

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2008 Legislative Session

Legislative Day #____

BILL NO. 2008-12

Introduced by: Charles County Commissioners

Date introduced: 09/17/2008

Public Hearing: 10/22/2008 @ 3:00 p.m.

Commissioners Action: 10 / 22 / 2008 Enact

Commissioner Votes: WC: Y, EP: Y, RC: Y, SG: Y, GH: Y

Pass/Fail: Pass

Effective Date: 11 / 01 / 2008

Remarks: _____

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND
2008 Legislative Session

Bill No. 2008-12

Chapter. No. 297

Introduced by Charles County Commissioners

Date of Introduction 09/17/2008

BILL

AN ACT concerning

Permissible Uses in the Business Park (BP) Zone

FOR the purpose of

Allowing ancillary uses related to General Aviation Airports in the Business Park
(BP) Zone.

BY adding:

Chapter 297 - Zoning Regulations

Article IV, § 63, Figure IV-1- Table of Permissible Uses.

Code of Charles County, Maryland

(May, 2006 Edition)

Chapter 297 - Zoning Regulations

Article VI, § 91 – Commercial Zones.

Code of Charles County, Maryland

(May, 2006 Edition)

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

§ 297-63. Figure IV-1 Table of Permissible Uses

INCORPORATED HEREIN

§ 297-91. Commercial Zones

A. Objectives. These zones, Neighborhood Commercial (CN), Community Commercial (CC), Central Business (CB) and Business Park (BP), provide distinctive standards for the range of commercial uses from neighborhood business to highway-oriented commercial uses. They direct commercial activities into commercial clusters to discourage "strip" development.

- (1) CN Neighborhood Commercial Zone. This zone provides limited retail and commercial services which satisfy those basic daily consumer needs of residential neighborhoods. Standards are established to minimize impact on residential zones by providing for similar building massing and low concentration of vehicular traffic.
- (2) CC Community Commercial Zone. This zone provides a wide range of commercial uses and establishments to serve several neighborhoods in appropriate locations along major roads while discouraging strip development.
- (3) CB Central Business Zone. This zone provides appropriate locations for high-intensity commercial uses and encourages development consistent with a traditional downtown area. This zone is located in town centers and the urban core as designated in the Comprehensive Plan.
- (4) BP Business Park Zone. This zone concentrates business and light industrial uses in a park-like setting to promote economic development and job creation while protecting the environment and reducing impacts on the surrounding residential neighborhoods. This zone is located where a large area of land permits horizontal expansion sufficient to provide on-site storage, parking and landscaped areas. These locations can be served by a complete array of community facilities and provide for the regional transportation network.

B. General regulations.

- (1) 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, as displayed in Figure VI-5, shall apply subject to other requirements of this chapter.
- (2) Minimum lot sizes may be reduced to 10,000 square feet when the lot is created

as part of a subdivision with an internal circulation network where the lot does not access directly on a collector or arterial street. However, the lot may access directly on a service road.

- (3) The minimum side yard building restriction line as contained in CC and CB Zones may be eliminated in the case where adjacent fee-simple lots share a building wall on common property lines. Reduction in the building restriction lines under this subsection must comply with the following conditions:
 - (a) The off-street parking requirements of § 297-335, number of parking spaces required, must be met for the individual use for each fee-simple lot.
 - (b) A maximum of one freestanding sign structure shall be permitted for the collective buildings.
 - (c) Legally binding documents are required to identify that all subdivided parcels are provided with unrestricted ingress and egress.

C. Permitted uses. The permitted uses within the commercial zones shall be in conformance with the uses permitted in the Table of Permissible Uses.

D. Accessory uses permitted in the BP Zone. In addition to those accessory uses allowed under § 297-29C, the following uses shall be allowed in the Business Park (BP) Zone when intended to primarily serve the employees of the business park subject to the restrictions set forth herein.

- (1) Permitted accessory uses are:
 - (a) Day-care center, day nursery (between 7 and 30 care recipients), Use 3.04.220;
 - (b) Indoor recreation, Use 4.02.110;
 - (c) Privately owned outdoor recreational facilities, Use 4.02.210;
 - (d) Helistops, 4.05.320;
 - (e) Personal services, 5.01.112;
 - (f) Dry cleaning, 5.01.113;
 - (g) Business services, 5.01.115;
 - (h) Nursery schools and day-care centers with more than 30 children, 5.02.500;
 - (i) Restaurant, fast food carry-out and delivery, 6.02.200.
- (2) The total area of permitted accessory uses shall not exceed 15% of the floor area of a building housing a permitted principal use, and the site area or parcel used to accommodate all accessory uses shall not exceed 15% of the total site area or subdivision area.

E. The Site Design and Architectural Review Board (SDARB) approval of site plans and

buildings for all commercial construction in the CN, CC, CB and BP Zones must be obtained. All new construction, renovation and expansion projects shall comply with all applicable sections of the commercial and industrial guidelines and standards. Projects that do not add more than 2,000 square feet of gross floor area or alter more than 25% of the building facade or site area are exempt. The guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the specific zone.

F. ANCILLARY EQUIPMENT, FACILITIES, AND UTILITIES NECESSARY TO SUPPORT A GENERAL AVIATION AIRPORT.

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

Wayne Cooper, President

Edith J. Patterson, Vice President

Reuben B. Collins, II

Samuel N. Graves, Jr.

Gary V. Hodge

ATTEST:

Denise Ferguson, Clerk