
By: **Washington County Delegation**

Introduced and read first time: February 11, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing the local legislative body of Washington 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 a certain appeal on administrative adjustments; and generally
9 relating to administrative adjustments and land use in Washington County.

10 BY repealing and reenacting, with amendments,

11 Article 66B - Zoning and Planning

12 Section 4.05(d)

13 Annotated Code of Maryland

14 (1998 Replacement Volume)

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 AND WASHINGTON
20 COUNTY.

21 (2) The local legislative body may authorize the planning director or
22 other designee to grant administrative adjustments from height, setback, bulk,
23 parking, loading, dimensional, area, or similar requirements of the zoning ordinance;
24 and

25 (3) The local legislative body shall consult with the planning commission
26 and the board of appeals in developing criteria and procedures for administrative
27 adjustments under this subsection.

1 (4) The local legislative body shall adopt the criteria and procedures
2 after reasonable public notice, public hearing, and opportunity for review and
3 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 administrative
7 adjustments; and

8 (iii) Maximum variation from a zoning requirement allowable under
9 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 adjustment shall
17 include written findings of fact.

18 (8) The local legislative body may provide, by ordinance or other adopted
19 procedure, for the appeal of a decision to approve or deny an administrative
20 adjustment to the board of appeals.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1999.