

## Highlights of substantive changes from the August 2024 Draft Zoning Ordinance to the November 2024 Draft Zoning Ordinance\*

*\*Note: this document is meant to highlight substantive differences between the August 2024 Draft Zoning Ordinance and the November 2024 Draft Zoning Ordinance but does not include every change that has been made to the draft. To review all changes made to the draft articles, you can view redlined versions of the draft articles available on the [Zoning Ordinance Update webpage](#)*

### **Article 1 (Title, Purpose, and Applicability)**

- Section 1-3.H of the draft Zoning Ordinance has been revised and now states, *“Notwithstanding any provision of a recorded plat of subdivision, unless vested under Maryland law, the density of any residue shall conform to the provisions of this Ordinance. Further, as pertains to the development or redevelopment of any lot within a recorded subdivision, the annotations of a recorded plat of subdivision that are not necessary for the continuity of character of the neighborhood, as determined by the Calvert County Planning Commission, shall yield, and be subordinate to, every conflicting provision of this Ordinance.”*
  - This replaces the following from the August 2024 Draft, *“Any requirement recorded on a plat prior to the adoption of this Ordinance may or may not be valid based on changes to regulations at the federal, state, and local level and applicability will be determined at the time of application submittal.”*

### **Article 18 (Uses)**

- The following uses are no longer permitted in the I-MU District in the draft November 2024 Zoning Ordinance
  - Retail, General
  - Eating Establishments
  - Medical Office or Clinic
  - Drive-Through Facility
- Data Center is a conditional use in the I-2 District in the November 2024 Draft Zoning Ordinance and no longer requires special exception approval
- The conditions for Data Center have been revised in the November 2024 Draft Zoning Ordinance and now state the following:
  - *“The Data Center shall be setback 200 feet from all property lines and 400 feet from any lot or parcel with a residential building or active residential building permit, except for adjacent properties under common ownership.”*
  - *“Primary building facades shall include at least two of the following treatments:*
    - *Fenestration;*
    - *Recesses in the building façade to avoid a continuous unbroken plane; or*
    - *Changes in building material, pattern, texture, color, or accent materials.”*

- *“Any noise generated by the Data Center, including any accessory mechanical equipment must comply with Chapter 80 of the Noise Control Ordinance of the Calvert County Code.”*
- *“Prior to any applicable Planning Commission meeting, the applicant shall conduct at least one public meeting in the election district in which the use is proposed. That meeting shall be held at the community center for that district, or such other suitable facility within that district. That meeting shall be advertised once a week for at least two consecutive weeks in a newspaper of general circulation within the County. The first advertisement shall be no more than 30-days before the public meeting. Each meeting shall have a sign-in sheet where citizens may register; no person shall be required to register as a condition of admission. The applicant shall submit the sign-in sheet and minutes of the public meeting to the Planning Commission Clerk at least two (2) weeks prior to the Planning Commission meeting.”*

**Article 19 (Accessory Structures and Uses)**

- The following condition has been added to Drive-Through Facilities
  - *“Outside of Town Centers, drive-through facilities accessory to eating establishments are not permitted.”*

**Article 25 (Site Development and Design Standards)**

- Provisions allowing for Community Benefit Agreements have been added to Section 25-11