

Pertaining to the Amendments of the Calvert County Zoning Ordinance  
(Calvert County Zoning Ordinance, Article 3 Land Use Charts; Section 3-2.04, Prince  
Frederick Table of Land Uses – Institutional; Use #6 Day Care Center:  
20 or more clients)

**RE: To permit Day Care Centers, 20 or more clients in the Old Town Transition District  
of Prince Frederick Town Center with a Special Exception from the  
Board of Appeals**

(Text Amendment Case No.17-04)

**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”), Article 3 Land Use Charts; Section 3-2.04, Prince Frederick Table of Land Uses – Institutional; Use #6 Day Care Center: 20 or more clients;

**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 May 15, 2018, 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, Article 3 Land Use Charts; Section 3-2.04, Prince Frederick Table of Land Uses – Institutional; Use #6 Day Care Center: 20 or more clients, 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 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 15<sup>th</sup> day of May 2018 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 5  
Nay: 0  
Absent/Abstain: 0

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND

Maureen L. Frederick, Clerk

Evan K. Slaughenhaupt, President

Approved for form and legal sufficiency by:

Tom Hejl Jr., Vice-President

Mike Hart

John B. Norris, III, County Attorney

Pat Nutter

Received for Record June 6, 2018 at 9:03 o'clock A.M. Same day recorded in Liber KPS No. 54 Folio 323 COUNTY COMMISSIONERS ORDINANCES AND RESOLUTION.

Steven R. Weems

Garry P. Smith

KEY TO LAND USE CHARTS:			
	A blank indicates the use is not permitted	SC	Permitted use subject to special exception if it meets conditions
P	Permitted Use	S1	Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
C	Permitted Use if it meets certain conditions	S2	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.
S	Permitted Use subject to special exception from the Board of Appeals		

PRINCE FREDERICK TOWN CENTER									
USE #	3-2.04 PRINCE FREDERICK TABLE OF LAND USES – INSTITUTIONAL	OLD TOWN	OLD TOWN RESIDENTIAL	OLD TOWN TRANSITIONAL	FAIR-GROUND	ENTRY	VILLAGE	NEW TOWN	FOREST
1.	College or University	P	P	P	P	P	P	P	P
2.	Continuing Care Retirement Community (8/27/14)	C	C	C	C	C	C	C	C
3.	Day Care Center:								
4.	12 Clients or Less	P	P	P	P	P	P	P	P
5.	13 to 19 Clients	P	S	P	P	P	P	P	P
6.	20 or More Clients			S	S	P	P	P	P
7.	Elementary or Secondary School	P	P	P	P	P	P	P	P

BK000549325

Calvert County Zoning Ordinance – Article 3: Land Use Charts

<b>KEY TO LAND USE CHARTS:</b>			
	A blank indicates the use is not permitted	SC	Permitted use subject to special exception if it meets conditions
P	Permitted Use	S1	Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
C	Permitted Use if it meets certain conditions	S2	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.
S	Permitted Use subject to special exception from the Board of Appeals		

**PRINCE FREDERICK TOWN CENTER**

<b>USE #</b>	<b>3-2.04 PRINCE FREDERICK TABLE OF LAND USES – INSTITUTIONAL</b>	<b>OLD TOWN</b>	<b>OLD TOWN RESIDENTIAL</b>	<b>OLD TOWN TRANSITIONAL</b>	<b>FAIR-GROUND</b>	<b>ENTRY</b>	<b>VILLAGE</b>	<b>NEW TOWN</b>	<b>FOREST</b>
1.	College or University	P	P	P	P	P	P	P	P
2.	Continuing Care Retirement Community (8/27/14)	C	C	C	C	C	C	C	C
3.	Day Care Center:								
4.	12 Clients or Less	P	P	P	P	P	P	P	P
5.	13 to 19 Clients	P	S	P	P	P	P	P	P
6.	20 or More Clients			S	S	P	P	P	P
7.	Elementary or Secondary School	P	P	P	P	P	P	P	P