

NOTICE

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Office of Planning & Zoning

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Site Development Application Process for Minor Improvements

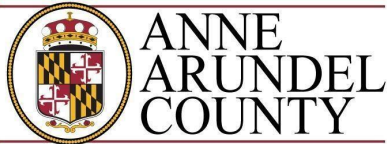
Per §17-4-101, Title 4 applies to any permit that results in leasable space and/or a test for adequacy of public facilities. Leasable space is not defined in the code; therefore, the Office of Planning and Zoning's long standing practice is to consider any non-residential floor area as leasable space. As a result, any expansion of non-residential floor area is subject to the two-step Site Development application process comprised of a Preliminary Plan application and a Site Development Plan application. These two applications must be approved, in sequence, prior to issuance of a permit.

The purpose of this Green Notice is to provide criteria which, if met, may result in the granting of approval of a Modification application request to eliminate the unnecessary and potentially cost prohibitive development application process for minor development expansions outside of the Critical Area.

Steve Kaii-Ziegler,
AICP

*Planning & Zoning
Officer*





M A R Y L A N D

Office of Planning and Zoning

Steve Kaii-Ziegler AICP, Planning and Zoning Officer

MEMORANDUM

TO: MBIA, Review Agencies, and the General Public

FROM: Steve Kaii-Ziegler, AICP, Planning and Zoning Officer *SKZ*

SUBJECT: Site Development Application Process for Minor Improvements

DATE: May 10, 2021

When requesting a modification to be allowed to forgo the Preliminary Plan and Site Development Plan applications for minor expansions to existing commercial uses, not to exceed 1,000 gross square feet of floor area, or expansion of floor area used as an accessory to farming consisting of up to 1,000 gross square feet, the applicant must include sufficient information to adequately demonstrate that the proposed development is in compliance with the following criteria:

*(Please note limits provided above are to be **cumulative** as of the effective date of this Green Notice.)*

- 1) The site is located outside the Critical Area.
- 2) Storm Drainage: The Limit of Disturbance must be less than 5,000 square feet (sf).
- 3) Utilities (No SWAMP): The development will generate less than 5 EDUs of Water and Sewer or Health Department approval must be obtained when utilities are private. Well and Septic locations shall be identified on plans. (Note: Allocation will be processed with the Modification for any EDUs generated.)
- 4) Fire: Fire Marshal approval must be obtained.
- 5) Demonstrate a Traffic Impact Study is not required by providing verification that the proposal creates 50 or fewer daily trips in the scheduled completion year of the development.
- 6) Parking: Demonstrate compliance with §18-3-101 parking criteria.
- 7) Circulation: Demonstrate the proposal will have adequate stacking facilities.
- 8) Bulk Regulations: (Coverage, Floor Area Ratio, Setbacks, etc.) Demonstrate proposed development meets the bulk regulation criteria for the underlying zone.
- 9) Forest Conservation: If the site is 40,000 sf or greater, demonstrate proposed development does not result in the cumulative cutting, clearing, or grading of more than 20,000 sf of forest on contiguous lots under common ownership. (A Declaration of Intent is required.)
- 10) Landscape: Demonstrate the proposed development has appropriate area to meet landscape requirements.
- 11) Cultural Resources: Demonstrate there are no impacts to cultural resources or Scenic or Historic roads.

Please be advised that the aforementioned criteria is in addition to the Modification application criteria provided in §17-2-108, which must also be addressed with these applications. Additionally, if the proposed development is located on a lot or parcel that adjoins a residentially zoned and developed lot or parcel, the applicant must seek verification from the Office of Planning and Zoning regarding the necessity for holding a community meeting in lieu of mailed notification.