

ORDINANCE NO. 27-12

Pertaining to the Amendment of the Lusby Town Center Zoning Ordinance
(Table of Land Uses-Agricultural, Use #27)

**RE: VETERINARY HOSPITALS & CLINICS FOR SMALL ANIMALS &
HOUSEHOLD PETS**

(Text Amendment Case No. 11-3d)

WHEREAS, *Article 66B* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners of Calvert County, Maryland 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; and

WHEREAS, pursuant to that authority, the Board of County Commissioners of Calvert County, Maryland has heretofore adopted the Lusby Town Center Zoning Ordinance; and

WHEREAS, after study and evaluation, the Department of Planning and Zoning of Calvert County recommended to the Planning Commission and the Board of County Commissioners an amendment to Use #27 of the Table of Land Uses-Agricultural in the Lusby Town Center Zoning Ordinance to make Veterinary Hospitals and Clinics for Small Animals and Household Pets a Conditional Use subject to the conditions of the Calvert County Zoning Ordinance; and

WHEREAS, after due notice was published, the Planning Commission of Calvert County conducted a public hearing on September 21, 2011, at which time the proposed amendments were discussed, staff's recommendations were considered, and public comment was solicited; and

WHEREAS, at the conclusion of said public hearing the Planning Commission voted to recommend approval of the amendments as proposed; and

WHEREAS, the Planning Commission conveyed its recommendation to the Board of County Commissioners by letter dated September 21, 2011; and

WHEREAS, after due notice was published, the Board of County Commissioners of Calvert County, Maryland conducted a public hearing on September 27, 2011, at which time the proposed amendments were discussed, staff's recommendations were considered, and public comment was solicited; and

WHEREAS, after considering the evidence which had been 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 Lusby Town Center Zoning Ordinance as set forth in Exhibits A and B, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland, that Use #27 of the Table of Land Uses- Agricultural in the Lusby Town Center Zoning Ordinance **BE**, and hereby **IS**, amended as shown in attached Exhibit A (Exhibit B depicts the amendments as they will actually appear in the Zoning Ordinance); and

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland, that Use #27 of the Table of Land Uses- Agricultural in the Lusby Town Center Zoning Ordinance **BE**, and hereby **IS**, amended by adopting amendments to the Lusby Town Center Zoning Ordinance as set forth in Exhibit "A" hereto and hereby incorporated by reference such that the effect of such revisions is as reflected in Exhibit "B" hereto and hereby incorporated by reference; and

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance or the Lusby Town Center 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 RESOLVED AND 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 RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective upon recordation.

DONE, this 1 day of May, 2012 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 4
Nay: 0
Absent/Abstain: Commissioner SLAUGHENHOUP

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND

Corinne J. Cook
Corinne J. Cook, Clerk

Gerald W. Clark
Gerald W. Clark, President

Approved for legal sufficiency on Apr 19, 2012

Steven R. Weems
Steven R. Weems, Vice-President

by:

Pat Nutter
Pat Nutter

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

Susan Shaw
Susan Shaw

Evan K. Slaughenhoupt Jr.
Evan K. Slaughenhoupt Jr.

Received for Record May 4 2012
at 9:00 o'clock A M. Same day
recorded in Liber KPS No. 40
Folio 71 COUNTY COMMISSIONERS
ORDINANCE RESOLUTION.

John P. Smith

BK0004016074

LUSBY TOWN CENTER						
USE #	LUSBY TABLE OF LAND USES - AGRICULTURAL	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Animal Husbandry					
2.	Aquaculture, Freshwater and Land-based					
3.	Aquaculture, Marine/Estuarine					
4.	Commercial Greenhouse, Retail					P
5.	Commercial Greenhouse, Wholesale					P
6.	Commercial Kennel, with indoor facilities only					
7.	Commercial Kennel, with outdoor facilities					
8.	Commercial or Non-Profit Stable or Horseback-Riding Club					
9.	Commercial Raising of Dangerous or Wild Animals					
10.	Commercial Raising of Fur-bearing Animals					
11.	Farm					P
12.	Farm Brewery					
13.	Farm Building					
14.	Farm Distillery					
15.	Farm Stand					C
16.	Farm Winery					
17.	Field Crops					P
18.	Forest Product Processing					
19.	Garden Center or Farm Supply Store, 75,000 sq. ft.		C	C		
20.	Garden Center or Farm Supply Store, less than 75,000 sq. ft.		P	P		
21.	Livestock Auction and/or Sales Barn, Commercial					
22.	Livestock Auction by a Non-Profit Organization or Farm Owner					
23.	Nursery, Retail					P
24.	Nursery, Wholesale					P
25.	Tree Farming					P
26.	Veterinary Hospital or Clinic, Livestock					P
27.	Veterinary Hospital or Clinic, Small Animals and Household Pets					PC

RES. NO. 27-12

Exhibit B – Text Amendment Case No. 11-3d
 Excerpt: Lusby Town Center Zoning Ordinance

LUSBY TOWN CENTER						
USE #	LUSBY TABLE OF LAND USES - AGRICULTURAL	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Animal Husbandry					
2.	Aquaculture, Freshwater and Land-based					
3.	Aquaculture, Marine/Estuarine					
4.	Commercial Greenhouse, Retail					P
5.	Commercial Greenhouse, Wholesale					P
6.	Commercial Kennel, with indoor facilities only					
7.	Commercial Kennel, with outdoor facilities					
8.	Commercial or Non-Profit Stable or Horseback-Riding Club					
9.	Commercial Raising of Dangerous or Wild Animals					
10.	Commercial Raising of Fur-bearing Animals					
11.	Farm					P
12.	Farm Brewery					
13.	Farm Building					
14.	Farm Distillery					
15.	Farm Stand					C
16.	Farm Winery					
17.	Field Crops					P
18.	Forest Product Processing					
19.	Garden Center or Farm Supply Store, 75,000 sq. ft.					
20.	Garden Center or Farm Supply Store, less than 75,000 sq. ft.		C	C		
21.	Livestock Auction and/or Sales Barn, Commercial		P	P		
22.	Livestock Auction by a Non-Profit Organization or Farm Owner					
23.	Nursery, Retail					P
24.	Nursery, Wholesale					P
25.	Tree Farming					P
26.	Veterinary Hospital or Clinic, Livestock					P
27.	Veterinary Hospital or Clinic, Small Animals and Household Pets					C

RES. No. 27-1a