

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2019 Legislative Session

BILL NO. 2019-01

Introduced by: Charles County Commissioners

Zoning Text Amendment #19-152 Permanent Shelters in the General Industrial ("IG") Zone

Date introduced: 05 / 21 / 2019

Public Hearing: 07 / 09 / 2019 @6:00 p.m.

Commissioners Action: 07 / 09 / 2019

Commissioner Votes: RBC: Y, BR: Y, GB: Y, TC: Y, AS: Y

Pass/Fail: Pass

Effective Date: 08 / 23 / 2019

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

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

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3 **2019 Legislative Session**

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5 Bill No. 2019-01 Zoning Text Amendment #19-152

6 Chapter. No. 297

7 Introduced by Board of County Commissioners

8 Date of Introduction May 21, 2019

9
10 **BILL**

11 **PERMANENT SHELTERS IN THE GENERAL INDUSTRIAL (“IG”) ZONE**

12
13 AN ACT concerning:

14 **REVISIONS TO THE GENERAL INDUSTRIAL (“IG”) ZONE WITHIN THE ZONING**
15 **ORDINANCE OF CHARLES COUNTY, MARYLAND**

16
17 FOR the purpose of

18 Amending certain provisions of the Zoning Ordinance of Charles County, Maryland to permit
19 Use #3.06.000, Shelters, Permanent in the General Industrial (“IG”) Zone, subject to certain
20 conditions.

21
22 BY Amending:

23 Chapter 297 –ZONING ORDINANCE

24 Article III, Definitions and Interpretations

25 §297-49, Word Usage, Definitions

26 *Code of Charles County, Maryland*

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BY Amending:
Chapter 297 –ZONING ORDINANCE
Article IV, Permissible Uses,
§297-63, Figure IV-1 Table of Permissible Uses
Code of Charles County, Maryland

BY Amending:
Chapter 297 –ZONING ORDINANCE
Article VI, Base Zone Regulations
Figure VI-6, Schedule of Zone Regulations: Industrial Zones
Code of Charles County, Maryland

BY Amending:
Chapter 297 –ZONING ORDINANCE
Article XIII, Minimum Standards for Special Exceptions and Uses Permitted with
Conditions
§297-212, Uses Corresponding with Table of Permissible Uses; Use 3.06.000
Code of Charles County, Maryland

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

Chapter 297. ZONING ORDINANCE
Article III, DEFINITIONS AND INTERPRETATIONS

§297-49 (E), Word Usage, Definitions

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

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SHELTER, PERMANENT,

A shelter operated by a public or nonprofit organization to provide temporary housing to an individual or a family in emergency before the individual or the family move(s) to a more permanent place. A permanent shelter could be a single-family dwelling unit or a larger building which could either have a common kitchen and bathroom or efficiencies with separate provisions for cooking and bathing. The maximum stay of an individual or a family shall not exceed one year. **THIS DEFINITION DOES NOT APPLY TO EMERGENCY SHELTERS ESTABLISHED FOR DISASTER RELIEF AS SET FORTH IN THE ANNOTATED CODE OF MARYLAND.**

Chapter 297 --ZONING ORDINANCE
Article IV, PERMISSIBLE USES

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

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CHARLES COUNTY CODE

Use Description	Zone																				Waldorf Central Zone (WC)	Action Urban Center Zone (AUC)					
	AC	BC	WCD	RL	RY	RL	RM	RE	RD	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH			TOD	CER	CRS	CMR	
3.03.000 Commercial apartment									P	P	P	P	P						P		P	P	P		PC	PC	
3.04.000 Homes emphasizing special services, treatment, or supervision, and residential elderly care homes																											
3.04.100 Group homes																											
3.04.110 Not more than eight people	PC	PC	PC	PC	PC	PC	PC	PC	PC									PC		PC	PC	PC	PC	PC	PC	PC	
3.04.120 With between nine and 16 people	SE	SE	SE	SE	SE	SE	SE	SE	P	P			P					SE		SE	SE	SE	SE	SE	SE	SE	
3.04.200 Day care																											
3.04.210 Day-care home (having fewer than nine care recipients)	P	P	P	P	P	P	P	P	P	P			P					P		P	P	P	P	P	P	P	
3.04.220 Day-care center, day nursery (between nine and 36 care recipients)	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	*	SE			P	P	P	SE	P	P	P	SE	P	P
3.04.300 Halfway house	SE	SE	SE	SE	SE	SE	SE	SE	P									SE		SE	SE	SE		SE	SE	SE	
3.04.400 Elderly care homes																											
3.04.410 Elderly care homes (1-8 people)	P	P	P	P	P	P	P	P	P										P		P	P	P	P	P	P	
3.04.420 Elderly care homes (9-16 people)	SE	SE	SE	SE	SE	SE	SE	SE	SE										SE		SE	SE	SE	SE	SE	SE	
3.04.500 Retirement housing complex									SE	SE			SE					P		P		P	P	P	P	P	
3.05.000 Miscellaneous rooms-for-rent situations																											
3.05.100 Rooming houses, boardinghouses rented by the month	PC	PC	PC	PC	PC	SE	SE	SE	PC	PC	PC	PC	PC					SE		SE		SE		PC	PC	PC	
3.05.200 Bed-and-breakfast, tourist homes (including new structures)	PC	PC	PC	PC	PC	SE	SE	SE	PC	PC	PC	PC	PC					SE		PC		PC		P	SE	PC	
3.05.300 Hotels, motels, convention centers, conference centers, and similar business or institutions providing overnight accommodations	SE	SE										P	P	P	PC				P	P		P	P	P		P	
3.05.400 Country inn	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PC	PC	PC						SE		SE		P				
3.06.000 Shelters, permanent	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P														
3.07.000 Migrant workers housing	PC	PC	PC																								
4.00.000 INSTITUTIONAL/UTILITIES/RECREATION																											

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Chapter 297 –ZONING ORDINANCE
Article VI, BASE ZONE REGULATIONS

Figure VI-6, Schedule of Zone Regulations: Industrial Zones, as shown herein:

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ZONING ORDINANCE

Figure Y1-6

**Schedule of Zoning Regulations: Industrial Zones
Charles County, Maryland**

[Amended 3-18-1997 by Ord. No. 97-21; 3-30-1999 by Ord. No. 99-34; 2-7-2000 by Ord. No. 00-7]

ABBREVIATIONS

du: Dwelling unit.

FAR: Floor area ratio. An intensity measured as a ratio derived by dividing the total floor area of a building by the base site area.

ISR: Impervious surface ratio. The ratio derived by dividing the area of impervious surface by the base site area. Impervious surfaces are those which do not absorb water. They consist of all buildings, parking areas, driveways, roads and sidewalks.

Uses	Minimum Lot Criteria				Minimum Yard Requirements (feet)				Maximum Height			Intensity	Minimum Open Space	Maximum ISR	Minimum Tract Size	
	Area	Square Feet per du	Width (feet)	Depth (feet)	Front	Side	Total	Rear	Feet	Stories	Lot Coverage					
IG Zone																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	36	3					
Maree 2.00.000	3 acres		150	200	120	75	40	80		36	3		0.40 FAR		0.5	
Residential 3.00.000	1 acre		100	150	80	75	30	60	50	36	3		0.40 FAR		0.3	
Single-Fer, Permanent 3.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75	
Institutional/utilities/recreation 4.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75	
Service-oriented commercial, commercial and industrial 5.00.000, 6.00.000 and 7.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75	
II Zone																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	50	4					
All except agricultural and industrial 2.00.000, 3.00.000, 4.00.000, 5.00.000 and 6.00.000	1 acre		100	150		50	6	12	10	50	4		0.50 FAR		0.6	
Industrial 7.00.000	3 acres		150	200		50	6	12	10	50	4		0.50 FAR		0.6	

NOTES:

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

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Chapter 297 –ZONING ORDINANCE
Article XIII, MINIMUM STANDARDS FOR SPECIAL EXCEPTIONS AND USES
PERMITTED WITH CONDITIONS

§297-212 (41), Uses Corresponding with Table of Permissible Uses, Amending Section 3.06.000,
Shelters, Permanent

3.06.000 Shelters, permanent. This use is permitted by special exception in the WCD, HVC,
HVG, AC, RC, RR, RV, RL, RM, RH, RO and CN Zones, subject to the following:

[Amended 6-6-2017 by Bill No. 2017-03; 11-28-2017 by Bill No. 2017-07]

- A. The shelter is operated by a public or nonprofit organization.
- B. The maximum stay of an individual or a family shall not exceed one year.
- C. When the shelter is located in a new structure, not an existing single-family dwelling,
then the structure must meet the intensity and dimensional requirement set forth in the
Schedule of Zone Regulations.

[8] *Editor's Note: See Art. VI, Base Zone Regulations.*

**THIS USE IS PERMITTED IN THE IG SUBJECT TO THE FOLLOWING
CONDITIONS AND REQUIREMENTS:**

- A. THE SHELTER IS OPERATED BY A PUBLIC OR NONPROFIT ORGANIZATION.**
- B. THE MAXIMUM STAY OF AN INDIVIDUAL OR A FAMILY SHALL NOT EXCEED ONE YEAR.**

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- 1 C. ANY EXTERIOR MODIFICATIONS TO AN EXISTING STRUCTURE WILL BE
2 CONSISTENT WITH THE CHARACTER OF THE SURROUNDING
3 NEIGHBORHOOD.
4
- 5 D. THE CONVERSION OF ANY EXISITING STRUCTURES FOR UTILIZATION
6 AS A PERMANENT SHELTER SHALL BE REQUIRED TO DEMONSTRATE
7 COMPLIANCE WITH ALL APPLICABLE STATE AND COUNTY LAWS,
8 RULES AND REGULATIONS, TO INCLUDE PERMITTING REQUIREMENTS.
9
- 10 E. NO SHELTER SHALL BE LOCATED WITHIN 300 FEET OF ANOTHER
11 TEMPORARY OR PERMANENT SHELTER.
12
- 13 F. TRANSIT ACCESSIBILITY. A SHELTER SHALL BE LOCATED WITHIN
14 ONE-HALF MILE OF AN EXISTING BUS ROUTE; OR IF NOT, AN
15 ALTERNATE MEANS OF TRANSPORTATION SHALL BE PROVIDED BY
16 THE FACILITY SUCH AS A SHUTTLE BUS.
17
- 18 G. FACILITY REQUIREMENTS. EACH SHELTER SHALL BE SUBJECT TO THE
19 FOLLOWING:
20
- 21 a. THERE SHALL BE AT LEAST ONE SUPERVISOR ON DUTY AND
22 OPERATING THE SHELTER AT ALL TIMES THAT THE SHELTER IS
23 OPEN.
24
- 25 b. THERE SHALL BE AT LEAST TWO STAFF PERSONS ON DUTY, ONE OF
26 WHICH MAY INCLUDE THE SUPERVISOR, FOR EVERY 25 PEOPLE
27 STAYING IN THE FACILITY WHEN THE SHELTER IS OPEN.
28
- 29 c. THE ENTITY OPERATING THE SHELTER SHALL PROVIDE AN
30 INDIVIDUAL, AS DESIGNATED BY THE COUNTY ADMINISTRATOR,

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1 WITH THE NAMES AND TELEPHONE NUMBERS OF TWO (2) PERSONS
2 WHO CAN BE CONTACTED IN THE EVENT OF AN EMERGENCY.

3
4 d. LAVATORY AND BATHING OR SHOWERING FACILITIES SHALL BE
5 PROVIDED IN ACCORDANCE WITH ALL APPLICABLE STATE AND
6 COUNTY LAWS, RULES AND REGULATIONS.

7
8 e. MAXIMUM NUMBER OF BEDS. NO MORE THAN 75 BEDS SHALL BE
9 PROVIDED IN ANY SINGLE SHELTER, EXCEPT:

- 10 1. IN RESPONSE TO A DISASTER; OR
11 2. AS AUTHORIZED BY A USE PERMIT OR TEMPORARY USE
12 PERMIT APPROVED BY THE ZONING OFFICER.

13
14 f. HOURS OF OPERATION. THE SHELTER SHALL ESTABLISH AND
15 MAINTAIN SET HOURS FOR CLIENT INTAKE/DISCHARGE. THESE
16 HOURS SHALL BE POSTED AT THE SITE. THERE SHALL BE NO
17 GATHERING OR LOITERING AT THE SHELTER OR IN THE
18 SURROUNDING AREA WHEN THE SHELTER IS CLOSED. IT IS THE
19 RESPONSIBILITY OF THE SHELTER TO ENFORCE THIS
20 REQUIREMENT.

21
22 g. NO ALCOHOLIC BEVERAGES OR ILLEGAL CONTROLLED
23 SUBSTANCES MAY BE STORED, SERVED, SOLD, CONSUMED, OR IN
24 THE POSSESSION OF ANY PERSON IN THE SHELTER.

25
26 h. THE SHELTER SHALL COMPLY WITH ALL APPLICABLE FEDERAL,
27 STATE AND COUNTY LAWS, RULES, AND REGULATIONS, INCLUDING
28 BUT NOT LIMITED TO, THE ZONING ORDINANCE, THE BUILDING
29 CODE, AND THE STATE OF MARYLAND FIRE PREVENTION CODE.

30 *****

31 SECTION 2. BE IT FURTHER ENACTED, that this act shall take effect forty-five (45)

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calendar days after it becomes law.

ADOPTED this 9th day of July 2019.

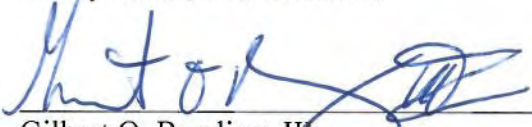
COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND



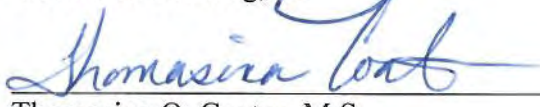
Reuben B. Collins, II, Esq., President



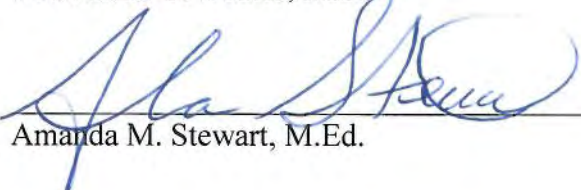
Bobby Rucci, Vice President



Gilbert O. Bowling, III




Thomasina O. Coates, M.S.



Amanda M. Stewart, M.Ed.

ATTEST:



Carol A. DeSoto
Acting Clerk to the Commissioners

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