

**PERTAINING TO THE AMENDMENTS OF THE CALVERT COUNTY ZONING
ORDINANCE**

**RE: Revise Section 18-1 General Use Regulations concerning the Absence of a Use in
the General Categories**

(Text Amendment Case No. 25-05)

WHEREAS, Title 4 of the *Land Use Article* of the Maryland Annotated Code, as amended, and specifically Md. Code Ann., Land Use § 4-204, 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, Calvert County has a Comprehensive Plan and Town Center Master Plans that guide the future growth and development in the community, by Ordinance 13-25, the Board of County Commissioners of Calvert County, Maryland has heretofore adopted the Calvert County Zoning Ordinance;

WHEREAS, Md. Code Ann., Land Use § 4-204 and Section 30-13 of the Calvert County Zoning Ordinance prescribe the process and procedures for adoption, repeal, amendment and reclassification of zoning regulations and maps;

WHEREAS, the present proposed text amendment requests a revision to Section 18-1, General Use Regulations, of the Calvert County Zoning Ordinance, concerning the Absence of a Use in the General Categories;

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;

WHEREAS, upon consideration of the input of the public and governmental agencies, the Planning Commission found that the zoning text amendment is consistent with and implements the Comprehensive Plan and Master Plans, and forwarded its findings and recommendation to the Board of County Commissioners by Resolution dated August 20, 2025;

WHEREAS, after due notice was published, the Board of County Commissioners of Calvert County, Maryland conducted a public hearing on September 30, 2025, at which time the proposed amendments were discussed, staff's recommendations were considered, and public comment was solicited;

WHEREAS, after considering the staff report, testimony presented at the public hearing regarding the proposed text amendment, 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 aforementioned Calvert County Zoning Ordinance as set forth in Exhibit A, attached hereto and made a part hereof.

BK0077PG0394

Ordinance No. 39-25

RE: Text Amendment Case No. 25-05
Amendments to Calvert County Zoning Ordinance
RE: Section 18-1 General Use Regulations

Page 2 of 3

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, the Calvert County Zoning Ordinance **BE**, and hereby **IS**, amended by amending Section 18-1, General Use Regulations, concerning the Absence of a Use in the General Categories, as shown in 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, 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; and

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 30th day of Sept., 2025, by the Board of County Commissioners of Calvert County, Maryland.

[SIGNATURES ON FOLLOWING PAGE]

BK0077PG0395

Ordinance No. _____
RE: Text Amendment Case No. 25-05
Amendments to Calvert County Zoning Ordinance
RE: Section 18-1 General Use Regulations

Aye: 5

Nay: 0

Absent/Abstain: 0

ATTEST:

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

Katie Brittain
Katie Brittain, Clerk

Earl F. Hance
Earl F. Hance, President

Todd Ireland
Todd Ireland, Vice-President

Approved for form and legal
sufficiency by:

Mark C. Cox Sr.
Mark C. Cox Sr.

John B. Norris
John B. Norris, County Attorney

Catherine M. Grasso
Catherine M. Grasso

Mike Hart
Mike Hart

Received for Record... October 3..., 2025
at 10:43 o'clock... A... M. Same day
recorded in Liber KPS No. 77
Folio... 393... COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith

Text Amendment Case #25-05
Amendment to the Calvert County
Zoning Ordinance
Section 18-1 General Use Regulations

Black font – existing ordinance language

Red font – proposed ordinance language

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

18-1 GENERAL USE REGULATIONS

B. If a use is not listed or does not fall within one of the general categories, **as determined by the Zoning Officer**, it is not ~~a permitted use~~ **permitted, either by right or special exception**, in any district. If a use is specifically listed in the tables, it takes precedence over general use listings. All permitted uses require the approval of a use permit, unless otherwise determined by the Department of Planning & Zoning.

Text Amendment Case #25-05

Amendment to the Calvert County

Zoning Ordinance

Section 18-1 General Use Regulations

EXHIBIT B

18-1 GENERAL USE REGULATIONS

B. If a use is not listed or does not fall within one of the general categories, as determined by the Zoning Officer, it is not permitted, either by right or special exception, in any district. If a use is specifically listed in the tables, it takes precedence over general use listings. All permitted uses require the approval of a use permit, unless otherwise determined by the Department of Planning & Zoning.