

**PERTAINING TO THE AMENDMENTS OF THE CALVERT COUNTY ZONING
ORDINANCE AND THE PRINCE FREDERICK TOWN CENTER ZONING
ORDINANCE (CALVERT COUNTY ZONING ORDINANCE ARTICLE 3, LAND
USE CHARTS AND 3-2.04A PRINCE FREDERICK TOWN CENTER
CONDITIONAL USES)**

RE: Proposed Changes to Land Use and Land Use Conditions

(Text Amendment Case No.21-01b)

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”), Article 3- Land Use Charts and 3-2.04A. Prince Frederick Town Center Conditional Uses;

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 April 28, 2022, 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 closed its record and passed a motion regarding the 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.

BK0068PG0124

Ordinance No. 17-22

RE: Text Amendment Case No. 21-01b
Amendments to the Calvert County Zoning Ordinance
and the Prince Frederick Town Center Zoning Ordinance
RE: Proposed Changes to Land Use and Land Use Conditions

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, the CCZO, Article 3- Land Use Charts and 3-2.04A. Prince Frederick Town Center Conditional Uses **BE**, and hereby **IS**, amended by adopting the text amendments as shown in attached Exhibit A hereto and made a part hereof (Exhibit B depicts the amendments as they will actually appear in the Zoning Ordinance).

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, is 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.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective for all new applications and projects that have not been submitted for site plan or subdivision review, following recordation, without publication of a fair summary, but not sooner than ten (10) days following adoption.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that any development grandfathered under the prior regulations by the foregoing shall remain vested for so long as such development application(s) shall remain valid, and not expired, pursuant to the applicable provisions of the Calvert County Zoning Ordinance as currently in effect.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that any development grandfathered under the prior regulations by the foregoing, but for which application expires shall be subject to the amendment adopted hereby.

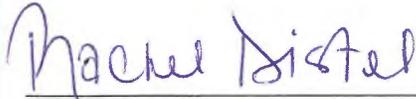
DONE, this 28th day of April, 2022, by the Board of County Commissioners of Calvert County, Maryland.

Aye: _____
Nay: _____
Absent/Abstain: _____

RE: Text Amendment Case No. 21-01b
Amendments to the Calvert County Zoning Ordinance
and the Prince Frederick Town Center Zoning Ordinance
RE: Proposed Changes to Land Use and Land Use Conditions

ATTEST:

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



Rachel Distel, Clerk



Earl F. Hance, President



Steven R. Weems, Vice-President

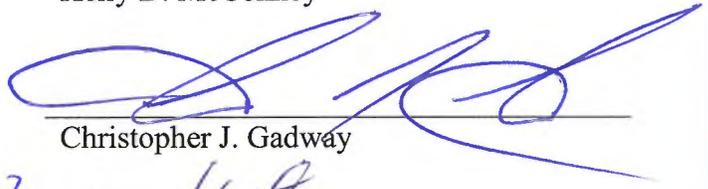
Approved for form and legal
sufficiency by:



Kelly D. McConkey



John B. Norris, III, County Attorney



Christopher J. Gadway

Received for Record May 9 2022
at 11:59 o'clock A.M. Same day
recorded in Liber KPS No. 68
Folio 123-133 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.



Mike Hart



Text Amendment Case #21-01b

Amendments to Prince Frederick Town Center
Land Uses and revisions to Land Use
Conditions.

Black font – existing ordinance language

Red font – proposed ordinance language

~~Black Strikethrough~~ – existing ordinance language to be
removed

Calvert County Zoning Ordinance: Article 3 – Land Use Charts

Exhibit A

PRINCE FREDERICK TOWN CENTER									
USE #	3-2.04 PRINCE FREDERICK TABLE OF LAND USES - RESIDENTIAL	OLD TOWN	OLD TOWN RESIDENTIAL	OLD TOWN TRANSITIONAL	FAIR-GROUND	ENTRY	VILLAGE	NEW TOWN	FOREST
1.	Apartment, Accessory	C	C	C	C	C	C	C	C
2.	Apartment, Accessory for Resident Watchman/Caretaker								
3.	Apartment, Attached to a Business (3/25/08)								
4.	Assisted Living Facility	P	P	P	P	P	P	P	P
5.	Bed & Breakfast Facility with up to 2 Bedrooms in Use	C	C	C	C	C	C	C	C
6.	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use	C	C	C	C	C	C	C	C
7.	Boarding House	C	C	C	C	C	C	C	C
8.	Dwelling, Attached (Duplex, Triplex, Fourplex and Townhouse)	P		P	C	C	PC	C	C
9.	Dwelling, Attached: Multi-family			C	C	C	PC	C	C
10.	Dwelling, Single Family Detached	C	C	C	C	C	C	C	C
11.	Group Home	P	P	P	P	P	P	P	P
12.	Liveboards								
13.	Lodgers in Residence (no more than 3)	P	P	P	P	P	P	P	P
14.	Manufactured Home Community								C
15.	Manufactured Home for Resident Watchman/Caretaker								
16.	Manufactured Home on Individual Lot								
17.	Manufactured Home or Recreational Vehicle (Emergency)	C	C	C	C	C	C	C	C
18.	Manufactured Home Subdivision								C
19.	Manufactured Home, Farm			C	C	C	C	C	C
20.	Tenant House		C	C	C	C	C	C	C
21.	Tenant Houses, Additional (no more than 2 additional)			SC	SC	SC	SC	SC	SC

3-2.04.A Prince Frederick Town Center Conditional Uses

The following are conditions imposed upon land uses indicated in Section 3-2.04, Table of Land Uses. If a use is listed as conditional in the Land Use Tables (indicated by a 'C' or an 'SC'), and no conditions are listed below, the conditions listed in Section 3-1 of the Calvert County Zoning Ordinance (CCZO) apply. The conditions listed below are unique to the Prince Frederick Town Center. Note: This section of the Prince Frederick Town Center Zoning Ordinance has been renumbered for consistency with the Calvert County Zoning Ordinance.

- Agricultural Use #15 Farm Stand – See CCZO for conditions.
- Agricultural Use #27 Veterinary Hospital or Clinic, Small Animals or Household Pets – See CCZO for conditions
- Residential Use #1 Apartment, Accessory – See CCZO for conditions.
- Residential Use #5 Bed & Breakfast Facility with up to 2 Bedrooms in Use – See CCZO for conditions.
- Residential Use #6 Bed & Breakfast Facility with 3 to 5 Bedrooms in Use – See CCZO for conditions.
- Residential Use #7 Boarding House, provided that the following conditions are met:
1. An owner lives on the premises,
 2. The facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used,
 3. No separate kitchens are provided,
 4. Adequate off-street parking is provided,
 5. Fire Marshall and Health Department approvals are obtained, and
 6. An Occupancy Permit for such use is obtained.
- Residential Use #8 Dwelling, Attached (Duplex, Triplex, Fourplex and Townhouse):
1. In Fairgrounds District, provided that at least 40 percent of the units on the site are single family detached dwellings.
 2. In Entry District, ~~and Village District~~ and New Town District provided that at least 50 percent of the site is reserved for commercial, office or industrial use.¹
 3. In Forest District provided that dwelling units are part of a comprehensively designed community where 30 percent of the dwelling units are single family detached, 30 percent are single-family attached and 30 percent are multifamily. The remaining 10 percent may be any of the above. The Planning Commission may waive this requirement if it can be demonstrated that the proposed development will contribute to a housing mix within the Town Center as a whole that is roughly equal to the required housing mix on the site.
- Residential Use #9 Dwelling, Attached: Multi-Family:
1. In Entry District, ~~Village District~~ and New Town District provided that at least 50 percent of the site is reserved for commercial, office or industrial use.¹
 2. In Old Town Transition District provided that:
 - a. at least 50 percent of the site is reserved for commercial or office use (~~see footnote 1~~), and
 - b. the site is immediately adjacent to Route 2/4 or Dares Beach Road.¹
 3. In Fairgrounds District provided that no more than 20 percent of the dwelling units on the site are multi-family dwellings.
 4. In Forest District, provided that dwelling units are part of a comprehensively designed community where 30 percent of the dwelling units are single family detached, 30 percent are single-family attached and 30 percent are multifamily. The remaining 10 percent may be any of the above. The Planning Commission may waive this requirement if it can be demonstrated that the proposed development will contribute to a housing mix within the Town Center as a whole that is roughly equal to the required housing mix on the site.
- Residential Use #10 Dwelling, Single-family Detached:
1. ~~In Old Town District, Old Town Residential District, Fairgrounds District, Village District and Old Town Transition District provided that at least 50 percent of the length of the building is 20 feet wide, excluding porches.~~

- ~~2.4~~ In Entry District, **Village District** and New Town District provided that: **at least 50% of the site is reserved for commercial, office or industrial use.**¹
- ~~a.~~ At least 50 percent of the site is reserved for commercial, office or industrial use¹ and
 - ~~b.~~ At least 50 percent of the length of the building is 20 feet wide, excluding porches.
- ~~3.2.~~ In Forest District, provided that: **dwelling units are part of a comprehensively designed community where 30 percent of the dwelling units are single family detached, 30 percent are single-family attached and 30 percent are multifamily. The remaining 10 percent may be any of the above. The Planning Commission may waive this requirement if it can be demonstrated that the proposed development will contribute to a housing mix within the Town Center as a whole that is roughly equal to the required housing mix on the site.**
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 - ~~b.~~ at least 50 percent of the length of the building is 20 feet wide, excluding porches.

~~1 The requirement that at least 50 percent of the site be reserved for commercial office or industrial use may be waived if the Planning Commission determines that the site is not suitable for commercial use as measured in terms of generally recognized marketing standards. Those standards include visibility, accessibility, potential site development costs, and neighboring uses.~~

¹ The Planning Commission may flex the percentage ratio of the required condition to a minimum of 40 percent commercial if it can be demonstrated that the proposed development will either contribute comprehensively to a housing mix within the Town Center or contribute to a true integrated mixed use including but not limited to residential, commercial, office or industrial uses.

Text Amendment Case #21-01b

Amendments to Prince Frederick Town Center
Land Uses and revisions to Land Use
Conditions.

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18.	Manufactured Home Subdivision								C
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