

Subject: To amend Chapter 285 of the *Code of St. Mary's County, Maryland*, by deleting and replacing §71.9.1, Standards for Shoreline Resources, to allow individual piers in subdivisions platted before December 31, 1994, that have a community pier.

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ORDINANCE

TO AMEND CHAPTER 285 OF THE CODE OF ST. MARY'S COUNTY, MARYLAND, BY DELETING AND REPLACING §71.9.1, STANDARDS FOR SHORELINE RESOURCES, TO ALLOW INDIVIDUAL PIERS IN SUBDIVISIONS THAT WERE PLATTED BEFORE DECEMBER 31, 1994, THAT HAVE OR ARE PLANNED TO HAVE A COMMUNITY PIER.

WHEREAS, pursuant to Maryland Code Annotated, § 8-1808.5(c)(6), "Community Pier in Buffer," individual lot owners in subdivisions platted before December 31, 1994, that have a community pier may construct a private pier; and

WHEREAS, the Commissioners of St. Mary's County would like to allow the residents of St. Mary's County who own legally subdivided individual lots or parcels of record in subdivisions platted before December 31, 1994, that have a community pier the possibility of constructing a private pier; and

WHEREAS, a notice of a public hearing was advertised on April 30, 2021 and May 7, 2021 in *Southern Maryland News*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on May 18, 2021, to receive public comment and consider the amendment of Chapter 285 of the Code of St. Mary's County, Maryland, by deleting and replacing § 71.9.1 Standards for Shoreline Resources; 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 replace § 71.9.1 of Chapter 285 of the Code of St. Mary's County, Maryland, regarding private piers,

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of St. Mary's County, that the St. Mary's County Comprehensive Zoning Ordinance is hereby amended by deleting and replacing § 71.9.1, Standards for Shoreline Resources, in order to allow legally subdivided individual lots or parcels of record in subdivisions platted before December 31, 1994, that have or are planned to have a community pier the possibility of building a private pier.

SECTION I. St. Mary's County Comprehensive Zoning Ordinance § 71.9.1, Standards for Shoreline Resources, is repealed and replaced with the following language:

~~71.9. Standards for Shoreline Resources.~~

~~1. Each legally subdivided lot or parcel of record shall be limited to one pier meeting the criteria of Section 51.3.110 except that piers, pilings and boat ramps are prohibited on individual lots in subdivisions for which community piers or community boat ramps are currently, or planned to be, provided.~~

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§ 71.9. Standards for Shoreline Resources

- 1. Subdivisions that have or are planned to have a community pier or boat ramp.
 - a. Each legally subdivided lot or parcel of record in a subdivision platted after December 31, 1994, that has or is planned to have, a community pier or boat ramp are prohibited from having an individual pier, piling, or boat ramp.
 - b. Each legally subdivided lot or parcel of record in a subdivision platted on or before December 31, 1994, is allowed an individual pier, piling, and/or boat ramp meeting the criteria of §51.3.113.

SECTION II. 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 Weiskopf
County Attorney

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner