the 2016 Comprehensive Plan. The intent of these two districts is as follows:

a. Employment and Industrial Districts: The Comprehensive Plan designates areas for development into Employment and Industrial districts, to provide locations for additional upgraded and diverse tax base, business that provides higher quality jobs and more job opportunities in general. These areas were selected due to their locations near collector and arterial highways, access to water and sewer, and their sufficient size. Furthermore, the plan states that Employment and Industrial areas are located in several key locations, including those adjacent to the commercial core in Waldorf.
b. Mixed-Use District: The intent of the Mixed-Use District is to encourage a mix of medium to high density residential, business, and employment uses in a compact, well-designed, pedestrian-friendly environment. These areas were first identified as mixed-use areas in the Waldorf Sub-Area Plan.

Staff finds that the application is generally consistent with the land use goals in the 2016 Comprehensive Plan for this area. The development would be adding a significant amount of residential development to an area that is predominantly commercial, which meets the intent of a Mixed-Use District in the Comprehensive Plan. Furthermore, Table 3.3 designates both the Mixed-Use District and Employment and Industrial District as appropriate locations for MX Zoning. Further, the development is located in close proximity to employment, retail, and institutional uses and provides for infill housing development within the Development District, rather than on land in the county's rural area. This is in keeping with Goal 3.2. of the Comprehensive Plan to concentrate most future growth in areas of the County already served or proposed to be served with public water and sewer; and to direct 75 percent of future residential growth to the sewer services areas. Finally, the property is located within a Qualified Census Tract and Maryland Housing Designated Area, signifying the need for more affordable housing types in this part of Waldorf.

2. Connect Waldorf Study

The development provides a 12-foot easement for the construction by the county of a future planned on-street pedestrian-bicycle facility along the development's frontage with Leonardtown Road, which is consistent with the recommendations of the study for this location. Please see additional comments regarding the easement and future facility under Superior Design Criterion B5 below.

3. Economic Development

The Economic Development Department (EDD) has reviewed PDZA #2025-26

and supports the project. In general, the commercial development potential of the project is very limited as evident by the long-term lack of interest in commercial development in a corridor that is well established and has significant surrounding development that has already taken place. The extremely limited exposure and access to Leonardtown Road due to the presence of wetlands and wetlands buffer severely restrict the commercial potential of the property. The proposed development of much-needed affordable workforce housing is a viable development strategy and will add additional local consumer demand for retail and services along with community amenities.

C. Fiscal Impact Assessment

The Zoning Ordinance, § 297-103A(3) requires a report showing the fiscal impact of the proposed development on the County. The Applicant has provided a Fiscal Impact Analysis prepared by Cavalry Real Estate Advisors in the attached Section H. The analysis was reviewed by Fiscal and Administrative Services who found that, in summary, the analysis estimates a 20-year net fiscal impact of $24,330. However, this small positive impact is primarily attributable to one-time revenues realized in Year 2 from recordation tax ($46,200), real property transfer tax ($16,500), licenses and permits ($577,000), and voluntary concessions ($1,000,000). By Year 5, the project is expected to result in a negative fiscal impact to the County. Attached is a supplemental memo prepared by Cavalry that elaborates upon the voluntary concessions.

D. Consistency with the Mixed Use (MX) Zone District

To approve a planned development zone, the County Commissioners must find that the proposed project, with its master plan, is sufficient to achieve the purposes of the zone requested. The Applicant has provided the attached Section K "MX Justification Statement" addressing the purposes of the MX zone. Additionally, staff have the following comments concerning applicable criteria in the Zoning Ordinance:

1. § 297-106A Purposes of the Mixed Use (MX) Zone

§106(A) Purpose. It is the purpose of the Mixed Use (MX) Zone to establish standards for the implementation of the Comprehensive Plan for planned projects which will successfully integrate residential, commercial, industrial and institutional uses into a master-planned development.

Finding: The Applicant is proposing residential and civic uses, consistent with the provisions for the MX zone, into a master-planned development.

§ 106(A)(1). To provide a more flexible approach to the comprehensive development of master-planned projects in terms of use mix, density and design and to encourage the reduction of travel time between the home and the workplace.

Finding: The project is located near various employment uses (office, retail, and light industrial) and institutional uses. The residential development of the property under the MX zoning provides an opportunity to create community walkable to these uses.

§ 106(A)(2). To implement the Comprehensive Plan and other County plans and policies in a manner and to a degree more closely compatible with County plans and policies than are possible under the base zone. Where applicable, a proposed MX zone must implement and be integrated with the detailed proposals for land use, road network, infrastructure and design established in subarea plans, vision plans and design guidelines adopted by the County Commissioners.

Finding: The Applicant has incorporated various County plans and policies into their application, such as the Waldorf Sub-Area Plan and Connect Waldorf Plan as noted in the Comprehensive Plan consistency comments above. Pursuant to the Zoning Ordinance, § 297-109D, a Site Design and Architectural Code is provided specific to sites adjacent to or within ¼ mile of the area included in the Downtown Waldorf Vision Plan to ensure the proposed development will be integrated into and consistent with the character desired for Downtown Waldorf.

§106(A)(3). To establish standards through which the land use objectives and recommendations of the Comprehensive Plan can serve as the basis for evaluating a multiuse project proposal.

Finding: The application is generally consistent with the land use goals in the 2016 Comprehensive Plan for this area.

§106(A)(4) If project boundary is located within 1/4 mile of the area included in the Downtown Waldorf Vision Plan, the project should include development that supports the planning principles and design goals in the Downtown Waldorf Vision Plan.

Finding: A Site Design and Architectural Code is provided to ensure the proposed development will be integrated into and consistent with the character desired for Downtown Waldorf.

§106(A)(5). To ensure that the development is architecturally integrated by requiring an internal policy mechanism such as a design and development code or an architectural review board.

Finding: A Site Design and Architectural Code has been developed for the project. The Code will be administered by an Architectural Review Committee established by the Applicant. In addition, the County's Site Design and Architectural Reviewer will review each site plan and architectural elevation of the project as it is submitted to the County for permits and approvals.

§106(A)(6). To promote the type of development which corrects any existing ecological or environmental deficiency found on or in the vicinity of a subject property.

Finding: There are no known existing ecological or environmental deficiencies found on or near the subject property.

§106(A)(7). To ensure that all developments will positively contribute to the County's historic and cultural heritage, as reflected in the Comprehensive Plan, by preserving historic structures, sites and vistas.

Finding: There are no known historic structures, sites or vistas found on the subject property. Currently, no archaeological survey work is recommended as the request is solely for rezoning of the subject property; however, further development or subdivision of the property may require archaeological survey.

§106(A)(8). To provide for the expansion or relocation of existing County businesses and to enhance the County's tourism industry.
Finding: The project will provide the residential density needed to support nearby office, retail, employment, and institutional uses and will contribute to tourism efforts by setting aside acreage for civic use.

§106(A)(9). To manage traffic congestion by providing for multiple modes of transportation including pedestrian/bicycle facilities and transit service and by providing an adequate road circulation system to help distribute traffic.

Finding: The development provides accommodation for a future pedestrian/bicycle facility as described above under Consistency with Connect Waldorf Study and under Superior Design Criterion B5 in Section E below. A VanGo stop will be provided. The Applicant has shown a concrete pad and connecting pathway for a future bus stop facility on the Vehicular and Pedestrian Access Exhibit, Land Use Master Plan, Concept Plan Exhibit, and Open Space Exhibit. Staff recommends the following Condition of Approval associated with the bus stop: “A concrete pad and connecting pathway shall

be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future VanGo bus facility. Further refinements, if needed, to the location of the concrete pad and connecting pathway for the bus stop shall be determined during site development plan stage."

§106(A)(10). To encourage activities which expand the County's solid waste and recycling program.

Finding: The project will include recycling and solid waste removal.

§106(A)(11). To promote the development of and location for qualified "target" industries as designated by the County Economic Development Department.

Finding: Economic Development staff concur that the project will provide needed affordable housing to support recruitment and retention of target industries.

§106(A)(12). To encourage the orderly, staged construction of comprehensively planned, multiuse centers at locations recommended in the Comprehensive Plan and subarea plans.

Finding: See §§ 106(A)(1), (2) and (3), above.

§106(A)(13). To provide, where appropriate, higher-density residential uses integrated into the overall multiuse project.

Finding: The base density permitted in an MX zone applied to the base zones of Light Industrial (IG) and Central Business (CB) is five (5) dwelling units per acre. The proposed residential density for this project is 12.637 units per acre (252 apartment units on 19.89 acres), to be achieved via an affordable housing density bonus and the use of Transferable Development Rights (TDRs).

§106(A)(14). To ensure internal compatibility of residential and nonresidential uses by providing superior design, and to successfully integrate a mixture of complementary uses, including residential, commercial, recreational, employment, civic and institutional uses.

Finding: An analysis of Superior Design Criteria is provided in Section E below. The implementation of the Site Design and Architectural Code will result in the successful integration of a mixture of complementary uses.

§106(A)(15). To assure compatibility of the proposed uses with surrounding uses by incorporating higher standards of land planning and site design than could be accomplished under base zones.

Finding: The implementation of the Site Design and Architectural Code will assure compatibility with surrounding uses.

§106(A)(16). To allow for the integration of different types of uses within the same area or building in a way that achieves overall harmony within the proposed development and promotes a lively, dynamic environment.

Finding: The project integrates residential, civic and recreational uses connected to an area surrounded by a variety of employment, retail and institutional uses, promoting a lively, dynamic environment.

§106(A)(17). To provide for open space serving the following functions: [1] Places of relaxation, recreation and social activity for the community and public at large; [2] Parks, plazas and squares that provide attractive landscaped amenities; and [3] Protection of mature woodlands and sensitive environmental features.

Open space should be situated and designed to connect and integrate the uses and activities within the development. In addition, structured parking within mixed-use planning is encouraged to help achieve the open space and amenities objective of this zone.

Finding: The development provides open space that is integrated into the neighborhood as a focal point and is easily accessible to the entire community. The proposed open space includes passive and active recreational areas, and protection of environmental features. The Applicant's narrative states that the preservation of a large, forested area provides opportunities for passive recreation; however, the forested areas cannot be used for passive recreation since no trails are provided.

§106(A)(18). To encourage and provide for the development of comprehensive nonvehicular circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and industrial areas and public facilities.

Finding: A pedestrian network system has been provided to connect various areas of the subject project internally and to connect the project to Pika Drive and Leonardtown Road.

§106(A)(19). To encourage and provide for efficient use of energy resources through shared facilities, energy-efficient development or other economies of scale or technology.

Finding: The project proposes to seek NGBS Silver certification to include various higher energy efficiency standards and other green building standards, as described in the Superior Design statement. Staff have recommended the following Conditions of Approval:

i. Full compliance with the proposed energy efficiency measures shall be reviewed and verified at the time of Building Permit review.
ii. A note referencing the proposed energy efficiency measures shall be included on the Final Site Development Plan.
iii. The description in the Superior Design justification statement shall be revised to reflect the most recent version of the required building code (IECC).

§106(A)(20). To foster prosperous and viable communities that are of a superior design and structural quality which will result in property values that will be sustained over time.

Finding: Application of the Site Design and Architectural Code developed for the project should allow the project to sustain property values over time.

§106(A)(21). To promote the creation of housing for specific populations which is integrated into a larger residential development. The housing for specific populations may include affordable units, artist housing/studio, live-work units, age restricted housing, or housing for veterans.

Finding: The project is proposing residential units to serve households earning up to 60% of the median area income. To ensure that the housing provided is affordable, staff recommends a Condition of Approval that the proposed housing meets the county's current definition of affordability. Affordable housing provided shall be affordable to households making 60% of the Area Median Income as defined by the Maryland DHCD's annually published Income and Rent Limits. In order to allow flexibility the County would accept a scenario where some units were made available to households making higher and lower incomes as long as the average rent charged across all units is no greater than 60% AMI. Regardless, the applicant shall submit annual documentation to Planning and Growth Management (PGM) staff to verify the ongoing provision of affordable housing.

2. § 297-106B Compatibility Requirements (Neighborhood Compatibility)

The Applicant has provided the attached Section M "Neighborhood Description" to generally describe the surrounding neighborhood. The Property is located along Leonardtown Road (MD 5), an arterial roadway that connects Waldorf to surrounding communities. The surrounding neighborhood extends from the intersection of MD 5 and Post Office Road, moving north along MD 5 to its intersection with St. Charles Parkway; then westward along St. Charles Parkway to Western Parkway; south along Western Parkway to Smallwood Drive; and east along Smallwood Drive to its junction with Leonardtown Road (MD 5), forming a defined neighborhood area. The area includes a mix of commercial, institutional, and residential developments.

Finding: It is found that the development of the Property as an MX Zone will be cohesive with the surrounding neighborhoods.

3. § 297-106D Permitted Density

The maximum number of dwelling units permitted in the project is determined using the total of the gross tract area and the density ranges established in Figure V-1 (maximum residential densities) in Article V of the Zoning Ordinance. A maximum density greater than the base zone density, in combination with the affordable housing density bonus (per Figure V-1 in Article V), shall only be achieved through the purchase of Transferable Development Rights.

Finding: The proposed residential density for the project is 12.637 units per acre (252 apartment units on 19.89 acres), to be achieved via an affordable housing density bonus and the use of Transferable Development Rights (TDRs). The base density permitted in the MX Zone when applied to properties currently zoned CB and IG is five (5) dwelling units per acre. With the maximum affordable housing density bonus and maximum Transferable Development Rights (TDRs), the permitted density is 20.10 dwelling units per acre. Approval of the requested 100% density bonus would increase the permitted density to ten (10) dwelling units per acre. Any density proposed in excess of ten (10) dwelling units per acre would require the purchase of Transferable Development Rights (TDRs).

4. § 297-106F Use Distribution

Development within an MX Zone may incorporate residential, commercial retail/office, institutional/civic and low-intensity industrial uses, and housing for specific populations. As required by § 106(F) of the Zoning Ordinance, the following percentage of uses is required for approval:

Uses	Required % of Development in Square Feet	Proposed % of Land Use Area
Residential**	20% - 70%	51.4%
Commercial, retail*	10% - 30%	0%
Commercial, office*	10% - 30%	0%
Civic/Institutional	3% - 10%	15%

* Light industrial employment uses may be substituted for commercial retail or office uses as desired. Housing for specific populations may be substituted for commercial (retail and/or office) uses as desired with the maximum percentage of the substituted uses with housing for specific populations being no more than the maximum percentage of the said commercial (retail and/or office) uses. There is no required minimum percentage for housing for specific populations.
** Exclusive of housing for specific populations.

As defined in § 297-49 of the Zoning Ordinance, "Housing for Specific Populations" means "Housing for a population with specific characteristics that, in the sole determination of the County Commissioners, qualifies for substitution of commercial or office uses in a project located in the MX Zone. Such housing for specific populations may include (but are not limited to): qualified affordable housing units; live work housing units; artists units; age restricted units; or veterans' housing. The housing type to accommodate these populations may be single-family detached units, single-family attached units, or multifamily units."

Finding: The proposed MX development includes housing for specific populations, a civic use, and designated open space, with no commercial retail, office, or industrial use proposed.

Housing for Specific Populations: The proposed development includes 252 affordable multifamily residential units. The applicant proposes that these units serve households earning up to 60% of the Area Median Income (AMI). Because the units are proposed as affordable housing, they may qualify as Housing for Specific Populations under § 297-49. If determined by the County Commissioners to qualify, the affordable housing component may be substituted for the otherwise-required commercial retail and/or office uses, consistent with § 297-106(F).

The Applicant has provided a "Land Use Master Plan Exhibit" in the attached Section P. The submitted master plan identifies the generalized location and land-area distribution of the proposed uses; however, it does not establish building floor areas for the residential and civic components. Therefore, the precise square-footage-based percentage calculation contemplated by § 297-106F cannot be independently calculated from the submitted land-use plan;

however, staff finds that the proposed use mix is consistent with the applicable provisions and intent of § 297-106F. The proposal is principally intended to provide housing for specific populations, which § 297-106F permits as a substitute for commercial retail and/or office uses and for which the ordinance establishes no minimum percentage.

Civic/Institutional: The Applicant proposes a community garden as a civic use within the development. Staff finds that the proposed community garden is an acceptable civic use. The Applicant has indicated that the amount and configuration of open space dedicated to civic functions will be refined during the design process based on additional feedback from the County.

5. § 297-106G Open Space

A minimum of 20% of the gross tract area of the MX Zone shall be open space. A minimum of 10% of the gross tract area shall be usable open space. Usable open space includes community open space that allows for resident relaxation and recreation, and cannot include Forest Conservation, wetlands or required bufferyards.

Finding: The Applicant has provided a "Usable Amenity and Open Space Exhibit" in the attached Section P. As shown on this exhibit, a total of 10.20 acres of open space (51.3% of the gross tract area of 19.89 acres) is provided. A total of 2.18 acres of usable open space (11% of the gross tract area of 19.89 acres), including active and passive recreation areas, is provided.

E. Superior Design Criteria Analysis

The Zoning Ordinance, § 297-103A(11) requires a statement which explains how applicable Superior Design Criteria, as defined in Appendix I, will be met for the Planned Development Zone. The Applicant has provided the attached Section S "Superior Design Criteria Justification Narrative" to address this requirement. In accordance with the Zoning Ordinance, Appendix I, when creating or evaluating a project with superior design, the following criteria shall be used and applied to the project whenever possible, or as applicable. Specifically, Section B. notes that a project located within the Development District contains up to fourteen (14) elements, listed below, that would demonstrate Superior Design.

B. Development district project criteria: A development project that is superior in design demonstrates optimal land use planning and contains a combination of the following elements, which exceed the requirements under the Base Zone regulations (Article VI):

(1) Open space that is integrated into the neighborhood as urban parks or pocket parks and open space maintenance responsibilities are clearly defined;

Staff Finding: The development as currently designed meets the intent of this criterion, as the development provides open space that is integrated into the neighborhood as a focal point and is easily accessible to the entire community. Community and Long-Range Planning recommends the following Conditions of Approval:

a. Maintenance responsibilities for the park/open space areas shall be clearly defined in the maintenance agreements for the development. Draft copies of these documents will be requested at the time of Site Development Plan for review by Community and Long-Range Planning. Notes shall be required on the Final Site Development Plan referring to the proposed agreements.
b. Park amenities that would be appropriate for urban parks or pocket parks, such as outdoor furniture, playground equipment, lighting, planters, and landscaping, shall be shown on the Site Development Plan.

(2) The Forest Conservation design exceeds the County's and the Chesapeake Bay Critical Area Program requirements, including planting and mitigation standards;

Staff Finding: A Forest Conservation Plan has not been submitted to show that this forest retention exceeds the County's program requirements.

(3) A mix of housing types;

Staff Finding: Staff offers no objection to the Applicant's justification for this criterion that states eleven (11) three-story apartment buildings will be available, offering two distinct floor plans, which will contribute to a mix of housing types available to this area. Units will range from one to three bedrooms and include residential amenities such as active outdoor areas, a fitness center, and lounges.

(4) Diverse architectural design types that include such features as:

(a) Garages that are not the most predominant design feature and are setback further from the street than the house frontage;
(b) Side loaded, or rear loaded garages; and

(c) Front porches which provide an opportunity for residents to interact within the neighborhood.

Staff Finding: Staff offers no objection to the Applicant's justification for this criterion that states "An Architectural Design Code for all buildings (residential and commercial) has been included in Section Q of the MX Application binder. Specific architectural features, color palettes, materials, orientation, and façade details are discussed within the Design Code."

The eleven (11) three-story apartment buildings will be thoroughly reviewed by SDAR at time of the future Site Development Plan (SDP) process and building permitting, for compliance and consistency with pertinent exterior architectural design characteristics and facade embellishments to ensure an aesthetically cohesive development that maintains its quality over time.

(5) Community gathering facilities, such as a covered pavilion, community bulletin boards, community art or community centers, gardens or other similar amenities;

Staff Finding: Staff finds that the development as currently designed meets the intent of this criterion as it provides a community gazebo, community garden, and dog park.

(6) Shared pedestrian and bicycle facilities and bike racks where feasible;

Staff Finding: Staff finds that the development as currently designed meets the intent of this criterion, based on the following:

- The county is planning for the design and construction of a future bicycle-pedestrian facility on Leonardtown Road. As such, in lieu of providing a shared use path, staff has requested, and the applicant has provided, a 12-foot easement along the frontage with Leonardtown Road in order to accommodate the construction by the county of a future bicycle-pedestrian facility.
- The applicant has also provided a 5-foot sidewalk along the Leonardtown Road frontage to provide for pedestrian connectivity in the interim until the future planned bicycle-pedestrian facility has been developed by the county.
- In addition, the applicant has indicated in the narrative that bike racks will be provided.

Staff recommends the following Conditions of Approval:

a. A 12-foot easement shall be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future bicycle-pedestrian facility. Further refinements, if needed, to the location of the easement shall be determined during site development plan stage.
b. Bike racks shall be shown on the future site development plan (SDP).

(7) Covered bus stops;

Staff Finding: A VanGo stop will be provided. The Applicant has shown a concrete pad and connecting pathway for a future bus stop facility on the Vehicular and Pedestrian Access Exhibit, Land Use Master Plan, Concept Plan Exhibit, and Open Space Exhibit. Staff have recommended a condition of approval accordingly.

(8) A trail system within and connecting open space or roads to adjacent properties; or alternatives such as mowed grass or pervious concrete, with improvements such as lighting, street furniture and landscaping, and signage provided at trail heads and along trails;

Staff Finding: The applicant has indicated that they do not propose to meet this criterion.

(9) The development demonstrates its commitment to environmental stewardship through the use of one or more of the following elements:

(a) Conservation landscaping;

Staff Comment: The applicant does not currently intend to include any additional conservation landscaping for this project beyond what will be required with future plans, therefore this criterion is not being met.

(b) Water re-use;

Staff Comment: The applicant does not currently intend to include any water re-use mechanisms in this project, therefore this criterion is not being met.

(c) Renewable energy, or other energy efficiency measures detailed in HOA covenants for private lots and/or community facilities;

Staff Comment: Staff finds that the development as currently designed meets the intent of this criterion as it proposes to seek NGBS Silver certification to include various higher energy efficiency standards and other green building standards, as described in the Superior Design statement.

Community and Long-Range Planning staff recommend the following Conditions of Approval:

a. Full compliance with the proposed energy efficiency measures shall be reviewed and verified at the time of Building Permit review.
b. A note referencing the proposed energy efficiency measures shall be included on the Final Site Development Plan.
c. The description in the Superior Design justification statement shall be revised to reflect the most recent version of the required building code (IECC).

(d) Limited or no stream crossings; or,

Staff Comment: No stream crossings are proposed.

(e) Disturbance of steep slopes or other environmental features on lots are minimized.

Staff Comment: There are no steep slopes onsite. Staff notes the Applicant's response that development is proposed to ensure disturbance occurs outside of the stream and wetland buffers; however, Staff would need more information to verify.

Staff Finding: As required, the applicant has adequately addressed one or more of the elements in criterion 9 above (items 9(c) and 9(d)); therefore, this criterion is met.

(10) A plan to relocate existing trees to meet some of the landscaping/street tree requirements or street tree caliper provided that is larger than required;

Staff Finding: The applicant has committed to the use of 2.5" caliper street trees, which is 1" greater caliper than the minimum required by the Charles County Road Ordinance of 1.5". Staff have recommended a condition of approval accordingly.

(11) Sidewalks on both sides of the street, which shall be at least five (5) feet in width, where feasible, as determined by the Planning Director;

Staff Finding: Staff finds that the proposed sidewalk facilities within the development as currently designed meet the intent of the criterion, as an internal network of sidewalks of 5-foot minimum width is provided throughout the development.

(12) Vehicle or pedestrian inter-parcel connections to adjacent neighborhoods or tying into existing vehicle or pedestrian facilities;

Staff Finding: Staff finds that the applicant is providing pedestrian improvements/facilities at the entrances to the development that will provide interconnection opportunities offsite and traversing to the site. Staff finds that there are no adjacent neighborhoods to which a vehicle inter-parcel connection can be provided. As shown, the project will be connecting to existing MD Route 5 (Leonardtown Road) and Pika Drive.

(13) A grid of interconnected street network with parks or civic uses in or near the center of neighborhoods; and

Staff Finding: Staff finds that the proposed street network as currently designed meets the intent of this criterion.

(14) Designated additional guest parking of at least 10% above the number of parking spaces required in Article XX of this chapter and spread throughout the project. <u>This element applies solely to projects that have townhouses or multi-family housing units</u>.

Staff Finding: The Applicant does not propose allocating an additional 10% of parking for guest parking purposes.

<u>Superior Design Criteria Summary</u>: The Applicant appears to have demonstrated compliance with eleven (11) of the fourteen (14) elements.

F. Design Guidelines

The Zoning Ordinance, § 297-109B states in part "Applicants for planned development zones must submit a design and development code to set standards for layout and design." § 297-109D states "For a site adjacent to or within 1/4 mile of the area included in the Downtown Waldorf Vision Plan, the proposed design and development code for all or that portion of the proposed development within 1/4 mile shall set standards that are in general conformance with the Downtown Waldorf Design Guidelines, rather than the SDA Guidelines, so that the proposed development will be integrated into and consistent with the

character desired for Downtown Waldorf." To address this requirement, the Applicant has provided the attached Section Q "Site Design and Architectural Code".

Finding: Staff has reviewed the narrative in Sections 1. through 4.7 of the development's proposed Design Code and finds that it conforms to appropriate planning principles and to the purposes stated for the specific zone - Mixed Use (MX). As permitted for approval consideration, desired deviations are justified by the Applicant within the Design Code within Section 4.2, regarding alternative building setbacks, landscape buffers and parking regulations. These alternatives are further detailed and justified within Section 4.8 analyzed below. As proffered, these alternatives will enable the Applicant to provide a flexible approach to the comprehensive development of a large-scale residential community, ensuring an efficient balance of density, design, and open space.

As detailed in Section 4.2, Site Design, the County's Comprehensive Plan identifies the Leonardtown Road corridor as a priority area for higher-density residential growth, and the County Commissioners have established affordable housing as a central policy objective. Compressing perimeter setbacks allows density to be achieved without sacrificing the open space and community amenity areas that constitute nearly 50% of the gross tract. Reduced physical setbacks will be mitigated through a robust landscaping program. The result is envisioned as a landscaped development edge that is more visually effective than a standard setback, consistent with the County's design goals for the corridor.

Staff have reviewed the narrative in Section 4.8 of the development's proposed Design Code and finds that the development generally meets the intent of the requirement in Section 297-109D to be in general conformance with the Downtown Waldorf Design Guidelines as follows.

While the site layout departs from the vision somewhat in that it does not provide for building facades forming a continuous, formal street wall along public roadways, staff however finds that the property by its shape, orientation, and location does not lend itself to be able to provide this type of development configuration. The site has very little road frontage along public streets thus the majority of the development will not be visible from public streets. Furthermore, the property is surrounded by industrial development and staff agrees the priority is to buffer the proposed residential uses from adjacent development of an industrial character.

Staff would also like to offer some additional clarifications to the narrative in Section 4.8 of the proposed Design Code:

- In addition to the subject property being located within 575-800 feet of existing VanGo transit stops, the development itself is providing a bus stop on the property.
- The development is providing an easement to allow for the development by the county of a future pedestrian/bicycle facility rather than providing an actual shared use path; this is at the request of staff.
- Structured parking is not a requirement in the Downtown Waldorf Design Guidelines (DWDG); thus, the lack of structured parking is not an actual deviation from DWDG consistency.
- On street parking is not a requirement in the DWDG; thus, the lack of on street parking is not an actual deviation from DWDG consistency.
- The development provides 3-story buildings which does meet the height standards in the DWDG; thus, the proposed building height is not an actual deviation from DWDG consistency.
- Staff agrees that details regarding compliance with the DWDG standards for building architecture are not necessary for the Master Plan approval and can be addressed at later stages of development review.

IV. Conclusions & Recommendations:

Based on the analysis and findings contained in this staff report, staff suggests a recommendation of approval of the proposed Planned Development Zone Amendment, Master Plan and Design Guidelines, subject to the following conditions:

Note: The recommendation of either approval or denial by the Planning Commission will be forwarded with the subject application to the Board of Charles County Commissioners for their consideration and final approval or denial.

1. Prior to final subdivision or site plan approval for the development of any residential dwellings, the Applicant must submit to the Zoning Officer a written MPDU agreement approved by the Director for Community Services and by the County Attorney that provides the required number of moderately priced dwelling units.

2. Prior to the approval of a final site plan or subdivision plat, certified copies of the covenants reflecting the restrictions or elements of the MPDU agreement between the Applicant and the Charles County Commissioners, which are required to be filed in the land records, shall be presented to the Zoning Officer.

3. The specific maximum density permitted for the project shall be two hundred and fifty-two (252) multifamily dwelling units.

4. At the time of Site Development Plan, a calculation of the square footage of the proposed residential and institutional/civic uses will be provided demonstrating compliance with § 297-106(F), Use Distribution.

5. Any residential density granted by the County Commissioners greater than the base zone density, in combination with the affordable housing density bonus (per Figure V-1 in Article V of this chapter), must be achieved only through the transfer of development rights as set forth in Article XVII.

6. A Preliminary Adequate Public Facilities (PAPF) Study is required for each Site Development Plan (SDP) or Preliminary Subdivision Plan (PSP), unless otherwise exempted by Section 1.1 of the Charles County Adequate Public Facilities Manual. Any Traffic Impact Study (TIS) required as a result of a PAPF must be reviewed and approved by both the State Highway Administration (SHA) and Charles County before the SDP or PSP can receive approval. If mitigation is required, the terms must be approved and implemented in accordance with Section 297-264 of the Zoning Ordinance.

7. The proposed housing shall meet the county's current definition of affordability. Affordable housing provided shall be affordable to households making 60% of the Area Median Income as defined by the Maryland DHCD's annually published Income and Rent Limits. In order to allow flexibility the County would accept a scenario where some units were made available to households making higher and lower incomes as long as the average rent charged across all units is no greater than 60% AMI. Regardless, the applicant shall submit annual documentation to PGM staff to verify the ongoing provision of affordable housing.

8. A concrete pad and connecting pathway shall be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future VanGo bus facility. Further refinements, if needed, to the location of the concrete pad and connecting pathway for the bus stop shall be determined during site development plan stage.

9. Maintenance responsibilities for the park/open space areas shall be clearly defined in the maintenance agreements for the development. Draft copies of these documents will be requested at the time of Site Development Plan for review by Community and Long-Range Planning. Notes shall be required on the Final Site Development Plan referring to the proposed agreements.

10. Park amenities that would be appropriate for urban parks or pocket parks, such as outdoor furniture, playground equipment, lighting, planters, and landscaping, shall be shown on the Site Development Plan. Further

refinements, if needed, to the location of the easement shall be determined during site development plan stage.

11. A 12-foot easement shall be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future bicycle-pedestrian facility. Further refinements, if needed, to the location of the easement shall be determined during site development plan stage.

12. Bike racks shall be shown on the future site development plan (SDP).

13. Full compliance with the proposed energy efficiency measures shall be reviewed and verified at the time of Building Permit review.

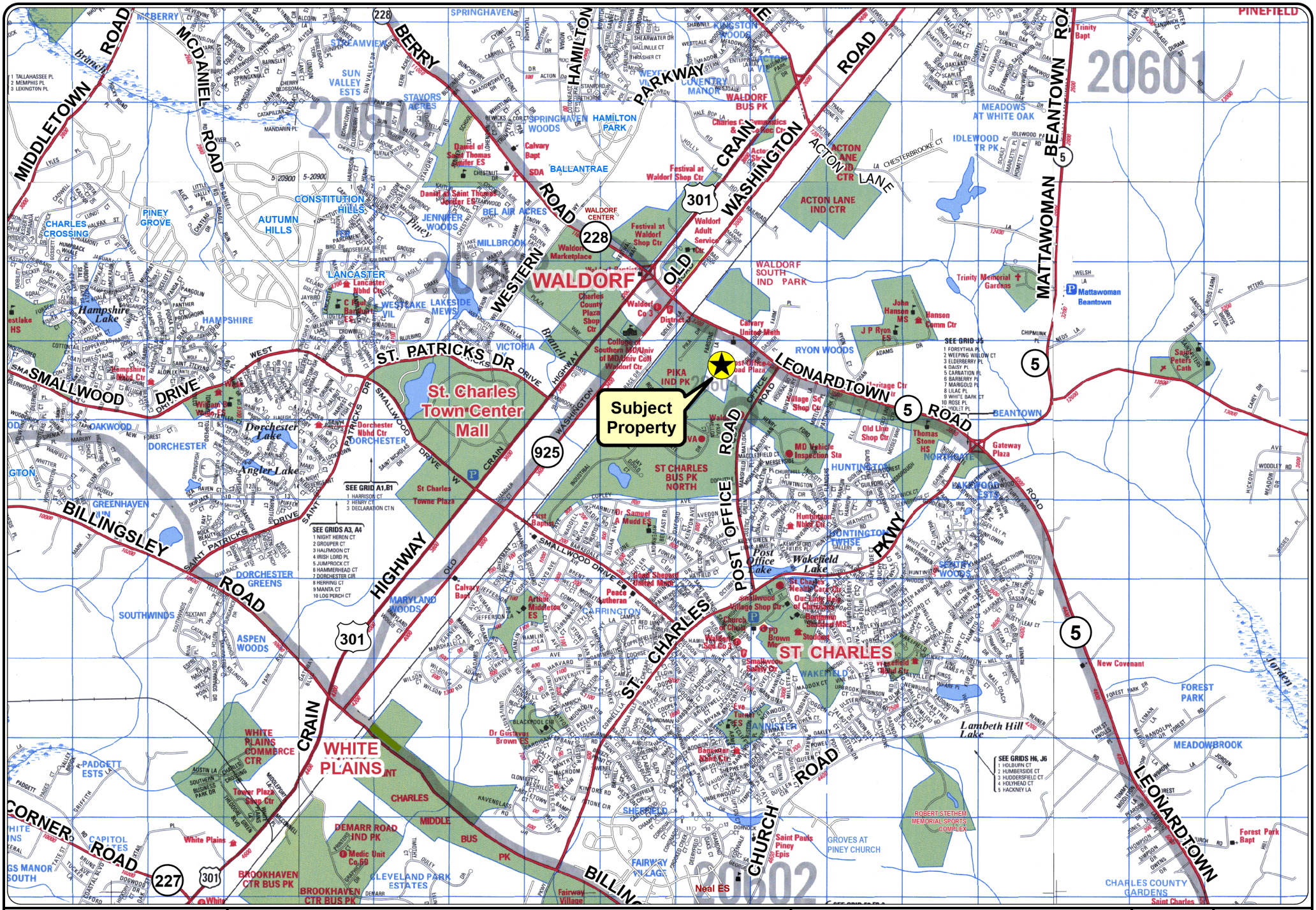
14. A note referencing the proposed energy efficiency measures shall be included on the Final Site Development Plan.

15. The description in the Superior Design justification statement shall be revised to reflect the most recent version of the required building code (IECC).

16. The Applicant shall provide 2.5" caliper street trees within the project.

17. The development shall make every effort to be in general conformance with the Downtown Waldorf Design Guidelines, as required under Section 297-109D of the County Zoning Ordinance, with the exception of the desired deviations justified within the Design Code regarding alternative building setbacks, landscape buffer and parking regulations. General conformance will be confirmed in conjunction with subsequent required applications, including but not limited to site development plan and architectural review prior to their approval consideration.

V. **Appendices** (Attached & Online)



Charles County
Maryland
Planning Division
Mapping Services

LEONARDTOWN ROAD MX REQUEST

PDZA #25-26

LOCATION MAP

0 0.25 0.5 1 Miles

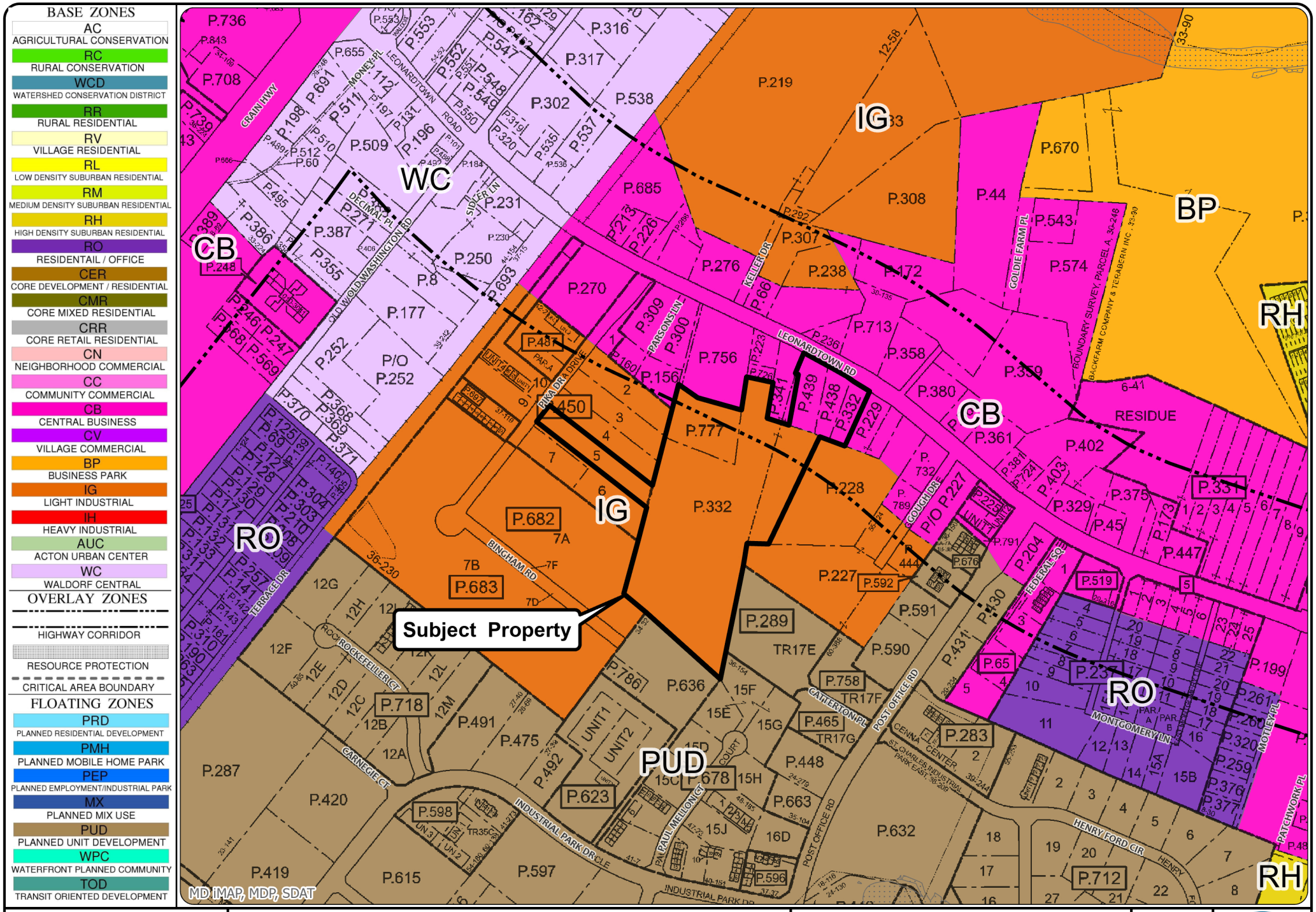
DATE: AUG 2026

SCALE:

DRAWN BY:

PLANNING & GROWTH MANAGEMENT

115



Charles County
Maryland
Planning Division
Mapping Services

LEONARDTOWN ROAD MX REQUEST

PDZA #25-26

ZONING MAP

0 300 600 1,200 Feet

Information contained on this drawing is for graphical purposes only and is not meant to be used for engineering purposes.

DATE
AUG 2026

SCALE

DRAWN BY:



Charles County
Maryland
Planning Division
Mapping Services

LEONARDTOWN ROAD MX REQUEST

PDZA #25-26

AERIAL MAP

0 100 200 400 Feet

Information contained on this drawing is for graphical purposes only and is not meant to be used for engineering purposes.

DATE
AUG 2026

SCALE

DRAWN BY:

PLANNING & GROWTH MANAGEMENT
CHARLES

Leonardtown Road Project

Application for a

MX Development Zone

March 2025

STANDARD™ COMMUNITIES

ATCS
Engineering Innovative Solutions



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Charles County Department of Planning & Growth Management

Local Map Amendment Application- Planned Development Zone

I. Application Information

Applicant Name: Standard Development Partners LLC **Phone Number:** 202-800-5800

Address: 1015 18th Street NW Suite 601 Washington DC 20036
(Street) (City) (State) (Zip Code)

Interest of Applicant: Contract Purchaser **Date:**
(Contract Purchaser/Agent/Owner)

II. Description of Requested Amendment

The applicant requests to amend the Zoning Map of Charles County by reclassifying the property described below as follows:

Reclassification FROM Zone: CB & Industrial

Reclassification TO Zone: MX

III. Property Description

Site Address: see attached
(Street) (City) (State) (Zip Code)

Subdivision Name: **Election District:**

Census Tract: **Comprehensive Plan Land Use Designation(s):**

Is the property within the Chesapeake Bay Critical Area: ☐ **Yes** ☑ **No**

IV. Vicinity and Property Maps

A Vicinity Map indicating the property's location in relation to major roads, public facilities, and natural features must be included with this application.

The application shall include a Property Map with the following information:

- ✓ Property boundaries outlined in red for which the amendment is sought
- ✓ Bearing and distance of property line and limits of easements on or adjacent to the property
- ✓ Names and widths of adjacent streets and roads
- ✓ North arrow and drawing scale
- ✓ Location of adjacent parcels, tracts or lots within one (100) feet of the property

V. Master Plan Information

Provide a proposed Master Plan containing all of the information required in Appendix A of the Charles County Zoning Ordinance. The proposed Master Plan must include any information necessary to evaluate the proposal regarding the criteria addressed and based on, but not limited to, the following criteria from Section 103 of the Zoning Ordinance:

- ✓ A schedule for beginning and completion of each construction phase and projected market absorption
- ✓ Architectural sketches of typical proposed structures, typical recreation areas, typical landscaping and screening areas, and typical development clusters
- ✓ A report showing the relationship of the proposed development on the County
- ✓ A statement showing the relationship of the proposed development to the Comprehensive Plan
- ✓ A preliminary analysis of the proposal's impact on public facilities and measures proposed to address these impacts. Public facilities include roads, schools, water, sewer, parks, and fire and police services
- ✓ A statement of which categories and point values the applicant seeks to achieve in Step 1 of the DGS
- ✓ A description of the surrounding area of the subject property that will be affected by the amendment

VI. Neighborhood Definition and Compatibility

The following information must be included with this application:

- ✓ A description of the area which constitutes the neighborhood of the property subject to amendment
- ✓ A statement indicating how the proposed amendments is compatible with the neighborhood
- ✓ A Neighborhood Definition Map indicating the properties included in the neighborhood

VII. Adjoining and Confronting Property Ownership

A listing of all persons, organizations, corporations or groups owning land adjoining or confronting the property for which the Local Map Amendment is requested must be provided as a separate attachment to this application. Please title this document as "Adjoining and Confronting" and include the full name and address for each entity listed as it is shown on the current assessment records of the Maryland Department of Assessments and Taxation.

VIII. Owner Information

This application shall include the name, mailing address, and signature of each record owner of the property for which the amendment is being sought. If owned by a corporation, this application must be signed by the officer empowered to act for the corporation.

Owner Name: _____ **Phone Number:** _____

Address: _____
(Street) (City) (State) (Zip Code)

Owner Signature: _____ **Date:** _____

Charles County Planning Commission
Meeting of September 21, 2026

Department of Planning and Growth Management Staff Report

Project Name & Number: 3279 Leonardtown Road Project
Planned Development Zone Amendment (PDZA) #25-26

Type of Project: Request for Rezoning to the Mixed Use (MX) Zone
Prepared by Heather Kelley, Planning Division

For questions, contact the Planning Division at 301-645-0692

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V.	Appendices:	Attached & Online

a. Location Map, Zoning Map, Aerial Map
b. Section A: Cover Sheet / Table of Contents / Signed Application
c. Section B: Subject Property Owners / Adjacent Property Owners

Appendices, continued:

d. Section C: Project Team
e. Section E: Introduction and Property History
f. Section F: Schedule
g. Section G: Architectural Elevations
h. Section H: Fiscal Impact Analysis / Voluntary Concessions Memo
i. Section I: Comprehensive Plan Justification Statement
j. Section J: Waldorf Sub-Area Plan Justification Statement
k. Section K: MX Justification Statement
l. Section L: Adequate Public Facilities Report
m. Section M: Neighborhood Description
n. Section N: Vehicular and Pedestrian Access Exhibit
o. Section O: Boundary Exhibit / Site Characteristics / Existing Conditions
p. Section P: Concept Plan / Land Use Master Plan / Open Space Exhibit
q. Section Q: Site Design and Architectural Code
r. Section R: Superior Design Criteria Justification
s. Section S: Generalized Traffic Assessment

I. Project & Applicant Information:

A. Project Name: 3279 Leonardtown Road Project

Owners:	Enterprise Industrial Partnership (Holly Sadeghian) Steven and Holly Sadeghian
Applicant:	Standard Development Partners, LLC (Judd Ullom)
Consultant:	ATCS

B. Project Number: PDZA #25-26

C. Subject Property: Tax Map 15, Grid 4, Parcel 332 (Tax ID No. 06-034306)
Tax Map 15. Grid 4, Parcel 438 (Tax ID No. 06-034381)
Tax Map 15, Grid 4, Parcel 332 (Tax ID No. 06-034403)
Tax Map 15, Grid 4, Parcel 439 (Tax ID No. 06-023754)
Tax Map 15, Grid 3, Parcel 450, Lot 5 (Tax ID No. 06-157769)

The subject property (the "Property") consists of approximately 19.89 acres in the 6th election district. The project is located on the southbound side of Leonardtown Road (MD 5), between Parsons Lane and Gough Drive, and Pika Drive. Location, Zoning and Aerial maps of the property area are attached and have been uploaded online.

D. Land Use & Zoning Category:

Parcel 332 (Tax ID No. 06-034306), Parcel 438 and Parcel 439 (approximately 2.365 acres total) are currently zoned Central Business (CB) and are within the Mixed-Use District as designated in the 2016 Comprehensive Plan.

Parcel 332 (Tax ID No. 06-034403) and Parcel 450 (Lot 5) (approximately 17.524 acres total) are currently zoned IG (Light Industrial) and are within the Employment and Industrial District as designated in the 2016 Comprehensive Plan.

The Property is located within the Development District, the Waldorf Sub-Area, and the Priority Funding Area.

E. General Description of the Request:

Pursuant to Chapter 297, Article VII, *Planned Development Zone Regulations*, and Article XVII, § 297-448, *Local Map Amendments*, of the Charles County Zoning Ordinance, the Applicant is requesting the rezoning of the subject properties from the current base zones of IG (General/Light Industrial) and CB (Central Business) to the MX (Mixed Use) Zone to facilitate the development of 252 affordable multifamily dwelling units.

The Applicant is also requesting approval of a 100% density bonus pursuant to Article XV, *Moderately Priced Dwellings*, of the Zoning Ordinance. Although Article XV provides that its provisions will become fully applicable upon the Commissioners' adoption of the Moderately Priced Dwelling Unit (MPDU) Program and Regulations, it further provides that, prior to such adoption, the Charles County Commissioners may approve MPDUs and associated density bonuses pursuant to an agreement with an applicant, as provided in § 297-243. Section 297-243 allows for a density bonus of up to 100% where at least 75% of the total units are moderately priced dwelling units, subject to approval of the project and density bonus by the County Commissioners. Because 100% of the proposed units will be affordable, the Applicant is requesting the maximum 100% density bonus.

F. Background:

The Mixed Use (MX) Zone is one of the County's planned development zones, also known as "floating zones", which are intended to encourage innovative and creative development and provide a broad range of housing and economic opportunities consistent with the Comprehensive Plan. A request for the rezoning of a property to a planned development ("floating") zone is not subject to the same analysis as a request for the rezoning of a property from one base zone to

another. Specifically, an application for a planned development zone is not required to assert that either a change in the character of the neighborhood has occurred or that a mistake was made in the current zoning of the property. Rather, the Zoning Ordinance, Figure VII-1, indicates the appropriate base zone locations for each of the planned development zones. The CB and IG zones of the Property are noted as appropriate locations for an MX zone. The planned development process establishes the proposed development's density and intensity of uses through a master plan, which provides the Planning Division, Planning Commission, and County Commissioners with the information necessary to evaluate the proposed development. Pursuant to § 297-104, the County Commissioners may approve a planned development zone only upon finding that the proposed project and master plan (1) are sufficient to achieve the purposes of the requested zone, (2) are compatible with the surrounding area, and (3) are consistent with the Comprehensive Plan.

II. Environmental, Historical & Archeological Information

A. Environmental Information, Resources, Watershed

1. Watershed: The Property is located within the Zekiah Swamp watershed and is within a Tier II watershed with no assimilative capacity remaining.

2. Forest Conservation: This Planned Development Zone Amendment application is not subject to Forest Conservation requirements, but the future development plan will be. The Applicant has started to assess the priority areas for forest preservation, and a Forest Stand Delineation and Forest Conservation Plan will need to be submitted and approved prior to a Site Development Plan, Development Services Permit or Plat, whichever comes first.

3. Habitat Protection Plan: A Maryland Department of Natural Resources, Wildlife and Heritage Services review letter dated June 12, 2024 confirmed there are no official records for State or Federal listed, proposed, or rare, plant or animal species within the project area. Therefore, no Habitat Protection Plan will be required for this or the future development plan moving forward on this property.

4. Resource Protection Zone (RPZ): There are non-tidal wetlands on and adjacent to the site that connect to a stream offsite; therefore, the RPZ is applicable to this project. The conceptual RPZ has been provided on the applicant's plan and will be confirmed during review of the future Forest Stand Delineation.

B. Historic & Archeological

Currently, no archaeological survey work is recommended as the request is solely for rezoning of the subject property; however, further development or subdivision of the property may require archaeological survey. There are no known historic structures, sites or vistas associated with the subject property.

III. Project Consistency, Impacts and Findings

A. Impact on Public Facilities

The Zoning Ordinance, § 297-103A(5) requires that the PDZA application include "A generalized impact mitigation report, giving a preliminary analysis of the impact of the proposal on public facilities such as roads, schools, water, sewer, fire, police services and parks and any measures proposed to adequately mitigate for these impacts or provide for an acceptable level of services."

The Applicant has provided an overview concerning the impact on public facilities in the attached Section L "Adequate Public Facilities Report" and Section S "Generalized Traffic Assessment." The following provides a preliminary review of potential impacts and findings for applicable public facilities:

1. Roads: The Applicant provided a generalized traffic assessment which analyzed Leonardtown Road (MD 5), Pika Drive, and the projected traffic generation based on the maximum allowable development of the site for both the existing Light Industrial (IG) and Central Business (CB) zoning designations and the proposed Mixed Use (MX) zone.
   The Applicant's analysis showed that at maximum buildout, the subject property was projected to generate more traffic with the existing zoning than with the proposed zoning. The assessment also indicated that the additional trips generated by the planned development were not projected to exceed the Average Annual Daily Traffic (AADT) threshold of either Leonardtown Road as an Intermediate Arterial or Pika Drive as a local road.

   The generalized traffic assessment analyzed the potential impacts of the zoning change; however, any development will be subject to all applicable Adequate Public Facilities requirements. A Preliminary Adequate Public Facilities (PAPF) Study will be required for each Site Development Plan (SDP), unless otherwise exempted by Section 1.1 of the Charles County Adequate Public Facilities Manual. Any Traffic Impact Study (TIS) required as a result of a PAPF must be reviewed and approved by both the State Highway Administration (SHA) and Charles County before the SDP or PSP can receive approval. If mitigation is required, the terms must be approved and implemented in accordance with Section 297-264 of the Zoning Ordinance.

2. Schools: The subject property is located within 3 school districts that include Dr. Samuel Mudd Elementary School, John Hanson Middle School, and Thomas Stone High School. The planned residential development is subject to the County's School Allocation Policy and will be required to obtain allocations for capacity prior to receiving a Development Services Permit.

3. Water & Sewer: The subject properties are designated with the water and sewer service categories of W1 and S1, "Existing Service." These service categories require developments to connect to the public water and sewer systems. The subject properties are located within the Waldorf Water System and Zekiah Pump Station (Mattawoman Wastewater Treatment Plant) service areas. Adequate capacity currently exists in both the water and sewer systems.

   Any project connecting to the public water and sewer systems is required to obtain an allocation of available capacity prior to the issuance of a Development Services Permit; approval of a PDZA application does not secure capacity.

4. Fire and EMS: The Waldorf Volunteer Fire Department Company 3 station is located 0.5 miles west of the subject property and would be the first responding Company to provide both fire and EMS service to emergency calls. The Applicant states that estimated response time from the Waldorf Station to the subject property is within five (5) minutes, which is within the American Insurance Association's response time standard of 7.5 minutes or less.

5. Police: The subject property is located approximately 0.6 miles west of the Charles County Sherrif Office's District 3 Station.

B. Consistency with the 2016 Charles County Comprehensive Plan

The Zoning Ordinance, § 297-103(4) requires a statement showing the relationship of the proposed development to the Comprehensive Plan. The Applicant has provided a statement of consistency in the attached Section I "Consistency with 2016 Comprehensive Plan". Additionally, staff have the following comments:

1. Land Use

   The subject property is located partially within the Employment and Industrial District and partially within the Mixed-Use District as designated in the 2016 Comprehensive Plan. The intent of these two districts is as follows:

a. Employment and Industrial Districts: The Comprehensive Plan designates areas for development into Employment and Industrial districts, to provide locations for additional upgraded and diverse tax base, business that provides higher quality jobs and more job opportunities in general. These areas were selected due to their locations near collector and arterial highways, access to water and sewer, and their sufficient size. Furthermore, the plan states that Employment and Industrial areas are located in several key locations, including those adjacent to the commercial core in Waldorf.
b. Mixed-Use District: The intent of the Mixed-Use District is to encourage a mix of medium to high density residential, business, and employment uses in a compact, well-designed, pedestrian-friendly environment. These areas were first identified as mixed-use areas in the Waldorf Sub-Area Plan.

Staff finds that the application is generally consistent with the land use goals in the 2016 Comprehensive Plan for this area. The development would be adding a significant amount of residential development to an area that is predominantly commercial, which meets the intent of a Mixed-Use District in the Comprehensive Plan. Furthermore, Table 3.3 designates both the Mixed-Use District and Employment and Industrial District as appropriate locations for MX Zoning. Further, the development is located in close proximity to employment, retail, and institutional uses and provides for infill housing development within the Development District, rather than on land in the county's rural area. This is in keeping with Goal 3.2. of the Comprehensive Plan to concentrate most future growth in areas of the County already served or proposed to be served with public water and sewer; and to direct 75 percent of future residential growth to the sewer services areas. Finally, the property is located within a Qualified Census Tract and Maryland Housing Designated Area, signifying the need for more affordable housing types in this part of Waldorf.

2. Connect Waldorf Study

The development provides a 12-foot easement for the construction by the county of a future planned on-street pedestrian-bicycle facility along the development's frontage with Leonardtown Road, which is consistent with the recommendations of the study for this location. Please see additional comments regarding the easement and future facility under Superior Design Criterion B5 below.

3. Economic Development

The Economic Development Department (EDD) has reviewed PDZA #2025-26

and supports the project. In general, the commercial development potential of the project is very limited as evident by the long-term lack of interest in commercial development in a corridor that is well established and has significant surrounding development that has already taken place. The extremely limited exposure and access to Leonardtown Road due to the presence of wetlands and wetlands buffer severely restrict the commercial potential of the property. The proposed development of much-needed affordable workforce housing is a viable development strategy and will add additional local consumer demand for retail and services along with community amenities.

C. Fiscal Impact Assessment

The Zoning Ordinance, § 297-103A(3) requires a report showing the fiscal impact of the proposed development on the County. The Applicant has provided a Fiscal Impact Analysis prepared by Cavalry Real Estate Advisors in the attached Section H. The analysis was reviewed by Fiscal and Administrative Services who found that, in summary, the analysis estimates a 20-year net fiscal impact of $24,330. However, this small positive impact is primarily attributable to one-time revenues realized in Year 2 from recordation tax ($46,200), real property transfer tax ($16,500), licenses and permits ($577,000), and voluntary concessions ($1,000,000). By Year 5, the project is expected to result in a negative fiscal impact to the County. Section H also contains a "Voluntary Concessions Memo" prepared by Cavalry that elaborates upon the voluntary concession.

D. Consistency with the Mixed Use (MX) Zone District

To approve a planned development zone, the County Commissioners must find that the proposed project, with its master plan, is sufficient to achieve the purposes of the zone requested. The Applicant has provided the attached Section K "MX Justification Statement" addressing the purposes of the MX zone. Additionally, staff have the following comments concerning applicable criteria in the Zoning Ordinance:

1. § 297-106A Purposes of the Mixed Use (MX) Zone

§106(A) Purpose. It is the purpose of the Mixed Use (MX) Zone to establish standards for the implementation of the Comprehensive Plan for planned projects which will successfully integrate residential, commercial, industrial and institutional uses into a master-planned development.

Finding: The Applicant is proposing residential and civic uses, consistent with the provisions for the MX zone, into a master-planned development.

§ 106(A)(1). To provide a more flexible approach to the comprehensive development of master-planned projects in terms of use mix, density and design and to encourage the reduction of travel time between the home and the workplace.

Finding: The project is located near various employment uses (office, retail, and light industrial) and institutional uses. The residential development of the property under the MX zoning provides an opportunity to create community walkable to these uses.

§ 106(A)(2). To implement the Comprehensive Plan and other County plans and policies in a manner and to a degree more closely compatible with County plans and policies than are possible under the base zone. Where applicable, a proposed MX zone must implement and be integrated with the detailed proposals for land use, road network, infrastructure and design established in subarea plans, vision plans and design guidelines adopted by the County Commissioners.

Finding: The Applicant has incorporated various County plans and policies into their application, such as the Waldorf Sub-Area Plan and Connect Waldorf Plan as noted in the Comprehensive Plan consistency comments above. Pursuant to the Zoning Ordinance, § 297-109D, a Site Design and Architectural Code is provided specific to sites adjacent to or within ¼ mile of the area included in the Downtown Waldorf Vision Plan to ensure the proposed development will be integrated into and consistent with the character desired for Downtown Waldorf.

§106(A)(3). To establish standards through which the land use objectives and recommendations of the Comprehensive Plan can serve as the basis for evaluating a multiuse project proposal.

Finding: The application is generally consistent with the land use goals in the 2016 Comprehensive Plan for this area.

§106(A)(4) If project boundary is located within 1/4 mile of the area included in the Downtown Waldorf Vision Plan, the project should include development that supports the planning principles and design goals in the Downtown Waldorf Vision Plan.

Finding: A Site Design and Architectural Code is provided to ensure the proposed development will be integrated into and consistent with the character desired for Downtown Waldorf.

§106(A)(5). To ensure that the development is architecturally integrated by requiring an internal policy mechanism such as a design and development code or an architectural review board.

Finding: A Site Design and Architectural Code has been developed for the project. The Code will be administered by an Architectural Review Committee established by the Applicant. In addition, the County's Site Design and Architectural Reviewer will review each site plan and architectural elevation of the project as it is submitted to the County for permits and approvals.

§106(A)(6). To promote the type of development which corrects any existing ecological or environmental deficiency found on or in the vicinity of a subject property.

Finding: There are no known existing ecological or environmental deficiencies found on or near the subject property.

§106(A)(7). To ensure that all developments will positively contribute to the County's historic and cultural heritage, as reflected in the Comprehensive Plan, by preserving historic structures, sites and vistas.

Finding: There are no known historic structures, sites or vistas found on the subject property. Currently, no archaeological survey work is recommended as the request is solely for rezoning of the subject property; however, further development or subdivision of the property may require archaeological survey.

§106(A)(8). To provide for the expansion or relocation of existing County businesses and to enhance the County's tourism industry.
Finding: The project will provide the residential density needed to support nearby office, retail, employment, and institutional uses and will contribute to tourism efforts by setting aside acreage for civic use.

§106(A)(9). To manage traffic congestion by providing for multiple modes of transportation including pedestrian/bicycle facilities and transit service and by providing an adequate road circulation system to help distribute traffic.

Finding: The development provides accommodation for a future pedestrian/bicycle facility as described above under Consistency with Connect Waldorf Study and under Superior Design Criterion B5 in Section E below. A VanGo stop will be provided. The Applicant has shown a concrete pad and connecting pathway for a future bus stop facility on the Vehicular and Pedestrian Access Exhibit, Land Use Master Plan, Concept Plan Exhibit, and Open Space Exhibit. Staff recommends the following Condition of Approval associated with the bus stop: “A concrete pad and connecting pathway shall

be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future VanGo bus facility. Further refinements, if needed, to the location of the concrete pad and connecting pathway for the bus stop shall be determined during site development plan stage."

§106(A)(10). To encourage activities which expand the County's solid waste and recycling program.

Finding: The project will include recycling and solid waste removal.

§106(A)(11). To promote the development of and location for qualified "target" industries as designated by the County Economic Development Department.

Finding: Economic Development staff concur that the project will provide needed affordable housing to support recruitment and retention of target industries.

§106(A)(12). To encourage the orderly, staged construction of comprehensively planned, multiuse centers at locations recommended in the Comprehensive Plan and subarea plans.

Finding: See §§ 106(A)(1), (2) and (3), above.

§106(A)(13). To provide, where appropriate, higher-density residential uses integrated into the overall multiuse project.

Finding: The base density permitted in an MX zone applied to the base zones of Light Industrial (IG) and Central Business (CB) is five (5) dwelling units per acre. The proposed residential density for this project is 12.637 units per acre (252 apartment units on 19.89 acres), to be achieved via an affordable housing density bonus and the use of Transferable Development Rights (TDRs).

§106(A)(14). To ensure internal compatibility of residential and nonresidential uses by providing superior design, and to successfully integrate a mixture of complementary uses, including residential, commercial, recreational, employment, civic and institutional uses.

Finding: An analysis of Superior Design Criteria is provided in Section E below. The implementation of the Site Design and Architectural Code will result in the successful integration of a mixture of complementary uses.

§106(A)(15). To assure compatibility of the proposed uses with surrounding uses by incorporating higher standards of land planning and site design than could be accomplished under base zones.

Finding: The implementation of the Site Design and Architectural Code will assure compatibility with surrounding uses.

§106(A)(16). To allow for the integration of different types of uses within the same area or building in a way that achieves overall harmony within the proposed development and promotes a lively, dynamic environment.

Finding: The project integrates residential, civic and recreational uses connected to an area surrounded by a variety of employment, retail and institutional uses, promoting a lively, dynamic environment.

§106(A)(17). To provide for open space serving the following functions: [1] Places of relaxation, recreation and social activity for the community and public at large; [2] Parks, plazas and squares that provide attractive landscaped amenities; and [3] Protection of mature woodlands and sensitive environmental features.

Open space should be situated and designed to connect and integrate the uses and activities within the development. In addition, structured parking within mixed-use planning is encouraged to help achieve the open space and amenities objective of this zone.

Finding: The development provides open space that is integrated into the neighborhood as a focal point and is easily accessible to the entire community. The proposed open space includes passive and active recreational areas, and protection of environmental features. The Applicant's narrative states that the preservation of a large, forested area provides opportunities for passive recreation; however, the forested areas cannot be used for passive recreation since no trails are provided.

§106(A)(18). To encourage and provide for the development of comprehensive nonvehicular circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and industrial areas and public facilities.

Finding: A pedestrian network system has been provided to connect various areas of the subject project internally and to connect the project to Pika Drive and Leonardtown Road.

§106(A)(19). To encourage and provide for efficient use of energy resources through shared facilities, energy-efficient development or other economies of scale or technology.

Finding: The project proposes to seek NGBS Silver certification to include various higher energy efficiency standards and other green building standards, as described in the Superior Design statement. Staff have recommended the following Conditions of Approval:

i. Full compliance with the proposed energy efficiency measures shall be reviewed and verified at the time of Building Permit review.
ii. A note referencing the proposed energy efficiency measures shall be included on the Final Site Development Plan.
iii. The description in the Superior Design justification statement shall be revised to reflect the most recent version of the required building code (IECC).

§106(A)(20). To foster prosperous and viable communities that are of a superior design and structural quality which will result in property values that will be sustained over time.

Finding: Application of the Site Design and Architectural Code developed for the project should allow the project to sustain property values over time.

§106(A)(21). To promote the creation of housing for specific populations which is integrated into a larger residential development. The housing for specific populations may include affordable units, artist housing/studio, live-work units, age restricted housing, or housing for veterans.

Finding: The project is proposing residential units to serve households earning up to 60% of the median area income. To ensure that the housing provided is affordable, staff recommends a Condition of Approval that the proposed housing meets the county's current definition of affordability. Affordable housing provided shall be affordable to households making 60% of the Area Median Income as defined by the Maryland DHCD's annually published Income and Rent Limits. In order to allow flexibility the County would accept a scenario where some units were made available to households making higher and lower incomes as long as the average rent charged across all units is no greater than 60% AMI. Regardless, the applicant shall submit annual documentation to Planning and Growth Management (PGM) staff to verify the ongoing provision of affordable housing.

2. § 297-106B Compatibility Requirements (Neighborhood Compatibility)

The Applicant has provided the attached Section M "Neighborhood Description" to generally describe the surrounding neighborhood. The Property is located along Leonardtown Road (MD 5), an arterial roadway that connects Waldorf to surrounding communities. The surrounding neighborhood extends from the intersection of MD 5 and Post Office Road, moving north along MD 5 to its intersection with St. Charles Parkway; then westward along St. Charles Parkway to Western Parkway; south along Western Parkway to Smallwood Drive; and east along Smallwood Drive to its junction with Leonardtown Road (MD 5), forming a defined neighborhood area. The area includes a mix of commercial, institutional, and residential developments.

Finding: It is found that the development of the Property as an MX Zone will be cohesive with the surrounding neighborhoods.

3. § 297-106D Permitted Density

The maximum number of dwelling units permitted in the project is determined using the total of the gross tract area and the density ranges established in Figure V-1 (maximum residential densities) in Article V of the Zoning Ordinance. A maximum density greater than the base zone density, in combination with the affordable housing density bonus (per Figure V-1 in Article V), shall only be achieved through the purchase of Transferable Development Rights.

Finding: The proposed residential density for the project is 12.637 units per acre (252 apartment units on 19.89 acres), to be achieved via an affordable housing density bonus and the use of Transferable Development Rights (TDRs). The base density permitted in the MX Zone when applied to properties currently zoned CB and IG is five (5) dwelling units per acre. With the maximum affordable housing density bonus and maximum Transferable Development Rights (TDRs), the permitted density is 20.10 dwelling units per acre. Approval of the requested 100% density bonus would increase the permitted density to ten (10) dwelling units per acre. Any density proposed in excess of ten (10) dwelling units per acre would require the purchase of Transferable Development Rights (TDRs).

4. § 297-106F Use Distribution

Development within an MX Zone may incorporate residential, commercial retail/office, institutional/civic and low-intensity industrial uses, and housing for specific populations. As required by § 106(F) of the Zoning Ordinance, the following percentage of uses is required for approval:

Uses	Required % of Development in Square Feet	Proposed % of Land Use Area
Residential**	20% - 70%	51.4%
Commercial, retail*	10% - 30%	0%
Commercial, office*	10% - 30%	0%
Civic/Institutional	3% - 10%	15%

* Light industrial employment uses may be substituted for commercial retail or office uses as desired. Housing for specific populations may be substituted for commercial (retail and/or office) uses as desired with the maximum percentage of the substituted uses with housing for specific populations being no more than the maximum percentage of the said commercial (retail and/or office) uses. There is no required minimum percentage for housing for specific populations.
** Exclusive of housing for specific populations.

As defined in § 297-49 of the Zoning Ordinance, "Housing for Specific Populations" means "Housing for a population with specific characteristics that, in the sole determination of the County Commissioners, qualifies for substitution of commercial or office uses in a project located in the MX Zone. Such housing for specific populations may include (but are not limited to): qualified affordable housing units; live work housing units; artists units; age restricted units; or veterans' housing. The housing type to accommodate these populations may be single-family detached units, single-family attached units, or multifamily units."

Finding:

The proposed MX development includes housing for specific populations, a civic use, and designated open space, with no commercial retail, office, or industrial use proposed.

Housing for Specific Populations: The proposed development includes 252 affordable multifamily residential units. The applicant proposes that these units serve households earning up to 60% of the Area Median Income (AMI). Because the units are proposed as affordable housing, they may qualify as Housing for Specific Populations under § 297-49. If determined by the County Commissioners to qualify, the affordable housing component may be substituted for the otherwise-required commercial retail and/or office uses, consistent with § 297-106(F).

The submitted master plan identifies the generalized location and land-area distribution of the proposed uses; however, it does not establish building floor areas for the residential and civic components. Therefore, the precise square-footage-based percentage calculation contemplated by § 297-106F cannot be

independently calculated from the submitted land-use plan; however, staff finds that the proposed use mix is consistent with the applicable provisions and intent of § 297-106F. The proposal is principally intended to provide housing for specific populations, which § 297-106F permits as a substitute for commercial retail and/or office uses and for which the ordinance establishes no minimum percentage.

Civic/Institutional: The Applicant proposes a community garden as a civic use within the development. Staff finds that the proposed community garden is an acceptable civic use. The Applicant has indicated that the amount and configuration of open space dedicated to civic functions will be refined during the design process based on additional feedback from the County.

5. § 297-106G Open Space

A minimum of 20% of the gross tract area of the MX Zone shall be open space. A minimum of 10% of the gross tract area shall be usable open space. Usable open space includes community open space that allows for resident relaxation and recreation, and cannot include Forest Conservation, wetlands or required bufferyards.

Finding: The Applicant has provided the attached Section P "Usable Amenity and Open Space Exhibit". As shown on this exhibit, a total of 10.20 acres of open space (51.3% of the gross tract area of 19.89 acres) is provided. A total of 2.18 acres of usable open space (11% of the gross tract area of 19.89 acres), including active and passive recreation areas, is provided.

E. Superior Design Criteria Analysis

The Zoning Ordinance, § 297-103A(11) requires a statement which explains how applicable Superior Design Criteria, as defined in Appendix I, will be met for the Planned Development Zone. The Applicant has provided the attached Section S "Superior Design Criteria Justification Narrative" to address this requirement. In accordance with the Zoning Ordinance, Appendix I, when creating or evaluating a project with superior design, the following criteria shall be used and applied to the project whenever possible, or as applicable. Specifically, Section B. notes that a project located within the Development District contains up to fourteen (14) elements, listed below, that would demonstrate Superior Design.

B. Development district project criteria: A development project that is superior in design demonstrates optimal land use planning and contains a combination of the following elements, which exceed the requirements under the Base Zone regulations (Article VI):

(1) Open space that is integrated into the neighborhood as urban parks or pocket parks and open space maintenance responsibilities are clearly defined;

Staff Finding: The development as currently designed meets the intent of this criterion, as the development provides open space that is integrated into the neighborhood as a focal point and is easily accessible to the entire community. Community and Long-Range Planning recommends the following Conditions of Approval:

a. Maintenance responsibilities for the park/open space areas shall be clearly defined in the maintenance agreements for the development. Draft copies of these documents will be requested at the time of Site Development Plan for review by Community and Long-Range Planning. Notes shall be required on the Final Site Development Plan referring to the proposed agreements.
b. Park amenities that would be appropriate for urban parks or pocket parks, such as outdoor furniture, playground equipment, lighting, planters, and landscaping, shall be shown on the Site Development Plan.

(2) The Forest Conservation design exceeds the County's and the Chesapeake Bay Critical Area Program requirements, including planting and mitigation standards;

Staff Finding: A Forest Conservation Plan has not been submitted to show that this forest retention exceeds the County's program requirements.

(3) A mix of housing types;

Staff Finding: Staff offers no objection to the Applicant's justification for this criterion that states eleven (11) three-story apartment buildings will be available, offering two distinct floor plans, which will contribute to a mix of housing types available to this area. Units will range from one to three bedrooms and include residential amenities such as active outdoor areas, a fitness center, and lounges.

(4) Diverse architectural design types that include such features as:

(a) Garages that are not the most predominant design feature and are setback further from the street than the house frontage;
(b) Side loaded, or rear loaded garages; and

(c) Front porches which provide an opportunity for residents to interact within the neighborhood.

Staff Finding: Staff offers no objection to the Applicant's justification for this criterion that states "An Architectural Design Code for all buildings (residential and commercial) has been included in Section Q of the MX Application binder. Specific architectural features, color palettes, materials, orientation, and façade details are discussed within the Design Code."

The eleven (11) three-story apartment buildings will be thoroughly reviewed by SDAR at time of the future Site Development Plan (SDP) process and building permitting, for compliance and consistency with pertinent exterior architectural design characteristics and facade embellishments to ensure an aesthetically cohesive development that maintains its quality over time.

(5) Community gathering facilities, such as a covered pavilion, community bulletin boards, community art or community centers, gardens or other similar amenities;

Staff Finding: Staff finds that the development as currently designed meets the intent of this criterion as it provides a community gazebo, community garden, and dog park.

(6) Shared pedestrian and bicycle facilities and bike racks where feasible;

Staff Finding: Staff finds that the development as currently designed meets the intent of this criterion, based on the following:

- The county is planning for the design and construction of a future bicycle-pedestrian facility on Leonardtown Road. As such, in lieu of providing a shared use path, staff has requested, and the applicant has provided, a 12-foot easement along the frontage with Leonardtown Road in order to accommodate the construction by the county of a future bicycle-pedestrian facility.
- The applicant has also provided a 5-foot sidewalk along the Leonardtown Road frontage to provide for pedestrian connectivity in the interim until the future planned bicycle-pedestrian facility has been developed by the county.
- In addition, the applicant has indicated in the narrative that bike racks will be provided.

Staff recommends the following Conditions of Approval:

a. A 12-foot easement shall be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future bicycle-pedestrian facility. Further refinements, if needed, to the location of the easement shall be determined during site development plan stage.
b. Bike racks shall be shown on the future site development plan (SDP).

(7) Covered bus stops;

Staff Finding: A VanGo stop will be provided. The Applicant has shown a concrete pad and connecting pathway for a future bus stop facility on the Vehicular and Pedestrian Access Exhibit, Land Use Master Plan, Concept Plan Exhibit, and Open Space Exhibit. Staff have recommended a condition of approval accordingly.

(8) A trail system within and connecting open space or roads to adjacent properties; or alternatives such as mowed grass or pervious concrete, with improvements such as lighting, street furniture and landscaping, and signage provided at trail heads and along trails;

Staff Finding: The applicant has indicated that they do not propose to meet this criterion.

(9) The development demonstrates its commitment to environmental stewardship through the use of one or more of the following elements:

(a) Conservation landscaping;

Staff Comment: The applicant does not currently intend to include any additional conservation landscaping for this project beyond what will be required with future plans, therefore this criterion is not being met.

(b) Water re-use;

Staff Comment: The applicant does not currently intend to include any water re-use mechanisms in this project, therefore this criterion is not being met.

(c) Renewable energy, or other energy efficiency measures detailed in HOA covenants for private lots and/or community facilities;

Staff Comment: Staff finds that the development as currently designed meets the intent of this criterion as it proposes to seek NGBS Silver certification to include various higher energy efficiency standards and other green building standards, as described in the Superior Design statement.

Community and Long-Range Planning staff recommend the following Conditions of Approval:

a. Full compliance with the proposed energy efficiency measures shall be reviewed and verified at the time of Building Permit review.
b. A note referencing the proposed energy efficiency measures shall be included on the Final Site Development Plan.
c. The description in the Superior Design justification statement shall be revised to reflect the most recent version of the required building code (IECC).

(d) Limited or no stream crossings; or,

Staff Comment: No stream crossings are proposed.

(e) Disturbance of steep slopes or other environmental features on lots are minimized.

Staff Comment: There are no steep slopes onsite. Staff notes the Applicant's response that development is proposed to ensure disturbance occurs outside of the stream and wetland buffers; however, Staff would need more information to verify.

Staff Finding: As required, the applicant has adequately addressed one or more of the elements in criterion 9 above (items 9(c) and 9(d)); therefore, this criterion is met.

(10) A plan to relocate existing trees to meet some of the landscaping/street tree requirements or street tree caliper provided that is larger than required;

Staff Finding: The applicant has committed to the use of 2.5" caliper street trees, which is 1" greater caliper than the minimum required by the Charles County Road Ordinance of 1.5". Staff have recommended a condition of approval accordingly.

(11) Sidewalks on both sides of the street, which shall be at least five (5) feet in width, where feasible, as determined by the Planning Director;

Staff Finding: Staff finds that the proposed sidewalk facilities within the development as currently designed meet the intent of the criterion, as an internal network of sidewalks of 5-foot minimum width is provided throughout the development.

(12) Vehicle or pedestrian inter-parcel connections to adjacent neighborhoods or tying into existing vehicle or pedestrian facilities;

Staff Finding: Staff finds that the applicant is providing pedestrian improvements/facilities at the entrances to the development that will provide interconnection opportunities offsite and traversing to the site. Staff finds that there are no adjacent neighborhoods to which a vehicle inter-parcel connection can be provided. As shown, the project will be connecting to existing MD Route 5 (Leonardtown Road) and Pika Drive.

(13) A grid of interconnected street network with parks or civic uses in or near the center of neighborhoods; and

Staff Finding: Staff finds that the proposed street network as currently designed meets the intent of this criterion.

(14) Designated additional guest parking of at least 10% above the number of parking spaces required in Article XX of this chapter and spread throughout the project. <u>This element applies solely to projects that have townhouses or multi-family housing units</u>.

Staff Finding: The Applicant does not propose allocating an additional 10% of parking for guest parking purposes.

<u>Superior Design Criteria Summary</u>: The Applicant appears to have demonstrated compliance with eleven (11) of the fourteen (14) elements.

F. Design Guidelines

The Zoning Ordinance, § 297-109B states in part "Applicants for planned development zones must submit a design and development code to set standards for layout and design." § 297-109D states "For a site adjacent to or within 1/4 mile of the area included in the Downtown Waldorf Vision Plan, the proposed design and development code for all or that portion of the proposed development within 1/4 mile shall set standards that are in general conformance with the Downtown Waldorf Design Guidelines, rather than the SDA Guidelines, so that the proposed development will be integrated into and consistent with the

character desired for Downtown Waldorf." To address this requirement, the Applicant has provided the attached Section Q "Site Design and Architectural Code".

Finding: Staff has reviewed the narrative in Sections 1. through 4.7 of the development's proposed Design Code and finds that it conforms to appropriate planning principles and to the purposes stated for the specific zone - Mixed Use (MX). As permitted for approval consideration, desired deviations are justified by the Applicant within the Design Code within Section 4.2, regarding alternative building setbacks, landscape buffers and parking regulations. These alternatives are further detailed and justified within Section 4.8 analyzed below. As proffered, these alternatives will enable the Applicant to provide a flexible approach to the comprehensive development of a large-scale residential community, ensuring an efficient balance of density, design, and open space.

As detailed in Section 4.2, Site Design, the County's Comprehensive Plan identifies the Leonardtown Road corridor as a priority area for higher-density residential growth, and the County Commissioners have established affordable housing as a central policy objective. Compressing perimeter setbacks allows density to be achieved without sacrificing the open space and community amenity areas that constitute nearly 50% of the gross tract. Reduced physical setbacks will be mitigated through a robust landscaping program. The result is envisioned as a landscaped development edge that is more visually effective than a standard setback, consistent with the County's design goals for the corridor.

Staff have reviewed the narrative in Section 4.8 of the development's proposed Design Code and finds that the development generally meets the intent of the requirement in Section 297-109D to be in general conformance with the Downtown Waldorf Design Guidelines as follows.

While the site layout departs from the vision somewhat in that it does not provide for building facades forming a continuous, formal street wall along public roadways, staff however finds that the property by its shape, orientation, and location does not lend itself to be able to provide this type of development configuration. The site has very little road frontage along public streets thus the majority of the development will not be visible from public streets. Furthermore, the property is surrounded by industrial development and staff agrees the priority is to buffer the proposed residential uses from adjacent development of an industrial character.

Staff would also like to offer some additional clarifications to the narrative in Section 4.8 of the proposed Design Code:

- In addition to the subject property being located within 575-800 feet of existing VanGo transit stops, the development itself is providing a bus stop on the property.
- The development is providing an easement to allow for the development by the county of a future pedestrian/bicycle facility rather than providing an actual shared use path; this is at the request of staff.
- Structured parking is not a requirement in the Downtown Waldorf Design Guidelines (DWDG); thus, the lack of structured parking is not an actual deviation from DWDG consistency.
- On street parking is not a requirement in the DWDG; thus, the lack of on street parking is not an actual deviation from DWDG consistency.
- The development provides 3-story buildings which does meet the height standards in the DWDG; thus, the proposed building height is not an actual deviation from DWDG consistency.
- Staff agrees that details regarding compliance with the DWDG standards for building architecture are not necessary for the Master Plan approval and can be addressed at later stages of development review.

IV. Conclusions & Recommendations:

Based on the analysis and findings contained in this staff report, staff suggests a recommendation of approval of the proposed Planned Development Zone Amendment, Master Plan and Design Guidelines, subject to the following conditions:

Note: The recommendation of either approval or denial by the Planning Commission will be forwarded with the subject application to the Board of Charles County Commissioners for their consideration and final approval or denial.

1. Prior to final subdivision or site plan approval for the development of any residential dwellings, the Applicant must submit to the Zoning Officer a written MPDU agreement approved by the Director for Community Services and by the County Attorney that provides the required number of moderately priced dwelling units.

2. Prior to the approval of a final site plan or subdivision plat, certified copies of the covenants reflecting the restrictions or elements of the MPDU agreement between the Applicant and the Charles County Commissioners, which are required to be filed in the land records, shall be presented to the Zoning Officer.

3. The specific maximum density permitted for the project shall be two hundred and fifty-two (252) multifamily dwelling units.

4. At the time of Site Development Plan, a calculation of the square footage of the proposed residential and institutional/civic uses will be provided demonstrating compliance with § 297-106(F), Use Distribution.

5. Any residential density granted by the County Commissioners greater than the base zone density, in combination with the affordable housing density bonus (per Figure V-1 in Article V of this chapter), must be achieved only through the transfer of development rights as set forth in Article XVII.

6. A Preliminary Adequate Public Facilities (PAPF) Study is required for each Site Development Plan (SDP) or Preliminary Subdivision Plan (PSP), unless otherwise exempted by Section 1.1 of the Charles County Adequate Public Facilities Manual. Any Traffic Impact Study (TIS) required as a result of a PAPF must be reviewed and approved by both the State Highway Administration (SHA) and Charles County before the SDP or PSP can receive approval. If mitigation is required, the terms must be approved and implemented in accordance with Section 297-264 of the Zoning Ordinance.

7. The proposed housing shall meet the county's current definition of affordability. Affordable housing provided shall be affordable to households making 60% of the Area Median Income as defined by the Maryland DHCD's annually published Income and Rent Limits. In order to allow flexibility the County would accept a scenario where some units were made available to households making higher and lower incomes as long as the average rent charged across all units is no greater than 60% AMI. Regardless, the applicant shall submit annual documentation to PGM staff to verify the ongoing provision of affordable housing.

8. A concrete pad and connecting pathway shall be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future VanGo bus facility. Further refinements, if needed, to the location of the concrete pad and connecting pathway for the bus stop shall be determined during site development plan stage.

9. Maintenance responsibilities for the park/open space areas shall be clearly defined in the maintenance agreements for the development. Draft copies of these documents will be requested at the time of Site Development Plan for review by Community and Long-Range Planning. Notes shall be required on the Final Site Development Plan referring to the proposed agreements.

10. Park amenities that would be appropriate for urban parks or pocket parks, such as outdoor furniture, playground equipment, lighting, planters, and landscaping, shall be shown on the Site Development Plan. Further

refinements, if needed, to the location of the easement shall be determined during site development plan stage.

11. A 12-foot easement shall be provided along the frontage with Leonardtown Road in order to accommodate the development by the county of a future bicycle-pedestrian facility. Further refinements, if needed, to the location of the easement shall be determined during site development plan stage.

12. Bike racks shall be shown on the future site development plan (SDP).

13. Full compliance with the proposed energy efficiency measures shall be reviewed and verified at the time of Building Permit review.

14. A note referencing the proposed energy efficiency measures shall be included on the Final Site Development Plan.

15. The description in the Superior Design justification statement shall be revised to reflect the most recent version of the required building code (IECC).

16. The Applicant shall provide 2.5" caliper street trees within the project.

17. The development shall make every effort to be in general conformance with the Downtown Waldorf Design Guidelines, as required under Section 297-109D of the County Zoning Ordinance, with the exception of the desired deviations justified within the Design Code regarding alternative building setbacks, landscape buffer and parking regulations. General conformance will be confirmed in conjunction with subsequent required applications, including but not limited to site development plan and architectural review prior to their approval consideration.

V. Appendices

C. Project Team

Owners	**Enterprise Industrial Park Partnership** 6130 Oxon Hill Road, Suite 301 Oxon Hill, MD 20745 Attn: Holly Sadeghian
Applicant	**Standard Development Partners, LLC** 1015 18th Street, NW, Suite 601 Washington, D.C. 20036 **Judd Ullom, Managing Director** (202) 892-7424
Engineering/Environmental Sciences/ Planning	**ATCS** 9500 Medical Center Dr., Suite 370 Largo, MD 20774 **Victoria Ballestero, Vice President** (518) 312-1017
Architects/Space Planners	**Architecture by Design, Inc.** 8355 Court Ave Ellicott City, MD 21043 **Judi Miller, AIA, Principal** (410) 480-3210, Fax (410) 480-2480
Fiscal Impact Consultant	**Cavalry Real Estate Advisors** 800 W Broad Street, Suite 7005 Falls Church, VA 22040 **Will Rich, Managing Director** (202) 257-0635
Land Use Counsel	**Law Offices of Sue A. Greer, P.C.** P.O. Box 1616 200 Howard Street, Suite 101 La Plata, Maryland 20646

INTRODUCTION
and
HISTORY OF OLD WALDORF CENTER AND PROPERTY

Standard Development Partners, LLC is proposing to create a MX Development which will, not only address the County's affordable housing goals, but will create a dynamic community HUB, fostering redevelopment in the area of Old Waldorf situated between Leonardtown Road/Route 5 and Post Office Road ("Leonardtown Road Project"). Standard Development Partners, LLC, a national leader in affordable housing development, is dedicated to delivering high-quality, sustainable and healthy housing, while generating economic opportunities and driving meaningful change via the Leonardtown Road Project.

The Property is located off of Leonardtown Road, between the intersections of Old Washington Road and Post Office Road, in area often referred to as "Old Waldorf." The Property consists of four (4) contiguous undeveloped lots which front along Leonardtown Road/Maryland Route 5 and Pika Drive (Tax Map: 15 Parcels 332, 438, 439, and 450-Lot 5). 2.365 acres of the front portion of the Property is zoned Central Business ("CB") and 17.524 acres of the rear of the property is zoned Light Industrial ("IG"). The Property is located within the Development District, within the Transit Corridor and adjacent to the Waldorf Urban Redevelopment Corridor.

Situated in the heart of Old Waldorf, the project is strategically located between existing employment, retail, and institutional spaces along Leonardtown Road, and light industrial areas along Pika Drive. Despite the Property's prime location, the Property has remained undeveloped and has failed to meet its planned purpose.

The proposed application of a Mixed-Use (MX) Overlay Zone provides an opportunity to activate the Property by introducing a residential and community/civic component to create a dynamic mixed-use area that will complement and support nearby employment uses while fostering a strong sense of community. The entrance along Leonardtown Road will feature dedicated land for a potential amphitheater and community gathering space, transforming the area into a cultural and entertainment hub that enhances connectivity to surrounding employment, retail, and residential areas. The multifamily garden apartment-style housing will provide easy access to employment opportunities, all within walking distance of the project.

History of the Surrounding Area

Waldorf, which is seed of the County's Development District, originally started a rural farming community. Waldorf's original name, Beantown, reflects its agrarian beginnings. This changed in 1872 when the Baltimore and Potomac Railroad established a station in Waldorf. In 1880, the Maryland General Assembly changed the names Beantown to Waldorf in honor of William

Waldorf Astor. The Baltimore and Potomac Railroad line (now known as the CSX Railroad line) ran and still runs parallel to what is now known as the Maryland Route 925/Old Washington Road Corridor.

The impetus for Waldorf's transformation from a local village into a regional service center was the construction of Crain Highway in the 1920s and 1930s. Further influencing Waldorf's development was the legalization of slot-machine gambling in June of 1949. Between 1949 to 1968, twenty-one motels were built along a fourteen-mile stretch of US 301 with a total of 600 rooms.

When gambling was outlawed in the late 1960s, local establishments transitioned into family dining venues, office buildings, retail stores, and recreational facilities. The intersection of Leonardtown Road and Old Washington Road became a hub for commercial development and economic activity, with growth radiating outward from the intersection of Route 5 and Old Washington Road. The commercial development along the Property's frontage on Leonardtown Road reflects this historical trend.

Modern large-scale residential development arrived in Waldorf in 1970 when the U.S. Department of Housing and Urban Development (HUD) guaranteed loans for the construction of St. Charles, located just south of Old Waldorf. Today, Waldorf serves as the core of the County's *Development District* and *Transit Corridor.*

In the more than 30 years since the *1992 Comprehensive Zoning,* Charles County—particularly the Old Waldorf area—has undergone significant transformation. This evolution led to the development of the *Waldorf Sub-Area Plan,* the establishment of the Development District, and the creation of the Transit Corridor. The County's vision for this area prioritizes the development of mixed-use, walkable, and sustainable urban environments that enhance quality of life, promote economic opportunity, and ensure housing affordability. The County's redevelopment strategy emphasizes the creation of community nodes and centers.

The Leonardtown Road Project is well-positioned to align with and advance these objectives, contributing to the County's broader goals for growth and revitalization.

The Property

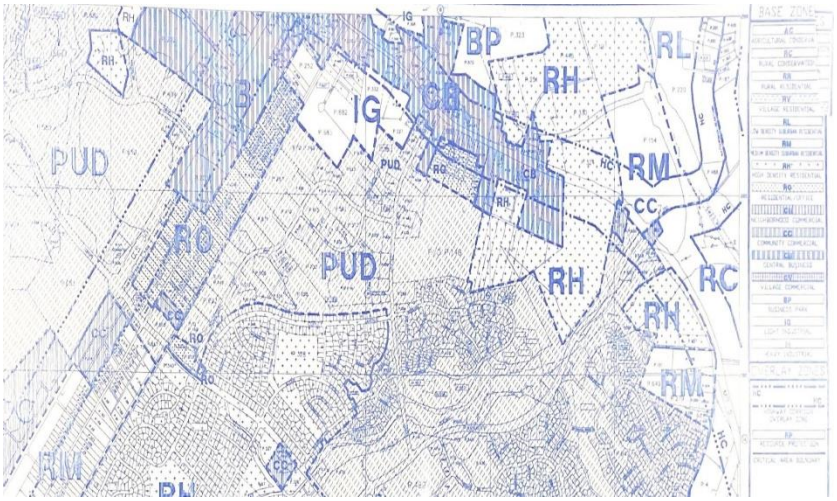
Located near the intersection of Leonardtown Road and Old Washington Road, the Property reflects the historical development of Waldorf. Its frontage is adjacent to older commercial and retail uses, while its rear is bordered by a business and industrial park developed in the mid-1980s. Despite the development of surrounding properties, the Property itself remains inactive and undeveloped.

A wetland area separates the Property from the light industrial uses to the south and east, making industrial integration challenging and as evidenced by its current state, unlikely. Further isolated

by the retail and office uses along Leonardtown Road, the Property remains a fallow, undeveloped island within an otherwise active area.

The Property was last comprehensively zoned over 30 years ago (1992) to CB and IG.

1992 Zoning Map



Since 1992, Waldorf and the area surrounding the property have evolved consistent with the State and County's planning.

In 1997, five years after the Charles County comprehensive rezoning, the Maryland General Assembly adopted a legislative package to implement the State's "Smart Growth" policy. This policy aimed to direct growth—particularly residential development—into population centers where services and utilities already exist or are planned, while discouraging growth in rural or preservation areas.

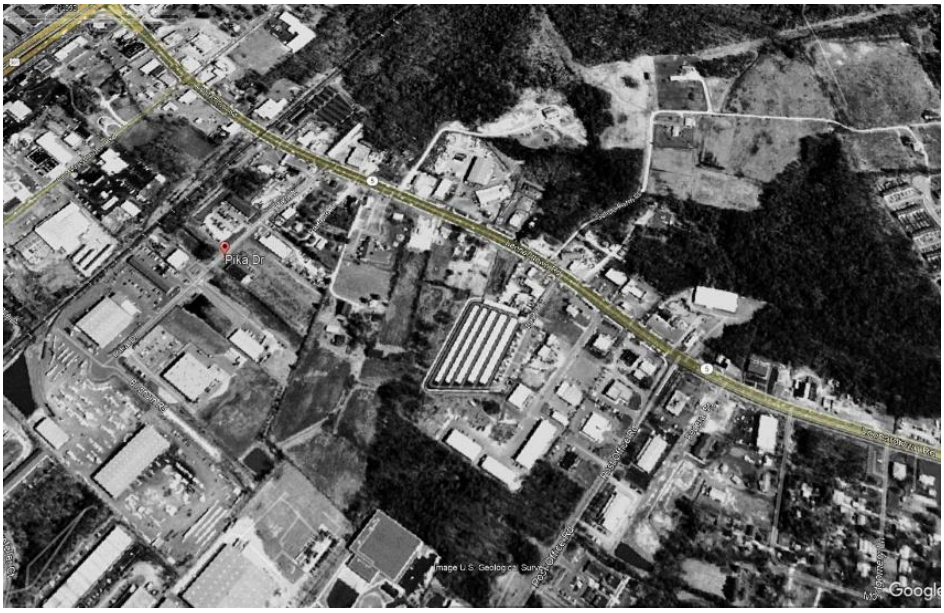
As part of this initiative, the 1997 Smart Growth legislative package included the "Priority Funding Areas (PFA) Act." The PFA Act incentivizes Smart Growth by restricting state investment and funding for transportation and other public infrastructure to designated PFA areas. Following the 1992 Comprehensive Zoning, this area was designated as a Priority Funding Area, indicating its suitability for more intense urban development. Public water, sewer, roads, and other infrastructure are in place to support this growth.

Building on the State's Smart Growth policy, the County adopted the Waldorf Sub-Area Plan in 2004. This plan was developed to guide future land use and development within the Waldorf Sub-Area, which spans approximately 35 square miles (22,320 acres) and was about 45% developed at the time. According to the Sub-Area Plan, the "Development District" is the County's designated principal center for population, services, and employment, with Waldorf serving as the County's primary Development District.

The Property lies within the Development District, the Waldorf Sub-Area and the County's Transit Corridor. The Property also lies close proximity to the Waldorf Urban Redevelopment Corridor ("WURC") The WURC and the surrounding area have been designated for targeted redevelopment of what is known as "Old Waldorf." The County's plans and the principles of Smart Growth make the Property an ideal catalyst for redevelopment in this area of Old Waldorf.

As noted above, the Property itself has not changed in over 30 years and has failed to transition to an active use.

1993 Aerial



2014 Aerial



2024 Aerial



The Property's failure to transition into active use consistent with its underlying zoning is largely due to a wetland feature that separates it from adjacent industrial uses to the south and east. As shown in aerial imagery, the Property remains an isolated pocket of inactivity within an area designated for urban development. This raises the question of how best to activate the Property in alignment with the County's plans, objectives, and the surrounding neighborhood.

The application of MX Zoning presents an opportunity to serve as a catalyst for the redevelopment of this area of Old Waldorf. Since the 1992 Comprehensive Rezoning, the County has made significant efforts to address the growing need for quality affordable housing. These efforts have prioritized infill development, development within the Development District, the Transit Corridor, and PFA-designated lands—an approach supported by multiple County housing studies.

In 1994, the County Commissioners adopted a Community Development Housing Plan for Charles County, Maryland. This plan originated from a 1992 request by the County Commissioners for the Institute for Governmental Service to analyze the County's demographic and housing conditions. The Plan found that the housing stock was heavily skewed toward single-family, owner-occupied homes. It identified key demographics requiring assistance to meet their housing needs, including the elderly, young adults, female-headed households, and individuals with developmental disabilities.

The Plan also highlighted substandard housing conditions, stating:

As of 1990, over 5,700 households suffered from one or more of these housing problems: overcrowding, incomplete kitchens, incomplete plumbing, or paying more than 30 percent of income for housing.

To address these issues, the 1994 Plan proposed several local actions, including:

- Establishing a community land trust to mitigate the impact of land costs on housing prices.
- Creating a housing trust fund to provide a flexible, locally controlled resource for housing assistance projects.
- Partnering with nonprofits to operate satellite sewage systems.
- Implementing a money management course for recipients of housing assistance to teach budgeting and financial management skills.
- Encouraging cooperatives to provide lower-income households with homeownership opportunities.
- Continuing the County's regulatory efforts to promote affordable housing construction, including planned manufactured home developments with satellite sewage systems in village centers outside the development district.

The Plan primarily focused on the planned unit development of St. Charles for providing low-income multifamily housing and explored the need for Moderately Priced Dwelling Units (MPDUs). However, the focus of affordability and housing needs today is vastly different from that of the 1990s.

In 2005, Charles County updated its Community Development Housing Plan for the first time since 1994. The updated plan aimed to increase the supply of housing affordable to residents across different income levels, ages, and socio-economic backgrounds. The Plan identified several benefits of expanding affordable housing, including improved quality of life, economic development, the retention and attraction of a younger workforce, and enabling senior citizens to remain in the County.

To achieve these goals, the 2005 Plan acknowledged the need for adjustments to housing policies and recommended the following:

- Promoting and developing attached multifamily housing, as these projects have less impact on school capacity.
- Targeting multifamily and attached housing projects within the Waldorf and Bryans Road Sub-Areas.
- Reserving a percentage of school capacity allocations for affordable housing projects.
- Considering exemptions from the excise tax for certain types of development.
- Reducing or eliminating water and sewer hookup fees for some developments.

Five years later, Charles County conducted the *2010 Housing Supply, Demand, and Zoning Option Analysis*, which reaffirmed the need for affordable and workforce housing. The analysis found that

the greatest housing need existed among individuals earning between 30–60% of the household median income. It also reinforced the policy of promoting and developing attached and multifamily housing within the Development District and rural villages.

Building on these findings, the *2016 Charles County Comprehensive Plan* established key housing objectives in Chapter 10, *Community Development*:

> **10.4** Provide a broad range of quality housing for all County residents, including those with low and moderate incomes.
>
> **10.5** Provide housing opportunities for residents who have difficulty competing for standard, market-rate dwellings.

Chapter 10 of the *2016 Comprehensive Plan* further emphasized the County's policy of maintaining a balanced housing stock with opportunities for all residents and promoting "greater housing diversity in the Development District and villages."

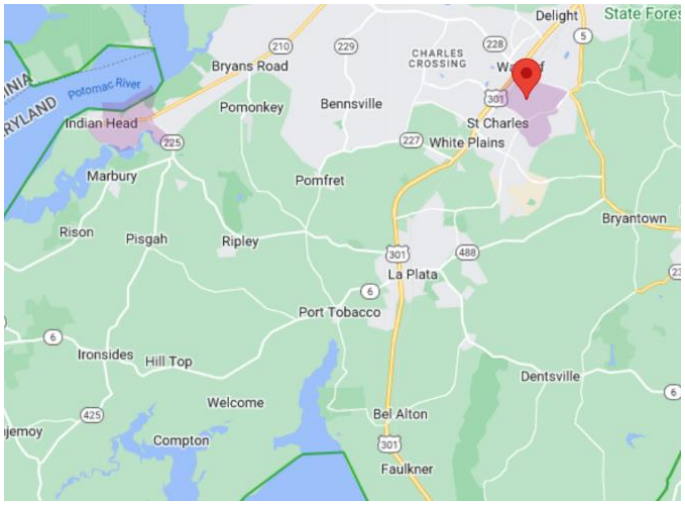
More recently, in 2018, the American Planning Association (APA), in collaboration with Charles County, produced a report titled *Charles County Housing Initiative Project: Inclusion, Affordability, and Diversity.* The report reaffirmed the need for additional affordable housing options for households earning between 30% and 80% of the Median Family Income, with a particular focus on rental housing.

To guide its housing efforts, the County has prioritized the provision of quality affordable housing in areas designated by the U.S. Department of Housing and Urban Development (HUD) as Qualified Census Tracts (QCTs). These areas are identified by HUD as underserved and are eligible for Low-Income Housing Tax Credits (LIHTC). The LIHTC program incentivizes the development of affordable housing by providing income tax credits to owners of newly constructed or substantially rehabilitated low-income rental housing projects.

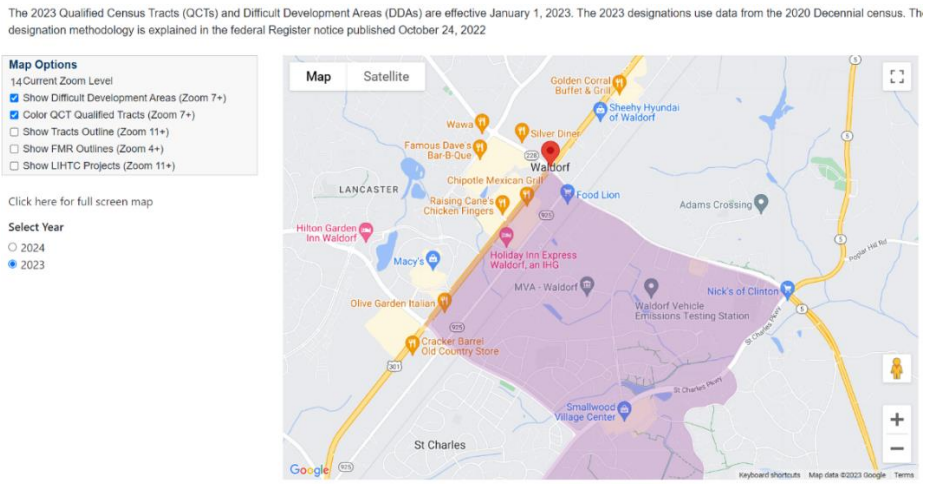
The Low-Income Housing Tax Credit program was established under the Tax Reform Act of 1986, but QCTs were not introduced until 1990. In 1992, both the LIHTC program and QCT designations were still in their early stages, as reflected by the absence of any reference to this tool in the County's *1994 Housing Plan.* Revisions to the LIHTC program were made in 1995 but were not implemented until 1998.

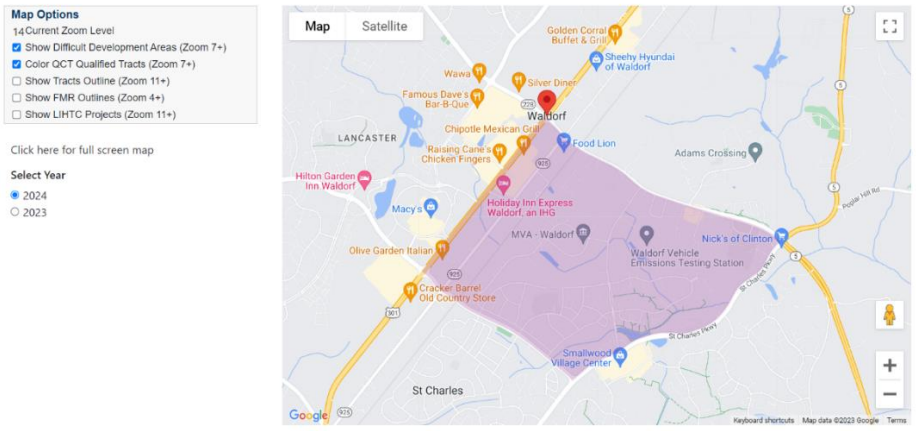
Today, the LIHTC program is the largest source of funding for affordable rental housing. Without LIHTC financing, most affordable housing projects would be financially infeasible. As a result, competition among jurisdictions to secure LIHTC funding is intense.

As noted by the 2023 Charles County QCT designated tracts below, the supply of QCTs within Charles County is very limited.



The Property and surrounding area have been designated as a QCT for at least the past ten (10) years.



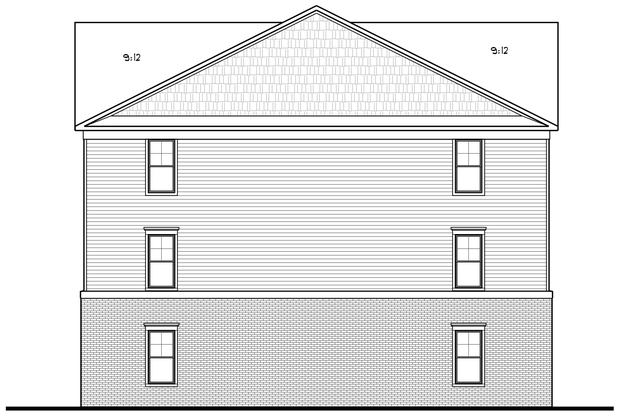


Given the existing need for affordable housing and the County's clear priority to address this need, the highest and best use of QCT-designated tracts is affordable housing. Applying MX Zoning with a residential and civic component aligns with the Plan for this area of Waldorf, activates an underutilized tract of land, supports adjacent employment and retail uses, and advances both State and County housing goals. This is consistent with the County's recent adoption of ZTA 22-174 which enables the County to utilize the MX Zone to promote the creation of housing for specific populations, such as qualified affordable housing.

By incorporating residential and community civic components, the County has an opportunity to create a vibrant mixed-use area that aligns with the County's Development District, Transit Corridor, Priority Funding Area, and broader housing plans and objectives.

Section F Schedule

Milestones	Submission Target	Expected Completion
Acquisition		
Site Acquisition	N/A	Q3 2028
Closing Date	N/A	Q3 2028
Entitlements / Zoning Applications		
MX ZTA Submission	Q1 2025	Q3 2026
Site Plan	Q2 2026	Q2 2028
Concept Stormwater Management Plan	Q3 2026	Q1 2027
Site Stormwater Mangement Plan	Q4 2026	Q3 2027
Site Development Plan	Q2 2027	Q2 2028
Development Service Plan	Q3 2027	Q2 2028
State Highway Plan	Q3 2027	Q1 2028
Financing		
Tax Credit Application (4% LIHTC)	Q4 2026	Q1 2027
Construction		
Construction Start	Q3 2028	Q3 2030



SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION

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PROJECT
LEONARDTOWNS-PIKA APARTMENTS
STANDARD COMMUNITIES

SHEET TITLE & SCALE
BUILDING FACADES-24 UNIT BLDGS
SCALE: ⅛" = 1'-0"

ISSUED FOR:
APPLICATION SUB. XX-XX-XXXX
REVIEW 2-7-2025

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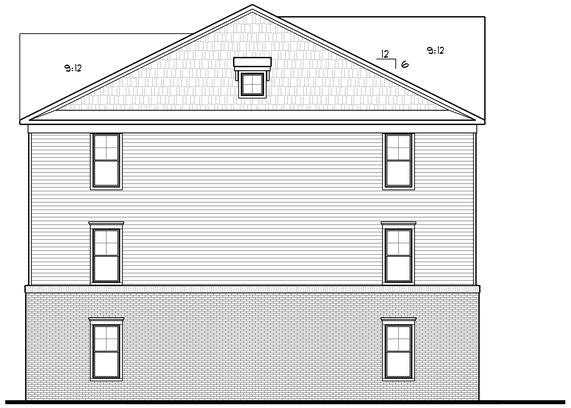
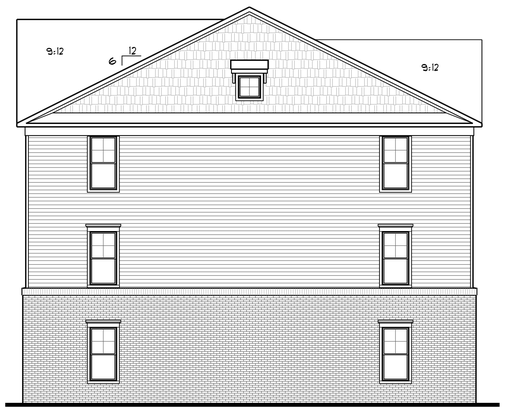


LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

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PROJECT
LEONARDTOWNS-PIKA APARTMENTS
STANDARD COMMUNITIES

SHEET TITLE & SCALE
BUILDING FACADES- 12 UNIT BLDGS
SCALE: ⅛" = 1'-0"

ISSUED FOR:
APPLICATION SUB. XX-XX-XXXX
REVIEW 2-7-2025

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Fiscal Impact Analysis
3279 Leonardtown Road

Prepared for Standard Communities
September 1, 2026

OBJECTIVE & RESULTS

Standard Communities (“Client”) retained Cavalry Real Estate Advisors (“Cavalry”), a national real estate advisory firm based in Falls Church, VA, to analyze the fiscal impact of its proposed project, 3279 Leonardtown Road (“Project”), located in Charles County, in the town of Waldorf, MD. The Project is a proposed LIHTC development featuring a 252-unit apartment community with rents at 60% of Area Median Income (AMI).

Between 2026 and 2045, the 20-year period of examination, Cavalry estimates that the Project will produce $26,017,958 in gross revenue against $25,993,628 in County expenditures for a total net fiscal impact of $24,330, which based on the examination period, is a negligible amount.

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3279 LEONARDTOWN ROAD – PROGRAM SUMMARY

A. The 3279 Leonardtown Road project (“the Project”) is a proposed 214,500 square foot development featuring:

a. LIHTC Apartments: 252 Units (214,500 NSF) at 60% of AMI

B. Parcels included in the development:

Parcel 06-023754 – 3279 Leonardtown Rd
Parcel 06-034381 – Leonardtown Rd
Parcel 06-034306 – Leonardtown Rd
Parcel 06-034403 – 3245 Leonardtown Rd
Parcel 06-157769 – 11785 Pika Dr

C. For taxation purposes, the Project is estimated to be valued at approximately $53.7M upon stabilization.

D. Estimated net fiscal impact (20 years):

Total	$24,330 (or $1,216 per year on average)
Per Acre:	$1,342 (or $67 per year on average)
Per NSF:	$0.11

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PARCEL MAP



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FISCAL IMPACT ANALYSIS RESULTS

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

Year	Revenue	Expenditures	Net Fiscal Impact	Cumulative
2026	$ 21,020	$ -	$ 21,020	$ 21,020
2027	$ 1,661,350	$ -	$ 1,661,350	$ 1,682,370
2028	$ 22,300	$ -	$ 22,300	$ 1,704,669
2029	$ 991,883	$ 909,329	$ 82,553	$ 1,787,223
2030	$ 1,156,995	$ 1,244,453	$ (87,459)	$ 1,699,764
2031	$ 1,191,705	$ 1,281,787	$ (90,082)	$ 1,609,682
2032	$ 1,227,456	$ 1,320,241	$ (92,785)	$ 1,516,897
2033	$ 1,264,279	$ 1,359,848	$ (95,568)	$ 1,421,328
2034	$ 1,302,208	$ 1,400,643	$ (98,435)	$ 1,322,893
2035	$ 1,341,274	$ 1,442,663	$ (101,388)	$ 1,221,504
2036	$ 1,381,512	$ 1,485,942	$ (104,430)	$ 1,117,074
2037	$ 1,422,958	$ 1,530,521	$ (107,563)	$ 1,009,511
2038	$ 1,465,646	$ 1,576,436	$ (110,790)	$ 898,721
2039	$ 1,509,616	$ 1,623,729	$ (114,114)	$ 784,608
2040	$ 1,554,904	$ 1,672,441	$ (117,537)	$ 667,071
2041	$ 1,601,551	$ 1,722,614	$ (121,063)	$ 546,007
2042	$ 1,649,598	$ 1,774,293	$ (124,695)	$ 421,312
2043	$ 1,699,086	$ 1,827,522	$ (128,436)	$ 292,876
2044	$ 1,750,058	$ 1,882,347	$ (132,289)	$ 160,587
2045	$ 1,802,560	$ 1,938,818	$ (136,258)	$ 24,330
Totals	$ 26,017,958	$ 25,993,628	$ 24,330	$ 24,330

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ASSUMPTIONS & METHODOLOGY

Real Property Tax Revenues

Real property tax revenues were calculated by incorporating the income capitalization method.

For the first three years of the development period, the existing assessment for the land is utilized. The projection assumes a supplemental assessment in 2029 based on the stabilized value and number of months left in the fiscal year. Stabilization for the project is expected in 2030.

The apartments are projected to generate taxes at the County's FY26 property tax rate of $1.141 per $100 of assessed value. Assessments are escalated at 3% annually and no change in tax rate is projected throughout the analysis.

Business Personal Property Tax Revenues

Cavalry estimates a total of five non-residents / employees and that each person generates approximately $4/year in business personal property tax. The number of employees is calculated using the following methodology:

Apartments: 1 FTE per 50 residents

Revenues are escalated at 3% annually and multiplied against the total number of residents projected within the residential development.

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ASSUMPTIONS & METHODOLOGY (CONTINUED)

Income Tax Revenues
Cavalry assumes that 70% of income is taxable. The income tax rate allocated to Charles County is 3.03% of income. There are two sources for these revenues:

1. Taxable income from new residents:
   - Cavalry assumes the average household income for the apartments is $84,879, based on 2026 rent limits for LIHTC units at 60% of AMI and the assumption that households will spend 30% of income on rent.

2. Taxable income from residential workers:
   - Based on the projected five workers that will be employed at the project, Cavalry estimates the average income of residential workers to be $58,857. The average is calculated by using the weighted average annual pay of NAICS codes related to apartment buildings, including: (1) residential property manager, (2) lessors of residential buildings and dwellings, and (2) other services to buildings and dwellings.

   - Further, it is assumed that 44% of residential workers live in Charles County, based on Census commuter data.

Average household and residential worker income is escalated 3% annually.

Recordation Tax Revenues
The recordation tax rate for FY2026 is $7.00 per $500 Value. The land sale price of the parcels at $3.3M will result in recordation tax revenue of $46,200.

Real Property Transfer Tax Revenues
The real property transfer tax rate for FY2026 is 0.5%. The land sale price of the parcels at $3.3M will result in real property transfer tax revenue of $16,500.

License, Permits, and Impact Fee Revenue
A $577,000 approximation for licensing and permitting fees was estimated based on the proposed development program.

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ASSUMPTIONS & METHODOLOGY (CONTINUED)

Voluntary Concessions
A $1,000,000 contribution is planned for a public park that will cover approximately 15% of the gross tract area of the project.

Miscellaneous Revenue
Estimated miscellaneous revenues of $83 per resident and $93 per employee were derived from budget information published by the County and allocation assumptions as reflected in Appendix 7.

Operating Expenditures
Estimated expenditures of $651 per resident and $1,637 per employee were derived from budget information published by the County and allocation assumptions as reflected in Appendix 8.

Education Expenditures
Estimated per pupil education expenditure of $8,680 per year was derived from the FY 2026 Board of Education Maintenance of Effort calculation as reflected in Appendix 8. The Project will generate an estimated 81 pupils upon stabilization based on a pupil ratio of 0.34, which was derived from Charles County's 2024-25 School Allocation Cycle for multifamily development. This ratio is an average based on all multifamily properties in the County; however, in our view, the ratio overstates the projected pupil generation at LIHTC properties since these buildings tend to have a higher share of one-bedroom units than market-rate multifamily properties and these units do not generate households with school-age children. The unit mix at the Project has a disproportionate share of one bedroom-units (50%) compared to CoStar's estimated County-wide multifamily inventory with studio or one-bedroom units (35%).

GENERAL ASSUMPTIONS

1. Cavalry has relied on information provided by the Client, information contained on the jurisdiction's website, information garnered through spoken and electronic conversations with various parties, and information gained through its own experience in the industry. Its assumption but not representation is that all the information used to develop this analysis is current and accurate.

2. Cavalry's assumptions regarding the tax rates for certain real estate and business revenue remain static throughout the course of this analysis. If the jurisdiction adjusts these rates, then these should be modeled to determine the impacts on this analysis.

3. Cavalry made certain assumptions about the future performance of various sectors of the real estate and business markets that are currently supportable; however, these markets are highly fluid, sometimes unpredictable and should be monitored regularly to adjust expectations generated by this report.

4. Cavalry's analysis assumes steady, modest growth; however, it does not specifically anticipate future downturns or surges in the markets. The assumption is that, over time, the steady growth projection will be supported through the averaging of upturns and downturns in the market.

5. If this analysis is being used as a tool for public sector budgeting, Cavalry highly recommends conducting various sensitivity analyses of certain assumptions to identify areas of potential stress in future public budgets. Future updates of this analysis are recommended for planning and budgeting purposes.

GENERAL LIMITING CONDITIONS

1. Cavalry has made reasonable efforts to ensure that the data contained in this study is accurate and timely, to the best of our ability. The study is based on estimates, assumptions, and other information developed by Cavalry from our independent research and analysis. All opinions, estimates, and projections of performance may vary due to factors outside of our control such as the following: local, state, and federal regulations, laws, statutes, and ordinances that may change from time to time, general fluctuations in real estate and economic market conditions and unforeseen natural disasters including but not limited to declared disasters resulting from weather, health pandemics or civil unrest.

2. Possession of this report, study, and analysis, in whole or in part does not permit the use of the name “Cavalry Real Estate Advisors” or “Cavalry” without the express written consent of Cavalry Real Estate Advisors. This report, study, and analysis shall not be used or distributed in whole or in part without the express written consent of Cavalry Real Estate Advisors. All data, information, graphs, narratives, and assumptions included here are not permitted for use by anyone other than the client without obtaining written consent by Cavalry Real Estate Advisors.

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APPENDIX – SUPPORTING EXHIBITS

1. Net Fiscal Impact Summary
2. Annual Revenues & Expenditures
3. Cumulative Net Fiscal Impact
4. Pupil Ratio Analysis
5. Assumptions
6. Property Tax Assessment History
7. Fiscal Impact Analysis
8. Revenues Analysis
9. Expenditures Analysis
10. Voluntary Concessions

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APPENDIX – SUPPORTING EXHIBITS (CONT'D)

11. Real Estate Assessment Forecast
12. Building Permit Trend
13. Multifamily Housing Tenure
14. Population & Household Growth Trend
15. Household Income Trend
16. Inflow/Outflow Job Counts
17. Major Employers
18. Nonfarm Employment by Industry
19. Apartment Building Worker Pay

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APPENDIX 1 – NET FISCAL IMPACT SUMMARY

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Client:	Standard Communities
Project:	3279 Leonardtown Road
Date:	9/1/2026

Length of Analysis: 20 Years

Net Fiscal Impact Summary

Estimated Revenues		By $$$	By %
Real Property Tax	$	12,999,572	50.0%
Business Personal Property Tax	$	450	0.0%
Income Tax	$	10,181,185	39.1%
Recordation Tax	$	46,200	0.2%
Real Property Transfer Tax	$	16,500	0.1%
Licenses and Permits	$	577,000	2.2%
Voluntary Concessions	$	1,000,000	3.8%
Miscellaneous	$	1,197,052	4.6%
Total Estimated Revenues	$	26,017,958	100.0%
Estimated Expenditures	$	25,993,628	
Net Fiscal Impact	$	24,330	

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APPENDIX 2 – TOTAL REVENUE & EXPENDITURES PER YEAR

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

Year	Revenue	Expenditures	Net Fiscal Impact	Cumulative
2026	$ 21,020	$ -	$ 21,020	$ 21,020
2027	$ 1,661,350	$ -	$ 1,661,350	$ 1,682,370
2028	$ 22,300	$ -	$ 22,300	$ 1,704,669
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2030	$ 1,156,995	$ 1,244,453	$ (87,459)	$ 1,699,764
2031	$ 1,191,705	$ 1,281,787	$ (90,082)	$ 1,609,682
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2038	$ 1,465,646	$ 1,576,436	$ (110,790)	$ 898,721
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2043	$ 1,699,086	$ 1,827,522	$ (128,436)	$ 292,876
2044	$ 1,750,058	$ 1,882,347	$ (132,289)	$ 160,587
2045	$ 1,802,560	$ 1,938,818	$ (136,258)	$ 24,330
Totals	$ 26,017,958	$ 25,993,628	$ 24,330	$ 24,330

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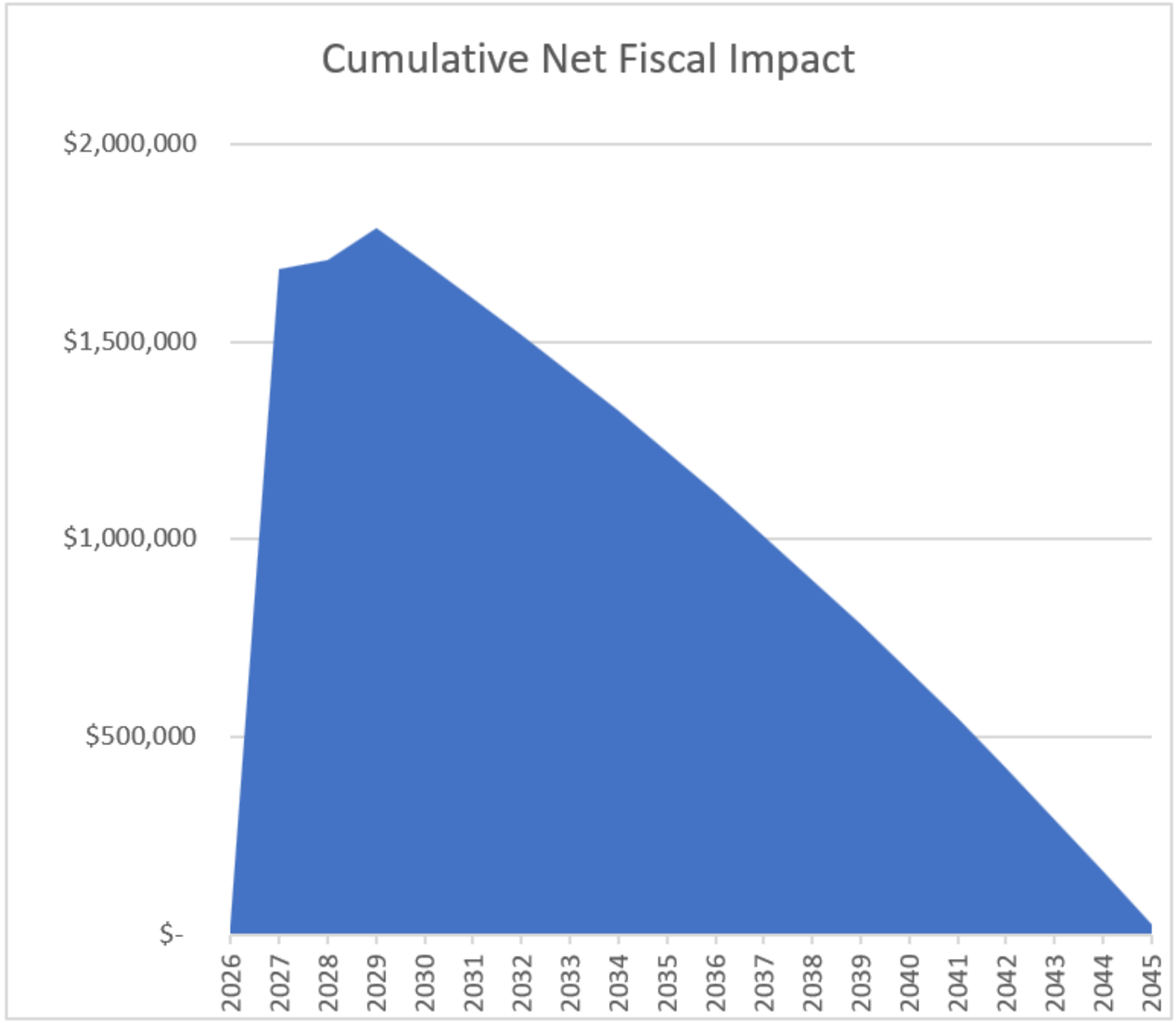
APPENDIX 3 – CUMULATIVE NET FISCAL IMPACT



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APPENDIX 4 – PUPIL RATIO ANALYSIS

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Unit Type	Avg. HH Size*	# of Units	Pupil Production	Pupil Ratio**
1 Bedroom	1.5	126		
2 Bedroom	3.0	78		
3 Bedroom	4.5	48		
Totals/Averages	2.54	252		
Stabilized Total		239	81	0.34

* Assumes 1.5 persons per bedroom.

**Pupil ratio imputed from Charles County's 2024-25 School Allocation Cycle for multifamily development.

APPENDIX 5 – ASSUMPTIONS

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

Development Program

Residential					(Rents estimated by client, current as of model date, not escalated)			
Unit Type	# of Units	Total NSF	Mo Rent/Unit	Gross Rent/Year	Rent w/ Utilities	Maximum Income	Assessed Value/Unit	Total Assessed Value
1 Bedroom	126	88,200	$ 1,794	$ 2,712,528	$ 1,869	$ 74,760	$ 155,574	$ 19,602,275
2 Bedroom	78	66,300	$ 2,142	$ 2,004,912	$ 2,242	$ 89,680	$ 188,911	$ 14,735,044
3 Bedroom	48	60,000	$ 2,466	$ 1,420,416	$ 2,591	$ 103,640	$ 277,810	$ 13,334,881
Totals/Averages	252	214,500	$ 2,030	$ 6,137,856	$ 2,122	$ 84,879	$ 189,175	$ 47,672,200

Revenue Assumptions

Real Property Taxes	Rate	Source
Real Property Tax Rate	$1.141 per $100/AV	County FY2026 Budget
Site Assessed Value	$1,842,200	Assessment Database
Avg. Value/Residential SF	$222	RET Income Valuation

Other Local Taxes	Rate	Source
Business Personal Property Tax	$3.0125 per $100/AV	County Tax Rates
Recordation Tax	$7.00 per $500 Value	FY2026 County Tax Rates
Real Property Transfer Tax	0.5% of Sales Price	County Tax Rates

Shared/State Tax	Rate	Source
Income Tax	3.03% of Income	County Tax Rates
Taxable Income	70% of Income	County Estimate

Miscellaneous Revenue		Rate	Source
Per Resident	$	83	
Per Employee	$	93	

Operating Expenditures		Rate	Source
Per Resident	$	651	
Per Employee	$	1,637	

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APPENDIX 6 – PROPERTY TAX ASSESSMENT HISTORY

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Assessed Values

RPC	Ownership Name	Address	Acreage	2022	2025
06-023754	Enterprise Industrial Park Partnership	3279 Leonardtown Rd	0.989	$276,900	$277,900
06-034381	Enterprise Industrial Pk Partnership	Leonardtown Rd	0.818	$280,900	$280,900
06-034306	Enterprise Industrial Pk Partnership	Leonardtown Rd	0.73	$277,700	$277,700
06-034403	Enterprise Industrial Pk Partnership	3245 Leonardtown Rd	14.091	$792,900	$792,900
06-157769	Sadeghian Holly H & Steven S	11785 Pika Dr	1.5	$212,800	$212,800
Total			**18.128**	**$1,841,200**	**$1,842,200**

APPENDIX 7 – FISCAL IMPACT ANALYSIS

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		1	2	3	4	5	6	7	8	9	10
Assumptions, Revenue, or Expenditure	**Assumption #1**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**
Inflation/Growth Rate	3.0%										
Development Period	3 Years										
Current Assessed Value	$1,842,200	$ 1,842,200	$ 1,897,466	$ 1,954,390	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Assessed Value at Stabilization	$47,672,200					$ 53,655,481					
Construction - Supplemental Assessment		$ -	$ -	$ -	$ 52,092,700	$ -	$ -	$ -	$ -	$ -	$ -
Average Value per Residential Unit	$189,175	$ 189,175	$ 194,851	$ 200,696	$ 206,717	$ 212,919	$ 219,306	$ 225,885	$ 232,662	$ 239,642	$ 246,831
Residential Absorption Rate	30 Units per Month										
New Residential Units		-	-	-	252	-	-	-	-	-	-
Cumulative Residential Units		-	-	-	252	252	252	252	252	252	252
Residential Units Occupied	95% Stabilized Occupancy	-	-	-	180	239	239	239	239	239	239
Real Property Tax Revenue Calculation											
Total Property Tax Assessment		$ 1,842,200	$ 1,897,466	$ 1,954,390	$ 52,092,700	$ 53,655,481	$ 55,265,146	$ 56,923,100	$ 58,630,793	$ 60,389,717	$ 62,201,408
Real Property Tax Rate	$1.141 per $100/AV	$ 21,020	$ 21,650	$ 22,300	$ 594,378	$ 612,209	$ 630,575	$ 649,493	$ 668,977	$ 689,047	$ 709,718
Real Property Tax Revenue		**$ 21,020**	**$ 21,650**	**$ 22,300**	**$ 594,378**	**$ 612,209**	**$ 630,575**	**$ 649,493**	**$ 668,977**	**$ 689,047**	**$ 709,718**
Business Personal Property Tax Calculation											
Business Personal Property Tax	$4 per FTE	$ 4	$ 4	$ 4	$ 4	$ 4	$ 4	$ 5	$ 5	$ 5	$ 5
# of Residential Workers	50 Residents per FTE	-	-	-	4	5	5	5	5	5	5
Non-Residential Individuals		-	-	-	4	5	5	5	5	5	5
Non-Residential Personal Property Tax Calculation		$ -	$ -	$ -	$ 17	$ 21	$ 22	$ 23	$ 23	$ 24	$ 25
Total Business Personal Property Tax Revenue		**$ -**	**$ -**	**$ -**	**$ 17**	**$ 21**	**$ 22**	**$ 23**	**$ 23**	**$ 24**	**$ 25**

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APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		1	2	3	4	5	6	7	8	9	10
	Assumption #1	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Income Tax Calculation											
Average Income Per Unit from New Residential	$84,879	$ 84,879	$ 87,425	$ 90,048	$ 92,750	$ 95,532	$ 98,398	$ 101,350	$ 104,391	$ 107,522	$ 110,748
Average Taxable Income Per Unit from New Residential	70%	$ 59,415	$ 61,198	$ 63,034	$ 64,925	$ 66,872	$ 68,879	$ 70,945	$ 73,073	$ 75,266	$ 77,524
New Residential Units		-	-	-	252	-	-	-	-	-	-
Cumulative Residential Units		-	-	-	252	252	252	252	252	252	252
Residential Units Occupied		-	-	-	180	239	239	239	239	239	239
Total Taxable Income from New Residential		$ -	$ -	$ -	$ 11,657,237	$ 15,982,523	$ 16,461,999	$ 16,955,859	$ 17,464,534	$ 17,988,470	$ 18,528,125
Average Income from Residential Workers	$58,857	$ 60,623	$ 62,442	$ 64,315	$ 66,244	$ 68,232	$ 70,279	$ 72,387	$ 74,559	$ 76,795	$ 79,099
Average Taxable Income from Residential Workers	70%	$ 42,436	$ 43,709	$ 45,020	$ 46,371	$ 47,762	$ 49,195	$ 50,671	$ 52,191	$ 53,757	$ 55,369
# of Residential Workers	50 Residents per FTE	-	-	-	4	5	5	5	5	5	5
Total Taxable Income from Residential Workers		$ -	$ -	$ -	$ 185,484	$ 238,811	$ 245,975	$ 253,354	$ 260,955	$ 268,784	$ 276,847
Total Taxable Income from Residential Workers Living in Jurisdiction	44%	$ -	$ -	$ -	$ 81,539	$ 104,982	$ 108,131	$ 111,375	$ 114,716	$ 118,158	$ 121,702
Income Tax Rate	3.03% of Income										
Income Tax Revenue		**$ -**	**$ -**	**$ -**	**$ 355,685**	**$ 487,451**	**$ 502,075**	**$ 517,137**	**$ 532,651**	**$ 548,631**	**$ 565,090**
Recordation Tax Calculation											
Land Sales Price	$3,300,000										
Recordation Tax	$7.00 per $500 Value	$ -	$ 46,200	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Recordation Tax Revenue		**$ -**	**$ 46,200**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**

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APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		1	2	3	4	5	6	7	8	9	10
	Assumption #1	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Real Property Transfer Tax Calculation											
Land Sales Price	$3,300,000										
Real Property Transfer Tax	0.5%	$ -	$ 16,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Real Property Transfer Tax Revenue		**$ -**	**$ 16,500**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
License and Permits											
License and Permits		$ -	$ 577,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
License and Permits Revenue		**$ -**	**$ 577,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Voluntary Concessions (See Detailed Exhibit)											
Voluntary Concessions Revenue		**$ -**	**$ 1,000,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Miscellaneous Revenues											
Miscellaneous Revenues per Resident	$83 per Year	$ 83	$ 86	$ 88	$ 91	$ 94	$ 97	$ 99	$ 102	$ 105	$ 109
Miscellaneous Revenues per Employee	$93 per Year	$ 93	$ 95	$ 98	$ 101	$ 104	$ 107	$ 111	$ 114	$ 117	$ 121
# of Residents		-	-	-	455	606	606	606	606	606	606
# of Employees		-	-	-	4	5	5	5	5	5	5
Total Miscellaneous Revenue		**$ -**	**$ -**	**$ -**	**$ 41,803**	**$ 57,313**	**$ 59,032**	**$ 60,803**	**$ 62,627**	**$ 64,506**	**$ 66,441**

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APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

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Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		1	2	3	4	5	6	7	8	9	10
	Assumption #1	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Total Revenue By Source		1	2	3	4	5	6	7	8	9	10
Real Property Tax		$ 21,020	$ 21,650	$ 22,300	$ 594,378	$ 612,209	$ 630,575	$ 649,493	$ 668,977	$ 689,047	$ 709,718
Business Personal Property Tax		$ -	$ -	$ -	$ 17	$ 21	$ 22	$ 23	$ 23	$ 24	$ 25
Income Tax		$ -	$ -	$ -	$ 355,685	$ 487,451	$ 502,075	$ 517,137	$ 532,651	$ 548,631	$ 565,090
Recordation Tax		$ -	$ 46,200	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Real Property Transfer Tax		$ -	$ 16,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
License and Permits		$ -	$ 577,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Voluntary Concessions		$ -	$ 1,000,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Miscellaneous Revenue		$ -	$ -	$ -	$ 41,803	$ 57,313	$ 59,032	$ 60,803	$ 62,627	$ 64,506	$ 66,441
Total Revenues		**$ 21,020**	**$ 1,661,350**	**$ 22,300**	**$ 991,883**	**$ 1,156,995**	**$ 1,191,705**	**$ 1,227,456**	**$ 1,264,279**	**$ 1,302,208**	**$ 1,341,274**
Expenditures											
Operating Expenditures per Resident	$651 per Year	$ 651	$ 670	$ 690	$ 711	$ 733	$ 755	$ 777	$ 800	$ 824	$ 849
Operating Expenditures per Employee	$1,637 per Year	$ 1,637	$ 1,686	$ 1,737	$ 1,789	$ 1,842	$ 1,898	$ 1,954	$ 2,013	$ 2,073	$ 2,136
Total Non-Educational Operating Expenditures		$ -	$ -	$ -	$ 330,752	$ 453,131	$ 466,725	$ 480,726	$ 495,148	$ 510,003	$ 525,303
Average Students Per Unit	0.34 per Unit	-	-	-	61	81	81	81	81	81	81
Educational Expenditures per Student	$8,680 per Year	$ 8,680	$ 8,940	$ 9,209	$ 9,485	$ 9,769	$ 10,062	$ 10,364	$ 10,675	$ 10,996	$ 11,325
Total Education Operating Expenditures		$ -	$ -	$ -	$ 578,577	$ 791,323	$ 815,062	$ 839,514	$ 864,700	$ 890,641	$ 917,360
Total Expenditures		**$ -**	**$ -**	**$ -**	**$ 909,329**	**$ 1,244,453**	**$ 1,281,787**	**$ 1,320,241**	**$ 1,359,848**	**$ 1,400,643**	**$ 1,442,663**
Net Fiscal Impact		**$ 21,020**	**$ 1,661,350**	**$ 22,300**	**$ 82,553**	**$ (87,459)**	**$ (90,082)**	**$ (92,785)**	**$ (95,568)**	**$ (98,435)**	**$ (101,388)**

CAVALRY
REAL ESTATE ADVISORS

APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

CAVALRY
REAL ESTATE ADVISORS

Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		11	12	13	14	15	16	17	18	19	20
Assumptions, Revenue, or Expenditure	**Assumption #1**	**2036**	**2037**	**2038**	**2039**	**2040**	**2041**	**2042**	**2043**	**2044**	**2045**
Inflation/Growth Rate	3.0%										
Development Period	3 Years										
Current Assessed Value	$1,842,200	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Assessed Value at Stabilization	$47,672,200										
Construction - Supplemental Assessment		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Average Value per Residential Unit	$189,175	$ 254,236	$ 261,863	$ 269,719	$ 277,810	$ 286,145	$ 294,729	$ 303,571	$ 312,678	$ 322,058	$ 331,720
Residential Absorption Rate	30 Units per Month										
New Residential Units		-	-	-	-	-	-	-	-	-	-
Cumulative Residential Units		252	252	252	252	252	252	252	252	252	252
Residential Units Occupied	95% Stabilized Occupancy	239	239	239	239	239	239	239	239	239	239
Real Property Tax Revenue Calculation											
Total Property Tax Assessment		$ 64,067,450	$ 65,989,474	$ 67,969,158	$ 70,008,233	$ 72,108,480	$ 74,271,734	$ 76,499,886	$ 78,794,883	$ 81,158,729	$ 83,593,491
Real Property Tax Rate	$1.141 per $100/AV	$ 731,010	$ 752,940	$ 775,528	$ 798,794	$ 822,758	$ 847,440	$ 872,864	$ 899,050	$ 926,021	$ 953,802
Real Property Tax Revenue		**$ 731,010**	**$ 752,940**	**$ 775,528**	**$ 798,794**	**$ 822,758**	**$ 847,440**	**$ 872,864**	**$ 899,050**	**$ 926,021**	**$ 953,802**
Business Personal Property Tax Calculation											
Business Personal Property Tax	$4 per FTE	$ 5	$ 5	$ 5	$ 6	$ 6	$ 6	$ 6	$ 6	$ 6	$ 7
# of Residential Workers	50 Residents per FTE	5	5	5	5	5	5	5	5	5	5
Non-Residential Individuals		5	5	5	5	5	5	5	5	5	5
Non-Residential Personal Property Tax Calculation		$ 26	$ 26	$ 27	$ 28	$ 29	$ 30	$ 31	$ 32	$ 32	$ 33
Total Business Personal Property Tax Revenue		**$ 26**	**$ 26**	**$ 27**	**$ 28**	**$ 29**	**$ 30**	**$ 31**	**$ 32**	**$ 32**	**$ 33**

CAVALRY
REAL ESTATE ADVISORS

APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

CAVALRY
REAL ESTATE ADVISORS

Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

	Assumption #1	11 2036	12 2037	13 2038	14 2039	15 2040	16 2041	17 2042	18 2043	19 2044	20 2045
Income Tax Calculation											
Average Income Per Unit from New Residential	$84,879	$ 114,070	$ 117,492	$ 121,017	$ 124,648	$ 128,387	$ 132,239	$ 136,206	$ 140,292	$ 144,501	$ 148,836
Average Taxable Income Per Unit from New Residential	70%	$ 79,849	$ 82,245	$ 84,712	$ 87,253	$ 89,871	$ 92,567	$ 95,344	$ 98,204	$ 101,151	$ 104,185
New Residential Units		-	-	-	-	-	-	-	-	-	-
Cumulative Residential Units		252	252	252	252	252	252	252	252	252	252
Residential Units Occupied		239	239	239	239	239	239	239	239	239	239
Total Taxable Income from New Residential		$ 19,083,968	$ 19,656,487	$ 20,246,182	$ 20,853,567	$ 21,479,174	$ 22,123,550	$ 22,787,256	$ 23,470,874	$ 24,175,000	$ 24,900,250
Average Income from Residential Workers	$58,857	$ 81,472	$ 83,916	$ 86,434	$ 89,027	$ 91,698	$ 94,449	$ 97,282	$ 100,200	$ 103,206	$ 106,303
Average Taxable Income from Residential Workers	70%	$ 57,030	$ 58,741	$ 60,504	$ 62,319	$ 64,188	$ 66,114	$ 68,097	$ 70,140	$ 72,245	$ 74,412
# of Residential Workers	50 Residents per FTE	5	5	5	5	5	5	5	5	5	5
Total Taxable Income from Residential Workers		$ 285,152	$ 293,707	$ 302,518	$ 311,594	$ 320,942	$ 330,570	$ 340,487	$ 350,702	$ 361,223	$ 372,059
Total Taxable Income from Residential Workers Living in Jurisdiction	44%	$ 125,354	$ 129,114	$ 132,988	$ 136,977	$ 141,087	$ 145,319	$ 149,679	$ 154,169	$ 158,794	$ 163,558
Income Tax Rate	3.03% of Income										
Income Tax Revenue		**$ 582,042**	**$ 599,504**	**$ 617,489**	**$ 636,014**	**$ 655,094**	**$ 674,747**	**$ 694,989**	**$ 715,839**	**$ 737,314**	**$ 759,433**
Recordation Tax Calculation											
Land Sales Price	$3,300,000										
Recordation Tax	$7.00 per $500 Value	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Recordation Tax Revenue		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**

CAVALRY
REAL ESTATE ADVISORS

APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

CAVALRY
REAL ESTATE ADVISORS

Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		11	12	13	14	15	16	17	18	19	20
	Assumption #1	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045
Real Property Transfer Tax Calculation											
Land Sales Price	$3,300,000										
Real Property Transfer Tax	0.5%	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Real Property Transfer Tax Revenue		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
License and Permits											
License and Permits		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
License and Permits Revenue		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Voluntary Concessions (See Detailed Exhibit)											
Voluntary Concessions Revenue		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Miscellaneous Revenues											
Miscellaneous Revenues per Resident	$83 per Year	$ 112	$ 115	$ 119	$ 122	$ 126	$ 130	$ 134	$ 138	$ 142	$ 146
Miscellaneous Revenues per Employee	$93 per Year	$ 124	$ 128	$ 132	$ 136	$ 140	$ 144	$ 149	$ 153	$ 158	$ 162
# of Residents		606	606	606	606	606	606	606	606	606	606
# of Employees		5	5	5	5	5	5	5	5	5	5
Total Miscellaneous Revenue		$ 68,435	$ 70,488	$ 72,602	$ 74,780	$ 77,024	$ 79,334	$ 81,714	$ 84,166	$ 86,691	$ 89,292

CAVALRY
REAL ESTATE ADVISORS

APPENDIX 7 – FISCAL IMPACT ANALYSIS (CONT'D)

CAVALRY
REAL ESTATE ADVISORS

Client: Standard Communities
Project: 3279 Leonardtown Road
Date: 9/1/2026

		11	12	13	14	15	16	17	18	19	20
	Assumption #1	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045
Total Revenue By Source		1	2	3	4	5	6	7	8	9	10
Real Property Tax		$ 731,010	$ 752,940	$ 775,528	$ 798,794	$ 822,758	$ 847,440	$ 872,864	$ 899,050	$ 926,021	$ 953,802
Business Personal Property Tax		$ 26	$ 26	$ 27	$ 28	$ 29	$ 30	$ 31	$ 32	$ 32	$ 33
Income Tax		$ 582,042	$ 599,504	$ 617,489	$ 636,014	$ 655,094	$ 674,747	$ 694,989	$ 715,839	$ 737,314	$ 759,433
Recordation Tax		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Real Property Transfer Tax		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
License and Permits		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Voluntary Concessions		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Miscellaneous Revenue		$ 68,435	$ 70,488	$ 72,602	$ 74,780	$ 77,024	$ 79,334	$ 81,714	$ 84,166	$ 86,691	$ 89,292
Total Revenues		**$ 1,381,512**	**$ 1,422,958**	**$ 1,465,646**	**$ 1,509,616**	**$ 1,554,904**	**$ 1,601,551**	**$ 1,649,598**	**$ 1,699,086**	**$ 1,750,058**	**$ 1,802,560**
Expenditures											
Operating Expenditures per Resident	$651 per Year	$ 875	$ 901	$ 928	$ 956	$ 984	$ 1,014	$ 1,044	$ 1,076	$ 1,108	$ 1,141
Operating Expenditures per Employee	$1,637 per Year	$ 2,200	$ 2,266	$ 2,334	$ 2,404	$ 2,476	$ 2,550	$ 2,627	$ 2,705	$ 2,787	$ 2,870
Total Non-Educational Operating Expenditures		$ 541,062	$ 557,294	$ 574,012	$ 591,233	$ 608,970	$ 627,239	$ 646,056	$ 665,438	$ 685,401	$ 705,963
Average Students Per Unit	0.34 per Unit	81	81	81	81	81	81	81	81	81	81
Educational Expenditures per Student	$8,680 per Year	$ 11,665	$ 12,015	$ 12,376	$ 12,747	$ 13,129	$ 13,523	$ 13,929	$ 14,347	$ 14,777	$ 15,220
Total Education Operating Expenditures		$ 944,881	$ 973,227	$ 1,002,424	$ 1,032,497	$ 1,063,472	$ 1,095,376	$ 1,128,237	$ 1,162,084	$ 1,196,947	$ 1,232,855
Total Expenditures		**$ 1,485,942**	**$ 1,530,521**	**$ 1,576,436**	**$ 1,623,729**	**$ 1,672,441**	**$ 1,722,614**	**$ 1,774,293**	**$ 1,827,522**	**$ 1,882,347**	**$ 1,938,818**
Net Fiscal Impact		**$ (104,430)**	**$ (107,563)**	**$ (110,790)**	**$ (114,114)**	**$ (117,537)**	**$ (121,063)**	**$ (124,695)**	**$ (128,436)**	**$ (132,289)**	**$ (136,258)**

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APPENDIX 8 – REVENUES ANALYSIS

CAVALRY
REAL ESTATE ADVISORS

Project: 3279 Leonardtown Road
Date: 9/1/2026

Summary of Revenues / Allocation of Revenue Items

Service Population:

Total Population	179,246
Total Labor Force	43,504
Total Students	27,904

		Percentage Allocation			Budget Allocation			
Department	FY2026 Budgeted	Unallocated	Employment	Residents	Employment	Residents	Revenue / Employee	Revenue / Resident
Taxes								
Property Taxes	$305,013,100	100%	0%	0%	-	-	-	-
Business Personal Property	$166,000	0%	100%	0%	166,000	-	4	-
Income Tax	$184,500,000	0%	0%	100%	-	184,500,000	-	1,029
Recordation Tax	$22,300,000	100%	0%	0%	-	-	-	-
Transfer Tax	$8,100,000	100%	0%	0%	-	-	-	-
Other Taxes	$6,090,000	60%	30%	10%	1,827,000	609,000	42	3
Service Charges	$16,731,200	25%	10%	65%	1,673,120	10,875,280	38	61
Intergovernmental	$2,693,100	100%	0%	0%	-	-	-	-
Licenses & Permits	$1,223,300	100%	0%	0%	-	-	-	-
Fines & Forfeitures	$5,293,300	25%	10%	65%	529,330	3,440,645	12	19
Other Income	$21,114,700	100%	0%	0%	-	-	-	-
Other Financing Sources	$21,856,800	100%	0%	0%	-	-	-	-
Total Budgeted Revenues	$595,081,500				$4,195,450	$199,424,925	$96	$1,113
Total Miscellaneous Revenue	$75,002,400				$4,029,450	$14,924,925	$93	$83

Source: Charles County, MD Adopted FY 2026 Budget
Note: Total Miscellaneous Revenue excludes Business Personal Property and Income Taxes.

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APPENDIX 9 – EXPENDITURES ANALYSIS

CAVALRY
REAL ESTATE ADVISORS

Project: 3279 Leonardtown Road
Date: 9/1/2026

Summary of Expenditures / Allocation of Expenditure Items

Service Population:

Total Population	179,246
Total Labor Force	43,504
Total Students	27,904

Department	FY2026 Budgeted	Percentage Allocation				Budget Allocation		Expense / Employee	Expense / Resident	Expense / Student
		Unallocated	Employment	Residents	Students	Employment	Residents			
Board of Education	$242,644,900	0%	0%	0%	100%	-	-	-	-	8,680
Sheriff's Office	$138,974,247	30%	35%	35%	0%	48,640,986	48,640,986	1,118	271	-
Debt Service	$33,063,700	70%	15%	15%	0%	4,959,555	4,959,555	114	28	-
County Administered										
Emergency Services	$32,216,474	15%	30%	55%	0%	9,664,942	17,719,061	222	99	-
Public Works - Facilities	$19,191,140	45%	25%	30%	0%	4,797,785	5,757,342	110	32	-
Recreation, Parks, and Tourism	$14,976,862	55%	0%	45%	0%	-	6,739,588	-	38	-
Fiscal & Administrative Services	$13,188,881	90%	1%	9%	0%	131,889	1,186,999	3	7	-
Planning & Growth Development	$12,762,352	71%	2%	27%	0%	255,247	3,445,835	6	19	-
Community Services	$3,757,963	55%	0%	45%	0%	-	1,691,083	-	9	-
Economic Development	$2,512,887	70%	15%	15%	0%	376,933	376,933	9	2	-
General Government	$7,652,253	90%	1%	9%	0%	76,523	688,703	2	4	-
College of Southern MD	$12,170,300	0%	0%	100%	0%	-	12,170,300	-	68	-
BOE/CSM Retirement Cost Shift	$2,786,500	70%	15%	15%	0%	417,975	417,975	10	2	-
Library	$6,040,800	0%	0%	100%	0%	-	6,040,800	-	34	-
Health Department	$4,018,300	55%	0%	45%	0%	-	1,808,235	-	10	-
Other General Government	$35,379,774	90%	1%	9%	0%	353,798	3,184,180	8	18	-
Other Agencies/Misc.	$3,775,267	90%	1%	9%	0%	37,753	339,774	1	2	-
Contingency	$500,000	70%	15%	15%	0%	75,000	75,000	2	0	-
Other Financing Uses	$9,468,900	70%	15%	15%	0%	1,420,335	1,420,335	33	8	-
Total Budgeted Expenditures	$595,081,500					$71,208,720	$116,662,684	$1,637	$651	$8,680

Source: Charles County, MD Adopted FY 2026 Budget
Note: Expense per student based on the FY 2026 Board of Education Maintenance of Effort (MOE) calculation.

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APPENDIX 10 – VOLUNTARY CONCESSIONS

CAVALRY
REAL ESTATE ADVISORS

Project: 3279 Leonardtown Road
Date: 9/1/2026

Summary of Estimated Voluntary Concessions

Annual	20-Year	Type	
$ -	$ 1,000,000	Contributory	Public park, to cover approximately 15% of the gross tract area

$ -	$ 1,000,000	Total Estimated Voluntary Concessions
	$ 3,968	Total Estimated Voluntary Concessions - Per Unit
	$ 55,163	Total Estimated Voluntary Concessions - Per Acre

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APPENDIX 11 – REAL ESTATE ASSESSMENT FORECAST

CAVALRY
REAL ESTATE ADVISORS

Real Estate Assessment Forecast - Income Capitalization Valuation

Residential Direct Cap	UNITS	Rate - Ratio	
Gross Potential Rental Income	252	$ 2,030	$ 6,137,856
Other Income		$ 15	$ 45,360
Less Stabilized Vacancy & Bad Debt		5.0%	$ (306,893)
Effective Gross Income			$ 5,876,323
Other Operating Expenses Excluding RE Taxes		20.5%	$ (1,204,646)
Replacement Reserve		$300	$ (75,600)
Net Operating Income			$ 4,596,077
Base Cap			8.50%
Effective Tax Rate			1.141%
Total OAR (Loaded)			9.64%
Capitalized Value			**$ 47,672,200**
Value/Unit			$ 189,175

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APPENDIX 12 – BUILDING PERMIT TREND

CAVALRY
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HOUSING UNITS AUTHORIZED BY BUILDING PERMITS

CHARLES COUNTY, MARYLAND

2012 - 2026

Year	Single Family [1]		Multifamily [2]		Total
	#	%	#	%	
2012	671	100.0%	0	0.0%	671
2013	742	53.3%	649	46.7%	1,391
2014	790	100.0%	0	0.0%	790
2015	926	76.3%	288	23.7%	1,214
2016	797	91.7%	72	8.3%	869
2017	682	100.0%	0	0.0%	682
2018	686	93.5%	48	6.5%	734
2019	696	89.7%	80	10.3%	776
2020	735	100.0%	0	0.0%	735
2021	931	100.0%	0	0.0%	931
2022	992	100.0%	0	0.0%	992
2023	801	71.3%	322	28.7%	1,123
2024	1,026	66.5%	516	33.5%	1,542
2025	935	100.0%	0	0.0%	935
2026 Through January	41	100.0%	0	0.0%	41
2012 - January 2026	11,451	85.3%	1,975	14.7%	13,426
Annual Avg.	**818**	--	**141**	--	**959**

Annual Average of Multifamily Permits:	**141**
Annual Average of Rental Multifamily Permits: [3]	**140**

[1] *Single-family is defined as detached single-family and attached two-family units.*

[2] *Multifamily units are defined as buildings containing three or more attached units.*

[3] *Allowance made for multifamily permits applied toward rental apartment construction, using historical owner-occupied versus renter-occupied data. (See Multifamily Housing Tenure)*

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APPENDIX 13 – MULTIFAMILY HOUSING TENURE

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MULTIFAMILY HOUSING TENURE
CHARLES COUNTY, MARYLAND
2024

Charles County, Maryland	
Total Multifamily Units	5,175
Owner Occupied Multifamily Units	33
Renter Occupied Multifamily Units	5,142
% of Multifamily Units That Are Renter-Occupied:	**99.4%**
% of Multifamily Units That Are Owner-Occupied:	**0.6%**

APPENDIX 14 – POPULATION & HOUSEHOLD GROWTH TREND

CAVALRY
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POPULATION AND HOUSEHOLD GROWTH TREND
CHARLES COUNTY, MARYLAND
2020 - 2031

			Change 2020 - 2026			Change 2026 - 2031	
Summary	Census 2020	2026	#	%	2031	#	%
Population	166,617	179,246	12,629	7.6%	187,175	7,929	4.4%
Households	59,107	64,194	5,087	8.6%	67,356	3,162	4.9%
Families	43,196	45,773	2,577	6.0%	47,705	1,932	4.2%
Average Household Size	2.79	2.77	-0.02	-0.7%	2.76	-0.01	-0.4%
Owner Occupied Housing Units	45,781	51,306	5,525	12.1%	54,653	3,347	6.5%
Renter Occupied Housing Units	13,326	12,888	-438	-3.3%	12,703	-185	-1.4%
Median Age	38.8	39.6	0.8	2.1%	40.3	0.7	1.8%

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APPENDIX 15 – HOUSEHOLD INCOME TREND

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HOUSEHOLD INCOME TREND
CHARLES COUNTY, MARYLAND
2026 - 2031

2026		
Household Income Base	#	%
<$15,000	3,791	5.9%
$15,000 - 24,999	2,562	4.0%
$25,000 - $34,999	1,319	2.1%
$35,000 - $49,999	3,381	5.3%
$50,000 - $74,999	5,476	8.5%
$75,000 - $99,999	6,375	9.9%
$100,000 - $149,999	12,344	19.2%
$150,000 - $199,999	10,770	16.8%
$200,000+	18,176	28.3%
Total	**64,194**	**100.0%**
Average Household Income	$147,984	
Median Household Income	$135,989	
Per Capita Income	$53,137	

2031		
Household Income Base	#	%
<$15,000	3,448	5.1%
$15,000 - 24,999	2,085	3.1%
$25,000 - $34,999	1,054	1.6%
$35,000 - $49,999	2,993	4.4%
$50,000 - $74,999	4,795	7.1%
$75,000 - $99,999	5,724	8.5%
$100,000 - $149,999	11,877	17.6%
$150,000 - $199,999	11,948	17.7%
$200,000+	23,432	34.8%
Total	**67,356**	**100.0%**
Average Household Income	$164,269	
Median Household Income	$155,253	
Per Capita Income	$59,250	

APPENDIX 16 – INFLOW/OUTFLOW JOB COUNTS

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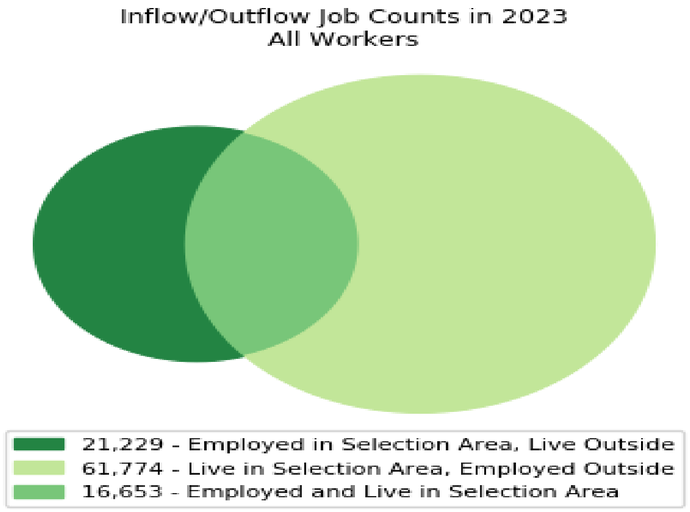
INFLOW/OUTFLOW JOB COUNTS
CHARLES COUNTY, MARYLAND
2023

Summary	Count	Share
Employed and Living in Charles County	16,653	44.0%
Employed in Charles County but Living Outside	21,229	56.0%
Employed in Charles County	**37,882**	**100.0%**
Living and Employed in Charles County	16,653	21.2%
Living in Charles County but Employed Outside	61,774	78.8%
Living in Charles County	**78,427**	**100.0%**



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APPENDIX 17 – MAJOR EMPLOYERS

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MAJOR EMPLOYERS
CHARLES COUNTY, MD
2024

Rank	Company	Industry	# of Employees
1	Charles County Board of Education	Public Education	4,612
2	Naval Support Facility (NSF) Indian Head	Military Installation	4,272
3	Charles County Government	Local Government	2,035
4	University of Maryland Charles Regional Medical Center	Medical Services	841
5	College of Southern Maryland	Higher Education	711
6	Walmart/Sam's Club	Retail	638
7	Southern Maryland Electric Cooperative (SMECO)	Energy Products and Services	527
8	Waldorf Chevy/Cadillac, Honda, Ford, Toyota/Scion, Dodge	Retail	527
9	Safeway	Retail	466
10	Target	Retail	400
11	MedStar Shah	Medical Services	400
12	Lowe's	Retail	310
13	Amazon	Distribution	300
14	Chick-fil-A	Restaurants	253
15	Kaiser Permanente	Medical Services	300
16	Genesis Health Care Waldorf/La Plata Center	Nursing Care	211
17	Darden Restaurants	Restaurants	201

Rank	Company	Industry	# of Employees
18	The Wills Group	HQ/Fuel Distribution & Marketing	180
19	Home Depot (mostly PT employees)	Retail	174
20	Green Acres Nursing and Rehab	Nursing Care	167
21	McDonald's	Restaurants	160
22	Recovery Center of America	Medical Services	160
23	Spring Dell Center	Services - Dev. Disabled Individuals	144
24	Bloomin' Brands	Restaurants	141
25	Keller Transportation	Bus Transportation	139
26	CHUTES International	Construction Services	120
27	Cracker Barrel Old Country	Restaurants	113
28	Panera Bread	Restaurants	112
29	BJ's Wholesale Club	Retail	111
30	Best Buy	Retail	108
31	Shore United Bank	Banking	103
32	Modern Door	Manufacturing	86
33	DADJ Sheet Metal	Metals / Manufacturing	85
34	Reliable Contracting	Construction Services	72

APPENDIX 18 – NONFARM EMPLOYMENT BY INDUSTRY

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NONFARM EMPLOYMENT AND AVERAGE ANNUAL PAY BY INDUSTRY
CHARLES COUNTY, MARYLAND
2015 - 2025

	2015			2025			# Change	% Change
Industry Sector	#	%	Avg. Annual Pay	#	%	Avg. Annual Pay	2015-2025	2015-2025
Trade, Transportation and Utilities	10,934	26.0%	$32,740	10,095	23.2%	$49,639	-839	-7.7%
Local Government	6,795	16.1%	$50,775	7,837	18.0%	$65,868	1,042	15.3%
Leisure and Hospitality	5,889	14.0%	$15,739	5,992	13.8%	$25,758	103	1.7%
Education and Health Services	5,282	12.5%	$42,400	5,976	13.7%	$54,488	694	13.1%
Federal Government	2,198	5.2%	$95,381	3,415	7.8%	$125,014	1,217	55.4%
Professional and Business Services	3,123	7.4%	$60,066	3,330	7.7%	$79,401	207	6.6%
Construction	3,659	8.7%	$56,923	2,918	6.7%	$77,362	-741	-20.3%
Other Services	1,513	3.6%	$32,292	1,457	3.3%	$54,940	-56	-3.7%
Financial Activities [1]	1,159	2.8%	$53,754	1,064	2.4%	$79,114	-95	-8.2%
Manufacturing [1]	648	1.5%	$50,712	593	1.4%	$65,373	-55	-8.5%
State Government	580	1.4%	$39,681	569	1.3%	$63,064	-11	-1.9%
Information [1]	297	0.7%	$63,669	234	0.5%	$98,065	-63	-21.2%
Natural Resources and Mining [1]	43	0.1%	$45,986	24	0.1%	$54,781	-19	-44.2%
Total	**42,120**	**100.0%**	**$43,045**	**43,504**	**100.0%**	**$61,546**	**1,384**	**3.3%**
Top 5 Industry Sectors	**31,098**	**73.8%**	**$39,529**	**33,315**	**76.6%**	**$57,758**	**2,217**	**7.1%**

[1] Employment data not available for 2025, so 2024 data was used. Avg. Annual Pay was not available for 2025, so 2024 data was used.

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APPENDIX 19 – APARTMENT BUILDING WORKER PAY

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AVERAGE ANNUAL PAY FOR APARTMENT BUILDING WORKERS

CHARLES COUNTY, MARYLAND

2025

NAICS Code	Avg. Annual Pay	Est. # of Positions
531311 Residential property managers	$71,268	1
531110 Lessors of residential buildings and dwellings	$56,970	2
561790 Other services to buildings and dwellings	$54,539	2
Total/Average	**$58,857**	**5**

I. Comprehensive Plan

Compliance with the 2016 Charles County Comprehensive Plan

The request for the Mixed Use (MX) Overlay Zone designation for the subject property aligns with several goals and objectives of the 2016 Charles County Comprehensive Plan.

The property consists of four adjacent parcels totaling approximately 19.889 acres. Of this, 10.22 acres (51.4%) will be dedicated to affordable multifamily housing, providing 252 units. A 2.98-acre portion (15%) along Leonardtown Road will be designated for civic use, with a proposed community garden and associated parking. The remaining 6.69 acres (33.6%) will be preserved as green open space, primarily forested, offering opportunities for passive recreation. Additionally, within the 10.22 acre residential section, there are additional opportunities for active and passive recreation in the form of opportunities for a small playground, walking paths and a potential dog park.

The project is compatible with the surrounding neighborhood. The property has frontage on both Leonardtown Road and Pika Drive. Along Leonardtown Road, it is adjacent to Calvert United Methodist Church and various commercial establishments. The remaining boundaries adjoin a mix of employment and light industrial uses. A park-like amenity, consisting of forested open space, will serve as a buffer between the residential component and the light industrial uses along the project's eastern and southern boundaries.

<u>Chapter 3 Land Use</u>

The Leonardtown Road Project is located within the Development District, the Transit Corridor, the Waldorf Sub-Area and in close proximity to the Waldorf Urban Redevelopment Corridor.

Development District:

The 2016 Comprehensive Plan designates the Development District as the "principal center of population, services, and employment for the County" and "the most suitable area for new population growth." It directs 75% of the County's residential growth to the Development District, where existing infrastructure—including water, sewer, schools, and roads—can support development. The property is located within a Priority Funding Area, with public water and sewer infrastructure readily available. Its proposed development aligns with the Development District designation, reinforcing planned growth in a well-supported area.

***Transit Corridor**:*

The Property is located within the Transit Corridor. "The Transit Corridor is a sub-area of the Development District, surrounding and including the business and commercial centers along US 301 from Waldorf to White Plains." The Transit Corridor

> encourages an integrated mix of medium to high density residential, business, and employment uses in a compact, well-designed, mixed-use, pedestrian-friendly

environment. Such higher density development promotes alternative modes of transportation, including mass transit and efficient investment in urban services.

The Leonardtown Road Project proposes garden apartments located in the heart of Waldorf directly adjacent to existing employment, retail and institutional uses. The Project provides space for a potential community garden with associated parking, creating a hub for community gatherings, access to fresh food and other learning activities. Within the development attractive community amenities are proposed along with abundant green open space. The Project encourages walkability and alternative modes of transportation. The Project's siting and design Project achieve what the Comprehensive Plan is seeking in the form of "a compact, well-designed, mixed-use, pedestrian friendly environment."

The Leonardtown Road Project traverses both an "Mixed Use District" and an "Employment and Industrial District." Mixed Use Districts "encourage a mix of medium to high density residential, business, and employment uses in a compact, well-designed, pedestrian friendly environment." Employment and Industrial Districts provide, "locations for additional upgraded and diverse tax base, business that provides higher quality jobs and more job opportunities in general in the County." The Plan suggests such uses be located near "collector and arterial highways and which have or could have access to water and sewer and are proximate to nearby residential areas." Table 3.3 designates both the Mixed Use District and Employment and Industrial District as appropriate locations for MX Zoning. The Leonardtown Road Project, located near an arterial road and with access to water and sewer, provides medium to high residential density directly adjacent to and surrounded by employment, industrial, institutional, civic and recreational amenities. The residential development will support the adjacent employment uses thereby supporting business growth and development.

The Leonardtown Road Project further achieves the following Land Use Goals and Objectives:

> 3.1 Maintain a planned land use pattern that gives opportunities to create great places to live, work, play and a vibrant county economy.
>
> 3.2 Concentrate most future growth in areas of the County already served or proposed to be served with public water and sewer. Direct 75 percent of future residential growth to the sewer service areas and to the Towns of Indian Head and La Plata.
>
> 3.4 Provide adequate land area for the approximately 32,000 new dwelling units projected to be built in the County by 2040 and to expand the county tax base and accommodate at least 20,898 new jobs.
>
> 3.5 Ensure that the amount and rate of development in the County is consistent with its ability to provide necessary public facilities and services in a timely, cost effective and efficient manner.
>
> 3.9 Protect the County's natural resources.

The Project will provide a residential and community component that the connects commercial, retail, office and institutional uses along Leonardtown Road with the light industrial and employment uses along Pika Drive. The Project will create a walkable mixed-use component that makes life, work and play possible. The integration of civic space and significant open space will create an attractive, vibrant, affordable community with a sense of place.

Chapter 5 Natural Resource Protection

The Leonardtown Road Project provides 10.20 acres of open space for active and passive recreational use. The majority of the open space will remain forested, preserving a significant swath of green space within the Waldorf area. The provision of such open space is consistent with the following goals and objectives:

> 5.1 Maintain a safe and healthy environment by protecting air, water, and land resources, and preventing the degradation of those resources from pollutants.

Chapter 7 Economic Development

Per Chapter 7 of the 2016 Comprehensive Plan "[B]usiness location decisions are influenced by a community's quality of place, as well as by the recreational, shopping, and entertainment opportunities afforded its residents." The Plan goes on to state:

> The County shall continue to support activities that encourage the continued advancement of placemaking in various nodes throughout the county. Retail, food & beverage, and entertainment development – particularly in mixed use environments - will contribute to the advancement of the County's overall quality of life.

Finally, the Plan establishes the following goals and objectives:

> 7.2 Strengthen the County's economic base through growth and expansion of existing businesses and industry;
>
> 7.7 Promote and support the arts in Charles County as a contributor to County residents' quality of life

As previously noted, the Projects adjacency to existing employment and retails uses supports business growth, development and redevelopment. However, the integration of the community garden as a civic use, creates a vibrant community center that creates a sense of space, an areas for community building, increased access to fresh food and opportunity for physical activity. In a 2008 Article in Reals Estate Economics, entitled "The Effect of Community Gardens on Neighboring Property Values," Ioan Voicu and Vicki Been reported:

> [T] he opening of a community garden has a statistically significant positive impact on the sales prices of properties within 1,000 feet of the garden and that the impact increases over time. Higher-quality gardens have the greatest positive impact. We also find that gardens have the greatest impact in the most disadvantaged neighborhoods. Finally, a simple cost–

benefit analysis suggests that the gain in tax revenue generated by community gardens in the 1,000-foot ring may be substantial.

Thus, the inclusion of a community garden will enhance the existing community, and boost surrounding businesses.

Chapter 8 Transportation

Chapter 8 of the 2016 Comprehensive Plan establishes the Transportation Land establishes the following goals:

> 8.7 Concentrate 75% of residential development in the Development District which includes development density and intensity in mixed use districts in the Transit Corridor to help limit and manage the spread of traffic congestion and encourage and support alternate modes of transportation.
>
> 8.8 Develop and coordinate land use and transportation improvements that focus on reducing the imbalance of jobs/housing in Charles County.
>
> 8.9 Where possible, encourage and promote Transit Oriented Development within the established Waldorf Transit Corridor in order to support the planned fixed-route, high-capacity transit service from the Branch Avenue Metro-rail station to Waldorf-White Plains, as well as support the urbanization of Waldorf.
>
> 8.10 Ensure new development and redevelopment projects do not degrade the adequacy of receiving transportation facilities or provide the appropriate improvements to mitigate their impacts.

The location of the Leonardtown Road project in the heart of Waldorf with direct access to Leonardtown Road, an intermediate arterial, with walkability to employment uses, retail uses, institutional uses and service, as well as access to alternative transportation nodes supports the above referenced goals and objectives.

The Project further supports the Plan's Bicycle and Pedestrian goals. According to the Plan, some of the primary barriers to creating "a useful, functional pedestrian-bicycle network" are "distance and separation of uses" and a "lack of pedestrian-bicycle facilities in commercial and employment areas." Further, a pedestrian/bicycle network should "provide continuous connections between residential, employment, recreational, shopping, and transit centers."

The Plan denotes the following goals:

> 8.14 Support the implementation of the Charles County Bicycle & Pedestrian Master Plan, which will provide adequate and safe recreational and functional transportation connections between residential, employment, recreational, shopping and transit centers.

8.15 Ensure that all development projects construct the designated amenities described in the Bicycle & Pedestrian Master Plan that pass through or are immediately adjacent to the proposed development or redevelopment sites.

8.16 Ensure development projects provide sidewalk, shared-use path, and trail connections to promote the expansion of the bicycle and pedestrian facility network.

The frontage of the Project on Leonardtown Road is designated on the County's Bicycle and Pedestrian Master Plan as an "On-Street Shared Use Path." The Leonardtown Road's siting again provides a unique opportunity to provide a bicycle and pedestrian network that connects residential, employment and civic uses consistent with the Comprehensive Plan.

Chapter 9 Community Facilities & Services

There is a high demand for cultural, park and community amenities within the Development District and in particular in the Waldorf area. The Leonardtown Road Project is consistent with the following goals and objectives:

9.1 Provide a system of community facilities and public services that is consistent with the land use plan and adequate to serve existing and projected development.

9.2 Parks and Recreation Outdoor recreation contributes to both the physical fitness and mental well-being of County residents, workers, and visitors. Recreation sites, facilities and open space are important components of Charles County's quality of life. The continued acquisition and development of outdoor recreation sites and facilities, in line with a growing population, are necessary to meet future demands.

9.2 Parks and Recreation Outdoor recreation contributes to both the physical fitness and mental well-being of County residents, workers, and visitors. Recreation sites, facilities and open space are important components of Charles County's quality of life. The continued acquisition and development of outdoor recreation sites and facilities, in line with a growing population, are necessary to meet future demands.

The Project provides a space for a civic amenity in the form of space for a community garden located at the main entrance to the project. The community garden will act as a central gathering space. Community gardens have been found to increase health in the surrounding community by providing access to fresh foods and opportunities for exercise. They have also been found to provide social benefits in the form of fostering community connectivity and have been associated with lowering crime rates, raising property values and fostering economic development. Additionally, community gardens have sustainable, positive, environmental impacts.

In addition to the community garden, the project contains walking area, an area for a small playground and an area for a potential dog park.

Chapter 10 Community Development

Chapter 10 "focuses on the physical layout, settings and character of housing, retail and employment areas, and the relationship between the existing and new development in targeted areas of the County." Chapter 10 acknowledges County's significant housing needs:

> Charles County is projected to add approximately 32,200 housing units between 2010 and 2040, a close to 60 percent increase over the total 2010 housing inventory of 55,000 units. The location, type, form, and cost of this housing will have far-reaching consequences for the county's community character and landscape. ***Housing was an important issue during preparation of the Comprehensive Plan and many groups, organizations, and individuals responded to surveys, and submitted comments, input and, in some cases, reports and studies with recommendations on one or other aspect of housing***.

The 2016 Plan's conclusions are not surprising and are supported by various County housing studies dating back to 2005. Those plans affirm the need for housing and the need for affordable housing. Per the Plan,

> ***The dominant issue in the public input on housing for the Comprehensive Plan was affordability with many comments regarding the high cost of housing and the inability of many working individuals and families to obtain decent housing at an affordable cost.*** This is not a new issue in Charles County and was addressed in the 2006 Comprehensive Plan and in the 2005 Community Development Housing Plan.

The Plan went so far as to note that "The share of attached and multi-family housing units in 2010 was 26 percent, below the 30 percent target set in the 1997 and 2006 Comprehensive Plans."

In 2018, the American Planning Association (APA), in collaboration with Charles County, produced a report titled *Charles County Housing Initiative Project: Inclusion, Affordability, and Diversity.* This report reaffirmed the need for additional affordable housing options for households earning between 30% and 80% of the Median Family Income, with a particular focus on rental housing.

Charles County has prioritized the provision of quality affordable housing in areas designated by the U.S. Department of Housing and Urban Development (HUD) as Qualified Census Tracts (QCTs). These are areas identified as underserved and eligible for the Low-Income Housing Tax Credit (LIHTC) program, which incentivizes the development of affordable rental housing through tax credits for newly constructed or substantially rehabilitated projects.

The LIHTC program was established under the Tax Reform Act of 1986, with QCTs introduced in 1990. At the time, this tool was in its infancy, as evidenced by its absence from the County's 1994 Housing Plan. Revisions to the LIHTC program were made in 1995 but were not fully implemented until 1998. Today, LIHTC is the largest source of funding for affordable rental housing, and

competition for its use is intense. Without LIHTC financing, most affordable housing projects would be financially unfeasible.

The 2023 Charles County Affordable Housing Work Group highlighted the limited supply of QCT-designated areas in the County. The Leonardtown Road Project is uniquely positioned within a QCT, presenting a valuable opportunity to expand affordable housing.

The project will serve households earning 60% or below the area median income (AMI), often referred to as the "missing middle." It will deliver 252 affordable, sustainable, and safe housing units in a well-connected location with access to employment, retail, institutional, and civic uses. Additionally, the project will integrate community-oriented features, including a community garden, substantial green space, and other amenities, all centrally located near transportation nodes.

In summary, the Leonardtown Road Project directly addresses the County's stated needs and objectives as outlined in the 2016 Comprehensive Plan.

The design and location of the Leonardtown Road Project is consistent also with the Chapter 10 goals and objectives set forth below:

> 10.1 Integrate existing and future development into a cohesive whole that creates a distinct, attractive and healthy community character for Charles County.
>
> 10.2 Continue to seek improvement in the design quality of development in the County.
>
> 10.3 Establish an urban-scaled, transit-oriented community with an identifiable sense of place in the traditional heart of Waldorf.
>
> 10.4 Provide a broad range of quality housing for all County residents, including those with low and moderate incomes.
>
> 10.5 Provide housing opportunities for the County's share of residents who have difficulty competing for standard, market rate dwellings.
>
> 10.10 Create healthy, safe neighborhoods and communities that remain viable and stable as their housing stock ages and turns over to new residents.

Chapter 10 of the Plan has an "overall vision for community character in the Development District is for compact development which is urban in places and that respects the area's environmental resources. Per Chapter 10, development in urban areas should

> [S]eek to enhance urban character. This means incorporating concepts such as the following into development planning:
>
> • Compact areas with public and private uses within walking distance.
>
> • The center of the community having a distinct character or theme.

- Areas of vitality and diversity, including a mix of commercial, office, residential, public institutional and park uses, which contribute to the concept of community center.

- Urban character and feel with abutting buildings and smaller setbacks, all organized around a system of city blocks with sidewalks and a formal streetscape.

- An area with higher residential density mix of single-family, townhomes, and other unit types.

- Urban-scaled public parks and plazas to provide for respite and community interaction for residents, workers, and shoppers.

The design of the Leonardtown Road Project incorporates the above referenced concepts.

J. Waldorf Sub-Area Plan Compliance Statement

The Leonardtown Road application for Mixed Use Zoning is consistent with the Waldorf Sub-Area Plan. Listed below are some of the goals and objectives in the Waldorf Sub-Area Plan that have been integrated into the Project's plan. The property is also located in a Priority Funding Area. Smart Growth principles guided the Project's design.

Land Use

The Waldorf Sub-Area Plan outlines several key land use objectives, including the creation of activity centers, mixed-use areas, and well-located employment hubs while promoting redevelopment and enhanced walkability.

The Leonardtown Road Project aligns with these objectives by transforming a long-vacant site and catalyzing redevelopment in the surrounding area. The project includes 252 affordable housing units within a garden apartment-style community, 6.8 acres of preserved green space, and 2.98 acres designated for a community amphitheater. Strategically located adjacent to employment centers, retail, and institutional uses along a key transportation corridor, the project fosters the vibrant, mixed-use environment envisioned by the County.

The Project fosters accessibility by integrating alternative transportation options, including walking, biking, and public transit. To ensure high-quality development, an Architectural Design Code has been established, outlining standards for site amenities, architecture, landscaping, screening, signage, and lighting. This Code ensures that all future development within the Leonardtown Road Project remains compatible with neighboring properties and enhances the overall character of the area.

Within the Waldorf Sub-Area, the site is designated as Community Mixed-Use Areas and Employment Areas. The objectives for these land use designations include:

- Creating pedestrian-friendly, community-oriented mixed-use areas.
- Achieving a mix of residential, retail, employment, and service uses.
- Establishing lower-intensity transition zones between activity centers.
- Enhancing the functionality and aesthetics of the area.

Key design principles include:

1. Establishing a semi-urban character through three-story buildings, increased residential densities (20–30 units per acre), and high lot coverage.
2. Creating an attractive, pedestrian-friendly streetscape.
3. Incorporating green spaces and pocket parks.

4. Ensuring interconnected uses through alleys and rear parking areas.

The Leonardtown Road Project successfully integrates these principles by connecting and supporting the surrounding commercial, office, institutional, and employment uses. Its sidewalk network ties seamlessly into existing public sidewalks along Leonardtown Road and Pika Drive, fostering pedestrian access to employment centers and essential services.

Additionally, the set-aside land for a potential amphitheater or other community space, combined with the preservation of 6.8 acres of green space, enhances the area's sense of place and strengthens community identity. The Project is a strategic implementation of the County's vision for a vibrant, mixed-use, and sustainable development in Old Waldorf.

Environment:

The Plan's recommendations for the natural environment focus on three objectives:

- Improving stream conditions, water quality and the health of the biological communities.
- Improving stormwater management to reduce to the extent possible the negative environmental impacts of stormwater runoff, and
- Increasing and maintaining a healthy urban forest to improve air quality and aid in absorption of rain run-off. Transportation

By preserving 6.8 acres of green space (the majority of which is forested), the Leonardtown Project advances and implements the Waldorf Sub-Area Plan.

Transportation:

In formulating the Waldorf Sub-Area Plan, the Planners noted the "Lack of sidewalks in commercial and employment areas." The Plan found that

> Studies have consistently shown that people will generally walk only up to five minutes or one quarter of a mile to access services. There are few areas of concentrated development, such as Smallwood Village where a mix of uses lie within walking distance of each other.

The following principles guide the transportation element to support and help implement the development vision and proposed land use concept:

> • Increase connectivity…creating a "grid network" of minor roads, including inter-parcel and inter-development connections
>
> • Emphasize transit
>
> • Encourage mixed-use development

The development of the Leonardtown Road Project is consistent with Plan's transportation goals. The residential component strategically positioned between the commercial, office and intuitional

uses along Leonardtown Road and the employment and light industrial uses along Pika Drive, creates the ability to live and work in the same area. The Project responds to the Plans desire to create an area of concentrated development that provides the ability to walk 5 minutes or less or a quarter mile to a mix of uses. The Projects location reduces off-site trips by allowing walkable access to goods and services, homes, recreation, and employment.

K. Justification Statement – MX Zone

The Mixed Use Zone (MX), codified in §297-106 of the Charles County Code, is designed to promote the integration of residential, commercial, industrial, and institutional uses in designated areas. Applying the MX Overlay Zone to the Leonardtown Road Project will facilitate a well-planned, connected, and functional mixed-use community.

The MX Zone requires a minimum of 10 acres, and the Project site consists of 19.889 acres across four adjacent parcels. The proposed land use breakdown is as follows:

- **10.22 acres (51.4%)** – Residential Uses - 252 affordable multi-family housing units.
- **2.98 acres (15%)** – Civic use, with a proposed community garden.
- **6.69 acres (33.6%)** – Preserved green open space, primarily forested, with potential for passive recreational uses.

The Project is well-suited to its surroundings:

- Leonardtown Road Frontage – The Property lies adjacent to Calvert United Methodist Church and various commercial and service-oriented businesses.
- Adjacent Land Uses – The Project's other boundaries abut a mix of employment and light industrial uses.
- Open Space & Buffers – The forested green space will serve as a natural buffer between the residential component and adjacent light industrial uses along the eastern and southern boundaries.

The Project introduces a residential and community component that bridges the commercial, retail, office, and institutional uses along Leonardtown Road with the employment and light industrial uses along Pika Drive. This integration fosters a walkable, mixed-use environment that enables residents to live, work, and play in a cohesive setting.

Additionally, the incorporation of civic space and substantial open space ensures that the development is attractive, vibrant, and community oriented. The inclusion of a community garden and green space enhances the area's character and fosters a strong sense of place.

The purposes of the MX Zone are outlined in §297-106 of the Charles County Zoning Ordinance. As demonstrated in the following analysis, the Leonardtown Road Project aligns fully with the intent and requirements of the MX Overlay Zone, ensuring responsible, well-integrated growth within the Waldorf Sub-Area.

MX Purposes and Objectives:

(1) To provide a more flexible approach to the comprehensive development of master planned projects in terms of use mix, density and design and to, encourage the reduction of travel time between the home and the workplace.

Strategically located in the midst of and in close proximity to a plethora of employment uses (office, retail, and light industrial) and institutional uses, the development of the Property under MX Zoning provides a unique opportunity to create community that is walkable to employment, retail and institutional uses. Transit options in the form of Van-Go is in close proximity to the Property allowing additional options to reduce travel time between home and the workplace. The distance from the Property to the nearest Van-Go Stop in each direction along Route 5 Southbound is 575 feet (east) near the intersection with Gough Drive, and 800 feet (west) near the intersection with Parsons Lane.

(2) To implement the Comprehensive Plan and other County plans and policies in a manner and to a degree more closely compatible with County plans and policies than are possible under the base zone. Where applicable, a proposed MX zone must implement and be integrated with the detailed proposals for land use, road network, infrastructure and design established in subarea plans, vision plans, and design guidelines adopted by the County Commissioners.

The Leonardtown Road MX project is fully integrated with existing major road infrastructure. Section I of the Application explains how the project is consistent with the current Comprehensive Plan and Section J details how the PDZ will help implement the Waldorf Sub-Area Plan.

(3) To establish standards through which the land use objectives and recommendations of the Comprehensive Plan can serve as the basic for evaluating a multiuse project proposal.

The Leonardtown MX project will develop under the control of a Design Code which will create a "sense of place" for this property in the Transit Corridor and within the Waldorf Sub-Area Plan. The Design Code has been provided in Section Q of the Application. All of the information required for the evaluations of Master Plan applications, as described in Appendix A of the Zoning Ordinance, has been provided in a variety of narratives and exhibits included with the submittal.

(4) If project boundary is located within 1/4 mile of the area included in the Downtown Waldorf Vision Plan, the project should include development that supports the planning principles and design goals in the Downtown Waldorf Vision Plan.

The Leonardtown MX project incorporates many of the design and planning elements of the Waldorf Downtown Plan, such as: a) High-density housing types, specifically in the form of garden apartments b) An internal circulation that promotes walkability c)

Close proximity to and connection to both Leonardtown Road and Pika Drive, promoting walkability and use of transit option and d) the inclusion of civic uses and significant open space to create a vibrant and integrated mixed-use environment.

(5) To ensure that the development is architecturally integrated by requiring an internal policy mechanism such as a design and development code or an architectural review board.

The application package includes a Site Design and Architectural Code, in Section Q.

(6) To promote the type of development which corrects any existing ecological or environmental deficiency found on or in the vicinity of a subject property.

There are no known ecological or environmental deficiencies on or near the site. The project preserves 8.2 acres—nearly 50% of the land—as forested area, minimizing environmental impacts and promoting sustainability.

(7) To ensure that all developments will positively contribute to the County's historic and cultural heritage, as reflected in the Comprehensive Plan, by preserving historic structures, sites and vistas.

There are no known historic structures, sites or vistas associated with the project site.

(8) To provide for the expansion or relocation of existing County businesses and to enhance the County's tourism industry.

The Leonardtown MX project will transform a previously underutilized property into a vibrant, mixed-use community, providing the residential density needed to support nearby office, retail, employment, and institutional uses. The project contributes to the County's tourism efforts by setting aside 2.98 acres for civic use, including a community garden, park, and associated parking. Centrally located within the Development District, the site addresses a shortage of such amenities in the area. Nearly half of the project site (8.2 acres) will remain forested, offering a valuable passive recreational amenity. This green space will enhance the community by providing high-quality outdoor areas, particularly benefiting the Waldorf area and the "Old Waldorf" neighborhood, where such spaces are currently lacking.

(9) To manage traffic congestion by providing for multiple modes of transportation including pedestrian/bicycle facilities and transit service and by providing an adequate road circulation system to help distribute traffic.

The design of the Leonardtown project includes an internal circulation system for pedestrian and vehicular traffic which will provide access to Leonardtown Road and Pika Drive. The frontage along Leonardtown Road is designated as a "Shared Use

On Street Path". This will allow pedestrian and bicycle commuting to work, shopping and recreational activities. Additionally, the project is in close proximity to transit.

(10) To encourage activities which expand the County's solid waste and recycling program.

The management of the Property will include recycling and solid waste removal.

(11) To promote the development of and location for qualified "target" industries as designated by the County Economic Development Department.

Located adjacent to existing employment and institutional uses, the Leonardtown project will support the retention, redevelopment and development of the County's target industries. The affordable housing project will provide a supply of potential employees within walking distance of employers.

(12) To encourage the orderly, staged construction of comprehensively planned, multiuse centers at locations recommended in the Comprehensive Plan and subarea plans.

Consistent with the Comprehensive Plan and the Waldorf Sub-Area Plan, the Leonardtown property is strategically located in a mixed-use area with access to employment, retail, institutional, civic and recreational uses. The Project encourages walkability and use of transit options. The Projects location and design will create a community hub and provide an opportunity for redevelopment.

(13) To provide, where appropriate, higher-density residential uses integrated into the overall multiuse project.

Both the Waldorf Sub-Area Plan and the Transit Corridor anticipate an urban or semi-urban environment. The Garden Style Apartments, nestled between commercial and light industrial uses, provides 252 affordable residential units consistent with the densities described in the Waldorf Sub-Area Plan for the Transit Corridor. The residential units are provided adjacent to and surrounded by existing employment, retail and institutional uses and recreational amenities, thus creating a mixed-use walkable project consistent with the Comprehensive Plan, the Waldorf Sub-Area Plan and the Commissioner's Goals and Objectives. The units will be integrated into the overall project design via an extensive sidewalk and trail system and an internal roads network.

(14) To ensure internal compatibility of residential and nonresidential uses by providing superior design, and to successfully integrate a mixture of complementary uses, including residential, commercial, recreational, employment, civic and institutional uses.

A full Justification Narrative which responds point-by-point to the Superior Design Criteria, as described in Appendix I of the Zoning Ordinance, has been included in Section R of the MX Application binder. The implementation of the Site Design and

Architectural Code will result in the successful integration of a mixture of complementary uses.

(15) To assure compatibility of the proposed uses with surrounding uses by incorporating higher standards of land planning and site design than could be accomplished under base zones.

Information provided within the Site Design and Architectural Code details the construction standards for development. These standards will guide all building construction, landscaping, lighting, and signage, establishing a consistent vision for building forms, materials, colors, scale, and proportions, resulting in sustainable value for the development into the future.

(16) To allow for the integration of different types of uses within the same area or building in a way that achieves overall harmony within the proposed development and promotes a lively, dynamic environment.

The Project integrates residential, civic and recreational uses in an area surrounded by robust employment, retail and institutional uses. The connectivity of the Project to the adjacent uses and incorporation of civic and recreational uses promotes a lively, dynamic environment within the heart of Waldorf.

(17) Open space. (a) To provide for open space serving the following functions: [1] Places of relaxation, recreation and social activity for the community and public at large; [2] Parks, plazas and squares that provide attractive landscaped amenities; and [3] Protection of mature woodlands and sensitive environmental features. (b) Open space should be situated and designed to connect and integrate the uses and activities within the development. In addition, structured parking within mixed-use planning is encouraged to help achieve the open space and amenities objective of this zone.

The Leonardtown Project designates 10.20 acres, approximately 51.3% of the site, as open space. The Project entrance off Leonardtown Road is designed to accommodate a community garden and park area. The community garden is an amenity which will serve the community at large by providing a sense of place, fostering community building, increasing access to fresh food, additional opportunities for physical activity and exercise, and promoting sustainability. The Project provides internal open space which provides opportunities for passive and active recreation such as a potential playground, walking area and a potential dog park. Additionally, the preservation of a large, forested area provides opportunities for passive recreation. These features align with the priorities outlined in the Comprehensive Plan and the Waldorf Sub-Area Plan.

(18) To encourage and provide for the development of comprehensive nonvehicular circulation networks, separated from vehicular roadways, which constitute a system of linkages among

residential areas, open spaces, recreational areas, commercial and industrial areas and public facilities.

The Leonardtown Project has an internal road and pedestrian network system that promotes walkability and provides linkages to community amenities, civic uses and adjacent employment, retail and institutional uses.

(19) To encourage and provide for efficient use of energy resources through shared facilities, energy-efficient development or other economies of scale or technology.

In this design, parking areas are typically shared by more than building thereby reducing the impervious surface. The entrances are designed to provide an attractive green landscaped entrances into the garden apartment from the main thoroughfares. By locating adjacent to an existing mix of employment, institutional and recreational uses, the number of vehicle miles travelled is also reduced, as there is the opportunity to live where one works, shops, and recreates, negating the necessity of driving between activities.

(20) To foster prosperous and viable communities that are of a superior design and structural quality which will result in property values that will be sustained over time.

As previously noted, information provided within the Site Design and Architectural Code will govern the standards of development. These standards will guide all building construction, landscaping, lighting, and signage, establishing a consistent vision for building forms, materials, colors, scale, and proportions, resulting in sustainable value for the development into the future.

(21) To promote the creation of housing for specific populations which is integrated into a larger residential development. The housing for specific populations may include affordable units, accessory dwelling units to single-family units, artist housing/studio, live-work units, age restricted housing, or housing for veterans.

The Leonardtown Project is located on a Qualified Census Tract (QCT) and is proposed to serve those households earning up to 60% of the median area income, which is often referred to as the "Missing Middle". The provision of affordable housing is consistent with the housing goals set forth in the Comprehensive Plan, the County's Housing studies over the past 25 years and the County Commissioner's Goals and Objectives.

In directing its housing efforts, the County has expressed a desire to better serve (by the provision of quality affordable housing) those areas within the County which have been designated by the United States Department of Housing and Urban Development ("HUD") as a Qualified Census Tracts ("QCTs"). QCTs are those areas

which HUD has designated as underserved. QCT lands are lands which are eligible for a Low Income Housing Tax Credit ("LIHTC"). Provision of affordable housing is incentivized by the provision of an income tax credit to owners of newly constructed or substantially rehabilitated low-income rental housing projects.

The LIHTC program was established as part of the Tax Reform Act of 1986 but QCTs were not established until 1990. In 1992 the LIHTC and the designation of QCTs was in its infancy. The newness is demonstrated by the lack of references to this tool in the County's 1994 Housing Plan. Revisions to the LIHTC program were made in 1995 but not implemented until 1998. Today the LIHTC program is the largest source of funding for affordable rental housing units. Without LIHTC financed programs, most affordable housing projects would be financially infeasible. As a result, competition within jurisdictions to utilize this tool is intense.

As noted previously by Charles County, the supply of QCTs within Charles County is very limited. The Leonardtown Road Project creates a valuable opportunity to provide affordable housing on a QCT tract.

The Leonardtown Road Project responds to the need for affordable housing by providing 252 affordable housing units a location in close proximity to employment, retail, institutional and civic uses. It incorporates and integrates community space for a community garden, significant green space and other amenities in a centralized location with access to various transportation nodes. In short, the Leonardtown Road Project responds directly to the County's needs and desires as articulated in the 2016 Comprehensive Plan.

Adequate Public Facilities Report
For
3245 Leonardtown Road

In accordance with the requirements of Section 297-106 of the Charles County Zoning Ordinance, the following provides a preliminary analysis of the potential impact of the 3245 Leonardtown Road, Mixed Use (MX) Zone proposal on public facilities.

A. Water

3245 Leonardtown Road, with its location near the heart of the Development District and Transit Corridor, will have ready and available access to the existing Waldorf water system. Currently, water is available on the two frontage roads (Leonardtown Road, MD Route 5 and Pika Drive, CO Route 1048), which will provide direct water service access to the proposed development.

The Waldorf Service Area is served by an extensive distribution system owned, operated and maintained by Charles County. The proposed development is located within the Water Service Category W1, per the Charles County GIS Interactive Web Map.

During the formal engineering design of the project, County procedures will be followed to provide adequate, looped water supply to the project development nodes. Supply and line capacity conditions will be evaluated in greater detail during the formal development stages of the project. Required water conservation measures will be utilized within the planned project.

B. Sewer

3245 Leonardtown Road is situated in proximity to the Mattawoman sewer interceptor, located to the north, along Mattawoman Creek. The subject site is located within the Zekiah Pump Station service area which pumps to the Mattawoman sewer interceptor. All sewage flows from the subject property will be conveyed to the Mattawoman Wastewater Treatment Plant. Gravity flow will be provided where it is possible to serve the project.

The Zekiah Pump Station has capacity to serve the subject site. The facility has a remaining capacity of 500,652 GPD/348 GPM. The Mattawoman Wastewater Treatment Plant has a current treatment capacity of 20 mgd. Based on the Comprehensive Water & Sewer Plan the current capacity should be sufficient to serve the service area needs until the year 2040. The ultimate design capacity of the plant is 50 mgd.

C. Fire

Fire and Emergency Medical Services (EMS) in Charles County are provided by volunteer companies located throughout the county. The companies are dispatched to emergency incidents by the Communication Headquarters located within the Sheriff's Office.

The Waldorf Volunteer Fire Department Company 3 station is located 0.5 miles west of the subject property and would be the first responding Company to provide both fire and EMS service to emergency calls. The estimated response time from the Waldorf Station to the subject property is within five (5) minutes. According to the American Insurance Association, a response time of 7.5 minutes or less is considered desirable.

The adequacy of public facilities will be further addressed at the time of Site Development Plan approval.

D. Police Services

Police protection is provided to Charles County residents by both the Charles County Sheriff's Department and the Maryland State Police. The primary law enforcement agency within the county is the Sheriff's Department, which is staffed by 311 sworn officers throughout the County. The 3245 Leonardtown Road development will be served by the District 3 Station, located 0.6 miles east of the subject property on MD Route 5.

E. Schools

The 3245 Leonardtown Road development is in close proximity to Charles County public schools serving all school-age grade levels. The schools serving the subject property are Dr. Samuel Mudd Elementary School, John Hanson Middle School, and Thomas Stone High School. All three schools are located within one (1) mile of the subject property. School seats are made available for students through the online registration process with Charles County Public Schools and/or through execution of a Developers Rights and Responsibilities Agreement.

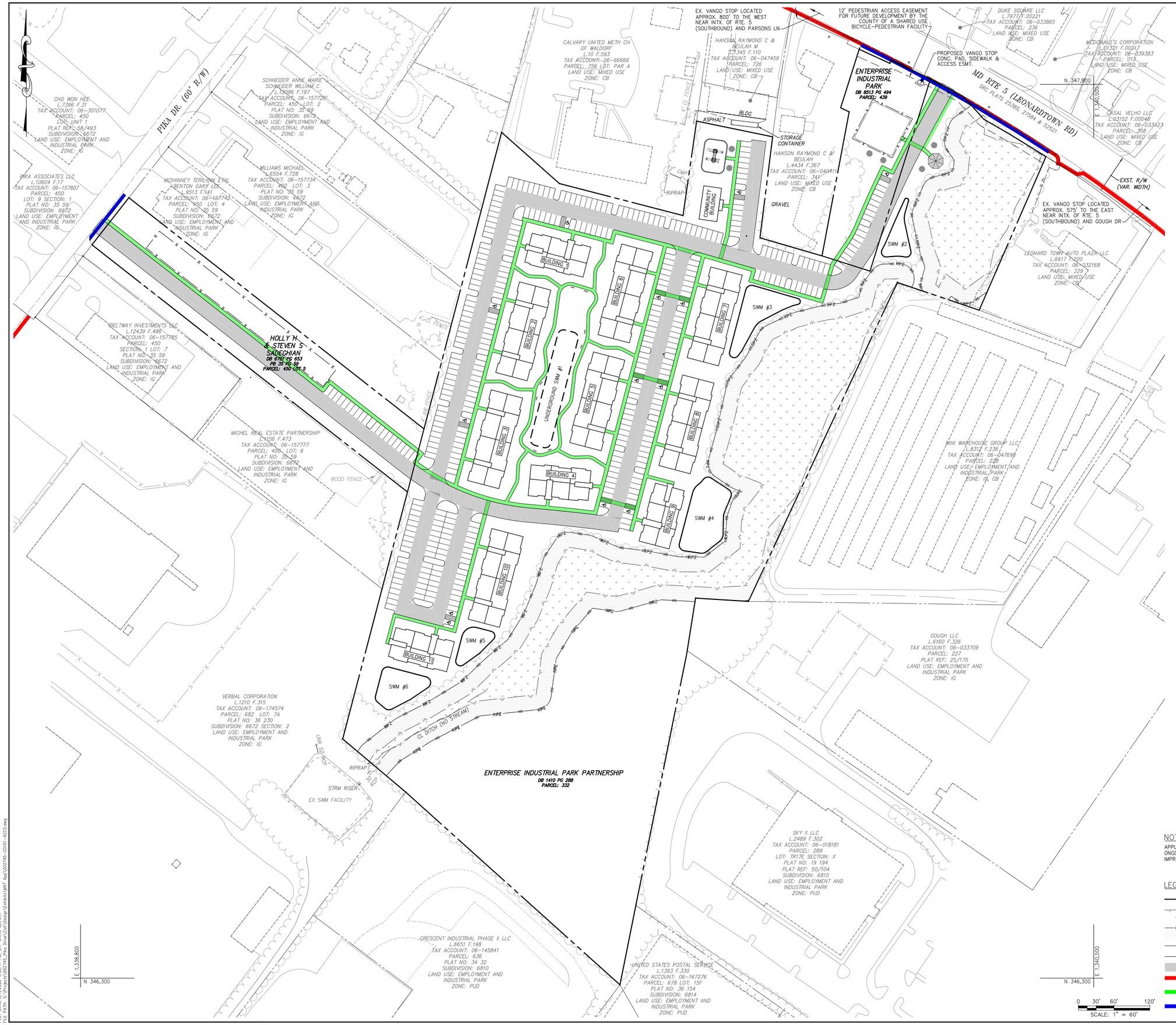
M. Neighborhood Description

The property at 3245 Leonardtown Rd, Waldorf, MD 20601 is located along Leonardtown Road (MD Route 5), a primary arterial roadway that connects Waldorf to surrounding communities. The area features a mix of commercial, institutional, and residential developments, contributing to a dynamic suburban environment.

The surrounding neighborhood can be generally described as extending from the intersection of MD Route 5 and Post Office Road, moving north along MD Route 5 to its intersection with St. Charles Parkway; then westward along St. Charles Parkway to Western Parkway; south along Western Parkway to Smallwood Drive; and east along Smallwood Drive to its junction with Leonardtown Road (MD Route 5), forming a defined neighborhood area.

The area is predominantly developed, with retail centers, office buildings, and residential communities complementing the corridor's commercial nature. The development at 3245 Leonardtown Rd is expected to integrate seamlessly into the existing fabric, given its frontage along a primary roadway with direct access to established infrastructure.
The site benefits from its proximity to major roadways, including MD Route 5 (Leonardtown Road), MD Route 228 (Berry Road), and U.S. Route 301, ensuring strong connectivity to regional employment centers and amenities. The impact of the development will be minimal, given the area's existing land use patterns and the presence of supporting infrastructure.

Future enhancements will further ensure that the development aligns with the area's evolving urban framework while maintaining accessibility for residents and visitors.



NOTE

APPLICANT SHALL COORDINATE WITH COUNTY STAFF REGARDING ONGOING PLANNING AND DESIGN OF BICYCLE-PEDESTRIAN IMPROVEMENTS ALONG LEONARDTOWN ROAD.

LEGEND

- PROPERTY BOUNDARY
- NON-TIDAL WETLAND
- 25' NON-TIDAL WETLAND BUFFER
- RESOURCE PROTECTION ZONE
- FENCE
- PROPOSED VEHICULAR PATH
- EXISTING SIDEWALK
- PROPOSED ON SITE SIDEWALK/ PEDESTRIAN PATH (5' MIN. WIDTH)
- PROPOSED STREET RIGHT-OF-WAY SIDEWALK (5' WIDTH)

REVISION			
NO.	DATE	DESCRIPTION	
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SUBMISSION		
NO.	DATE	
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STATE OF MARYLAND
ANDREW C. BLAUM
50993
PROFESSIONAL ENGINEER
9/2/26

CLIENT
STANDARD COMMUNITIES
1015 18TH STREET, NW, SUITE 601
WASHINGTON, DISTRICT OF COLUMBIA 20036

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9500 MEDICAL CENTER DRIVE, SUITE 370
LARGO, MARYLAND 20774
(301) 870-4530
HERNDON – LARGO – BALTIMORE
BLACKSBURG – NEWPORT NEWS
RALEIGH – RICHMOND
WWW.ATCS.COM

VEHICULAR AND PEDESTRIAN ACCESS EXHIBIT

PLANNED DEVELOPMENT ZONE AMENDMENT

3279 LEONARDTOWN ROAD

TAX MAP: 15, GRID: 4, PARCEL: 332, 438, 439 & 450
ELECTION DISTRICT 06

LOCATION
3279 LEONARDTOWN ROAD
WALDORF, MARYLAND

AUTHOR:	CDN
CHECK:	LAM
PROJ. #:	0002745
DATE:	10/14/2025
SCALE:	1" = 60'

SHEET: 1 OF 1

PLOT DATE: 9/17/2026, 4:03:11 PM, BY: CHRIS HERBERT
FILE PATH: S:\Projects\0002745_Site Development\Exhibits\MXT App\0002745-C0101-ACCS.dwg

PIKA DR. (60' R/W)

CHO WON HEE
L.7396 F.31
TAX ACCOUNT: 06–351077
PARCEL: 450
LOT: UNIT 1
PLAT REF: 58/493
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

PIKA ASSOCIATES LLC
L.10604 F.17
TAX ACCOUNT: 06–157807
PARCEL: 450
LOT: 9 SECTION: 1
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

MCWHINNEY TERILYNN ETAL
BENTON GARY LEE
L.9513 F.141
TAX ACCOUNT: 06–157742
PARCEL: 450 LOT: 4
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

WILLIAMS MICHAEL
L.6554 F.728
TAX ACCOUNT: 06–157734
PARCEL: 450 LOT: 3
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

SCHNEIDER ANNE MARIE
SCHNEIDER WILLIAM C
L.13086 F.197
TAX ACCOUNT: 06–157726
PARCEL: 450 LOT: 2
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

CALVARY UNITED METH CH OF WALDORF
L.10 F.593
TAX ACCOUNT: 06–66666
PARCEL: 756 LOT: PAR A
LAND USE: MIXED USE
ZONE: CB

HANSON RAYMOND C & BEULAH M
L.1345 F.110
TAX ACCOUNT: 06–047459
PARCEL: 726
LAND USE: MIXED USE
ZONE: CB

HANSON RAYMOND C JR & BEULAH
L.4434 F.367
TAX ACCOUNT: 06–040411
PARCEL: 341
LAND USE: MIXED USE
ZONE: CB

DUKE SOLARE LLC
L.7977 F.00221
TAX ACCOUNT: 06–033865
PARCEL: 236
LAND USE: MIXED USE
ZONE: CB

MCDONALD'S CORPORATION
L.01321 F.00217
TAX ACCOUNT: 06–039383
PARCEL: 713
LAND USE: MIXED USE
ZONE: CB

CASAL VELHO LLC
L.03152 F.00048
TAX ACCOUNT: 06–033423
PARCEL: 358
LAND USE: MIXED USE
ZONE: CB

MD RTE 5 (LEONARDTOWN RD)
SHC PLATS 25380, 27584 & 52221

EXST. R/W (VAR. WDTH)

LEONARD TOWN AUTO PLAZA LLC
L.6617 F.500
TAX ACCOUNT: 06–032168
PARCEL: 229
LAND USE: MIXED USE
ZONE: CB

BELTWAY INVESTMENTS LLC
L.12439 F.486
TAX ACCOUNT: 06–157785
PARCEL: 450
SECTION: 1 LOT: 7
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

MICHEL REAL ESTATE PARTNERSHIP
L.4156 F.473
TAX ACCOUNT: 06–157777
PARCEL: 450 LOT: 6
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

VERBAL CORPORATION
L.1210 F.315
TAX ACCOUNT: 06–174574
PARCEL: 682 LOT: 7A
PLAT NO: 36 230
SUBDIVISION: 6672 SECTION: 2
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

CRESCENT INDUSTRIAL PHASE II LLC
L.6651 F.198
TAX ACCOUNT: 06–145841
PARCEL: 636
PLAT NO: 34 32
SUBDIVISION: 6810
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

UNITED STATES POSTAL SERVICE
L.1393 F.330
TAX ACCOUNT: 06–167276
PARCEL: 678 LOT: 15F
PLAT NO: 36 154
SUBDIVISION: 6814
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

SKY II LLC
L.2489 F.302
TAX ACCOUNT: 06–018181
PARCEL: 289
LOT: TR17E SECTION: X
PLAT NO: 19 194
SUBDIVISION: 6810
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

GOUGH LLC
L.6160 F.326
TAX ACCOUNT: 06–033709
PARCEL: 227
PLAT REF: 25/175
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

MINI WAREHOUSE GROUP LLC
L.8312 F.236
TAX ACCOUNT: 06–047695
PARCEL: 228
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG, CB

HOLLY H & STEVEN S SADEGHIAN
DB 8751 PG 853
PB 35 PG 59
TAX ACCOUNT: 06–157769
PARCEL: 450 LOT: 5
USE: VACANT (EX.), RESIDENTIAL (PR.)
ZONE: IG (EX.), MX (PR.)

ENTERPRISE INDUSTRIAL PARK PARTNERSHIP
DB 1410 PG 288
TAX ACCOUNT: 06–034403
PARCEL: 332
USE: VACANT (EX.), RESIDENTIAL (PR.)
ZONE: IG (EX.), MX (PR.)

ENTERPRISE INDUSTRIAL PARK
DB 8513 PG 494
TAX ACCOUNT: 06–023754
PARCEL: 439
USE: COMMERCIAL/ RESIDENTIAL (EX.), CIVIC/RESIDENTIAL (PR.)
ZONE: CB (EX.), MX (PR.)

ENTERPRISE INDUSTRIAL PARK
DB 1410 PG 288
TAX ACCOUNT: 06–034381
PARCEL: 438
USE: COMMERCIAL (EX.), CIVIC/RESIDENTIAL (PR.)
ZONE: CB (EX.), MX (PR.)

ENTERPRISE INDUSTRIAL PARK
DB 1410 PG 288
TAX ACCOUNT: 06–034306
PARCEL: 332
USE: COMMERCIAL (EX.), CIVIC/RESIDENTIAL (PR.)
ZONE: CB (EX.), MX (PR.)

PERPETUAL OUTLET & DITCH ESMT. L.192 F.410

PARCEL 438 (TAX ACCOUNT 06–034381) AND PARCEL 332 (TAX ACCOUNT 06–034306) ARE SHOWN AS DEPICTED ON CHARLES COUNTY PDM GIS. THEY DO NOT EXIST AS SEPARATE PLATTED PARCELS PER ALTA SURVEY PREPARED FOR THE PROJECT PROPERTIES ON 6/25/2024. THE PAPER PARCELS ARE CONSOLIDATED WITH PARCEL 332 (TAX ACCOUNT 06–034403). SEE AREA TABLE NOTE ON THIS SHEET FOR ADDITIONAL INFORMATION.

BUILDING REMAINS

RIPRAP

STRM RISER

EX SWM FACILITY

CL DITCH (NO STREAM)

WOOD FENCE

4' BW FENCE

6' CL FENCE

8' WOOD FENCE

72" CMP

BLDG

CONC

2 STY BLDG

GARAGE

BLOCK FOUNDATION

STORAGE CONTAINER

RPZ

WB

S65°24'01"E 56.46'
N25°23'59"E 6.00'
S64°15'50"E 72.86'
S62°05'40"E 61.23'
S42°32'59"E 37.55'
S40°49'43"E 14.68'
S60°19'42"E 74.08'
S60°08'28"E 49.08'
N64°17'38"W 15.84'
S78°20'45"E 130.31'
S73°45'51"E 108.41'
S72°25'30"W 84.40'
S17°34'09"W 337.88'
S17°34'09"W 265.91'
S17°34'09"W 120.79'
S17°34'09"W 102.89'
N14°40'38"E 377.68'
N14°40'38"E 108.41'
N14°40'38"E 109.41'
N14°40'38"E 158.03'
N11°08'31"E 263.92'
N49°53'23"W 138.00'
N45°01'52"W 483.77'
S11°20'05"W 135.97'
S11°20'05"W 423.15'
N88°29'47"W 88.77'
N1°30'13"E 96.00'
S78°30'24"E 214.12'
S49°26'09"E 129.10'
S36°04'19"W 180.41'
N31°55'41"W 625.00'
S81°55'41"E 622.44'
N78°30'24"W 159.99'
N11°29'36"E 158.61'

AREA TABLE

PARCEL (TAX ACCOUNT)	ACREAGE
450, LOT 5 (06–157769)	1.5000
332 (06–034403)	17.5224
439 (06–023754)	0.8633
TOTAL	19.8857

NOTE: PARCEL 332 (DB 1410 PG 288) IS ASSESSED AS THREE (3) TAX ACCOUNTS (06–034403, 06–034381, 034306) BY THE MARYLAND DEPT. OF ASSESSMENTS AND TAXATION.

LEGEND

- PROPERTY BOUNDARY
- NON–TIDAL WETLAND
- WB — 25' NON–TIDAL WETLAND BUFFER
- RPZ — RESOURCE PROTECTION ZONE
- X — FENCE
- EXISTING PAVED DEVELOPMENT
- PROPOSED PROPERTY BOUNDARY

E 1,338,800
N 346,300

E 1,340,500
N 346,300

0 30' 60' 120'
SCALE: 1" = 60'

VICINITY MAP
SCALE: 1" = 2000'

CRAIN HWY. (RTE. 301)
DOWNTOWN WALDORF
OLD WASHINGTON RD.
CSX RAILROAD
HARRIS LN.
KELLEY DR.
SITE
FARM RD.
VIVIAN ADAMS DR.
LEONARDTOWN RD. (RTE. 5)
SHEA DR.
BRIGHAM RD.
INDUSTRIAL PARK DR.
POST OFFICE RD.
COPLEY AVE.
HUNTINGTON CIR.
BARRINGTON DR.
SAINT CHARLES PKWY.

REVISION DESCRIPTION	DATE	NO.
–	–/–/––	–

SUBMISSION	DATE	NO.
–	–/–/––	–

STATE OF MARYLAND
ANDREW C. BIRCH
PROFESSIONAL ENGINEER
30993
9/2/26

CLIENT
STANDARD COMMUNITIES
1015 18TH STREET, NW, SUITE 601
WASHINGTON, DISTRICT OF COLUMBIA 20036

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9500 MEDICAL CENTER DRIVE, SUITE 370
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(301) 870–4630
HERNDON – LARGO – BALTIMORE
BLACKSBURG – NEWPORT NEWS
RALEIGH – RICHMOND
WWW.ATCS.COM

BOUNDARY EXHIBIT

PLANNED DEVELOPMENT ZONE AMENDMENT

3279 LEONARDTOWN ROAD

TAX MAP: 15, GRID: 14, PARCEL: 332, 438, 439 & 450
ELECTION DISTRICT 06
LOCATION
3279 LEONARDTOWN ROAD
WALDORF, MARYLAND

AUTHOR:	CDN
CHECK:	LAM
PROJ. #:	0002745
DATE:	10/14/2025
SCALE:	1" = 60'

SHEET: 1 OF 1

PLOT DATE: 9/1/2026 4:14:31 PM, BY: CHRIS HECHT
FILE PATH: S:\Projects\002745_Blue Orchard\05 Civil\dwg\Exhibits\WKT Regs\002745–D102–BNDY.dwg

SITE CHARACTERISTICS
For
3245 Leonardtown Road

The garden-style apartment community at 3245 Leonardtown Road, located along Leonardtown Road (MD Route 5) in Charles County, Maryland, is a proposed Mixed Use (MX) Zone development. The majority of property is separated from Leonardtown Road by commercial retail and church uses to the north. The majority of property is separated from Pika Drive (CO Route 1048) by commercial office and light industrial uses to the west. Located south of the property are light industrial and commercial retail uses. Located east of the property are light industrial and commercial business and retail uses. Public utilities exist at the property frontage with Leonardtown Road and Pika Drive.

Topography

The subject property is mostly wooded and generally slopes from 1-10%, draining from west to east, towards existing stream and wetlands within the property boundary.

Forest Conservation

Southern and western portions of the site will remain wooded with those portions of forest being undisturbed. A Forest Stand Delineation and Forest Conservation Plan will be prepared and submitted prior to or simultaneously with the site plan application in accordance with the Forest Conservation requirements of Ordinance Chapter 298.

Wetlands

Wetlands exist on the property. The limits were delineated by Human & Rohde, Inc. in May 2024. Wetland buffers have been established in accordance with Ordinance Chapter 297, Art. XI - Resource Protection Zone (RPZ) (Overlay).

Stormwater Management

Stormwater management does not currently exist on the property. Stormwater Management shall be provided in accordance with Chapter 274 of the Charles County Code (Stormwater Management Ordinance) and Maryland Stormwater Management requirements.

Rare, Threatened and Endangered Species

A Natural Resource Inventory was conducted for the property by Human & Rohde, Inc. in May 2024. There is no record of rare, threatened and endangered species on the property.

Historic Properties

A Natural Resource Inventory was conducted for the property by Human & Rohde, Inc. in May

2024. There is no record of historic relevance on the property. Adjacent to the subject property is a property (Parcel 06-066666) listed on the Maryland Inventory of Historic Properties (CH-622 Calvary United Methodist Church, Calvery Chapel), located along Leonardtown Road.

Soils

The predominant soil on the property is Beltsville silt loam with lesser amounts of Urban land located adjacent to Leonardtown Road.

BaB: The predominant soil on the property is Beltsville silt loam (2-5% slopes). This soil comprises approximately 90% of the site area. Beltsville makes up 70% of the map unit and the soil includes minor components of Reybold, Aquasco, Grosstown, and Lenni (undrained). The Beltsville soil is located on uplands of broad interstream divides. The drainage class is moderately well drained, and runoff class is medium. The depth to restrictive feature is 20 to 40 inches to fragipan, with no frequency of flooding or ponding. The depth to water table is about 20 to 40 inches.

UK: The lesser soil on the property is Urban land. This soil comprises approximately 10% of the site area. Urban land makes up 90% of the map unit and the soil includes minor components of Udorthents (loamy) and Beltsville. The Urban land soil is located on flat landforms.

CHO WON HEE
L.7396 F.31
TAX ACCOUNT: 06-351077
PARCEL: 450
LOT: UNIT 1
PLAT REF: 58/493
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

PIKA DR. (60' R/W)

SCHNEIDER ANNE MARIE
SCHNEIDER WILLIAM C
L.13086 F.197
TAX ACCOUNT: 06-157726
PARCEL: 450 LOT: 2
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

CALVARY UNITED METH CH OF WALDORF
L.10 F.593
TAX ACCOUNT: 06-66666
PARCEL: 756 LOT: PAR A
LAND USE: MIXED USE
ZONE: CB

HANSON RAYMOND C & BEULAH M
L.1345 F.110
TAX ACCOUNT: 06-047459
PARCEL: 726
LAND USE: MIXED USE
ZONE: CB

DUKE SQUARE LLC
L.7977 F.00221
TAX ACCOUNT: 06-033865
PARCEL: 236
LAND USE: MIXED USE
ZONE: CB

MCDONALD'S CORPORATION
L.01321 F.00247
TAX ACCOUNT: 06-039383
PARCEL: 713
LAND USE: MIXED USE
ZONE: CB

MD RTE 5 (LEONARDTOWN RD)
SHC PLATS 25380, 27584 & 52221

N 347,800
E 1,340,500

CASAL VELHO LLC
L.03152 F.00048
TAX ACCOUNT: 06-033423
PARCEL: 358
LAND USE: MIXED USE
ZONE: CB

EXST. R/W (VAR. WIDTH)

PIKA ASSOCIATES LLC
L.10604 F.17
TAX ACCOUNT: 06-157807
PARCEL: 450
LOT: 9 SECTION: 1
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

MCHINNEY TERRENCE L ETAL
BENTON GARY LEE
L.9513 F.141
TAX ACCOUNT: 06-157742
PARCEL: 450 LOT: 4
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

WILLIAMS MICHAEL
L.6554 F.728
TAX ACCOUNT: 06-157734
PARCEL: 450 LOT: 3
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

BELTWAY INVESTMENTS LLC
L.12439 F.486
TAX ACCOUNT: 06-157785
PARCEL: 450
SECTION: 1 LOT: 7
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

HOLLY H & STEVEN S SADEGHIAN
DB 5751 PG 533
PB 35 PG 59
PARCEL: 450 LOT: 5

MICHEL REAL ESTATE PARTNERSHIP
L.156 F.473
TAX ACCOUNT: 06-157777
PARCEL: 450 LOT: 6
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

ENTERPRISE INDUSTRIAL PARK
DB 8513 PG 494
PARCEL: 439

STORAGE CONTAINER
ASPHALT (TBR)
CONC (TBR)
BLOCK FOUNDATION (TBR)
GRAVEL
BLDG (TBR)
CONC PARAPET (TBR)
PERPETUAL OUTLET & DITCH ESMT L.192 F.141
LEONARD TOWN AUTO PLAZA LLC
L.6617 F.300
TAX ACCOUNT: 06-032168
PARCEL: 229
LAND USE: MIXED USE
ZONE: CB

CL DITCH (NO STREAM)
RIPRAP
12" CMP (TBR)
4' BW FENCE
WOOD FENCE
(TBR)

NO STREAM HAS BEEN OBSERVED WITHIN THE FIELD-DELINEATED WETLANDS

ENTERPRISE INDUSTRIAL PARK PARTNERSHIP
DB 1410 PG 288
PARCEL: 332

BUILDING REMAINS (TBR)

MINI WAREHOUSE GROUP LLC
L.8312 F.236
TAX ACCOUNT: 06-047695
PARCEL: 228
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG, CB

GOUGH LLC
L.6160 F.326
TAX ACCOUNT: 06-033709
PARCEL: 227
PLAT REF: 25/175
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

VERBAL CORPORATION
L.1210 F.315
TAX ACCOUNT: 06-174574
PARCEL: 682 LOT: 7A
PLAT NO: 36 230
SUBDIVISION: 6672 SECTION: 2
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

UNK SCM
RIPRAP
STRM RISER
EX SWM FACILITY
CL DITCH (NO STREAM)

SKY II LLC
L.2489 F.302
TAX ACCOUNT: 06-018181
PARCEL: 289
LOT: TR17E SECTION: X
PLAT NO: 19 194
PLAT REF: 50/104
SUBDIVISION: 6810
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

CRESCENT INDUSTRIAL PHASE II, LLC
L.6651 F.198
TAX ACCOUNT: 06-145841
PARCEL: 636
PLAT NO: 34 32
SUBDIVISION: 6810
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

UNITED STATES POSTAL SERVICE
L.1393 F.330
TAX ACCOUNT: 06-167276
PARCEL: 678 LOT: 15F
PLAT NO: 36 154
SUBDIVISION: 6814
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

LEONARD TOWN AUTO PLAZA LLC
L.6617 F.300
TAX ACCOUNT: 06-032168
PARCEL: 229
LAND USE: MIXED USE
ZONE: CB

WRPZ
WB
RPZ
4' BW FENCE

E 1,338,800
N 346,300

E 1,340,500
N 346,300

0 30' 60' 120'
SCALE: 1" = 60'

LEGEND

- PROPERTY BOUNDARY
- NON-TIDAL WETLAND
- 25' NON-TIDAL WETLAND BUFFER
- RESOURCE PROTECTION ZONE
- FENCE
- (TBR) TO BE REMOVED
- EXISTING ON-SITE PAVED DEVELOPMENT
- EXISTING SPECIMEN TREE WITH CRITICAL ROOT ZONE LIMITS

REVISION			
DESCRIPTION	DATE	NO.	
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SUBMISSION		
NO.	DATE	
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STATE OF MARYLAND
ANDREW C. BRUSH
50993
PROFESSIONAL ENGINEER
9/2/26

CLIENT
STANDARD COMMUNITIES
1015 18TH STREET, NW, SUITE 601
WASHINGTON, DISTRICT OF COLUMBIA 20036

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9500 MEDICAL CENTER DRIVE, SUITE 370
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(301) 870-4530
HERNDON – LARGO – BALTIMORE
BLACKSBURG – NEWPORT NEWS
RALEIGH – RICHMOND
WWW.ATCS.COM

EXISTING CONDITIONS EXHIBIT

PLANNED DEVELOPMENT ZONE AMENDMENT
23791 LEONARDTOWN ROAD
TAX MAP: 15, GRID: 14 PARCEL: 332, 438, 439 & 450
ELECTION DISTRICT 06
LOCATION
23791 LEONARDTOWN ROAD
WALDORF, MARYLAND

AUTHOR:	CDN
CHECK:	LAM
PROJ.#:	0002745
DATE:	10/14/2025
SCALE:	1" = 60'

SHEET: 1 OF 1

PLOT DATE: 9/1/2026, 4:17:36 PM, BY: CHRIS NEOTT
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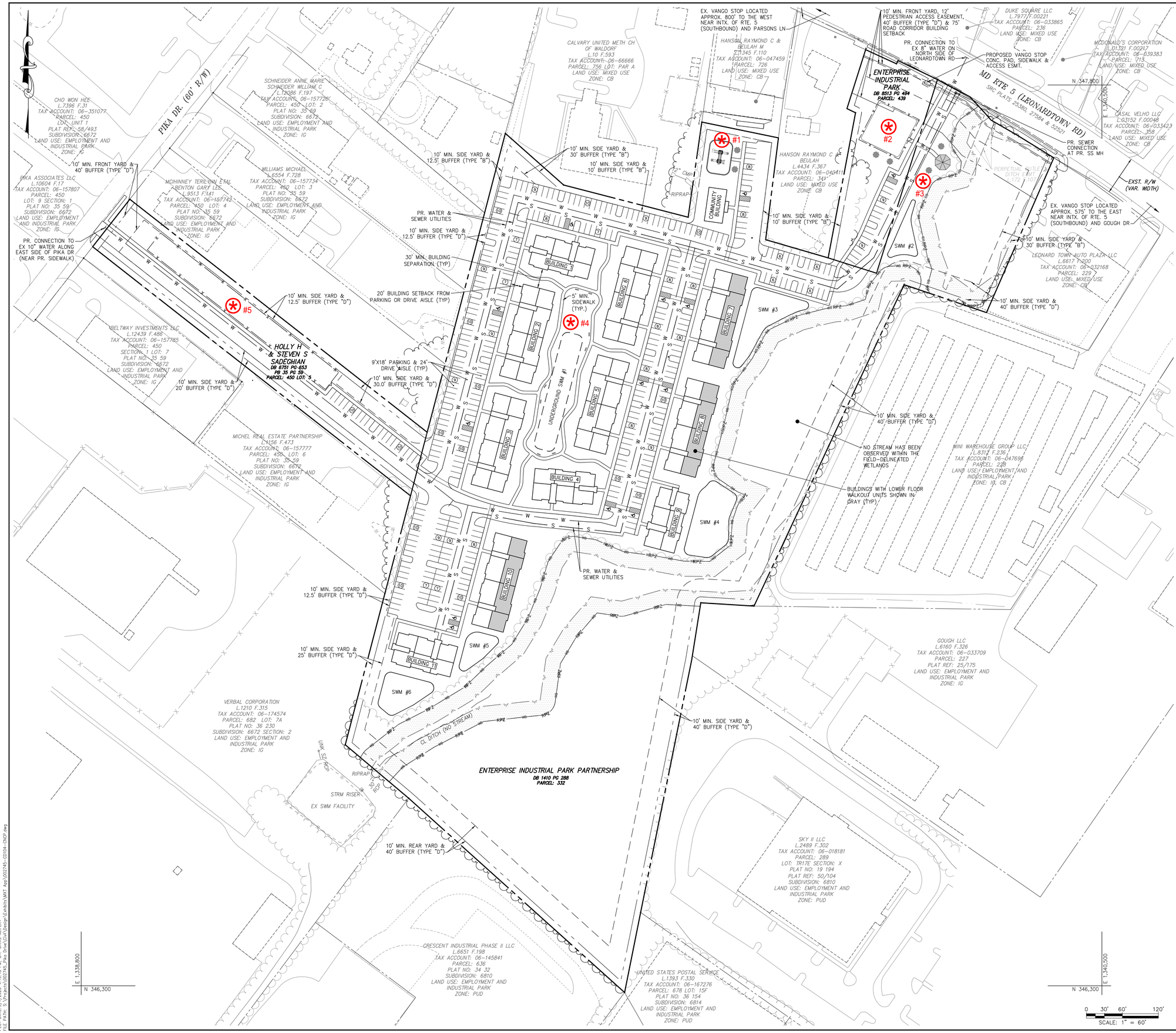

PARKING				
USE	QUANTITY	STANDARD	REQUIRED PARKING	PROPOSED PARKING
RESIDENTIAL MULTIFAMILY	–	–	–	–
1-BEDROOM	126 UNITS	1.5 SPACES/UNIT	189	–
2-BEDROOM	78 UNITS	2 SPACES/UNIT	156	–
3-BEDROOM	48 UNITS	2.5 SPACES/UNIT	120	–
RESIDENTIAL TOTAL	252 UNITS	–	465	370
RESIDENTIAL PARKING RATIO	–	–	–	1.5/UNIT
BUSINESS SERVICES	1,800 SF	1 SPACE/200 GFA	9	9
ADA STANDARD	–	301-400 PARKING SPACES	(8)	(13)
ADA VAN ACCESSIBLE	–	1 PER 8 ADA SPACES	(1)	(13)
SITE TOTAL	–	–	474	379
LOADING SPACES	–	ONLY IF REQUIRED FOR NORMAL OPERATION	0	0

CONCEPT NOTES

1. THIS CONCEPTUAL PLAN IS BASED ON REASONABLE ASSUMPTIONS GIVEN JURISDICTIONAL CONSTRAINTS, OWNER/DEVELOPER PREFERENCE, AND ASSOCIATED INFORMATION PROVIDED TO ATCS.
2. THIS CONCEPTUAL PLAN IS FOR INFORMATIONAL AND REPRESENTATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE PENDING FURTHER EXPLORATION OF THREE-DIMENSIONAL FEATURES, APPLICABLE MUNICIPAL REQUIREMENTS AND APPROVALS, EXISTING UTILITIES, SITE GRADING, AND THE LIKE.
3. THIS CONCEPTUAL PLAN IS NOT APPROVED FOR CONSTRUCTION.
4. THIS CONCEPTUAL PLAN SHALL NOT BE DISTRIBUTED TO ANY OTHER ENTITY WITHOUT THE EXPLICIT WRITTEN CONSENT OF ATCS.
5. SITE AMENITIES, SWM, GRADING, AND WET UTILITY DESIGN WILL BE FINALIZED AT TECHNICAL DESIGN.
6. STORMWATER MANAGEMENT WILL BE PROVIDED IN ACCORDANCE WITH THE CURRENT CHARLES COUNTY SWM ORDINANCE, TO INCLUDE THE 3-STEP STORMWATER MANAGEMENT REVIEW PROCESS, AND THE MDE STORMWATER MANAGEMENT DESIGN MANUAL.
7. APPLICANT SHALL COORDINATE WITH COUNTY STAFF REGARDING ONGOING PLANNING AND DESIGN OF BICYCLE-PEDESTRIAN IMPROVEMENTS ALONG LEONARDTOWN ROAD.

PROPOSED STORMWATER FACILITIES

(APPROXIMATE TYPES BY LOCATION)

#1 UNDERGROUND CHAMBERS
#2 MICRO-BIRETENTION, LANDSCAPE INFILTRATION
#3 MICRO-BIRETENTION, SUBMERGED GRAVEL WETLAND
#4 MICRO-BIRETENTION, SUBMERGED GRAVEL WETLAND
#5 LANDSCAPE INFILTRATION, SUBMERGED GRAVEL WETLAND
#6 LANDSCAPE INFILTRATION, SUBMERGED GRAVEL WETLAND

PROPOSED AMENITIES

#1 USABLE PASSIVE/ACTIVE RECREATION AREA (E.G., PLAYGROUND)
#2 CIVIC/COMMUNITY USE FEATURE (E.G. COMMUNITY GARDEN)
#3 CIVIC/COMMUNITY USE FEATURE (E.G., COMMUNITY GAZEBO)
#4 USABLE PASSIVE/ACTIVE RECREATION AREA (E.G., OPEN FIELD, PLAY AREA, WALKING PATHS)
#5 USABLE PASSIVE/ACTIVE RECREATION AREA (E.G., FENCED DOG PARK)

RESIDENTIAL DENSITY	
GROSS TRACT ACREAGE	19.89
TOTAL RESIDENTIAL UNITS	252
SITE RATIO	12.67 UNITS/AC

LEGEND

PROPERTY BOUNDARY
NON-TIDAL WETLAND
WB 25' NON-TIDAL WETLAND BUFFER
RPZ RESOURCE PROTECTION ZONE
X FENCE
#X SITE AMENITY LOCATION

REVISION			
NO.	DATE	DESCRIPTION	
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SUBMISSION		
NO.	DATE	
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STATE OF MARYLAND
ANDREW C. BALLARD
50993
PROFESSIONAL ENGINEER
9/2/26

CLIENT
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1015 18TH STREET, NW, SUITE 601
WASHINGTON, DISTRICT OF COLUMBIA 20036

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(301) 870-4630
HERNDON – LARGO – BALTIMORE
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RALEIGH – ROCKVILLE
WWW.ATCS.COM
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CONCEPT PLAN EXHIBIT

PLANNED DEVELOPMENT ZONE AMENDMENT
3279 LEONARDTOWN ROAD
TAX MAP: 15, GRID: 14, PARCEL: 323, 438, 439 & 450
ELECTION DISTRICT 06
LOCATION
3279 LEONARDTOWN ROAD
WALDORF, MARYLAND

AUTHOR:	CDN
CHECK:	LAM
PROJ.#:	0002745
DATE:	10/14/2025
SCALE:	1" = 60'

SHEET: 1 OF 1

PLOT DATE: 9/1/2026 4:15:18 PM BY: CHRIS HEITSEY
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PIKA DR. (60' R/W)

CHO WON HEE
L.7396 F.31
TAX ACCOUNT: 06-351077
PARCEL: 450
LOT: UNIT 1
PLAT REF: 58/493
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

PIKA ASSOCIATES LLC
L.10604 F.17
TAX ACCOUNT: 06-157807
PARCEL: 450
LOT: 9 SECTION: 1
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

SCHNEIDER ANNE MARIE
SCHNEIDER WILLIAM C
L.12086 F.197
TAX ACCOUNT: 06-157726
PARCEL: 450 LOT: 2
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

MCWHINNEY TERILYNN LYAL
RENTON GARY LEE
L.9513 F.141
TAX ACCOUNT: 06-157742
PARCEL: 450 LOT: 4
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

WILLIAMS MICHAEL
L.6554 F.728
TAX ACCOUNT: 06-157734
PARCEL: 450 LOT: 3
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

BELTWAY INVESTMENTS LLC
L.12439 F.486
TAX ACCOUNT: 06-157785
PARCEL: 450
SECTION: 1 LOT: 7
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

HOLLY H & STEVEN S SADEGHIAN
DB 6751 PG 653
PB 35 PG 59
PARCEL: 450 LOT: 5

MICHEL REAL ESTATE PARTNERSHIP
L.5156 F.473
TAX ACCOUNT: 06-157777
PARCEL: 450 LOT: 6
PLAT NO: 35 59
SUBDIVISION: 6672
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

CALVARY UNITED METH CH OF WALDORF
L.10 F.593
TAX ACCOUNT: 06-66666
PARCEL: 756 LOT: PAR A
LAND USE: MIXED USE
ZONE: CB

EX. VANGO STOP LOCATED APPROX. 800' TO THE WEST NEAR INTX. OF RTE. 5 (SOUTHBOUND) AND PARSONS LN

HANSON RAYMOND C & BEULAH M
L.1345 F.110
TAX ACCOUNT: 06-047459
PARCEL: 726
LAND USE: MIXED USE
ZONE: CB

12' PEDESTRIAN ACCESS EASEMENT FOR FUTURE DEVELOPMENT BY THE COUNTY OF A SHARED USE BICYCLE-PEDESTRIAN FACILITY

DUKE SQUARE LLC
L.7977 F.00221
TAX ACCOUNT: 06-033865
PARCEL: 236
LAND USE: MIXED USE
ZONE: CB

PROPOSED VANGO STOP CONC. PAD, SIDEWALK & ACCESS ESMT.

MCDONALD'S CORPORATION
L.01391 F.00217
TAX ACCOUNT: 06-039383
PARCEL: 713
LAND USE: MIXED USE
ZONE: CB

N 347,900
E 1,340,500

CASAL VELHO LLC
L.03152 F.00048
TAX ACCOUNT: 06-033423
PARCEL: 358
LAND USE: MIXED USE
ZONE: CB

ENTERPRISE INDUSTRIAL PARK
DB 8513 PG 494
PARCEL: 439

MD RTE 5 (LEONARDTOWN RD)
SHC PLATS 22380, 27584 & 52221

EXST. R/W (VAR. WIDTH)

HANSON RAYMOND C & BEULAH
L.4434 F.367
TAX ACCOUNT: 06-040411
PARCEL: 347
LAND USE: MIXED USE
ZONE: CB

EX. VANGO STOP LOCATED APPROX. 575' TO THE EAST NEAR INTX. OF RTE. 5 (SOUTHBOUND) AND GOUGH DR

LEONARD TOWN AUTO PLAZA LLC
L.6617 F.200
TAX ACCOUNT: 06-032168
PARCEL: 229
LAND USE: MIXED USE
ZONE: CR

COMMUNITY BUILDING

BUILDING 1
BUILDING 2
BUILDING 3
BUILDING 4
BUILDING 5
BUILDING 6
BUILDING 7
BUILDING 8
BUILDING 9
BUILDING 10
BUILDING 11

WRP2

MINI WAREHOUSE GROUP LLC
L.8312 F.236
TAX ACCOUNT: 06-047695
PARCEL: 228
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG, CB

GOUGH LLC
L.6160 F.326
TAX ACCOUNT: 06-033709
PARCEL: 227
PLAT REF: 25/175
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

VERBAL CORPORATION
L.1210 F.315
TAX ACCOUNT: 06-174574
PARCEL: 682 LOT: 7A
PLAT NO: 36 230
SUBDIVISION: 6672 SECTION: 2
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: IG

ENTERPRISE INDUSTRIAL PARK PARTNERSHIP
DB 1410 PG 288
PARCEL: 332

SKY II LLC
L.2489 F.302
TAX ACCOUNT: 06-018181
PARCEL: 289
LOT: TR17E SECTION: X
PLAT NO: 19 194
PLAT REF: 50/104
SUBDIVISION: 6810
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

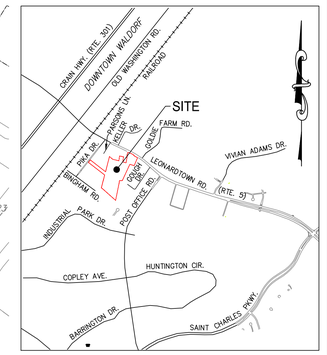
CRESCENT INDUSTRIAL PHASE II LLC
L.6651 F.198
TAX ACCOUNT: 06-145841
PARCEL: 636
PLAT NO: 34 32
SUBDIVISION: 6810
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

UNITED STATES POSTAL SERVICE
L.1393 F.330
TAX ACCOUNT: 06-167276
PARCEL: 678 LOT: 15F
PLAT NO: 36 154
SUBDIVISION: 6814
LAND USE: EMPLOYMENT AND INDUSTRIAL PARK
ZONE: PUD

E 1,338,800
N 346,300

E 1,340,500
N 346,300

0 30' 60' 120'
SCALE: 1" = 60'



VICINITY MAP
SCALE: 1" = 2000'

LEGEND AND USE AREA TABLE		
USE	AREA (ACRES)	% OF TOTAL SITE ACREAGE
RESIDENTIAL	10.22	51.4%
CIVIC	2.98	15.0%
OPEN SPACE	6.69	33.6%
USABLE OPEN SPACE WITHIN LAND USE AREAS	–	–
TOTAL	19.89	100%

NOTE

APPLICANT SHALL COORDINATE WITH COUNTY STAFF REGARDING ONGOING PLANNING AND DESIGN OF BICYCLE-PEDESTRIAN IMPROVEMENTS ALONG LEONARDTOWN ROAD.

LEGEND

- PROPERTY BOUNDARY
- NON-TIDAL WETLAND
- 25' NON-TIDAL WETLAND BUFFER
- RESOURCE PROTECTION ZONE
- FENCE

REVISION DESCRIPTION	DATE	NO.
–	–/–/––	–

SUBMISSION	DATE	NO.
–	–/–/––	–

STATE OF MARYLAND
ANDREW D. LAMPERT
50993
PROFESSIONAL ENGINEER
9/2/26

CLIENT
STANDARD COMMUNITIES
1015 18TH STREET, NW, SUITE 601
WASHINGTON, DISTRICT OF COLUMBIA 20036

9500 MEDICAL CENTER DRIVE, SUITE 370
LARGO, MARYLAND 20774
(301) 870-4630

HERNDON – LARGO – BALTIMORE
BLACKSBURG – NEWPORT NEWS
RALEIGH – RICHMOND
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LAND USE MASTER PLAN EXHIBIT

PLANNED DEVELOPMENT ZONE AMENDMENT
3279 LEONARDTOWN ROAD
TAX MAP: 15, GRID: 14, PARCEL: 332, 438, 439 & 450
ELECTION DISTRICT 06

LOCATION
3279 LEONARDTOWN ROAD
WALDORF, MARYLAND

AUTHOR:	CDN
CHECK:	LAM
PROJ.#:	0002745
DATE:	10/14/2025
SCALE:	1" = 60'

SHEET: 1 OF 1

PLOT DATE: 9/1/2026, 4:30:53 PM, BY: CHRIS HECHT
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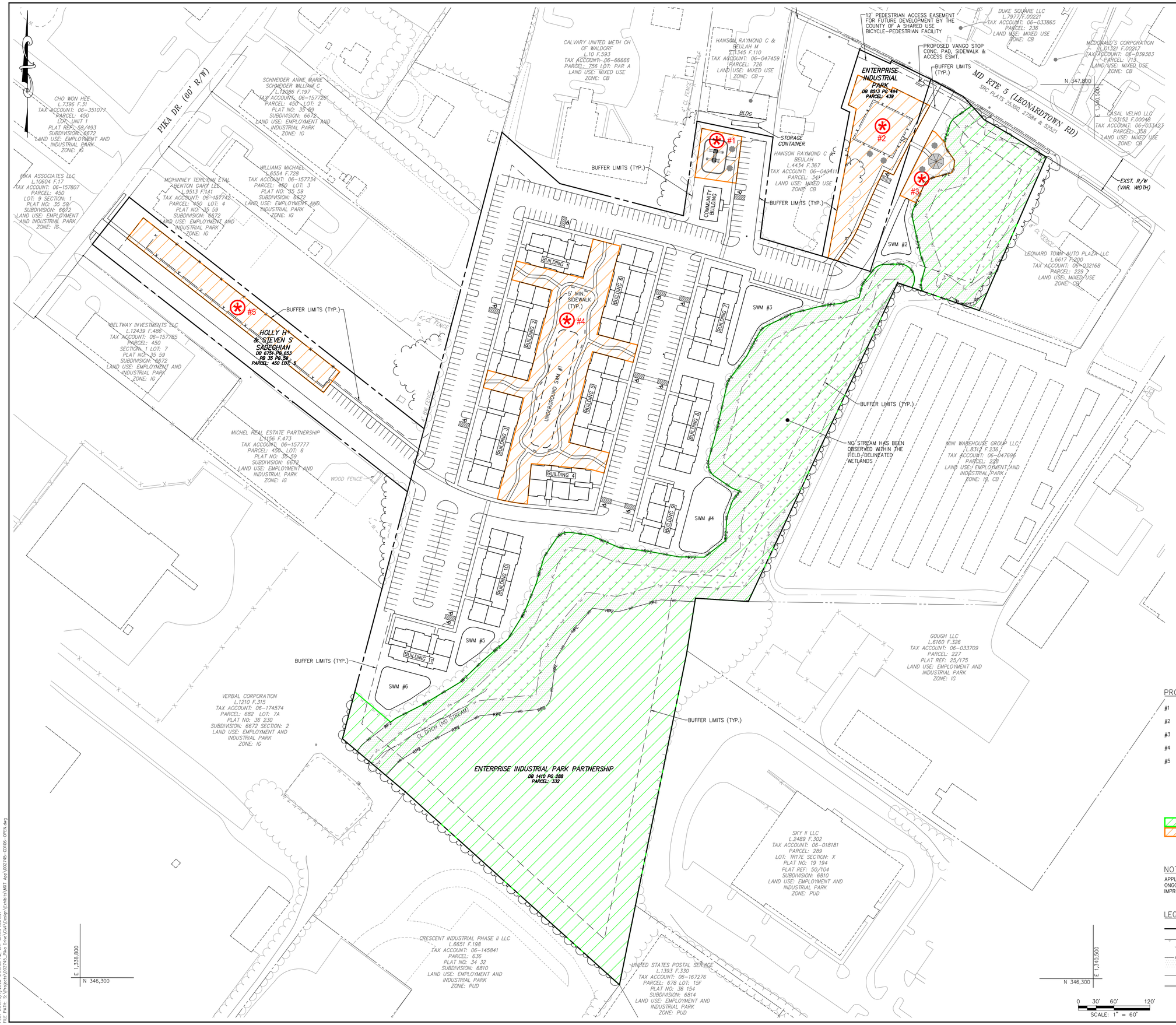

PROPOSED AMENITIES

- #1 USABLE PASSIVE/ACTIVE RECREATION AREA (E.G., PLAYGROUND)
- #2 CIVIC/COMMUNITY USE FEATURE (E.G, COMMUNITY GARDEN)
- #3 CIVIC/COMMUNITY USE FEATURE (E.G., COMMUNITY GAZEBO)
- #4 USABLE PASSIVE/ACTIVE RECREATION AREA (E.G., OPEN FIELD, PLAY AREA, WALKING PATHS)
- #5 USABLE PASSIVE/ACTIVE RECREATION AREA (E.G., FENCED DOG PARK)

OPEN SPACE LEGEND

USE	AREA (ACRES)	% OF TOTAL SITE AGREAGE
OPEN SPACE	8.02	40.3%
USABLE OPEN SPACE	2.18	11.0%
TOTAL	10.20	51.3%

NOTE

APPLICANT SHALL COORDINATE WITH COUNTY STAFF REGARDING ONGOING PLANNING AND DESIGN OF BICYCLE-PEDESTRIAN IMPROVEMENTS ALONG LEONARDTOWN ROAD.

LEGEND

- PROPERTY BOUNDARY
- NON-TIDAL WETLAND
- 25' NON-TIDAL WETLAND BUFFER
- RPZ — RESOURCE PROTECTION ZONE
- X — X — FENCE
- #X SITE AMENITY LOCATION

REVISION			SUBMISSION	
NO.	DATE	DESCRIPTION	NO.	DATE
-	-/-/----	-	-	-/-/----
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STATE OF MARYLAND
STEPHEN C BACON
50993
PROFESSIONAL ENGINEER
9/2/26

CLIENT
STANDARD COMMUNITIES
1015 18TH STREET, NW, SUITE 601
WASHINGTON, DISTRICT OF COLUMBIA 20036

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HERNDON – LARGO – BALTIMORE
BLACKSBURG – NEWPORT NEWS
RALEIGH – RICHMOND
WWW.ATCS.COM

USABLE OPEN SPACE AND AMENITY EXHIBIT

PLANNED DEVELOPMENT ZONE AMENDMENT

3279 LEONARDTOWN ROAD

TAX MAP: 15, GRID: A PARCEL: 232, 438, 439 & 450
LOCATION
ELECTION DISTRICT 06
3279 LEONARDTOWN ROAD
WALDORF, MARYLAND

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PROJ. #:	0002745
DATE:	10/14/2025
SCALE:	1" = 60'

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SITE DESIGN AND ARCHITECTURAL CODE For 3279 LEONARDTOWN ROAD

6TH Election District

Charles County, Maryland

March 2025 (rev. July 2026)

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SITE DESIGN AND ARCHITECTURAL GUIDELINES
For
3279 Leonardtown Road

1.0 Purpose and Authority

The garden-style apartment community at 3279 Leonardtown Road, located along Leonardtown Road (MD Route 5) in Charles County, Maryland, is a proposed Mixed Use (MX) Zone development. The Site Design and Architectural Guidelines (Guidelines) have been assembled as required by Article VII of the 1992 (as amended) Charles County Zoning Ordinance to provide a basis for development at 3279 Leonardtown Road. The Guidelines will be administered by an Architectural Review Committee, which will be established by the applicant's Declaration to review all site and building proposals. The Architectural Review Committee's main function will be to guarantee the fulfillment of the design objectives set forth in these Site Design and Architectural Guidelines. The intent is that the 3279 Leonardtown Road Design Code:

- Encourage development that presents an attractive residential community and is compatible with surrounding land uses through appropriate building placement, service areas, and landscaping.

- Provide a flexible approach to the comprehensive development of a large-scale residential community, ensuring an efficient balance of density, design, and open space.

- Require an orderly, phased construction process that ensures the cohesive development of a high-quality garden-style apartment community.

- Ensure compatibility with the surrounding neighborhood and land uses by incorporating higher standards of land planning and site design than could be achieved under the original base zones.

The garden-style apartment community at 3279 Leonardtown Road will be a well-integrated, thoughtfully designed residential development, enhancing housing options in Waldorf while maintaining the suburban character of the area.

The design and build-out of 3279 Leonardtown Road will be guided by and consistent with the Master Plan approved by the County Commissioners on [insert date of approval].

2.0 Land Use Criteria

The Charles County Zoning Ordinance (Article VII, §297-106) states that the purpose of the Mixed Use (MX) Zone is to establish standards for the development of residential and office/employment uses, along with related commercial retail uses. The garden-style apartment community at 3279 Leonardtown Road seeks to achieve these standards by providing a development that is attractive and well-integrated with the surrounding neighborhood through the thoughtful siting of buildings and landscape design.

3.0 Location and Neighborhood Description

The approximately 19-acre site at 3279 Leonardtown Road in Charles County is located at the intersection of Leonardtown Road (MD Route 5), a major arterial State highway, and Pika Drive, providing excellent accessibility for future residents. The site is planned for multifamily residential development, strategically positioned to serve the growing demand for quality housing in a well-connected area with access to retail, employment, and community amenities.

To the north, the Lancaster and Wakefield neighborhoods consist of single-family homes and townhomes, offering a well-established residential setting that complements the planned multifamily community. To the east, along Leonardtown Road, the site is adjacent to a variety of retail and service-oriented businesses, including Wawa, ALDI, and AutoZone, ensuring residents have access to grocery, fuel, and convenience options. Additionally, Waldorf Ford and Waldorf Dodge dealerships are located nearby, contributing to the commercial character of the corridor.

Directly south of the site, across Leonardtown Road, is a concentration of retail and dining establishments, including Safeway, Lowe's, Chick-fil-A, and IHOP, offering a mix of grocery, home improvement, and restaurant options. Further south, St. Charles Towne Center, a regional shopping mall, provides additional retail and entertainment choices, making the area a hub for commerce and services.

To the west, the site is bordered by natural buffers, including wooded areas and stormwater management facilities, creating a transition between the multifamily development and adjacent land uses. The surrounding area features an interconnected sidewalk and pedestrian pathway network, linking the site to nearby neighborhoods and commercial centers, promoting walkability and accessibility for future residents.

4.0 DESIGN STANDARDS

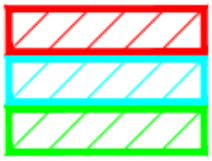
4.1 OVERALL DESIGN INTENT

These Site Design and Architectural Guidelines establish the design principles for the multifamily development at 3279 Leonardtown Road, ensuring a high standard for site planning, architecture, and signage. The guidelines align with the objectives outlined in the Charles County Comprehensive Plan and Zoning Ordinance by:

- Enhancing the quality of residential development through thoughtful site design, cohesive architecture, and integrated landscaping.
- Creating an attractive and visually appealing community that contributes to the aesthetic character of Leonardtown Road and surrounding areas.
- Fostering a connected residential environment that integrates seamlessly with nearby neighborhoods and commercial centers, promoting accessibility and mobility.
- Encouraging a walkable, pedestrian-friendly atmosphere with well-designed sidewalks, green spaces, and direct linkages to surrounding retail, office, and recreational

amenities.

Consistent with §297-106(F) as amended by and the approve Master Plan, 3279 Leonardtown Road will be comprised of the following Use Distribution:



LEGEND AND USE AREA TABLE		
USE	AREA (ACRES)	% OF TOTAL SITE ACREAGE
RESIDENTIAL	10.10	50.8%
CIVIC	2.98	15.0%
OPEN SPACE	6.81	34.2%
TOTAL	19.89	100%

Residential Density of 12.67 per acre will be achieved via affordable house credits and the use of Transferable Development Rights ("TDRs"). Construction is scheduled to commence in early 2028 and be completed by the end of 2029.

4.2 SITE DESIGN

As a cohesive development, the multifamily community at 3279 Leonardtown Road will be designed to integrate and connect its various residential and community-focused uses rather than segregating them. Individual building and site designs will reflect this unified approach, ensuring a seamless and harmonious environment. Integration will be achieved through architectural continuity, cohesive site planning, flexible communal spaces, and shared amenities that foster a strong sense of community. Internal compatibility among residential, recreational, and potential mixed-use components will be ensured through thoughtful design standards, allowing for an engaging and interconnected living experience.

Further, as a single unified property, the development will incorporate shared infrastructure, amenities, and mitigation strategies. Key design elements—including stormwater management (SWM), open spaces, signage, pedestrian connectivity, and parking—will be planned and provided within the overall site rather than being restricted to individual parcel boundaries. The property owner or governing association will oversee and coordinate these elements, ensuring they are appropriately located and equitably assigned among residential buildings and any supporting uses, in compliance with County Codes. Binding agreements will be established, as necessary, for cross-easements, maintenance responsibilities, and other shared obligations at the time of site plan approval.

The overall site design will align with the vision of a high-quality residential community that fosters connectivity, walkability, and a welcoming neighborhood atmosphere. The development will comply with the County Zoning Ordinance's multifamily residential standards, except as follows:

A. Setback and Buffering Requirements

- Minimum setbacks for residential buildings, parking areas, and loading zones within the property shall adhere to the following standards.
- Interior property lot line setbacks shall not apply between abutting buildings or parcels where cross-development agreements and/or shared parking agreements are in place.
- Setbacks to the overall exterior property boundaries of the 3279 Leonardtown Road development shall be as follows: Building setback = 10 feet to Front, Side and Rear property boundaries.
- For purposes of design, these guidelines as tailored for this project do adopt the following standards:
    - Along **Public Roads/Right-of-Ways** (measured from edge right-of-way):
        - Building setback to a front face = 10 feet
        - Front Landscape Buffers = 75 feet average with Type D bufferyard per Charles County Code. SWM planting counts toward the landscape requirements.
        - Building setback to a rear face = 10 feet
        - Rear of a Building Landscape Buffers = 75 feet average with Type D bufferyard. No building rears shall be established along a public road without a detailed landscape plan provided for BPOC approval.
        - Building setback to a side face = 10 feet
        - Side of a Building Landscape Buffers = Varies from 10 feet to 30 feet with Type B bufferyard and 12.5 feet to 75 feet with Type D bufferyard per Charles County Code. SWM planting counts toward the landscape requirements.
        - Parking and/or truck court Landscape Buffers = Varies from 10 feet to 20 feet
    - Along **Private Roads and/or Private Access Easements** (measured from outside edge of sidewalk or face of curb in areas with no sidewalks along the private roadway):
        - Building setback to a front face = 14 feet from sidewalk or 20 feet from face of curb

- Building Front Landscaping: Building Front Landscaping shall consist of a combination of flowering trees, shrubs, and flower beds.

- Building setback to a side face = 14 feet from sidewalk or 20 feet from face of curb

- Side of a Building Landscape Buffers = Building Side Landscaping shall consist of a combination of flowering trees, shrubs, and flower beds.

- Justification for Reduced Setback Standards and Waiver Request

  The proposed 10-foot exterior setback, in lieu of the standard 25-foot front and rear setbacks, is necessary to maximize the buildable envelope of the site and achieve the residential density required to make affordable unit production financially viable. The County's Comprehensive Plan identifies the Leonardtown Road corridor as a priority area for higher-density residential growth, and the County Commissioners have established affordable housing as a central policy objective. Compressing perimeter setbacks allows density to be achieved without sacrificing the open space and community amenity areas that constitute nearly 50% of the gross tract.

  Reduced physical setbacks will be mitigated through a robust landscaping program. Along all public road frontages, a 75-foot average Type D bufferyard with layered canopy trees, understory plantings, and shrubs will provide effective screening that exceeds what a larger paved setback alone would achieve. Side boundaries adjacent to residential neighborhoods will be treated with Type B and Type D bufferyards providing year-round screening and a natural transition in scale. The result is a landscaped development edge that is more visually effective than a standard setback, consistent with the County's design goals for the corridor.

  The waiver of interior lot line setbacks between parcels under common ownership is standard practice in unified planned developments, allowing buildings and amenities to be sited based on design logic rather than parcel lines, consistent with how Charles County has approved similar MX Zone projects. The waiver will allow for more efficient overall site design.

- Dumpster screening: Dumpsters will be screened to minimize negative impacts on persons occupying the development site, neighboring properties or public rights-of-way.

B. Topography and Vegetation

All buildings, site improvements, driveways, and parking areas within the

multifamily development shall be designed to integrate with the site's natural topography and existing vegetation. Where feasible, site design should incorporate grade changes and tiered landscaping to enhance screening and buffering of parking areas, service facilities, and building utilities, ensuring a visually cohesive and well-landscaped environment.

C. Parking and Loading Areas

Dedicated areas shall be designated for resident parking, guest parking, and service/loading areas to ensure an efficient and organized parking layout. Parking design shall prioritize minimizing the overall impervious surface area to reduce stormwater runoff and enhance sustainability. All parking and loading plans must be reviewed and approved in accordance with County requirements.

- **Surface Parking Design**: All parking, drive aisles, and loading areas shall be paved with an all-weather, non-dust producing material such as concrete or asphalt. Fire lanes and emergency vehicle access roads shall be constructed with materials approved by the Department of Emergency Services or the local fire department.

- **Loading and Service Areas**: Designated loading and service vehicle areas shall be placed to the side or rear of buildings and shall not be located between the buildings and public roadways unless adequately screened and specifically approved. These areas shall be designed to minimize conflicts with residential parking and pedestrian movement.

- **Parallel Parking**: Parallel parking may be permitted along private roadways within the development. Striping of parallel parking spaces may be determined based on tenant needs and site conditions. Areas with higher

resident and visitor traffic may be striped to define parking, whereas areas requiring more open travel lanes may remain unstriped.

- **Accessible Parking**: Accessible Parking will be design and installed in accordance and compliance with the current rules and regulations of the Americans with Disabilities Act (ADA) and the Maryland Accessibility Code (MAC). Compliance will be based upon provision of the required minimum number of accessible parking spaces with the correct dimensions, signage, striping, slope, etc. Any inconsistencies identified at the time of inspection are to be corrected by the owner/developer prior to final site approval.

- **Landscaping and Pedestrian Access**: Parking lot landscaping shall comply with County requirements for landscape islands and buffer areas. The number and placement of pedestrian pathways beyond ADA standards shall be determined based on site circulation needs.

- **Parking Space Dimensions**:
  - Standard parking spaces shall be a minimum of 9’ wide by 18’ deep.
  - Compact spaces, where approved, shall be a minimum of 7.5’ wide by 16.5’ deep, with a maximum of 10% of total spaces designated as compact.
  - Accessible Parking Spaces shall be a minimum of 18’ deep and meet current ADA dimensional standards.

D. Pedestrian Systems

A safe and accessible pedestrian sidewalk network shall be provided throughout the development, ensuring compliance with current ADA standards. Sidewalks

shall connect all primary building entrances to their associated parking areas, internal pedestrian pathways, and adjacent public or private streets. Sidewalks shall also be provided along the primary façades of residential buildings to promote walkability and ease of access. Exceptions may be considered where a connection is determined to be unnecessary or impractical based on site conditions.

These pedestrian design standards aim to promote safety, accessibility, and connectivity while ensuring a functional and aesthetically cohesive multifamily community.

- **Sidewalk Placement:** A concrete and/or brick paver sidewalk shall be installed along at least one side of all internal private streets, with sidewalks on both sides encouraged in high-pedestrian areas. Exceptions may be granted where pedestrian access is deemed unnecessary or impractical.

- **Sidewalk Width and Design:** To balance accessibility and impervious surface reduction, all public and private sidewalks shall have a minimum walking surface width of 5 feet.

These pedestrian design standards aim to promote safety, accessibility, and connectivity while ensuring a functional and aesthetically cohesive multifamily community.

E. Building Placement and Orientation and General Site Layout

Access from Leonardtown Road provides a landscaped entry that meanders past several mature trees, open space, and the community leasing center. All apartment buildings on the project site are internally oriented, with their primary entrances facing the community parking areas, ensuring convenient and accessible access for residents. The building placement also preserves green spaces or wetlands with mature trees, offering scenic views for apartments facing outward. Additionally, most buildings have adjacent usable open space.

Parking and Driveway Access:

- Multiple access points and internal connections between parking areas are encouraged to enhance traffic flow and minimize curb cuts along Leonardtown Road and internal streets.
- Parking areas are strategically distributed throughout the site to provide convenient access to residential buildings while reducing large expanses of pavement.
- Guest and visitor parking is located near building entrances and shared community amenities for accessibility and convenience.

Dumpster and Service Area Placement:

- Dumpsters and service areas shall be positioned for ease of access by waste collection vehicles while minimizing visual and noise impacts on residents.
- Dumpsters shall be screened from public view and located away from primary site entrances and residential building frontages.
- Enclosures should incorporate landscaping or fencing to blend with the overall site design.

F. Open Space

Usable open space is strongly encouraged within the community to enhance the residential experience. The ownership and management of open spaces will be determined at the time of final site plan submission. Where feasible, views of open spaces should be maximized, and site improvements should be arranged to utilize these areas as both community amenities and natural buffers between buildings and adjacent land uses.

Streetscape elements shall be thoughtfully integrated throughout the property to create an inviting and walkable community environment. Outdoor furniture, lighting, planters, benches, and trash receptacles shall be selected to complement the architectural and landscape design of the apartment community. Any streetscape furniture placed in public rights-of-way shall require approval from County Staff.

G. Stormwater Management

Stormwater Management shall be provided in accordance with Chapter 274 of the Charles County Code (Stormwater Management Ordinance) and Maryland Stormwater Management requirements. Basic design criteria will be in accordance with the 2000 Maryland Stormwater Design Manual, Volumes I and II (Maryland Department of the Environment, April 2000), and all subsequent revisions ("Design Manual"). This document serves as the official guide for stormwater management principles, methods, and practices in the State of Maryland, USDA Natural Resources Conservation Service, Maryland Conservation Practice Standard Pond Code 378 (January 2000) and all subsequent revisions, Code of Maryland Regulations (COMAR) 27.01.02.03D, titled "Intensely Developed Areas," and The County Plan Preparation Package.

4.3 EXTERIOR ILLUMINATION

All exterior lighting within the community shall meet the following minimum standards to ensure safe and efficient use of parking areas, pedestrian pathways, and shared spaces. These standards establish expectations for light spacing, fixture selection, and illumination levels, while maintaining a balance between safety, aesthetics, and energy efficiency.

- **Light Pollution and Glare Control**: All exterior lighting shall comply with current County Standards for night sky preservation and glare/cutoff controls to minimize light spillover onto adjacent properties.

- **Lighting Hierarchy and Organization**: Lighting shall be designed to create a cohesive and organized layout that enhances site navigation and safety.

- **Architectural Integration**: Light fixtures shall be consistent with the architectural style of the development and contribute to the overall character of the community.

- **Energy Efficiency**: The use of LED or other energy-efficient lighting solutions is encouraged to reduce energy consumption while maintaining appropriate illumination levels.

- **Non-Redundant Design**: Lighting should be strategically placed to meet functional needs without excessive overlap, ensuring an efficient and visually appealing environment.

4.4 LANDSCAPING

All landscaping shall adhere to the following requirements:

Landscaping throughout the multifamily development at 3279 Leonardtown Road shall be of high-quality design, creating a cohesive and aesthetically pleasing environment that enhances the community character and streetscape along Leonardtown Road (MD Route 5) and internal roadways. Specifically, landscaping shall:

- Define and enhance vehicular and pedestrian entrances to the development, individual buildings, and shared amenity spaces.
- Establish a unified and attractive streetscape along Leonardtown Road and internal roadways.
- Integrate buildings, signage, and open spaces to create a well-connected and visually appealing site.
- Provide shade, reduce heat gain, and visually break up parking areas and paved surfaces.
- Screen and buffer views of service areas, parking lots, and other utility structures in accordance with the Site Design Standards.



Illustrative Landscaping Example

4.5 BUILDING DESIGN

All buildings within the multifamily development at 3279 Leonardtown Road shall be designed to enhance the community's character and contribute to a high-quality residential environment with a cohesive, pedestrian-friendly atmosphere. The guidelines outlined below align with the intent of creating an attractive, well-integrated development that promotes a sense of place.

The required quality of materials and level of architectural detailing may vary based on a building's location, visibility, prominence within the development, and proximity to primary pedestrian pathways and shared community spaces. Special attention shall be given to highly visible facades, entryways, and amenity areas to ensure a cohesive and aesthetically pleasing design.

Buildings shall adhere to the general architectural standards for multifamily residential communities, incorporating appropriate design elements, material selections, and color palettes that complement the surrounding context and reinforce a high-quality living environment.



Illustrative Architectural Example



Illustrative Architectural Example

A. Exterior Wall Materials & Finishes

The exact materials, colors, and configuration of building finishes for the development shall be reviewed and approved through a design review process, including the submission of sample boards. Upon approval and as part of the Site Development Plan (SDP) process, the County will conduct a review to ensure consistency with the approved architectural standards and overall design guidelines for the project.

B. Exterior Colors

Exterior building colors for the multifamily shall be consistent with the overall architectural vision of the community and selected to complement adjacent buildings and the surrounding natural environment. Primary building colors shall provide sufficient contrast for clear visibility of street address numbers. All proposed color schemes must be submitted for review and approval as part of the design approval process to ensure a cohesive and visually appealing streetscape.

4.6 SIGNAGE

The intent of this section is to ensure a cohesive and high-quality signage program for the multifamily development while providing clear identification for residents, visitors, and service providers. Signage shall be designed to enhance the overall aesthetic of the community while ensuring adequate visibility and wayfinding for both vehicles and pedestrians.

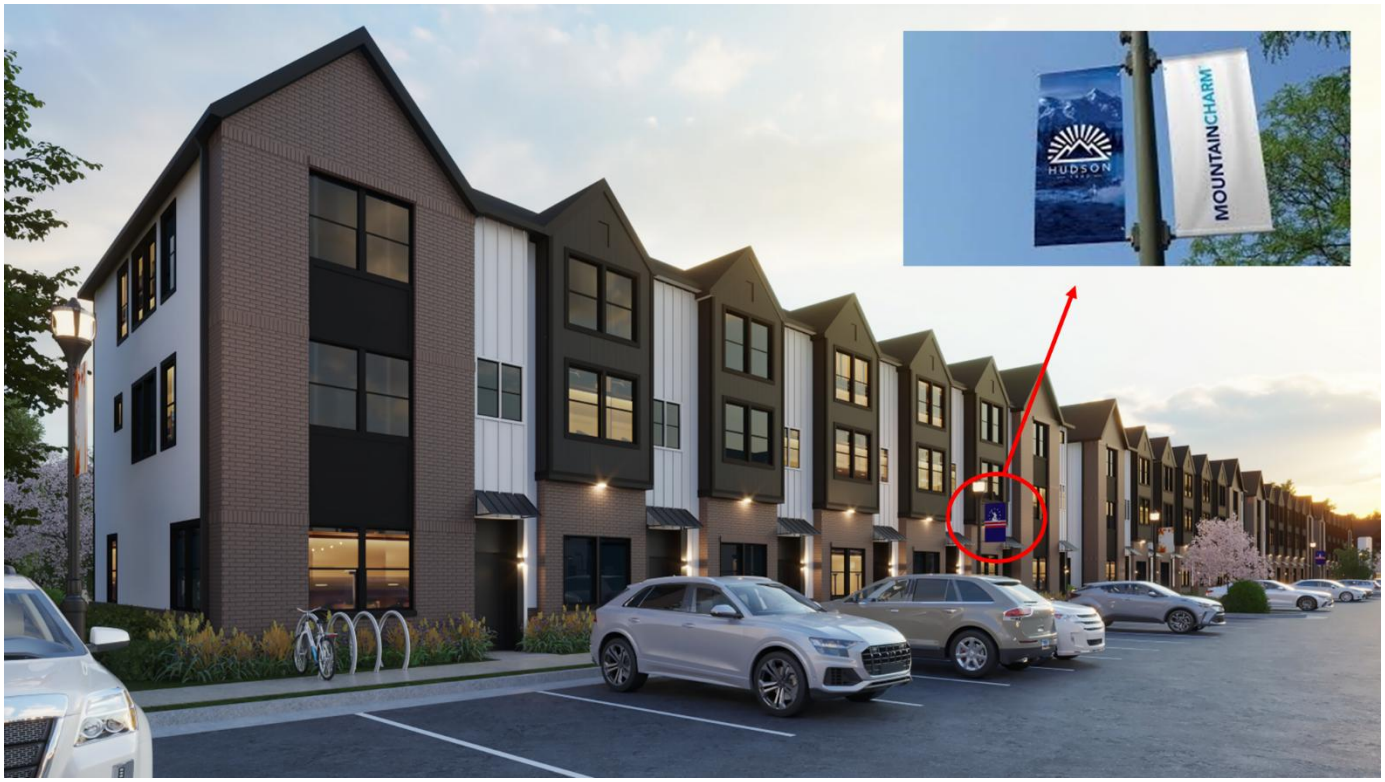
All signage shall comply with the approved design guidelines for the

development and be subject to review and approval as part of the site plan process. The reviewing authority reserves the right to determine the appropriate placement, design, construction, lighting, and mounting of all signage to maintain a consistent visual identity.

A. Permitted Sign Types

The following types of signs shall be permitted within the multifamily development, subject to the design standards established for the project:

- Temporary Signs (e.g., leasing or construction signage)
- Community Entry Signs
- Project Identification Signs
- Building Address Markers
- Resident and Visitor Wayfinding Signs
- Amenity and Common Area Signs
- Directional Signage (e.g., parking, leasing office, and service areas)
- Building-Mounted Signs (limited to leasing office and common areas)



Illustrative Signage Example



Illustrative Signage Example

4.7 UTILITIES

To ensure a high-quality residential environment and maintain an attractive community appearance, the following use restrictions shall be enforced regarding the placement and design of utilities within the multifamily development at 3279 Leonardtown Road.

A. Antennas

No exterior antenna for television, radio, or other electromagnetic transmission or reception shall be installed on any building or site without prior approval through the appropriate review process. Antennas must be integrated into the building design or otherwise concealed to minimize visual impact.

B. Underground & Ground-Mounted Utilities and Equipment

All utility infrastructure, including electrical, communication, and data transmission lines, shall be installed underground or concealed within buildings or other approved structures. The following provisions shall apply:

- Transformers, telephone boxes, and gas meters may be installed above ground, provided they are mounted on concrete pads and screened from public view with plant materials and/or masonry enclosures where feasible and allowable by the utility company.

- All utilities shall be connected via underground service lines from existing facilities, whether overhead or otherwise.

- Temporary electrical or telephone services may be permitted during the construction phase of the development.

C. Mechanical and Roof-Mounted Equipment

Mechanical, electrical, optical, electronic, and telecommunications equipment mounted on the roof of any building within development shall be set back from the roof edge to minimize visibility. All equipment shall be grouped in an orderly manner and screened in a way that complements the overall architectural design of the building.

D. Trash Collection Areas

All trash storage and collection areas shall be discreetly placed.

- Larger dumpsters and compactors shall complement the building materials and design.

- Trash collection areas shall be positioned to allow easy access for service vehicles while minimizing disruption to residential and common areas.

These standards ensure that all utilities, mechanical equipment, and waste collection areas are integrated into the site design in a way that maintains a visually appealing and functional living environment for residents.

4.8 DOWNTOWN WALDORF VISION PLAN CONFORMANCE

This section documents the Project's conformance with the Downtown Waldorf Vision Plan and Design Guidelines, and — for the specific design elements of this Code that depart from the Guidelines' detailed architectural and site-design standards — sets out the justification for those departures, consistent with Section 1.3 of the Downtown Waldorf Design Guidelines.

Purpose

The Property is within 1/4 mile of the area included in the Downtown Waldorf Vision Plan, which requires that the design and development code for all or the affected portion of the development be in general conformance with the Downtown Waldorf Design Guidelines, rather than the standard Site Design and Architectural Guidelines set out elsewhere in this Code, so that the Project is integrated into and consistent with the character desired for Downtown Waldorf.

The Downtown Waldorf Design Guidelines themselves anticipate the kind of showing made below. Section 1.3 of the Guidelines establishes three categories of standard — Mandatory, Recommended, and Optional — and provides expressly that for Mandatory standards, "compliance is required unless strong justification is presented for alternative designs," and that such "justification should include site constraints that prevent compliance, in concert with design solutions that meet the intent of the standard to the greatest extent possible." The design-element justifications below are organized around that same test.

Conformance with the Downtown Waldorf Vision Plan

While the Property sits outside the two zoning districts (Waldorf Central and Acton Urban Center) the Vision Plan was written to implement, the Project affirmatively advances the same planning principles and goals the Vision Plan sets out to guide growth within the Development District as a whole:

Vision Plan Goal / Principle	How the Project Conforms
Focus higher-density growth in the County's Development District (Smart Growth Areas Act of 1997; 2006 Comprehensive Plan) rather than the rural areas.	The Property is within the Development District, in the same policy geography the Vision Plan itself was adopted to serve. At 12.67 units/acre and 252 affordable units on 19.889 acres, the Project delivers the kind of concentrated, district-focused density the Vision Plan and the County's growth policy are designed to capture.
Incorporate a transit-oriented development approach; encourage a mode shift away from single-occupant vehicles.	The Property sits within 575-800 feet of existing VanGo transit stops in both directions along Route 5, and the Project is designed with an internal pedestrian/vehicular circulation system and a Shared Use On-Street Path along Leonardtown Road to connect residents to that service — the same transit-supportive intent the Vision Plan pursues through its future light rail and shuttle network, applied to the transit infrastructure that already exists at this location.
Establish a well-balanced	The Project links a residential and civic use (community garden, open space)

mix of uses; create a walkable environment linking housing to employment, retail, and services.	directly to the surrounding employment, retail, and institutional uses already in place along the corridor, mirroring the Vision Plan's core walkable, live-work-play objective, achieved by integrating new housing into an existing mixed-use corridor.
Provide a well-balanced mix of housing types and encourage higher-density residential development integrated into a larger multiuse area.	252 affordable garden-apartment units on a Qualified Census Tract respond directly to the County's affordable-housing goals — the same underlying housing policy the Vision Plan's own high-density residential recommendations are built on.
Incorporate lands for public and private parks, landscaped amenities, and open space; establish greenway corridors.	More than 34% of the site is preserved as open space, including 8.2 acres of forest retained around all 11 existing specimen trees, plus a dedicated community garden and park — exceeding the MX Zone's minimum open-space requirement and serving the same public-realm and natural-buffer function the Vision Plan's Civic Greenway and pocket-park network perform in the activity centers.
Manage stormwater through on-site and shared measures that also function as community and environmental assets.	Stormwater management is designed in accordance with Chapter 274 of the County Code and the Maryland Stormwater Design Manual, with SWM plantings counted toward the landscape buffer requirement — the same integrated stormwater-as-amenity approach the Vision Plan calls for.
Encourage shared and efficient parking and site facilities to reduce impervious surface and vehicle miles traveled.	Parking areas are shared across buildings rather than assigned to individual structures, reducing impervious surface, consistent with the Vision Plan's shared-parking and VMT-reduction goals.
Establish design standards, administered through a review mechanism, that result in high-quality architecture and site design.	The Project is governed by this Code, administered by an Architectural Review Committee for every building and site proposal — the same design-review governance model the Downtown Waldorf Design Guidelines rely on to enforce their own standards.
Support environmentally sustainable, “green” development as a market and community asset.	The Project will seek NGBS Silver certification — exceeding baseline energy code, water efficiency, indoor air quality, and materials-sourcing standards — directly advancing the Vision Plan's Green Building Principles goal.

Design Elements That Depart From the Downtown Waldorf Design Guidelines — and Why They Are Appropriate Here

The Downtown Waldorf Design Guidelines were drafted for a compact, historically urban core built around ground-floor retail, structured parking, and a formal street wall. This site is a different kind of place within the same Development District: an established suburban corridor of auto-oriented retail, light industrial employment, and single-family/townhome neighborhoods, delivering affordable multifamily housing under LIHTC and Qualified Census Tract financing constraints. The design elements below depart from the Guidelines' literal standards for that reason, and each is paired with the alternative this Code proposes and how it still serves the standard's underlying intent.

Building Setback and Street-Wall Orientation

Downtown Waldorf standard: Buildings along collector streets should have facades aligned uniformly parallel to, and near, the right-of-way, with primary entrances facing the public street, to create a continuous, formal street wall (Guidelines §2.3).

Site constraint / context: Leonardtown Road at this location is a state arterial highway (MD Route 5) fronted by auto-oriented commercial uses rather than the pedestrian-scaled collector streets the street-wall standard was written for, and the site abuts light-industrial uses to the east and south that a residential community needs to be buffered from, not built flush against.

Alternative design proposed: A 10-foot building setback paired with a 75-foot average, densely landscaped Type D bufferyard along all public road frontages, with buildings internally oriented around the community's own parking and open space.

How the underlying intent is still met: The landscaped edge accomplishes the same goals the street-wall standard is meant to serve — a defined, attractive development edge and a buffer between uses of different character and intensity — through screening and separation rather than architectural enclosure, the more appropriate tool where the adjacent uses are a highway commercial corridor and light industry rather than a downtown pedestrian street.

Parking Format

Downtown Waldorf standard: Parking should be located to the rear of buildings, limited on side yards, and shared or structured parking is encouraged and illustrated extensively (Guidelines §2.5).

Site constraint / context: The Project is an affordable housing development financed through Low-Income Housing Tax Credits, where construction-cost certainty is a condition of financial feasibility; structured parking's substantially higher per-space cost would materially undermine the Project's ability to deliver 252 units at rents affordable to households at or below 60% of area median income.

Alternative design proposed: Surface parking distributed throughout the site and shared across buildings, minimizing total impervious area rather than concentrating it in a structure, with guest parking exceeding the code minimum by at least 10% and spread throughout the community.

How the underlying intent is still met: Shared, distributed surface parking still reduces impervious coverage and curb cuts relative to a conventional unit-by-unit parking layout, in keeping with the Guidelines' shared-parking objective, while preserving the financial feasibility that structured parking would put at risk for a publicly-supported affordable housing project.

Building Height, Scale, and Block Pattern

Downtown Waldorf standard: 2- to 5-story mixed-use and multi-family buildings organized into an urban block pattern with articulated street walls (Guidelines §4.0-4.2).

Site constraint / context: The site's northern boundary directly abuts the established Lancaster and Wakefield neighborhoods of single-family homes and townhomes, which calls for a height and massing transition rather than the more intense downtown building forms the Guidelines illustrate.

Alternative design proposed: Eleven three-story garden-apartment buildings, sited and spaced to preserve views toward the site's green space and wetlands rather than organized as a continuous urban block.

How the underlying intent is still met: The three-story scale sits comfortably between the single-family/townhome context to the north and the commercial corridor to the south and east, providing the kind of contextual height transition good urban design calls for at the edge of an activity center — the same design objective the Guidelines' own scale-and-height standards are meant to achieve, applied to this site's specific adjacencies.

Façade Articulation Standards

Downtown Waldorf standard: Mandatory standards limit blank street-wall area to 20% of a single façade and require at least 30% fenestration on residential façades (Guidelines §3.2.2, §3.5.4).

Site constraint / context: As a standardized, phased affordable-housing product built to NGBS Silver green-building certification and LIHTC cost parameters, final material selections and elevations are developed through sample boards submitted at the Site Development Plan stage rather than fixed at the master-plan stage, consistent with how the County's own MX Zone review process is structured.

Alternative design proposed: This Code commits the Project to Architectural Review Committee review of every building and site proposal, with specific architectural features, color palettes, materials, and façade details required to be submitted and approved before construction.

How the underlying intent is still met: The design-review commitment achieves the same quality-control purpose the Guidelines' numeric façade standards serve — no building is built without documented review and approval — while preserving the flexibility a financed affordable-housing product needs to finalize construction-ready details after master plan approval. The Architectural Review Committee's review criteria will incorporate the Guidelines' blank-wall and fenestration minimums as binding thresholds (see Recommendation, below).

Streetscape and On-Street Parking

Downtown Waldorf standard: Streets are lined with continuous street-tree planting strips and on-street parallel parking that helps animate the corridor

(Guidelines §4.3-4.4).

Site constraint / context: Leonardtown Road is a State-owned arterial highway where on-street parking is not a permitted or safe treatment, unlike the lower-speed urban collector and local streets the Guidelines' streetscape sections were written for.

Alternative design proposed: A five-foot-minimum sidewalk network connecting every building to parking and to a Shared Use On-Street Path along the Leonardtown Road frontage, supplemented by the 75-foot landscaped buffer in place of a continuous street-tree planting strip.

How the underlying intent is still met: The Project still delivers the pedestrian connectivity and streetscape quality the Guidelines are after — safe, continuous, tree-buffered pedestrian access along the corridor — using the street-buffer and shared-path treatment appropriate to a state highway frontage rather than the on-street parking treatment appropriate to a downtown collector street.

Recommendation

For the portion of the Property within 1/4 mile of the Downtown Waldorf Vision Plan area, the Architectural Review Committee's review criteria under this Code shall incorporate the Downtown Waldorf Design Guidelines' numeric façade-articulation minimums (no more than 20% blank wall, minimum 30% fenestration) as binding standards, so that the justified departures above are the only ones the record needs to carry. That combination — direct conformance where the Guidelines' intent and this site's context align, and a documented, standard-by-standard justification where they do not — is what “general conformance” calls for under Section 1.3 of the Downtown Waldorf Design Guidelines.

R. SUPERIOR DESIGN CRITERIA FOR DEVELOPMENTS

MX ZONE APPLICATION JUSTIFICATION NARRATIVE

Superior Design.
When creating or evaluating a project for Superior Design, the following criteria shall be used and applied to the project whenever possible, or as applicable:

Development District Project Criteria: A development project that is superior in design demonstrates optimal land use planning and contains a combination of the following elements, which exceed the requirements under the Base Zone Regulations (Article VI):

1) Open space that is integrated into the neighborhood as urban parks or pocket parks are clearly defined;

   More than 34% of the 19.89-acre site is designated as open space, exceeding the MX zone's minimum requirement of 25% (or +/- 4 acres) by a considerable amount. The usable open space accounts for more than 11% of the gross tract area, surpassing the MX zone minimum requirement. It is integrated throughout the site, providing areas for both active and passive recreation. These spaces are connected by pedestrian paths, sidewalks, and the internal street network. Open space design guidelines are outlined in Section 4.2.E of the Site Design and Architectural Guidelines, located in Section Q of the MX Application binder.

2) The Forest Conservation design exceeds the County's and the Chesapeake Bay Critical Area Program requirements, including planting and mitigation standards;

   This development has been designed with the express intent of preserving all 11 existing specimen trees on the property, and to not disturb the critical root zones of the two specimen trees to the immediate east.

3) A mix of housing types;

   Eleven three-story apartment buildings will be available, offering two distinct floor plans. Units will range from one to three bedrooms and include residential amenities such as active outdoor areas, a fitness center, and lounges.

4) Diverse architectural design types that include such features as:

   An Architectural Design Code for all buildings (residential and commercial) has been included in Section Q of the MX Application binder. Specific architectural features, color palettes, materials, orientation, and façade details are discussed within the Design Code.

5) Community gathering facilities, such as covered pavilion, community bulletin boards, community art or comment centers, gardens or other similar amenities;

Recreational amenities will be distributed throughout the development, integrated into the open spaces surrounding the residential buildings. A detailed overview of these amenities is provided in the "Usable Open Space and Amenity Exhibit" located in Section P of the MX Application binder.

6) Shared pedestrian and bicycle facilities and bike racks where feasible;

Details of the pedestrian and bicycle sidewalk and pathway network are shown on the "Vehicular and Pedestrian Access Exhibit" in Section N of the MX Application binder. Bike racks will also be installed in safe and convenient locations throughout the development.

7) Covered bus stops;

Several VanGo stops and covered bus stop shelters are located near the site. The closest VanGO bus stops to 3245 Leonardtown Road include:

- **Route 5 South and Gough Dr (Brandywine Route)**
- **Route 5 South and Pika Dr/Parsons Ln (Brandywine Route)**

A future VanGo stop will be located at the project frontage with Route 5 South. The project proposes a VanGo stop concrete pad and related sidewalk for use by Charles County of a future VanGo stop shelter.

8) A trail system within and connecting space or roads to adjacent properties; or alternatives such as mowed grass or pervious concrete, with improvements such as lighting, street furniture and landscaping, and signage provided at trail heads and along trails;

Due to the environmental features within the forested area, there are no trails currently being proffered. However, there exists sufficient connectivity to the adjacent properties and uses via existing and planned sidewalks.

9) The development demonstrates its commitment to environmental stewardship through the use of one or more of the following elements:
   a) Conservation landscaping;

      N/A

   b) Water re-use;

      N/A

   c) Renewable energy, or other energy efficiency measures detailed in HOA

covenants for private lots and/or community facilities;

The project will be seeking NGBS Silver certification. This will include the following requirements:

1. **Higher Energy Efficiency Standards**
    a. **Must exceed 2018 IECC requirements more significantly than Bronze.**
    b. **Improved building envelope:**
        i. **Higher R-values for insulation**
        ii. **More efficient windows (lower U-factor & SHGC)**
    c. **HVAC systems must be more efficient (e.g., higher SEER/AFUE ratings).**
    d. **Advanced air sealing to reduce leaks (lower ACH in blower door tests).**
    e. **Higher reliance on renewable energy or energy recovery systems if feasible.**

2. **Enhanced Water Efficiency**
    a. **Ultra-low-flow fixtures**
    b. **More efficient irrigation systems, often requiring drip irrigation or smart sensors**
    c. **Advanced stormwater management**

3. **Improved Indoor Environmental Quality**
    a. **Stricter limits on VOCs in materials (paints, adhesives, carpets).**
    b. **Advanced ventilation systems beyond basic exhaust fans, such as:**
        i. **ERVs (Energy Recovery Ventilators) or HRVs (Heat Recovery Ventilators)**
        ii. **Enhanced filtration (MERV 8+ air filters)**
    c. **Moisture management and mold prevention strategies (e.g., better vapor barriers).**

4. **More Sustainable Materials & Resource Efficiency**
    a. **Higher percentage of recycled, reclaimed, or regionally sourced materials.**
    b. **Advanced construction waste management (diversion of waste from landfills).**
    c. **More durable materials to extend lifecycle and reduce long-term maintenance.**
5. **Third-Party Verification & Compliance**
    a. **Requires NGBS Green Verifier involvement at all project stages.**
    b. **Tighter air infiltration limits in blower door tests.**

c. More thorough commissioning of mechanical systems.

There is no HOA associated with this site.

d) Limited or no stream crossings; or

No stream crossings are proposed with this development.

e) Disturbance of steep slopes or other environmental features on lots are minimized;

No steep slopes onsite. Development is proposed to ensure disturbance occurs outside of the stream and wetland buffers.

10) A plan to relocate existing trees to meet some of the landscaping/street tree requirements or street tree caliper provided that is larger than required;

There is no plan to relocate existing trees. The property is preserving approximately 8.2 acres of the 19.89 acres, all of which is forested area. By maintaining this existing open space undisturbed, we are preserving the natural ecosystem, minimizing environmental impact, and enhancing the site's overall sustainability. This approach supports stormwater management, maintains habitat for local wildlife, and contributes to the overall character and aesthetics of the development.

11) Sidewalks on both sides of the street, which shall be at least five (5) feet in width, where feasible, as determined by the Planning Director;

Sidewalks on site have been designed to be a minimum of five (5) feet in width.

12) Vehicle or pedestrian inter-parcel connections to adjacent neighborhoods or tying into existing vehicle or pedestrian facilities;

Proposed connections to existing vehicle and pedestrian facilities have been shown on the "Vehicular and Pedestrian Access Exhibit" in Section N.

13) A grid of interconnected street network with parks or civic uses in or near the center of neighborhoods; and

A network of roads have been proposed to serve the site, with recreational and open space amenities strategically placed throughout. See the "Concept Plan" in Section P of the MX Application binder.

14) Justification for Reduced Setback Standards and Waiver Request

The proposed 10-foot exterior setback, in lieu of the standard 25-foot

front and rear setbacks, is necessary to maximize the buildable envelope of the site and achieve the residential density required to make affordable unit production financially viable. The County's Comprehensive Plan identifies the Leonardtown Road corridor as a priority area for higher-density residential growth, and the County Commissioners have established affordable housing as a central policy objective. Compressing perimeter setbacks allows density to be achieved without sacrificing the open space and community amenity areas that constitute nearly 50% of the gross tract.

Reduced physical setbacks will be mitigated through a robust landscaping program. Along all public road frontages, a 75-foot average Type D bufferyard with layered canopy trees, understory plantings, and shrubs will provide effective screening that exceeds what a larger paved setback alone would achieve. Side boundaries adjacent to residential neighborhoods will be treated with Type B and Type D bufferyards providing year-round screening and a natural transition in scale. The result is a landscaped development edge that is more visually effective than a standard setback, consistent with the County's design goals for the corridor.

15) Waiver of interior lot line setbacks between parcels requested

Under common ownership is standard practice in unified planned developments, allowing buildings and amenities to be sited based on design logic rather than parcel lines, consistent with how Charles County has approved similar MX Zone projects. The waiver will allow for more efficient overall site design.

16) Designated additional guest parking of at least 10% above the number of parking spaces required in Article XX of this Chapter and spread throughout the project. This element applies solely to projects that have townhouses or multi-family housing units.

The property is located within the transit corridor which focuses on incentivizing walkability and alternative modes of transit. Therefore, the project focuses on its close proximity to transit options and walkability, which includes the limitation of impervious surfaces.

TECHNICAL MEMORANDUM

To:	Melissa Hively	Charles County Government
Cc:	Madhvi Shukla	Standard Communities
From:	Anila Moorthy, EIT Maribel Donahue Katie Wagner, PE, PTOE	
Date:	March 21, 2025 **Revised September 16, 2025**	
Subject:	Map Amendment Traffic Assessment – 3245 Leonardtown Road	

Introduction

This memorandum presents a generalized traffic assessment in support of the Map Amendment application for a site located at 3245 Leonardtown Road in the Waldorf area of Charles County, Maryland. The site covers a land area of approximately 19.8857 acres (866,221 sf). Figure 1 show the location of the project site in relation to the surrounding neighborhood. The project site has multiple lots across two zones, IG (Light Industrial) and CB (Central Business) and the Map Amendment seeks to rezone the project site to Mixed Use (MX) zone. Figure 2 contains an excerpt of the Zoning Map of Charles County showing the existing zoning of the project site and surroundings.

This memorandum compares the transportation aspects of the planned development program and the proposed zoning against the existing zoning to identify the generalized impact of the proposed Map Amendment. Trip generation analyses were performed for the following scenarios:

- Existing Zoning with maximum allowable Industrial Use FAR
- Proposed Zoning with maximum allowable Residential Use
- Specific Proposed Residential development program with Proposed Zoning

The following sections of this memorandum present the analyzed scenarios and details of the calculations. The findings of this assessment conclude that:

- The existing site contains multiple lots across two (2) zones: IG (Light Industrial) and CB (Central Business) with maximum allowable industrial use of 0.5 FAR and 0.6 FAR respectively.
- The proposed mixed use MX zone with a maximum allowable residential use of 20.1 dwelling units per acre could generate more vehicle trips than the existing Industrial zoning during the peak hour but fewer daily vehicle trips.
- The specific planned development program of 252 dwelling units would generate fewer vehicle trips than both the existing maximum utilization of the industrial zoning and maximum utilization of the proposed zoning.
- Traffic data collected on Pika Drive and Leonardtown Road indicate that the existing road network has adequate capacity to accommodate the planned development program.
- The development would have direct access to both Pika Drive and Leonardtown Road. The Pika Drive access point would allow traffic to access Leonardtown Road at the signalized intersection with Pika Drive. Further, the main site

driveway would provide direct access to Leonardtown Road, where signalization or other improvements could be implemented to maintain safe and efficient operations.

- With the proposed development of 252 units, up to 38 peak direction vehicles would be added to Pika Drive during the peak hour, which equates to approximately 1 vehicle every 2 minutes.
- Pika Drive is classified as a Local Street. Existing volumes on Pika Drive fall within the Minor Collector Street threshold between 1,000 and 3,000 vehicle trips.
- This assessment concludes that adequate infrastructure is in place to accommodate the proposed development plan with a Map Amendment, and any specific improvement requirements would be identified during the Preliminary Adequate Public Facilities review process. At that time, a thorough analysis of site access, parking, and other details of the site plan, would be performed to ensure that the mitigations selected for the project are appropriate and fully address impacts generated by the site per the Charles County Adequate Public Facilities guidelines.



Figure 1: Site Location

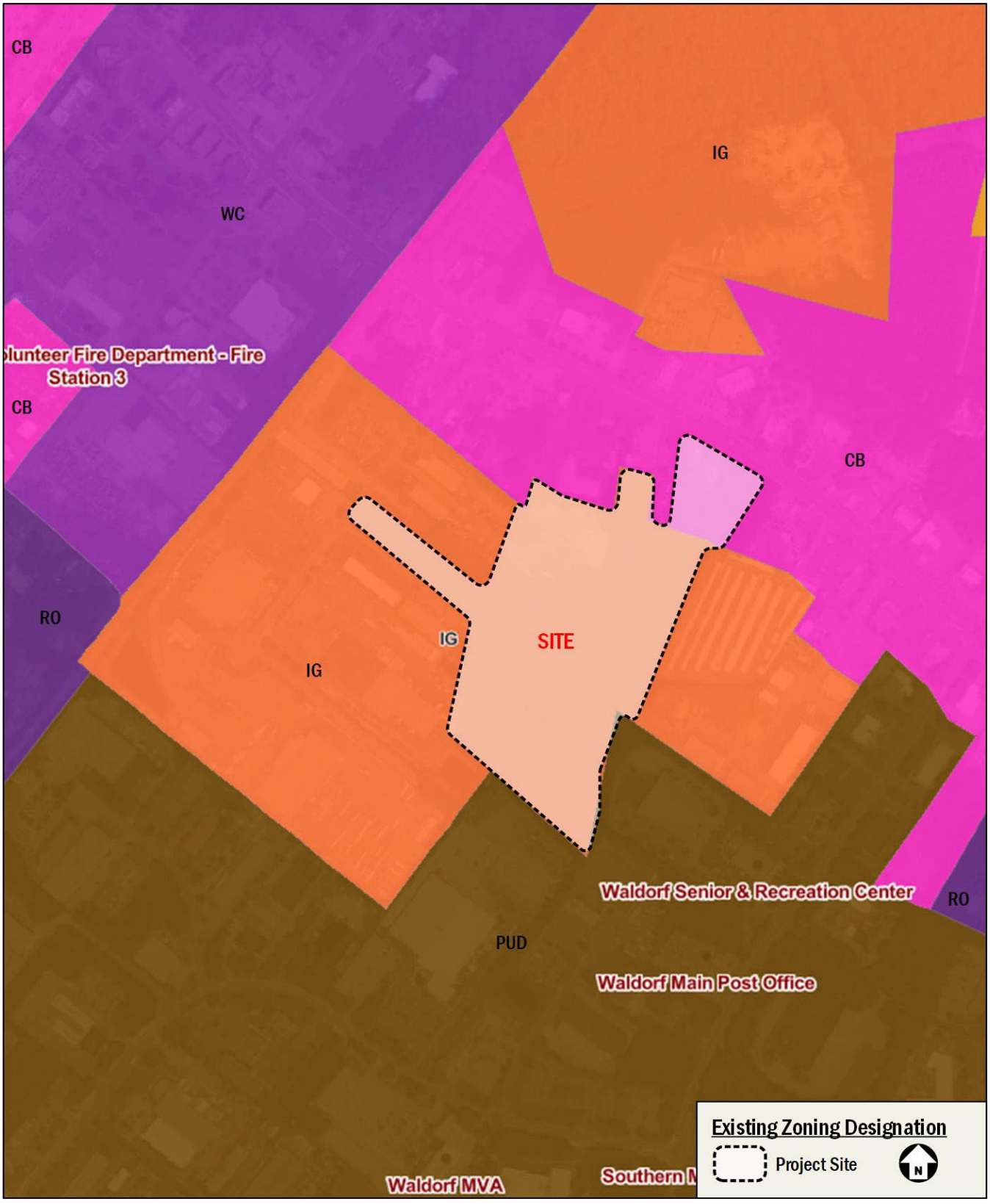


Figure 2: Existing Zoning Designation

Zoning Designation and Trip Generation

This section details the zoning designation of the existing site and the future proposed zoning designation for the Project. Trip generation tables were used to compare the impact of the proposed zoning and the proposed project development plan against the existing zone.

Existing Site

The existing 19.8857 acres (866,221 sf) site is divided into multiple lots across two (2) major zones. A large portion of the site, approximately 17.5243 acres, is currently zoned as IG (Light Industrial) while the remaining 2.3614 acres is zoned Central Business (CB). Given that the majority of the site is zoned for an industrial use, the existing build scenario was analyzed using "Industrial Park" as the potential existing land use for the entire site.

Consistent with the Charles County Zoning Ordinance, industrial use is permitted on the site with a maximum density of 0.5 FAR (floor area ratio) for IG Zone and 0.6 FAR for CB Zone.

Table 1 summarizes the build scenario analyzed under the existing IG and CB Zoning designation.

Table 1: Analyzed Existing Allowable Build Scenario

Scenario	Land Use	Existing Zoning	Site Area (Acre)	FAR	Allowable Acres	Allowable SF
Existing Site	Industrial	Light Industrial (IG)	17.5243	0.5	8.76215	381,679.254
		Central Business (CB)	2.3614	0.6	1.41684	61,717.5504
		Total	**19.8857**		**10.17899**	**443,396.8044**

Table 2: Existing Industrial Trip Generation

Land Use	Land Use Code	Quantity (x)	AM Peak Hour (veh/hr)			PM Peak Hour (veh/hr)			SAT Peak Hour (veh/hr)			Weekday Total (veh)
			In	Out	Total	In	Out	Total	In	Out	Total	
Industrial Park	130	443,397 sf	122	29	151	33	118	151	62	133	195	2,037

Proposed MX Zoning

The application proposes changing the existing zoning designation from IG/CB to Mixed Use (MX). The entire site would be designated as MX Zone. The primary use on the site is expected to be multi-family residential units and the maximum allowable dwelling units (du) on the site was estimated based on Section 297-106 of the Zoning Ordinance and Figure V-1 "Maximum Residential Densities". The following assumptions were made:

- Light Industrial (IG) as Mixed Use (MX): Max Density of 20.10 dwelling units per acre
- Central Business (CB) as Mixed Use (MX): Max Density of 20.10 dwelling units per acre

The maximum allowable units on site zoned MX:

*19.8857 Acre * 20.10 Dwelling Units / Acre = 400 du*

Trip generation calculations were based on the methodology outlined in the Institute of Transportation Engineers' (ITE) Trip Generation, 11th Edition. Trip generation for the site was calculated based on ITE land use 221, "Multifamily (Mid-Rise)" with dwelling units as the independent variable.

As shown below, full buildout of the site with the proposed zoning, based on maximum FAR utilization, could result in up to approximately 164 peak hour trips and 1,862 daily trips.

Table 3: Potential Residential Trip Generation at Max FAR with MX Zone

Land Use	Land Use Code	Quantity (x)	AM Peak Hour (veh/hr)			PM Peak Hour (veh/hr)			SAT Peak Hour (veh/hr)			Weekday Total (veh)
			In	Out	Total	In	Out	Total	In	Out	Total	
Multifamily (Mid-Rise)	221	400 du	38	126	164	95	61	156	82	79	161	1,862

Planned Development Program

The project development program includes approximately 252 multifamily units with the proposed mixed use zoning designation. Trip generation calculations for the planned development are presented in the Table 4.

As shown below, full buildout of the site with the proposed development plan under MX zoning would result in up to approximately 101 peak hour trips and 1,156 daily trips, which is below the maximum build trip generation potential for both the existing and proposed zoning presented in Table 2 and Table 3, respectively.

Table 4: Planned Residential Trip Generation

Land Use	Land Use Code	Quantity (x)	AM Peak Hour (veh/hr)			PM Peak Hour (veh/hr)			SAT Peak Hour (veh/hr)			Weekday Total (veh)
			In	Out	Total	In	Out	Total	In	Out	Total	
Multifamily (Mid-Rise)	221	252 du	23	76	99	60	39	99	52	49	101	1,156

Trip Generation Analysis Comparison

Table 5 below outlines the trip generation difference between the proposed maximum allowable residential usage and the planned development program with the existing maximum allowable industrial usage. **The planned development program results in fewer total trips in comparison to the existing allowable industrial zoning and the maximum allowable buildout for the proposed zoning for morning, afternoon and Saturday peak hours**.

Table 5: Trip Generation Comparison

Land Use	Land Use Code	Quantity (x)	AM Peak Hour (veh/hr)			PM Peak Hour (veh/hr)			SAT Peak Hour (veh/hr)			Weekday Total (veh)
			In	Out	Total	In	Out	Total	In	Out	Total	
Maximum Allowable Industrial Use for the Existing Zoning												
Industrial Park	130	443,397 sf	122	29	151	33	118	151	62	133	195	2,037
Maximum Allowable Residential Use for the Proposed Zoning												
Multifamily (Mid-Rise)	221	400 du	38	126	164	95	61	156	82	79	161	1,862
Planned Program with Proposed Zoning												
Multifamily (Mid-Rise)	221	252 du	23	76	99	60	39	99	52	49	101	1,156
Net Trip Generation												
Proposed Zoning vs Existing Zoning			**-84**	**97**	**13**	**62**	**-57**	**5**	**20**	**-54**	**-34**	**-175**
Planned Program vs Existing Zoning			**-99**	**47**	**-52**	**27**	**-79**	**-52**	**-10**	**-84**	**-94**	**-881**

Existing Traffic Data

Existing weekday turning movement counts were collected at the Pika Drive/Trek Bicycle Waldorf Driveway and Leonardtown Road (MD 5) intersection on Thursday, January 23, 2025, when public schools were in session, from 6:00 to 9:00 AM and 4:00 to 7:00 PM. The intersection peak hour was between 8:00 to 9:00 AM and 4:00 to 5:00 PM. Detailed traffic count data is provided in the attachments.

Saturday data was not collected and Saturday analysis is not included in this preliminary analysis. Roadways in the area carry significantly less traffic volumes on Saturdays due to the absence of traditional commuter traffic. The trips generated on Saturdays can be absorbed on the local roadway network due to lower roadway volumes observed on weekends.

As shown in Table 5, the net Saturday peak hour trips (-94 net peak hour trips) are substantially lower than the net trips during the AM and PM weekday peak periods (-52 net peak hour trips for both weekday peak hours). Traffic volume data from Maryland State Highway Administration (SHA) was used to compare the vehicle traffic volumes at the three (3) locations near the site on weekdays and weekends. Table 6 presents the Average Annual Weekday Traffic (AAWDT) and Average Annual Daily Traffic (AADT) from 2024. The AADT of roadway segments in the vicinity intersections are 6% to 7% lower when compared to the AAWDT (which does not include Saturday and Sunday). When calculated as average weekend daily traffic, all roadway segments near the site observe daily volumes far below weekday values, indicating there is capacity on the roadways on the typical weekend to accommodate the Saturday site-generated trips without additional improvements.

Historical turning movement count data from 2015 provided by the Maryland State Highway Administration (SHA) at the Pika Drive and Leonardtown Road (MD 5) intersection show that Saturday peak hour trip volumes were 2,572, while weekday peak hour volumes were 3,183, which is 17% higher than the Saturday volume.

Table 6: Comparison of AAWDT and AADT at Roadways near the Site

Roadway	Segment	2024 AAWDT	2024 AADT	Average Weekend Daily Traffic*	Difference
Leonardtown Road	0.3 miles N of MD 5	26,763	24,773	19,798	+6,965
St Charles Parkway	0.1 miles S of MD 5	20,671	19,141	15,316	+5,355
Old Washington Road	0.1 miles N of MD5BU	9,635	9,085	7,710	+1,925

***Note**: Average Weekend Daily Traffic was estimated by subtracting total weekday traffic (AAWDT × 5) from total weekly traffic (AADT × 7), then dividing the result by 2 to represent an average weekend day.

Given that the net trip generation during the Saturday peak hour is lower than weekday peak hours, as shown in Table 5, and that roadway volumes are lower on weekends, as shown in Table 6, the proposed zoning and planned development program will not impact the adequacy of the surrounding roadway network beyond any impact identified as part of the weekday peak hour analysis. The weekday peak hours analysis presents the potential impact generated by the planned development when roadway volumes are highest.

The existing weekday turning movement counts, site generated trips and the total existing and site trips at Leonardtown Road and Pika Drive intersection are shown in Figure 3.

As shown below, the Leonardtown Road intersection at Pika Drive currently processes approximately 2,428 vehicles during the AM peak hour and 2,971 vehicles during the PM peak hour. The proposed development plan would result in approximately 99 AM and 99 PM additional vehicles, which represents an increase of approximately 4%. This minor addition of traffic can be accommodated within the existing infrastructure or through minor modifications. Full utilization of the existing zoning FAR would result in a greater volume of traffic; therefore, the proposed development trips would represent a reduction in traffic potential for the site traveling through this intersection.

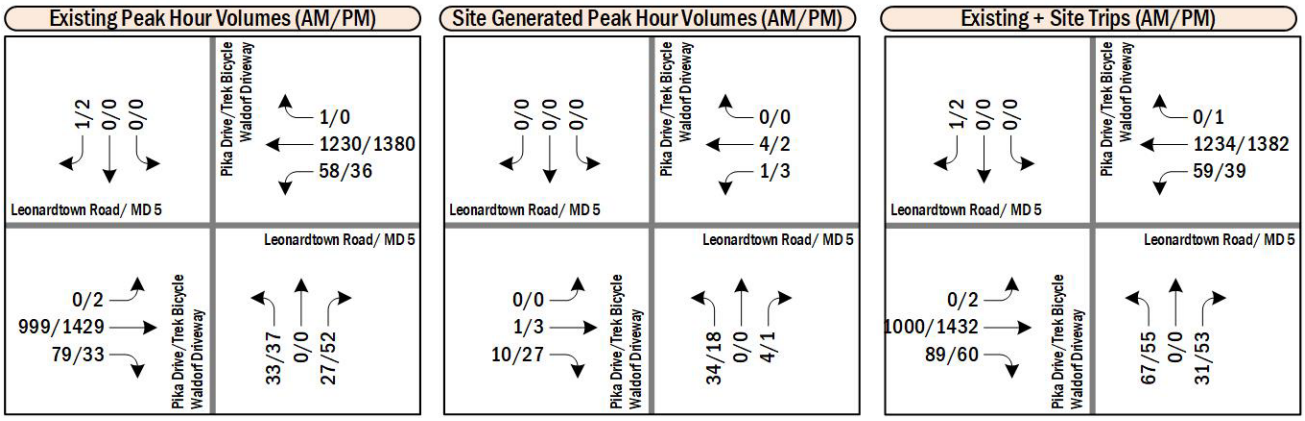


Figure 3: Existing and Site Generated Peak Hour Volumes

Site Access

The proposed development includes 252 multi-family residential units with vehicular access via Pika Drive and Leonardtown Road. The proposed site-generated trips are assumed to be equally split between both the driveways. The proposed site plan and the proposed site-generated trip assignment between the driveways are shown in Figure 4.

Existing Roadway Classification

There are two roadways abutting the site and access to and from the site: Leonardtown Road and Pika Drive.

Leonardtown Road (MD 5 Business)

Leonardtown Road is classified as a intermediate arterial road east of the Downtown Waldorf Central Zone and along the site frontage.

The Average Annual Daily Traffic (AADT) along Leonardtown Road was processed at 25,921 vehicles per day per 2024 AADT on SHA's database.

Pika Drive

Pika Drive, just outside of the Downtown Waldorf Central Zone, is classified as a local road. A traffic signal provides protected turning movements onto and from Leonardtown Road.

Since no historical AADT data was available, AADT was calculated using the existing traffic counts, collected in 2024, and a K-Factor of 8.19, which was the K-Factor for Leonardtown Road in 2024. These calculations are shown in Table 8.

The existing traffic counts show that the highest peak hour volume along southbound Pika Drive is 137 vehicles/hour during the AM Peak hour. The northbound and southbound hourly volumes were multiplied with the K factor to get the daily volumes.

Even without the addition of the site generated trips, the existing daily total traffic exceeds the threshold of 1,000 trips per day for a local road. With the addition of the site-generated daily traffic onto Pika Drive, the highest total daily traffic would remain within the Minor Collector Street threshold of 1,000 to 3,000 vehicles per day.

Table 7: AADT Calculations for Pika Drive

Pika Drive						
Peak Hour	Hourly Volume		K Factor*	Daily Volume		
	NB	SB		NB	SB	Total
AM	60	137	8.19	492	1123	1,615

*K-Factor of 8.19 from I-TMS for Leonardtown Road for 2024

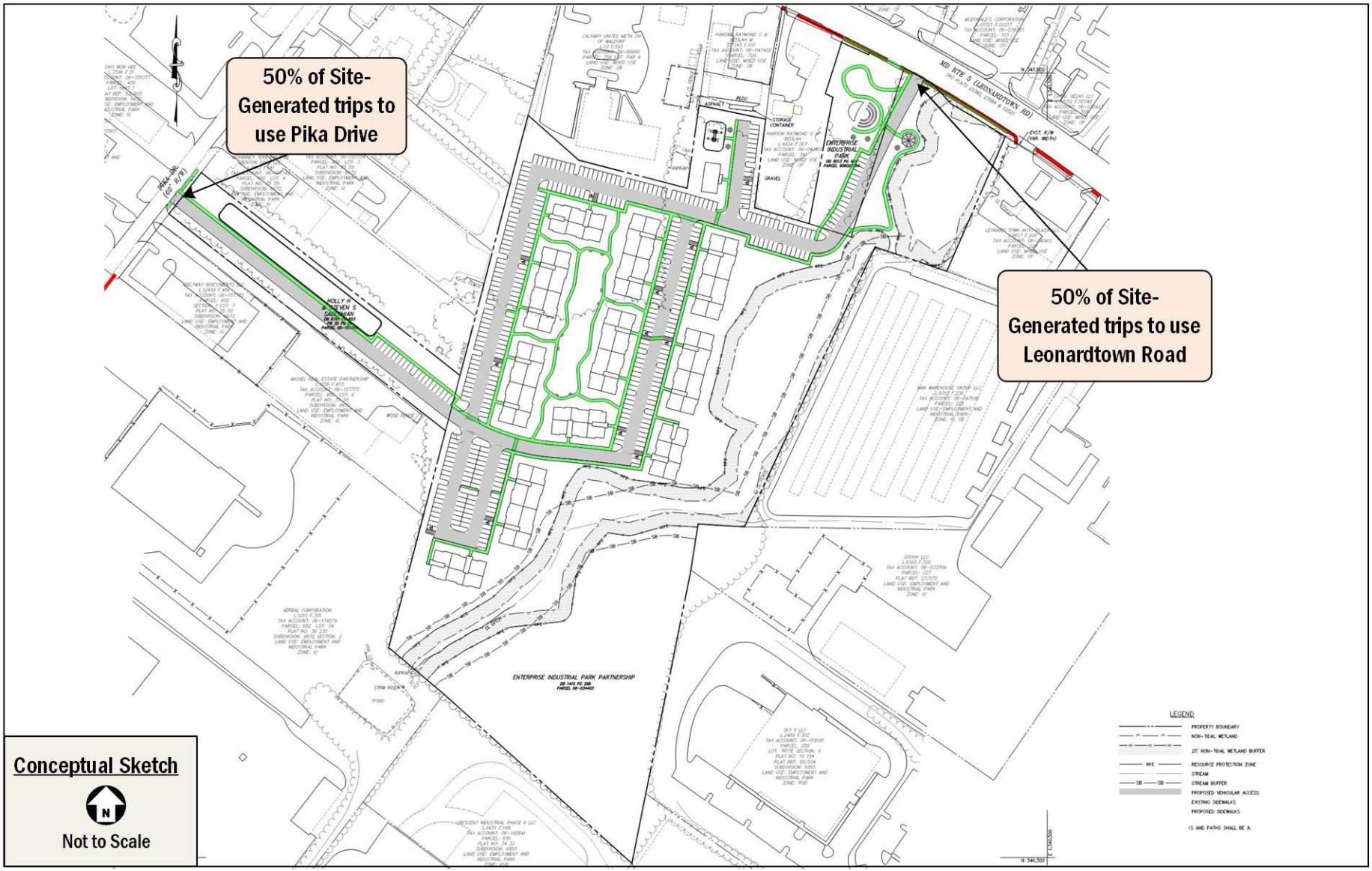


Figure 4: Conceptual Site Plan

Summary and Conclusions

This memorandum presents a generalized traffic assessment in support of the Map Amendment application for a site located at 3245 Leonardtown Road in the Waldorf area of Charles County, Maryland. The site covers a land area of approximately 19.8857 acres (866,221 sf). The project site has multiple lots across two zones, IG (Light Industrial) and CB (Central Business) and the Map Amendment seeks to rezone the project site to Mixed Use (MX) zone. The findings of this study conclude that:

- The existing site contains multiple lots across two (2) zones: IG (Light Industrial) and CB (Central Business) with maximum allowable industrial use of 0.5 FAR and 0.6 FAR respectively.
- The proposed mixed use MX zone with a maximum allowable residential use of 20.1 dwelling units per acre could generate more vehicle trips than the existing Industrial zoning during the peak hour but fewer daily vehicle trips.
- The specific planned development program of 252 dwelling units would generate fewer vehicle trips than both the existing maximum utilization of the industrial zoning and maximum utilization of the proposed zoning.
- Traffic data collected on Pika Drive and Leonardtown Road indicate that the existing road network has adequate capacity to accommodate the planned development program.
- The development would have direct access to both Pika Drive and Leonardtown Road. The Pika Drive access point would allow traffic to access Leonardtown Road at the signalized intersection with Pika Drive. Further, the main site driveway would provide direct access to Leonardtown Road, where signalization or other improvements could be implemented to maintain safe and efficient operations.
- With the proposed development of 252 units, up to 38 peak direction vehicles would be added to Pika Drive during the peak hour, which equates to approximately 1 vehicle every 2 minutes.
- Pika Drive is currently a Local Street but the existing Average Annual Daily Traffic (AADT) fall within the Minor Collector Street threshold between 1,000 and 3,000 vehicle trips.
- This assessment concludes that adequate infrastructure is in place to accommodate the proposed development plan with a Map Amendment, and any specific improvement requirements would be identified during the Preliminary Adequate Public Facilities review process. At that time, a thorough analysis of site access, parking, and other details of the site plan, would be performed to ensure that the mitigations selected for the project are appropriate and fully address impacts generated by the site per the Charles County Adequate Public Facilities guidelines.

TECHNICAL ATTACHMENTS

Attachment A: Traffic Count Data

Attachment B: Trip Generation Calculations

CAVALRY
REAL ESTATE ADVISORS

Memorandum	
TO	Heather Kelley, AICP, Planning Supervisor, Charles County Government
FROM	William Rich, Cavalry Real Estate Advisors
RE	PDZA #25-26, 3279 Leonardtown Road, Fiscal Impact Analysis – Voluntary Concessions
DATE	September 1, 2026

The Fiscal Impact Analysis prepared by Cavalry Real Estate Advisors, dated September 1, 2026, for Standard Communities as part of their submission package for PDZA #25-26, 3279 Leonardtown Road refers to voluntary concessions in Appendix 10 of the analysis in the amount of a $1 million contribution toward a planned public park covering approximately 15% of the gross tract area of the project.

County staff had three questions related to the voluntary concession, including (1) will the civic area be open to the public; (2) how is this considered a voluntary concession since the civic space set-aside is required under the requested zoning; and (3) is the $1 million contribution applicable to Standard Communities' current proposal rather than the amphitheater previously proposed? Below are responses to these questions based on our interpretation of Standard Communities' current plan for the project:

1. The Community Garden will be a publicly accessible but privately owned and maintained space.
2. While the Community Garden includes the 15% civic area mandated by zoning, the voluntary concession refers to the costs to improvements to the civic area.
3. The design is still in process, but the $1 million budget currently includes the following features for the proposed Community Garden:
    a. Tot lot
    b. Dog park
    c. Public parking set aside
    d. Picnic area/pavilion
    e. Furnishings
    f. All required infrastructure to build out the civic area (hardscapes, fencing, intentional planting, and required stormwater infrastructure)

AGENDA ITEM NO. 8.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: September 21, 2026

SUBMITTED BY: Amy Brackett

ITEM TYPE: Work Session

AGENDA SECTION: WORK SESSIONS: No Public Comments

SUBJECT:

Subdivision Regulations Amendment (SRA) #26-01 Amendment to Preliminary Subdivision Plan Completion Conditions

The Planning Commission will hold a work session for a request to consider SRA #26-01. The Public Hearing for this item was held on August 3, 2026, at which time the Planning Commission held the record open for comments until September 3, 2026. SRA #26-01 proposes to amend the Charles County Subdivision Regulations' current requirement for preliminary plans to reach a certain threshold of progress in development before being allowed to continue to completion of the project without requiring approvals for additional extensions of time.

The August 3, 2026 Planning Commission agenda, corresponding documents, and recorded meeting can be viewed HERE.

Documents Pending

SUGGESTED ACTION:

ATTACHMENTS:

From: DO NOT REPLY - UNMONITORED ACCOUNT
To: Planning Commission
Subject: *NEW SUBMISSION* Planning Commission Public Comment and Speaker Registration Form
Date: Thursday, September 3, 2026 3:50:48 PM

[External Content Warning] This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

Planning Commission Public Comment and Speaker Registration Form

Submission #:	5125214
IP Address:	158.95.8.153
Submission Date:	09/03/2026 3:50
Survey Time:	11 minutes, 56 seconds

You have a new online form submission.
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Please Choose One:

Submit a Public Comment

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Do you wish to provide a comment on a current agenda item or an open record item?

Open Record

Please Note: Information submitted is considered public information under the Maryland Public Information Act.

Current Agenda Items

None

Records Held Open

Subdivision Regulations Amendment (SRA) #26-01, Record Closes 9/3/26 @ 4:30 p.m.

Name

Ayana Moore

Address

White Plains
White Plains, MD 20695

Phone

(301) 922-0275

Email

ayanadellmoore@msn.com

Comment

Good day. As referenced during my in person comments to the Planning Commission last month, I am in support of this proposed ZTA. The absence of it stymies currently approved development which pushes the costs of homes higher. This is a common sense action to help alleviate escalating home costs.

Upload File(s)

Thank you,
Charles County, MD

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: DO NOT REPLY - UNMONITORED ACCOUNT
To: Planning Commission
Subject: *NEW SUBMISSION* Planning Commission Public Comment and Speaker Registration Form
Date: Monday, August 31, 2026 6:55:29 PM

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Planning Commission Public Comment and Speaker Registration Form

Submission #:	5108870
IP Address:	2601:14b:487c:3a10:b007:fc45:8a52:85cf
Submission Date:	08/31/2026 6:55
Survey Time:	7 minutes, 26 seconds

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Do you wish to provide a comment on a current agenda item or an open record item?

Open Record

Please Note: Information submitted is considered public information under the Maryland Public Information Act.

Current Agenda Items

Records Held Open

Subdivision Regulations Amendment (SRA) #26-01, Record Closes 9/3/26 @ 4:30 p.m.

Name

George Haley

Address

5734 Cabinwood Ct
Indian Head, MD 20640

Phone

(301) 325-2560

Email

gwh4151@yahoo.com

Comment

I think housing development should keep up with the demand whenever possible. This increases the value of

existing homes,increasing family wealth and family flexibility.

Upload File(s)

Thank you,
Charles County, MD

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: Joanna Whitehead
To: Planning Commission
Subject: Subject: SRA #26-01 – Resident Comments
Date: Wednesday, August 26, 2026 8:37:48 PM

[External Content Warning] This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

Dear Mr. Wedding,

As a longtime Charles County resident, I wanted to share my support for SRA #26-01.

I have lived in Charles County for close to 40 years and work in Indian Head. Having personally dealt with the difficulty of finding an affordable home in the County, I believe more needs to be done to encourage housing opportunities for people who want to continue living and working here.

For that reason, I strongly support the proposed change regarding the grandfathering of Preliminary Plans.

Thank you for the opportunity to provide my opinion.

Sincerely,
Joanna Whitehead
11864 No Pl
La Plata, MD 20646

From: Matt Whitehead
To: Planning Commission
Subject: Support for SRA #26-01
Date: Sunday, August 23, 2026 8:11:08 PM

[External Content Warning] This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

Chairman Wedding,

I am writing to express my strong support for SRA #26-01 and the proposed amendment concerning the grandfathering of Preliminary Plans under the Charles County Subdivision Regulations.

I have lived in Charles County for more than 30 years and currently work in Washington, D.C. From my own experience trying to find affordable housing here, I believe the County needs to take reasonable steps that make it easier to bring additional housing to the market. In my view, this amendment is one such step.

Thank you for considering my comments.

Matt Whitehead
11864 No Pl
La Plata, MD 20646

REPORT TO THE COUNTY COMMISSIONERS

Subdivision Regulation #12-17
Preliminary Plan Time Extensions

July 8, 2013

Summary of the Requested Subdivision Regulation Amendment (SRA) #12-17:

Concerns were raised by both the development community and Planning Staff regarding the yearly requirement for time extensions of Preliminary Plans of Subdivisions. Currently, a preliminary plan is approved for two years and then every year after, a request must be submitted. Through year five (5), extensions can be granted by Staff and after year five, conformity review must be performed and approved by the Planning Commission. In addition, every year after the six (6) year conformity review, the Planning Commission must review and approve each extension. This process has taken a great deal of Staff time and has added expense to the process for both the County and the developer.

An additional concern expressed by the citizens of Charles County was how long some of the preliminary plans were kept active. Currently there are 120 active preliminary plans, several of which date back to the 1990's. Approximately 60 of these plans have not recorded any lots since approval, while approximately 20 plans have actively moved forward towards completion since the original approval. The remainder of the plans is in various states of development approvals.

Subdivision Amendment #12-17 proposes to make the following changes:

1. Original approval changed from two (2) years to four (4) years.
2. A maximum of two (2) four (4) year extensions can be granted for a total of twelve (12) years.
3. Any extension beyond eight (8) years will require an updated review of Adequate Public Facilities along with compliance with any conditions of approval.
4. Projects that have recorded at least twenty-five (25%) and have completed substantial physical improvements to the project can proceed to completion without any further extensions. Substantial improvements are those beyond excavation, grading and filling and may include:
   a. Construction of roads or a portion of roads for the entire project (at least 25%) or an entire phase; or
   b. Construction and installation of stormwater management facilities for the entire project (at least 25%) or an entire phase; or
   c. If on public water and sewer, construction of water and sewer facilities for the entire project (at least 25%) or an entire phase.
5. If no development has occurred after twelve (12) years, then the preliminary plan shall be voided.

Background:

A Public Meeting was held on the subdivision regulation amendment on June 3, 2013. At the meeting, there were two (2) speakers supporting the SRA with one requesting a change to allow the preliminary plan to be extended longer than twelve (12) years if there are unusual circumstances. The Planning Commission left the record open for thirty (30) days during which

the Planning Commission received one (1) letters requesting notification be given within 30 days of expiration date..

During the worksession, the Planning Commission voted 4-2 to recommend approval of SRA 12-17 as presented. One Planning Commission member was absent.

Recommendation:

The Planning Commission recommends, by a 4-2 vote, that the County Commissioners approve Subdivision Regulation Amendment #12-17.

CHARLES COUNTY PLANNING COMMISSION

Joseph D. Richard

Stephen Bunker, Chairman

PLANNING COMMISSION WORKSESSION

July 8, 2013

PROJECT #: SRA #12-17

PROJECT NAME: Preliminary Plan Time Extensions

APPLICANT: Charles County Planning Division

BACKGROUND: The Planning Commission held a Public Meeting on Subdivision Regulations Amendment (SRA) #12-17 on June 3, 2013. In order to address the need to require an applicant to request a time extension every year after the original approval, to save the time and expense of these extensions having to be approved by the Planning Commission and to address concerns regarding how long preliminary plans are allowed to remain active without development, staff, with review by the Building Industry Association, has proposed the following changes:

1. Original approval changed from two (2) years to four (4) years.

2. A maximum of two (2) four (4) year extensions can be granted for a total of twelve (12) years.

3. Any extension beyond eight (8) years will require an updated review of Adequate Public Facilities along with compliance with any conditions of approval.

4. Projects that have recorded at least twenty-five (25%) and have completed substantial physical improvements to the project can proceed to completion without any further extensions. Substantial improvements are those beyond excavation, grading and filling and may include:

   a. Construction of roads or a portion of roads for the entire project (at least 25%) or an entire phase; or

   b. Construction and installation of stormwater management facilities for the entire project (at least 25%) or an entire phase; or

   c. If on public water and sewer, construction of water and sewer facilities for the entire project (at least 25%) or an entire phase.

5. If no development has occurred after twelve (12) years, then the preliminary plan shall be voided.

The Planning Commission heard from two speakers, Doug Meeker of the Business Industry Association who spoke in favor of the amendment and Murray Levy who also spoke in favor of the amendment but requested that language be added to add an additional four years to the approval is there are circumstances beyond the control of the applicant.

The Planning Commission left the record open for thirty days. There was one comment letter form Jim Lorenzi of LDG (see attached) requesting staff notify the applicant regarding the need to request renewals at the end of the 12 year period.

Upon review of both request made at the Planning Commission meeting and the open record, staff is not recommending any changes to the Bill as this specifies what must be done during the extension period and the applicant has the opportunity to plan for a variety of circumstances that may occur during this time period. It is staff's opinion that allowing additional unlimited extension requests, such as proposed by Mr. Levy, defeats the intent of the proposed legislation. In addition, the County Attorney's Office informed staff several years ago that we are not to send out intent to void letters as this opens up the opportunity to make the County libel for any project that we might have missed sending such a letter and it is the responsibility of the applicant to monitor their project's deadlines.

RECOMMENDATION: Staff recommends SRA #12-17 as written and requests a favorable recommendation to the County Commissioners from the Planning Commission.

August 3, 2026

The Planning Commission should follow staff findings and conclusion and recommend denial of SRA #26-01.

As staff notes, a plan that has reached the end of their maximum extension of a total of 12 years of life, the minimum vesting threshold must be **both** the recordation of 25% of the approved lots, and completion of 25% associated infrastructure. A plan that could be vested simply by recording 25% of the lots, could easily become a zombie development, holding on to school seats that could be used by projects that are actively moving forward towards completion.

The applicant proposes a seemingly simple amendment to section (b)[2] that includes replacing the words [and] and [also] with the word OR to substantially change the intent of the section. What the applicant's proposed amendment **ignores** is that it is the following section (b)[3] that appropriately uses the word OR, identifying Construction and installation of SWM facilities as **one of 3** Substantial physical improvements beyond excavation, grading and filling that **may** be included to reach that 25% threshold. SWM facilities are not mandatory for reaching the construction minimum.

In December 2013, the County added provisions for Preliminary Plan Time Extensions with SRA 12-17. The purpose of this legislation was to reduce time and expense for both the County and developers, and address concerns raised by residents about how long preliminary plans were kept active.

I am submitting for the record a copy of the Planning Commission's July 8, 2013 REPORT TO THE COUNTY COMMISSIONERS as it provides important insight into the intent of the proposed legislation, including:

At the 2013 public hearing one speaker who **supported** the SRA requested a change to allow the preliminary plan to be extended longer than 12 years if there are unusual circumstances beyond the control of the applicant. It was Staff's opinion, adopted by the Planning Commission that allowing

additional unlimited extension requests, such as those proposed by the speaker would defeat the **intent** of the proposed legislation.

I urge Planning Commission members reference this report the next time an applicant comes before you with a request for a MOD 104 to extend the life of a Plan beyond its expiration date. Section 104B clearly states *the Planning Commission **shall not** grant modifications that will substantially impair the **intent**, purpose and integrity of these regulations or any County ordinance.*

Please keep the record open at least long enough to give all members of this Commission the chance to read the 4-page 2013 Planning Commission Report.

Respectfully Submitted,

Nancy Schertler

Nancy Schertler
Newburg MD, 20664

From: DO NOT REPLY - UNMONITORED ACCOUNT
To: Planning Commission
Subject: *NEW SUBMISSION* Planning Commission Public Comment and Speaker Registration Form
Date: Wednesday, August 26, 2026 8:47:52 PM

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Planning Commission Public Comment and Speaker Registration Form

Submission #:	5080729
IP Address:	2600:4040:2554:6800:a417:7bdb:bfbf:df20
Submission Date:	08/26/2026 8:47
Survey Time:	11 minutes, 14 seconds

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Do you wish to provide a comment on a current agenda item or an open record item?

Open Record

Please Note: Information submitted is considered public information under the Maryland Public Information Act.

Current Agenda Items

Records Held Open

Subdivision Regulations Amendment (SRA) #26-01, Record Closes 9/3/26 @ 4:30 p.m.

Name

Nancy Schertler

Address

14725 Banks O'Dee rd
Newburg, MD 20664

Phone

(202) 255-2324

Email

nschertler@gmail.com

Comment

attached please find 2 documents: 1)my testimony in support of staff recommendation that the Planning

Commission deny approval of SRA #26-01, and 2) Time Extension SRA background- which is the 2013 PC report to the County Commissioners regarding SRA #12-17. Thank you for taking the time to read both attachments.

Upload File(s)

Testimony_SRA_26-01 Schertler 8.26.26.pdf
Time Extension SRA, background.pdf

Thank you,
Charles County, MD

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TESTIMONY ON SUBDIVISION REGULATIONS AMENDMENT (SRA) #26-01

Amendment to Preliminary Subdivision Plan Completion Conditions

Date: August 26, 2026

To: Charles County Planning Commission

Attn: Kevin Wedding, Chairman

Public Comment Period Closes September 3, 2026, at 4:30 p.m.

Re: Testimony in Support of Staff Recommendation to Deny SRA #26-01

Position: DENY SRA #26-01

Members of the Planning Commission:

I urge you to adopt the staff recommendation and deny SRA #26-01. This amendment moves in the wrong direction. The current framework is already more permissive than any other Maryland county, and SRA #26-01 would loosen it further.

1. Charles County already has the most permissive vesting framework in the state. Under § 278-25I(2), adopted by SRA #12-17 in 2013, a preliminary plan receives four years of initial validity, plus two four-year extensions — twelve years total. A project that has recorded 25% of its lots and completed 25% of its infrastructure may then continue to build-out indefinitely.

> No other county is this generous. Calvert allows roughly four years total. Harford allows five. St. Mary's caps total extensions at twice the original validity period. Frederick caps regulatory immunity at five years. In every other Maryland county, when the preliminary plan expires, only the lots actually recorded survive; the unrecorded remainder must be resubdivided under current regulations.

2. The current rule already allows 75% of a subdivision to escape future regulation. What is not clearly articulated is that under the existing dual threshold, a project that records just 25% of its lots and completes 25% of its infrastructure locks in the entire development — including the

unrecorded 75% — under whatever regulations were in effect when the preliminary plan was approved. That unrecorded land never faces a conformity review, never faces updated stormwater standards, never faces current Critical Area or forest conservation requirements. It is permanently insulated from every future regulatory improvement the County adopts.

> The 2013 record makes clear this was not the intent of the Preliminary Plan Time Extensions. (*Time Extensions SRA background* attached) When former State Delegate Murray Levy requested additional extensions for "circumstances beyond the control of the applicant," staff responded that allowing unlimited extensions "defeats the intent of the proposed legislation." The purpose of SRA #12-17 was to end the practice of keeping preliminary plans alive indefinitely without development.

3. SRA #26-01 would make Charles County the only jurisdiction where *unrecorded* land vests on paper alone. Changing "and" to "or" removes the safeguard that matters. A bond is not a road, and a recorded lot is not infrastructure. Recording lots is a paper transaction that can be accomplished in an attorney's office, between affiliated entities, without a single foot of road, pipe, or stormwater facility in the ground.

> Every other Maryland county tells developers: if you don't record it before the deadline, you lose it. SRA #26-01 would tell them: record a quarter of it on paper, and keep the other three-quarters forever, with no road required, no pipe required, no stormwater facility required.

4. The stormwater argument does not justify weakening the threshold. Stormwater management requirements are state law administered by the Maryland Department of the Environment. Developers in every Maryland County must navigate the same SWM design and approval process. SWM facilities protect downstream residents from flooding, and the County's MS4 permit and Chesapeake Bay obligations depend on them. The infrastructure half of the vesting requirement is the only requirement with public value.

5. A better approach: limit vesting to recorded lots, and strengthen the conformity review in the interim. The Commission should deny SRA #26-01 and instead consider whether the completion conditions should be tightened — not loosened. Please consider:

First, for plans approaching the twelve-year limit, only the lots actually recorded by the expiration date should vest. The unrecorded remainder should expire and be subject to resubdivision under the regulations then in effect. That is the rule in Calvert, St. Mary's, Frederick, and every other county reviewed: recorded lots survive expiration; unrecorded land does not. This approach protects what a developer has actually committed to the land records, treats recordation as the legal act it is rather than a substitute for construction, and ends the practice of holding unrecorded land under decades-old standards indefinitely.

Second, in the interim, the Commission should strengthen the eight-year conformity review under § 278-25I(2)(a) to require the applicant to:

- Identify the specific infrastructure — SWM facilities, roads, sewer and water lines — that will be placed in service and counted toward the 25% infrastructure threshold; and
- Provide a timeline for construction of each element, demonstrating a clear path to completion within the final four-year extension period.

If an applicant cannot articulate how the 25% infrastructure threshold will be reached, the extension should be denied and the plan expired.

Conclusion

In 2013, this Commission confronted a county with 120 active preliminary plans — several dating to the 1990s — and roughly 60 that had never recorded a single lot. SRA #12-17 was the remedy: generous time to build, real milestones to prove progress, and a firm end for plans that do not. SRA #26-01 breaks that bargain. It removes the only milestone that requires construction and replaces it with a paper transaction, inviting a return to the era of dormant approvals hanging over neighborhoods and watersheds with no end in sight — this time permanently.

Twelve years is enough, and significantly more time than most counties allow. No other county in Maryland allows *unrecorded* land to vest on paper alone, and Charles County should not be the first. I ask the Commission to adopt the staff recommendation, deny SRA #26-01, and keep the one completion condition that measures what actually matters: construction on the ground, not paper in the land records.

Respectfully submitted,

Nancy Schertler

Newburg, Maryland

REPORT TO THE COUNTY COMMISSIONERS

Subdivision Regulation #12-17
Preliminary Plan Time Extensions

July 8, 2013

Summary of the Requested Subdivision Regulation Amendment (SRA) #12-17:

Concerns were raised by both the development community and Planning Staff regarding the yearly requirement for time extensions of Preliminary Plans of Subdivisions. Currently, a preliminary plan is approved for two years and then every year after, a request must be submitted. Through year five (5), extensions can be granted by Staff and after year five, conformity review must be performed and approved by the Planning Commission. In addition, every year after the six (6) year conformity review, the Planning Commission must review and approve each extension. This process has taken a great deal of Staff time and has added expense to the process for both the County and the developer.

An additional concern expressed by the citizens of Charles County was how long some of the preliminary plans were kept active. Currently there are 120 active preliminary plans, several of which date back to the 1990's. Approximately 60 of these plans have not recorded any lots since approval, while approximately 20 plans have actively moved forward towards completion since the original approval. The remainder of the plans is in various states of development approvals. Subdivision Amendment #12-17 proposes to make the following changes:

1. Original approval changed from two (2) years to four (4) years.
2. A maximum of two (2) four (4) year extensions can be granted for a total of twelve (12) years.
3. Any extension beyond eight (8) years will require an updated review of Adequate Public Facilities along with compliance with any conditions of approval.
4. Projects that have recorded at least twenty-five (25%) and have completed substantial physical improvements to the project can proceed to completion without any further extensions. Substantial improvements are those beyond excavation, grading and filling and may include:
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   b. Construction and installation of stormwater management facilities for the entire project (at least 25%) or an entire phase; or
   c. If on public water and sewer, construction of water and sewer facilities for the entire project (at least 25%) or an entire phase.
5. If no development has occurred after twelve (12) years, then the preliminary plan shall be voided.

Background:

A Public Meeting was held on the subdivision regulation amendment on June 3, 2013. At the meeting, there were two (2) speakers supporting the SRA with one requesting a change to allow the preliminary plan to be extended longer than twelve (12) years if there are unusual circumstances. The Planning Commission left the record open for thirty (30) days during which

the Planning Commission received one (1) letters requesting notification be given within 30 days of expiration date..

During the worksession, the Planning Commission voted 4-2 to recommend approval of SRA 12-17 as presented. One Planning Commission member was absent.

Recommendation:

The Planning Commission recommends, by a 4-2 vote, that the County Commissioners approve Subdivision Regulation Amendment #12-17.

CHARLES COUNTY PLANNING COMMISSION

by Joseph D. Richard

Stephen Bunker, Chairman

PLANNING COMMISSION WORKSESSION

July 8, 2013

PROJECT #: SRA #12-17

PROJECT NAME: Preliminary Plan Time Extensions

APPLICANT: Charles County Planning Division

BACKGROUND: The Planning Commission held a Public Meeting on Subdivision Regulations Amendment (SRA) #12-17 on June 3, 2013. In order to address the need to require an applicant to request a time extension every year after the original approval, to save the time and expense of these extensions having to be approved by the Planning Commission and to address concerns regarding how long preliminary plans are allowed to remain active without development, staff, with review by the Building Industry Association, has proposed the following changes:

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The Planning Commission left the record open for thirty days. There was one comment letter form Jim Lorenzi of LDG (see attached) requesting staff notify the applicant regarding the need to request renewals at the end of the 12 year period.

Upon review of both request made at the Planning Commission meeting and the open record, staff is not recommending any changes to the Bill as this specifies what must be done during the extension period and the applicant has the opportunity to plan for a variety of circumstances that may occur during this time period. It is staff's opinion that allowing additional unlimited extension requests, such as proposed by Mr. Levy, defeats the intent of the proposed legislation. In addition, the County Attorney's Office informed staff several years ago that we are not to send out intent to void letters as this opens up the opportunity to make the County libel for any project that we might have missed sending such a letter and it is the responsibility of the applicant to monitor their project's deadlines.

RECOMMENDATION: Staff recommends SRA #12-17 as written and requests a favorable recommendation to the County Commissioners from the Planning Commission.

From: DO NOT REPLY - UNMONITORED ACCOUNT
To: Planning Commission
Subject: *NEW SUBMISSION* Planning Commission Public Comment and Speaker Registration Form
Date: Tuesday, September 1, 2026 12:15:06 PM

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Planning Commission Public Comment and Speaker Registration Form

Submission #:	5110029
IP Address:	96.231.240.217
Submission Date:	09/01/2026 12:14
Survey Time:	9 minutes, 13 seconds

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Open Record

Please Note: Information submitted is considered public information under the Maryland Public Information Act.

Current Agenda Items

Records Held Open

Subdivision Regulations Amendment (SRA) #26-01, Record Closes 9/3/26 @ 4:30 p.m.

Name

Russell Yates

Address

5652 Cabinwood Ct
Indian Head, Maryland 20640

Phone

(571) 408-9855

Email

russellyates301@gmail.com

Comment

I am writing as a homeowner in the Hunter's Brooke Development, Falcon Ridge Subdivision, to express my support

for Subdivision Regulations Amendment (SRA) #26-01. Charles County needs more predictability in its housing market, and working with developers to achieve responsible, orderly growth would benefit homeowners, families, employers, and the County as a whole. The recent County Housing Report shows that Charles County is not meeting its housing goals. Supporting SRA #26-01 would be a practical near-term step in the right direction. The report also shows the County is growing, yet housing permits are decreasing, and townhome construction has exceeded single-family home permits. The report further shows limited activity for families who want to locate here because of jobs, quality of life, and location. Only 15 net new preliminary subdivision lots were approved in 2025 for single-family homes, and the future development pipeline remains very small. At the same time, the western side of the County is growing due to the Western Charles Technology Corridor and expanding jobs and businesses near the Naval Surface Warfare Center Indian Head Division base. Families working in these areas should have realistic opportunities to live in Charles County. For these reasons, I respectfully urge support for SRA #26-01. This amendment would help promote predictable, balanced, and responsible housing growth while addressing the needs of current and future residents. Thank you for your consideration.

Upload File(s)

Thank you,
Charles County, MD

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Lorenzi, Dodds & Gunnill INC.

ENGINEERS · SURVEYORS · PLANNERS · LANDSCAPE ARCHITECTS

August 3, 2026

ZONING TEXT AMENDMENT SRA 26-01

My name is Tim Lessner, employed with Lorenzi, Dodds & Gunnill, Inc. for 41 years. I am appearing before your Board this evening to voice my support to amend Section 278 25-1(b)[2] of the Charles County Subdivision Regulations. I agree with the change that Mr. Scott has described in his April 22, 2026 application for the following reasons:

1. The requirement to have 25 % of lots or 25% infrastructure completed was enacted on December 3, 2013, per Bill 2013-16 (PGM Notice # 13-14). See Exhibit A. At that time, there were approximately 2,952 lots on the School Capacity Waiting List (Exhibit B), some of which had been on the list since 1994. Now there are less than 414 lots on the School Capacity Waiting List in 2026 (Exhibit C). Many projects in 2013 remained on the School Capacity Waiting List for many years and never received school allocation; therefore, they were not able to achieve 25% lot recordation, and their preliminary subdivision plans were voided.

2. Due to the cumbersome regulations that all projects must overcome to gain approvals, it takes many years to achieve 25% completion. The 2010 Stormwater Management Ordinance, which requires a 3-step process, each step sometimes taking nearly a year. Therefore, the SWM design, review and permit process alone has been extended by several years. This was not considered in 2013 when the regulations were adopted.

3. On June 16, 2020, County Commissioners adopted an amendment to the WCD Zone, per Bill # 2020-03. This allowed preliminary subdivision plans in the WCD Zone to be grandfathered at 10% completion, instead of 25% per Section E(2)(d). Considering that the WCD is one of the most restrictive zones, preliminary subdivision plans in all zones should be grandfathered 10% completion. See Exhibit D.

4. History of various projects tells us that it is very difficult to meet the 25% rule for large projects. Here are a couple examples:

   a. Scotland Heights / XPN 03-0016
      Approved June 21, 2004
      Total Lots = 447
      25% = 112
      40 Lots recorded August 20, 2013
      59 Lots recorded November 7, 2013
      36 Lots recorded August 15, 2017
      112th Lot recorded August 15, 2017 (13 years)

b. Christopher Pointe / XPN 02-0018
Approved October 7, 2002
Total Lots = 114
25 % = 28
22 Lots recorded on January 16, 2019
13 Lots recorded on September 12, 2019
28th Lot recorded on September 12, 2019 (17 years)

c. Brentwood / XPN 97-0010
Approved August 14, 2000
Total Lots = 350
25% = 88 Lots
74 Lots recorded on July 15, 2005
28 Lots recorded on February 9, 2006
88th Lot recorded on February 9, 2006 (16 years)

As you can see, the 25% rule has been an extreme hardship for large project developments. I urge the Planning Commission to approve the changes that Steve Scott proposes.

EXHIBIT A

NOTICE

Issued by the Department of

Planning & Growth Management

Notice # 13-14

Release Date
12-6-13

Contact
Steven Ball
Planning Director
Planning Division

Phone
301-645-0540

Charles County Government

Department of Planning & Growth Management

Peter Aluotto
PGM Director

Equal Opportunity County
Say No To Drugs

Subdivision Regulations Amendment – Time Extensions for Preliminary Plans

Bill 2013-16 was approved by the Charles County Board of County Commissioners on December 3, 2013.

The Bill, also referenced by the Planning Division as Subdivision Regulations Amendment #12-17, makes the following changes to the Preliminary Plan approval requirements:

1. Original approvals have been changed from two (2) years to four (4) years.

2. A maximum of two (2) four (4) year extensions can be granted for a total of twelve (12) years.

3. Any extension beyond eight (8) years will require an updated review of Adequate Public Facilities along with compliance with any conditions of approval.

4. Projects that have recorded at least twenty-five (25%) of lots and have completed substantial physical improvements to the project can proceed to completion without any further extensions. Substantial improvements are those beyond excavation, grading and filling and may include:

   a. Construction of roads or a portion of roads for the entire project (at least 25%) or an entire phase; or

   b. Construction and installation of stormwater management facilities for the entire project (at least 25%) or an entire phase; or

   c. If on public water and sewer, construction of water and sewer facilities for the entire project (at least 25%) or an entire phase.

5. If no substantial improvement has occurred after twelve (12) years, then the preliminary plan shall be voided.

The Subdivision Code has been amended accordingly.

SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect TEN (10) calendar days after it becomes law.

COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND

Candice Quinn Kelly, President

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

Ken Robinson

Debra M. Davis, Esq.

Bobby Rucci

ATTEST:

Denise Ferguson, Clerk

SCHOOL APF ELIGIBILITY LIST 2026

Elementary	Middle	High	Project Name	Project No.	Lots/ Units Approved	Remaining Allocations	Date of Approval	Elementary	Middle	High	Allocation Offer
Billingsley	Henson	McDonough	Linden Grove, Revision #3	PLREV-200004	8	8	3/15/2021	185	18	95	8
							Equivalent Number of Students	2	1	1	
TC Martin	Hanson	St. Charles	Keswick	XPN-060024	10	10	7/1/2025	122	130	118	10
							Equivalent Number of Students	2	1	1	
Gail Bailey	Glymont	Lackey	Resolute Acres	PLAT-250022	3	3	10/14/2025	96	98	538	3
							Equivalent Number of Students	1	1	1	
Ryon	Hanson	Thomas Stone	Richland Crossing	PSP-240002	50	50	4/20/2026	101	130	340	50
							Equivalent Number of Students	11	5	8	
Mudd	Hanson	Thomas Stone	Lenville Crossing	SDP-240023	144	144	4/30/2026	97	130	340	144
							Equivalent Number of Students	29	13	14	
Turner	Somers	St. Charles	Gudelsky Estates	PSP-220001	270	270	6/15/2026	86	162	118	226
							Equivalent Number of Students	51	27	38	

Allocation GRANTED for ALL

414

ATTACHMENT D

EX H I B I T 9

2013

SCHOOL ADEQUATE PUBLIC FACILITIES ELIGIBILITY LIST (1/13-7/13)

Middle	Elementary	High School	PROJECT NAME	PROJECT NO	LOTS APPROVED	RECORDED or ALLOCATED	REMAINING LOTS	DATE OF APPROVAL	High School	Middle School	Elementary School	Available Capacity in Schools	Allocation Offer
HENSON	PARKS	LACKEY	Kingsview Section 6B	X 940086	32	24	8	11/07/1994	140	0	0	0	
PICCOWAXEN	MITCHELL	LA PLATA	Hollybrook Farms	XPN000021	89	78	11	10/02/2000	0	94	0	0	
MATT	BERRY	WESTLAKE	Avalon Subdivision (Phase I-I	XPN010027	162	104	58	03/04/2002	0	0	0	0	
MATT	JENIFER	NORTH POINT	Christopher Pointe	XPN020018	171	46	125	10/07/2002	0	0	0	0	
MATT	BERRY	NORTH POINT	Autumn Hills	XPN020009	384	334	50	01/06/2003	0	0	0	0	
HENSON	MALCOLM	THOMAS STONE	Turtle Creek	XPN030013	70	53	17	12/01/2003	86	0	0	0	
DAVIS	DIGGS	NORTH POINT	Brookwood Estates, Sec II	XPN030017	146	100	46	04/19/2004	0	167	9	0	
DAVIS	DIGGS	NORTH POINT	Linden Grove, Sec I	XPN030018	136	116	20	04/19/2004	0	167	9	0	
DAVIS	BERRY	WESTLAKE	Scotland Heights ***	XPN030016	446	356	90	06/21/2004	0	167	0	0	
HENSON	DIGGS	McDONOUGH	Heritage Crossing	XPN030001	60	0	60	06/21/2004	11	0	9	0	
HENSON	PARKS	LACKEY	Bryans Village	XPN030024	165	109	56	10/18/2004	140	0	0	0	
DAVIS	BERRY	WESTLAKE	Middletown South	XPN040013	196	144	52	11/01/2004	0	167	0	0	
PICCOWAXEN	HIGDON	McDONOUGH	Blenheim Estates	XPN040020	37	0	37	03/07/2005	11	94	14	11	6
SOMMERS	MARTIN	THOMAS STONE	Ridge Grove Estates	XPN040026	36	28	8	06/06/2005	86	0	0	0	
MATT	JENIFER	NORTH POINT	Springhaven II (Acton Parcel)	XPN040005	44	0	44	07/18/2005	0	0	0	0	
PICCOWAXEN	MITCHELL	LA PLATA	Richards Inheritance	XPN40021	4	0	4	08/15/2005	0	94	0	0	
SOMERS	NEAL	LA PLATA	The Meadows at Forgotten Far	XPN010021	375	30	345	09/12/2005	0	0	48	0	
DAVIS	DIGGS	NORTH POINT	Windsor Mill, Sec II	XPN040011	50	0	50	10/03/2005	0	167	9	0	
HANSON	MARTIN	THOMAS STONE	Benedict Farms	XPN050007	3	1	2	11/07/2005	86	69	0	0	
SOMERS	MARTIN	LA PLATA	Inverness Estates	XPN050017	52	39	13	11/07/2005	0	0	0	0	
HENSON	DIGGS	LACKEY	Highgrove , Sec 7 &8	XPN050011	35	0	35	11/21/2005	140	0	9	0	
SOMERS	MITCHELL	LA PLATA	Autumn Woods	XPN040019	32	8	24	01/09/2006	0	0	0	0	
HENSON	DIGGS	McDONOUGH	Deer Park Estates	XPN050023	53	0	53	01/09/2006	11	0	9	0	
HENSON	DIGGS	McDONOUGH	Berry Grove	XPN050013	15	0	15	01/23/2006	11	0	9	0	
PICCOWAXEN	MITCHELL	LA PLATA	Sweet Williams Estates	XRS060012	2	0	2	02/03/2006	0	94	0	0	
DAVIS	BERRY	NORTH POINT	Bracey Estates, Ph II	XPN050012	31	0	31	02/06/2006	0	167	0	0	
MATT	JENIFER	NORTH POINT	Springhaven II (Phase 2)	XPN040005	13	0	13	05/01/2006	0	0	0	0	
SOMERS	NEAL	LA PLATA	Buckingham	XPN050034	39	0	39	06/05/2006	0	0	48	0	
SOMERS	MARTIN	THOMAS STONE	Sunrise Estates	XPN050024	29	0	29	07/24/2006	86	0	0	0	
DAVIS	DIGGS	NORTH POINT	Piney Branch/North Point	XPN050025	47	0	47	07/24/2006	0	167	9	0	
PICCOWAXEN	MITCHELL	LA PLATA	Boarman Property	XRS060120	1	0	1	09/26/2006	0	94	0	0	
HANSON	MALCOLM	THOMAS STONE	Turtle Creek Section 3, Ph II	XPN030033	39	0	39	10/30/2006	86	69	0	0	

1/12 - 7/13

HANSON	MALCOLM	THOMAS STONE	Turtle Creek Section 2, Ph II	XPN030032	6	0	6	10/30/2006	86	69	0	0	
SOMERS	MARTIN	LA PLATA	Elkwood Crossing	XPN060009	80	0	80	11/13/2006	0	0	0	0	
SOMERS	MITCHELL	LA PLATA	Ellenwood, Sec 6	XPN050027	11	0	11	11/13/2006	0	0	0	0	
SOMERS	BERRY	WESTLAKE	Billingsley Estates	XPN060013	46	0	46	11/13/2006	0	0	0	0	
HENSON	DIGGS	NORTH POINT	Bensville Acres	XPN060011	77	0	77	03/19/2007	0	0	9	0	
HANSON	MARTIN	THOMAS STONE	Mill Spring Estates	XPN060025	24	0	24	04/16/2007	86	69	0	0	
PICCOWAXEN	MITCHELL	LA PLATA	Bridgefield	XPN060012	8	0	8	06/14/2007	0	94	0	0	
HANSON	MARTIN	THOMAS STONE	East Acres	XPN070005	3	0	3	09/10/2007	86	69	0	0	
HANSON	MARTIN	THOMAS STONE	Keswick	XPN060024	87	0	87	09/10/2007	86	69	0	0	
HENSON	PARKS	LACKEY	Key Pointe Woods	XPN070001	26	7	19	11/19/2007	140	0	0	0	
SOMERS	MARTIN	LA PLATA	Oliver's Crossing	XPN070015	55	0	55	01/28/2008	0	0	0	0	
PICCOWAXEN	MITCHELL	LA PLATA	Hamilton Acres	XPN070016	9	0	9	02/25/2008	0	94	0	0	
PICCOWAXEN	MARTIN	LA PLATA	Summitt Ridge	XPN060022	38	0	38	03/17/2008	0	94	0	0	
DAVIS	DIGGS	NORTH POINT	Edward's Estates	XPN070022	7	0	7	04/21/2008	0	167	9	0	
HENSON	BERRY	WESTLAKE	Crosshaven	XPN00002	28	0	28	07/21/2008	0	0	0	0	
MATTAWOMAN	BERRY	NORTH POINT	Berry Estates	XPN 070022	18	0	18	09/22/2008	0	0	0	0	
HENSON	DIGGS	McDONOUGH	Berry Grove Phase II	XPN050013	14	0	14	10/06/2008	11	0	9	0	
MATT	WADE	WESTLAKE	Brierholme	XPN060017	14	1	13	10/20/2008	0	0	0	0	
HENSON	DIGGS	LACKEY	Timber Ridge	XPN060028	103	0	103	11/03/2008	140	0	9	0	
HANSON	MALCOLM	LACKEY	Hope Park	XPN060019	36	0	36	12/15/2008	140	69	0	0	
SMALLWOOD	NANJEMOY	LACKEY	Hickory Level	XPN 070013	3	1	2	01/26/2009	140	83	1	1	1
PICCOWAXEN	MITCHELL	LA PLATA	Thompson	XPN050003	18	0	18	03/02/2009	0	94	0	0	
HANSON	MALCOLM	THOMAS STONE	Turtle Creek Section 4	XPN 050033	2	0	2	03/23/2009	86	69	0	0	
PICCOWAXEN	MITCHELL	LA PLATA	Greenview	XPN 60014	1	0	1	03/23/2009	0	94	0	0	
SOMERS	MARTIN	LA PLATA	Jessie Beuchart Phase 4	XPN080002	1	0	1	04/20/2009	0	0	0	0	
MATT	JENIFER	NORTH POINT	Springhaven II (Phase 3)	XPN040005	1	0	1	06/01/2009	0	0	0	0	
HENSON	DIGGS	McDONOUGH	Saddle Ridge	XPN 080020	41		41	06/15/2009	11	0	9	0	
HANSON	MALCOLM	THOMAS STONE	Mary Helen Wilkinson	XPN070023	1	0	1	09/28/2009	86	69	0	0	
SOMERS	MARTIN	LA PLATA	Harvest Ridge	XPN080016	1	0	1	11/02/2009	0	0	0	0	
SOMERS	MITCHELL	LA PLATA	Lee Farm Estates	XPN080021	6	0	6	11/02/2009	0	0	0	0	
HANSON	RYON	THOMAS STONE	Adams Crossing (Phase II)	XPN070007	382	153	229	11/16/2009	86	69	43	43	22
SOMERS	CRAIK	McDONOUGH	Burleson	XPN090008	38	0	38	01/25/2010	0	0	0	0	
DAVIS	DIGGS	NORTH POINT	Pine Crest	XPN090012	32	0	32	05/03/2010	0	167	9	0	
HENSON	PARKS	LACKEY	Bryans Green	XPN100002	128	0	128	05/03/2010	140	0	0	0	
PICCOWAXEN	MARTIN	LA PLATA	Summitt Ridge Phase 2	XPN060022	6	0	6	08/23/2010	0	94	0	0	
SOMERS	MITCHELL	LA PLATA	Fishers Grant	XPN090011	40	0	40	10/18/2010	0	0	0	0	
PICCOWAXEN	MITCHELL	McDONOUGH	Chandlers Hope	XRS110055	2	0	2	10/06/2011	11	94	0	0	
HANSON	RYON	THOMAS STONE	Stonebridge rev 2	XPN020014	142	74	68	11/21/2011	86	69	43	43	21

MATTAWOMAN	JENIFER	WESTLAKE	Hamilton Park	XPN100018	170	0	170	01/23/2012	0	0	0	0	
SMALLWOOD	G-BAILEY	LACKEY	Shad Crossing	XPN080024	31	0	31	07/23/2012	140	83	14	14	7
SOMERS	MITCHELL	LA PLATA	Fishers Grant Rev 1	XPN090011	35	0	35	09/10/2012	0	0	0	0	
SOMERS	MARTIN	LA PLATA	Millseat II	XPN100014	52	0	0	10/21/2012	0	0	0	0	
SOMERS	MARTIN	LA PLATA	Beethoven Place	XPN100016	83	0	0	10/21/2012	0	0	0	0	
SOMERS	G-BAILEY	McDONOUGH	Chandlers Town Ph 3	XPN110007	37	0	0	10/21/2012	11	83	0	0	
SOMERS	MARTIN	LA PLATA	Gilbert Run	XPN100005	100	0	0	11/19/2012	0	0	0	0	
PICCOWAXEN	HIGDON	McDONOUGH	Hamilton Farm	XPN110008	69	0	0	12.17.2012	11	94	14	11	5

*** Projects have partial allocations through a DRRA

EXHIBIT D

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2020 Legislative Session

BILL NO. 2020-03

Introduced by: Charles County Commissioners

ZONING TEXT AMENDMENT #19-155 THE MODIFICATION OF THE TRANSITIONAL AND GRANDFATHERING PROVISIONS WITHIN THE WATERSHED CONSERVATION DISTRICT (WCD) ZONE

Date introduced: 03 / 03 / 2020

Public Hearing: 05 / 19 / 2020 @ 6:00 p.m.

Commissioners Action: 06 / 16 / 2020

Commissioner Votes: RBC: Y, BR: Y, GB: Y, TC: Absent, AS: Y

Pass/Fail: Passed

Effective Date: 07 / 31 / 2020

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2020 Legislative Session

Bill No. 2020-03 Zoning Text Amendment #19-155
Chapter No. 297
Introduced by Board of County Commissioners
Date of Introduction March 3, 2020

WATERSHED CONSERVATION DISTRICT (WCD)

AN ACT concerning:

THE MODIFICATION OF THE TRANSITIONAL AND GRANDFATHERING PROVISIONS WITHIN THE WATERSHED CONSERVATION DISTRICT (WCD) ZONE

FOR the purpose of

Amending certain provisions of the Zoning Ordinance of Charles County, Maryland to reduce the percentage of lots and associated infrastructure required to allow a project to be exempt from the development constraints imposed by the WCD Zone.

BY Amending:

Chapter 297 – ZONING ORDINANCE
Article VI, Base Zone Regulations
Section 297-98, WCD Watershed Conservation District.
Code of Charles County, Maryland

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

* * * * * * * * * * * * * * * *

Chapter 297. ZONING ORDINANCE
Article VI, Base Zone Regulations
Section 297-98, WCD Watershed Conservation District.

A. Objectives.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2020 Legislative Session

Bill No. 2020-03 Zoning Text Amendment #19-155
Chapter No. 297
Introduced by Board of County Commissioners
Date of Introduction March 3, 2020

WATERSHED CONSERVATION DISTRICT (WCD)

AN ACT concerning:

THE MODIFICATION OF THE TRANSITIONAL AND GRANDFATHERING PROVISIONS WITHIN THE WATERSHED CONSERVATION DISTRICT (WCD) ZONE

FOR the purpose of

Amending certain provisions of the Zoning Ordinance of Charles County, Maryland to reduce the percentage of lots and associated infrastructure required to allow a project to be exempt from the development constraints imposed by the WCD Zone.

BY Amending:

Chapter 297 – ZONING ORDINANCE
Article VI, Base Zone Regulations
Section 297-98, WCD Watershed Conservation District.
Code of Charles County, Maryland

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

* * * * * * * * * * * * * * * *

Chapter 297. ZONING ORDINANCE
Article VI, Base Zone Regulations
Section 297-98, WCD Watershed Conservation District.

A. Objectives.

(1) To implement the direction and intent of the Comprehensive Plan with regards to protection of the Mattawoman Creek Stream Valley and the headwaters of the Port Tobacco River and to protect the watershed area's natural resources for its long-term value to the community, the ecological, aesthetic and scenic values and its recreation and economic value as a sustainable resource.

(2) To further protect the Resource Protection Zone and limit forest fragmentation.

(3) To allow for the transfer of development rights in appropriate locations.

(4) To limit sprawl development and protect water resources and Tier II streams and wildlife habitat and implement the total maximum daily load (pollutant restrictions).

(5) To guide development away from vulnerable natural hazards, including flooding, storm surge, and shore erosion.

B. General regulations. Residential development is limited to a gross density of one unit per 20 acres. Minimum lot area, area per dwelling unit, building setback from adjacent lot lines, lot width, front yard, side yard, rear yard, and maximum building height are displayed on Figure VI-10, shall apply, and are subject to other requirements of this chapter. Legal lots of record less than one unit per 20 acres are permitted to obtain one single-family dwelling unit building permit (and accessory use permits) per legal lot of record.

C. Special regulations: site design.

(1) Impervious surface restrictions. In order to protect the natural resources in this area, impervious surface coverage, such as buildings, pavement or other man-made materials, is limited to 8% of the property. Legal lots of record of three acres in size or smaller may have an impervious surface coverage up to but not to exceed 10,500 square feet. Development areas shall be designated on any site development plan, development services permit plans, clearing or grading permit or building permit. The applicant shall demonstrate how much impervious surface is located on the subject property. Calculations shall be provided to determine that impervious surface is no greater than 8% of the subject property.

(2) Exemptions from impervious surface restrictions:

(a) Minor combined or cumulative additions up to 25% of the main structure, or accessory uses of existing legally permitted uses and legal lots of record. Property under three acres can build up to a maximum of 10,500 square feet even if it exceeds 25% as noted above.

(b) Development that utilizes best management practices (BMP), mitigates impervious surface coverage and also has an inspection and maintenance agreement may exceed the eight-percent impervious surface restriction by an equivalent area that is treated by the BMP.

(c) Development within the Watershed Conservation Zoning District which is not serviced by public water and sewer is required to utilize the best available technology (BAT) septic system to further reduce nitrogen entering the groundwater and streams.

(d) Churches and schools are exempt from impervious surface coverage.

(3) Stream and Resource Protection Zone buffers:

(a) The County's Critical Area Zone (Overlay Zone), Article IX of the Zoning Ordinance, or the Resource Protection Zone RPZ (Overlay Zone), Article XI of the Zoning Ordinance, whichever is applicable, shall govern buffer requirements for the Watershed Conservation District (WCD) Zoning District.

(b) Streams shall be designated on any application for site development plan. Development services permit, land clearing, grading or building permit applications, and conceptual subdivision plans and shall clearly illustrate buffer areas of no disturbance in compliance with the Zoning Ordinance.

D. Zoning Map boundary and criteria. The Watershed Conservation District (WCD) Zoning Map is based on the Watershed Conservation District Land Use Map. The Land Use Map is a generalized conceptual map, and the Zoning Map is more site-specific. For small developed parcels on the edge of the district, the property line was used as the WCD boundary. Some other parcels have split or multiple zones. For those properties where the boundary was set as the Stream Valley's top of slope, boundary modifications related to the exact location of the top of slope can be considered by the Planning and Growth Management staff upon approval by the Zoning Officer based on site-verified conditions and data.

(1) Properties with multiple zoning districts. When properties contain more than one zoning district and a proposed project falls within the WCD Zoning District, the following rules will apply.

(a) The WCD shall be consistent with § 297-22 of the Zoning Ordinance and subject to all the regulations applicable to the zone in which it is located in accordance with those provisions;

(b) The density calculation of the WCD area is to be based on one unit per 20 acres;

(c) The area with WCD zoning can only include permitted uses allowed by the Table of Permissible Uses for that zone;

(d) WCD areas can include open space, forest conservation, public uses, stormwater management and access to support the entire project, provided it meets the impervious surface and other development requirements for the WCD area;

(e) WCD areas can be used for residue and reserved as open space for future development.

provided the future development complies with the WCD regulations.

(2) Except as specified below in this subsection, commercial and business park zoning areas shall not be included in the WCD boundary area and shall be allowed to retain their commercial-related zoning:

(a) The County-owned Indian Head Science and Technology Site shall remain in the WCD boundary area;

(b) The commercial and mixed-use commercial areas in the Bryans Road area shall remain in the WCD boundary in order to plan its future as a village and not a growth area;

(c) The commercial and industrial lands around the airport shall remain in the WCD boundary.

E. Transitional and grandfathering provisions. These provisions will take place at the effective date of this section and as follows:

(1) Existing developments. Existing developments that are no longer considered to be permitted uses within the WCD Zoning District as of adoption of this WCD section are considered legally nonconforming uses and may continue to exist per the requirements of Article XXVIII, Nonconforming Uses, of this Zoning Ordinance.

(2) Pending development applications. Pending development applications that are located within the WCD area and have not been approved but are under review at the time of adoption of this section may continue for review and approval under the previous regulations in place, provided they have one of the following:

(a) An executed and valid development rights and responsibilities agreement (DRRA) or similar development contract;

(b) An approved site development plan;

(c) A development services permit under review, not issued, but with a posted bond and associated developer's agreement;

(d) Preliminary plans [that are in compliance with § 278-25 of the Charles County Subdivision Ordinance (commencement of construction - recorded 25% of lots and associated infrastructure has been built);] **WHICH HAVE RECORDED AT LEAST 10% OF THE LOTS ASSOCIATED WITH THE PROJECT, AND HAVE COMPLETED AT LEAST 10% OF THE PHYSICAL IMPROVEMENTS BEYOND EXCAVATION, GRADING AND FILLING, THAT MAY INCLUDE:**

[1] CONSTRUCTION OF ROADS, OR A PORTION OF ROADS FOR THE ENTIRE PROJECT (AT LEAST 10%) OR FOR AN ENTIRE PHASE OF THE PROJECT AS

PREVIOUSLY DEFINED ON A PRELIMINARY PLAN; OR

[2] CONSTRUCTION AND INSTALLATION OF STORMWATER MANAGEMENT FACILITIES FOR THE PROJECT (AT LEAST 10%) OR FOR AN ENTIRE PHASE OF THE PROJECT; OR

[3] FOR THOSE PROJECTS ON SHARED OR PUBLIC SEWER AND WATER SYSTEMS, CONSTRUCTION OF A PORTION OF THE SEWER AND WATER FACILITIES (AT LEAST 10%) FOR THE PROJECT OR FOR AN ENTIRE PHASE OF THE PROJECT AS PREVIOUSLY DEFINED.

(e) The request is for a residential building permit application or other application relating to an existing legal lot of record.

(3) Previously approved development applications not completed. Applications that are located within the WCD Zone with previous approvals at the time of adoption of this section may continue for review and development under the previous regulations in place, provided they have one of the following:

(a) An executed and valid development rights and responsibilities agreement (DRRA) or similar development contract;

(b) An approved site development plan;

(c) An approved development services permit;

(d) Preliminary plans [that are in compliance with § 278-25 of the Charles County Subdivision Ordinance (commencement of construction - recorded 25% of lots and associated infrastructure has been built);] **WHICH HAVE RECORDED AT LEAST 10% OF THE LOTS ASSOCIATED WITH THE PROJECT, AND HAVE COMPLETED AT LEAST 10% OF THE PHYSICAL IMPROVEMENTS BEYOND EXCAVATION, GRADING AND FILLING, THAT MAY INCLUDE:**

[1] CONSTRUCTION OF ROADS, OR A PORTION OF ROADS FOR THE ENTIRE PROJECT (AT LEAST 10%) OR FOR AN ENTIRE PHASE OF THE PROJECT AS PREVIOUSLY DEFINED ON A PRELIMINARY PLAN; OR

[2] CONSTRUCTION AND INSTALLATION OF STORMWATER MANAGEMENT FACILITIES FOR THE PROJECT (AT LEAST 10%) OR FOR AN ENTIRE PHASE OF THE PROJECT; OR

[3] FOR THOSE PROJECTS ON SHARED OR PUBLIC SEWER AND WATER SYSTEMS, CONSTRUCTION OF A PORTION OF THE SEWER AND WATER FACILITIES (AT LEAST 10%) FOR THE PROJECT OR FOR AN ENTIRE PHASE

OF THE PROJECT AS PREVIOUSLY DEFINED.

(e) The request is for a residential building permit application or other application relating to an existing legal lot of record.

(4) New development. New development applications that are located within the WCD Zone and are submitted after the time of adoption of this section must comply with all development regulations and uses as outlined in this section.

(5) Contract or other property rights. Any property owner who asserts they have contractual or property zoning rights and thus should be exempt from the Watershed Conservation District zoning regulations may apply to the Zoning Officer for a letter of determination of exemption.

F. Permitted uses. The permitted uses within the Watershed Conservation District shall be in conformance with the uses permitted in the Table of Permissible Uses (see Figure IV-1).

G. Development consistency. Development within the Watershed Conservation District shall be consistent with Figure VI-10, Schedule of Zone Regulations, and Article XIII, Minimum Standards for Special Exceptions and Uses Permitted With Conditions.

H. Transfer of development rights (TDRS) and purchase of development rights (PDRS). The Watershed Conservation District shall serve as a TDR "sending area" per Article XVII, Transferable Development Rights (TDRs) in Designated Agricultural Land Preservation Districts.

I. Intrafamily transfers of property within the Watershed Conservation District (WCD) is to recognize the family legacy associated with the land and to allow for the limited transfer of land from the property owner to an immediate family member as sale or gift for their use in this zoning district that otherwise would not be permitted due to density restrictions.

(1) "Immediate family" is defined as mother, father, son, daughter, grandfather, grandmother, grandson, granddaughter, stepparents, stepchildren, and legal wards and guardians.

(2) Total number of parcels or lots. Intrafamily transfers will be permitted on parcels of land in the Watershed Conservation District (WCD) Zoning District where a portion of such parcel in the WCD is at least 10 acres and not more than 60 acres in size.

(3) A notation shall be placed on the final subdivision plat denoting the lot(s) and residue that are created under these provisions of the Code.

(4) Subdivision of land within the WCD under the bona fide intrafamily transfer provisions contained herein shall be subject to the following limitations:

(a) Parcels of 10 acres to 60 acres cannot be subdivided into more than three lots (two intrafamily

lots and one existing or primary lot);

(b) Minimum parcel size for intrafamily lots is one acre;

(c) In order to qualify for an intrafamily transfer, the existing property owner must have owned the land at the time of adoption of this section, and for a period of at least 10 years;

(d) Lots created pursuant to these provisions shall not be created for the purpose of ultimate commercial sale. A lot created pursuant to these provisions may not be subsequently conveyed to any person except as provided herein:

[1] Where the conveyance is to a member of the owner's immediate family; or

[2] Where the conveyance of the lot is part of a default on a mortgage or deed of trust.

(5) Any lot created under this subsection may not be transferred or sold to a third party who is not a member of the owner's immediate family or holder of a mortgage or deed of trust on the property unless and until the Planning Commission has determined the following conditions apply:

(a) A change in circumstances has occurred since the original transfer, which would warrant permitting a subsequent transfer, when such circumstances are consistent with the warrants and exceptions contained herein;

(b) A change in circumstances may include situations where the intrafamily transfer recipient has not resided in the County for the past five consecutive years and signs an affidavit verifying their intent not to reside in Charles County or demonstrates significant financial hardship; or

(c) Other circumstances necessary to maintain land area to support protective uses of agriculture, forestry, open space and natural habitats in the Watershed Conservation District warrant an exception.

(6) Deeds of transfer shall include a covenant stating that the lot is subject to the provisions of this subsection and be approved for legal sufficiency by the County Attorney's Office prior to recordation of the intrafamily lot(s). These covenants shall restrict the subsequent transfer or sale of the lot or lots created pursuant to the intrafamily transfer provisions contained herein to a third party who is not a member of the owner's immediate family or a holder of a mortgage or deed of trust on the property except as otherwise provided herein.

(7) Once the intrafamily transfer has occurred, additional transfers for subsequent generations of the original owner cannot qualify for further intrafamily transfers.

(8) All other subdivisions regulations shall apply to intrafamily transfers except for the density provisions of the Zoning Ordinance as allowed and stated herein.

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

ADOPTED this 16th day of June 2020.

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

AGENDA ITEM NO. 10.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	September 21, 2026
SUBMITTED BY:	Amy Brackett
ITEM TYPE:	Update
AGENDA SECTION:	NEW BUSINESS: No Public Comments
SUBJECT:	**Briefing: Preliminary Subdivision Plan, PLREV-250007, Potomac Chase** The Applicant will provide an update to the Planning Commission on progress.
SUGGESTED ACTION:	
ATTACHMENTS:	

AGENDA ITEM NO. 10.b

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE:	September 21, 2026
SUBMITTED BY:	Amy Brackett
ITEM TYPE:	Administrative
AGENDA SECTION:	NEW BUSINESS: No Public Comments
SUBJECT:	**Poll of the Planning Commission for new business.**
SUGGESTED ACTION:	
ATTACHMENTS:	