

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 FOUR: ORDINANCE INTEGRATION

Ordinance Integration means:

- ✓ The original adopted zoning ordinance includes an index (history) of all subsequent amendments to the ordinance.
- ✓ The zoning ordinance is annotated in each location where the change to zoning ordinance occurred and references the amendment # and effective date.
- ✓ Archaic references have been updated.
- ✓ The numbering system is in order.
- ✓ The annotated zoning ordinance is provided to the planning commissioners/board, public and website.

CHAPTER FOUR: ORDINANCE INTEGRATION

(1) Zoning Ordinance/Code Index

- Does the zoning ordinance/code have an index (amendment history)?

Example: This ordinance has had fourteen (14) amendments

ZONING ORDINANCE

HISTORY

<u>Ordinance Number</u>	<u>Effective Date</u>
Ordinance 97-02	August 4, 1997
Ordinance 98-01	May 27, 1998
Ordinance 98-03	May 27, 1998
Ordinance 98-05	December 20, 1998
Ordinance 02-03	October 28, 2002
Ordinance 04-01	May 24, 2004
Ordinance 06-04	January 22, 2007
Ordinance 06-05	January 22, 2007
Ordinance 09-01	February 22, 2009
Ordinance 2013-03	November 25, 2013
Ordinance 2015-02	April 27, 2015
Ordinance 2016-01	January 24, 2017
Ordinance 2017-04	December 25, 2017
Ordinance 2019-03	May 26, 2019

CHAPTER FOUR: ORDINANCE INTEGRATION

(1) Zoning Ordinance/Code Index (Continued)

- ❑ Does the zoning ordinance/code have an index (amendment history)?

Example: This code has had twenty-six (26) amendments

[HISTORY: Adopted by the Town Commissioners of the Town of Charlestown 9-9-1980, effective 9-29-1980, by Ord. No. 80-1. Replaces Chapter 200. Amendments noted where applicable.]

Amendment	Adopted	Effective	Section	Amendment Type
84-2	11-20-1984	12-10-1984	(Historic District)	(Multi-Family Grandfathering)
86-1	10-14-1986	12-3-1986	(Article 4, Sub A. 7(d))	(Satellite Dishes)
87-1	10-13-1987	12-2-1987	(Article 3, Section 2)	(Non-Conforming Lots)
88-1	2-9-1988	2-29-1988	(Article 7)	(Lot, Yard Coverage, Height)
1988	11-05-1987	10-24-1988	(Critical Area Program)	(Critical Area Program)
89-1	5-9-1989	5-29-1989	(Article 7)	(Lot, Yard Coverage, Height)
89-2	7-3-1989	7-23-1989	(Article 1, 4, 14)	(Residential Districts, Lot Coverage)
90-1	1-3-1991	1-23-1991	(1,10,12,13,20, 33,35,38)	(Historic District, Fees, et al)
90-3	NA	NA	(200: 2-11,18-19)	(Critical Area)
91-1	1991	1991	(200: 2, 2-11)	(Critical Area)
91-2	2-26-1991	2-26-1991	(200: 2-1)	(Critical Area Impervious Surface)
91-7	10-22-1991	11-11-1991	(Floodplain)	(Repealed 91-7A)
91-7A	12-30-1991	12-30-1991	(Floodplain)	(Replaced 2015-01).
92-1	4-14-1992	5-4-1992	(Floodplain)	(Manufactured Homes)
93-6	12-14-1993	1-3-1994	(Forest Conservation)	(Forest Conservation)
95-1	6-27-1995	6-27-1995	(200: 1,15,29,30,37)	(Yards,Signs,Pools,Fences,Appeals)
95-3	12-21-1995	1-10-1996	(Table Lot Coverage)	(Lot Coverage)
99-2	2-9-1999	3-1-1999	(200: 33)	(Appeals)
2001-05	11-27-2001	12-17-2001	(175: 1)	(Recreational Vehicles)
2003-02	8-12-2003	9-1-2003	(175: 23)	(Critical Area Special Buffer Area)
2005-01	12-27-2005	1-16-2006	(175: 23)	(Critical Area Map Corrections)
2006-02	6-13-2006	7-3-2006	(175: 23)	(Critical Area Program)
2009-01	2-10-2009	3-2-2009	(175:16)	(Poultry and Livestock)
2011-05	11-8-2011	11-28-2011	(175: Multiple)	(Definitions,Standards,Lot Coverage)
2015-01	4-14-2015	5-4-2015	(Floodplain)	(Floodplain Ordinance)
2023-01	3-14-2023	4-3-2023	(175: Multiple)	(Update)

(2) Zoning Ordinance/Code Annotations

- Does the zoning ordinance/code include annotations?

Example: Each amendment should be noted in the section each time the section is changed. In this example, the section has been amended twice.

(3) In order to more fully preserve, protect and perpetuate the flavor and quality of Charlestown's Historic District, all residential construction and development within its established boundaries shall be limited to single-family detached structures conforming with applicable zoning regulations. [Added 10-13-1987 by Ord. No.87-1; amended 1-3-1991 by Ord. No. 90-1]

(3) Archaic References

- ❑ Does the zoning ordinance/code have any archaic references?

Example: In Maryland, Article 66B was renamed the Land Use Article in 2012.

§ 170-3. Purpose and Authority.

The zoning regulations and districts as herein established have been made in accordance with the Chestertown Comprehensive Plan, as amended from time to time, to promote, in accordance with present and future needs, the health, safety, morals, order, convenience, prosperity and general welfare of the citizens of Chestertown, Maryland, and to provide for efficiency and economy in the process of development, for the appropriate and best use of land, for convenience of traffic, walking, biking and circulation of people and goods, for the appropriate use and occupancy of buildings, for healthful and convenient distribution of the population, for protection against destruction of or encroachment upon historic areas, to promote sustainability principles, and to promote good civic design and arrangement, including the preservation and enhancement of the attractiveness and character of the Town. These regulations are also intended to provide for adequate public utilities and public services and facilities by regulating and limiting or determining the height and bulk of buildings and structures, the area of yards and other open spaces and the density of use. These provisions have been made with a reasonable consideration of, among other things, the existing use of property, the character of the Town and districts established herein and their peculiar suitability for particular uses and trends of growth or change and with a view toward conserving the value of land and buildings and encouraging sustainable and the most appropriate use of land throughout the incorporated territory of Chestertown, Maryland. This Ordinance is enacted under the authority granted by the General Assembly of Maryland, as provided in Article 66B, Annotated Code of Maryland, as amended.

(4) Numbering systems

❑ Does the zoning ordinance/code use a consistent numbering system?

Example: This code uses two different numbering systems.

Section 12-518. Permissible Uses Tables

1. More specific use controls. Whenever a development could fall within more than one use classification in the Table of Permissible Uses, the classification that most closely and most specifically describes the development controls.
2. Table of Permissible Uses (see following pages)

Legend: P = Permitted, PC = Permitted with Conditions, SE = Special Exception, SC = Special Exception with Conditions								
USES DESCRIPTION	R-O	R-1	R-2	R-3	LC	CC	CID	LI
RESIDENTIAL								
1.100 Single-Family Residences								
1.110 Single-family detached	P	P	P	P	SE	SE		SE
1.111 Site-built and modular residential structures	P	P	P	P	SE	SE		SE
1.112 Manufactured or Mobile Home Park								
1.200 Two-Family Residence								
1.210 Primary residence with accessory apartment	PC	PC	PC	PC	SE	SE		SE
1.220 Secondary residential structure auxiliary to existing residence	PC	PC	PC	PC				
1.230 Duplex	P			P	SE	SE		SE
1.240 Two-family apartment				P	SE	SE		SE
1.300 Multi-Family Residences								
1.310 Multi-family - townhouses	SC			SC	PC	PC		PC
1.320 Multi-family - apartments	SC			SC	PC	PC		PC
1.330 Commercial apartments	PC				PC	PC		PC

(5) Referenced Documents

- Does the zoning ordinance/code reference up-to-date documents?

The zoning code should be checked for any references to other documents, such as, other plans, design guidelines, maps, to ensure that the referenced documents are current.

CHAPTER FOUR:

ORDINANCE INTEGRATION

“Final CheckUp”

To complete this exercise, your Official Zoning Ordinance/Code should:

- | | | | |
|---|---|---|----|
| 1. Identify an adoption date | Y | N | |
| 2. Identify an amendment index (history) | Y | N | |
| 3. Remove archaic references | Y | N | |
| 4. Be checked for consistent numbering | Y | N | |
| 5. The Planning Commission has annotated copies | Y | N | |
| 6. The public has an annotated copy | Y | N | |
| 7. The website has an annotated copy | Y | N | NA |

Thank you for participating in the Maryland Zoning CheckUp!

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