

CHAPTER VIII
WATERFRONT DEVELOPMENT STANDARDS

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WATERFRONT DEVELOPMENT STANDARDS

These waterfront development standards have been developed, based on the critical areas initiative of the State of Maryland and the stated goal of the Master Plan to address the issues of protection and enhancement of Solomons water resources heritage. Setbacks are measured from mean high water.

A. WATERFRONT SETBACKS

1. Primarily Developed Areas

These include sub-areas B1, B2, B3, C1, C4, C6, C7, D1, D2, D3, E1 and E2. Many structures in these areas are located very near the water and most of the area is bulkheaded. In most cases, a 30' setback will allow structures close enough to afford a view around existing buildings, yet far enough back to afford a small buffer to the water. A 30' setback is required in these areas, with the following conditions:

- (a) No parking is allowed within the 30' setback.
- (b) All materials, such as decks or walkways, must have a pervious surface.
- (c) No decks may be higher than 5' above ground level.
- (d) Only water dependent facilities are allowed within this area (as defined in COMAR 14.15.03).

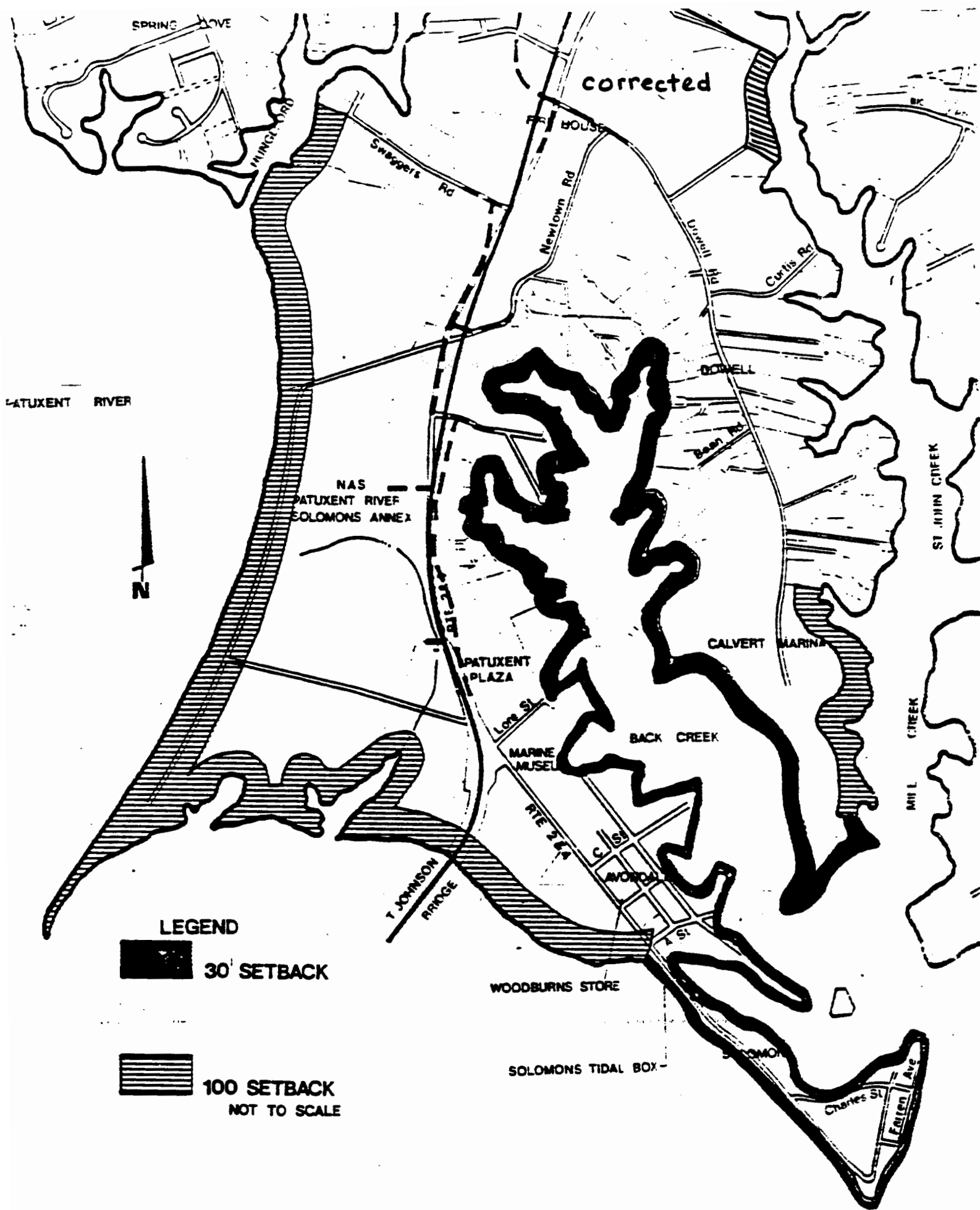


FIGURE 48 - WATERFRONT SETBACKS - SOLOMONS TOWN CENTER

2. Partially Developed Areas

These include sub-areas C3, C5, D5, E3, F1, and F2. These areas are principally farmland, forestland and undeveloped land, and very little bulkheading has occurred. A 100' setback is required in these areas except along the Island bulkhead in sub-area C3, which is already developed to a zero foot setback.

B. WATERFRONT DEVELOPMENT PERMITS

The construction of marine facilities including bulkheads and piers must comply with Federal, State, and local regulations.

Calvert County Zoning Regulations establish harbor lines beyond which piers cannot extend; prohibit any marine facility in the usable waterway if the width of the waterway is 60 feet or less; and provide for the establishment of lateral lines within which piers must be constructed. These regulations also require a County building permit for the construction of any marine facility and a grading permit for any dredging, filling or other activity which modifies the shoreline or the bottom of a waterway.

Dredging, filling, and the construction of shoreline protection devices also require a Corps of Engineers Section 10 and/or 404 permit, as well as the associated State Coastal Zone Management Consistency determination and Water Quality Certification. E.P.A., the U.S. Fish and Wildlife Service, and the National Marine Fishery Service provide advisory comments to the Corps of Engineers for it to consider in making its permit decisions.

The objectives of the Corps' permit system are to ensure that the adverse environmental and water quality impacts of the proposed projects are minimized, and that navigation is not obstructed. A State wetlands license and/or permit is also required. The purpose of the State permit/license system is to ensure that impacts on vegetated wetlands and tidal waters are minimized.

Applications for piers of reasonable length and for shoreline protection measures adjacent to shoreline are usually approved by Federal and State agencies. Significant expansion out from the shore, such as the one proposed for the Patuxent bulkhead, must demonstrate that they are for the common good, and part of an entire shoreline protection plan. In addition, mitigation measures to compensate for the loss of aquatic habitat and to minimize impacts on water quality are also likely to be required.