



Calvert County Zoning Ordinance Update: Articles 1, 2 & 29

Public Forum

February 15, 2024

Introduction

- Staff prepared a draft ordinance to bring the Zoning Ordinance into compliance with the current Comprehensive Plan.
- Draft Zoning Ordinance (CCZO) was made available to the public May 2023.
- Joint work sessions and public forums have been held monthly to review articles of the draft ordinance and will continue through May 2024.
- [Calvertcountymd.gov/ZoningOrdinanceUpdate](https://calvertcountymd.gov/ZoningOrdinanceUpdate) to access links to draft articles, draft zoning map, where to send public comment, and other supplemental materials.
- The focus of this public forum will be draft Articles 1, 2, and 29; Title, Purpose, and Applicability; Definitions; and Signs

Article 1 (Title, Purpose, and Applicability)

- Title and Statutory Authorization
- Purpose
- Application
- Transition Rules
- Additional Authorities
- Exemption
- Separability

Title, Purpose, and Applicability

- Section 1-2 (Purpose) has been revised in the draft Zoning Ordinance and now states, *“This Ordinance is intended to serve the following purposes: **A.** To execute the powers authorized to Calvert County by Land Use Article of the Maryland Annotated Code. **B.** To ensure that the vision set forth in Calvert County’s Comprehensive Plan is implemented by land use regulations consistent with the goals set forth. **C.** To promote and protect public health, safety, and welfare for current and future generations. **D.** To preserve and enhance neighborhoods. **E.** To preserve, protect, and promote the County’s employment base. **F.** To protect the County’s natural and cultural resources. **G.** To provide oversight and planning to sustain the healthy growth of the County’s Town Centers.”*

Applicability

- **Relation to Private Agreements**
 - This Ordinance does not nullify any private agreement or covenant. However, where this Ordinance is more restrictive than a private agreement or covenant, this Ordinance controls. The County will not enforce any private agreement or covenant.
- **Relation to Town Center Zoning Ordinances**
 - If a Town Center Zoning Ordinance does not address a requirement, condition, or issue which is addressed in the Zoning Ordinance of Calvert County, the Zoning Ordinance of Calvert County applies. However, with the exception of Article 18, the provisions of the Zoning Ordinance of Calvert County are subordinate to any applicable Town Center Zoning Ordinance.

Applicability

- **Relation to Other Laws and Regulations**
 - Unless otherwise specifically provided, this Ordinance controls over less restrictive County or State statutes, ordinances, or regulations, and more restrictive County or State statutes, ordinances, or regulations control over the provisions of this Ordinance. When this Ordinance refers to another statute, ordinance, or regulation it refers to the statute, ordinance, or regulation as updated or amended from time to time.
- **Relation to Previously Recorded Plats**
 - Any requirements recorded on plats prior to the adoption of this Ordinance supersede any conflicting requirements of this Ordinance, with the exception of remaining density.

Article 2 (Definitions)

- Terms are listed and defined in Section 2-3
 - Roughly 200 terms added and 85 removed
- Terms relevant for measurements and calculations are included in Section 2-4 (Measurements and Calculations)
 - Diagrams which illustrate select terminology have been added to this section
- Some definitions have been revised
 - To correct flawed wording
 - To update based on changes made at the State level (i.e., Critical Area)

Definitions

- **Common Access Drive**

- In current Zoning Ordinance, defined as follows, “*An access area, measuring between 50 feet 75 feet wide by between 50 feet and 75 feet long, commonly owned by adjoining lot owners created to provide access to lots.*”
- In draft Zoning Ordinance, defined as follows, “*An access area created to provide access to lots. Commonly owned by adjoining lot owners but may also be owned individually.*”

Definitions

- **Phased Development**

- In current Zoning Ordinance, defined as follows, “*Commercial (non-residential) development of a recorded lot or parcel in Town Center, Employment Center/Town Center, Light Industrial, Marine Commercial, or Rural Commercial Zoning in which one specified area of the site is developed before other areas.*”
- In draft Zoning Ordinance, defined as follows, “*Commercial or residential project that is developed in stages and not at the same time. A plan to show the sequence and phases of the development is approved by the necessary reviewing agencies.*”

Definitions

- **Pier**

- In current Zoning Ordinance, defined as follows, “*Any marine structure generally referred to as a pier, dock or wharf, including pilings and other such facilities, used for the wet storage of watercraft.*”
- In draft Zoning Ordinance, defined as follows, “*Any marine structure generally referred to as a pier, dock, or wharf, walkway, breakwater, including pilings and other such facilities, used for the wet storage of watercraft. It does not include any structure on pilings or stilts that was originally constructed beyond the landward boundaries of State or private wetlands.*”

Measurements and Calculations

- **Section 2-4.D (Building Height)**

- In the current Zoning Ordinance, a height of 50 feet, plus the roof, is permitted in the RD, I-1, and EC Districts if the property is served by a water supply system which is capable of providing adequate supply for fire protection, is certified by the agency providing fire protection, and is in compliance with Article 38A, Annotated Code of Maryland.
- In the draft Zoning Ordinance, outside town centers no building or structure shall exceed 40 feet, plus the roof, except those buildings/structures listed as exempt in items 2 and 3 (chimneys, steeples, flag poles, etc.)

Article 29 (Signs)

- General Provisions
- Prohibited Signs
- Signs Permitted Without A Permit
- Permitted Signs
- Permanent Freestanding Sign Regulations
- Building Signs (Permanent)
- Electronic Message Centers (EMC) And Reader Boards
- Master Sign Plan
- Portable Signs
- Temporary Signs

Article 29 (Signs)

- The provisions of the draft Article 29 (Signs) are in Section 6-8 of the current Zoning Ordinance
- Section 6-8 of the current Zoning Ordinance was updated in 2018
- Because the provisions for signs were updated relatively recently, minimal substantive changes have been proposed to Article 29 at this stage in the process

Article 29 (Signs)

- **Section 29-2 (General Provisions)**
 - The following provision has been added to this section in the draft Zoning Ordinance, *“Signs will be removed when the circumstances leading to its erection/installation no longer apply.”*

Proposed Revision Highlights

- **Article 1 (Title, Purpose, and Applicability)**
 - Provisions added to address the relationship between the Calvert County Zoning Ordinance and private agreements or covenants, previously recorded plats, the Town Center Zoning Ordinances, other Laws and Regulations, etc.
- **Article 2 (Definitions)**
 - Some definitions have been removed and a number of definitions have been added to the draft; some definitions have been revised; new section added focused on terminology relevant to measurements and calculations
- **Article 29 (Signs)**
 - Because the provisions for signs were updated relatively recently, minimal substantive changes have been proposed at this stage in the process

Public Forum Wrap-Up

- Public comment period for Articles 1, 2, and 29 closes February 23rd
- The next public forum is scheduled for March 14, 2024
- Members of the public can submit comments to ZOupdate@calvertcountymd.gov
- Questions – Contact:
 - Will Hager, 410-535-1600 ex. 8553
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 - Rachel O’Shea, 410-535-1600 ex. 2339
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