

RE: Text Amendment Case No. 19-02
Amendments to the Calvert County Zoning Ordinance to
correct a numbering mistake in the Sign Regulations

Page 1 of 2

Pertaining to the Amendments of the Calvert County Zoning Ordinance
(Calvert County Zoning Ordinance, Article 6 Non-Residential Development Requirements;
Section 6-8 Sign Regulations; 6-8.07 Permanent Freestanding Signs)
RE: Proposed to correct a paragraph numbering mistake in the Sign Regulations
(Text Amendment Case No.19-02)

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 6 Non-Residential Development Requirements; Section 6-8 Sign Regulations; 6-8.07 Permanent Freestanding Signs;

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 June 4, 2019, 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 6 Non-Residential Development Requirements; Section 6-8 Sign Regulations; 6-8.07 Permanent Freestanding Signs, 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.

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correct a numbering mistake in the Sign Regulations

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 4th day of June, 2019 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 4
Nay: 0
Absent/Abstain: Hart

ATTEST:

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

Karen S. Phelps
Karen Snyder Phelps, Clerk

Thomas E. Hutchins
Thomas E. Hutchins, President

Approved for form and legal
sufficiency by:

Kelly D. McConkey
Kelly D. McConkey, Vice-President

Earl F. Hance
Earl F. Hance

John B. Norris, III
John B. Norris, III, County Attorney

Mike Hart
Mike Hart

Steven R. Weems
Steven R. Weems

Filed for Record June 12, 2019
1:23 o'clock P. Same day
Recorded in Liber KPS No. 58
folio 263 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith

Calvert County Zoning Ordinance – Article 6-8 Sign Regulations

6-8.07 Permanent Freestanding Sign Regulations

The sign shall be affixed to a permanent foundation or structure.

An issued sign permit is required prior to installing for all permanent signs unless otherwise specified.

Permanent Freestanding Signs shall comply with the following regulations based upon their classification.

1. Directional Signs (Permanent)

- a. One sign may be permitted per individual driveway intersection with any public road;
- b. The maximum sign area shall be five (5) square feet; and
- c. The maximum sign height shall be three (3) feet.

2. Drive-Up Signs (Permanent)

- a. One drive-up sign is permitted for each drive-up lane with a maximum sign area of thirty-six (36) square feet each.
- b. The above maximum sign area shall not apply to any drive-up signs located in the rear of the building not visible from a public right-of-way or screened with a fence, wall, landscaping or other screening methods that fully block the view of the drive-up signage from view of all public rights-of-way.
- c. Drive-up signs may be internally illuminated and comply with the requirements of Section 6-6.01 except as restricted by Section 6-8.06.C.1 and 2 of this Ordinance.

3. Other Freestanding Signs (Permanent)

Other types of freestanding signs may be permitted upon property for which the use is nonresidential and upon properties for which the use is residential if a home occupation has been approved by the Calvert County Department of Planning & Zoning in accordance with the following regulations:

- a. For the purposes of this Chapter 6-8, nonresidential properties shall include lots and parcels of record with agricultural, business & personal service, commercial, recreational, industrial, public or institutional uses.
- b. One freestanding sign not to exceed four (4) square feet in size and six (6) feet in height may be approved on residential properties that contain an approved commercial business (home occupation).
- c. For freestanding signs proposed to be located upon properties for which a building or structure has been constructed and the use for which is nonresidential, the sign area and sign height for freestanding signs permitted on any nonresidential property shall not exceed that set forth at Table 6-2 and:
 - i. Except as otherwise provided herein, only one freestanding sign is permitted per lot or parcel of record as of the effective date of this amendment.
 - ii. Parcels that have frontage on two or more roadways may have a freestanding sign along each roadway.

- iii. For lots or parcels of record as of the effective date of this amendment, with greater than five hundred (500) feet of road frontage, additional freestanding signs may be approved for every additional five hundred (500) feet of road frontage subject to the following criteria:
 - a) Materials, landscaping and design for multiple freestanding signs shall be similar;
 - b) The location of the multiple signage shall be shown on a site plan or plot plan; and
 - c) Each freestanding sign shall meet all other requirements of this Ordinance.
- iv. If a use is situated on a lot or parcel of record as of the effective date of this amendment with a narrow road frontage of less than fifty (50) feet or is of a shape that prevents the establishment of a freestanding sign along the road, the applicable freestanding sign may be located on an adjacent lot or parcel without affecting the sign area allowed on the adjacent lot or parcel of record as of the effective date of this amendment without being subject to the multiple sign rules of Section 6-8.07 C. 3. i, above provided that:
 - a) A special exception is granted by the Board of Appeals;
 - b) The height and area of the freestanding sign shall be based on the zoning district of the property to which it serves, as determined by the Zoning Officer;
 - c) The freestanding sign shall either be located on a separate sign structure from any signage allowed on the lot or parcel of record as of the effective date of this amendment where it is to be located, or shall be or be incorporated into the sign structure allowed on the lot or parcel of record as of the effective date of this amendment where it is to be located;
 - d) If signage from the adjacent properties are to be located on one (1) freestanding sign, then the sign area shall not exceed the combined maximum freestanding sign area of what would be allowed for the individual signs;
 - e) The sign owner shall be required to obtain, record and submit proof of an easement from the person or entity who owns the property where the sign is to be located to demonstrate that the property owner has authorized placement of the sign in the applicable location. Such easement shall either be permanent, allowing placement of such sign in perpetuity, or if temporary, shall establish an expiration date for the easement. For a temporary easement, the sign shall be removed on or before the expiration date of the easement. Failure to remove the sign on or before the expiration date shall be considered a violation of this Ordinance.
- d. f) For nonresidential properties having no permanent buildings, a maximum of fifty (50) square feet of signage is permitted with a maximum height as established in Table 6-2.
- e. g) The setback requirement for freestanding signs shall be a minimum of ten (10) feet from the right-of-way except in the following instances:

- i.
 - ii) Any freestanding sign located along an arterial road and within forty (40) feet of the side lot line shall adhere to the front setback requirement for the district in which it is located.
- ii.
 - iii) If located along a collector or local road and within thirty (30) feet of the side lot line, the sign shall conform to the front setback requirement for the district in which it is located (See Figure 5).

Calvert County Zoning Ordinance – Article 6-8 Sign Regulations**6-8.07 Permanent Freestanding Sign Regulations**

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