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


Pass/Fail: Pass

Effective Date: 08/23/2019

Remarks: 

NOTE: CAPITALS indicate matter added to existing text. [Brackets] indicate matter deleted from existing law.
COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2019 Legislative Session

Bill No. 2019-01 Zoning Text Amendment #19-152
Chapter. No. 297
Introduced by Board of County Commissioners
Date of Introduction May 21, 2019

BILL

PERMANENT SHELTERS IN THE GENERAL INDUSTRIAL ("IG") ZONE

AN ACT concerning:

REVISIONS TO THE GENERAL INDUSTRIAL ("IG") ZONE WITHIN THE ZONING
ORDINANCE OF CHARLES COUNTY, MARYLAND

FOR the purpose of

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

BY Amending:

Chapter 297 –ZONING ORDINANCE
Article III, Definitions and Interpretations
§297-49, Word Usage, Definitions
Code of Charles County, Maryland

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

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

<table>
<thead>
<tr>
<th>Use Description</th>
<th>AC</th>
<th>WC</th>
<th>SB</th>
<th>RV</th>
<th>RL</th>
<th>RM</th>
<th>RE</th>
<th>RO</th>
<th>CH</th>
<th>CC</th>
<th>CB</th>
<th>CV</th>
<th>BP</th>
<th>IG</th>
<th>HI</th>
<th>FRD</th>
<th>PEP</th>
<th>MX</th>
<th>MFR</th>
<th>TDP</th>
<th>CER</th>
<th>CRB</th>
<th>CMR</th>
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<tr>
<td>Commercial apartments</td>
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<td>Homes emphasizing special services, treatment, or supervision, and residential elderly care homes</td>
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<td>Not more than eight people</td>
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<td>Between nine and 16 people</td>
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<tr>
<td>Day care homes</td>
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<td>Emergency shelter, day care center (between nine and 36 care recipients)</td>
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<td>Elderly care homes</td>
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<td>Intermediate care facilities and boarding homes</td>
<td>SE</td>
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<tr>
<td>Migrant worker housing</td>
<td>PC</td>
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<tr>
<td>4.06.400 INSTITUTIONAL/AUTOITIES/RECREATION</td>
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</table>
Chapter 297 - ZONING ORDINANCE

Article VI, BASE ZONE REGULATIONS

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

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

## Schedule of Zone 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

dw: 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.

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Lot Criteria</th>
<th>Minimum Lot Requirements</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area</td>
<td>Square Feet per</td>
<td>Width</td>
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<tr>
<td></td>
<td></td>
<td>Lot (feet)</td>
<td>(feet)</td>
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<tr>
<td>1G Zone</td>
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<tr>
<td>Agricultural</td>
<td>1.00.000</td>
<td>3 acres</td>
<td>150</td>
</tr>
<tr>
<td>Industrial</td>
<td>2.00.000</td>
<td>3 acres</td>
<td>150</td>
</tr>
<tr>
<td>Residential</td>
<td>3.00.000</td>
<td>1 acre</td>
<td>100</td>
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<tr>
<td>SITE FOUNDRY, PERMANENT</td>
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<tr>
<td>J.00.000</td>
<td>1 acre</td>
<td>100</td>
<td>150</td>
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<tr>
<td>Institutional/Park/Recreation</td>
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<tr>
<td>4.00.000</td>
<td>1 acre</td>
<td>100</td>
<td>150</td>
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<tr>
<td>Service-oriented commercial, commercial and industrial</td>
<td>5 00 000, 6 00 000 and 7 00 000</td>
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<tr>
<td>LL Zone</td>
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</tr>
<tr>
<td>Agricultural</td>
<td>1.00.000</td>
<td>3 acres</td>
<td>150</td>
</tr>
<tr>
<td>All except agricultural and industrial</td>
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<td></td>
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<tr>
<td>2.00.000, 3 00 000, 4 00 000, 5 00.000 and 6 000.000</td>
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<td></td>
<td></td>
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<tr>
<td>Industrial</td>
<td>7 00 000</td>
<td>3 acres</td>
<td>150</td>
</tr>
</tbody>
</table>

### NOTES:

1. The ISR may be increased to 85% on a lot if stormwater management facilities are located regionally, off site.
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.
C. ANY EXTERIOR MODIFICATIONS TO AN EXISTING STRUCTURE WILL BE
CONSISTENT WITH THE CHARACTER OF THE SURROUNDING
NEIGHBORHOOD.

D. THE CONVERSION OF ANY EXISTING STRUCTURES FOR UTILIZATION
AS A PERMANENT SHELTER SHALL BE REQUIRED TO DEMONSTRATE
COMPLIANCE WITH ALL APPLICABLE STATE AND COUNTY LAWS,
RULES AND REGULATIONS, TO INCLUDE PERMITTING REQUIREMENTS.

E. NO SHELTER SHALL BE LOCATED WITHIN 300 FEET OF ANOTHER
TEMPORARY OR PERMANENT SHELTER.

F. TRANSIT ACCESSIBILITY. A SHELTER SHALL BE LOCATED WITHIN
ONE-HALF MILE OF AN EXISTING BUS ROUTE; OR IF NOT, AN
ALTERNATE MEANS OF TRANSPORTATION SHALL BE PROVIDED BY
THE FACILITY SUCH AS A SHUTTLE BUS.

G. FACILITY REQUIREMENTS. EACH SHELTER SHALL BE SUBJECT TO THE
FOLLOWING:

a. THERE SHALL BE AT LEAST ONE SUPERVISOR ON DUTY AND
OPERATING THE SHELTER AT ALL TIMES THAT THE SHELTER IS
OPEN.

b. THERE SHALL BE AT LEAST TWO STAFF PERSONS ON DUTY, ONE OF
WHICH MAY INCLUDE THE SUPERVISOR, FOR EVERY 25 PEOPLE
STAYING IN THE FACILITY WHEN THE SHELTER IS OPEN.

c. THE ENTITY OPERATING THE SHELTER SHALL PROVIDE AN
INDIVIDUAL, AS DESIGNATED BY THE COUNTY ADMINISTRATOR,
WITH THE NAMES AND TELEPHONE NUMBERS OF TWO (2) PERSONS WHO CAN BE CONTACTED IN THE EVENT OF AN EMERGENCY.

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

e. MAXIMUM NUMBER OF BEDS. NO MORE THAN 75 BEDS SHALL BE PROVIDED IN ANY SINGLE SHELTER, EXCEPT:
   1. IN RESPONSE TO A DISASTER; OR
   2. AS AUTHORIZED BY A USE PERMIT OR TEMPORARY USE PERMIT APPROVED BY THE ZONING OFFICER.

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

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

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

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