

ST. MARY'S COUNTY GOVERNMENT
DEPARTMENT OF LAND USE
AND GROWTH MANAGEMENT
William B. Hunt, AICP, Director
Kathleen Easley, AICP, Deputy Director



COMMISSIONERS OF ST. MARY'S COUNTY
James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Commissioners of St. Mary's County will hold a public hearing on May 14, 2019 at 9:00 a.m. in the Chesapeake Building located at 41770 Baldrige Street in Leonardtown, Maryland to consider a text amendment to allow Use #88: Airport, Landing Strip and Heliport in Resource Conservation Areas (RCA) by Mr. George Hall, property owner.

Citizens are encouraged to attend and participate in the public hearing. Note that as a result of the evidence and comments made at the public hearing, amendments may be made to the proposed ordinance.

Written comments, questions and suggestions may be submitted on or before May 21, 2019 to: Commissioners of St. Mary's County, P.O. Box 653, Leonardtown, Maryland 20650

Copies of the proposed ordinance are available at the Department of Land Use and Growth Management located at 23150 Leonard Hall Drive, and web page: www.stmarysmd.com.

Any reasonable accommodation for persons with disabilities should be requested by contacting the St. Mary's County Public Information Officer at (301) 475-4200 Ext *1342.

COMMISSIONERS OF ST. MARY'S COUNTY

By: William B. Hunt, Director

Please publish as a Legal Notice in *The Enterprise* on April 26, 2019 and May 3, 2019.

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

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 _____, 2019 and _____, 2019 in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on _____, 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 instructions 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	RSC	RCL	RL-T	RL	RH	RNC	RMX	VMX	TMX	DMX	CMX	CC	I	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 IV: This Ordinance shall be effective upon the date written below.

Those voting Aye: _____
 Those voting Nay: _____
 Those Abstaining: _____
 Date of Adoption: _____
 Effective Date: _____

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

 Rebecca B. Bridgett
 County Administrator

 James R. Guy, Commissioner President

 Eric Colvin, Commissioner

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY:

 Michael L. Hewitt, Commissioner

 David A. Weiskopf

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County Attorney

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner