

COUNTY ORDINANCE NO. 99-19

A BILL ENTITLED

AN ACT concerning the repeal and reenactment of Sections 18-1-001 and 18-1-072 of Title 18, Land Use and Development of the Code of Public Local Laws of Queen Anne's County (1996 Edition).

FOR THE PURPOSE OF amending Sections 18-1-001 and 18-1-072 of Title 18 to require the written consent of the Planning Commission Chairman or his designee prior to exemption of public services uses from the requirements of Title 14 and Title 18 of the Code of Public Local Laws of Queen Anne's County, Maryland (1996 Edition); permitting such exemption in appropriate cases; and generally dealing with public service uses under the Queen Anne's County Zoning Ordinance.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY that Sections 18-1-001 and 18-1-072 of the Code of Public Local Laws of Queen Anne's County, Title 18, LAND USE AND DEVELOPMENT be and are hereby repealed and reenacted to read as set forth on the attached.

SECTION II

BE IT FURTHER ENACTED that this Act will take effect on the forty-sixth day following its passage.

INTRODUCED BY: Marlene Davis
DATED: 9-7-99
PUBLIC HEARING HELD: Oct 6, 1999 11:00
VOTE: 3 YEA NAY (John absent)
DATE: 10-19-99

Text Amendment #99-08

**Proposed amendments to Title 18, Subtitle 1, Part 1. - Definitions and
Title 18, Subtitle 1, Part V, Subpart 6., Section 072. - Detailed Use Regulations**

Lead Staff Person: Faith Elliott Rossing

TA# 99-08

Strike and Delete Format

Please note:

Strikeout indicates language to be removed.

Highlight indicates language to be added.

Plain text indicates language to remain the same.

Title 18. Land Use and Development
Subtitle 1. Zoning and Subdivision Regulations
Part 1. Definitions and Word Usage

18-1-001 Definitions
(page 394)

Public service.

(a) "Public Service" means any service rendered to the general public by an agency of government, or a facility maintained in connection with the rendition of such service, ~~including but not limited to, road maintenance, garages, firehouses, police facilities, ambulance garages and government offices.~~

Public utility.

"Public utility" means a facility owned or maintained by a public utility company ~~or a public agency~~, for the furnishing of water, sewer, gas, electric, communication or similar services, but not including any cross-country transmission lines or towers.

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Title 18. Land Use and Development
Subtitle 1. Zoning and Subdivision Regulations
Part V. Zoning District Performance Standards
Subpart 6. Detailed Uses

18-1-072. Detailed use regulations.
(Page 455)

(a) *In general.*

In addition to other regulations under this subtitle, the following standards are required of the specific uses enumerated below.

(b) *Public services.*

(1) Because of their public necessity, if the Planning Director receives the written consent of the County Administrator after the Planning Director and the County Administrator and the Planning Commission Chairman or his designee have examined all reasonable alternatives and have made a written determination that no reasonable alternatives exist, public services uses may be permitted in all zoning districts and exempt from the requirements of Title 18 and of Title 14 with Critical Area Commission approval.

~~(i) Allowed in all zoning districts, and~~

~~(ii) Exempt from the requirements specified in:~~

~~1. Part IX of this subtitle concerning site plan review;~~

and

~~2. Sections 18-1-047, 18-1-089 through 18-1-093, and 18-1-100 of this subtitle.~~

(2) Notwithstanding exemptions from ~~use, nonresidential bulk requirements, site plan, landscaping, and buffer yard requirements provided under this subtitle~~ Title 14 and Title 18, all public services uses shall comply with applicable provisions of this subtitle in so far as possible.

(3) The Planning Director or his designee may require fencing or screening with densely planted materials to a greater extent than the required buffer yard if the Planning Director or his designee determines that the use may cause:

(i) a possible hazard to nearby residents or passersby; or

(ii) an interference with the development, use, or enjoyment of surrounding property.

Final Format

Title 18. Land Use and Development
Subtitle 1. Zoning and Subdivision Regulations
Part 1. Definitions and Word Usage

18-1-001 Definitions
(page 394)

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(2) Notwithstanding exemptions from Title 14 and Title 18, all public services uses shall comply with applicable provisions of this subtitle in so far as possible.

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