

BK0069PG0243

BK0069PG0070

Ordinance No. 34-22

RE: Text Amendment Case No. 22-01, Amendment of the Solomons Town Center Zoning Ordinance to permit Assisted Living Facilities within D1 Sub-district

Page 1 of 2

PERTAINING TO THE AMENDMENT OF THE SOLOMONS TOWN CENTER ZONING ORDINANCE (SZO), § 3-2.07, USE #2

RE: Proposed Changes to permit Assisted Living Facilities within D1 Sub-district
(Text Amendment Case No. 22-01)

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 amendment to the Solomons Town Center Zoning Ordinance (SZO), Section 3-2.07, Use #2;

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 August 23, 2022, 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 amendment to the Solomons Town Center Ordinances 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, the Solomons Town Center Zoning Ordinance (SZO), Section 3-2.07, Use #2, Permitted Land Uses **BE**, and hereby **IS**, amended by adopting the text amendment as shown in Exhibit A attached hereto and made a part hereof (Exhibit B depicts the amendment as it will actually appear in the Solomons Town Center 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,

RE: Text Amendment Case No. 22-01, Amendment of the Solomons Town Center Zoning Ordinance to permit Assisted Living Facilities within D1 Sub-district

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.

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 23rd day of August, 2022, 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

Ashley Staples-Reid
Ashley Staples-Reid, Acting Clerk

Earl F. Hance
Earl F. Hance, President

Steven R. Weems
Steven R. Weems, Vice-President

Approved for form and legal sufficiency:

Kelly D. McConkey
Kelly D. McConkey

Pamela R. Lucas
Pamela R. Lucas,
Associate County Attorney

Christopher J. Gadway
Christopher J. Gadway

Received for Record... 8.125, 20.22
at 10:43 o'clock A.M. Same day
recorded in Liber KPS No. 69
Folio 70-75 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Received for Record... October 19, 20.22
at 1:40 o'clock P.M. Same day
recorded in Liber KPS No. 69
Folio 243-248 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Gabby P. Smith

Gabby P. Smith

BK0069PG0244

Text Amendment Case #22-01

**Amendment to the Solomons Town Center
Zoning Ordinance to Permit Assisted Living
Facilities within D1 Sub-District of
Solomons**

Black font – existing ordinance language

Red font – proposed ordinance language

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

Exhibit A

| USE # | 3-2.07 SOLOMONS TABLE OF LAND USES – RESIDENTIAL USES | SOUTH OF LORE ROAD | | | | | | | | | | | NORTH OF LORE ROAD | | | | | DOWELL | | | WEST SIDE | |
|-------|---|--------------------|----|----|----|-----------------|----|----|----|----|----|----|--------------------|----|----|----|----|--------|----|----|-----------|----|
| | | B1 | B2 | B3 | B4 | C1 ³ | C2 | C3 | C4 | C5 | C6 | C7 | D1 | D2 | D3 | D4 | D5 | E1 | E2 | E3 | F1 | F2 |
| 1a. | Apartment, Accessory to a Residence | C | C | C | C | | C | | C | C | C | C | C | C | C | C | C | C | C | C | C | C |
| 1b. | Apartment, in a Mixed Use Building | | | C | C | | | | | | C | C | | | C | C | C | C | | | | |
| 2 | Assisted Living Facility | | | | | | | | | | | P | P | P | | P | | P | | P | | |
| 3 | Bed & Breakfast Facility with up to 5 Bedrooms in Use | C | C | C | C | | | | C | C | C | | C | C | | | C | C | C | C | C | C |
| 4a. | Boarding House or Dormitory (more than 3 Lodgers) | C | C | C | C | | | | C | C* | C | | C | C | | | C | C | C | C | C | C |
| 4b. | Boarding House or Dormitory (no more than 3 Lodgers) | P | P | P | P | | | | | P* | P | P | P | P | P | P | P | P | P | P | P | P |
| 5a. | Dwelling, Attached: Duplex | | | C | C | | | | | C* | | C | | C | C | | C | C | C | C | | |
| 5b. | Dwelling, Attached: Fourplex | | | C | C | | | | | C* | | C | | C | C | | C | C | C | C | | |
| 5c. | Dwelling, Attached: Multi-Family | | | C | C | | | | | | | C | | C | C | | C | | C | C | | |
| 5d. | Dwelling, Attached: Townhouse | | | C | C | | | | | C* | | C | | C | C | | C | C | C | C | | |
| 5e. | Dwelling, Attached: Triplex | | | C | C | | | | | C* | | C | | C | C | | C | C | C | C | | |
| 5f. | Dwelling, Detached: Single-Family | C | C | C | C | | | | C | C | C | C | C | C | C | C | C | C | C | C | C | C |

³ For Residential Uses permitted in the C1 Sub-area, see Section 6-12.07 of the Solomons Town Center Zoning Ordinance.

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Text Amendment Case #22-01

Amendment to the Solomons Town Center
Zoning Ordinance to Permit Assisted Living
Facilities within D1 Sub-District of
Solomons

| USE # | 3-2.07 SOLOMONS TABLE OF LAND USES – RESIDENTIAL USES | SOUTH OF LORE ROAD | | | | | | | | | | | NORTH OF LORE ROAD | | | | | DOWELL | | | WEST SIDE | |
|-------|---|--------------------|----|----|----|-----------------|----|----|----|----|----|----|--------------------|----|----|----|----|--------|----|----|-----------|----|
| | | B1 | B2 | B3 | B4 | C1 ³ | C2 | C3 | C4 | C5 | C6 | C7 | D1 | D2 | D3 | D4 | D5 | E1 | E2 | E3 | F1 | F2 |
| 1a. | Apartment, Accessory to a Residence | C | C | C | C | | C | | C | C | C | C | C | C | C | C | C | C | C | C | C | C |
| 1b. | Apartment, in a Mixed Use Building | | | C | C | | | | | | C | C | | | C | C | C | C | | | | |
| 2 | Assisted Living Facility | | | | | | | | | | | P | P | P | | P | | P | | P | | |
| 3 | Bed & Breakfast Facility with up to 5 Bedrooms in Use | C | C | C | C | | | C | C | C | C | | C | C | | | C | C | C | C | C | C |
| 4a. | Boarding House or Dormitory (more than 3 Lodgers) | C | C | C | C | | | C | C* | C | C | | C | C | | | C | C | C | C | C | C |
| 4b. | Boarding House or Dormitory (no more than 3 Lodgers) | P | P | P | P | | | | P* | P | P | P | P | P | P | P | P | P | P | P | P | P |
| 5a. | Dwelling, Attached: Duplex | | | C | C | | | | C* | | C | | C | C | | | C | C | C | C | | |
| 5b. | Dwelling, Attached: Fourplex | | | C | C | | | | C* | | C | | C | C | | | C | C | C | C | | |
| 5c. | Dwelling, Attached: Multi-Family | | | C | C | | | | | | C | | C | C | | | C | | C | C | | |
| 5d. | Dwelling, Attached: Townhouse | | | C | C | | | | C* | | C | | C | C | | | C | C | C | C | | |
| 5e. | Dwelling, Attached: Triplex | | | C | C | | | | C* | | C | | C | C | | | C | C | C | C | | |
| 5f. | Dwelling, Detached: Single-Family | C | C | C | C | | | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C |

³ For Residential Uses permitted in the C1 Sub-area, see Section 6-12.07 of the Solomons Town Center Zoning Ordinance.