

Pertaining to the Amendment of the Calvert County Zoning Ordinance (CCZO)
(CCZO 3-2.06 Lusby Table of Land Uses)

RE: Proposed Change to Allow Auto Filling Stations in the Village Commercial Sub-District of Lusby Town Center
(Text Amendment Case No.23-02)

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) CCZO Section 3-2.06 Lusby Table of Land 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 November 15, 2023, 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 amendment 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, the Calvert County Zoning Ordinances (CCZO) CCZO Section 3-2.06 Lusby Table of Land Uses, Permitted Land Uses **BE**, and hereby **IS**, amended by adopting the text amendment 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,

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Amendment to the Calvert County Zoning Ordinance

RE: To Allow Auto Filling Stations in the Lusby Town Center

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 upon recordation and without publication of a fair summary, but not sooner than ten (10) days following adoption.

DONE, this 15th day of November 2023, by the Board of County Commissioners of Calvert County, Maryland.

Aye: 3
Nay: 1 Commissioner Grasso
Absent/Abstain: 1 Commissioner Hart

ATTEST:

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


Katie Brittain, Clerk


Earl F. Hance, President

abstain
Mike Hart, Vice-President

Approved for form and legal
sufficiency by:

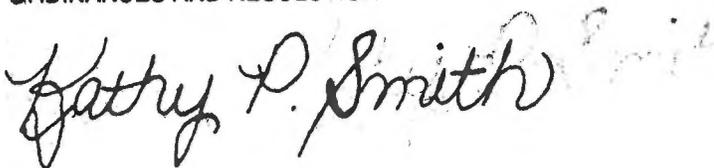
Catherine M. Grasso


John B. Norris, III, County Attorney


Mark C. Cox Sr.

Received for Record... November 16, 2023
at 12:59 o'clock P. Same day
recorded in Liber KPS No. 72
Folio 370 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.


Todd Ireland



Text Amendment Case #23-02

Amendment to the Calvert County Zoning
Ordinance

Section 3-2.06 Lusby Table of Land Uses

Black font – existing ordinance language

Red font – proposed ordinance language

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

Exhibit A

USE #	3-2.03 LUSBY TABLE OF LAND USES – MOTOR VEHICLE & RELATED SERVICES	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Automobile Filling Station		C	C		C
2.	Automobile Filling Station with Convenience Store and/or Eating Establishment		C	C		C
3.	Automobile Parking Lot/Garage as a Principal Use	P	P	P	S	P
4.	Automobile Parts Dismantling and/or Storage					
5.	Automobile Repair/Service Shop without fuel sales		C			S
6.	Bus lot or garage					
7.	Car Wash		P			P
8.	Commuter Parking Lot		P	P		P
9.	Inoperative Vehicle, 1 per lot					
10.	Inoperative Vehicles, 2 per lot					
11.	Motor Vehicle Accessory Shop		C	C		C
12.	Motor Vehicle Dealership - New or Used		P	P		P
13.	Other Motor Vehicle Related Uses including: Bus depot, taxi service, vehicle rental or leasing		P			P
14.	Park-and-Sell Lot		P	P		P
15.	Parking of Commercial Motor Vehicles	C	C	C	C	C
16.	Storage of Motor Vehicles		P	P		P
17.	Truck, Bus and Diesel Service and Repair Shop					
18.	Truck Terminal					
19.	Vehicle Ferry Service					

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Text Amendment Case #23-02

Amendment to the Calvert County Zoning
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Section 3-2.06 Lusby Table of Land Uses

Exhibit B

USE #	3-2.03 LUSBY TABLE OF LAND USES – MOTOR VEHICLE & RELATED SERVICES	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Automobile Filling Station		C	C		C
2.	Automobile Filling Station with Convenience Store and/or Eating Establishment		C	C		C
3.	Automobile Parking Lot/Garage as a Principal Use	P	P	P	S	P
4.	Automobile Parts Dismantling and/or Storage					
5.	Automobile Repair/Service Shop without fuel sales		C			S
6.	Bus lot or garage					
7.	Car Wash		P			P
8.	Commuter Parking Lot		P	P		P
9.	Inoperative Vehicle, 1 per lot					
10.	Inoperative Vehicles, 2 per lot					
11.	Motor Vehicle Accessory Shop		C	C		C
12.	Motor Vehicle Dealership - New or Used		P	P		P
13.	Other Motor Vehicle Related Uses including: Bus depot, taxi service, vehicle rental or leasing		P			P
14.	Park-and-Sell Lot		P	P		P
15.	Parking of Commercial Motor Vehicles	C	C	C	C	C
16.	Storage of Motor Vehicles		P	P		P
17.	Truck, Bus and Diesel Service and Repair Shop					
18.	Truck Terminal					
19.	Vehicle Ferry Service					

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