

Article XIII Amendments
Bay Act Resiliency Provisions
Zoning Text Amendment #2025-00007

Planning Commission Meeting

September 4, 2025



Agenda



- 1. Summary
- 2. Background
- 3. Additional Context
- 4. Key Takeaways
- 5. Outreach
- 6. Discussion and Recommendation



Summary

Request

 Approval of text amendments to revise Sections of Article XIII to align with State-mandated Chesapeake Bay Preservation Act resiliency provisions.

Planning Commission Action

 Recommend approval to adopt proposed amendments to Article XIII to incorporate these requirements.

Key Elements of the Discussion

- Brings local zoning ordinance into compliance with 2020–2021 State law changes.
- Integrates analysis of 30-year storm surge, flooding, and sea level rise modeling into Resource Protection Area (RPA) review.
- Adds definitions, resiliency assessment requirements, and clarifies adaptation measure requirements, if applicable.



Background Information

- State law now requires changes to address climate adaptation for development and redevelopment in an RPA.
- Developer must use state-approved models for sea level rise and storm surges to assess vulnerability of future risk on a 30-year time horizon.
- If assessed as vulnerable, adaptation measures may be required in the RPA.



Additional Context

- Sec. 13-103 Definitions. Adaptation Measures, Mature Trees, Naturebased solution, Storm Surge.
- Sec. 13-107 Development, redevelop, and uses permitted in RPA. New section with adaptation measures now allowed in the RPA.
- Sec. 13-117 Water quality impact assessment.
 Must include resiliency assessment and adaptation measures, if applicable, in the Water Quality Impact Assessment (WQIA).

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- Required by the State
- Staff reviews and approves
- New projects must comply



- Met with NAIOP (developer and consultant reps) on the following: 4/16/2025, 5/21/2025, 6/18/2025, & 7/16/2025.
- Future planned NAIOP meetings: 9/17/2025
 & 10/15/2025
- Meetings focused on assessment requirements, example of model usage, and example of compliant adaptation measures.



Staff recommends adoption of Zoning Text Amendment #2025-00007

