

RE: Text Amendment Case No. 19-01  
Amendments to the Calvert County Zoning Ordinance  
RE: Proposed to Permit Sales of All-Terrain and Recreational Vehicles  
in the Light Industrial (I-1) Zoning District

Page 1 of 2

Pertaining to the Amendments of the Calvert County Zoning Ordinance  
(Calvert County Zoning Ordinance, Article 3 Land Use Charts;  
Section 3-1.08, Motor Vehicle & Related Service Uses and Definitions,  
Use #10 Motor Vehicle Dealership – New or Used and Article 12 Definitions)  
**RE: Proposed to Permit Sales of All-Terrain and Recreational Vehicles**  
**in the Light Industrial (I-1) Zoning District**  
(Text Amendment Case No.19-01)

**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; Section 3-1.08, Motor Vehicle & Related Service Uses and Definitions, Use #10 Motor Vehicle Dealership – New or Used and Article 12 Definitions;

**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 June 4, 2019, 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, Article 3 Land Use Charts; Section 3-1.08, Motor Vehicle & Related Service Uses and Definitions, Use #10 Motor Vehicle Dealership – New or Used, and Article 12 Definitions, of the CCZO **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).

BK 0058PG 0258

RE: Text Amendment Case No. 19-01  
Amendments to the Calvert County Zoning Ordinance  
RE: Proposed to Permit Sales of All-Terrain and Recreational Vehicles  
in the Light Industrial (I-1) Zoning District

**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.

**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 4<sup>th</sup> day of June, 2019 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 4  
Nay: 0  
Absent/Abstain: Hart

ATTEST:

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

Karen S. Phelps  
Karen Snyder Phelps, Clerk

Thomas E. Hutchins  
Thomas E. Hutchins, President

Approved for form and legal  
sufficiency by:

Kelly D. McConkey  
Kelly D. McConkey, Vice-President

Earl F. Hance  
Earl F. Hance

John B. Naisid III County Attorney 20.....  
1:03 o'clock..... M. Same day

Mike Hart  
Mike Hart

Recorded in Liber KPS No. 58  
File No. 257 COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

Steven R. Weems  
Steven R. Weems

Garry P. Smith

EXHIBIT A

**Calvert County Zoning Ordinance: Article 3 – Land Use Charts**

USE #	3-1.08 MOTOR VEHICLE & RELATED SERVICE USES & DEFINITIONS <i>(in italics)</i>	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
10.	<p>Motor Vehicle Dealership - New or Used (9/22/09)</p> <p><i>The use of any building, land area or other premise for the sale of new or used, motor vehicles, watercraft, <b>all-terrain</b> or recreational vehicles and/or their display for sale. The use of any single property to sell or offer for sale three or more motor vehicles during any 12-month period is considered a Motor Vehicle Dealership.</i></p>							C				<b>In the I-1 District, sales are restricted to watercraft, all-terrain and recreational vehicles only.</b>

BK0058P60259

**Calvert County Zoning Ordinance: Article 12 - Definitions**

<b><u>Term</u></b> (Date of Amendment)	<b><u>Definition</u></b>
<b>All-Terrain Vehicle</b>	<b>As defined by <u>Maryland Annotated Code, Transportation Article, Section 11-103.3</u>, as amended from time to time.</b>
Motor Vehicle Dealership - New or Used	The use of any building, land area or other premise for the sale of new or used motor vehicles, watercraft, <b>all-terrain</b> or recreational vehicles and/or their display for sale. The use of any single property to sell or offer for sale three or more motor vehicles during any 12-month period is considered a Motor Vehicle Dealership.

**EXHIBIT B**

**Calvert County Zoning Ordinance: Article 3 – Land Use Charts**

USE #	3-1.08 MOTOR VEHICLE & RELATED SERVICE USES & DEFINITIONS <i>(in italics)</i>	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
10.	<p>Motor Vehicle Dealership - New or Used (9/22/09)</p> <p><i>The use of any building, land area or other premise for the sale of new or used, motor vehicles, watercraft, all-terrain or recreational vehicles and/or their display for sale. The use of any single property to sell or offer for sale three or more motor vehicles during any 12-month period is considered a Motor Vehicle Dealership.</i></p>							C				<p>In the I-1 District, sales are restricted to watercraft, all-terrain and recreational vehicles only.</p>

BK 0058PG0261

BK0058PG0262

**Calvert County Zoning Ordinance: Article 12 - Definitions**

<b><u>Term</u></b> (Date of Amendment)	<b><u>Definition</u></b>
All-Terrain Vehicle	As defined by <u>Maryland Annotated Code</u> , <i>Transportation Article</i> , Section 11-103.3, as amended from time to time.
Motor Vehicle Dealership - New or Used	The use of any building, land area or other premise for the sale of new or used motor vehicles, watercraft, all-terrain or recreational vehicles and/or their display for sale. The use of any single property to sell or offer for sale three or more motor vehicles during any 12-month period is considered a Motor Vehicle Dealership.