

Pertaining to the Amendment of the Calvert County Zoning Ordinance (CCZO)  
(CCZO 3-2.06 Lusby Table of Land Uses)

**RE: Proposed Change to Allow Cigar Lounge in the Lusby Town Center**

(Text Amendment Case No.22-04)

**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) CCZO Section 3-2.06 Lusby Table of Land Uses;

**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 November 29, 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 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 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, the Calvert County Zoning Ordinances (CCZO) CCZO Section 3-2.06 Lusby Table of Land Uses, Permitted Land Uses **BE**, and hereby **IS**, amended by adopting the text amendment 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);

BK 0069PG0478

Ordinance No. 48-22

RE: Text Amendment Case No. 22-04

Amendment to the Calvert County Zoning Ordinance

RE: To Allow Cigar Lounge in the Lusby Town Center

**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, 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; and

**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 29<sup>th</sup> day of November, 2022, by the Board of County Commissioners of Calvert County, Maryland.

Aye: 3  
Nay: 0  
Absent/Abstain: 2

**ATTEST:**

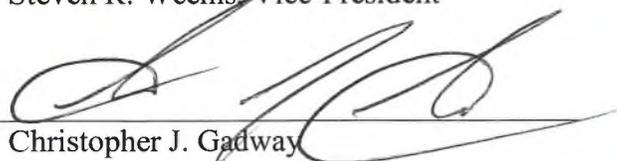
**BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND**

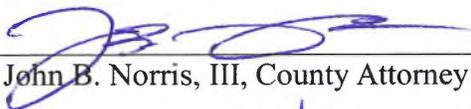
  
Ashley Staples-Reid, Acting Clerk

  
Earl F. Hance, President

  
Steven R. Weems, Vice-President

Approved for form and legal  
sufficiency by:

  
Christopher J. Gadway

  
John B. Norris, III, County Attorney

Recused  
Mike Hart

Received for Record..... 11/30....., 2022  
at..... 11:00..... o'clock..... A.....M. Same day  
recorded in Liber KPS No. .... 69.....  
Folio..... 477..... COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

Absent  
Kelly D. McConkey



**Text Amendment Case #22-04**

Amendment to the Calvert County Zoning  
Ordinance

Section 3-2.06 Lusby Table of Land Uses

Black font – existing ordinance language

**Red font** – proposed ordinance language

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

Exhibit A

USE #	3-2.06 LUSBY TABLE OF LAND USES –BUSINESS & PERSONAL SERVICES	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Boat Service and/or Repair					P
2.	Boat Storage, Commercial					
3.	Boatel					
4.	Commercial Kitchen (not associated with an Eating Establishment)	P	P	P	P	P
5.	Commercial Pier					
6.	Commercial Trade or Business School	P	P	P	P	P
7.	Corporate Headquarters	S	P	P	P	P
8.	Crematorium	P				P
9.	Eating Establishment with Drive-up Facility		C			
10.	Eating Establishment without Drive-up Facility		P	P	S	C
11.	Entertainment Business, Adult					
12.	Flex Space Business			C		SC
13.	Funeral Home	P				P
14.	Home Occupation - All Employed are Residents	C	C	C	C	C
15.	Home Occupation with up to 2 Equivalent Full-time non-resident employees	SC	SC	SC	SC	SC
16.	Laundry, Industrial					
17.	Laundry/Laundromat		P	P		
18.	Motel or Hotel	S	P	P	S	P
19.	Office, Medical, Non-Medical or Clinic		P	P	P	
20.	Office Support Services, including printing, copying, faxing, internetworking, etc.		P	P	P	
21.	Personal Services		P	P		
22.	Tavern, Nightclub, Lounge, Dance Hall		P	P		P
23.	Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars					

**Text Amendment Case #22-04**

Amendment to the Calvert County Zoning  
Ordinance

Section 3-2.06 Lusby Table of Land Uses

Exhibit B

USE #	3-2.06 LUSBY TABLE OF LAND USES –BUSINESS & PERSONAL SERVICES	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Boat Service and/or Repair					P
2.	Boat Storage, Commercial					
3.	Boatel					
4.	Commercial Kitchen (not associated with an Eating Establishment)	P	P	P	P	P
5.	Commercial Pier					
6.	Commercial Trade or Business School	P	P	P	P	P
7.	Corporate Headquarters	S	P	P	P	P
8.	Crematorium	P				P
9.	Eating Establishment with Drive-up Facility		C			
10.	Eating Establishment without Drive-up Facility		P	P	S	C
11.	Entertainment Business, Adult					
12.	Flex Space Business			C		SC
13.	Funeral Home	P				P
14.	Home Occupation - All Employed are Residents	C	C	C	C	C
15.	Home Occupation with up to 2 Equivalent Full-time non-resident employees	SC	SC	SC	SC	SC
16.	Laundry, Industrial					
17.	Laundry/Laundromat		P	P		
18.	Motel or Hotel	S	P	P	S	P
19.	Office, Medical, Non-Medical or Clinic		P	P	P	
20.	Office Support Services, including printing, copying, faxing, internetworking, etc.		P	P	P	
21.	Personal Services		P	P		
22.	Tavern, Nightclub, Lounge, Dance Hall		P	P		P
23.	Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars					