

Pertaining to the Amendments of the Calvert County Zoning Ordinance
(Calvert County Zoning Ordinance, Article 3 Land Use Charts; Section 3-1.10, Institutional Uses & Definitions; Use #10a. Place of Worship, Parish Hall, Convent, Monastery or Rectory, with seating capacity of all sanctuaries combined less than or equal to 1500)

RE: To Permit Places of Worship in the Farm & Forest District with a Special Exception from the Board of Appeals if accessory to an existing cemetery or memorial garden

(Text Amendment Case No.17-09)

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 3-1.10, Institutional Uses & Definitions; Use #10a. Place of Worship, Parish Hall, Convent, Monastery or Rectory, with seating capacity of all sanctuaries combined less than or equal to 1500;

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 3-1.010, Institutional Uses & Definitions; Use #10a Place of Worship, Parish Hall, Convent, Monastery or Rectory, with seating capacity of all sanctuaries combined less than or equal to 1500, 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.

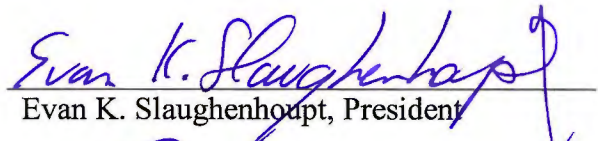
DONE, this 15th day of May 2018 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 5
Nay: 0
Absent/Abstain: 0

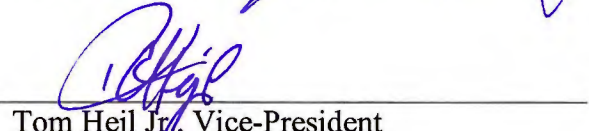
ATTEST:

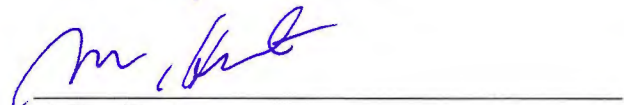
**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**


Maureen L. Frederick, Clerk

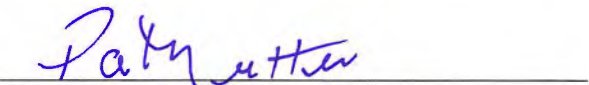

Evan K. Slaughenhoupt, President

Approved for form and legal sufficiency by:

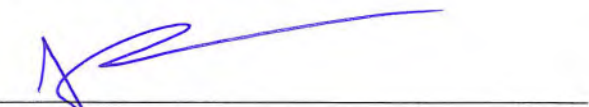

Tom Hejl Jr, Vice-President


Mike Hart


John B. Norris, III, County Attorney


Pat Nutter

Received for Record... June 6..., 2018
at 9:04 o'clock A M. Same day
recorded in Liber KPS No. 54
Folio 335 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.


Steven R. Weems

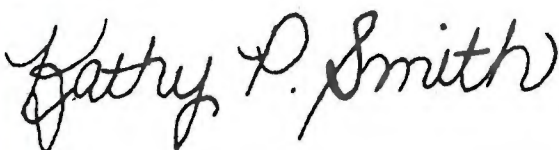


EXHIBIT A

USE #	3-1.10 INSTITUTIONAL USES & DEFINITIONS <i>(in italics)</i>	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
	Place of Worship, Parish Hall, Convent, Monastery or Rectory <i>A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory associated uses.</i>											
10a.	Place of Worship, Parish Hall, Convent, Monastery or Rectory, with seating capacity of all sanctuaries combined less than or equal to 1500 (4/22/08)	SC	P	P			P		P			<ol style="list-style-type: none"> 1. A Place of Worship, Parish Hall, Convent, Monastery or Rectory, as defined by this Section, existed on the property prior to the adoption of this Ordinance (May 1, 2006); and 2. There has been no lapse in use of the pre-existing Place of Worship, Parish Hall, Convent, Monastery or Rectory since May 1, 2006; and 3. If the expansion is to exceed that which is permitted by Section 2-6.01.A (non-conforming uses), the expansion shall be restricted to a maximum seating capacity of 400; and 4. The expansion shall be restricted to the parcel as it existed at the time of adoption of this Ordinance (no additional Farm and Forest District land may be used to accommodate the expansion). 5. In the FFD, this use may be permitted as an accessory to a Cemetery or Memorial Garden which received site plan approval and existed on the property prior to the adoption of this Ordinance (May 1, 2006).
10b.	Place of Worship, Parish Hall, Convent, Monastery or Rectory, with seating capacity of all sanctuaries combined greater than 1500 (9/22/09)		SC	SC			SC		SC			The property shall be located within the one-mile radius of a Town Center as described in Section 2-10.02.C.

BK00054RS37

EXHIBIT B

USE #	3-1.10 INSTITUTIONAL USES & DEFINITIONS <i>(in italics)</i>	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
	Place of Worship, Parish Hall, Convent, Monastery or Rectory <i>A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory associated uses.</i>											
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10b.	Place of Worship, Parish Hall, Convent, Monastery or Rectory, with seating capacity of all sanctuaries combined greater than 1500 (9/22/09)		SC	SC			SC		SC			The property shall be located within the one-mile radius of a Town Center as described in Section 2-10.02.C.

BK 0005475338