

Subject: Zoning - To Amend §70.7.2.d. of Chapter 285 of the Code of St. Mary's County, Maryland, to Clarify the Adequate Public Facilities Requirements for Roads in Growth Areas

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ORDINANCE

TO AMEND §70.7.2.d. OF CHAPTER 285 OF THE CODE OF ST. MARY'S COUNTY, MARYLAND, TO CLARIFY ADEQUATE PUBLIC FACILITIES REQUIREMENTS FOR ROADS IN GROWTH AREAS

WHEREAS, pursuant to §§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, a notice of a public hearing was advertised on October 11, 2013 and October 18, 2013 in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on October 29, 2013 to receive public comment and consider an amendment of §70.7.2.d. of Chapter 285 of the *Code of St. Mary's County, Maryland*, to clarify Adequate Public Facilities requirements for roads in growth areas; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, finds that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to amend §70.7.2.d. of Chapter 285 of the *Code of St. Mary's County, Maryland*, to clarify Adequate Public Facilities requirements for roads in growth areas; and

NOW, THEREFORE, BE IT ORDAINED, by the Commissioners of St. Mary's County, Maryland, pursuant to §§4-101 through 4-104 of the *Land Use Article* of the *Annotated Code of Maryland*, that:

SECTION I. §70.7.2.d. of Chapter 285 of the *Code of St. Mary's County, Maryland*, is amended to read as follows:

- d. The development is located within growth areas where the County wants to encourage new development, or redevelopment. These developments would be allowed to proceed in certain areas experiencing unacceptable levels of service, provided that transportation improvements are made which would result in an improvement in traffic operations beyond what would have been expected if the development had not occurred. In addition, mitigation measures may be required by the Planning Commission to comply with the standards specified in Section 36 70.7.3.b.

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

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Those voting Aye: _____

Those voting Nay: _____

Those Abstaining: _____

Date of Adoption: _____

Effective Date: _____

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Rebecca B. Bridgett
County Administrator

Francis Jack Russell, President

Lawrence D. Jarboe, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Cynthia L. Jones, Commissioner

George R. Sparling
County Attorney

Todd B. Morgan, Commissioner

Daniel L. Morris, Commissioner