

PROPOSED AMENDMENTS TO THE CALVERT COUNTY ZONING ORDINANCE

DISTRIBUTED: March 21, 2005

Included in this set:

Article 3 – Land Uses by Zoning Districts
(Uses & Conditions in the I-1, RC, MC & EC/TC Districts Only)
p/o Article 12 – Definitions

Additions shown in **red bold underline**

Deletions shown in ~~red strikethrough~~

Excerpt from the Calvert County Zoning Ordinance
SECTION 3-1 LAND USES BY PRIMARY DISTRICT OUTSIDE THE TOWN CENTERS

The Tables of Land Uses contained in Sections 3-1.01 through 3-1.10 list the different uses and the zoning districts in which they are permitted. If a use is not listed or does not fall within one of the general categories, it is not a permitted use in any district. If a use is specifically listed in the Land Use Tables, it takes precedence over general use listings.

P	A "P" indicates permitted uses.
S	An "S" indicates in which districts the property owner needs a special exception from the Board of Appeals. Refer to Article 11 of this Ordinance, concerning special exceptions.
	A blank indicates the use is not permitted in the district.
C	A "C" indicates the use is permitted only if it meets certain conditions. See Section 3-2 of this Ordinance for the conditions.
SC	An "SC" indicates the use is subject to a special exception from the Board of Appeals if it meets conditions.

The letters at the top of the table under the words "Zoning Districts" stand for the names of the zoning districts which are as follow:

I-1	Light Industrial District (Light industrial and warehousing) see Sections 2-8.04 and 2-8.07 for provisions concerning development within the I-1 District under Development Agreements.
RC	Rural Commercial District
MC	Marine Commercial District (Primarily for businesses which supply and cater to marine activities)
EC/TC	Employment Center/Town Center (Mixed-use commercial, light manufacturing, warehousing, colleges, universities, and research and development businesses).

Note: For reviewers' convenience, definitions of every use listed has been provided, as well as any required conditions, on the Land Use Charts on the following pages.

AGRICULTURAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Aquaculture, <u>Fresh Water and Land-based</u> <i>The raising of fish or shellfish in any natural or man-made body of water. The culture of aquatic species under natural or artificial conditions in freshwater ponds, tanks, raceways or other freshwater impoundments. This definition excludes commercial seafood processing, packing and storage plants. When aquaculture is clearly accessory to other land uses such as raising fish on the same site in conjunction with recreational uses, or for personal, noncommercial purposes, it shall be subject to zoning ordinance requirements for the principal use.</i></p>	<u>P</u> <u>C</u>		<u>C</u>		<ol style="list-style-type: none"> 1. Any water discharged shall be treated through land application. 2. <u>In the RUR District, a A</u> minimum of one (1) acre shall be provided for every 1000 square feet of building space. All structures used for aquaculture which contain more than 1000 square feet must be located at least 100 feet from all property lines. 3. Processing and product storage facilities may be permitted by special exception from the Board of Appeals in the RUR Rural District.
<p>Aquaculture, Water-based <u>Marine/Estuarine</u> (with no structures) <i>The raising of fish and shellfish in any natural, open, free-flowing body of water. The culture of salt-tolerant aquatic species under natural or artificial conditions in tidal waters and coastal ponds including, but not limited to: fish farming utilizing pens, tanks or impoundments; the culture of shellfish on the bay floor or stream or river beds, in cages, or suspended from structures in the water, and the culturing of aquatic plants. This definition excludes commercial seafood processing, packing and storage plants. When aquaculture is clearly accessory to other land uses such as raising fish on the same site in conjunction with recreational uses, or for personal, noncommercial purposes, it shall be subject to zoning ordinance requirements for the principal use.</i></p>	P	P	<u>P</u> <u>C</u>	P	<u>All structures shall meet the lateral line setback requirements.</u>
<p>Commercial Greenhouse, <u>Retail</u> <i>A structure or building made with translucent (light transparent) walls conducive to plant growth, in which plants, vegetables, and flowers are grown for <u>retail</u> sale.</i></p>	P	P		P	
<p>Commercial Greenhouse, <u>Wholesale</u> <i>A structure or building made with translucent (light transparent) walls conducive to plant growth, in which plants, vegetables, and flowers are grown for sale <u>wholesale purposes only</u>.</i></p>	P	P		P	
<p>Commercial Kennel <u>with indoor facilities only</u> <i>An establishment in which dogs <u>household pets</u> are kept or boarded for a fee <u>entirely within an enclosed structure</u>.</i></p>	C	C			<ol style="list-style-type: none"> 1. <u>The property shall contain a minimum of one acre; and</u> 2. all structures or accessory uses are <u>shall</u> not <u>be</u> less than 500 <u>100</u> feet from any property line or 300 <u>100</u> feet from a right-of-way. <u>These setbacks may not be reduced.</u>

AGRICULTURAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Commercial Kennel <u>with outdoor facilities</u> <i>An establishment in which dogs household pets are kept or boarded for a fee where outdoor facilities such as runs, pens, and walking areas are provided.</i>	E	C			<ol style="list-style-type: none"> <u>1. The property shall contain a minimum of five acres; and</u> <u>2. all structures or accessory uses are shall not be less than 500 feet from any property line or 300 feet from a right-of-way. <u>These setbacks may not be reduced.</u></u>
Commercial Poultry Raising <i>The raising of poultry for sale or profit as a principal land use on any given parcel.</i>	P				
Commercial Raising of Exotic Animals Animals not indigenous to the Eastern United States other than livestock. (note: this is the definition of "Exotic Animal"). <u>Commercial Raising of Exotic Animals -- The production for commercial purposes of any creature defined as exotic by this Ordinance (see Exotic Animal).</u> <u>Exotic Animals - Any mammal, amphibian, bird, fish, shellfish, reptile or insect not indigenous to Maryland. Examples include but are not limited to: lions, tigers, elephants, alligators, crocodiles, etc.. Additionally, herbivorous, omnivorous and carnivorous Maryland species such as bear, deer, coyote, fox, turkey, lynx, and bobcat are deemed exotic.</u>	S	S			
Commercial Raising of Fur-bearing Animals The raising, keeping, training, boarding, or handling of furbearing animals, other than exotic animals, for a fee. <u>The production of fur-bearing animals other than livestock, household pets and rabbits for commercial purposes, such as breeding stock or for the reclamation of pelts.</u>	P				
Commercial <u>or Non-Profit</u> Stable or <u>Horseback-Riding</u> Club An establishment in which horses are kept, trained, boarded or handled, <u>or ridden</u> for a fee (and which is a principal land use on any given parcel).	P	C			<ol style="list-style-type: none"> <u>1. The property shall contain a minimum of three acres; and</u> <u>2. adequate off-street parking shall be provided so that there is no parking on a right-of-way.</u>
Farm Building, <u>Animal Use</u> <i>A structure, other than a dwelling, accessory to the principal uses of the farm, that is used in whole or part to contain animals.</i>	P	P	P	P	
Farm Building, <u>non-Animal Use</u> <i>A structure, other than a dwelling, accessory to the principal uses of the farm.</i>	P	P	P	P	

AGRICULTURAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Feedlot <u>or Animal Feeding Operation</u> <i>A lot or facility where animals have been, are, or will be stabled or confined and fed or maintained for a total of at least 45 days in any 12-month period and that does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season.</i>	P <u>C</u>				<ol style="list-style-type: none"> 1. <u>The use is permitted only if it is accessory to a meat processing facility or livestock auction barn; and</u> 2. <u>all structures used for the confinement and/or feeding of animals shall be at least 100' from all property lines.</u>
Field Crops <i>Agricultural plant commodities traditionally grown and harvested in open land including, but not limited to, grains, vegetables, legumes, and tobacco.</i>	P	P	P	P	
<u>Forest Product Processing</u> <i>The post-harvest processing of timber and non-timber materials from forests off-site. Such uses may include stump-grinding and the production of mulch. This definition does not include commercial sawmills, portable sawmills, paper mills, or chip mills.</i>	<u>C</u>				<ol style="list-style-type: none"> 1. <u>All structures shall be at least 50' from any property boundary that adjoins a property that is used for residential purposes; and</u> 2. <u>a 50' vegetated buffer shall be provided along such boundaries.</u>
Forestry in the Critical Area	€	€	€	€	
<u>Garden Center or Farm Supply Store</u> <i>An establishment with retail sales of nursery stock, landscaping and/or gardening equipment and tools, seeds, lawn furniture, and/or the sale of supplies related to farming including, but not limited to, animal feeds, fencing, irrigation supplies, fertilizer, small equipment, pesticides, and similar goods.</i>		<u>C</u>			<u>All buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /)</u>
Domestic Animals- Household Pets¹					
Livestock, <u>Concentrated Feeding Operation</u> <i>Note: Use to be defined during review of Rural Districts.</i>	P	P		P	
Livestock, <u>Free-Range or Grass-fed</u> <i>The practice of allowing livestock to have continuous and unconfined access to pasture throughout their life cycle except during conditions that would merit special protection or emergency confinement. Periods of such confinement must constitute only a very brief period during the animal's lifetime.</i>	P	P		P	

¹ Use moved from Agricultural Chart to Unclassified Chart.

AGRICULTURAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Livestock Auction and/or Sales Barn</p> <p><u><i>A place of business to which the public may consign livestock for sale by auction open to public bidding or sold on a commission basis, but, specifically, it does not include auctions by non-profit organizations such as Future Farmers of America and 4-H groups, auction sales conducted in conjunction with county, state or private fairs, or auction sales conducted by or for a person at which livestock of such person's ownership are sold on the premises of the person.</i></u></p>	S P	P			
<p>Nursery, Retail</p> <p>An area or establishment where trees, shrubs or plants are grown for transplanting, for use as stock for budding and grafting or for retail sale. An area or establishment where bagged organic materials can be sold. Organic materials include plant food, peat moss, topsoil and mulch.</p>	E	C	C	E	<p>1. Nurseries shall not be permitted within residential subdivisions containing more than five (5) lots if the owner of the nursery does not reside on the subject lot; and</p> <p>2. <u>no items other than trees, shrubs, or plants shall be sold on the premises.</u></p>
<p>Nursery, Wholesale</p> <p>An area or establishment where trees, shrubs or plants are grown for transplanting, for use as stock for budding and grafting or for sale wholesale use only.</p>	E	C	C	E	<p>1. Nurseries shall not be permitted within residential subdivisions containing more than five (5) lots if the owner of the nursery does not reside on the subject lot; and</p> <p>2. <u>no retail sales shall be permitted on the premises.</u></p>
<p>Swine Raising</p> <p><i>The raising of swine for sale or profit on any given parcel.</i></p>	P				
<p>Forestry or Tree Farming</p> <p><i>The operation of timber tracts, tree farms, forest nurseries, and the gathering of forest products.</i></p>	P	P	P	P	
<p><u>Structure for the Keeping of Animals (on non-farm properties)</u></p> <p><u><i>An accessory building or structure designed and used to contain animals. Such structures include, but are not limited to, dog houses or pens, rabbit pens, or aviaries. This definition does not apply to structures for the keeping of animals on farms (see Farm Buildings, Animal).</i></u></p>	P	P	P	P	
<p>Veterinary Hospital or Clinic, Large Animal</p> <p><i>A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the medical use. Such use may include outdoor facilities such as runs, pens, and walking areas.</i></p>	E	P		E	
<p>Veterinary Hospital or Clinic, Small Animal</p> <p><i>A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to indoor, short-term care incidental to the medical use.</i></p>	E	P		E	

RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<p>Apartment, Accessory</p> <p><i>A second dwelling unit either within or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the principal dwelling, for use as a complete, independent living facility with provisions within the accessory apartment for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the principal dwelling and is subject to the conditions contained in Section 3-42 herein.</i></p>	C	C	C	C	<ol style="list-style-type: none"> 1. Only one accessory apartment is shall be created on each single-family lot-; and 2. the accessory apartment is shall be clearly subordinate to the single-family dwelling-; and <ol style="list-style-type: none"> a. If the apartment is not a part of the dwelling, it must shall be within 100 feet of the dwelling and attached to an accessory building such as a garage. In no case shall it contain more than 900 square feet gross floor area of enclosed space, including enclosed porches. b. If the apartment is contained within the dwelling (i.e., as an addition or wing), then it shall contain no more than 40 percent of the total square footage of the building. c. If the apartment is located in the basement of the dwelling, then it can consist of the entire basement. 3. An owner of the lot occupies shall occupy at least one of the dwelling units on the premises, except for bona fide temporary absences as determined by the Zoning Officer-; and 4. At at least two off-street parking spaces are shall be available for each unit-; and 3. the owner shall obtain-Health Department approval. 5. the accessory apartment shall be located within the building restriction lines required for the principal dwelling-; and 4. only one kitchen is shall be permitted within the accessory apartment.

RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
Dwelling <u>Apartment, Accessory</u> for Resident Watchman/Caretaker	<u>P</u> <u>C</u>	<u>C</u>	<u>C</u>	<u>P</u> <u>C</u>	<ol style="list-style-type: none"> <u>1. Only one accessory apartment for a watchman shall be allowed on each lot or parcel; and</u> <u>2. the accessory apartment shall be clearly subordinate to the on-site business; and</u> <u>3. in no case shall the apartment contain more than 900 square feet gross floor area of enclosed space, including enclosed porches; and</u> <u>4. at least two off-street parking spaces shall be available for the apartment; and</u> <u>5. the owner shall obtain Health Department approval; and</u> <u>6. the accessory apartment shall be located within the building restriction lines required for the principal use; and</u> <u>7. only one kitchen shall be permitted within the accessory apartment.</u>
Apartment, <u>Accessory</u> or Executive Suite over a Business	C	<u>C</u>	<u>C</u>	C	<ol style="list-style-type: none"> <u>1. Only one executive suite or <u>accessory</u> apartment over a business is <u>shall be</u> allowed per building; and</u> <u>2. the maximum height of the building shall be no more than two stories.</u>
Assisted Living Facility <i>A group home with more than 16 residents that provides housing and supportive services, including health-related services, in a home-like environment.</i>					
Bed & Breakfast Facility <i>A residence where paying guests are lodged overnight and breakfast is the only meal served to overnight guests</i>					
Bed & Breakfast Facility with 2 Bedrooms in Use	<u>C</u>	C	C		<ol style="list-style-type: none"> <u>1. An owner lives on the premises.</u> <u>2. The facility is <u>shall be</u> a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used; and</u> <u>3. No <u>no</u> separate kitchens are <u>shall be</u> provided; and</u> <u>4. Adequate <u>adequate</u> off-street parking is <u>shall be</u> provided; and</u> <u>5. Fire Marshall and Health Department approvals are <u>shall be</u> obtained; and</u> <u>6. The breakfast shall be served to overnight lodgers only; and</u> <u>7. An <u>an</u> Occupancy Permit for such use is <u>shall be</u> obtained.</u>

RESIDENTIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Bed & Breakfast Facility with 3 to 5 Bedrooms in Use	SC	SC	SC		<ol style="list-style-type: none"> 1. An owner lives on the premises. 2. The facility is shall be a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used; and 3. No no separate kitchens are shall be provided; and 4. Adequate adequate off-street parking is shall be provided; and 5. Fire Marshall and Health Department approvals are shall be obtained; and 6. The breakfast shall be served to overnight lodgers only; and 7. An an Occupancy Permit for such use is shall be obtained.
Boarders in Residence (no more than three) <i>Boarder: A non-transient individual other than a member of the family occupying the dwelling unit or a part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.</i>	PC	PC	PC		<ol style="list-style-type: none"> 1. An owner lives on the premises; and 2. no separate kitchens shall be provided; and 3. adequate off-street parking shall be provided; and 4. Health Department approval shall be obtained for the number of bedrooms in use in the residence.
Boarding House <i>A dwelling or part thereof, in which the owner or operator provides lodging to more than three boarders.</i>			E		
Dwelling, Attached:					
<i>Duplex - A residential building on a permanent foundation consisting of two dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by party walls or common floor/ceilings without openings.</i>					
<i>Fourplex - A residential building on a permanent foundation consisting of four dwelling units, each of which has primary ground floor access to the outside and which are attached to each other.</i>					
<i>Multifamily A residential building on a permanent foundation containing three or more dwelling units. The term is intended primarily for such dwelling types as apartment buildings, and does not include townhouses, duplexes, triplexes and fourplexes.</i>					
<i>Townhouse - A single-family attached dwelling unit in a row of at least three such units. The land surrounding the units may be owned by the townhouse owners or held and maintained in a condominium arrangement.</i>					
<i>Triplex - A residential building on a permanent foundation consisting of three dwelling units, each of which has primary ground floor access to the outside and which are attached to each other.</i>					

RESIDENTIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Dwelling, Single Family Detached - <i>Dwelling, Single-Family: A residential building on a permanent foundation, containing one dwelling unit occupied by one family; this definition does not include manufactured homes or recreational vehicles.</i> <i>Dwelling, Single-Family Detached: A single-family dwelling which is not attached to any other dwelling.</i></p>	C	C	C	C	<p>1. At least 50 percent of the length of the building is shall be 20 feet wide, excluding porches-; and 1. (conditional in the I-1 and the EC/TC Districts) three contiguous residential lots with a maximum size of two acres are permitted if current zoning permits. 2. in the I-1, RC, MC, and EC/TC Districts, one single-family dwelling is permitted per lot or parcel of record as of the date of the adoption of this amendment (/ /)</p>
<p>Group Home <i>A community-based living facility offering a family or home-like environment for up to 16 residents for people who need assistance or care in some form (e.g., seniors, disabled, etc.).</i></p>	€	C	C		<p>2. No more than 16 residents reside on the premises, excluding the owner and/or employees-; and 1. no separate kitchens shall be provided; and 2. adequate off-street parking shall be provided; and 3. Health Department approval shall be obtained for the number of bedrooms in use in the residence.</p>
<p>Liveaboards <i>Permanent occupancy of watercraft. This definition does not apply to weekend and short-term vacation use of watercraft.</i></p>			C		<p>3. Marinas with one to 100 wet slips may shall have no more than one liveaboard. Marinas with 101 to 200 wet slips may shall have no more than two liveaboards, marinas with 201 to 300 slips may shall have no more than three liveaboards, and marinas with 300+ slips may shall have no more than four liveaboards-; and 1. Slip limitations do not apply for weekend and short term vacation use by vessel owners. 4. A a County permit must shall be be obtained and prominently displayed at all times-; and 2. The the marina must shall have pump-out facilities.</p>
<p>Manufactured Home Rental Community <i>Any property containing two or more manufactured homes sold, leased or held out for lease to residents or prospective residents (a.k.a. "MHR Community").</i></p>					

RESIDENTIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Manufactured Home or Recreational Vehicle (Emergency)</p> <p><i>Manufactured Home: A transportable structure designed to be used as a dwelling, built in one or more sections in a factory and bearing a seal certifying that it conforms to the U.S. Department of Housing and Urban Development's (HUD) Manufactured Home Construction and Safety Standards Code (a.k.a. mobile home or residential trailer). This definition does not include modular houses.</i></p> <p><i>Recreational Vehicle: A vehicular portable structure without permanent foundation, which can be towed, hauled or driven and is primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.</i></p>	C	C	C	<u>C</u>	In case of fire or other disaster that was not intentionally caused by the owner and that (destroying destroys the livability of a residence), the Zoning Officer may issue a permit in any district for one manufactured home or recreational vehicle to serve as a temporary shelter on the premises. If such temporary use exceeds six months, the Board of Appeals may approve an extension for a period not to exceed one year beyond the date such temporary residence was established.
Manufactured Home, Farm	€				
Manufactured Home For Resident Watchman/Caretaker	P				
Manufactured Home on Individual Lot	C				<p><u>1. In the I-1, RC, MC, and EC/TC Districts, one single-family is permitted per lot or parcel of record as of the date of the adoption of this amendment (/ /); and</u></p> <p><u>5. The the</u> unit appears to have a permanent and continuous foundation-; <u>and</u></p> <p><u>6. The the</u> unit is at least 24 feet wide-; <u>and</u></p> <p><u>7. The the</u> unit has a pitched roof-; <u>and</u></p> <p><u>2. The the</u> unit is constructed under the 1976 HUD standards.</p> <p><u>8. The the</u> exterior walls of the unit look like wood or masonry, regardless of their actual composition-; <u>and</u></p> <p><u>3. If if</u> the lot is a part of a subdivision, then the subdivision plat shall be so noted and signed by all property owners to permit manufactured homes.</p>
<p>Manufactured Home Subdivision</p> <p><i>A subdivision developed and/or intended for the sale of lots to be used as manufactured home sites.</i></p>					
<p>Tenant House</p> <p><i>A farm dwelling, other than the main farm house, for occupancy by a person or family associated with the agricultural endeavors on the farm.</i></p>	€				
Tenant Houses, Additional (no more than two additional)	SC				

COMMERCIAL RETAIL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Adult Bookstore <i>See Entertainment Business, Adult, in the Business & Personal Services Chart</i>					
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	
Antique 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>		P	P		
<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.</i></u>		<u>P</u>	<u>P</u>		
<u><i>Artisans' and Craftspersons' 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 to retail their products directly to consumers. May operate separately or in conjunction with a Farmers' Market and/or a Waterman's Market.</i></u>		<u>C</u>	<u>C</u>		<ol style="list-style-type: none"> <u><i>1. It is located on property with the permission of the owner; and</i></u> <u><i>2. any new permanent market meets 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</i></u> <u><i>3. adequate parking is provided so that there is no parking on a right-of-way.</i></u>
Auction Building <i>A place where auctions are held. Merchandise to be auctioned may be stored and displayed prior to the auction. <u>This definition does not include Livestock Auction Barns.</u></i>		P			
Boat Dealer <u><i>Dealership</i></u> <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>	<u>P</u> <u>C</u>	<u>S</u> <u>C</u>	P		<ol style="list-style-type: none"> <u><i>1. In the I-1 District, sales are restricted to boats over 25' in registered length.</i></u> <u><i>2. In the RC District, sales are restricted to boats under 25' in registered length.</i></u>

COMMERCIAL RETAIL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Farmers' Market, <u>Permanent</u> <i>An area or building where produce and handierafts 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 agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products, services and activities.</u></p>	SC	P <u>C</u>	P <u>C</u>	C	<p>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. <u>1. It shall be restricted to selling farm-produced value-added products only; and</u> <u>2. it shall be located on property with the permission of the owner; and</u> <u>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</u> <u>4. adequate parking shall be provided so that there is no parking on a right-of-way.</u></p>
<p>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></p>	SC	P	P	C	
<p><u>Home Improvement Center¹</u> <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></p>		<u>C</u>			<p>All buildings combined 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).</p>
<p>Itinerant Sales: <u>Mobile Food Sales</u> <i>The selling of items where the seller moves from place to place negotiating sales along the way.</i> <u>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.</u> <u>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.</u></p>	C	C	C	C	<p><u>1. Adequate off-street parking shall be available so that there is no parking on a right-of-way; and</u> <u>2. the mobile food-vending unit shall be located on property with the permission of the owner; and</u> <u>3. Health Department approval is obtained.</u></p>

¹ "Home Improvement Center" Replaces "Lumber and/or Other Building Materials" on this chart.

COMMERCIAL RETAIL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Itinerant Sales, Fish, Shellfish, Fruit, Vegetables	€	€	€	€	1. The produce is in its natural condition. 2. The fish and shellfish are caught by the seller and the fruit and vegetables are grown by the seller. 3. Adequate off-street parking is available so that there is no parking on a right-of-way.
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.
Lumber and/or Other Building Materials less than 25,000 square feet² 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".	€	€		€	
Manufactured Home Dealer <u><i>An establishment that sells manufactured homes as are defined by this Ordinance.</i></u>	<u>C</u>	S			<u>The manufactured homes shall be screened from adjoining properties and the road.</u>
Other Commercial Retail 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	Condition in the RC District: All buildings combined do <u>shall</u> 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). Condition in the MC District: <u>The retail commercial use # is shall be</u> marine-related. Conditions in the EC/TC District: 1. The commercial retail use is serving <u>shall serve</u> primarily the other businesses on site; <u>and</u> 2. the commercial retail use is <u>shall</u> not be adjacent to an arterial or collector road; <u>and</u> 3. the total commercial retail use <u>shall</u> 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).

² * Wholesale Lumber and/or Other building Materials moved from Commercial Retail Chart to Commercial Wholesale Chart.

COMMERCIAL RETAIL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p><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></p>					
<p>Roadside Stand-See: Farmers' Market, Artisan & Craftsperson's' Market, and Watermen's Market A temporary structure used for the display or sale of agricultural or other products.</p>	€	€	€	€	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.
<p><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 Craftsperson's' Market.</i></p>		<u>C</u>	<u>C</u>		<ol style="list-style-type: none"> <u>1. The market is restricted to selling seafood only; and</u> <u>2. the market is located on property with the permission of the owner; and</u> <u>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</u> <u>4. adequate parking shall be provided so that there is no parking on a right-of-way.</u>

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS (in italics)	I-1	RC	MC	EC/TC	CONDITIONS
Boat Service and/or Repair <i><u>A facility designed for the maintenance of watercraft and watercraft-related accessories including engines, hulls, masts, trailers, and sails.</u></i>	P		P		
Boat Storage <i><u>A facility designed for the keeping of watercraft and associated trailers.</u></i>	P		P	P	
Boatel* <i>A combination of a motel and marina which is accessible to boats as well as automobiles and may include boat sales and servicing facilities, has overnight accommodation for transients and may have eating and drinking facilities.</i>			P		
Business Offices See: Offices, Medical and Offices, Non-Medical				P	
Commercial Boat Dock Pier <i>A pier used for commercial purposes such as chartering fishing boats, selling gas, etc.</i>			P		
Commercial Kitchen (not associated with an Eating Establishment) <i><u>A food preparation facility not associated with an eating establishment used for the preparation of foods for sale for human consumption off-site.</u></i>	<u>C</u>	<u>C</u>		<u>C</u>	1. <u>No retail sales shall be permitted; and</u> 2. <u>no on-site consumption of the food prepared in the Commercial Kitchen shall be permitted.</u>
Commercial Trade or Business School <i><u>A building or land where instruction is given to pupils in professional trades or business and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation. Includes schools for general licensure such as drivers, cosmetology, real estate, commercial driver, and other licenses.</u></i>		P	<u>S C</u>	P	<u>In the Marine Commercial District, the school must provide instruction in a marine-related trade or business.</u>
Corporate Headquarters <i><u>An office or complex of offices serving as the primary head office of a commercial or industrial corporation.</u></i>	C			P	The space corporate office shall consists of at least 5,000 square feet of net office space.
Crematorium <i>A building or portion of a building that houses the necessary equipment and facilities for the cremation of human or animal remains.</i>	<u>C</u> <u>P</u>	C		<u>C</u>	The crematorium is shall be accessory to a funeral home.

* Boatel is being moved from the Recreation Chart to the Business & Personal Service Chart.

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
Eating Establishments: <u>with Drive-up Facility</u> <i>An Eating Establishment 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>		SC	S	SC	Provided that the restaurant is either a cafeteria for the business, serving primarily the employees on site, or is a part of a business park and the business is not adjacent to an arterial or collector road.
Eating Establishments: <u>without Drive-up Facility</u> <i>A public eating place that serves food for consumption at tables or counters located on the premises, or by carry-out or delivery, but that does not have a drive-through facility. This term shall include, but not be limited to, an establishment known as a cafeteria, delicatessen, café, smorgasbord, diner or similar business where the sale of alcohol constitutes less than 50 percent of the total sales.</i>		P	P	C	The restaurant eating establishment is shall be either a cafeteria for the business, serving primarily the employees on site, or is a part of a business park and the business is not adjacent to an arterial or collector road.
Eating Establishment, Restaurant An establishment where food and drink are prepared, served and consumed primarily within the principal building. See CARRY-OUT RESTAURANT; DRIVE-IN RESTAURANT; FAST-FOOD RESTAURANT; RETAIL FOOD ESTABLISHMENT.		P	P	C	
Eating Establishment, Drive-in, Fast Food, Carry-out Carry-out Restaurant: An establishment which, by design of physical facilities or by service or packaging procedures, permits or encourages the purchase of prepared ready-to-eat foods intended primarily to be consumed off the premises. Drive-in Restaurant: An establishment where food and/or beverages are sold in a form ready for consumption and where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the building. Fast Food Restaurant: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer for consumption either within the restaurant building or off premises.		SC	S	SC	

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS (in italics)	I-1	RC	MC	EC/TC	CONDITIONS
<p><u>Entertainment Business, Adult</u> <i>Enterprises that provide activities characterized by live, closed circuit, or reproduced material, including print, audio, and audiovisual media, that has an emphasis on nudity and/or sexual activity and/or sexual stimulation. Adult entertainment businesses include but are not limited to the following types of establishments: adult bookstores, adult theaters, adult arcades, adult cabarets, gentlemen's clubs or shows, strip clubs or shows, burlesque clubs or shows, adult paraphernalia shops, and other establishments which feature a combination of activities or merchandise described above which collectively make up a substantial or significant portion of the establishment's activities or merchandise. The term adult entertainment business also includes other uses similar to the uses listed above, presenting material for patrons to view (live, closed circuit or reproductions using all types of media), and/or purchase or rent, a substantial portion of which is characterized by an emphasis on nudity and/or sexual activity and/or sexual stimulation, and limiting entrance to patrons who are over 18 years of age.</i></p>					
<p>Flex Space Business <i>A commercial enterprise consisting of a combination of uses by a single company in an individual or multi-tenant building. Uses may include a mix of office, retail, showroom, assembly, warehouse, laboratory or light manufacturing.</i></p>	C			C	<p>Conditions for I-1 Flex Space:</p> <ol style="list-style-type: none"> 1. Parking requirements will be based on Section 6-2 for the uses to be included in the business shall be one parking space per 500 square feet of gross floor area; and 2. retail uses can shall occupy no more than 15 percent of the net building space; and 3. office uses can shall occupy no more than 50 percent of the net building flex space business, in the I-1 zone. <p>Conditions for EC/TC Flex Space:</p> <ol style="list-style-type: none"> 1. Parking requirements will be based on Section 6-2 for the uses to be included in the business shall be one parking space per 500 square feet of gross floor area; and 2. retail uses can shall occupy no more than 15 percent of the net building space; and 3. Except in the I-1 zone, no outside storage, including vehicles, is permitted; and 4. Manufacturing, assembly, or warehousing is limited in the EC/TC District to no more than 50 percent of the net building space. No no emissions (smoke, dust, fumes, or noise) except those required for normal HVAC operations are permitted.

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Funeral Home <i>An establishment, licensed by the State, that prepares human remains for burial, coordinates the cremation of remains, and arranges, manages, and/or conducts funeral services and memorial services. A funeral home may also sell burial goods as accessory to the primary use. A funeral home may include a chapel or other facility in which funerals are conducted. This definition does not include crematoriums or cemeteries.</i>		P		P	
Home Occupations <i>Any activity carried out for gain by a resident as an accessory use in the resident's dwelling unit.</i>					
Home Occupations - All Employed are Residents	P <u>C</u>	P <u>C</u>	P <u>C</u>	P <u>C</u>	<ol style="list-style-type: none"> The occupation is shall be conducted within the dwelling or secondary an accessory structure. In addition, no outside storage of equipment, materials or items to be repaired shall be permitted; and no article or commodity is shall be offered for sale or is publicly displayed on the premises except those incidental to the services offered; and adequate off-street parking is shall be available so that there is no parking on a right-of-way; and applicable State Licenses are shall be obtained; and the space occupied by all the occupations on a single site shall not exceed 600 square feet including storage. If road access to the home occupation is gained through another person's property via an easement type road right-of-way, and such access is within 60 feet of any residences, written approval of those property owners must shall be obtained. Condition #6 above applies to all home occupations in which customers come to the premises. With the exception of offices, any Non-medical and medical offices, office support services, home studios, home performing arts studios, and personal service uses are permitted as home occupations. Other uses that are listed separately in the Land Use Charts shall not be permitted as home occupations (e.g., automobile repair, performing arts studios with more than three students, massage parlors, etc.).
Home Occupations with 1 Equivalent Full-time non-resident employee	SC	SC	SC	P <u>C</u>	SAME CONDITIONS AS ABOVE.
Home Occupations with 2 Equivalent Full-time non-resident employees	SC	SC	SC	P <u>C</u>	SAME CONDITIONS AS ABOVE.

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS (in italics)	I-1	RC	MC	EC/TC	CONDITIONS
Laundry, Industrial <i>An establishment providing washing, drying or dry cleaning of uniforms, linens, etc. for businesses.</i>	P			P	
Laundry / Laundromat <u><i>A place where patrons wash, dry or dry-clean clothing or other fabrics in machines operated by the patron.</i></u>		<u>P</u>	P		
Massage Parlor <i>Any establishment having a fixed place of business where massages are performed, devoting more than five percent of the floor space to massages and whose gross income from massages in any business location is more than 10 percent of the gross income from that location.</i>		SC			<ol style="list-style-type: none"> 1. The structure shall be at least 1,000 feet from the nearest property line of any residentially used property, school, library, park, playground, or other recreational facility, and at least 1,000 feet from the nearest property line of any church, convent, monastery, synagogue, mosque or similar place of worship. 2. The structure shall be at least 1,000 feet from any other sex business as defined in this Ordinance. 3. Advertisements, displays, or other promotional materials shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways. 4. Any masseur or masseuse must obtain a license from Calvert County. Note: As part of the licensing requirements, criminal records, if any, will be investigated and assurances will be made that the business operates as a massage parlor and not an illegal business. 5. Massage does not include stimulation to the point of sexual arousal or ejaculation nor does it include manipulation by a masseuse or masseur of the genitals, pubic areas, or buttocks of the human male or female, or the breasts of the female. In the context of the operation of a Massage Parlor, this conduct is presumptively considered a danger to public health, safety and welfare and is cause for the revocation of the special exception. Any massage parlor whose special exception is revoked may appeal to the Calvert County Board of Appeals as outlined in Section 11-1 of this Ordinance.

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS (in italics)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Motel or Hotel</p> <p><i>Motel: A building or group of buildings not more than two stories in height containing guest rooms which are provided for transient occupancy only, including auto courts, motor lodges and tourist homes.</i></p> <p><i>Hotel: A facility which offers transient lodging accommodations to the general public and may provide additional services such as restaurants, meeting rooms, and recreation facilities. See BOARDING HOUSE AND MOTEL.</i></p>		S	P	P	
<p>Offices, Business Non-medical</p> <p><i>Professional Office: A room or rooms of a building used for office purposes by members of any recognized profession, such as doctors, dentists, lawyers, accountants and engineers.</i></p> <p><i><u>An establishment for professional, executive and administrative offices, including those of accountants, lawyers, architects, engineers, drafting offices, insurance agents, real estate agents, and other occupations which are of similar character to those enumerated, but not including medical professions, barbers, beauty parlors, cosmetologists, or other personal service establishments.</u></i></p>		C		P	<ol style="list-style-type: none"> <u>1. Individual offices shall be limited to no more than 5,000 square feet; and</u> <u>2. all buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /).</u>
<p>Offices, Business Medical or Clinic</p> <p><i>Professional Office: A room or rooms of a building used for office purposes by members of any recognized profession, such as doctors, dentists, lawyers, accountants and engineers.</i></p> <p><i><u>An establishment used extensively by members of licensed health care and medical professions to provide diagnosis and treatment to the general public without overnight accommodation and with accessory uses such as reception areas, administrative offices, consultation rooms, x-ray and minor operating rooms and a dispensary, providing that all such uses have access only from the interior of the building or structure. Examples of such professions include dentists, chiropractors, osteopaths, physicians, and occupational therapists. This definition does not include personal services, such as licensed massage therapists.</u></i></p>		C		P	<ol style="list-style-type: none"> <u>1. Individual offices shall be limited to no more than 5,000 square feet; and</u> <u>2. all buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /).</u>
<p>Office Support Services, including printing, copying, faxing, internetworking, etc.</p> <p><i><u>Businesses that are complimentary to the conduct of business, trades, and professions and provide support such as photo/photocopying, printing, postal/delivery, travel/tourism, and telecom and computer/internet support services.</u></i></p>	C	C		P	<ol style="list-style-type: none"> <u>1. Individual office support businesses shall be limited to no more than 2,000 square feet; and</u> <u>2. all buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /).</u>

COMMERCIAL BUSINESS & PERSONAL SERVICE USES & DEFINITIONS (in italics)	I-1	RC	MC	EC/TC	CONDITIONS
Other Commercial Businesses , Personal Services, Clinics : <u>Premises in which services with respect to the grooming of persons are conducted, including those of licensed massage therapists, cosmetologists, estheticians, nail technicians and make-up artistry.</u>					
Other Commercial Businesses , Personal Services, Clinics : Less than 5,000 square feet		<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u>	<u>1. Individual offices shall be limited to no more than 5,000 square feet; and</u> <u>2. all buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /).</u>
Other Commercial Businesses , Personal Services, Clinics : More than 5,000 square feet		<u>P</u>		<u>P</u>	
Tavern, Nightclub, Lounge, Dance Hall <i>Tavern: An establishment used primarily for the serving of liquor by the drink to the general public and where food or packaged liquors may be served or sold only as accessory to the primary use. Also called bar or lounge.</i> <u>An establishment where more than 50 percent of the total sales are from the sale of alcohol, and which is intended for entertainment and/or dancing using either live or electronically produced music, and with or without the sale of ready-to-consume food and beverages, either open to the public or operated as a private club open to members only.</u>		<u>S</u>	<u>S</u>		
<u>Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars</u> <u>An establishment where more than 50 percent of the total sales are from the sale of alcohol, and which is intended for entertainment and/or dancing using either live or electronically produced music, and with or without the sale of ready-to-consume food and beverages, either open to the public or operated as a private club open to members only, with all or part of the entertainment facilities extending outdoors.</u>		<u>S</u>			

COMMERCIAL RECREATION USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
Adult Cabaret, Adult Motion Picture Theatre or Drive in Theatre <i>Cabaret: A cabaret which features go-go dancers, exotic dancers, strippers or male or female impersonators or similar entertainers.</i> <i>Adult Drive in: A drive in theater used for presenting motion pictures for which minors are excluded.</i>		SC			1.—The structure shall be at least 1,000 feet from the nearest property line of any residentially used property, school, library, park, playground, or other recreational facility, and at least 1,000 feet from the nearest property line of any church, convent, monastery, synagogue, mosque or similar place of worship. 2.—The structure shall be at least 1,000 feet from any other sex business as defined in this Ordinance. 3.—Advertisements, displays, or other promotional materials shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, nor shall the motion picture be visible from adjoining properties or the roadways.
Campground and/or Recreational Vehicle Camp <i>A lot, parcel or tract of land, together with the open space and sanitary facilities used or designed to accommodate two or more recreational vehicles, tents, or similar temporary accommodations, including all buildings, structures and appurtenances used or intended as part of such recreational vehicle camp, whether or not a charge is made for use of the camp and/or its facilities. (Automobile or manufactured home sales lots, on which unoccupied vehicles are parked for inspection and sale, are not included in this definition.)</i>			SC		See the conditions specified in Section 6-6.
Carnival, Fair or Circus, Temporary: Note: See "Special Event"					
Carnival, Fair or Circus, Temporary, More than Five Acres	€	€	€	€	When sponsored by a non-profit organization, provided that the following conditions are met: 1.—The parcel is used as such for no more than 14 days a year. 2.—Adequate parking is provided. 3.—A County permit for the event is obtained before the event begins. The permit is to include approvals by the Health Department, Inspections & Permits Division, and the Public Safety Department. A carnival, fair or circus located on property where there exists a building occupied by a non-profit organization will be considered an accessory use. However, operators of the carnival, fair or circus must obtain a permit from the County before the event begins.
Carnival, Fair or Circus, Temporary, Less than Five Acres	SC	SC	SC	SC	

COMMERCIAL RECREATION USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<p>Commercial Meeting Hall, Banquet Hall</p> <p><i>A building or facility owned or operated by a corporation, association, or persons for a social, educational, or recreational purpose, where meals are not served on a daily basis.</i></p> <p><i>Any structure maintained, in whole or in part, for public rental for the purpose of private party events, whether family, group, or corporate in nature, where access by the general public is restricted, and with or without the sale, serving or consumption of alcoholic beverages.</i></p>		S	S	P	Provided that parking is provided in accordance with Section 6-2.
<p>Convention Center /Retreat</p> <p><i>A facility in a completely enclosed building used for corporate, trade and professional meetings, training seminars, trade shows and/or exhibition of products and technology and that may include supporting dining, lodging and recreational facilities as accessory uses.</i></p>				P	
<p>Drive-in Theatre</p> <p><i>An open lot with its appurtenant facilities devoted primarily to showing motion pictures on a paid admission basis to patrons seated in automobiles.</i></p>		S			
<p>Golf Course /Country Club</p> <p><i>A facility designed for the playing of the game of golf, including but not limited to the following: “Practice fairway golf course” means a practice and instructional facility for golf purposes. “Regulation golf course” means a golf course whose minimum total length for nine holes is three thousand yards and for eighteen holes is six thousand yards. “Short golf course” means a golf course whose minimum total length is five thousand yards, with some holes over two hundred fifty yards. “Three-par golf course” means a golf course in which the longest hole does not exceed two hundred fifty yards.</i></p>		P	P		

COMMERCIAL RECREATION USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<p>Golf, Driving Range Note: See “Recreation Facility, Outdoor”.</p>		<p>SC</p>			<ol style="list-style-type: none"> 1. The site plan for the driving range shall be certified by a golf course architect. 2. The driving range shall be designed and operated in such a manner so as not to adversely affect surrounding properties and roads with regard to safety hazards, noise, lighting, traffic, parking and general nuisances. 3. A minimum 50 foot wide buffer shall be maintained between the driving range and all adjoining commercial property. A minimum 100 foot wide buffer shall be maintained between the driving range and all adjoining residential property and roads. The Board of Appeals may increase the buffers as needed. 4. Sufficient buffering and screening shall be imposed especially when the subject property is located adjacent to a residential area. 5. Only those uses permitted within the RC (Rural Commercial District) shall be permitted as accessory uses to the driving range. 6. One and one half (1.5) parking spaces shall be provided per golf driving tee in addition to any other County requirements for other permitted uses in the Rural Commercial District. 7. The Board of Appeals may impose conditions on lighting and hours of operation so that it is compatible with adjacent uses. 8. After approval and/or issuance of permits for, and operation of the facility, the Directors of Planning and Zoning and Public Safety may require the owner of the property to retrofit the facility as deemed necessary for the protection, use and quiet enjoyment of adjacent properties. 9. Golf driving ranges shall not be permitted within 1000 feet of a Transfer Zone.
<p>Golf, Miniature Note: See “Recreation Facility, Outdoor”.</p>		<p>S</p>	<p>S</p>		

COMMERCIAL RECREATION USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<p>Health Spa / Gymnasium Fitness Center <i>An establishment offering or providing facilities in controlled exercise, weight lifting, calisthenics, aerobics, indoor sports and general physical fitness. and occupying premises of at least 5,000 square feet. At least 90 percent of the floor space of any Health Spa/Gymnasium shall be devoted to physical activities. Massages, as defined in this Ordinance, may be offered in conjunction with a Health Spa/Gymnasium, but the amount of space devoted to massages shall not exceed more than 5 percent of the total area of the premises.</i></p>		<u>P</u> C		P <u>C</u>	<p>1. <u>The total square footage of the fitness center shall be limited to no more than 5,000 square feet; and</u> 2. <u>In the EC/TC District, the fitness center shall be accessory to the on-site businesses.</u></p>
<p>Hunting Reserve without Shooting Range <i>Any tract or parcel of land that is used for the purpose of releasing game species for commercial hunting.</i></p>					
<p>Marina or Yacht Club <i>A facility for storing, servicing, fueling, berthing and securing boats.</i></p>			P		
<p>Indoor Commercial Amusements: Recreation Facility, Indoor <u><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 or similar activities. This use may include associated accessory eating and drinking areas, retail sales areas and staff offices.</i></u></p>		<u>C</u>			<p>1. <u>The total square footage of the indoor recreation facility shall be limited to no more than 10,000 square feet; and</u> 2. <u>all buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /).</u></p>
<p>—Arcade, Pool Hall, Bingo Hall <i>Arcade: An establishment where more than four coin-operated amusement machines are available to the public.</i></p>		S			
<p>—Bowling, Skating Rink, Theatre</p>		S			
<p>—Swimming Pool, Athletic Courts</p>		<u>P</u>	<u>P</u>	<u>P</u>	
<p>Other Outdoor Recreation, such as: Swimming Pools, Athletic Courts Recreation Facility, Outdoor <u><i>An area or structure that offers commercial entertainment or recreation where any portion of the activity takes place outside. This includes but is not limited to a golf driving range, batting cages, riding arena and corrals, racquet sports, miniature golf, paint ball, go-cart track, or similar activities. This use may include associated accessory eating and drinking areas, retail sales areas and staff offices.</i></u></p>		<u>C</u>	S	<u>E</u>	<p>Provided that the use is accessory to the principal use.</p> <p><u>Sufficient buffering and screening shall be imposed, especially when the subject property is located adjacent to a residential area.</u></p>

COMMERCIAL RECREATION USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<p>Convention Center Retreat, with Overnight Accommodations <i><u>A facility designed with the specific intent of facilitating spiritual and or educational enrichment needs and that may include supporting dining, lodging and recreational facilities as accessory uses.</u></i></p>				P	
<p>Special Event <i><u>Any occasion that is scheduled to take place within the County, including events that will be conducted on or contiguous to a public street, sidewalk, alley or other right-of-way, or other public areas or events on private property that are likely to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic or that may require special accommodations, regulations of or waiver of the usual traffic laws or controls or is likely to generate a crowd of spectators sufficient in size to obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic or that may generate a crowd of sufficient size to restrict access to parks, recreation areas or other public areas or any event that is likely to result in the need for public safety reasons for law enforcement regulation, monitoring or control. Some examples of special events are runs, street fairs, festivals, car rallies, outdoor music concerts, etc.</u></i></p>					The conditions for special events and the Districts in which they should be allowed will be discussed with the PC & BOCC.
<p>Studio <i>Any building or portion of a building used as a place of work by an artist, photographer, or artisan or used for instruction including (but not limited to) art, dance, martial arts, gymnastics, and cooking. <u>Premises used principally for the production of fine arts and craft products using paint, clay, fabric, metal or other medium and may include accessory sales, display and exhibition of fine arts and craft products.</u></i></p>	C	C		C	<ol style="list-style-type: none"> 1. The studio shall be used as a place of work by artists, for instructional purposes, and other related activities only; and 2. retail sales shall be limited to items associated with the primary use only (e.g., art supplies, uniforms, costumes). 3. If the studio is used for instructional purposes, one parking space per 300 square feet of net floor area shall be provided on-site. If the studio is used as a place of work by artists, one parking space per 500 square feet of net floor area shall be provided on-site.
<p>Studio, Performing Arts <i><u>A facility 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</u></i></p>	C	C		C	<ol style="list-style-type: none"> 1. <u>The total square footage of the indoor recreation facility shall be limited to no more than 10,000 square feet; and</u> 2. <u>all buildings combined shall not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (/ /).</u>

COMMERCIAL RECREATION USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
Target Range, <u>Indoor</u> <i>Any tract or parcel of land <u>A building</u> that is used for the purpose of organized shooting events or practice using archery equipment, rifles, shotguns, pistols, etc.</i>	SC	SC			1. State Health Department requirements regarding water and sanitary facilities and health facilities are met. <u>1.</u> The use is <u>shall be</u> located not less than 1,000 feet from any existing property boundary; <u>and</u> <u>2.</u> a site development plan is <u>shall be</u> submitted to and approved by the Planning Commission, which, at a minimum, incorporates nationally accepted standards for target range construction.
Target Range, <u>Outdoor</u> <i><u>A permanently located and improved area that is designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or any other similar sport shooting in an outdoor environment, but does not permit the use of air guns, paintball guns or archery equipment.</u></i>	SC				<u>1.</u> The use is <u>shall be</u> located not less than 1,000 feet from any existing property boundary; <u>and</u> <u>2.</u> a site development plan is <u>shall be</u> submitted to and approved by the Planning Commission, which, at a minimum, incorporates nationally accepted standards for target range construction.

COMMERCIAL WHOLESALE USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Mini-Storage <i>A structure containing separate storage spaces of varying sizes leased or rented on an individual basis.</i>	P				
Wholesaling, Indoor Only or Warehouse: <i><u>Those uses primarily engaged in the sale of merchandise to retailers; to industrial, commercial, institutional or professional business users; or to other wholesalers. Wholesale or warehouse membership clubs are considered to be a commercial retail use.</u></i>	P	<u>C</u>		P	<u>Provided that all buildings combined do not exceed 25,000 square feet per lot or parcel of record as of the date of the adoption of this amendment (_ / _ / _).</u>
Wholesaling or Warehouse: <i>A structure used for <u>the</u> storage and/or <u>sale distribution</u> of products at wholesale and where the sale of a product at retail is incidental.</i>					
Warehouse , Indoor	P			P	
Warehouse , Outdoor	P <u>C</u>			C	Provided that the storage is completely screened from neighboring properties and public rights of way. <u>high screening is provided in accordance with Article 6.</u>
Wholesale Lumber and/or Other Building Materials less than 25,000 square feet ¹ <i><u>Wholesale Building Materials and/or Lumber less than 25,000 square feet -- A business primarily engaged in sales to contractors of bulk or large building materials including, but not limited to, lumber, drywall, windows, doors, trusses, roofing, insulation, and masonry materials.</u></i>	C	C		C	Provided that all buildings combined do 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).

¹ **Wholesale** Lumber and/or Other Building Materials moved from Commercial Retail Chart to Commercial Wholesale Chart.

MOTOR VEHICLE & RELATED SERVICES USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Automobile Filling & Service Station</p> <p><i>A building or lot having pumps and storage tanks at which automotive fuels, oils, and/or accessories are dispensed, sold or offered for sale at retail, and at which repair service is incidental; and where no junked autos or other vehicles shall be parked or otherwise stored on the premises unless effectively screened from adjoining properties and the road.</i></p>		SC			<ol style="list-style-type: none"> 1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is shall be located within 25 feet of the front lot line; and 2. no structure or building is shall be erected within 80 feet of any dwelling. Neither setback may be reduced. 3. No new service bay openings shall face a right-of-way. 4. No more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way. 5. Junk vehicles shall be removed after 30 days. 3. No new automobile filling and service stations shall be permitted within Rural Commercial property which that adjoins Route 4, and or has access to an arterial road. 4. Automobile filling and service stations in existence as of the date of this amendment (September 30, 1994) may expand subject to site plan review.
<p>Automobile Filling & Service Station <u>with Convenience Store and/or Eating Establishment</u></p> <p><i>A building or lot having pumps and storage tanks at which automotive fuels, oils, and/or accessories are dispensed, sold or offered for sale at retail, and at which repair service is incidental; and where no junked autos or other vehicles shall be parked or otherwise stored on the premises unless effectively screened from adjoining properties and the road.</i></p> <p><u>An Automobile Filling Station that includes a building that is used for retail sales of packaged or prepared food, beverages, lottery tickets, tobacco products, and limited stock of groceries or similar products for the traveling public or neighborhood residents. May include automotive fuel dispensing services and an eating establishment without a drive-through facility.</u></p>		SC			<ol style="list-style-type: none"> 1. No Fuel pumps, containing no more than eight fuel dispensers, -oil draining pit, or other visible appliance for servicing automobiles is shall be located within no less than 25 feet of from the front lot line; and 2. no structure or building is shall be erected within 80 feet of any dwelling. Neither setback may be reduced. 3. <u>The Convenience Store and/or Eating Establishment shall not exceed 4000 square feet.</u> 4. No new service bay openings shall face a right-of-way. 5. No more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way. 6. Junk vehicles shall be removed after 30 days. 4. No new automobile filling and service stations shall be permitted within Rural Commercial property which adjoins Route 4, and or has access to an arterial road. 5. Automobile filling and service stations in existence as of the date of this amendment (September 30, 1994) may expand subject to site plan review.

MOTOR VEHICLE & RELATED SERVICES USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<p>Automobile Repair/Service Shop/Car Wash without fuel pumps <i>Any building or lot used for major automobile repair, and/or bodywork and/or car wash facilities and which may have automobile servicing, but not the sale of fuels.</i></p>	C	SC		SC	<ol style="list-style-type: none"> 1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is shall be located within 100 feet of the front lot line; and 2. no structure or building is shall be erected within 150 feet of any dwelling or 100 feet from any arterial road. Neither setback may be reduced. 3. No new service bay openings shall face a right-of-way. 3. No more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way. An area for the storage of junk cars shall be so designated, separate from customer parking. 4. Junk vehicles shall be removed after 30 days. 6. Car washes shall be designed to provide sufficient stacking room so that vehicles are not forced to use adjacent roadways as waiting areas.
<p><u>Automotive Accessory Shop</u> <i>A retail establishment that specializes in the sale and/or installation of automotive accessories including but not limited to audio systems, alarm systems, windshields, and other items that do not involve exterior body modification that requires painting or other body work, or the sale and/or service of tires.</i></p>		<u>C</u>			<u>All automotive accessories shall be installed indoors.</u>
<p>Automobile Parking Lot/Garage as a Principal Use <i>A lot or portion thereof, used for the parking of transportation vehicles but not including motor vehicles which have been dismantled or wrecked or junked or for sale or parts thereof.</i> <i>A public or private area other than a street or public right-of-way, used for the temporary storage (parking) of operable passenger automobiles and commercial vehicles, and available either for compensation, for free.</i></p>	P	<u>P C</u>	P	P	<ol style="list-style-type: none"> 1. <u>The parking or storage of automobiles which have been dismantled, wrecked, or junked shall not be permitted; and</u> 2. <u>the sale of automobiles shall not be permitted.</u>
<p>Automobile Parts Dismantling and/or Storage <i>Any premises used for the dismantling or wrecking of motor vehicles and trailers including premises used in the storing, keeping, buying, selling, or dealing in dismantled wrecked, inoperative or disabled vehicles or integral parts of component materials thereof, and the storage, sale or dumping of dismantled, partially dismantled or wrecked inoperative vehicles and trailers, or parts thereof. Automobile dismantling shall not include the incidental storage of inoperative or disabled vehicles in connection with the legal operation of an automobile repair garage or automobile body and fender repair shop while waiting for repair.</i></p>	P				

MOTOR VEHICLE & RELATED SERVICES USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
<u>Bus lot or garage</u> <i>Location where more than one commuter, school or charter bus is parked or garaged.</i>	<u>C</u>				<u>High screening shall be provided in accordance with Article 6.</u>
<u>Car Wash, Accessory Use</u> <i>Mechanical facilities for the washing or waxing of private automobiles, light trucks and vans, but not commercial fleets, as an accessory use to an automobile filling station and/or service shop. May include self-service facilities.</i>	<u>C</u>	<u>SC</u>			1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 100 feet of the front lot line. 2. No structure or building is erected within 150 feet of any dwelling or 100 feet from any arterial road. Neither setback may be reduced. 3. No new service bay openings shall face a right of way. 4. No more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights of way. 5. Junk vehicles shall be removed after 30 days. <u>1. No new car washes shall be permitted within Rural Commercial property which adjoins or has access to an arterial road; and</u> <u>2. car washes shall be designed to provide sufficient stacking room so that vehicles are not forced to use adjacent roadways as waiting areas.</u> <u>3. In the I-1 Districts, the car wash shall be accessory to the light industrial uses on site.</u>
Commuter Parking Lot <i>An area for the temporary storage (parking) of operable passenger automobiles that is designated for use by persons commuting to and from their place of employment and may be used for commuter bus connections and/or ridesharing or carpooling. Includes park and ride lots.</i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Inoperative or Unregistered Vehicle, one per lot</u> ¹ <i>A motor vehicle that cannot move along a road under its own power.</i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Inoperative or Unregistered Vehicle, two per lot</u> ¹	<u>P</u>	<u>P</u>			
Motor Vehicle Dealer - New or Used <i>The use of any building, land area or other premise for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use.</i>		<u>S</u>			

¹ Uses moved from Unclassified Chart to Motor Vehicle Chart.

MOTOR VEHICLE & RELATED SERVICES USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONS
Other Motor Vehicle Related Uses including: Bus depot, car wash , taxi service, vehicle rental or leasing <i>Premises used for storing vehicles used for moving people, goods or materials or any combination of these, and which may include ancillary dispatching, maintenance, service and fuelling areas for these vehicles.</i>	<u>SC</u>	<u>S</u>		<u>SC</u>	<u>Parking shall be provided for customers in addition to the parking areas for buses, taxis, or other vehicles that are offered for rent or lease.</u>
<u>Parking of Commercial Vehicles</u> <i>The parking of automobiles, trucks and/or trailers commercially licensed and/or with business identification signs or lettering, including magnetic signs.</i>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<ol style="list-style-type: none"> <u>1. Only commercial vehicles that are the property owners' primary means of transportation to and from their place of work are permitted to be parked at residences.</u> <u>2. In the I-1, RC and EC/TC Districts, parking of commercial vehicles shall be accessory to the on-site business.</u>
<u>Park-and-Sell Lot</u> <i>An outdoor or indoor space where owners of motor vehicles display cars, trailers, trucks, and/or watercraft for sale or trade.</i>					
Storage and/or Service of <u>Automobiles, Buses,</u> Trailers, Trucks and Vans <i>A parking area for the impounding or storage, usually temporary, of abandoned or unauthorized vehicles.</i>	<u>SC</u>	<u>S</u>			<u>High screening shall be provided in accordance with Article 6.</u>
<u>Truck, Bus and Diesel Service and Repair Shop</u> <i>An establishment that repairs heavy equipment such as trucks, construction equipment, diesel engines and similar heavy equipment. Typical uses include truck and bus repair garages, excavation implement service, diesel engine repair, and shops related to the machining of related parts, but specifically excluding the dismantling or salvaging of vehicles.</i>	<u>P</u>				
<u>Vehicle Ferry Service</u> <i>The point-to-point transport of passenger and commercial vehicles aboard a waterborne vessel. May be either a public or private service.</i>					

INDUSTRIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Agricultural / Seafood / <u>Livestock</u> Processing Plant <u>A facility used for the handling, unloading, storing, shucking, freezing, preparing, changing into different market forms, manufacturing, preserving, packing or labeling of agricultural commodities or fish, shellfish and related products.</u>	<u>P C</u>	<u>P C</u>	<u>P C</u>	SC	<ol style="list-style-type: none"> <u>1. In the MC District, the processing is restricted to seafood only.</u> <u>2. Such use is shall be</u> located on a lot not less than five acres in size, and <u>is shall be</u> not nearer than 200 feet from any R-1 or R-2 <u>boundary residence; and</u> <u>3. all structures shall</u> have a minimum setback of 100 feet from side, front and rear lot lines; <u>and</u> <u>4. adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances; and</u> <u>5. design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies; and</u> <u>6. retail sales of processed food are not permitted in the I-1 District and are permitted</u> only as an accessory use <u>in the RC and MC Districts.</u>
Agricultural/Seafood Processing Plant, Granary	P	P		SC	<ol style="list-style-type: none"> 1. All processing structures are at least 100 feet from all side, front and rear lot lines. 2. Adequate measures are taken for the abatement of dust, noise or similar nuisances.
Agricultural/Seafood Processing Plant, Meats, Poultry	P	P		SC	
Agricultural/Seafood Processing Plant, Seafood	P		P	SC	
All Other Light Industrial Uses	S			S	
Asphalt Plant <u>An establishment in which a homogeneous product commonly referred to as asphalt, and intended mainly for the coating of roads, is manufactured from bituminous asphalt and other aggregate material.</u>					
<u>Commercial</u> Fuel Storage Business , over 50,000 gallons <u>A facility designed for bulk fuel storage for resale. Fuels include but are not limited to liquid natural gas, propane, fuel oils, alcohol fuels, gasoline, and diesel. The sale and/or rental of tanks may be an accessory use.</u>	P			S	

INDUSTRIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p><u>Commercial Recycling Facility</u> <i>An establishment that accepts, stores and processes reusable materials from commercial operations including, but not limited to, glass, plastics and synthetic materials, paper products (such as newspapers, stationery, scrap paper, computer paper and corrugated cardboard), rubber, batteries, ferrous and nonferrous metals, concrete, asphalt, wood and building materials, and tree wastes, but not including yard waste or mixed municipal solid waste. Processing includes, but is not limited to, baling, briquetting, crushing, compacting, grinding, shredding, sawing, shearing and sorting of recyclable materials and the heat reduction of such materials but does not include incineration for any purpose.</i></p>	<u>C</u>				<ol style="list-style-type: none"> 1. <u>The Commercial Recycling Facility shall be constructed and operated in accordance with the Solid Waste Chapter of the County Code, as amended from time to time; and</u> 2. <u>no incinerator shall be permitted; and</u> 3. <u>no outdoor processing shall be permitted.</u>
<p>Distillation of Alcohol as a Fuel <i>The fermentation and other refinement of grains and/or other biomass for the production of liquid fuel. Does not include the capture/reclamation of methane from agricultural and/or commercial operations.</i></p>					
<p><u>Distillation of Alcohol as a Fuel</u> On a Farm for Farm Use Only</p>					<p>Distillation of Alcohol as a Fuel; on a Farm for Farm Use Only (conditional in the RUR, R-1, R-2, RC, MC, and EC/TC Districts only), provided that production is limited to 50 gallons a day.</p>
<p><u>Distillation of Alcohol as a Fuel</u>, Commercial</p>	<u>S</u>			<u>S</u>	
<p>Granary <i>A storehouse for threshed grain or animal feed for wholesale or retail sale.</i></p>	P	<u>P C</u>		<u>SC</u>	<ol style="list-style-type: none"> 1. All processing structures are <u>shall be</u> at least 100 feet from all side, front and rear lot lines; <u>and</u> 2. Adequate adequate measures are <u>shall be</u> taken for the abatement of dust, noise or similar nuisances.
<p><u>Landfill, Land-Clearing Debris</u>¹ <i>Sanitary Landfills which accept only land-clearing debris. Types of waste permitted are limited to those associated with land-clearing operations, including earthen material such as clay, sand, gravel, and silt, topsoil, tree stumps, root mats, brush and limbs, logs, vegetation, and rock.</i></p>	C				<ol style="list-style-type: none"> 1. All materials are <u>shall be</u> physically inert or biodegradable and occurring naturally such as stumps, brush and logs.; <u>and</u> 2. if in an individual recorded section in a major subdivision, all dumping must cease after 75 percent of the lots in that section have been developed; <u>and</u> 3. all County, State and Federal permits are <u>shall be</u> obtained; <u>and</u> 4. the debris <u>shall</u> originate in Calvert County.

¹ Uses moved to Industrial Chart from Unclassified Chart.

INDUSTRIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p><u>Landfill, Rubble</u>¹ <i>Sanitary Landfills which accept only rubble. Types of waste permitted are limited to those materials accepted at Land-Clearing Landfills, along with demolition debris associated with the razing of buildings, roads, bridges and other structures including structural steel, concrete, bricks, lumber, plaster and plasterboard, sheet rock, insulation material, cement, shingles and roofing materials, floor and wall tile, asphalt, pipes and wires, and other items physically attached to the structure, including appliances if they have been or will be compacted to their smallest practical volume.</i></p>	SC				<ol style="list-style-type: none"> 1. The area is shall be located not less than 500 feet from any adjacent property line of a property owned by a party other than the applicant (unless such adjacent property owner gives written consent) and 200 feet from any street, highway, or road right-of-way; and 2. an environmental impact analysis is shall be conducted.; and 3. all County, State and Federal permits are shall be obtained; and 4. the rubble shall originates in Calvert County; and 5. the use is shall be 100 percent screened from adjoining properties and roads.
<p><u>Machinery & Equipment in Connection With Excavating and /or Contracting Business</u>¹ <i>Implements commonly used in association with site preparation and/or building construction including, but not limited to, bulldozers, front-end loaders, backhoes, tank trucks and/or trailers, trenchers, tar boilers, cement mixers, dump-bed trucks and/or trailers, graders, street sweepers, snowplow blades, flat-bed trucks and/or trailers, large riding mowers, and paving equipment. Implements may be self-propelled, trailered, towed, dragged, pushed, or pulled. Does not include hand tools or walk-behind equipment such as small mowers or tillers.</i></p>	P			C	<ol style="list-style-type: none"> 1. The machinery and/or equipment stored is shall not be visible from adjoining properties or the road. 2. All storage buildings together contain no more than 2,000 square feet. 3. The owner lives on the premises.
<p>Manufacturing and/or Assembly, Other General Light <i>The production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which by the nature of the materials, equipment and process utilized is to a considerable measure clean, quiet, and free of any objectionable or hazardous element.</i></p>					
<p><u>Manufacturing and/or Assembly, Light,</u> Less than 5,000 square feet</p>	P	SC		P	<ol style="list-style-type: none"> 1. The minimum lot size is shall be five acres; and 2. the lot size may be reduced for existing barns; and 3. no retail sales are shall be permitted.
<p><u>Manufacturing and/or Assembly, Light,</u> More than 5,000 square feet</p>	P			P	
<p><u>Manufacturing and/or Assembly, Heavy:</u> <i>Establishments involved in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials and that are generally not compatible with residential uses. Includes but is not limited to foundries, kiln drying operations, fossil fuel refineries and similar heavy industrial uses.</i></p>					
<p>Manufacturing and/or Assembling, Watercraft <u>A facility designed for the construction of waterborne vessels.</u></p>	P		P	P	

INDUSTRIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p><u>Outdoor Storage in Connection with Commercial and/or Industrial Uses</u>¹ <i>The storage of materials accessory to a commercial and/or industrial use. Does not include machinery and equipment.</i></p>	P	P	P	C P	<p>Provided that the material and/or equipment stored is not visible from adjoining properties or the road.</p>
<p>Power Generating Facility, Home <u>Accessory to a Residence or Business</u> <i>A facility designed and constructed near an individual residence, business, or public building for the purpose of generating power for use in that residence, business or public building.</i></p>	P C	P C	P C	C	<p>Provided that the use is accessory to an existing restaurant. <u>The generator shall be installed within the Building Restriction Lines required for the primary structure.</u></p>
<p>Power Generating Facilities, <u>Other Facility, Commercial</u> <i>A generator that uses one or more sources and/or products for the production of power for sale. Types of power generating facilities include but are not limited to petroleum, methane, ethanol, thermal, wind, solar and hydro-electric.</i></p>	P S			S	
<p>Research & Development Facility <i>A facility containing operations engaged in scientific research and investigation, the development of prototype products for test and evaluation, and/or the assembly or manufacture of prototype products. No retail or general manufacturing is permitted within a research and development facility. No retail sales are permitted.</i></p>					
<u>Research & Development Facility,</u> Environmental	P C		P C	P C	<u>No retail sales shall be permitted.</u>
<u>Research & Development Facility,</u> Other	P C		P C	P C	<u>No retail sales shall be permitted.</u>
<p>Salvage and/or Junk Yard <i>Any land, or building, or vehicle used for the abandonment, sale, storage, collection, or baling of paper, scrap metal, other scrap or discarded materials, or for the abandonment of automobiles or other vehicles or for the abandonment of machinery, or parts thereof.</i></p>	S E				<p>Provided that it is surrounded by a buffer or screen at least six feet in height.</p>

INDUSTRIAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Sand, Gravel or Mineral Extraction and Processing</p> <p><u><i>A tract of land and the operations necessary to excavate, stockpile, or remove materials such as sand, gravel, aggregate, rock or other mineral resources. Includes the cleaning, mixing, sorting, washing, and other processing of this material including cement mixing. Does not include the manufacture of asphalt (see definition of asphalt plant). The retail, wholesale, contract purchase, or transfer of mineral products is within the scope of this definition. For purposes of this title, the leveling, grading, filling, or removal of materials during the course of normal site preparation for an approved use (e.g. residential subdivision, commercial development, etc.) does not constitute a mining site/operation, if: processing of the material does not occur on the property; the activity is completed quickly, does not occur over an extended period of time, and on-site stockpiles are fully depleted; and, a mining permit is not required.</i></u></p>	SC	SC	SC		<ol style="list-style-type: none"> 1. Such use is shall be located not nearer than 200 feet from any residence other than the residence of the property owner; and 2. all extractions are back-filled or regraded according to the Maryland Department of Natural Resources standards; and 3. no operation is conducted in a manner that would impede the flow of any stream or pollute its waters; and 4. No processing is permitted in the TC District. 4. other conditions may be specified by the Board of Appeals. <p><u>The following provisions apply only in the Critical Area:</u></p> <ol style="list-style-type: none"> 4. No important natural resources such as threatened and endangered species, areas of scientific value, or rare assemblages of species occur as discussed in Section 8-2 of this Ordinance. 5. No highly erodible soils exist. 6. The use of renewable resource lands would not result in the substantial loss of long range (that is, 25 years or more) productivity of forest and agriculture, or would result in a degrading of water quality or a loss of vital habitat; or 7. The lands are not within 100 feet of the Mean High Water Line of tidal waters or the edge of tributary streams. 8. Future wash plants including ponds, spoil piles, and equipment are not located within the Buffer as defined in Section 8-1 of this Ordinance. 9. Existing wash ponds are reclaimed as soon as possible after the cessation of a sand and gravel operation. 10. To the fullest extent possible, existing sand and gravel operations shall conduct their extraction activities so as to provide, at a minimum, a 100 foot buffer of natural vegetation between the operation and the Mean High Water Line of tidal waters or the edges of tributary streams, and tidal wetlands, whichever is further inland. 11. All new surface mines must be reclaimed after the cessation of a sand and gravel operation.

<p>Sand, Gravel or Mineral Extraction (No Processing)</p> <p><u><i>A tract of land and the operations necessary to excavate, stockpile, or remove materials such as sand, gravel, aggregate, rock or other mineral resources. The retail, wholesale, contract purchase, or transfer of mineral products is within the scope of this definition. For purposes of this title, the leveling, grading, filling, or removal of materials during the course of normal site preparation for an approved use (e.g. residential subdivision, commercial development, etc.) does not constitute a mining site/operation, if: processing of the material does not occur on the property; the activity is completed quickly, does not occur over an extended period of time, and on-site stockpiles are fully depleted; and, a mining permit is not required.</i></u></p>	SC	SC		SC	<ol style="list-style-type: none"> 1. Such use is shall not be located not nearer than 200 feet from any residence other than the residence of the property owner; and 2. all extractions are shall be back-filled or regraded according to the Maryland Department of Natural Resources standards; and 3. no operation is shall be conducted in a manner that would impede the flow of any stream or pollute its waters; and 4. No processing is permitted in the TC District. 4. other conditions may be specified by the Board of Appeals. <p>The following provisions apply only in the Critical Area:</p> <ol style="list-style-type: none"> 5. No important natural resources such as threatened and endangered species, areas of scientific value, or rare assemblages of species occur as discussed in Section 8-2 of this Ordinance; and 6. No highly erodible soils exist; and 7. The use of renewable resource lands would not result in the substantial loss of long-range (that is, 25 years or more) productivity of forest and agriculture, or would result in a degrading of water quality or a loss of vital habitat; or 8. The lands are not within 100 feet of the Mean High Water Line of tidal waters or the edge of tributary streams. 9. Future wash plants including ponds, spoil piles, and equipment are not located within the Buffer as defined in Section 8-1 of this Ordinance; and 10. Existing wash ponds are reclaimed as soon as possible after the cessation of a sand and gravel operation; and 11. To the fullest extent possible, existing sand and gravel operations shall conduct their extraction activities so as to provide, at a minimum, a 100-foot buffer of natural vegetation between the operation and the Mean High Water Line of tidal waters or the edges of tributary streams, and tidal wetlands, whichever is further inland; and 12. All new surface mines must be reclaimed after the cessation of a sand and gravel operation.
<p>Sawmill, only for Timber Grown on Premises Portable</p> <p><u><i>A small, self-contained sawmill that is moved to the site where the timber is to be sawn and then moved on to another location. This use does not include those permitted under "Forest Produce Processing".</i></u></p>	P	P	P	P	
<p>Sawmill, Commercial</p> <p><u><i>An indoor or outdoor facility where timber or logs are sawn into lumber or boards.</i></u></p>	P C				All buildings and outdoor facilities shall be no less than 500' from any residence.
<p>Tire Retreading</p>	P				
<p>Truck Terminal²</p>	S				

² Truck Terminal was moved from the Industrial Chart to the Motor Vehicle Chart.

INSTITUTIONAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONAL USES
<p>Child Day Care Center <i>An establishment enrolling four or more clients children between two and five years of age and where tuition, fees, or other forms of compensation for the care of the children clients may be charged, and which is licensed, or approved to operate as a child care center (e.g., nursery school, preschool, child development center, before- and after school program, etc.)</i></p>					
<p>Day Care Center, 12 Children Clients or Less</p>	C	C	C	C	<ol style="list-style-type: none"> 1. <u>In the I-1 and EC/TC Districts, the Day Care Center shall serve the on-site businesses only; and</u> 2. <u>adequate off-street parking is shall be provided so that there is no parking on the adjoining right-of-way; and</u> 3. <u>on-premise signs shall be limited to 16 square feet in size. No off-premise signs shall be permitted.</u>
<p>Day Care Center, 13 Children to 19 Clients Children</p>	C	C	C	C	<ol style="list-style-type: none"> 1. <u>In the I-1 and EC/TC Districts, the Day Care Center shall serve the on-site businesses only; and</u> 2. <u>adequate off-street parking is shall be provided so that there is no parking on the adjoining right-of-way; and</u> 3. <u>on-premise signs shall be limited to 16 square feet in size. No off-premise signs shall be permitted.</u>
<p>Day Care Center, 20 Children to 40 Clients Children</p>	C	C	C	C	<ol style="list-style-type: none"> 1. <u>In the I-1 and EC/TC Districts, the Day Care Center shall serve the on-site businesses only; and</u> 2. <u>the Child Day Care Center shall receive site plan approval in accordance with Article 4 and 6; and</u> 3. <u>parking is shall be provided in accordance with Section 6-2, Parking and Loading Requirements; and</u> 4. <u>on-premise signs shall be limited to 16 square feet in size. No off-premise signs shall be permitted.</u>
<p>Day Care Center, 41 Children to 80 Clients Children</p>		<u>SC</u>			<ol style="list-style-type: none"> 1. <u>The Day Care Center shall receive site plan approval in accordance with Article 4 and 6; and</u> 2. <u>parking shall be provided in accordance with Section 6-2, Parking and Loading Requirements; and</u> 3. <u>on-premise signs shall be limited to 16 square feet in size. No off-premise signs shall be permitted.</u>
<p>41 Children to 100 Children</p>	<u>SC</u>				<ol style="list-style-type: none"> 1. The Child Care Center receives site plan approval in accordance with Article 4 and 6. 2. Parking is provided in accordance with Section 6-2, Parking and Loading Requirements. 3. On premise signs shall be permitted as per Section 6-5.04, Signs Requiring Zoning Permits. No off premise signs shall be permitted. 4. Only one Child Care Center accommodating 41 to 100 children shall be permitted per Industrial zone.

INSTITUTIONAL USES & DEFINITIONS <i>(in italics)</i>	I-1	RC	MC	EC/TC	CONDITIONAL USES
<u>Day Care Center</u> , 41 Children or More <u>Clients</u>		SC		SC	<ol style="list-style-type: none"> <u>1.</u> <u>In the I-1 and EC/TC Districts, the Day Care Center shall serve the on-site businesses only; and</u> <u>2.</u> the Child Day Care Center <u>shall</u> receive site plan approval in accordance with Article 4 and 6; <u>and</u> <u>3.</u> parking is <u>shall be</u> provided in accordance with Section 6-2, <u>Parking and Loading Requirements; and</u> <u>4.</u> on-premise signs shall be limited to 16 square feet in size. No off-premise signs shall be permitted.
<u>Day Care Center Associated with a Place of Worship, School, or Other Institution</u> <i>The accessory use of a church, school, or other institution whereby four or more clients are enrolled and where tuition, fees, or other forms of compensation for the care of the clients may be charged, and which is licensed.</i>		<u>P</u>			
College or University <i>An institutional facility for tertiary or higher levels of education.</i>		P	P	P	
Elementary or Secondary School <i>An educational facility that typically includes kindergarten through twelfth grades.</i>	<u>P</u>	P	P	P	
Fire and/or Rescue Service <i>An institutional facility that functions as a dispatch for fire and/or rescue services and which houses related equipment and/or personnel.</i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Hospital <i>An institution providing primary health services, medical and surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities and training facilities.</i>					
Landfill, Sanitary <i>An area used for the disposal of solid waste, operated and maintained in accordance with solid waste disposal regulations of the County and State.</i>	C				<ol style="list-style-type: none"> 1. The area is <u>shall be</u> located not less than 500 feet from any adjacent property line of a property owned by a party other than the applicant (unless such adjacent property owner gives written consent) and 200 feet from any street, highway, or road right-of-way; <u>and</u> 2. an environmental impact analysis is <u>shall be</u> conducted.
Museum or Library <i>A facility intended primarily for the exhibit and/or repository and/or research of books, artworks, artifacts, archives and other similar items for public appreciation and information. Accessory sales and services may be permitted.</i>		P	P		

INSTITUTIONAL USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONAL USES
<p>Non-profit Club or Institution Note: See Meeting Hall, Banquet Hall Club: A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by laws.</p>			P		
<p>Nursing or Convalescent Home An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves on a full-time basis.</p>					
<p>Place of Worship, Parish Hall, Convent, Monastery or Rectory A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory associated uses.</p>		P	P		
<p>Public or Governmental Building</p>	P	P	P	P	
<p>Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc. Note: See Recreation Facility, Indoor or Outdoor</p>		P	P		
<p>Public Utility Lines & Accessory Structures Underground gas mains and pipes and underground and overhead electrical and communications wires, cables, pipes, conduits, and their supporting poles, towers or repeaters, boosters, anodes, regulating and measuring devices, and the minor buildings or structures in which they may be housed, but not including major buildings, yards, stations or substations for transforming, boosting, switching or pumping purposes, where such facilities are constructed on the ground. Public utility transmission lines include those lines designated for 69,000 volts or more, and underground gas lines of 24 inches in diameter or larger. Public utility distribution lines include those lines designated for less than 69,000 volts, and underground gas lines of less than 24 inches in diameter.</p>	P	P	P	P	
<p>Solid Waste Collection Site</p>	C		C		<p><u>It shall be constructed and maintained</u> in accordance with the Comprehensive Solid Waste Management Plan.</p>
<p>Wastewater Treatment Facility</p>	C	C	C	C	<p>It <u>shall be constructed and maintained</u> in accordance with the Comprehensive Water & Sewerage Plan.</p>
<p>Water Supply Treatment Facility</p>	P <u>C</u>	P <u>C</u>	P <u>C</u>	P <u>C</u>	<p><u>It shall be constructed and maintained in accordance with the Comprehensive Water & Sewerage Plan.</u></p>

UNCLASSIFIED USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
<p>Accessory Building or Use</p> <p><i>A use or structure on the same lot with, and of a nature customarily incidental to, a principal use or structure. A use may be deemed an accessory use on community open space if it is for the use of the residents of the community only and is not open to the public.</i></p>	P	P	P	P	
<p>Airport or Landing Field</p> <p><u><i>Any location that is used for the landing or taking off of aircraft and which may or may not have facilities for the shelter, supply or care of aircraft.</i></u></p>	S				
<p>Cemetery or Memorial Garden</p> <p><i>A place used for the permanent interment of dead human or animal bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination of two or more.</i></p>					
<p>Communications Towers & Antennas (Government, Commercial & Private)</p> <p><i>Various Definitions. No Changes Proposed.</i></p>	See Section 3-4 of the Zoning Ordinance				
<p>Dock, Pier, Private</p> <p><i>Any marine structure, fixed or floating, generally referred to as a pier, dock or wharf, including pilings, and other such facilities, used for wet storage of watercraft owned by and registered to the owner and/or tenant of the property from which the facility extends.</i></p>	P	P	P		
<p>Flea Market by Non-profit Organization¹</p>	P	P	P		
<p>Garage Sale, Yard Sale or Estate Sale</p> <p><u><i>All general sales, open to the public, conducted from or on a residential premise in any District for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage," "lawn," "yard," "attic," "estate," "porch," "room," "backyard," "patio," or "rummage" sale. This definition shall not include flea markets.</i></u></p>	C	C	C		<ol style="list-style-type: none"> Articles for sale shall consist of personal possessions of the seller; and Such yard a sale is shall not be held in the same location more than once every six months.
<p>Heliport</p> <p><i>A permanent facility designed to accommodate the operation and routine servicing and maintenance of helicopters.</i></p>	S	S	S	S	
<p>Domestic Animals-Household Pets²</p> <p><i>Any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.</i></p>	P	P	P	P	
<p>Inoperative Vehicle, one per lot³</p>	P	P	P	P	

¹ Use moved from Unclassified Chart to Commercial Retail Chart.

² Use moved from Agricultural Chart to Unclassified Chart.

³ Uses moved from Unclassified Chart to Motor Vehicle Chart.

UNCLASSIFIED USES & DEFINITIONS (<i>in italics</i>)	I-1	RC	MC	EC/TC	CONDITIONS
Inoperative Vehicle, two per lot²	P	P			
Land Clearing Debris Landfill⁴	C				
Machinery & Equipment in Connection With Excavating and /or Contracting Business³	P			C	
Model Home -No Office		P	P		
Outdoor Storage in Connection with Commercial and/or Industrial Uses³	P	P	P	C	
Rubble Landfill³	SC				
Subdivision Entrance Sign or Feature⁵ <i><u>A structure identifying a land development which is to be or was developed at essentially one time, or pursuant to an approved subdivision application before the County.</u></i>	P	P	P	P	
Temporary Structure Incidental to Construction (non-residential) <i>A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.</i>	C	C	C	C	Provided that it is removed when the construction is finished.
<u>Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)</u> <i><u>A structure with an impermanent foundation used by a construction contractor, realtor, or other development professional as an office during construction of a subdivision or development.</u></i>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>1. The temporary structure shall be removed 120 days after the issuance of a Use and Occupancy Permit for the development.</u> <u>2. In the I-1, RC, MC, and EC/TC Districts, the temporary structure shall be used in conjunction with the sale or rental of commercial or industrial developments only (no residential developments).</u>
<u>Temporary Structure Incidental to Schools (classroom trailers)</u> <i><u>A structure containing one or more rooms, each of which is designed, intended, and equipped for use as a place for formal instruction of pupils by a teacher in a school not constructed with a permanent foundation and which shall not remain permanently on the site.</u></i>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>The temporary structure shall be removed when the school is expanded.</u>
Temporary Recreational Vehicle at Construction site (for watchman) <i>Recreational Vehicle: A vehicular portable structure without permanent foundation, which can be towed, hauled or driven and is primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.</i>	C	C	C	C	<u>1. The recreational vehicle is shall be</u> removed when the construction is finished; <u>and</u> <u>2.</u> only one recreational vehicle is permitted.
Unoccupied Recreational Vehicle <i>SEE DEFINITION ABOVE.</i>	C	C	C		<u>1. The recreational vehicle is shall be</u> stored in the side or rear lot area at least five feet from any property line; <u>and</u> <u>2.</u> no water or waste lines are <u>shall be</u> attached.

⁴ Uses moved from Unclassified Chart to Industrial Chart.

⁵ Subdivision Entrance Signs to be addressed in Sign Regulations and deleted from this Section during the rewriting of Article 6. Until such time, the provisions of this Section shall remain in effect.

DEFINITIONS FOR TERMS USED IN ARTICLE 3
(to be inserted into Article 12, Definitions)

<u>Term</u>	<u>Definition</u>
<u>Drive-Up Facility</u>	<i><u>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.</u></i>
<u>Home Studio</u>	<i><u>A home occupation involving the production of fine arts and craft products using paint, clay, fabric, metal or other medium. Home studios shall be subject to zoning ordinance requirements for home occupations.</u></i>
<u>Home Studio, Performing Arts</u>	<i><u>A home occupation related to the study and training of performing arts, including but not limited to dance, voice, theatre or music.</u></i>