

USE #	COMMERCIAL RETAIL USES & DEFINITIONS (in italics)	FCD	RPD	RCD	R1/R2	WL	TR	APD	HD	I-1	RC	MC	EC/TC	CONDITIONS
1.	Adult Bookstore <i>See Entertainment Business, Adult, in the Business & Personal Services Chart</i>													
2.	Agricultural Machinery, Service and/or Supplies <u><i>A facility designed for the maintenance and sale of goods related to farm machinery including tractors, plows, backhoes, balers, harrowers, harvesters, manure spreaders, seeders, and similar machinery used directly in agricultural production.</i></u>									P	P		P	
3.	Antiques Sales <u><i>An establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period, which for the purpose of this ordinance is thirty (30) years or older. All sales and storage occur inside a building.</i></u>								S		P	P		
4.	<u><i>Art Gallery</i></u> <u><i>Premises used principally for the sale, display and exhibition of fine arts and craft products and may include accessory production or instruction in the production of arts and crafts using paint, clay, fabric or other medium media.</i></u>								S		P	P		
5.	<u><i>Artisans' and Craftspersons' Crafters' Market</i></u> <u><i>A site with or without permanent structures, operated on a seasonal or year-round basis that allows multiple artists and/or craftspersons crafters to retail their products that they produced directly to consumers. May operate separately or in conjunction with a Farmers' Market and/or a Waterman's Market.</i></u>								S		C	C		<ol style="list-style-type: none"> <u><i>It is located on property with the permission of the owner; and</i></u> <u><i>any new permanent market meets the front setback requirements specified in Section 5-1. A temporary market may be as close as shall be at least 30 feet from the right-of-way; and</i></u> <u><i>adequate parking is provided so that there is no parking on a right-of-way.</i></u>
6.	Auction Building <i>A place where auctions are held. Merchandise to be auctioned may be stored and displayed prior to the auction. <u><i>This definition does not include Livestock Auction Barns.</i></u></i>	SC	SC	SC							P C			<ol style="list-style-type: none"> Auctions are <u><i>shall be</i></u> held no more often than once a month; <u><i>and</i></u> there is <u><i>shall be</i></u> no outside storage of articles to be sold; <u><i>and</i></u> there is <u><i>shall be</i></u> no parking on a public right-of-way; <u><i>and</i></u> <u><i>the Auction Building shall not be used for the sale or auction of motor vehicles.</i></u>
7.	Boat Dealer Dealership <u><i>The use of any building, land area or other premise for the sale, exchange, rental, or lease with option to purchase, of more than two new or used watercraft per year.</i></u>									P C	S C S	P		<ol style="list-style-type: none"> <u><i>In the I-1 District, sales are restricted to boats over 25' in registered length.</i></u> <u><i>In the RC District, sales are restricted to boats under 25' in registered length.</i></u>

¹ Parking requirements for highlighted uses will be addressed during the rewriting of Article 6.

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8.	Farmers' Market, <u>Permanent</u> <i>An area or building where produce and handicrafts are offered for sale by the producers or craftsmen.</i> <u>A permanent structure, operated on a seasonal or year-round basis, that allows for multiple agricultural producers to retail their products and agriculture-related items directly to consumers. and enhance income through value-added products, services and activities.</u>	SC	SC	SC						SC	P C	P C	C	1. Any new buildings or structures meet the front setback requirements specified in Section 5-1. 2. The parking area is not an impervious surface. 3. The use is located not less than 150 feet from the nearest residence other than that of the operator of the farmers' market. 1. It shall be restricted to selling farm-produced and/or value-added products only; and 2. it shall be located on property with the permission of the owner; and 3. any new permanent market shall meet the front setback requirements specified in Section 5-1. A temporary market may be as close as 30 feet from the right-of-way; and 4. adequate parking shall be provided so that there is no parking on a right-of-way.
9.	Farmers' Market, <u>Seasonal</u> <i>A site with or without permanent structures, operated on a seasonal basis, that allows for agricultural producers to retail their products and agriculture-related items directly to consumers. and enhance income through value-added products, services and activities.</i>									SC	P	P	C	
10.	Flea Market ² by Non-Profit Organization <i>A temporary market held in an open area or in a structure where groups of individual sellers offer goods for sale to the public.</i> <i>An occasional or periodic market usually held in an open area, but which may be held indoors, where an individual or groups of individual sellers offer goods for sale to the public for a fee or other compensation paid to a for-profit entity. There may exist long-term or short-term leases between the sellers and operators and the sellers may use their own vehicles for display or set up temporary tables or booths for their wares or stalls or other means of display may be provided.</i>	P	P	P	P					P	P	P		
11.	<u>Home Improvement Center</u> ³ <i>A commercial retail store that sells lumber and other building materials, where most display and sales activities occur indoors. Products sold may include paint, wallpaper, glass, fixtures, nursery stock, home appliances, and lawn and garden equipment and supplies. Includes stores selling to the general public even if contractor sales account for a major proportion of total sales.</i>										C			<u>The gross square footage of all buildings combined, regardless of use, shall not exceed 25,000 square feet per lot or parcel of record as of the date of adoption of this amendment (August 10, 2004).</u>
12.	Manufactured Home Dealer <i>An establishment that sells manufactured homes as are defined by this Ordinance.</i>									C	S			<u>The manufactured homes shall be screened from adjoining properties and the road.</u>

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

³ "Home Improvement Center" Replaces "Lumber and/or Other Building Materials" on this chart.

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13.	Itinerant Sales: Mobile Food Sales <i>The selling of items where the seller moves from place to place negotiating sales along the way.</i> Mobile Food Sales - The selling of food from a mobile food vending unit that is temporarily parked or located on a private parcel of property. This term includes a mobile food vending unit that visits multiple private property sites on a daily basis for no more than one hour per site. Mobile Food Vending Unit - Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand or other device designed to be portable and not permanently attached to the ground from which only prepared, ready-to-eat food is sold.									C	C	C	C	<ol style="list-style-type: none"> Adequate off-street parking shall be available so that there is no parking on a right-of-way; and the mobile food-vending unit shall be located on property with the permission of the owner; and while in operation, the mobile food vending unit shall not be parked at a single property for more than one hour per site; and Health Department approval is obtained.
14.	Itinerant Sales, Fish, Shellfish, Fruit, Vegetables	€	€	€	€					€	€	€	€	<ol style="list-style-type: none"> The produce is in its natural condition. The fish and shellfish are caught by the seller and the fruit and vegetables are grown by the seller. Adequate off-street parking is available so that there is no parking on a right-of-way.
15.	Itinerant Sales, All Other Licensed Sales										€	€	€	provided that adequate off-street parking is available so that there is no parking on a right-of-way.
16.	Lumber and/or Other Building Materials less than 25,000 square feet⁴ See "Home Improvement Center" on this chart. Also see Commercial Wholesale Chart For Definition of and conditions for "Wholesale Lumber and/or Other Building Materials".									€	€		€	
17.	Other Commercial Retail Commercial Buildings <i>A building that houses a commercial retail establishment that either stands alone or is connected to other buildings by a common wall having no entrances or exits. A commercial retail building may include more than one retail establishment and/or service.</i>										C	C	C	<p>Condition in the RC District: The gross square footage of all buildings combined, regardless of use, shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (August 10, 2004).</p> <p>Condition in the MC District: The retail commercial use it is shall be marine-related.</p> <p>Conditions in the EC/TC District:</p> <ol style="list-style-type: none"> The commercial retail use is serving shall serve primarily the other businesses on site; and the commercial retail use is shall not be adjacent to an arterial or collector road; and the total commercial retail use shall consist of no more than 1,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (August 10, 2004).

⁴ * **Wholesale** Lumber and/or Other Building Materials moved from Commercial Retail Chart to Commercial Wholesale Chart.

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18.	<u>Retail Commercial Building with Drive-up Facility</u> <i>A commercial retail building that includes a structure or part of a structure designed to accommodate patrons' motor vehicles, from which the occupants of the motor vehicle may make purchases or transact business.</i>													
19.	<u>Retail Commercial Sale or Display Area, Outdoor</u> <i>The use of space exterior to the walls of a retail commercial building for the sale and/or display of products. This definition does not include outdoor storage and does not apply to temporary retail sales conducted by non-profit organizations (e.g., seasonal sales).</i>										<u>C</u>	<u>C</u>		<ol style="list-style-type: none"> 1. <u>An outdoor retail commercial sale or display area shall only be permitted as an accessory use to an approved retail commercial building and shall not exceed 25 percent of the size of the associated retail commercial building; and</u> 2. <u>site plan approval shall be obtained; and</u> 3. <u>the sale or display area shall not be located within designated parking areas unless it can be demonstrated that the parking requirements will be met. Note: Parking shall be provided for the outdoor sales area in addition to the retail commercial building; and</u> 4. <u>the sale or display area shall not be located within designated travelways; and</u> 5. <u>fencing and/or screening may be required; and</u> 6. <u>in the MC District, the use shall be marine-related.</u>
20.	Roadside Stand-See: Farm Stand, Farmers' Market, Artisans' & Craftspersons' Crafters' Market, and Watermen's Market <i>A temporary structure used for the display or sale of agricultural or other products.</i>	C	C	C	C					C	C	C	C	<ol style="list-style-type: none"> 1. It is restricted to selling produce/nursery products only. 2. It is located on property with the permission of the owner. 3. Any new permanent stand meets the front setback requirements specified in Section 5-1. A temporary stand may be as close as 30 feet from the right-of-way. 4. Adequate parking is provided so that there is no parking on a right-of-way.
21.	<u>Watermen's Market</u> <i>A site with or without permanent structures, operated on a seasonal or year-round basis that allows watermen possessing a Maryland Commercial Fishing License to retail their products. May operate separately but in conjunction with a Farmers' Market and/or an Artisans' and Craftspersons' Crafters' Market.</i>										<u>C</u>	<u>C</u>		<ol style="list-style-type: none"> 1. <u>The market is restricted to selling seafood only; and</u> 2. <u>the market is located on property with the permission of the owner; and</u> 3. <u>any new permanent market shall meet the front setback requirements specified in Section 5-1. A temporary market may be as close as 30 feet from the right-of-way; and</u> 4. <u>adequate parking shall be provided so that there is no parking on a right-of-way.</u>