

Regular Meeting of County Commissioners
Wednesday July 27, 2022 (Legislative Day)

The regularly scheduled meeting of the County Commissioners was convened in hybrid format, virtually and in person, at 6:01 p.m. with the following persons in attendance:

Reuben B. Collins II, Esq., President, County Commissioner
Thomasina O. Coates, M.S., County Commissioner was absent
Amanda M. Stewart, M.Ed., County Commissioner
Mark Belton, County Administrator
Wes Adams, County Attorney
Carol A. DeSoto, Clerk to the Commissioners

**Bobby Rucci, Vice President, County Commissioner was absent*
**Gilbert O. Bowling, III, County Commissioner was absent*

Call to Order/Pledge

Commissioner Collins called the meeting to order and began with the Pledge of Allegiance.

Roll Call

A roll call was taken. Commissioners Coates, Stewart and Collins were present. ** Commissioners Bowling and Rucci were not present.*

Public Hearing: Proposed Bill 2022- 04 Zoning Text Amendment 21-165 Independent Living Senior Housing Complex

The Commissioners conducted a hybrid (virtual/in person) public hearing on Bill 2022- 04 Zoning Text Amendment 21-165 Independent Living Senior Housing Complex. Ms. Kelly Palmer, Planner III, Mr. Charles Rice, Assistant Planning Director, and Mr. Jim Campbell, Planning Director, Department of Planning and Growth Management reviewed the requested amendments to the zoning ordinance. The purpose of amending certain provisions of the Zoning Ordinance of Charles County to define the use Independent Living Senior Housing Complex and designating this use as permitted with conditions in the Watershed Conservation District (WCD) zone. The proposed conditions are as follows: 1) The minimum area shall be three acres. 2) An Independent Living Senior Housing Complex shall be an accessory use to a church. 3) Allowed building types include single-family attached or multifamily dwelling units. 4) Independent Living facilities may include common recreation, library, meeting space, and office space for medical and personal services. These ancillary services are intended to serve seniors who reside on the premises only and are not available to the general public unless otherwise permitted within the zone in which the use is located. 5) The project shall comply with the 2020 Enterprise Green Communities requirements, as amended from time to time, or comparable nationally recognized standard approved for multifamily project use by the Maryland Department of Housing and Community Development. 6) All residential units shall be limited to affordable housing for individuals who are 55 years of age or older only and who and are able to live independently. The term “affordable” shall mean that the average household income in the project may not exceed 60% of the area median income as defined from time to time by the U.S. Department of Housing and Urban Development.

Staff reviewed concerns of this being contrary to code.

The Commissioners directed staff to work with the applicant on the language.

Regular Meeting of County Commissioners
Wednesday July 27, 2022 (Legislative Day)

There were three (3) comments provided by the community/applicant.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to close the record.

**Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to close this public hearing.

**Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Coates, to adopt Bill 2022-04, but there was no second. This motion died.

A motion was made by Commissioner Stewart, to have the applicant work with staff and go back to the Planning Commission. Commissioner Stewart withdrew her motion.

Public Hearing: Bill 2022-07 Zoning Text Amendment 22-171 Transit Oriented Development (TOD) Zone: ISR and Parking

The Commissioners conducted a hybrid (virtual/in person) public hearing on Bill 2022-07 Zoning Text Amendment 22-171 Transit Oriented Development (TOD) Zone: ISR and Parking. Mr. Kirby Blass, Planner III, Ms. Cynthia Bilbra, Planning Supervisor, Mr. Jim Campbell, Planning Director, and Ms. Jessica Andritz, Assistant Chief and Legal Counsel Zoning & Enforcement, Department of Planning and Growth Management, joined the Commissioners to review this amendment. The amendment proposal specifically involves the Transit Oriented Development (TOD) Zone and seeks to alter the applicable impervious surface ratio for mid-rise and high-rise multi-family projects within Article VII, Planned Development Zone Regulations, §297-110 Transit Oriented Development (TOD) Zone, Figure VII-5A, Schedule of Zone Regulations Transit Oriented Development (TOD) Zone, of the Zoning Ordinance. It also proposes to modify the garage parking requirement for multi-family units, found within § 297-338 D. of the Zoning Ordinance, in order to enable attached and detached garage spaces to each be calculated as one (1) full parking space towards satisfaction of the minimum off-street parking requirements of Article XX, Parking Facilities, Figure XX-1, of the Zoning Ordinance

There were three (3) comments provided by the community/applicant.

A motion was made by Commissioner Stewart, seconded by Commissioner Coates and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to close the record.

**Commissioners Rucci and Bowling were not present for the vote.*

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to close this public hearing.

**Commissioners Rucci and Bowling were not present for the vote.*

Regular Meeting of County Commissioners
Wednesday July 27, 2022 (Legislative Day)

A motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to adopt Bill 2022-07 Zoning Text Amendment 22-171 Transit Oriented Development (TOD) Zone: ISR and Parking. **Commissioners Rucci and Bowling were not present for the vote.*

At 7:03 p.m., a motion was made by Commissioner Coates, seconded by Commissioner Stewart and passed, with Commissioners Coates, Stewart, and Collins present, voting in favor to adjourn.

Carol A. DeSoto, Clerk to the Commissioners

Reuben B. Collins, II, Esq., President