

Pertaining to the Amendments of the Calvert County Zoning Ordinance
(Calvert County Zoning Ordinance, Article 7 Subdivision Regulations; Section
7-1.03, Controls and Applications; and Article 12, Definitions)

**RE: To Exempt a Governmental or Quasi-Governmental Agency from the Subdivision
Regulations**

(Text Amendment Case No.16-05)

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 Community Planning & Building recommended to the Planning Commission and the Board of County Commissioners text amendments to the Calvert County Zoning Ordinance (“CCZO”), to Article 7, Subdivision Regulations; Section 7-1.03, “Controls and Applications”; and Article 12, Definitions;

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 October 25, 2016, 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 amendments 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, that Article 7 Subdivision Regulations; Section 7-1.03, “Controls and Applications”; and Article 12 Definitions of the CCZO **BE**, and hereby **IS**, amended by adopting the text amendments 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, are found to be unconstitutional, illegal, null or void, it is the intent of the Board of

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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.

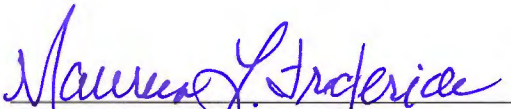
BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall be effective upon recordation and without publication of a fair summary.

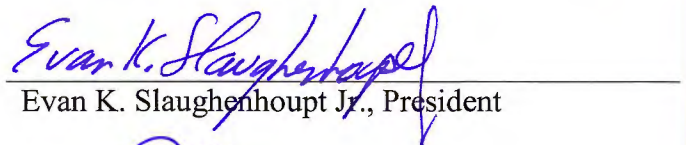
DONE, the 25th day of October 2016 by the Board of County Commissioners of Calvert County, Maryland.

Aye: Commissioners Slaughenhaupt, Hejl, Hart, Weems
Nay: _____
Absent/Abstain: Commissioner Nutter

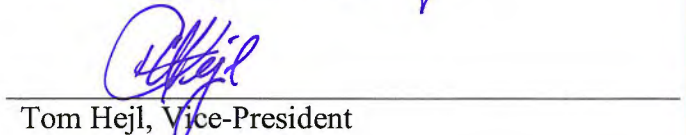
ATTEST:

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

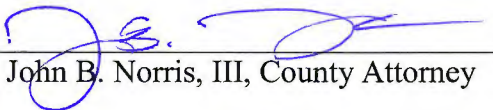

Maureen L. Frederick, Clerk


Evan K. Slaughenhaupt Jr., President

Approved for form and legal
sufficiency by:


Tom Hejl, Vice-President

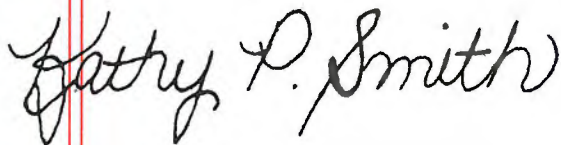

Mike Hart


John B. Norris, III, County Attorney

Pat Nutter ABSENT

Received for Record.....12-7....., 2016
at 12:10 o'clock.....P.....M. Same day
recorded in Liber KPS No. 50
Folio 370.....COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.


Steven R. Weems



Calvert County Zoning Ordinance: Article 7

Exhibit A

7-1 SUBDIVISION REGULATIONS

Under the authority of ~~Article 66B~~ **the Land Use Article** of the **Maryland** Annotated Code ~~of Maryland~~, the following regulations governing the subdivision of land are hereby established for all areas of Calvert County except those within Incorporated Towns of the County.

7-1.01 Purpose

The purpose of these Regulations is to regulate and control the development of land within Calvert County, in order to promote the public health, safety and general welfare, and to assure sites suitable for building purposes and human habitation in a harmonious environment.

7-1.02 Effective Date

These Regulations shall take effect immediately upon adoption by the Calvert County Commissioners.

7-1.03 Controls and Application

- A. Application. These Regulations shall apply to all new subdivisions and to extensions and revisions of recorded subdivisions, except for:
 1. The division of land for purposes other than building development.
 2. That portion of a divided tract which is not to be used for the purpose of building development.
 3. Subdivision of land by court order.
 4. **Conveyance to a governmental or quasi-governmental agency for public use. The Board of Appeals may grant a variance for the resulting residue parcel, from lot area, lot width, and setbacks per Section 11-1, where the hardship is created by the conveyance of land to a governmental or quasi-governmental agency.**

Calvert County Zoning Ordinance: Article 12 - Definitions

<u>Term</u> (Date of Amendment)	<u>Definition</u>
Quasi-Government	Agencies substantially supported by the government, i.e., Calvert County Housing Authority.

Calvert County Zoning Ordinance: Article 7

Exhibit B

7-1 SUBDIVISION REGULATIONS

Under the authority of the Land Use Article of the Maryland Annotated Code, the following regulations governing the subdivision of land are hereby established for all areas of Calvert County except those within Incorporated Towns of the County.

7-1.01 Purpose

The purpose of these Regulations is to regulate and control the development of land within Calvert County, in order to promote the public health, safety and general welfare, and to assure sites suitable for building purposes and human habitation in a harmonious environment.

7-1.02 Effective Date

These Regulations shall take effect immediately upon adoption by the Calvert County Commissioners.

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 - 4. Conveyance to a governmental or quasi-governmental agency for public use. The Board of Appeals may grant a variance for the resulting residue parcel, from lot area, lot width, and setbacks per Section 11-1, where the hardship is created by the conveyance of land to a governmental or quasi-governmental agency.

Calvert County Zoning Ordinance: Article 12 - Definitions

<u>Term</u> (Date of Amendment)	<u>Definition</u>
Quasi-Government	Agencies substantially supported by the government, i.e., Calvert County Housing Authority.