

THE MARYLAND ZONING CHECKUP

A PERFORMANCE GUIDE FOR SMALL AND RURAL JURISDICTIONS

Prepared by:

The Maryland Department of Planning

2023

“Keep your code running in peak performance”

CHAPTER ONE: PRESERVING THE OFFICIAL ZONING MAP

To be effective, the Official Zoning Map must:

- ✓ Meet the specific requirements outlined in a jurisdiction's adopted zoning ordinance (also referred to as the zoning code)
- ✓ Be regularly and meticulously updated
- ✓ Be accessible to all decision makers, stakeholders, and the general public

I. Getting Started:

Locating the Official Ordinance and Zoning Map

- Does your workgroup have a copy of the jurisdiction's zoning ordinance/code?
- Can you locate the map identified as the official zoning map?
 - If YES, where are they located?
 - If NO, to either question, contact your county planning office, town clerk, or ask the Maryland Department of Planning (MDP) [Regional Planner assigned](#) to your jurisdiction for assistance.

- Is the official zoning map displayed and accessible to the public?
 - If YES, where is it located?
- If not currently displayed, can an accessible location be identified?
 - If YES, where will it be located/displayed?

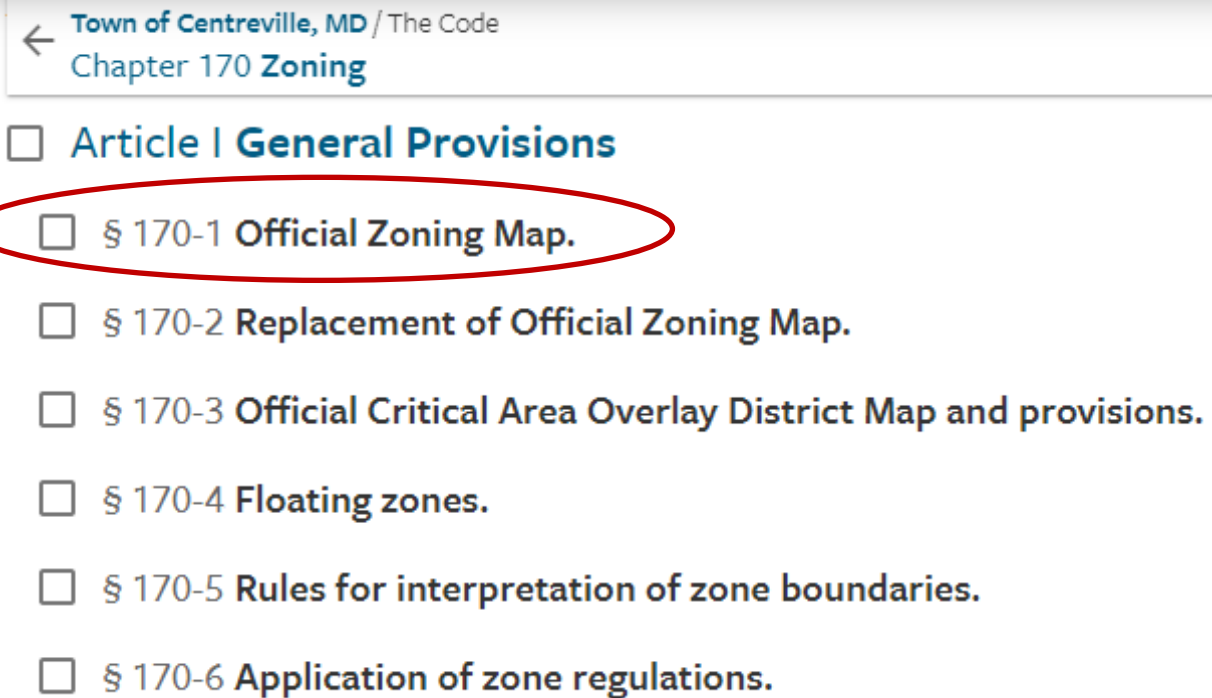
Important: Be sure to note and share its location with board members/commissioners, stakeholders and the general public.

- ❑ Are the zoning ordinance/code and official zoning map available online?
 - If YES, on which websites are they located and what are the links (URLs)?
- ❑ If not currently available online, can they be added to the municipal and/or county website?
 - If YES, where will it be located and what will be the links (URLs)?

Important: Be sure to note and share their online location(s) with board/commission members, stakeholders and the general public.

II. Reviewing the Zoning Ordinance/Code:

- Does the zoning ordinance/code have an official zoning map section?
 - If YES, note the ordinance/code section Number. Example:



- If NO, consider establishing a section of the zoning ordinance dedicated to the official zoning map

Does the jurisdiction's zoning ordinance/code have official zoning map requirements?

§ 175-2. Zoning Map

A. The incorporated areas of the town are hereby divided into zones, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter.¹

B. The Official Zoning Map shall be identified by the signature of the Town Commissioners attested by the Town Clerk and bearing the seal of the town under the following words: "This is to certify that this is the Official Zoning Map of the Town of Charlestown."

C. If, in accordance with the provisions of this chapter and the Land Use Article of Maryland, as amended, changes are made in zone boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map promptly after the amendment has been approved by the Town Commissioners, together with an entry on the Official Zoning Map as follows: "On (date), by official action of the Town Commissioners, the following changes were made in the Official Zoning Map: (brief description of nature of change)," which entry shall be signed by the Town Commissioners and attested by the Town Clerk. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered upon the Official Zoning Map. No amendment to this chapter which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

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D. No change of any matter shall be made on the Official Zoning Map except in conformity with the provisions of this chapter, and any violation of these provisions shall be punishable as provided in this chapter.

E. Regardless of the time to time be made or published, the Official Zoning Map which shall be located in the office of the Town Clerk shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the town. A copy of the map shall be located in the offices of the Planning Commission.

F. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Town Commissioners may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.

G. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Zoning Ordinance or any subsequent amendment thereof. The Planning Commission shall certify as to the accuracy of the new Official Zoning Map prior to its adoption by the Town Commissioners. The new Official Zoning Map shall be identified by the signature of the Town Commissioners attested by the Town Clerk and bearing the seal of the town under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of the Zoning Ordinance of the Town of Charlestown."

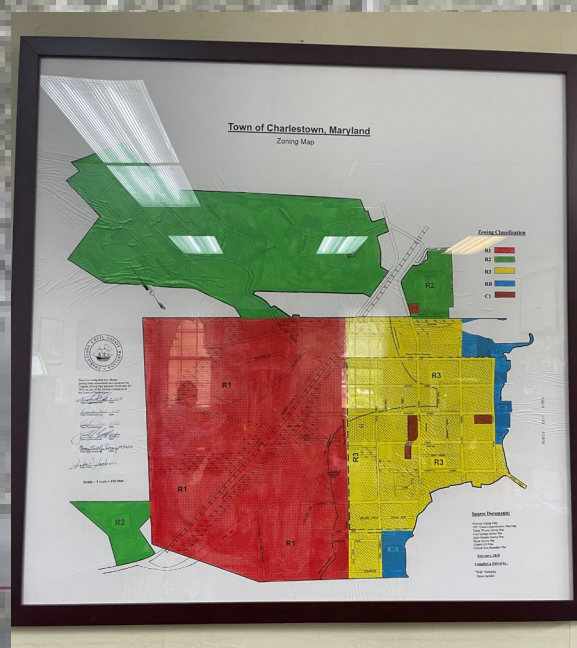
➤ If YES, note what these requirements are
Example:

➤ If NO, consider establishing local requirements for the jurisdiction's official zoning map in the specific ordinance section dedicated to the zoning map

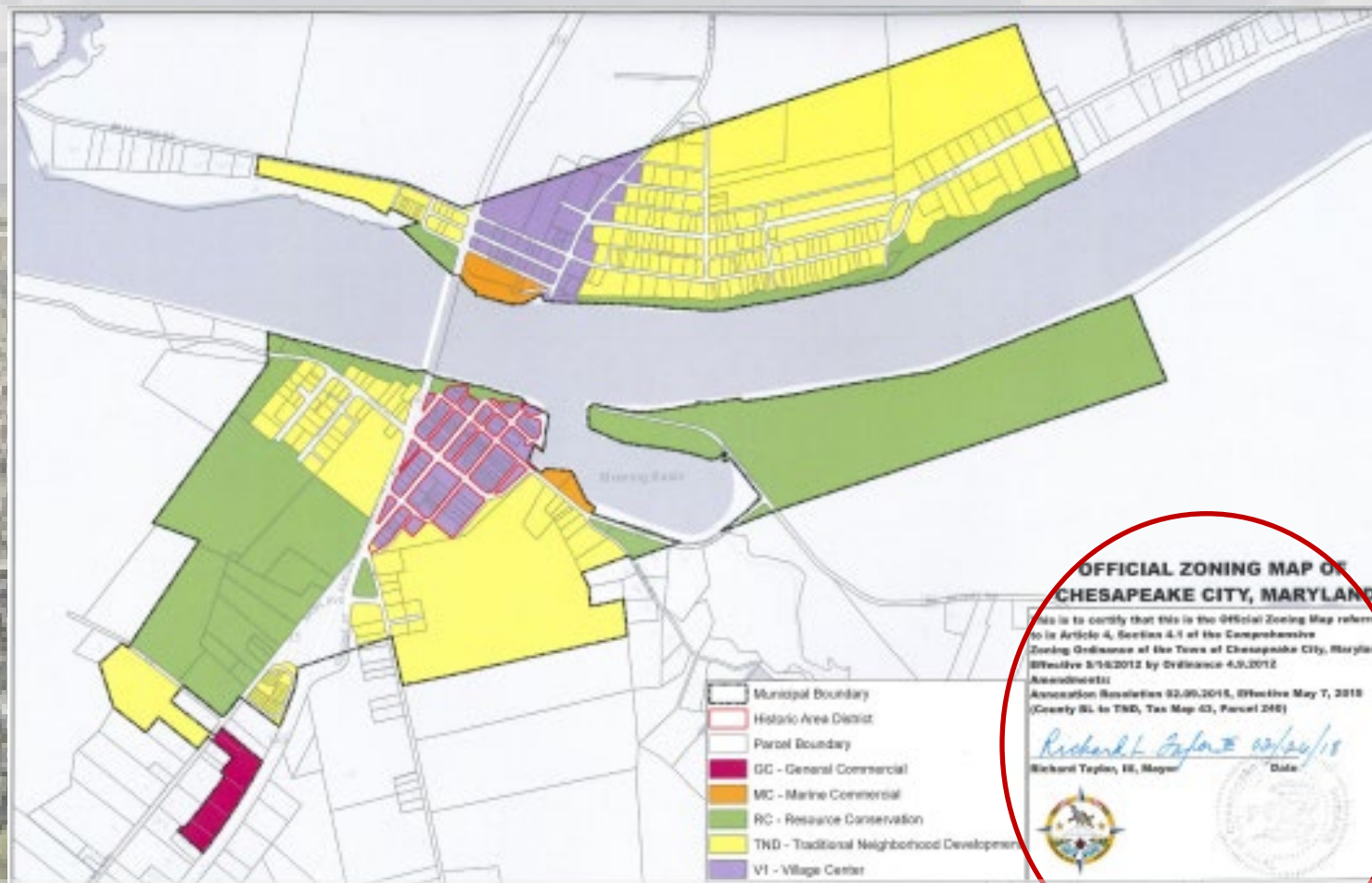
- ❑ If the ordinance/code has an official zoning map section, does the zoning map conform to ALL zoning ordinance requirements listed?
 - ❑ If NO, what requirements are missing?

- ❑ Does the zoning ordinance require the Official Zoning Map to be physically displayed in a certain location, such as the Town Hall?

Example Map Below

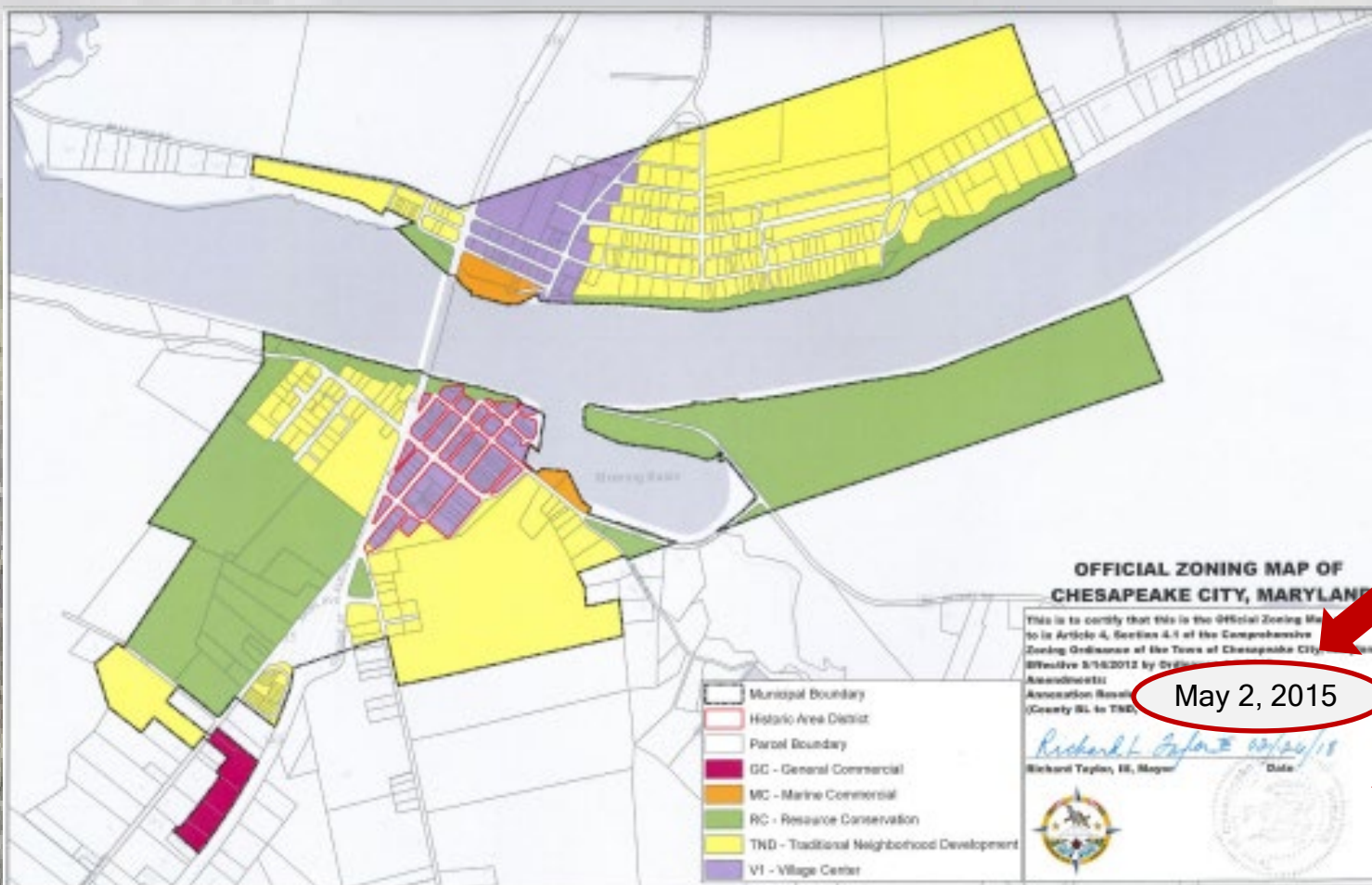


Example 2: Does the Official Zoning Map contain a signature block?



- If No, consider adding a signature block to the map legend, adding a signature requirement to your zoning code requirements, and ensure that the official zoning map, online copy, and copies for planning board/commission members is all signed.

Example 3: Does the official zoning map list an effective date?



Considerations:

1. The effective date of the map may depend on the date of any required signatures.
2. Official stamps or seals may also be required.

- If No, consider adding an effective date to the map legend, and/or amending the zoning code/ordinance to require it be displayed on the official zoning map.

III. Changes to the Official Zoning Map:

- ❑ Check your resolution history. Have any of the following changes been made after the effective date listed on the official zoning map?
 - Annexations (municipalities only)
 - Comprehensive re-zonings (all jurisdictions)
 - Corrections to errors (all jurisdictions)
- If YES, can copies of all adopted annexation resolutions, comprehensive zoning resolutions, or records of mapping errors be located?
 - Where can they be located?

III. Changes to the Official Zoning Map (cont'd):

Important: If relevant copies cannot be located, be sure to note all missing resolutions and contact the jurisdiction's attorney, and if needed, your Regional Planner.

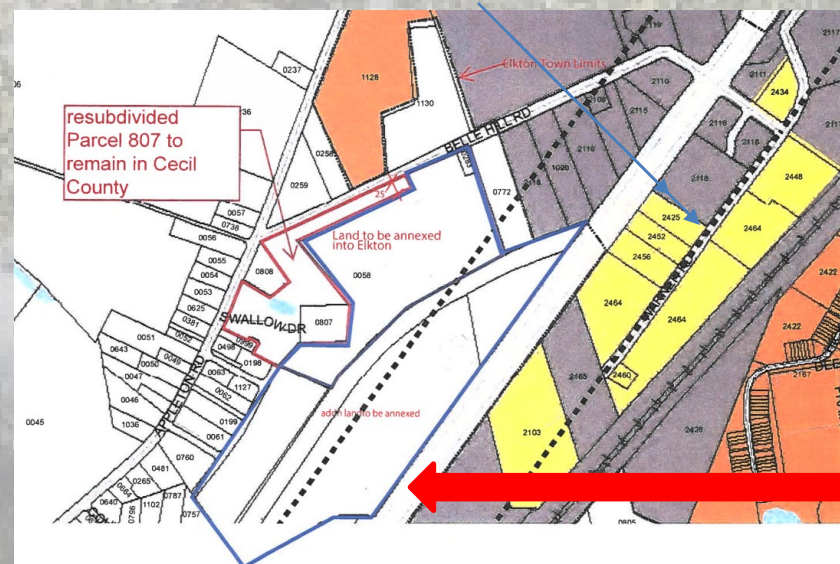
The official zoning map, including the map index, will need to be updated to reflect the changes identified in these resolutions.

A. Annexations -- Municipalities:

If there have been any annexations, do the annexation parcels:

- ❑ Appear within the municipal boundary on the official zoning map?
 - If NO, the Official Zoning Map must be amended to reflect the new annexation boundary.

Example:



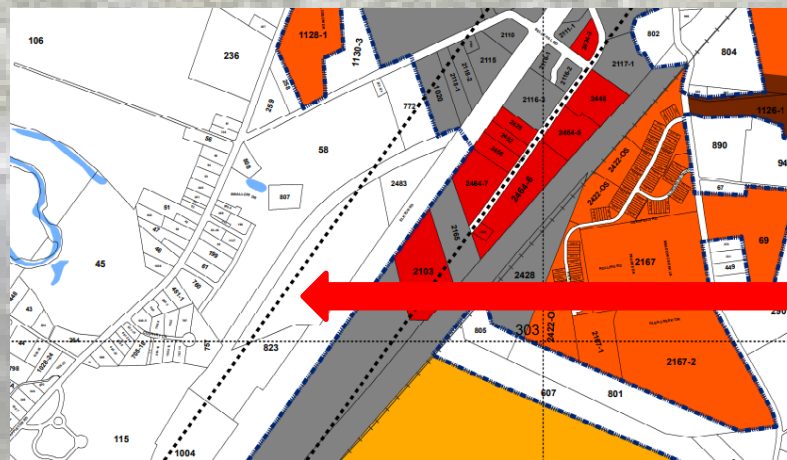
New annexation boundary (2021).

A. Annexations -- Municipalities (cont'd):

If there have been any annexations, does each annexation parcel:

- Reflect the municipal zoning classification(s) listed in the applicable annexation resolution?
- If NO, the Official Zoning Map must be amended to reflect the new municipal zoning classification(s).

Example:



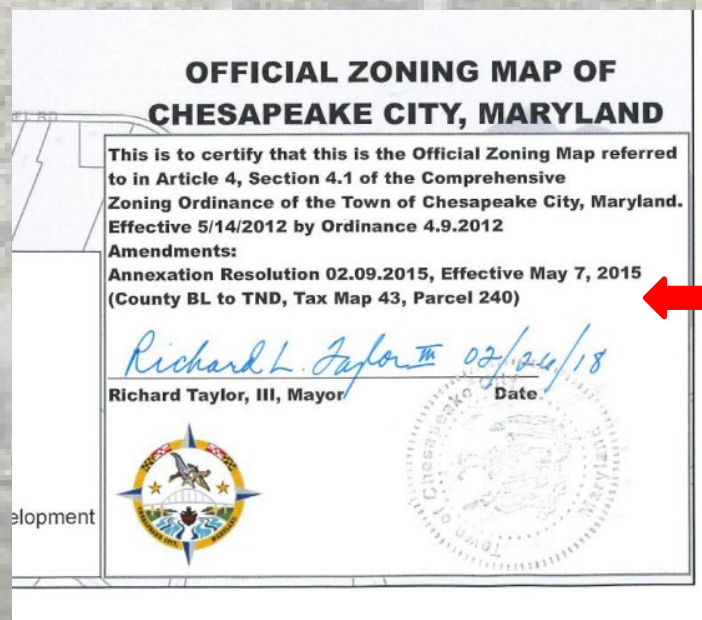
The new annexation area (2021) and new zoning are not reflected on the online zoning map (2023). This map must be amended.

A. Annexations -- Municipalities (cont'd):

If there have been any annexations:

- Is the annexation resolution indexed on the official zoning map?
 - If NO, consider annotating the resolution in the index.

Example:



The annexation resolution is indexed on the Official Zoning Map legend.

A. Annexations -- Municipalities (cont'd):

If the official zoning map has been updated to reflect any annexations, does it:

- Match the municipal boundary presented on [MDP's FINDER Online](#) website?
 - If NO, contact your Regional Planner to report any mapping discrepancies.

Example:



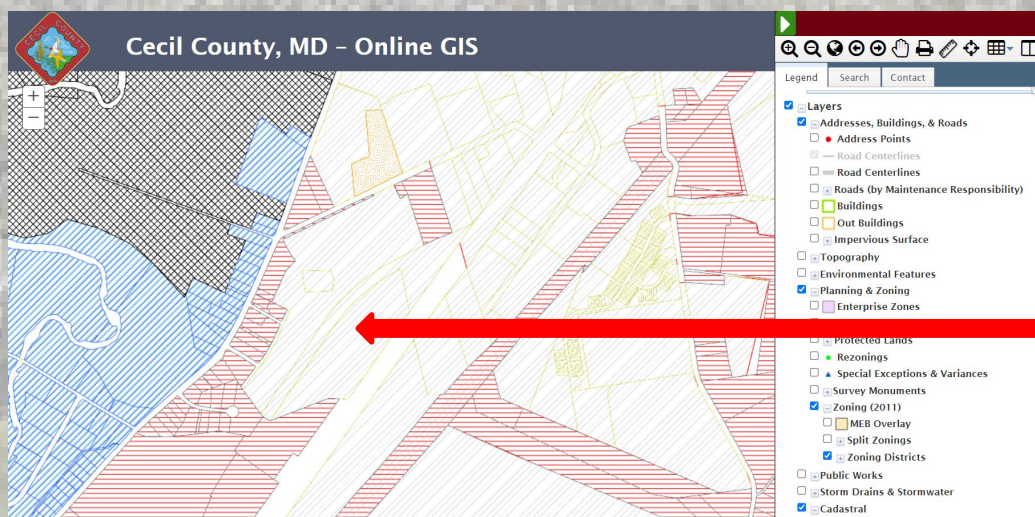
The annexed area appears on MDP's Finder map and matches the town's annexation boundary.

A. Annexations -- Municipalities (cont'd):

If the official zoning map has been updated to reflect annexations, does it:

- Match the municipal boundary presented on related county maps such as zoning, water and sewer service areas, etc.?
 - If NO, then contact the county and report any mapping discrepancies.

Example:



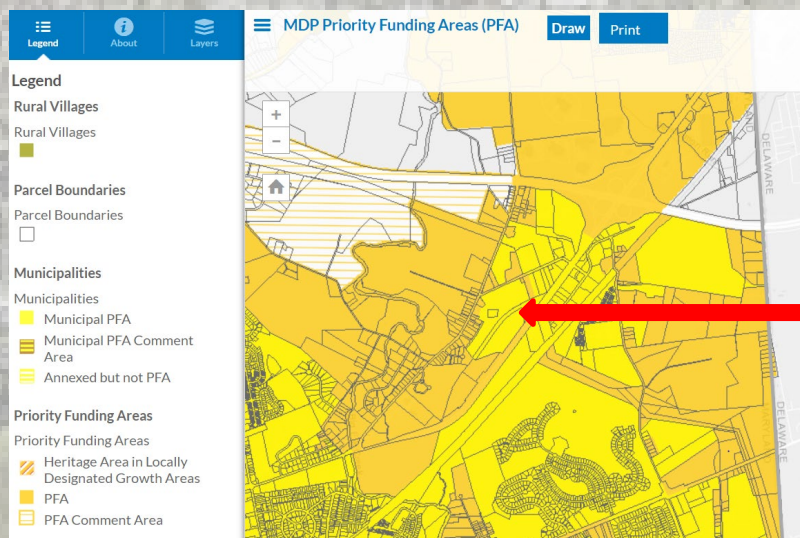
The annexed area appears on the county GIS map and matches the town's annexation boundary.

A. Annexations -- Municipalities (cont'd):

If the official zoning map has been updated to reflect annexations, do the annexed parcel(s):

- Reflect the appropriate [Priority Funding Area \(PFA\)](#) category?
 - If NO, contact your Regional Planner to determine how or if a PFA change is necessary.

Example:



The annexed area appears on the PFA map and has been assigned the correct PFA category

Note: PFA categories can include:

- County PFAs
- Municipal PFAs
- PFA Comment
- Annexed but Not PFA, or
- No PFAs.



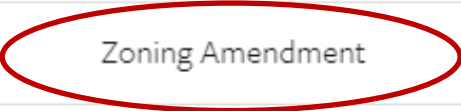



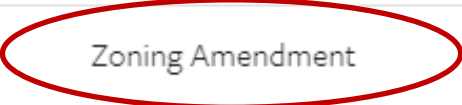
B. Re-zonings -- All Jurisdictions:

- ❑ If there have been any rezoning resolutions, does the new zoning category for the rezoned parcel(s) appear on the official zoning map?

Example 1:

New Laws

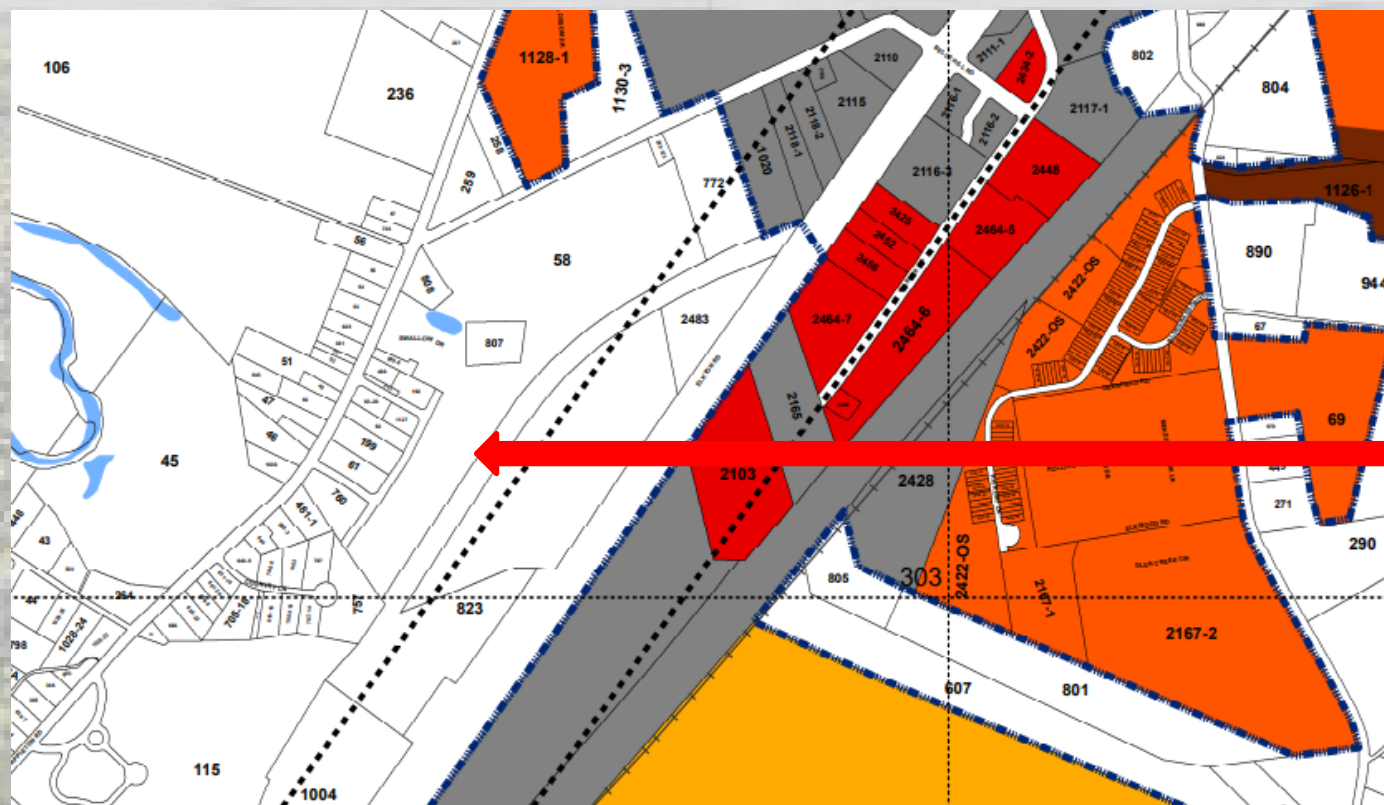
Adopted legislation that has not yet been incorporated into the Code can be found below. Once a new law has been codified, it will no longer appear in this section.

Title	Adopted	Subject	Affects
 Ord. No. 2020-01 (2020-06-17) 	2020-06-17	 Zoning Amendment	
Ord. No. 2020-03 (2020-12-07) 	2020-12-07	Land Use Amendment	Ch 105
 Ord. No. 2021-01 (2021-02-01) 	2021-02-01	 Zoning Amendment	

B. Re-zonings -- All Jurisdictions (Cont'd):

- If NO, then the official zoning map must be amended to reflect the new zoning category(s).

Example 2:



The new zoning for the annexed area does not appear on the Official Zoning Map. This map must be amended.

B. Re-zonings -- All Jurisdictions:

- ❑ If there have been any rezoning resolutions, are the new zoning ordinances/resolutions listed in the official zoning map index?

If NO, then the official zoning map should be amended to reflect the new zoning resolutions on the official zoning map index.

Example:

**Official Zoning Map
Town of Port Deposit**

This is to certify that this is the Official Zoning map referred to in Article II, Section 13 of the Zoning Ordinance of the Town of Port Deposit, Maryland and supersedes and replaces the Official Zoning Map adopted September 4, 2018.

_____	_____
2020-02	February 18, 2020
Ordinance #	Date Adopted
_____	_____
Mayor	Date
_____	_____
Deputy Mayor	Date
_____	_____
Council	Date
_____	_____
Council	Date
_____	_____
Council	Date

Amended:
 October 28, 2003, Resolution 2003-20 - New Zoning Code & Map.
 January 4, 2005, Resolution 2004-05 - Create IDOD.
 April 5, 2005, Resolution 2005-09 - Change Parcel 6 to CBD.
 August 30, 2005, Resolution 2005-11 - Change Parcels 648 & 645 to BX.
 February 8, 2008, Resolution 2008-01 - Change Parcels 350-398 from R1 to RM.
 February 2, 2010, Resolution 2010-1 - Change Parcels 29-48 & 99 to CBD.
 February 2, 2010, Resolution 2010-2 - Change Parcel 328 to CBD.
 September 4, 2018, Resolution 06-2018 - Change Mill Street parcels to TR and extend Historic Overlay Boundary line to boundary line on south end of town.

The index lists the date, resolution number and summary of the zoning map changes.

Amended:
 October 28, 2003, Resolution 2003-20 - New Zoning Code & Map.
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 February 2, 2010, Resolution 2010-2 - Change Parcel 328 to CBD.
 September 4, 2018, Resolution 06-2018 - Change Mill Street parcels to TR and extend Historic Overlay Boundary line to boundary line on south end of town.

D. Communicating Changes to Interested Parties – All Jurisdictions:

- Does the zoning ordinance/code require that planning board members/commissioners receive copies of all adopted text and map amendments?
 - If YES, be sure to provide each member/commissioner with a copy of the most recent Official Zoning Map and map index.
 - If NO, consider adopting a procedure or amending the zoning ordinance/code to provide each member/commissioner with a copy of the most recent text and map amendments.

D. Communicating Changes to Interested Parties – All Jurisdictions (cont'd):

Reminder: To be complete and up-to-date, the map and index should include ALL:

- ✓ Adopted resolution numbers and date
- ✓ Zoning changes, text and map
- ✓ Annexation boundaries
- ✓ Corrections to errors (found during this CheckUp)
- ✓ Required signatures and effective dates

D. Communicating Changes to Interested Parties – All Jurisdictions:

- Has your jurisdiction submitted the copies of the official zoning map and map index to your Regional Planner?
 - If NO, you are advised to submit a copy of both to your Regional Planner and to provide GIS layers, if available.

Note: Your Regional Planner will ensure the copy is also submitted to the Maryland State Data Center (MSDC).

D. Communicating Changes to Interested Parties – Municipalities:

- Has your municipality submitted copies of the official zoning map and map index to your county planning department?
 - If NO, you are advised to submit a copy of both to your county planning department and to provide GIS layers, if available.

CHAPTER ONE: PRESERVING THE OFFICIAL ZONING MAP

“Final CheckUp”

To complete this exercise, your official zoning map should:

1. Reflect the requirements as specified in the local zoning code or ordinance.

a. Signatures	Y	N	
b. Effective Date	Y	N	
c. Other	Y	N	N/A

CHAPTER ONE: PRESERVING THE OFFICIAL ZONING MAP

“Final CheckUp” (cont’d)

2. Be displayed in conspicuous public space.	Y	N	
a. Copied to planning board members/commissioners	Y	N	N/A
b. Be consistent with website map version	Y	N	N/A
c. Official zoning map and website map match	Y	N	N/A

CHAPTER ONE: PRESERVING THE OFFICIAL ZONING MAP

“Final CheckUp” (cont’d)

3. Include an Index Resolution # for:

a. Annexations	Y	N	N/A
b. Rezoning	Y	N	N/A
c. Text Changes	Y	N	N/A

CHAPTER ONE:

PRESERVING THE OFFICIAL ZONING MAP

“Final CheckUp” (cont’d)

- | | | | |
|--|---|---|-----|
| 4. Submitted to MDP, including GIS layers? | Y | N | N/A |
| 5. Submitted to county planning, including GIS layers? | Y | N | N/A |

You May Now Proceed to Chapter Two of the Maryland Zoning CheckUp!

Please contact your Regional Planner should you have questions
or require assistance.