

KEY TO LAND USE CHARTS:

	A blank indicates the use is not permitted	SC	Permitted use subject to special exception if it meets conditions
P	Permitted Use	S1	Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
C	Permitted Use if it meets certain conditions	S2	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.
S	Permitted Use subject to special exception from the Board of Appeals		

DUNKIRK TOWN CENTER

3-3.01 DUNKIRK TABLE OF LAND USES – <u>AGRITOURISM, ECO-TOURISM, AND HERITAGE TOURISM USES</u>	TC
<u>Agritourism Enterprise</u>	
<u>Campground, Farm</u>	
<u>Canoe or Kayak Launching Site, Commercial</u>	
<u>Commercial Kitchen, Farm</u>	
<u>Ecotourism Enterprise</u>	
<u>Farm Support Business, Less than 5,000 square feet</u>	
<u>Farm Support Business, More than 5,000 square feet</u>	
<u>Heritage Trail Displays</u>	
<u>Hunting Service</u>	
<u>Public Events/Public Assemblies on Farmland</u>	
<u>Rental Facilities on Farms</u>	
<u>Sports Practice Fields on a Farm</u>	

DUNKIRK TOWN CENTER	
3-3.01 DUNKIRK TABLE OF LAND USES - AGRICULTURAL	TC
Livestock-Animal Husbandry	
<u>Aquaculture, Freshwater and Land-based</u>	
<u>Aquaculture, Marine/ Estuarine</u>	
Commercial Greenhouse, <u>Retail</u>	P
Commercial Greenhouse, <u>Wholesale</u>	P
Commercial Kennel, <u>with indoor facilities only</u>	
Commercial Kennel, <u>with outdoor facilities</u>	
Commercial Raising of Exotic <u>or Wild</u> Animals	SC
Commercial Raising of Fur-bearing Animals	
Commercial Raising of Poultry	
Commercial <u>or Non-Profit</u> Stable or <u>Horseback-Riding</u> Club	
<u>Concentrated Animal Feeding Operation</u>	
Domestic Animals¹	P
<u>Farm</u>	<u>P</u>
<u>Farm Brewery</u>	
<u>Farm Distillery</u>	
Farm Building	P
<u>Farm Stand</u>	
<u>Farm Winery</u>	
Feedlot	
Field Crops and/or Nursery	P
<u>Forest Product Processing</u>	
<u>Garden Center or Farm Supply Store, less than 75,000 square feet</u>	<u>P</u>
<u>Garden Center or Farm Supply Store, 75,000 square feet</u>	<u>C</u>
Livestock Auction and/or Sales Barn, <u>Commercial</u>	
Livestock Auction and/or Sales Barn , <u>by a Non-Profit Organization or Farm Owner</u>	
Nursery, <u>Retail</u>	P
Nursery, <u>Wholesale</u>	P
Swine Raising	
Forestry or Tree Farming	
Veterinary Hospital or Clinic, <u>Livestock</u>	C
Veterinary Hospital or Clinic, <u>Small Animal</u>	C

¹ "Domestic Animals" moved from Agricultural Chart to Unclassified Chart. Use changed to "Household Pets".

DUNKIRK TOWN CENTER

3-3.01 DUNKIRK TABLE OF LAND USES -RESIDENTIAL	TC
Apartment, Accessory	C
Dwelling Apartment, Accessory for Resident Watchman/Caretaker	C
<u>Apartment, Accessory over a Business</u>	
<u>Assisted Living Facility</u>	P
Bed & Breakfast Facility <u>with up to</u> 2 Bedrooms in Use	C
Bed & Breakfast Facility <u>with</u> 3 to 5 Bedrooms in Use	SC
Boarding House	C
Dwelling, Attached:	
Duplex	P
Fourplex	P
Multi-family	C
Townhouse	P
Triplex	P
Dwelling, Single Family Detached	C
Group Home	P
<u>Liveaboards</u>	
Boarders Lodgers in Residence (no more than 3)	P
Manufactured Home Rental Community	
Manufactured Home, Farm	
Manufactured Home on Individual Lot	
Manufactured Home or Recreational Vehicle (Emergency)	C
Manufactured Home For Resident Watchman/Caretaker	
Manufactured Home Subdivision	
Tenant House	
<u>Tenant Houses, Additional (no more than 2 additional)</u>	

DUNKIRK TOWN CENTER	
3-3.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL RETAIL	TC
Agricultural Machinery, Service and/or Supplies	S2
Antiques Sales	P
<u>Art Gallery, Less than 75,000 square feet</u>	<u>P</u>
<u>Artisans' and Crafters' Market</u>	<u>C</u>
Auction Building	S1
Boat Dealer: <u>Dealership</u>	S2
Farmers' Market	P
Flea Market <u>by Non-profit Organization</u> ²	
Lumber and/or Other Building Materials <u>Home Improvement Center, Less than 75,000 square feet</u> ³	P
Lumber and/or Other Building Materials <u>Home Improvement Center, 75,000 square feet</u>	C
Manufactured Home Dealer	
Itinerant Sales: <u>Mobile Food Sales</u>	C
—Fish, Shellfish, Fruit, Vegetables	<u>C</u>
—All Other Licensed Sales	
Other Commercial Retail <u>Commercial</u> Buildings, Less than 75,000 square feet	P
Other Commercial Retail <u>Commercial</u> Buildings, 75,000 square feet	C
<u>Retail Commercial Building with Drive-up Facility, Less than 75,000 square feet</u>	<u>P</u>
<u>Retail Commercial Building with Drive-up Facility, 75,000 square feet</u>	<u>C</u>
<u>Retail Commercial Sale or Display Area, Outdoor</u>	<u>C</u>
Roadside Stand	
<u>Watermen's Market</u>	<u>C</u>

² Flea Market moved from Unclassified Chart to Commercial Retail Chart.

³ "Home Improvement Center" Replaces "Lumber and/or Other Building Materials". "Wholesale Lumber and/or Other Building Materials" becomes a new use on Commercial Wholesale Land Use Chart.

DUNKIRK TOWN CENTER	
3-3.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL BUSINESS & PERSONAL SERVICES	TC
Boat Service and/or Repair	S
Boat Storage, <u>Commercial</u>	S
<u>Bootel</u>	
Commercial- Boat Deck <u>Pier</u>	
<u>Commercial Kitchen (not associated with an Eating Establishment)</u>	<u>S1</u>
Commercial Trade or Business School	S1
<u>Corporate Headquarters, less than 5,000 square feet</u>	<u>P</u>
<u>Corporate Headquarters, more than 5,000 square feet</u>	<u>S1</u>
Funeral Home and/or Crematorium	P
Eating Establishments: <u>with Drive-up Facility</u>	S2
Eating Establishments: <u>without Drive-up Facility</u>	P
—Restaurant	<u>P</u>
—Drive-in, Fast Food, Carry-out	<u>S2</u>
<u>Entertainment Business, Adult</u>	
<u>Flex Space Business</u>	<u>SC</u>
Funeral Home and/or Crematorium	P
Home Occupations, All Employed are Residents	<u>P C</u>
Home Occupations, 1 Equivalent Full-time non-resident employee	<u>SC</u>
Home Occupations, <u>with up to</u> 2 Equivalent Full-time non-resident employees	SC
Laundry, Industrial	
Laundry / Laundromat	P
Motel, <u>or</u> Hotel or Bootel	S1
<u>Office, Medical, Non-medical or Clinic, less than 5,000 square feet</u>	<u>P</u>
<u>Office, Medical, Non-medical or Clinic, more than 5,000 square feet</u>	<u>S1</u>
<u>Office Support Services, including printing, copying, faxing, internetworking, etc., less than 5,000 square feet</u>	<u>P</u>
<u>Office Support Services, including printing, copying, faxing, internetworking, etc., more than 5,000 square feet</u>	<u>S1</u>
Other Commercial Business, Personal Services, Offices, Clinics: Less than 5,000 sq.ft.	P
Other Commercial Business, Personal Services, Offices, Clinics: More than 5,000 sq.ft.	S1
Tavern, Nightclub, Lounge, Dance Hall	S2
<u>Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars</u>	

DUNKIRK TOWN CENTER	
3-3.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL RECREATION	TC
Campground and/or Recreational Vehicle Camp, <u>Non-Farm</u>	
Carnival, Fair or Circus – Temporary, More than Five Acres	
Carnival, Fair or Circus – Temporary, Less than Five Acres	SC
<u>Commercial or Non-Profit Meeting Hall, Banquet Hall</u>	<u>S1</u>
Convention Center / Retreat	S1
Drive-in Theatre	
Golf Course / Country Club	
Golf, Driving Range	
Golf, Miniature	
Hunting Reserve without Shooting Range	
Marina or Yacht Club	
Indoor Commercial Amusements:	
Arcade, Pool Hall, <u>Bingo Hall</u>	SC
Bowling, Skating Rink, Theatre	S1
Dance Studio , <u>Performing Arts, Commercial</u>	P
Health Spa/Gymnasium <u>Fitness Center</u>	P
Swimming Pool, Athletic Courts	S1
Other Outdoor Recreation, such as: Swimming Pools, Athletic Courts	S
Convention Center/ <u>Retreat, Day</u>	S1
<u>Special Event</u>	<u>P</u>
<u>Studio, Commercial</u>	<u>P</u>
Target Range, <u>Indoor</u>	
Target Range, <u>Outdoor</u>	

DUNKIRK TOWN CENTER

3-3.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL WHOLESALE	TC
<u>Mini-Storage</u>	
<u>Warehouse</u> , Indoor	S
<u>Warehouse</u> , Outdoor	
<u>Wholesale</u> Lumber and/or Other Building Materials, less than 75,000 square feet ⁴	P
<u>Wholesale</u> Lumber and/or Other Building Materials, 75,000 square feet	C
Wholesaling, <u>Indoor Only</u> or Warehouse:	S
3-3.01 DUNKIRK TABLE OF LAND USES-MOTOR VEHICLE & RELATED SERVICES	
Automobile Filling & Service Station	SC
Automobile Filling & Service Station <u>with Convenience Store and/or Eating Establishment</u>	SC
Automobile Repair/Service Shop/ Car Wash <u>without fuel sales</u>	SC
Automobile Parking Lot/Garage <u>as a Principal Use</u>	P
Automobile Parts Dismantling and/or Storage	
<u>Bus lot or garage</u>	<u>S2</u>
<u>Car Wash</u> , Accessory Use	S2
Commuter Parking Lot	P
<u>Inoperative or Unregistered Vehicle, 1 per lot</u> ⁵	P
<u>Inoperative or Unregistered Vehicles, 2 per lot</u> ⁶	
<u>Motor Vehicle Accessory Shop</u>	<u>C</u>
Motor Vehicle Dealer <u>Dealership</u> - New or Used	S
Other Motor Vehicle Related Uses including: Bus depot, car wash , taxi service, vehicle rental or leasing	S2
<u>Park-and-Sell Lot</u>	<u>S</u>
<u>Parking of Commercial Vehicles</u>	<u>C</u>
Storage and/or Service of Trailers, Trucks and Vans <u>Motor Vehicles</u>	
Truck, <u>Bus and Diesel</u> Service Station , <u>and</u> Repair Shop	
<u>Truck, Bus and Diesel Service and Repair Shop</u>	
<u>Truck Terminal</u> ⁷	
<u>Vehicle Ferry Service</u>	

⁴ Wholesale Lumber and/or Other Building Materials moved from Commercial Retail Chart to Commercial Wholesale Chart. "Home Improvement Center" replaces "Lumber and/or Other Building Materials" on Commercial Retail Chart.

⁵ Inoperative Vehicle, 1 per lot moved from Unclassified Chart to Motor Vehicle Chart.

⁶ Inoperative Vehicles, 2 per lot moved from Unclassified Chart to Motor Vehicle Chart.

⁷ Truck Terminal moved from the Industrial Chart to Motor Vehicle Chart.

DUNKIRK TOWN CENTER

3-3.01 DUNKIRK TABLE OF LAND USES - INDUSTRIAL	TC
Agricultural / Seafood / <u>Livestock</u> Processing Plant	
—Granary, Meats, Poultry, Seafood	
All Other Light Industrial Uses	S
Asphalt Plant	
Commercial Fuel Storage Business, over 50,000 gallons	
Commercial Recycling Facility	
Distillation of Alcohol as a Fuel, Commercial	
Distillation of Alcohol as a Fuel on a Farm for Farm Use Only	
<u>Grain Elevator</u>	
<u>Kiln, Wood Drying</u>	
Landfill, Land-Clearing Debris ⁸	
<u>Landfill, Rubble</u>	
Landfill, Sanitary ⁹	
<u>Manufacturing and/or Assembly, Heavy</u>	
Other General Manufacturing and/or Assembly, <u>Light</u> , Less than 5,000 square feet	S1
Other General Manufacturing and/or Assembly, <u>Light</u> , More than 5,000 square feet	SC
Manufacturing and/or Assembling, Watercraft, <u>Commercial</u>	S2
Outdoor Storage in Connection with Commercial and/or Industrial Uses ¹⁰	C
Power Generating Facility, Home <u>Accessory to a Residence or Business</u>	P C
Power Generating Facilities, Other <u>Facility, Commercial</u>	
Research & Development Facility, Environmental	P
Research & Development Facility, Other	P
Salvage and/or Junk Yard	
<u>Sand, Gravel or Mineral Extraction and Processing</u>	
Sand, Gravel or Mineral Extraction (No Processing)	
Sawmill, Commercial	
Sawmill, only for Timber Grown on Premises <u>Portable</u>	
<u>Storage of</u> Machinery & Equipment in Connection With Excavating and /or Contracting Business ¹¹	
Tire Retreading	
Truck Terminal ¹²	

⁸ Landfill, Land-Clearing Debris moved from Unclassified Chart to Industrial Chart.

⁹ Landfill, Sanitary moved from Institutional Chart to Industrial Chart.

¹⁰ Outdoor Storage in Connection with Commercial and/or Industrial Uses moved from Unclassified Chart to Industrial Chart.

¹¹ Machinery & Equipment moved from Unclassified Chart to Industrial Chart.

¹² Truck Terminal moved from Industrial Chart to Motor Vehicle Chart.

DUNKIRK TOWNCENTER

3-3.01 DUNKIRK TABLE OF LAND USES – INSTITUTIONAL	TC
College or University	P
Child <u>Day</u> Care Center:	
12 19 Children Clients or Less	P
13 Children to 19 Clients Children	P
20 Children or More Clients	S
<u>Day Care Center Associated with a Place of Worship, School, or other Institution</u>	<u>S</u>
Preschool , Elementary or Secondary School	P
Fire and/or Rescue Service	P
Hospital	P
Landfill, Sanitary ¹³	
Museum or Library	P
Museum or Library	P
Non-profit Club or Institution	P
Nursing or Convalescent Home	P
Place of Worship, Parish Hall, Convent, Monastery or Rectory	P
Public or Governmental Building	P
Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc. ¹⁴	P
Public Utility Lines & Accessory Structures	S2
Solid Waste Collection Site	
<u>Temporary Structure Incidental to Schools (classroom relocatable)</u>	<u>P</u>
Wastewater Treatment Facility	SC
Water Supply Treatment Facility	P

¹³ Landfill, Sanitary moved from Institutional Chart to Industrial Chart.

¹⁴ See Recreation Chart for similar uses. Distinction no longer made between “Public or Non-profit” and “Commercial”.

DUNKIRK TOWN CENTER

3-3.01 DUNKIRK TABLE OF LAND USES – UNCLASSIFIED	TC
Accessory Building or Use	P
Airport or Landing Field	
Billboards	
Cemetery or Memorial Garden	P
Communications Towers & Antennas (Government, Commercial & Private)	SEE SECT. 3-4
Dock, Pier, Private	
Flea Market by Non-Profit Organization ¹⁵	G
Garage Sale, Yard Sale or Estate Sale	C
Heliport	S
Domestic Animals <u>Household Pets</u> ¹⁶	P
Inoperative Vehicle, one per lot ¹⁷	
Inoperative Vehicle, two per lot ¹⁸	
Land-Clearing Debris Landfill ¹⁹	
<u>Livestock Kept as Pets on Non-Farm Properties</u>	
Machinery & Equipment in Connection With Excavating and /or Contracting Business ²⁰	
Model Home -No Office	P
Outdoor Storage in Connection with Commercial and/or Industrial Uses ²¹	G
<u>Structure for the Keeping of Animals (on non-farm properties)</u>	<u>P</u>
<u>Subdivision Entrance Sign or Feature</u> ²²	<u>P</u>
Temporary Structure Incidental to Construction (non-residential)	C
<u>Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)</u>	
Temporary Recreational Vehicle at Construction site (for watchman)	
Unoccupied Recreational Vehicle	

¹⁵ Flea Market moved from Unclassified Chart to Commercial Retail Chart.

¹⁶ "Domestic Animals" moved from Agricultural Chart to Unclassified Chart. Use changed to "Household Pets".

¹⁷ Inoperative Vehicle, 1 per lot moved from Unclassified Chart to Motor Vehicle Chart.

¹⁸ Inoperative Vehicles, 2 per lot moved from Unclassified Chart to Motor Vehicle Chart.

¹⁹ Land-Clearing Debris Landfill moved from Unclassified Chart to Industrial Chart.

²⁰ Machinery & Equipment in Connection w/Excavating and/or Contracting Business moved from Unclassified Chart to Industrial Chart.

²¹ Outdoor Storage in Connection with Commercial and/or Industrial Uses moved from Unclassified Chart to Industrial Chart.

²² Subdivision Entrance Signs to be addressed in Sign Regulations and deleted from this Section during the rewriting of Article 6. Until such time, provisions of this Section shall remain in effect.

3-3.01.A Dunkirk Town Center Conditional Uses

The following are conditions imposed upon land uses indicated in Section 3-3.01, Table of Land Uses. ~~These conditions are in place of the conditions listed in Section 3-2 of the Calvert County Zoning Ordinance. In all cases except those specifically listed below, the conditions listed in the Calvert County Zoning Ordinance must be met. If a use is listed as conditional in the Land Use Tables (indicated by a 'C' or an 'SC'), and no conditions are listed below, the conditions listed in Section 3-2 of the Calvert County Zoning Ordinance apply. The conditions listed below are unique to the Dunkirk Town Center.~~ Note: this section of the Dunkirk Town Center Zoning Ordinance has been renumbered for consistency with the Calvert County Zoning Ordinance.

1. Commercial Raising of Exotic Animals, provided that all animals are kept indoors.
2. Garden Center or Farm Supply Store, 75,000 square feet, provided that the conditions for "Other Commercial Retail Buildings, 75,000 square feet" are met.
- (10/15/96) 9- 3. Multi-family Dwelling Development, provided that the following conditions are met:
 - a. The multi-family dwelling development shall be for elderly housing only, and
 - b. No more than 10 percent of the Dunkirk Town Center shall be eligible for such elderly housing at a maximum density of 14 units per acre.
- (8/10/04) 2- 4. Lumber and/or Other Building Materials, Home Improvement Center, 75,000 square feet, provided that:
 - a. all storage is 100 percent screened by wood fencing and/or landscaping, and
 - b. that the conditions for "Other Commercial Retail Buildings, 75,000 square feet" are met.
5. Wholesale Lumber and/or Other Building Materials, 75,000 square feet, provided that:
 - a. all storage is 100 percent screened by wood fencing and/or landscaping, and
 - b. that the conditions for "Other Commercial Retail Buildings, 75,000 square feet" are met.
- (8/10/04) 3- 6. Other Commercial Retail Buildings, 75,000 square feet, provided that the following conditions are met:
 - a. Building and Site Design

In addition to specific requirements of the Town Center Zoning Ordinance and Article 6 of the County Zoning Ordinance, the following provisions shall apply:

 - i. Any outdoor sales areas shall be specifically designed as such and shall include fencing and landscaping around their entire perimeter in accordance with the Architectural Review Standards of this Town Center Zoning Ordinance. They shall not impede pedestrian circulation and shall not be located within parking lots.
 - ii. An outdoor area or areas totaling a minimum of 2000 sq. ft. shall be provided for a bus stop and outdoor seating. The area(s) shall be landscaped and shall be conveniently located near the public entrance and pedestrian travelways.
 - iii. All sides having a public entrance shall include some combination of the following features along no less than 70 percent of the horizontal length of any façade with a public entrance: recesses, projections, awnings, arcades, display windows and entry areas. (see Guidelines Appendix attached to the Town Center Ordinance).
 - b. Maintenance Agreement

Before a building permit is issued, a maintenance agreement shall be executed between the landowner and the Board of County Commissioners, which agreement shall apply whether the building is fully occupied, partially occupied or vacant. The agreement shall provide for the maintenance of the building exterior, signage, lighting, landscaping, parking lots, sidewalks, and trash removal. It shall contain provisions whereby the County shall give the landowner notice of any violations of the agreement and a reasonable time to correct the violation. The agreement shall further provide that if the violation has not been corrected within the specified time, the County shall be permitted to enter the premises, correct the violation and add the costs incurred to the landowner's next tax bill. The agreement shall be recorded among the land records of Calvert County and shall be binding on all subsequent owners so long as the building creating the need for the agreement remains standing.

c. Co-location²³

For the purposes of these regulations, co-location is defined as: The placement of smaller retail and service buildings with individual outside entrances on the same site as a large (75,000 sq. ft. +) retail building. The total square footage of the smaller buildings shall equal at least 20 percent of the large retail building. (See design guidelines for examples of co-location.)

The square footage of the co-located buildings shall be excluded from the maximum square footage permitted by the Land Use Charts for the large retail building.

i. Waivers for Co-location

The Planning Commission may waive the requirements for co-location in cases where a large retail store in existence as of August 10, 2004, is to be expanded on-site by no more than 50% of its gross square footage. No waivers shall be granted for (1) the expansion of a large retail store in existence as of August 10, 2004, if the expansion is more than 50% of its gross square footage or (2) the expansion of large retail stores constructed after August 10, 2004. Such waivers shall only be granted if the applicant demonstrates that an undue hardship will be imposed due to exceptional narrowness, shallowness, or shape of particular parcels of property or by reason of exceptional topographical conditions or other extraordinary situations or conditions affecting the property. Self-imposed hardship and financial hardship shall not be considered .

7. Retail Commercial Building with Drive-up Facility, 75,000 square feet, provided that the conditions for "Other Commercial Retail Buildings, 75,000 square feet" are met.

8. Flex Space Business, provided that:

a. the conditions of the Calvert County Zoning Ordinance are met; and

b. no building is more than 20,000 square feet.

- (8/10/04) **4. 9.** Indoor Commercial Amusements (Arcade, Pool Hall), provided that the facility does not operate during school hours.
- (8/10/04) ~~5.- Flea Market by Non-Profit Organization, provided that each organization operates a market no more than one day per year.~~
- (8/10/04) ~~6.-~~ **10.** Power Generating Facility, ~~Home~~ **Accessory to a Residence or Business**, provided that the facility meets State noise standards **and the generator shall be installed within the Building Restriction Lines required for the primary structure.**
- (8/10/04) ~~7.-~~ **11.** Other General Manufacturing/Assembly (more than 5,000 square feet), provided that no building is more than 20,000 square feet.
- (8/10/04) ~~8.-~~ **12.** Outdoor Storage in Connection with Commercial and/or Industrial Uses, provided that all storage is 100 percent screened by wood fencing and landscaping.

²³ The requirements for co-location may apply to each phase of a development or to the entire site, at the developer's discretion.