

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2007 Legislative Session

Legislative Day # 3

BILL NO. 2007-05

Introduced by: First Baptist Church of Waldorf

Zoning Text Amendment (ZTA), Churches & Schools in the Business Park (BP)

Zone

Date introduced: 02 / 07 / 07

Public Hearing: 03 / 14 / 07 @ 4:00 p.m.

Commissioners Action: / / _____

Commissioner Votes: WC: , EP: , RC: , SG: , GH:

Pass/Fail: _____

Effective Date: / /

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.

[Brackets] indicate matter deleted from existing law.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2007 Legislative Session

Bill No. 2007-05

Chapter. No. 297

Introduced by First Baptist Church of Waldorf

Date of Introduction February 7, 2007

BILL

1 AN ACT concerning
2 Churches and private elementary and secondary schools in the Business Park (BP) Zone.

3
4 FOR the purpose of

5
6 Allowing churches (4.01.200) as a permitted use and private elementary and
7 secondary schools (4.01.110) as a Special Exception in the BP - Business Park
8 zone.

9
10 BY adding to
11 Chapter 297 - Zoning Regulations
12 Article IV, § 63, Figure IV-1- Table of Permissible Uses.

13 *Code of Charles County, Maryland*
14 (May, 2006 Edition)

15
16 Chapter 297 - Zoning Regulations
17 Article XIII, § 212 - Uses corresponding with Table of Permissible Uses.
18 *Code of Charles County, Maryland*
19 (May, 2006 Edition)

20

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

4
5 **§ 297-63. Figure IV-1 Table of Permissible Uses**

6
7 Amend 4.01.100 Private elementary and secondary (including preschool, kindergarten,
8 associated grounds, athletic and other facilities, as incorporated herein.

9
10 **§ 297-63. Figure IV-1 Table of Permissible Uses**

11
12 Amend 4.01.200 Churches, synagogues and temples (including associated cemeteries,
13 associated residential structures for religious personnel and associated buildings with
14 religious classes not including elementary or secondary school buildings, as incorporated
15 herein.

16
17 **§ 297-212. Uses corresponding with Table of Permissible Uses.**

18
19 **4.01.110 Private elementary and secondary schools, including preschool,**
20 **kindergarten, associated grounds, athletic and other facilities.**

21 This use is permitted by special exception in the AC, RC, RR, RV, RL,, RM, RH, RO,
22 CN, CC, **BP** and CV Zone.

23
24 A. Generally. A lot, tract or parcel of land may be allowed to be used for a private
25 educational institution upon the following findings:

26
27 (1) That, except for buildings and additions thereto completed or for which
28 building permits have been obtained prior to the time of adoption of this chapter,
29 such use will be located in buildings architecturally compatible with other

1 buildings in the surrounding neighborhood, and, in event that such building is to
2 be located on a lot, tract or parcel of land of two acres or less, in either an
3 undeveloped area or an area substantially developed with single-family homes,
4 that the exterior architecture of such building will be of a residential home design
5 that is at least comparable to existing residential homes, if any, in the immediate
6 neighborhood.

7
8 (2) The applicant must, as part of the application, submit architectural plans that
9 satisfy the above standards, which will be a condition of a granted special
10 exception.

11
12 (3) That such use will not, in and of itself or in combination with other existing
13 uses, adversely affect or change the present character of future development of the
14 residential community in which it is located.

15
16 B. That such use can and will be developed in conformity with the following
17 requirements:

18
19 (1) Area, frontage, setback and building coverage: as shall be reflected in a site
20 plan of development approved by the Board, provided that in no event shall such
21 standards be less than the area and dimensional regulations for the zone in which
22 the private educational institution is proposed to be located.

23
24 (2) Access and screening: as shall be specified in a site plan of development
25 approved by the Board, provided that such plan meets or exceeds the standards for
26 the zone.

27
28 (3) Intensity.
29

1 (a) Intensity is the allowable number of pupils per acre permitted to occupy
2 the premises at any one time, which will be specified by the Board based
3 on the following factors:

4 [1] Traffic patterns, including:

5
6 [a] Impact of increased traffic on residential streets.

7 [b] Existence of arterial highways; access shall be from a major
8 collector or arterial highway at a minimum.

9
10 [2] Noise or type of physical activity.

11
12 [3] Character, percentage and density of existing development and
13 zoning within the surrounding community.

14
15 [4] Topography of the land.

16
17 (b) In no event shall a special exception be granted for a density in excess of
18 87 pupils per acre.

19
20 **C. IN THE BP ZONE, THE USE IS ALSO SUBJECT TO THE FOLLOWING:**

21
22 **(1) THE USE IS ALLOWED IN SUPPORT OF ONE OR MORE EXISTING**
23 **OFFICE, MANUFACTURING OR INSTITUTIONAL USES WITHIN THE**
24 **BP ZONE.**

25
26 **4.02.200 CHURCHES, SYNAGOGUES AND TEMPLES (INCLUDING**
27 **ASSOCIATED CEMETERIES AND ASSOCIATED BUILDINGS WITH**
28 **RELIGIOUS CLASSES NOT INCLUDING ELEMENTARY OR SECONDARY**
29 **SCHOOL BUILDINGS).**

