

**ST. MARY'S COUNTY GOVERNMENT  
DEPARTMENT OF LAND USE  
AND GROWTH MANAGEMENT**

*Phillip Shire, Director*

*William B. Hunt, AICP, Deputy Director*



**BOARD OF COUNTY COMMISSIONERS**

Francis Jack Russell, President  
Lawrence D. Jarboe, Commissioner  
Cynthia L. Jones, Commissioner  
Todd B. Morgan, Commissioner  
Daniel L. Morris, Commissioner

**Notice of Public Hearing**

**NOTICE IS HEREBY GIVEN** that the St. Mary's County Board of County Commissioners will conduct a public hearing in the main meeting room of the Chesapeake Building, located at 41770 Baldrige Street, Leonardtown, MD, on December 3, 2013, beginning at 10:30 a.m., for the purpose of receiving public testimony and to consider an amendment to the text of Chapters 264 and 285, of the Code of St. Mary's County. The Amendments proposed for consideration are as follows:

**Proposed amendments to the Subdivision Ordinance:**

§§21.1.3 of Chapter 264 of the Code of St. Mary's County, Maryland, is amended to read as follows:

3. Extensions of Time.

- a. Upon written request, the Planning Director may, for good cause shown and without any notice or hearing, grant an extension of any time limit imposed on an applicant by this Ordinance. An extension of time may also be granted by a body acting pursuant to this Ordinance unless this Ordinance expressly provides otherwise.
- b. No permit, variance or approval in effect as of January 1, 2013, shall expire prior to May 4, 2017, unless required by a statute, rule or regulation of the State of Maryland

**Proposed amendments to the Zoning Ordinance:**

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

3. Extensions of Time.

- a. Upon written request, the Planning Director may, for good cause shown and without any notice or hearing, grant an extension of any time limit imposed on an applicant by this Ordinance. An extension of time may also be granted by a body acting pursuant to this Ordinance unless this Ordinance expressly provides otherwise.
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Note that as a result of the evidence and comments made at the public hearing, amendments may be made to the proposed ordinance.

Copies of the proposed amendment are available to the public at each public library within the County, at the Public Information Office located in the Chesapeake Building at 41770 Baldrige Street in Leonardtown, and for viewing or downloading through links on the St. Mary's County Government web page: [www.stmarysmd.com](http://www.stmarysmd.com).

Robert E. Bowles, Sr., Planner IV, FCQP  
Manager, Development Services Division  
St. Mary's County Department of Land Use and Growth Management  
(301) 475-4200 ext 1522

Please publish as a Legal Notice in *The Enterprise* on November 15, 2013 and November 22, 2013

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**MEMORANDUM**

**To:** Board of County Commissioners

**From:** Phil Shire, Director  
Bob Bowles, Planner IV *[Signature]*

**Date:** November 15, 2013

**Subject:** Proposed zoning text amendment to Chapters 264 and 285 of the Code of St. Mary's County, to extend the validity of land use approvals to May 4, 2017.

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**Purpose:** To extend the validity period of approved projects by coordination with various state vesting deadlines.

**Background:** In 2009 the County Commissioners adopted measures allowing extension of project approvals in order to help the building industry withstand the difficult financial market of the times. These measures provided an additional two (2) years to approvals that had already been granted. Since these 2009 measures were adopted, LUGM has issued 160 letters granting approval extensions for approximately 70 projects (*see attachments 4 and 5*). Some of these projects have expired and more will follow, unless measures to allow additional extensions are adopted.

On the residential list you will note there are nearly 3,010 dwelling units that will benefit from additional extensions. These projects represent substantial investment by land owners and the development community, and they also comprise a significant inventory of building sites that may become immediately available as the economy recovers. Such an inventory of lots is beneficial to any jurisdiction that continues to grow as St. Mary's County has.

In keeping with the various new State programs including: Stormwater Management, The Sustainable Growth and Agricultural Preservation Act of 2012, Plan Maryland; all of which have built-in vesting deadlines, staff has chosen the State Stormwater Management vesting date of May 4, 2017 as the local limit for extension of existing approvals. No site plan or subdivision approvals in effect as of January 1, 2013 shall expire prior to May 4, 2017 unless required by a statute, rule or regulation of the State of Maryland. Although 2017 seems distant, other State "vesting" deadlines may take effect sooner, but the County will have done everything within its power to help.

This text amendment was introduced to the Board of County Commissioners on July 16, 2013 and they directed the Planning Commission to proceed with the Public Hearing. On August 12, 2013 the Planning Commission opened the Public Hearing, and continued it to October 28, 2013, where they heard from staff, opened and accepted public comment, unanimously approved the text amendment and authorized the Chairman to sign a Resolution on its behalf transmitting its findings and recommendation to the Board of County Commissioners.

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- Attachments:
1. Planning Commission Minutes
  2. PC Resolution
  3. BOCC Draft Ordinance
  4. Residential Q-List with extensions
  5. Non-Residential Q-List with extensions
  6. Letters
  7. Extensions Location Map