

Pertaining to the Amendments of the Calvert County Zoning Ordinance  
(Calvert County Zoning Ordinance Article 3 Land Use Charts; Section 3-1.06,  
Uses #8a, 8c, and 8e Recreation Facility, Indoor Commercial)  
**RE: Indoor Recreation Facilities in the Light Industrial Zoning District**  
(Text Amendment Case No.15-04)

**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 Community Planning & Building recommended to the Planning Commission and the Board of County Commissioners text amendments to the Calvert County Zoning Ordinance ("CCZO"), to Section 3-1.06, Uses #8a, 8c, and 8e Recreation Facility, Indoor Commercial;

**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 17, 2015, 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 evidence which had been 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, that Section 3-1.06, Uses #8a, 8c, and 8e Recreation Facility, Indoor Commercial 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.


**DONE**, this 17<sup>th</sup> day of November 2015 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


  
Steven R. Weems, President

Approved for form and legal  
sufficiency by:

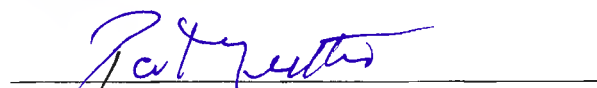
  
Evan K. Slaughenhaupt Jr., Vice-President

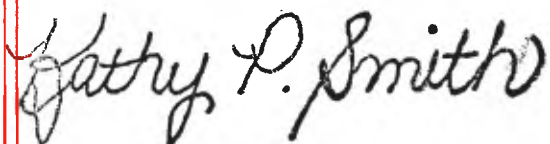
  
Mike Hart

  
John B. Norris, III, County Attorney

  
Tom Hejl

Received for Record... November 30, 2015  
at 12:30 o'clock... A... M. Same day  
Recorded in Liber KPS No. 48  
249 COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

  
Pat Nutter



Calvert County Zoning Ordinance Article 3: Use Charts

Exhibit A

USE #	3-1.06 RECREATIONAL USES & DEFINITIONS <i>(in italics)</i>	FFD	RCD	RD	WL	APD	HD	I-1	RC	MC	EC	CONDITIONS
8a.	Recreation Facility, Indoor Commercial (9/22/09) <i>An entirely enclosed building or facility which offers commercial indoor sports activities including but not limited to tennis, batting cages, bowling, skating, racquetball, arcade games, volleyball, basketball, indoor soccer, martial arts, miniature golf, paint ball, laser tag, gymnastics, play gallery or similar activities. This use may include associated accessory eating and drinking areas, retail sales areas and staff offices.</i>							C	C		C	<ol style="list-style-type: none"> <li><del>In the RC and EC,</del> The total square footage of the indoor recreation facility shall be limited to no more than 25,000 square feet, <b>and</b></li> <li><b>Conditions in the I-1 District:</b> <ol style="list-style-type: none"> <li>site plan approval shall be obtained per Section 4-2.01; and</li> <li>a drop-off area, to accommodate at least 3 vehicles, shall be provided; and</li> <li>a designated indoor waiting area, a minimum of 100 s.f., shall be provided for facilities greater than 1000 s.f.; and</li> </ol> </li> <li>The Board of Appeals may grant a variance to conditions 2b and 2c above in addition to items listed in Section 11-1.01.A.1 of this Ordinance.</li> </ol>
8c.	Recreation Facility, Indoor Commercial: Fitness Center (9/22/09) <i>An establishment offering or providing facilities in controlled exercise, weight lifting, calisthenics, aerobics, and general physical fitness.</i>							C	C		C	<ol style="list-style-type: none"> <li><del>In the RC and EC,</del> The total gross square footage of the fitness center shall be limited to no more than 25,000 square feet; and</li> <li><del>in the EC District, the fitness center shall be accessory to the on-site businesses.</del> <b>Conditions in the I-1 District:</b> <ol style="list-style-type: none"> <li>site plan approval shall be obtained per Section 4-2.01; and</li> <li>a drop-off area, to accommodate at least 3 vehicles, shall be provided; and</li> <li>a designated indoor waiting area, a minimum of 100 s.f., shall be provided for facilities greater than 1000 s.f.; and</li> </ol> </li> <li>The Board of Appeals may grant a variance to conditions 2b and 2c above in addition to items listed in Section 11-1.01.A.1 of this Ordinance.</li> </ol>
8e.	Recreation Facility, Indoor Commercial: Studio, Performing Arts (9/22/09) <i>A facility, catering to more than three students at a time, that contains specialized equipment and other support services for the study and training of performing arts, including but not limited to dance, voice, theatre or music, and may include accessory sales, displays and exhibits</i>							C	C		C	<ol style="list-style-type: none"> <li><del>In the RC and EC,</del> The total square footage of the performing arts studio shall be limited to no more than 25,000 square feet, <b>and</b></li> <li><b>Conditions in the I-1 District:</b> <ol style="list-style-type: none"> <li>site plan approval shall be obtained per Section 4-2.01; and</li> <li>a drop-off area, to accommodate at least 3 vehicles, shall be provided; and</li> <li>a designated indoor waiting area, a minimum of 100 s.f., shall be provided for facilities greater than 1000 s.f.; and</li> </ol> </li> <li>The Board of Appeals may grant a variance to conditions 2b and 2c above in addition to items listed in Section 11-1.01.A.1 of this Ordinance.</li> </ol>

BY 010485251

Calvert County Zoning Ordinance Article 3: Use Charts

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