

Subject: Land Use - To repeal and reenact § 51.3.88 of Chapter 285 of the Code of St. Mary's County, Maryland, to allow a landing strip in the RCA Overlay

LICER0027 1005073

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**ORDINANCE**

**TO REPEAL AND REENACT §51.3.88 OF CHAPTER 285 OF THE CODE OF ST. MARY'S COUNTY, MARYLAND, TO ALLOW A LANDING STRIP IN THE RCA OVERLAY**

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, commercial landing strips are currently allowed in the LDA and IDA overlay districts and a request was made to allow private, non-commercial landing strips in the RCA overlay; and

WHEREAS, a notice of a public hearing was advertised on April 26, 2019 and May 3, 2019 in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on May 14, 2019 to receive public comment and consider the repeal and reenactment of § 51.3.88 of Chapter 285 of the *Code of St. Mary's County, Maryland*, St. Mary's County Comprehensive Zoning Ordinance; and

WHEREAS, the Commissioners of St. Mary's County find that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to repeal and reenact § 51.3.88 of Chapter 285 of the *Code of St. Mary's County, Maryland*, St. Mary's County Comprehensive Zoning Ordinance, to allow a landing strip in the RCA Overlay.

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

SECTION I. §51.3.88 of Chapter 285 of the Code of St. Mary's County, Maryland, is hereby repealed and reenacted to read as follows:

**88. Airport, Landing Strip, and Heliport.**

*a. General Standards:*

- (1) Site plan approval shall be required.
- (2) Publicly-owned airports, landing strips, and heliports are permitted in accordance with an adopted Airport Master Plan. All other airports, landing strips, and heliports may be permitted as a conditional use in accordance with Chapter 25 of this Ordinance.
- (3) The site plan must show all existing and/or proposed buildings, hangars, runways, tie-down areas, fuel storage and pumping areas, fencing, employee and public parking,

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public transit loading and unloading areas, screening, vehicle ingress and egress areas, and off-street pedestrian pickup space.

- (4) The site plan shall also show topography and elevations of the highest point or projection for structures and towers (existing and/or proposed) surrounding the runway/landing area for a distance of
    - (a) 20,000 feet from the runways of an airport with at least one runway more than 3,200 feet in length; or
    - (b) 10,000 feet from the runways of an airport with at least one runway no more than 3,200 feet in length; or
    - (c) 5,000 feet from the landing and take off areas of each heliport.
  - (5) Minimum setbacks for the facility shall be determined by the clearance criteria of Chapter 43. The height of existing structures in the vicinity of the proposed facility shall be evaluated when siting for new airports, airfields, landing strips and heliports
  - (6) Minimum lot size for an airport shall be 10 acres and for a heliport shall be two acres.
- b. Conditional Standards:*
- (1) Within the RCA, the following standards shall apply:
    - (a) Permit approval shall be required for non-commercial airport, landing strip, and heliports.
    - (b) An airport, landing strip, and heliport shall be prohibited in the Critical Area Buffer. Variances for these uses in the Critical Area Buffer shall not be granted.
    - (c) Publicly-owned airports, landing strips, and heliports are not allowed.
    - (d) Private landing strips and heliports are allowed.
    - (e) The minimum lot size shall be 20 acres.
    - (f) All businesses such as the sale or leasing of aircraft, maintenance, or flight school and any other type of commercial operations as defined in the Federal Aviation Administration regulations shall be prohibited.
    - (g) Shall be maintained in grass or similar low vegetation.

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SECTION II. §50.4.88 of Chapter 285 of the Code of St. Mary's County, Maryland, is hereby amended to read as follows:

Use Type	Description	Use Intensity	RPD	R3C	RCL	RL-T	RL	RH	RNC	RMX	VMX	TMX	DMX	CMX	CC	-	OBP	CM	Critical Area Overlay
88 Airport, Landing Strip and Heliport.	Facilities open to aviation or operated for the takeoff and landing of aircraft, including runways, helicopter pads, passenger and cargo facilities, facilities for air traffic control, emergency service, information devices, maintenance and overhaul, fueling, service, storage, tie-down areas, hangars and other necessary open spaces. May include offices and facilities for flight instruction, charter and cargo service and related services for airport customers as accessory uses.	High	C													P/C	C		LDA IDA RCA

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

Those voting Aye: 5

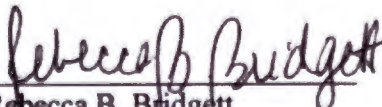
Those voting Nay: 0

Those Abstaining: 0

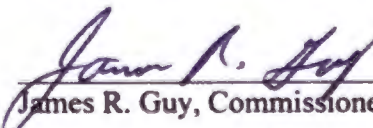
Date of Adoption: 6/4/19

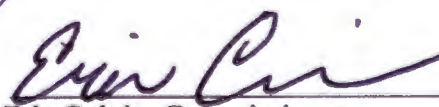
Effective Date: 6/18/19

ATTEST:

  
 Rebecca B. Bridgett  
 County Administrator

COMMISSIONERS OF ST. MARY'S COUNTY

  
 James R. Guy, Commissioner President

  
 Eric Colvin, Commissioner

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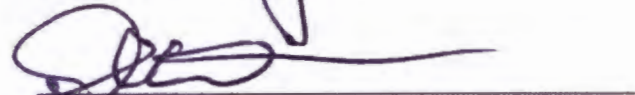
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APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
David A. Weiskopf  
County Attorney

  
Michael L. Hewitt, Commissioner

  
Todd B. Morgan, Commissioner

  
John E. O'Connor, Commissioner

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DOCUMENT VALIDATION

LR - Government  
Instrument 0.00  
Agency Name:  
COMMISSIONERS OF ST  
MARYS COUNTY  
Instrument List: Other  
Describe Other:  
ORDINANCE  
Ref: 27/79 HM/CO  
COMMISSIONERS

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Total: 0.00  
06/13/2019 02:11  
CC18-MB  
#12278789 CC0704 - St  
Mary's  
County/CC07.04.01 -  
Register 01

Circuit Court for St. Mary's County  
PO Box 676  
41605 Courthouse Drive  
Leonardtown, MD 20650  
(301) 475-7844