



**Planning Commission
Regular Meeting
August 5, 2026, 6:00 PM
Council Chambers, La Plata Town Hall
305 Queen Anne St.
La Plata MD**

Agenda

1. Call to Order

- 1.1. Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk and meetings will be recorded.

In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. At their discretion, the Planning Commission may allow participants to voice questions or provide comments on the topics under discussion. Written comments may be submitted via e-mail to Legislative@townoflaplata.org. Members of the public wishing to address the Planning Commission in person may sign up in advance via the [town webpage](#) or upon arrival at the Council Chamber.

[Join the meeting now](#)

Meeting ID: 228 255 787 294 15

Passcode: t729yv36

(Calendar Year 2026)

2. Roll Call

- 2.1. Quorum Verification

- 2.2. Pledge of Allegiance

3. Public Hearing

- 3.1. Zoning Text Amendment (ZTA) 04-2026- Accessory Dwelling Units

Applicant: Town of La Plata, Maryland

Owner: N/A

Project Location: Town-wide

Request: To amend Section 191-53(B)(1) of Chapter 191 (Zoning) of the La Plata Municipal Code pertaining to Accessory Dwelling Units (ADUs) to ensure compliance with recent

changes to Maryland law governing accessory dwelling units.

3.2. Call to Order and Determination of Quorum

3.3. Ex parte Disclosure

3.4. Review of Procedures

3.5. Review of Public Notices

3.6. Review of Sign-In Sheets

3.7. Introduction by Staff

3.8. Presentation by Applicant

3.9. Planning Commission questions or comments

3.10. Public Comment

3.11. Applicants Rebuttal

3.12. Planning Commission Discussion

3.13. Applicant Closing Statement

3.14. Conclusion of the Hearing

When the hearing is concluded, the Board will not hear further comments or questions during the meeting.

3.15. Decision: Close the Record or Keep the Record Open

3.16. Vote by Planning Commission

4. Approval or Correction of Minutes

4.1. Approval of minutes from the meeting on July 7, 2026.

5. Public Comment

6. Old Business

7. New Business

8. Staff Reports

9. Member Comments

10. Adjourn



TOWN OF LA PLATA
305 Queen Anne Street
Post Office Box 2268
La Plata, Maryland 20646

PLANNING COMMISSION STAFF REPORT

DATE: August 5, 2026

TO: Honorable Chair and Members of the Planning Commission

FROM: Don Dooley, Planning Director

PREPARED BY: Kenar Johnson, Senior Planner

APPLICATON NO.: Zoning Text Amendment (ZTA) 04-2026 – Accessory Dwelling Units

APPLICANT: Town of La Plata, Maryland

OWNER: N/A

PROJECT LOCATION: Town-wide

REQUEST: To amend Section 191-53(B)(1) of Chapter 191 (Zoning) of the La Plata Municipal Code pertaining to Accessory Dwelling Units (ADUs) to ensure compliance with recent changes to Maryland law governing accessory dwelling units.

BACKGROUND

During the 2025 legislative session, the Maryland General Assembly enacted House Bill 1466 / Senate Bill 891 establishing revised statewide requirements governing Accessory Dwelling Units (ADUs). The legislation limits the ability of local governments to regulate ADUs in a manner that conflicts with State law and requires local jurisdictions to revise their zoning regulations accordingly. Municipalities are required to adopt conforming amendments and codify the revised regulations no later than October 1, 2026.

The proposed amendments to Chapter 191, Section 191-53(B)(1), update the Town's existing ADU regulations to comply with these new State requirements while maintaining local design, development, and compatibility standards where permitted by law.

The Town Attorney has reviewed the proposed revisions to the Town's ADU ordinance and has determined that the draft amendments are legally sufficient as written.

Zoning Text Amendment (ZTA) 04-2026 – Town of La Plata, Maryland Planning Commission Meeting of August 5, 2026

In accordance with the Town's zoning text amendment procedures, the Planning Commission is required to conduct a public hearing prior to making a recommendation to the Town Council. A public hearing has been scheduled for the August 5, 2026, Planning Commission meeting. Following the public hearing, the Planning Commission will consider whether to recommend approval of Zoning Text Amendment 04-2026 to the Town Council for final review and adoption.

DISCUSSION

The proposed amendments update the Town's Accessory Dwelling Unit (ADU) Ordinance to comply with recent changes in State law while retaining key development standards that protect neighborhood character, public safety, and compatibility with surrounding residential areas.

The principal revisions to the Town's ADU Ordinance include the following:

Applicability

The Ordinance confirms that ADUs are permitted, with conditions, in the R21, R10, R8, R5, and R3 Zoning Districts, as well as on properties in any other zoning district that contain a legally established single-family detached dwelling unit. The proposed amendments remove the CBT (Central Business Transition) Zone from the list of districts where ADUs are allowed, reflecting that new single-family dwellings are not permitted in the CBT Zone under the Town's Zoning Code.

Minimum Lot Size

The existing requirement that an ADU be located on a lot containing at least 5,000 square feet has been removed in accordance with State law. There are no minimum lot size requirements.

Development Requirements

Proposed Section 191-53(B)(1)(a)(4) has been added to the Town's proposed ADU Ordinance update to clarify that an accessory dwelling unit must remain subordinate to the primary dwelling unit and may not exceed seventy-five percent (75%) of the primary dwelling's legal floor area, consistent with State requirements.

ADU Types

The ordinance clarifies that only one accessory dwelling unit (ADU) is permitted per lot and that the unit may be:

- Internal to the primary dwelling unit.
- Attached to the primary dwelling unit.
- Detached from the primary dwelling unit.

Zoning Text Amendment (ZTA) 04-2026 – Town of La Plata, Maryland Planning Commission Meeting of August 5, 2026

In alignment with recent changes to Maryland State law, the ordinance now explicitly recognizes internal ADUs. Attached and detached ADUs are already permitted under the Town's existing zoning regulations and are proposed to remain.

Owner Occupancy

The proposed amendments remove the requirement that the property owner occupy either the primary dwelling unit or the accessory dwelling unit. This change is required by State law as it prohibits local jurisdictions from requiring owner occupancy as a condition of approval for the development and use of an ADU.

Parking

The updated ordinance affirms that no off-street parking is required for an accessory dwelling unit unless otherwise authorized by applicable State law. However, staff has proffered a provision in the draft ordinance update to prohibit an ADU from eliminating or reducing the minimum required on-site parking for the existing, primary, dwelling unit on the property.

Development Standards

The updated ADU Ordinance includes the following development provisions that align with current State law:

- No detached ADU unit shall occupy any portion of the required front or side yard or be located within five (5) feet of any accessory structure, primary structure or lot line on the property where it is constructed. This provision is consistent with the setback requirements for an accessory structure under Section 191-42(C(2) of the La Plata Zoning Code. State law now requires ADUs to be afforded the same setbacks as an accessory structure.
- An ADU may not exceed the height of the primary dwelling unit on the property where it is constructed.
- Compliance with all applicable federal, State, and local health and safety regulations.
- An accessory dwelling unit shall provide complete living facilities for at least one (1) person.
- An ADU shall not be sold separately from the primary dwelling unit on the property and shall remain on the same lot as the primary dwelling unit.

Deed Restrictions

The proposed ordinance removes the requirement that a Use and Occupancy Permit will only remain valid while the owner resides on the property. Its elimination is consistent with the deletion of the owner-occupancy requirements under State law.

**Zoning Text Amendment (ZTA) 04-2026 – Town of La Plata, Maryland
Planning Commission Meeting of August 5, 2026**

Short-Term Rentals

Staff proposes adding language to clarify that short-term rentals are prohibited within ADUs. Although the Town does not have a standalone Short-Term Rental (STR) ordinance, STRs are not listed as a permitted land-use anywhere in the La Plata Zoning Code. Staff believes the intent of recent State legislation promoting the development of ADUs is to expand permanent housing opportunities and not to facilitate tourist accommodations, which are instead provided through hotels and motels permitted elsewhere in Town.

CONCLUSION

The proposed amendments update the Town's ADU Ordinance to comply with recent State legislation while maintaining appropriate local development standards. Staff and the Town Attorney find that the proposed Ordinance revisions satisfy the requirements of current Maryland Law.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached resolution recommending to the Town Council approval of Zoning Text Amendment 04-2026, as drafted.

ATTACHMENTS

1. Draft Planning Commission Resolution Recommending Approval of Zoning Text Amendment 04-2026
2. Draft Ordinance – Zoning Text Amendment 04-2026 (Accessory Dwelling Units)

-End of Report-

DRAFT

TOWN OF LA PLATA, MARYLAND PLANNING COMMISSION RESOLUTION NO. 2026-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LA PLATA, MARYLAND, RECOMMENDING TOWN COUNCIL APPROVAL OF ZONING TEXT AMENDMENT (ZTA) 04-2026 TO AMEND SECTION 191-53 (PERMITTED WITH CONDITIONS), ACCESSORY DWELLING UNITS (ADUs), IN CHAPTER 191 (ZONING) OF THE LA PLATA MUNICIPAL CODE TO COMPLY WITH RECENT CHANGES TO MARYLAND STATE LAW GOVERNING ACCESSORY DWELLING UNITS.

WHEREAS, an application for Zoning Text Amendment (ZTA) 04-2026 was initiated by the Town of La Plata for the purpose of amending Section 191-53 (Permitted with Conditions), Accessory Dwelling Units (ADUs), of Chapter 191 (Zoning) of the La Plata Municipal Code to ensure consistency with recent amendments to Maryland State Law governing Accessory Dwelling Units; and

WHEREAS, the Maryland General Assembly enacted legislation requiring local jurisdictions to amend their zoning regulations governing Accessory Dwelling Units and codify those amendments no later than October 1, 2026; and

WHEREAS, the proposed text amendments apply Town-wide to all zoning districts where Accessory Dwelling Units are permitted; and

WHEREAS, the Town Attorney has reviewed the proposed ordinance revisions and has determined that the draft amendments are legally sufficient as drafted; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Zoning Text Amendment (ZTA) 04-2026 on August 5, 2026, at which time the Commission received public testimony and reviewed all documents and information concerning the proposed text amendment, before closing the public hearing; and

WHEREAS, after reviewing and considering the entire public record concerning proposed Zoning Text Amendment (ZTA) 04-2026, the Planning Commission makes the following Comprehensive Plan findings:

2) **GOAL #24: Encourage a range of housing density, type, cost and size in new subdivisions to welcome a diverse population** in that, the revisions to the Town's accessory dwelling unit ordinance will help facilitate needed housing within the community by reducing regulatory barriers for its development.

NOW, THEREFORE, BE IT RESOLVED that the La Plata Planning Commission hereby recommends to the Town Council approval of the zoning text changes within

Draft Planning Commission Resolution 2026-____
Zoning Text Amendment (ZTA) 04-2026

Zoning Text Amendment 04-2026 as incorporated herein by reference and attached to this Resolution.

PASSED AND ADOPTED BY THE LA PLATA PLANNING COMMISSION on August 5, 2026, by the following vote:

Yes:

No:

Abstain:

Absent:

Dawn Banks, Planning Commission Chair

Attest:

Don Dooley, Director of Planning

Attachments:

1. Draft (Redline) Text Amendments to Chapter 191, Section 191-53(B)(1) – Accessory Dwelling Units (Zoning Text Amendment 04-2026).

Sec. 191-53. Permitted with conditions.

- A. Any use that is permitted with conditions is subject to the review procedures in Article II, site plans, except as specified in this section.
- B. Permitted with conditions use standards.

1. Accessory Dwelling Unit (ADU).

- a. This use is permitted with conditions in the R21, R10, R8, R5, R3, ~~and CBT~~ Zones and on properties in any other zone where a legally established single-family detached dwelling unit is present subject to the following criteria:

- (1) An accessory dwelling unit ~~must shall comply with the following:~~

~~(a) Be located on a lot that is five thousand (5,000) square feet or greater.~~

~~(b)~~(a) Relate to the design of the ~~principal~~ primary residence by use of the similar exterior wall materials, window types, door and window trims, roofing materials and roof pitch.

- (2) An accessory dwelling unit shall not be permitted on a lot without a ~~principal~~ primary structure already in place or to be constructed in conjunction with the accessory unit.

- (3) Only one (1) accessory dwelling unit ~~(attached or detached)~~ shall be allowed for each lot or parcel consistent with this Ordinance. The accessory dwelling unit may be:

(a) Internal to the primary dwelling unit.

(b) Attached to the primary dwelling unit.

(c) Detached from the primary dwelling unit.

- ~~(4)~~ An accessory dwelling unit shall remain subordinate to the primary dwelling unit on the property and shall not be constructed to exceed seventy-five percent (75%) of the legal floor area of the primary dwelling unit.

- ~~(4)5~~ Accessory dwelling units shall not be considered a separate primary dwelling unit for purposes of calculating residential density.

- ~~(6)~~ Ownership requirements:

~~(a)~~ The owner of a lot on which an accessory dwelling unit is located must shall not be required to reside on-site. in one (1) of the dwelling units.

~~(b)~~ An accessory dwelling unit shall not be sold separately from the primary dwelling unit and shall remain on the same lot as the primary dwelling.

- ~~(5)7~~ Development requirements:

~~(a)~~ An external entrance for an accessory dwelling unit shall not face an adjoining residential property unless the unit is accessible from an alley or public street.

~~(b)~~ Windows which face an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping shall be required to provide screening.

~~(c)~~ No detached accessory dwelling unit shall occupy any portion of the required front or side yard or be located within five (5) feet of any accessory structure, primary structure or lot line.

Commented [DD1]: The CBT zone is being eliminated as new single family dwelling units are not permitted in this zone.

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Commented [DD3]: This provision is consistent with the setback requirements for an accessory structure under Section 191-42C(2) of the La Plata Zoning Code. State law now requires accessory dwelling units (ADUs) to be afforded the same setbacks as an accessory structure.

(d) An attached accessory dwelling unit shall comply with all applicable front, side and rear setback requirements of the underlying zoning district where it is developed.

(e) An accessory dwelling unit shall not exceed the height of the primary dwelling.

Commented [DD4]: Staff added provision.

(f) An accessory dwelling unit shall provide complete living facilities for at least one (1) person. These facilities shall include water, sanitation, cooking facilities, dining and sleeping space.

(g) No additional off-street parking shall be required for an accessory dwelling unit unless otherwise authorized under applicable State law. However, an accessory dwelling unit shall not compromise or force the elimination of the minimum required on-site parking for the existing primary dwelling unit on the property on which the accessory dwelling unit is developed. It

Commented [DD5]: The second sentence is added by Staff.

(h) Accessory dwelling units shall comply with all applicable federal, state, and local health, safety and welfare regulations.

Commented [DD6]: Staff added provision.

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(6) Deed restrictions.

(a) Before obtaining a building permit for an accessory dwelling unit the property owner shall file with the land records of Charles County a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:

[1] The accessory unit shall not be sold separately.

[2] The unit is restricted to the approved size.

~~[3] The use and occupancy permit for the accessory unit shall be in effect only so long as either the principal structure, or the accessory unit, is occupied by the owner of record of the principal structure.~~

[43] The declarations are binding upon any successor in ownership of the property and lack of compliance shall be cause for code enforcement, and/or revoking the use and occupancy permit.

(b) The deed restrictions shall lapse upon removal of the accessory unit.

(7) Short-term rental

(a) No existing or new accessory dwelling unit may be used for the purpose of a short-term rental.

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Commented [DD7]: Staff added this language since no on-site parking is required for ADUs and Short-term rentals can result in multiple cars needing parking spaces. STRs also have a tendency to undermine the occupancy levels of established hotels and motels in communities.

2. Automated teller machine (ATM).

a. This use is permitted with conditions in the R21, R10, R8, R5, and R3 Zones subject to the following criteria:

(1) Location requirements. An outdoor ATM shall be:

(a) Associated with a commercial use in the zone.

(b) Set back from an adjacent street curb by a minimum of eight (8) feet;

(c) Located a minimum of thirty (30) feet from any property line corner at a street intersection;

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Charles County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "NOTICE - TC-PH-ZTA-04-2026 ..." was published in the:

Southern Maryland News 07/17/26
Southern Maryland News 07/24/26



Orestes Baez
President & Publisher

NOTICE OF PUBLIC HEARING PLANNING COMMISSION OF THE TOWN OF LA PLATA August 5, 2026 The Planning Commission of the Town of La Plata will hold a public hearing on August 5, 2026, at 6:00 PM, or as soon thereafter as possible, at La Plata Town Hall (305 Queen Anne St.) for the purpose of hearing public comment on the following: Zoning Text Amendment (ZTA) 04-2026 Applicant: Town of La Plata, Maryland Project Description: To amend Section 191.53 (B)(1) (Accessory Dwelling Units (ADU)) in Article VI (Zoning Regulations) of the La Plata Municipal Code for the purpose of revising the regulatory provisions for Accessory Dwelling Units to comply with recent revisions to Maryland State law. At the public hearing all interested parties and citizens will have an opportunity to be heard. Accommodation for persons with disabilities will be made upon request. Copies of the proposed application are available for review at Town Hall by appointment or online at https://laplatamd.portal.civicclerk.com/ You may contact Kenar Johnson by email at kjohnson@townoflaplata.org or phone at (240) 410- 1203 for additional information. Don Dooley Director of Planning 3108875 IN 7/17,7/24/2026
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TOWN OF LA PLATA
Planning Commission Minutes

July 7, 2026, 6:00 PM

Regular Meeting

Council Chambers, La Plata Town Hall

305 Queen Anne St.

La Plata MD

PRESENT: Vice Chair Jill Hudnell
Kyle Miller
Emily Whale
Benjamin Ford

ABSENT: Chair Dawn Banks
Councilman Paul Guttenberg

TOWN STAFF: Don Dooley, Director of Planning
Shelby E. Pritchett, Town Clerk

GUESTS:

1. Call to Order

- 1.1. Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk and meetings will be recorded.

In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. At their discretion, the Planning Commission may allow participants to voice questions or provide comments on the topics under discussion. Written comments may be submitted via e-mail to Legislative@townoflaplata.org. Members of the public wishing to address the Planning Commission in person may sign up in advance via the [town webpage](#) or upon arrival at the Council Chamber.

[Join the meeting now](#)

Meeting ID: 228 255 787 294 15

Passcode: t729yv36

(Calendar Year 2026)

1.2. Call to Order

Vice Chair Hudnell called the meeting to order at 6:00 PM.

2. Roll Call and Quorum Verification

The Town Clerk conducted Roll Call. Vice Chair Hudnell served as interim Chair in the absence of Chair Banks. Commissioner Ford served as a full voting member in the absence of the Council Liaison, Councilman Guttenberg.

3. Pledge of Allegiance

Commissioner Whale led all assembled in the Pledge of Allegiance.

4. Ex Parte Disclosure

There were no ex parte disclosures.

5. Approval of Minutes

5.1. Approval of minutes from the meeting on June 02, 2026.

Commissioner Whale moved to approve the minutes as presented.

Moved By: Emily Whale, seconded by Kyle Miller.

Ayes: Miller, Whale, Ford

Nays: None

Abstained: Vice Chair Jill Hudnell

Absent: Chair Banks, Councilman Guttenberg

Passed

6. Matters of Discussion

6.1. Zoning Text Amendment (ZTA) 03-2026 Proposed Water Conservation Ordinance

Director Dooley gave a brief overview of the proposed Zoning Text Amendment (ZTA 03-2026) to develop a water conservation ordinance. Director Dooley asked for nominees to a subcommittee addressing ZTA 03-2026; Commissioner Whale and Commissioner Miller volunteered. Director Dooley addressed feedback and questions from the Planning Commission on ZTA 03-2026.

6.2. Reschedule the Planning Commission meeting on August 4, 2026.

The Planning Commission reached a consensus to proceed with Wednesday, August 5th, as the next scheduled Planning Commission Meeting.

7. Public Comment

No public speakers were present at this meeting.

8. Matters of Information

8.1. Staff Report

Director Dooley gave a brief staff report and addressed questions from Commissioner Ford on topics of the La Plata High School Project and potential water drainage projects.

8.2. Town Council Report

Due to Councilman Guttenberg's absence, no report was given.

9. Adjourn

9.1. Adjournment

Vice Chair Hudnell adjourned the meeting at 6:49 PM.

Submitted by:

Shelby Pritchett, Town Clerk