

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2025 Legislative Session

Bill 2025-02

Zoning Text Amendment #23-179

Residential Office ("Ro") Zone Multi- Family Uses And Infill Development

Introduced by Charles County Commissioners

FOR the purpose of Amending certain provisions of the Zoning Ordinance of Charles County to permit certain residential development on properties zoned Residential Office ("RO") and for the purposes of modifying certain provisions of the development regulations to facilitate development of infill parcels and to provide affordable housing.

Date introduced: 01/14/2025

Public Hearing: 04/08/2025 Virtual and In-Person @ 6:00 p.m.

Commissioners Action: 04/08/2025

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

Pass/Fail: Pass

Effective Date: 05/23/2025

Remarks: _____

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

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

2
3 **2025 Legislative Session**

4
5 Bill No. 2025-02 (Zoning Text Amendment #23-179)

6 Chapter. No. 297

7 Introduced by Board of County Commissioners

8 Date of Introduction January 14, 2025

9
10 **BILL**

11 AN ACT concerning

12 **RESIDENTIAL OFFICE ("RO") ZONE**
13 **MULTI-FAMILY USES AND INFILL DEVELOPMENT**

14 FOR the purpose of

15 *Amending certain provisions of the Zoning Ordinance of Charles County to permit certain*
16 *residential development on properties zoned Residential Office ("RO") and for the purposes of modifying*
17 *certain provisions of the development regulations to facilitate development of infill parcels and to provide*
18 *affordable housing.*

19
20 BY Repealing and Reenacting with Amendments:

21 Chapter 297- Zoning Ordinance

22 Article IV – Permissible Uses

23 §297-63, Permissible Uses.

24 Figure IV-1, the Table of Permissible Uses

25 *Code of Charles County, Maryland*

26
27 BY Repealing and Reenacting with Amendments:

28 Chapter 297- Zoning Ordinance

29 Article V – Residential Density

30 §297-75 Permissible Uses.

31 Figure V-2, Residential Density Ranges

32 *Code of Charles County, Maryland*

1 BY Repealing and Reenacting with Amendments:

2 Chapter 297- Zoning Ordinance

3 Article VI – Base Zone Regulations

4 §297-90 Development District Residential Zones

5 *Code of Charles County, Maryland*

7 BY Repealing and Reenacting with Amendments:

8 Chapter 297- Zoning Ordinance

9 Article VI – Base Zone Regulations

10 §297-90 Development District Residential Zones

11 Figure VI-4 Development District Residential Zones

12 *Code of Charles County, Maryland*

14 BY Repealing and Reenacting with Amendments:

15 Chapter 297 – Zoning Ordinance

16 Article X, Highway Corridor (Overlay Zone),

17 §297-151, Road Buffer Standards

18 Figure X-1, Road Corridor Buffer Yard and Building Setback Requirements

19 *Code of Charles County, Maryland*

21 BY Repealing and Reenacting with Amendments:

22 Chapter 297- Zoning Ordinance

23 Article XIII – Minimum Standards for Special Exceptions and Uses Permitted

24 With Conditions

25 §297-212 Uses corresponding with Table with Permissible Use

26 *Code of Charles County, Maryland*

28 BY Repealing and Reenacting with Amendments:

29 Chapter 297- Zoning Ordinance

30 Article XVIII – Site Design

31 §297-298, General Site Design Standards

32 *Code of Charles County, Maryland*

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

3
4 *****

5 Chapter 297-Zoning Ordinance

6 Article IV – Permissible Uses

7 *****

8 §297-63, Table of Permissible Uses. Figure IV-1, the Table of Permissible Uses is included as an
9 attachment to this Chapter.

10
11
12 Table of Permissible Uses

Figure IV-1

Uses Description	RO

3.03.100 Garden Apartment	PC
3.03.200 Mid-Rise	PC
*****	*****
8.01.000 Mixed-use building	PC
8.02.000 Mixed-use building, residential	PC

13 *****

14 Chapter 297- Zoning Ordinance

15 Article V – Residential Density

16 *****

17 §297-75 Permissible Uses. Figure V-2, Residential Density Ranges

18 Figure V-2 Attached

19 *****

20 Chapter 297-Zoning Ordinance

21 Article VI –Base Zone Regulations

22 §297-90 Development District Residential Zones

23 *****

24 § 297-90. Development district residential zones.

25
26 *****

27
28 C. Permitted uses.

(1) The permitted uses within the development district residential zones shall be in conformance with the uses permitted in the Table of Permissible Uses.

(2) RO ZONE INFILL DEVELOPMENT

(a) NOTWITHSTANDING SECTION §297-90 (B) and (C)(1), THE RESIDENTIAL USES IDENTIFIED AS USE 3.03.100 GARDEN APARTMENT AND USE 3.03.200 MID-RISE, AND THE MIXED-USE BUILDING USES, IDENTIFIED AS USE 8.01.000 MIXED-USE BUILDING AND 8.02.000 MIXED-USE BUILDING, RESIDENTIAL, SHALL BE PERMITTED ON PROPERTIES WITHIN THE RO ZONE WHICH MEET THE FOLLOWING CRITERIA:

(i) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES AND NO GREATER THAN NINE ACRES;

(ii) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT, AS SET FORTH ON THE COUNTY'S LAND USE MAP;

(iii) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH ON THE COUNTY'S LAND USE MAP;

(iv) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

(v) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(b) GARDEN APARTMENT (USE 3.03.100), MID-RISE (USE 3.03.200), AND RESIDENTIAL USES INCLUDED WITHIN THE MIXED-USE BUILDING (8.01.000) AND MIXED-USE BUILDING, RESIDENTIAL (8.02.000) USES, SHALL BE SUBJECT TO A MINIMUM DENSITY OF 15 DWELLING UNITS PER ACRE AND A MAXIMUM DENSITY OF 28 DWELLING UNITS PER ACRE.

(c) THE FLOOR AREA RATIO AND BUILDING HEIGHT REQUIREMENTS IN THE SCHEDULE OF ZONE REGULATIONS DETERMINE THE ALLOWED SCALE AND INTENSITY OF DEVELOPMENT.

(d) IN ORDER TO PROMOTE INFILL DEVELOPMENT AND/OR REDEVELOPMENT OF DIFFICULT SITES AND THE PROVISION OF AFFORDABLE HOUSING, PROPERTIES MEETING THE CRITERIA SET FORTH IN

1 §297-90(C)(2)(a) MAY SUBMIT AN ALTERNATIVE DESIGN AND DEVELOPMENT
2 CODE FOR A PARTICULAR PROJECT.

3 (i) THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE MAY
4 INCLUDE FLEXIBLE DEVELOPMENT STANDARDS, INCLUDING BUT NOT
5 LIMITED TO, LOT AREAS, WIDTHS AND YARDS, SETBACKS, PARKING
6 REQUIREMENTS, SEPARATION BETWEEN BUILDINGS, BUILDING HEIGHTS,
7 IMPERVIOUS SERVICE RATIO (ISR) AND OTHER DEVELOPMENT
8 STANDARDS.

9 (ii) THE ALTERNATIVE DESIGN CODE SHOULD DEMONSTRATE
10 COMPATIBILITY WITH USES, EXISTING OR PROPOSED IN THE
11 COMPREHENSIVE PLAN, IN THE GENERAL VICINITY OF THE PROPOSED
12 PROJECT AND SHALL INCLUDE:

- 13 1. PEDESTRIAN CONNECTIVITY;
- 14 2. SETBACKS, BUILDING ENVELOPES, AND PARKING
15 COMPATIBLE WITH THE SURROUNDING COMMUNITY;
- 16 3. ARCHITECTURAL FEATURES WHICH DEMONSTRATE THE
17 RELATIONSHIP OF THE PROJECT WITH THE ADJACENT COMMUNITY
18 TO INCLUDE, TREATMENT OF CORNER UNITS, ENTRANCE FEATURES,
19 BREAKS IN FACADES, BREAKS IN ROOF LINES, TRASH STORAGE
20 AREAS OR SOLID WASTE MANAGEMENT, GRADE BREAKS BETWEEN
21 UNITS, DECK AND PATIOS, PRIVATE ROAD STANDARDS, AND RV AND
22 BOAT STORAGE;
- 23 4. THE OPTIMIZATION OF PRIVACY OF RESIDENTS AND THE
24 MINIMIZATION OF INFRINGEMENT ON THE PRIVACY OF ADJOINING
25 LAND USES BY THE CONSIDERATION OF PLACEMENT OF WINDOWS
26 AND DOOR ENTRANCES; AND
- 27 5. LANDSCAPING DESIGNED TO ENHANCE THE PROJECT AND
28 INTEGRATION INTO THE SURROUNDING AREA.

29 (iii) THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE MAY
30 BE SUBMITTED WITH ANY PRELIMINARY PLAN OR SITE PLAN.

31 (iv) THE STANDARDS SET FORTH IN THE ALTERNATIVE DESIGN
32 AND DEVELOPMENT CODE MAY NOT STRICTLY CONFORM TO AND MAY
33 VARY FROM THE STANDARDS SET FORTH IN THE ZONING ORDINANCE.

1 WHERE THE STANDARDS SET FORTH IN THE ALTERNATIVE DESIGN AND
2 DEVELOPMENT CODE VARY FROM THE STANDARDS IN THE ZONING
3 ORDINANCE, THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE SHALL
4 APPLY. WHERE THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE IS
5 SILENT, THE ZONING ORDINANCE SHALL APPLY.

6 (v) THE PLANNING COMMISSION IS AUTHORIZED TO REVIEW AND
7 APPROVE THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE. ONCE
8 APPROVED, THE PLANNING DIRECTOR IS AUTHORIZED TO APPROVE MINOR
9 AMENDMENTS TO THE ALTERNATIVE DESIGN AND DEVELOPMENT CODE.
10 MAJOR AMENDMENTS TO THE ALTERNATIVE DESIGN AND DEVELOPMENT
11 CODE WOULD NEED TO BE AUTHORIZED BY THE PLANNING COMMISSION.

12 *****

13 SCHEDULE OF ZONE REGULATIONS

14 Figure VI-4,

15 DEVELOPMENT DISTRICT RESIDENTIAL ZONES

16 SEE ATTACHED

17 *****

18 Chapter 297 ZONING ORDINANCE

19 Article X, HIGHWAY CORRIDOR (OVERLAY ZONE)

20 *****§297-

21 151, ROAD BUFFER STANDARDS, Figure X-1, Road Corridor Buffer Yard and Building Setback
22 Requirements as shown herein

23 *****

24 NOTES:

- 25 1. 'A' through 'E' designates type of Buffer required as illustrated in Article XVII, Part II.
- 26 2. Numbers given are the building setback requirements in feet.
- 27 3. Single-family residential lots and minor subdivisions will be exempt from the buffer requirements above.
- 28 4. Setbacks may be reduced to 30 feet if located in Community Mixed-Use Areas, Business Corridor Mixed-
- 29 Use Areas, Opportunity Mixed-Use Areas or Employment Areas as defined by adopted subarea plans.
- 30 5. In the BP zone, evergreen and coniferous trees shall be exempt from the requirements of buffer yard D.
- 31 6. In the BP zone, canopies associated with motor vehicle fuel sales, which cover fuel station product
- 32 dispensers, are not defined as a building for applicability of building restriction lines, nor are they restricted

by §297-26 c(1)(a) which limits projections of canopies into yards to a maximum of three feet. By way of example see table below:

7. IN THE RO ZONE, MULTI-FAMILY RESIDENTIAL AND MIXED-USE PROJECTS ARE EXEMPT FROM THE BUFFER YARD REQUIREMENTS AND HAVE A MINIMUM SETBACK OF 15 FEET.

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

(27) 3.03.100 Multifamily residential: garden apartment. This use is permitted with conditions in the RM, [and] RH AND RO Zones and in the CER, CRR, PRD, MX, WC and AUC Zones, subject to the following:

D. THIS USE IS PERMITTED IN THE RO ZONE, SUBJECT TO THE FOLLOWING REQUIREMENTS:

(1) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES AND NO GREATER THAN NINE ACRES.

(2) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.

(3) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH ON THE COUNTY'S LAND USE MAP.

(4) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(5) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(6) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE BETWEEN ANY TWO BUILDINGS SHALL BE 15 FEET.

(28) 3.03.200 Multifamily residential: mid-rise. This use is permitted with conditions in the RM [and] RH AND RO Zones and in the PRD, MX, WC and AUC Zones, subject to the following:

C. THIS USE IS PERMITTED IN THE RO ZONE SUBJECT TO THE FOLLOWING REQUIREMENTS:

- (1) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES AND NO GREATER THAN NINE ACRES.
- (2) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.
- (3) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH ON THE COUNTY'S LAND USE MAP.
- (4) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- (5) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- (6) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE BETWEEN ANY TWO BUILDINGS SHALL BE 15 FEET.

(8.01.000 MIXED-USE BUILDING. THIS USE IS PERMITTED WITH CONDITIONS IN THE RO ZONE, SUBJECT TO THE FOLLOWING REQUIREMENTS:

- (A) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES AND NO GREATER THAN NINE ACRES.
- (B) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.
- (C) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH ON THE COUNTY'S LAND USE MAP.
- (D) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- (E) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- (F) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE BETWEEN ANY TWO BUILDINGS SHALL BE 15 FEET.

8.02.000 MIXED-USE BUILDING, RESIDENTIAL. THIS USE IS PERMITTED WITH CONDITIONS IN THE RO ZONE, SUBJECT TO THE FOLLOWING REQUIREMENTS:

- 1 (A) SHALL BE ON PROPERTIES CONSISTING OF NO LESS THAN TWO ACRES AND NO
2 GREATER THAN NINE ACRES.
- 3 (B) SHALL BE LOCATED WITHIN THE DEVELOPMENT DISTRICT.
- 4 (C) SHALL BE LOCATED WITHIN THE TRANSIT CORRIDOR AS SET FORTH ON THE
5 COUNTY'S LAND USE MAP.
- 6 (D) SHALL BE DESIGNATED AS A QUALIFIED CENSUS TRACT BY THE
7 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- 8 (E) A MINIMUM OF TWENTY-FIVE PERCENT (25%) OF THE DWELLING UNITS
9 SHALL BE AFFORDABLE HOUSING UNITS, AS THAT TERM IS DEFINED BY THE
10 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- 11 (F) DIMENSIONAL STANDARDS. THE MINIMUM DISTANCE BETWEEN ANY TWO
12 BUILDINGS SHALL BE 15 FEET.

13 *****
14 *****
15 *****

Chapter 297-Zoning Ordinance

ARTICLE XVIII

Site Design

§297-298 General site design standards.

- A. The applicant shall submit a site analysis of the characteristics of the development site, such as site context, geology and soil, topography, climate, natural features, visual features, past and present use of the site, historic features, existing vegetation, structures and road networks.
- B. The Charles County Site Design and Architectural single-family dwelling and commercial and industrial guidelines and standards shall guide:
- (1) The approval of preliminary plans and architectural elevations for all single-family subdivisions in the RL, RM, RH, RO, RR, PRD, MX, PUD, WPC, TOD, PEP, PMH, CER, CRR, CRM, HVC, HVG, and HVR Zones that are greater than 10 lots and within sewer service areas S-1, S-3, S-5.
 - (2) The approval of site plans and buildings for all commercial construction in the CV, CN, CC, CB, BP, IG, IH, CER, CRR, CRM, HVC, HVG, and HVE Zones. 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.
- C. Notwithstanding the above, if an alternative design and development code has been submitted and approved in the PRD, PEP, MX, PUD, WPC, PMH, TOD, [or the] BP, OR THE RO Zone the alternative design and development code shall govern site design. The standards set forth in the alternative design and development code may not strictly conform to and may vary from the standards set forth in the Zoning Ordinance. Where the standards set forth in the alternative design and development code vary from the standards in the Zoning Ordinance, the alternative design and development code shall apply. Where the alternative design and development code is silent, the zoning ordinance shall apply.

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

					*****															*****					
Uses: RO Zone			Minimum Lot Criteria					Front Setback Requireme nt (feet)		Minium Yard Requirements (feet)				Maximum Height		Lot Covera ge	Intensi ty	Mini mum Open Spac e	Mini mum ISR	Mini mum Tract Size					
			Area	Squ are Feet per du	Wid th (feet)	Dept h (feet)	Fr on ta ge (fe et)	Mi ni mu m	Max imu m	Front	Side	Tota l	Re ar	Feet	Stories										
						*****															*****				
Garden Apartment 3.03.100			10,00 0 squar e feet		50	80	50	0	12		0		0		2 to 3 ¹	90%	0.5 to 1.0 FAR	20%							
Mid-Rise 3.03.200			10,00 0 squar e feet		50	80	50	0	12		0		0		4 to 5	90%	0.5 to 1.0 FAR	15%							
						*****															*****				
8.01.000 Mixed Use Building			10.00 0 squar e feet		50	80	50	0	12		0		0		2-4	90%	0.5 to 1.0 FAR	15%							
8.02.000 Mixed- Use building, residential			10,00 0		50	80	50	0	12		0		0		2-4	90%	0.5 to 1.0 FAR	15%							

¹ A habitable area enclosed by the roof assembly (area between the roof eave and the roof edge) one level the third story may be added and the allowable building height may be exceeded in accordance with § 297-27A(3), 297

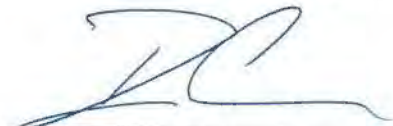
	square feet																	
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Figure VI 4
Schedule of Zone Regulations

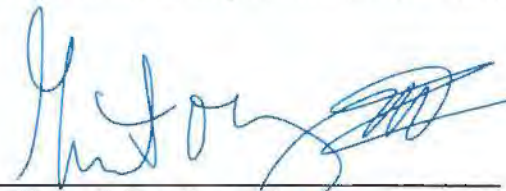
1 calendar days after it becomes law.

2
3 ADOPTED this 8th day of April 2025.

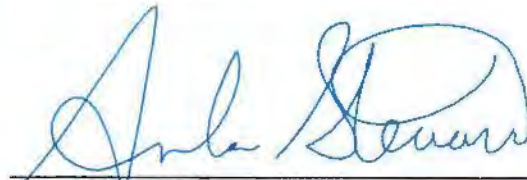
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5 **COUNTY COMMISSIONERS**
6 **CHARLES COUNTY, MARYLAND**

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12 **Reuben B. Collins, II, Esq., President**

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15 **Ralph E. Patterson, II, M.A., Vice President**
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22 **Gilbert O. Bowling, III**

23
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26 **Thomasina O. Coates, M.S.**

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32 **Amanda M. Stewart, Ed.D.**

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34 **ATTEST:**

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38 **Carol DeSoto, Clerk to the Commissioners**
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