

ORDINANCE

TO AMEND CHAPTER 285 OF THE CODE OF ST. MARY'S COUNTY, MARYLAND, BY AMENDING THE OFFICIAL ZONING MAPS BY DELETING THE 1,000-FOOT CRITICAL AREA BOUNDARY AND REPLACING IT WITH THE 1,000-FOOT CRITICAL AREA BOUNDARY ON THE STATEWIDE BASE MAP THAT WAS PRODUCED IN ACCORDANCE WITH HOUSE BILL 1253 (2008)

WHEREAS, pursuant to Section §4-101 through §4-104 of the *Land Use Article* of the *Annotated Code of Maryland*, the Commissioners of St. Mary's County are authorized to establish zoning districts and prescribe and amend regulations applicable in such districts; and

WHEREAS, the Commissioners of St. Mary's County adopted the Official Zoning Map for St. Mary's as Attachment 2 to the St. Mary's County Comprehensive Zoning Ordinance on August 31, 2010, subsequently amended, and codified as Chapter 285 of the *Code of St. Mary's County, Maryland*; and

WHEREAS, in 2008, House Bill 1253 was passed and signed into law requiring the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays to work cooperatively with local governments to update the Critical Area Maps in all affected jurisdictions; and

WHEREAS, House Bill 1253 directed the Critical Area Commission to prepare a Statewide Base Map that includes a State-determined shoreline and landward boundary of tidal wetlands and a digitally generated, geo-referenced 1,000-foot Critical Area boundary; and

WHEREAS, the St. Mary's County Department of Information Technology has added the digitally generated, geo-referenced 1,000-foot Critical Area boundary files for St. Mary's County used on the Statewide Base Map, to the Official Zoning Maps, pending final approval by the Commissioners of St. Mary's County; and

WHEREAS, the St. Mary's County Planning Commission conducted a public hearing on January 25, 2021, and unanimously voted to recommend that the Commissioners of St. Mary's County amend the Official Zoning Maps by deleting the 1,000-foot Critical Area boundary and replacing it with the 1,000-foot Critical Area boundary on the Statewide Base Map that was produced in accordance with House Bill 1253 (2008);

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of St. Mary's County that the St. Mary's County Official Zoning Maps are hereby amended by deleting the 1,000-foot Critical Area boundary and replacing it with the 1,000-foot Critical Area boundary on the Statewide Base Map that was produced in accordance with House Bill 1253 (2008).

SECTION I. The Official Zoning Maps for St. Mary's County are hereby amended by deleting the 1,000-foot Critical Area boundary and replacing it with the 1,000-foot Critical Area boundary on the Statewide Base Map that was produced in accordance with House Bill 1253 (2008).

SECTION II. Chapter 27 of the St. Mary's County Comprehensive Zoning Ordinance, Chapter 285 of the Code of St. Mary's County, Maryland, is hereby amended to read as follows:

....

27.7 Permit applications shall be governed by the Critical Area map boundary as it existed on or before May 18, 2021, if:

- A. The lot, subdivision, or site plan was approved on or before May 18, 2021;
- B. Permits associated with the development of the approved lot, subdivision, or site plan are issued on or before May 18, 2022;
- C. The construction allowed under the issued permit for the development on the approved lot, subdivision, or site plan is initiated before May 18, 2023.
- D. All pending permit applications shall be completed by May 18, 2022.

SECTION III. This Ordinance shall be effective upon the date written below.

Those voting Aye: 4

Those voting Nay: 1

Those Abstaining: 0

Date of Adoption: 5/18/2021


Effective Date: 6/1/2021

Requested by: Department of Land Use
and Growth Management

Ordinance No. 2021 - 22
Subject: Amending the Official Zoning
Maps of St. Mary's County by deleting the
1,000-foot Critical Area boundary and
replacing it with the 1,000-foot Critical Area
boundary on the Statewide Base Map that
was produced in accordance with House Bill
1253 (2008)

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ATTEST:



Rebecca B. Bridgett
County Administrator

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



David A. Weiskopf
County Attorney

COMMISSIONERS OF ST. MARY'S COUNTY



James R. Guy, Commissioner President



Eric Colvin, Commissioner



Michael L. Hewitt, Commissioner



Todd B. Morgan, Commissioner



John E. O'Connor, Commissioner