
By: **Charles County Delegation**
Introduced and read first time: February 11, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County - Land Use - Administrative Adjustments**

3 FOR the purpose of authorizing the local legislative body of Charles County to
4 designate the county planning director or another designee to grant
5 administrative adjustments to certain land use restrictions in accordance with
6 certain standards and criteria; requiring the local legislative body to consult
7 with certain entities in considering certain standards and criteria; authorizing
8 the enabling of certain appeals of administrative adjustments; and generally
9 relating to administrative adjustments and land use in Charles County.

10 BY adding to
11 Article 66B - Zoning and Planning
12 Section 4.05(d)
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1997 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 66B - Zoning and Planning**

18 4.05.

19 (D) (1) THIS SUBSECTION APPLIES TO CHARLES COUNTY.

20 (2) THE LOCAL LEGISLATIVE BODY MAY AUTHORIZE THE PLANNING
21 DIRECTOR OR OTHER DESIGNEE TO GRANT ADMINISTRATIVE ADJUSTMENTS FROM
22 HEIGHT, SETBACK, BULK, PARKING, LOADING, DIMENSIONAL, AREA, OR SIMILAR
23 REQUIREMENTS OF THE ZONING ORDINANCE; AND

24 (3) THE LOCAL LEGISLATIVE BODY SHALL CONSULT WITH THE
25 PLANNING COMMISSION AND THE BOARD OF APPEALS IN DEVELOPING CRITERIA
26 AND PROCEDURES FOR ADMINISTRATIVE ADJUSTMENTS UNDER THIS SUBSECTION.

1 (4) THE LOCAL LEGISLATIVE BODY SHALL ADOPT THE CRITERIA AND
2 PROCEDURES AFTER REASONABLE PUBLIC NOTICE, PUBLIC HEARING, AND
3 OPPORTUNITY FOR REVIEW AND COMMENT BY THE PUBLIC.

4 (5) CRITERIA FOR ADMINISTRATIVE ADJUSTMENTS SHALL INCLUDE:

5 (I) STANDARDS FOR ACTIONS ON REQUESTS;

6 (II) STANDARDS FOR CLASSES OF DEVELOPMENT ELIGIBLE FOR
7 ADMINISTRATIVE ADJUSTMENTS; AND

8 (III) MAXIMUM VARIATION FROM A ZONING REQUIREMENT
9 ALLOWABLE UNDER AN ADMINISTRATIVE ADJUSTMENT.

10 (6) PROCEDURES FOR ADMINISTRATIVE ADJUSTMENTS MAY INCLUDE:

11 (I) APPLICATIONS;

12 (II) NOTICE TO THE PUBLIC AND PARTIES IN INTEREST;

13 (III) OPPORTUNITY FOR PUBLIC HEARING;

14 (IV) TAKING OF TESTIMONY AND EVIDENCE; AND

15 (V) DECISION MAKING.

16 (7) A DECISION ON AN APPLICATION FOR AN ADMINISTRATIVE
17 ADJUSTMENT SHALL INCLUDE WRITTEN FINDINGS OF FACT.

18 (8) THE LOCAL LEGISLATIVE BODY MAY PROVIDE, BY ORDINANCE OR
19 OTHER ADOPTED PROCEDURE, FOR THE APPEAL OF A DECISION TO APPROVE OR
20 DENY AN ADMINISTRATIVE ADJUSTMENT TO THE BOARD OF APPEALS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 1998.