

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND
2010 Legislative Session

Legislative Day # 1

BILL NO. 2010-01

Introduced by: Charles County Commissioners

Date introduced: 01 / 26 / 2010

Public Hearing: 03 / 02 / 2010 @ 2:30 p.m.

Commissioners Action: 03 / 23 / 2010 Enact _____

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

Pass/Fail: Pass _____

Effective Date: 04 / 02 / 2010 12:01 a.m.

Remarks: _____

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2010 Legislative Session

Bill No. 2010 - 01

Chapter No. 297

Introduced by Charles County Commissioners

Date of Introduction 1/26/2010

BILL

1 AN ACT concerning:

2

3 **Minimum Housing Square Footage**

4

5 FOR the purpose of:

6

7 Reducing the minimum housing square footage limit from 1,650 square
8 feet to 1,250 in the RL, RM, RH, RV, RO, PRD, MX, PUD, WPC, TOD,
9 PMH, CER, CMR, and CRR Zones.

10

11 BY Amending:

12

13 Chapter 297- Zoning Ordinance

14 Article XIII, § 212 – Uses corresponding with Table of Permissible Uses.

15 *Code of Charles County, Maryland*

16 (June, 2006 Edition)

17

18

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

4
5 **§ 297-212. Uses corresponding with Table of Permissible Uses.**

6
7 3.01.100 Single-family detached residential: single-family. [Added 8-2-1993 by
8 Ord. No. 93-82, amended 5-2-2000 by Ord. No 00-37; by Ord. No. ZTA 01-46]

9
10 A. This use shall be permitted with conditions in the RL, RM, RH, RV, RO, PRD,
11 MX, PUD, WPC, TOD, PMH, CER, CMR and CRR Zones, subject to the
12 following: [Amended 7-25-2005 by Ord. No. 05-01]

13
14 (1) The minimum square footage of finished, livable space, not to include the square
15 footage enclosed by garages, porches, [and] decks, **UNFINISHED BASEMENTS**
16 **OR ATTIC AREAS**, will not be less than [1,650] **1,250** square feet. [This
17 Subsection A shall not apply to:]; **SUBJECT TO THE FOLLOWING:**

18
19 **(A) 25% OF THE UNITS MAY BE A MINIMUM OF 1,250 SQUARE FEET,**

20
21 **(B) 25% OF THE UNITS MAY BE A MINIMUM OF 1,450 SQUARE FEET,**

22
23 **(C) REMAINING UNITS MUST BE A MINIMUM OF 1,650 SQUARE**
24 **FEET.**

25
26 **(D) DWELLING UNITS LESS THAN 1,650 SQUARE FEET ARE TO BE**
27 **MIXED WITHIN EACH SUBDIVISION.**

1 (E) **100% OF UNITS LOCATED IN MINOR SUBDIVISIONS, AS**
2 **DEFINED UNDER SECTION 17 OF THE CHARLES COUNTY**
3 **SUBDIVISION REGULATIONS, MAY BE A MINIMUM OF 1,250**
4 **SQUARE FEET.**

5
6 **(2) SUBSECTION §297-212 A (1) A – E; SHALL NOT APPLY TO:**

7
8 (a) Residential developments that are restricted by deed to the residency of
9 individuals 55 years of age or older and further restricted by deed to
10 exclude school age children from permanently residing on the property.

11
12 (b) A low-to-moderate-priced dwelling unit project being constructed by a
13 nonprofit organization that has been approved by the Housing
14 [Commission] **AUTHORITY BOARD.**

15
16 (c) Ten percent or less of the total number of dwelling units within [a] **AN**
17 **EXISTING PLATTED** residential subdivision of 10 or more single-
18 family detached units for subdivisions approved after [May 2, 2000.]
19 **__/__/2009. FOR THOSE PROJECTS UTILIZING THIS**
20 **PROVISION, THE SQUARE FOOTAGE SHALL NOT BE LESS**
21 **THAN 1,250 SQUARE FEET.**

22
23 (d) A dwelling unit that is not within public/municipal wastewater collection
24 system service areas: S-1, S-3 or S-5.

25
26 [(2)] **(3) Exterior appearance.** Structures shall consist of complementary materials
27 and design features to provide variation and value through architectural design
28 features such as roofed porches (screened or unscreened), sunrooms, atriums, or
29 other similar design features, and natural siding materials, such as brick, stone,
30 wood or similar materials, that augment the neighboring dwelling units and

1 community design. Material selection, variation and design features will require
2 prior approval by Site Design and Architectural Review (SDAR) and/or county
3 review designee, following standards set forth in the Charles County site design
4 and architectural review guidelines. This subsection shall not apply to low-to-
5 moderate-priced dwelling unit project being constructed by a non-profit
6 organization that has been approved by the Housing [Commission]
7 **AUTHORITY BOARD.**

8
9 3.02.200 C. Single-family attached residential: townhouse. [Amended 12-7-1993
10 by Ord. No. 93-100; 11-21-1994 by Ord. No. 94-100; 7-8-1997 by Ord. No. 97-
11 83; 3-1-1999 by Ord. No. 99-16; 7-25-2005 by Ord. No. 05-01]

12
13 This use is permitted with conditions in the PRD, MX, TOD, CER, CMR and
14 CRR Zones, subject to the requirements below. Where this use is shown and
15 approved on the master plan, general development plan or preliminary plan of
16 subdivision, it is permitted in the PUD and WPC Zones, subject to the following
17 requirements:

18
19 C. Building requirements and relationship.

20
21 (9) The minimum **SQUARE FOOTAGE OF FINISHED, LIVABLE**
22 **SPACE, NOT TO INCLUDE THE SQUARE FOOTAGE ENCLOSED**
23 **BY GARAGES, PORCHES, DECKS,** [gross living space, which shall
24 include all interior space except garages,] unfinished basements or attic areas,
25 **WILL NOT** [shall, in no case], be less than [1,650] **1,250** square feet [per
26 dwelling]; **SUBJECT TO THE FOLLOWING:**

27
28 (A) **25% OF THE UNITS MAY BE A MINIMUM OF 1,250 SQUARE**
29 **FEET.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

(B) 25% OF THE UNITS MAY BE A MINIMUM OF 1,450 SQUARE FEET.

(C) REMAINING UNITS MUST BE A MINIMUM OF 1,650 SQUARE FEET.

(D) DWELLING UNITS LESS THAN 1,650 SQUARE FEET ARE TO BE MIXED WITHIN EACH SUBDIVISION.

SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect TEN (10) calendar days after it becomes law.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

Wayne Cooper, President

Edith J. Patterson, Vice President

Reuben B. Collins, II

Samuel N. Graves, Jr.

Gary V. Hodge

ATTEST:

Denise Ferguson, Clerk