

Pertaining to the Amendments of the Calvert County Zoning Ordinance;
**RE: Proposed to Permit Assisted Living Facilities and Group Homes in the
Employment Center District**
(Text Amendment Case No.20-03)

WHEREAS, Title 4 of the *Land Use Article* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners of Calvert County, Maryland (the “Board of County Commissioners”) to enact a Zoning Ordinance to promote the health, safety and welfare of the citizens of Calvert County, and to provide for its administration, enforcement and amendment;

WHEREAS, by Ordinance 35-06, the Board of County Commissioners of Calvert County, Maryland has heretofore adopted the Calvert County Zoning Ordinance;

WHEREAS, after study and evaluation, the Calvert County Department of Planning & Zoning recommended to the Planning Commission and the Board of County Commissioners text amendments to the Calvert County Zoning Ordinance (“CCZO”);

WHEREAS, after due notice was published, the Board of County Commissioners and the Planning Commission of Calvert County, Maryland (hereinafter, the “Planning Commission”) conducted a joint public hearing on December 9, 2020, at which time the proposed amendments were discussed, staff’s recommendations were considered, and public comment was solicited;

WHEREAS, at the conclusion of said public hearing the Planning Commission voted to recommend adoption of the amendments and conveyed its recommendation to the Board of County Commissioners by resolution; and

WHEREAS, after considering the staff report, testimony presented at the public hearing regarding the proposed text amendments, and the recommendation of the Planning Commission, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland determined it is in the best interest of the citizens of the County to enact the text amendments to the Calvert County Zoning Ordinance as set forth in Exhibit A, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, amended by adopting the text amendments as shown in attached Exhibit A hereto and made a part hereof.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance or the Calvert County Zoning Ordinance, are found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

RE: Text Amendment Case No. 20-03
RE: Proposed to Permit Assisted Living Facilities and
Group Homes in Employment Center District

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective upon recordation and without publication of a fair summary, but not sooner than ten (10) days following adoption.

DONE, this 9th day of December 2020 by the Board of County Commissioners of Calvert County, Maryland.

Aye:	<u>4</u>
Nay:	<u>0</u>
Absent/Abstain:	<u>1</u>

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**

Rachel M Distel
Rachel M. Distel, Clerk

Kelly D. McConkey
Kelly D. McConkey, President

Approved for form and legal
sufficiency by:

Mike Hart
Mike Hart, Vice-President

Earl F. Hance
Earl F. Hance

John B. Norris, III
John B. Norris, III, County Attorney

Thomas E. Hutchins
Thomas E. "Tim" Hutchins

Received for Record.....12/21....., 2020 Steven R. Weems
 at.....2:21.....o'clock.....P.....M. Same day
 recorded in Liber KPS No. 62
 Folio...341..... COUNTY COMMISSIONERS
 ORDINANCES AND RESOLUTION

Garry P. Smith

Text Amendment 20-3

USE #	3-1.03. Residential Uses & Definitions(<i>in italics</i>)	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
2.	Assisted Living Facility (9/22/09) <i>A group home with more than 16 residents that provides housing and supportive services, including health related services, in a home like environment.</i>			SC							C	<ol style="list-style-type: none"> 1. The facility shall be operated in accordance with all applicable State and Federal requirements, and 2. Site plan approval shall be obtained in accordance with Article 6, <u>Non-Residential Development Requirements</u>.

USE #	3-1.03. Residential Uses & Definitions(<i>in italics</i>)	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
6.	Group Home (9/22/09) <i>A community based living facility offering a family or home like environment for up to 16 residents for people who need assistance or care in some form (e.g. seniors, disabled, etc.).</i>	C	C	C			C		C		C	<ol style="list-style-type: none"> 1. No more than 16 residents reside on the premises, excluding the owner and/or employees; and 2. No separate kitchens shall be provided; and 3. Health Department approval shall be obtained for the number of bedrooms in use in the residence.

BK 0062 PG 0343