



Worcester County Rezoning Application Guide

A rezoning request, also known as a **map amendment**, is a formal request to change the zoning classification of a specific property.

❖ When Can I Submit a Rezoning Application?

Rezoning applications are accepted only during the following filing periods:

- **January 1 – January 31**
- **May 1 – May 31**
- **September 1 – September 30**

Applications submitted outside of these filing periods will not be processed until the next filing period.

❖ Where Do I Submit My Application?

Applications for a zoning map amendment must be filed with the **Department of Development, Review and Permitting**. The required filing fee must be submitted with the application. Supplemental information may be provided with the application to support your request.

❖ What Happens After I Submit My Application?

Once an application is officially filed, the rezoning process generally follows these steps:

1. Application Submission: The property owner or their authorized attorney submits the required application forms, maps, justification statement, supporting documentation, and applicable fees.

2. Staff Review: County staff reviews the application, distributes it to affected agencies for comment, and prepares a staff report.

3. Planning Commission Review: Staff coordinates with the applicant to schedule the request for consideration by the Planning Commission. The Planning Commission reviews the application, hears testimony from the applicant and other interested parties, and makes findings of fact before providing a recommendation—favorable or unfavorable—to the County Commissioners.

The Planning Commission must submit its recommendation and supporting information to the County Commissioners **within 90 days of its decision**, unless the County Commissioners grant an extension.

4. Request to Schedule a Public Hearing: Staff forwards the Planning Commission's recommendation to the County Commissioners and requests that an advertised public hearing be scheduled.

5. County Commissioners' Public Hearing: At the public hearing, County staff introduces the requested rezoning. The Commissioners then receive public comment and discuss the request before making findings of fact in support of or opposition to the rezoning.

6. Findings of Fact and Resolution: Staff prepares draft Findings of Fact and a Resolution for consideration at a future County Commissioners' meeting. Once adopted, the documents are signed and mailed to the applicant and any interested parties. Final decisions may be appealed to the Circuit Court within **30 days of the mailing of the Findings of Fact.**

❖ **What Do the County Commissioners Consider?**

When considering a rezoning request, the County Commissioners must make findings of fact.

Factors considered include, but are not limited to:

- Population change;
- Availability of public facilities;
- Present and future transportation patterns;
- Compatibility with existing and proposed development;
- Existing environmental conditions;
- Potential impacts on waters included on the State's Impaired Waters List or waters subject to a Total Maximum Daily Load (TMDL) requirement;
- The recommendation of the Planning Commission; and
- Compatibility with the **Worcester County Comprehensive Plan.**

❖ **What Is the "Change or Mistake Rule"?**

For a property to be rezoned, the applicant must establish the basis required under Maryland law and the County's Zoning Code. Generally, the County Commissioners may approve a map amendment when the evidence demonstrates either:

- **A substantial change in the character of the neighborhood:** There has been a substantial change in the character of the neighborhood since the property was last zoned;
or
- **A mistake in the existing zoning classification:** There was a mistake in the property's existing zoning classification, and changing the zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

Important: Demonstrating a change or mistake does not automatically mean the property will be rezoned. The County Commissioners must still consider the applicable factors and determine whether the requested zoning is appropriate.

❖ **Are There Restrictions on Reapplying After a Denial?**

Yes. A new map amendment application generally **cannot be accepted for filing within 12 months after the County Commissioners deny a rezoning request** involving all or part of the same property. The 12-month period is measured from the date of the County Commissioners' vote of denial.

Exceptions

The County Commissioners may:

- Grant a reasonable continuance for good cause; or
- Allow an applicant to withdraw an application.

However, if an application is withdrawn **after the notice of public hearing has been published**, the property generally cannot be the subject of another rezoning application for **12 months from the date of withdrawal**. The County Commissioners may, by formal resolution, determine that this 12-month restriction will not apply.

Before You Apply:

- ☐ Confirm the property's current zoning classification.
- ☐ Review the Worcester County Zoning Code.
- ☐ Review the Worcester County Comprehensive Plan and applicable Land Use Map.
- ☐ Review the requirements for demonstrating a change or mistake.
- ☐ Prepare all required application materials and supporting documentation.
- ☐ Submit the application during an authorized filing period.
- ☐ Include the required filing fee.

How Do I Submit My Application?

Completed rezoning applications may be submitted to the Department of Development, Review and Permitting by mail or email. The required filing fee must accompany the application.

By Email:

jkkeener@worcestermd.gov

By Mail:

Worcester County Government
Department of Development, Review and
Permitting
C/O Jennifer Keener
One West Market Street, Room 1201
Snow Hill, MD 21863

For questions regarding the rezoning application or process, please contact:

Jennifer K. Keener, AICP

Director

Dept. of Development, Review and Permitting

Phone: 410-632-1200, ext. 1123

Email: jkkeener@worcestermd.gov