

SUMMARY OF CHANGES MADE TO SET 1 (ARTICLES 1-3)		
Article-Page No.	Section No.	Change Made
Article 1 – No Changes Made		None.
Article 2-Page 2	2-5.02	Clarify that non-conforming uses may continue, even if ownership of the property changes.
Article 2-Page 7	2-8.03.C.4	Delete statement regarding treatment of the C5 Sub-area similar to the C6 Sub-area.
Article 3-Page 5	3-1.03 Use #5	Add “Lodgers” to Use, “Boarding House or Dormitory (no more than 3 Lodgers)
Article 3-Page 10	3-1.09 Use # 1	Allow Seafood Processing Plant in the C7 Sub-area
Article 3-Page 10	3-1.09 Use # 15	Change use to, “Manufacturing and/or Assembly, of Watercraft, Commercial Marine-Related ”
Article 3-Pages 21, 22, 25, & 28	3-2.04 Use #2, 3, 4 & 15 3-2.05 Use #23	For commercial uses allowed in the C6 Sub-area, delete requirement for direct access on S. Solomons Island Road (for properties with access on side streets).
Article 3-Pages 6, 7, & 12	3-1.04, Use # 3, 4 & 5 3-1.05, Use # 23 & 25 3-1.11, Use #3	Uses which were added to C5 because they were permitted in C6 have been removed from the Land Use Charts. (See change to Section 2-8.03.C.4, above) These uses include: Art Gallery, Artisans’ & Crafters’ Market, Watermen’s Market, Offices less than 2500 sq. ft., Office Support Services, and Cemetery.

Additions to Set 1 made since initial release shown in **bold underline blue**.

Deletions made since initial release shown in ~~blue strikethrough~~.

**ARTICLE 1
SCOPE OF REGULATIONS**

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1-1 PURPOSE OF THIS ORDINANCE

The Solomons Town Center Master Plan is based on the stated goals of the Calvert County Comprehensive Plan. One tool necessary to implement the Master Plan is a Zoning Ordinance designed to regulate land uses as part of the effort to promote the health, safety and general welfare of Calvert County residents.

Many aspects of land use can impact adjoining properties, neighborhoods, public facilities and overall development of the Solomons Town Center. Therefore, the purpose of this Zoning Ordinance is to implement the stated goals of the Solomons Master Plan, which include, among others:

- A. Treat the entire Solomons Town Center as an economic, environmental, and aesthetic whole, except for the Solomons Annex of NAS PAX River (Planning Area A).
- B. Recognize and provide for all the water-based activities of Solomons, including but not limited to, commercial and recreational boating, crabbing and fishing, and public access to the water.
- C. Support and enhance a mix of uses in the Solomons Island Village Core that are family-friendly, encourage year round activity, and are visually compatible with Solomons architectural heritage that makes it a distinctive destination.
- D. Protect and enhance established residential areas.
- E. Encourage commercial development that is compatible with the environmental, cultural, historical, and aesthetic character of Solomons.
- F. Promote a broad mix of commercial, office, residential, public and institutional uses within the Solomons Town Center.
- G. Protect the environment.
- H. Promote a balanced, complete transportation system to enhance mobility.

1-2 TERRITORIAL LIMITS AND APPLICATION OF THIS ORDINANCE

This Ordinance shall apply to all the lands, uses and improvements within the Solomons Town Center, as designated on the Official Zoning Maps, adopted by the Calvert County Board of County Commissioners and recorded among the Land Records of Calvert County, as amended from time to time. Except as otherwise specified, the use of any property and the construction or alteration of any building or structure within the Solomons Town Center shall conform to the requirements of this Zoning Ordinance.

1-3 SEPARABILITY

If a court of competent jurisdiction declares any Section, Subsection, sentence, clause or phrase of this Ordinance invalid or unconstitutional, such provision shall be deemed separate and such invalidity or unconstitutionality shall not affect the validity of the Ordinance in its entirety or of the remaining Sections or parts thereof.

1-4 ZONING OFFICER

The Calvert County Zoning Officer shall be responsible for giving approval for building permits, enforcement of the provisions of this Ordinance, and clarifying the intent of this Ordinance, in accordance with Section 1-4 of the Calvert County Zoning Ordinance.

1-5 SCHEDULE OF FEES, CHARGES & EXPENSES

The adoption and administration of the schedule of fees, charges, and expenses for applications relating to this Ordinance shall be in accordance with Section 1-5 of the Calvert County Zoning Ordinance.

1-6 ORDINANCE AMENDMENTS

Any amendment to this Ordinance shall be made in accordance with Section 1-6 of the Calvert County Zoning Ordinance.

1-7 ENFORCEMENT OF ORDINANCE

The Zoning Officer or its designee is authorized to make such inspections as are reasonable and necessary to determine satisfactory compliance with this Ordinance as well as other enforcement provisions as described in Section 1-7 of the Calvert County Zoning Ordinance.

**ARTICLE 2
ZONING MAPS & ZONING DISTRICTS**

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2-1 ZONING MAP & DISTRICT BOUNDARIES ESTABLISHED

As specified in the Solomons Town Center Master Plan, the Solomons Town Center is divided into six planning areas. The planning areas are further divided into sub-areas, which are also the Solomons Zoning Districts. The locations and boundaries of the planning areas and sub-areas are established as shown on the maps entitled "Solomons Town Center Zoning Maps". The maps and all notations, dimensions, references and other data shown, as well as properly attested amendments, are incorporated as a part of this Ordinance. Maps reflecting the current status of zoning are available from the Department of Planning & Zoning, Room 304, County Services Plaza, 150 Main Street, Prince Frederick, Maryland.

2-2 INTERPRETATION OF ZONING BOUNDARIES

The interpretation of zoning boundaries within the Solomons Town Center shall be in accordance with Section 2-3 of the Calvert County Zoning Ordinance.

2-3 NOTE RESTRICTIONS ON ZONING MAPS

Note restrictions are placed on Zoning Maps to address special situations. In the event of a conflict between the note restrictions and the Zoning Ordinance, the note restrictions will supersede the specific regulations in the Zoning Ordinance. Also see Section 2-5 of the Calvert County Zoning Ordinance for amendments to note restrictions on Zoning Maps.

2-4 DISTRICT CHANGES

The Solomons Town Center Zoning Maps may from time to time be amended, through rezonings by application and comprehensive rezonings, in accordance with Section 2-5 of the Calvert County Zoning Ordinance. Note restrictions on the Zoning Maps may be amended by the procedure for Ordinance text amendments, in accordance with Section 1-6 of the Calvert County Zoning Ordinance.

2-5 NON-CONFORMING USES¹

In order to effectively implement the stated goals of the Solomons Master Plan and the Calvert County Comprehensive Plan, uses that do not conform to those goals shall be strictly regulated by the provisions of this Ordinance.

2-5.01 Non-Conforming Use Defined

A non-conforming use is a use which lawfully existed prior to the adoption or amendment of this Ordinance, but, by virtue of the adoption or amendment of this Ordinance, is no longer a permitted use in the sub-area within which it is located. For the purposes of this Section, the "date of non-conformity" shall be the date of the adoption or amendment of this Ordinance; the adoption or amendment of which rendered a use non-conforming.

2-5.02 Continuation of Lawfully Existing Uses

Any use lawfully existing at the time of the adoption or amendment of this Ordinance may continue to be used even though such use is no longer permitted in the Sub-area in which it is located. **[Non-conforming uses may continue even if ownership of the property changes.](#)**

¹ For provisions regarding non-conforming **structures**, see Section 2-6 herein.

2-5.03 Expansion of Non-Conforming Uses Prohibited

OPTION 1A
(Original Wording
Proposed by Staff)

- A. The area occupied by a non-conforming use shall not be permitted to be expanded beyond the area occupied by the use as of the date of non-conformity.
- B. For a non-conforming use that does not involve a building or structure, the area of the lot utilized by such a use as of the date of non-conformity shall not be expanded.
- C. If a nonconforming use does not involve a building or structure and the area of the lot utilized by such a use is also used for a permitted use, the area shall not be deemed as part of the nonconforming use. It shall be deemed as part of the permitted use.
- D. The Board of Appeals shall not be permitted to grant variances to the provisions of subparagraphs A, B and C, above.

2-5.04 Replacement of Non-Conforming Uses

The non-conforming use of a building, structure or premises shall not be replaced with another non-conforming use. The non-conforming use shall only be replaced with a use permitted by this Ordinance.

2-5.03 Expansion of Non-Conforming Uses ~~Prohibited~~

OPTION 1B
(Wording
Suggested at Joint
Work Session)

The provisions of Section 2-6 of the Calvert County Zoning Ordinance shall apply to all non-conforming uses on properties north of Lore Road. The following provisions apply to non-conforming uses on properties south of Lore Road only:

- A. The area occupied by a non-conforming use shall not be permitted to be expanded beyond the area occupied by the use as of the date of non-conformity.
- B. For a non-conforming use that does not involve a building or structure, the area of the lot utilized by such a use as of the date of non-conformity shall not be expanded.
- C. If a nonconforming use does not involve a building or structure and the area of the lot utilized by such a use is also used for a permitted use, the area shall not be deemed as part of the nonconforming use. It shall be deemed as part of the permitted use.
- D. The Board of Appeals shall not be permitted to grant variances to the provisions of subparagraphs A, B and C, above.

2-5.04 Replacement of Non-Conforming Uses

The provisions of Section 2-6 of the Calvert County Zoning Ordinance shall apply to all non-conforming uses on properties north of Lore Road. For non-conforming uses on properties south of Lore Road, the non-conforming use of a building, structure or premises shall not be replaced with another non-conforming use. The non-conforming use shall only be replaced with a use permitted by this Ordinance.

2-5.05 Discontinuance of a Non-Conforming Use

A non-conforming use of property which has been discontinued or abandoned for nine consecutive months or for 18 months during a three-year period shall not again be used for a non-conforming use except that non-conforming seasonal uses shall be permitted to

continue unless discontinued or abandoned for a period of 24 consecutive months.

2-5.06 When a Non-Conforming Use Becomes a Special Exception

If a change to this Ordinance results in an existing non-conforming use being permitted as a special exception use, the use shall thereafter be considered a conforming use. A special exception shall automatically be granted and the owner shall not be required to obtain a special exception from the Board of Appeals to continue the use. However, expansion in area of the use or building area requires the approval of the Board of Appeals. The Board of Appeals shall apply the criteria for special exceptions contained in Section 11-1.02 of the Calvert County Zoning Ordinance.

2-6 NON-CONFORMING STRUCTURES (~~INCLUDING EXCLUDING SIGNS~~)²

2-6.01 Non-Conforming Structure Defined

A non-conforming structure is a structure which lawfully existed prior to the adoption or amendment of this Ordinance, but which, by virtue of the adoption or amendment of this Ordinance, no longer conforms to the site design provisions of this Ordinance in terms of such requirements as area, setback, or height requirements, architectural standards, etc. For the purposes of this Section, the “date of non-conformity” shall be the date of adoption or amendment of this Ordinance; the adoption or amendment of which rendered a structure non-conforming.

2-6.02 Continuation of Lawfully Existing Structures

Any structure lawfully existing at the time of the adoption or amendment of this Ordinance may continue to be used even though such structure does not conform to the site design provisions of the sub-area in which it is located. A non-conforming structure may be used for a permitted use or a non-conforming use as described in Section 2-5 herein.

2-6.03 Expansion of Non-Conforming Structures

- A. The expansion of a non-conforming structure may be permitted subject to the following conditions:
 - 1. The length of a building wall that does not conform to the current setback requirements may be extended provided that it is not extended closer to the property line than the original structure. Such extension would require a variance from the Board of Appeals.
 - 2. Such extension shall not constitute more than 50 percent of the length of the original non-conforming building wall. Extensions beyond 50 percent require a variance from the Board of Appeals.
 - 3. Expansion shall not be permitted if the structure is occupied by a non-conforming use, the expansion of which would be prohibited by Section 2-5.03 of this Ordinance.

~~B. The expansion of non-conforming signs shall not be permitted.~~

² For provisions regarding non-conforming **uses**, see Section 2-5 herein. [For provisions regarding non-conforming signs, see Article 6.](#)

2-6.04 Replacement of Non-Conforming Structures

- A. Nothing in these regulations shall prevent the restoration and/or replacement of a non-conforming structure destroyed by fire, wind storm, flood, explosion or act of public enemy or accident, or prevent the continuance of the use thereof as it existed at the time of such destruction, provided that a building permit application is properly submitted within one year after the occurrence. This provision does not apply if an owner of a property intentionally destroys a non-conforming structure either by means as described above or by neglect or abandonment.
- ~~B. When a non-conforming sign, or any part thereof, is to be replaced with a new sign, due to change in ownership of the property or business, or change in the use of the property, the new sign shall be brought into conformance with this Ordinance. These provisions do not apply to routine maintenance and repair of non-conforming signs.~~
- C.B.** A non-conforming structure which is taken in a negotiated settlement or condemnation proceedings shall be permitted to relocate only on the same lot or parcel, or on a contiguous lot or parcel which was in the same ownership at the inception of the condemnation proceedings, and provided the applicable lot area, setback and height requirements of the District in which such use is a principal permitted use can be met. Such relocation or construction as existed prior to its taking may be permitted provided a building permit application is properly submitted within six months of the settlement date of the condemnation proceedings.

2-7 PLANNING AREAS AND ZONING SUB-AREAS

2-7.01 Purpose of Establishing Planning Areas and Zoning Sub-Areas

The Solomons Town Center is divided into six planning areas, each of which is further divided into zoning sub-areas. These sub-areas are established to regulate appropriate locations for different types of land uses within the Town Center. The appropriate location for a particular land use is determined by the stated goals of the Solomons Master Plan as well as environmental suitability, the location of public facilities and services, and existing land uses in the vicinity.

2-8 PLANNING AREAS AND ZONING SUB-AREAS: PURPOSES, DESCRIPTIONS & POLICIES

2-8.01 Planning Area A - The Solomons Annex of NAS PAX River

The Solomons Annex of NAS PAX River is federal property and, therefore, exempt from County Planning and Zoning regulations. It is identified for reference purposes as Planning Area A. Should it ever cease being federal property, the Solomons Master Plan and Zoning Ordinance will be revised accordingly.

2-8.02 Planning Area B – The Sandy Point Area

A. Description

Planning Area B includes the Sandy Point residential area; the institutional buildings and property of the University of Maryland Center for Environmental Science, Chesapeake Biological Laboratory; a mixture of residential, marina and institutional buildings and structures on property located at the north end of Farren Avenue; and the retail and lodging uses in the center of the area.

B. Planning Area B Zoning Policies

The Solomons Master Plan includes general policies relating to the zoning of Planning Area B. They are as follow:

1. The Appearance Code shall be mandatory in Planning Area B. See Article 6 herein.
2. Reduced waterfront buffers are allowed in some areas that are already developed within the 100-foot buffer. See Article 8 of the Calvert County Zoning Ordinance.
3. The retention of historic buildings shall be encouraged.

C. Sub-area Zoning Policies for Planning Area B

Planning Area B is further divided into Zoning Sub-areas as shown on the Official Solomons Town Center Zoning Maps. The following policies relating to the zoning of each sub-area are included in the Solomons Master Plan and are intended to be implemented and enforced through this Ordinance:

1. Sub-area B1: This sub-area shall be designated primarily for residential use.
2. Sub-area B2 and B3: The property owned by the University of Maryland Center for Environmental Science should be encouraged to adhere to the appearance standards governing new development and substantial rehabilitation in order to preserve the architectural character of the area and to ensure compatibility with adjacent residential areas. A mixture of institutional and water-related commercial uses is encouraged in this area.
3. Sub-area B4: This sub-area is designated for mixed commercial/residential use. Because the area borders the Sandy Point residential area, it is important to buffer this residential area from commercial incursion through the use of setbacks, fencing and screening. Commercial uses shall be required to provide a buffer along property boundaries when adjacent to residential properties to reduce the development impact on residences.

2-8.03 Planning Area C – Lore Road South to Charles Street

A. Description

The area from Lore Road south to Charles Street is the historic core of Solomons Island and Avondale. This area includes a mix of water-related commercial, residential, and institutional uses between the Narrows and Solomons Island Road; the parking area and bulkhead west of Solomons Island Road; the residential area of Avondale; the marinas on Back Creek and the Solomons inner harbor area; the farm along the Patuxent River, and the recreational area & open space under and adjacent to the Governor Thomas Johnson Memorial Bridge. The Solomons Island Village Core, from the Tide Box to Charles Street, is a destination for both residents and visitors.

B. Planning Area C Zoning Policies

The Solomons Master Plan includes general policies relating to the zoning of Planning Area C. They are as follow:

1. The Appearance Code shall be mandatory in Planning Area C. See Article 6 herein.

2. Waterfront buffers shall be required to protect the Patuxent River and the Mill Creek watershed, including The Narrows, Back Creek, Mill Creek and St. John Creek, and thus the Chesapeake Bay. Buffers from mean high water vary based on current intensity of use, need for environmental protection and Chesapeake Bay Critical Areas Commission regulations. See Article 8 of the Calvert County Zoning Ordinance.
 3. Because the purpose of the Town Center is to be a focal point in the County for growth, no additional Agricultural Preservation Districts shall be designated in the Solomons Town Center.
 4. The retention of historic buildings shall be encouraged.
- C. Sub-area Zoning Policies for Planning Area C

Planning Area C is further divided into Zoning Sub-areas as shown on the Official Solomons Town Center Zoning Maps. The following policies relating to the zoning of each sub-area are included in the Solomons Master Plan and are intended to be implemented and enforced through this Ordinance:

1. Sub-area C1, C2 and the southern C3 area: The area designated by the Solomons Master Plan as the “village core” of the Town Center is intended for a mix of residential, commercial, and marina uses. In these sub-areas, development shall be subject to the Form-Based Code contained in Article 6 of this Ordinance. Certain commercial uses shall be permitted in the privately-owned structures currently located along the bulkhead; however, no expansion of the structures shall be permitted.
2. Sub-area C3 (north): There are two areas designated as Sub-area C3 on the Solomons Town Center Zoning Maps. These areas consist primarily of public facilities and amenities. The northern C3 Sub-area is located adjacent to and beneath the Thomas Johnson bridge. It contains the boat ramp, the associated parking area, and the visitor’s center, as well as the Marine Museum complex. The southern C3 Sub-area also contains public amenities such as the [gazebo pavilion](#) along the boardwalk, and is considered part of the “village core” (see above description).
3. Sub-area C4: This area consists primarily of institutional and residential uses. It is the intent to maintain the current uses within this sub-area.
4. Sub-area C5: An Agricultural Preservation District (APD) currently occupies Sub-area C5. While the APD remains in effect, most uses permitted in an APD shall be permitted. However, some uses permitted by the Calvert County Zoning Ordinance in APDs are not appropriate within a Town Center. ~~The Solomons Master Plan recommends that the Sub-area C5 be treated as part of Avondale (Sub-area C6). If the APD designation is lifted, uses allowed in Sub-area C6 will then be permitted in C5.~~ (See Article 3 herein).
5. Sub-area C6: The area known as Avondale is primarily residential in character and shall be maintained as such. Only small-scale commercial uses shall be permitted within this area; however, a wider variety of commercial uses may be permitted on the properties within Avondale that front on Solomons Island Road due to their convenient access to a major roadway.

6. Sub-area C7: Four areas have been designated as Sub-area C7. These properties contain existing marinas and/or boat-related businesses. Those uses, as well as similar marine-related uses shall be encouraged in these areas.

2-8.04 Planning Area D – Lore Road to the Northern Town Center Boundary (east side of Route 2/4)

A. Description

Planning Area D includes the land north of Lore Road, from the Patuxent Plaza Shopping Center along the east side of MD Route 2/4 north to the Town Center Boundary. It is bounded on the east side by Back Creek and St. John Creek.

B. Planning Area D Zoning Policies

The Solomons Master Plan includes general policies relating to the zoning of Planning Area D. They are as follow:

1. Water-use related activity shall be discouraged along St. John Creek because of the narrowness of the creek and sensitive shoreline conditions.
2. Waterfront buffers shall be required to protect the Patuxent River and the Mill Creek watershed, including The Narrows, Back Creek, Mill Creek and St. John Creek, and thus the Chesapeake Bay. Buffers from mean high water vary based on current intensity of use, need for environmental protection and Chesapeake Bay Critical Areas Commission regulations. See Article 8 of the Calvert County Zoning Ordinance.
3. The Appearance Code shall be mandatory in Planning Area D. See Article 6 herein.
4. No clear-cutting of forest shall be permitted without an approved site plan.
5. The retention of historic buildings shall be encouraged.

C. Sub-area Zoning Policies for Planning Area D

Planning Area D is further divided into Zoning Sub-areas as shown on the Official Solomons Town Center Zoning Maps. The following policies relating to the zoning of each sub-area are included in the Solomons Master Plan and are intended to be implemented and enforced through this Ordinance:

1. Sub-areas D1 and D4: This sub-area is designated for commercial use because of its convenient transportation access and because it is relatively isolated from residential uses and waterfront areas.
2. Sub-areas D2 and D3: These areas are designated for primarily residential use with small-scale commercial and wet boat storage use.
3. Sub-area D5: This area is designated for residential, commercial and marine-related industrial use. Comprehensive plans for large underdeveloped land holdings are encouraged.

2-8.05 Planning Area E – Dowell Peninsula

A. Description

Sub-area E includes the land within the Town Center which is located on the Dowell Peninsula. The entire west side of the peninsula is included in the Solomons Town Center. The north and south areas of the east side of the Dowell peninsula are included in the Town Center, while the central portion is not.

B. Planning Area E Zoning Policies

The Solomons Master Plan includes general policies relating to the zoning of Planning Area E. They are as follow:

1. The Appearance Code shall be mandatory in Planning Area E. See Article 6 herein.
2. Waterfront buffers shall be required to protect the Patuxent River and the Mill Creek watershed, including The Narrows, Back Creek, Mill Creek and St. John Creek, and thus the Chesapeake Bay. Buffers from mean high water vary based on current intensity of use, need for environmental protection and Chesapeake Bay Critical Areas Commission regulations. See Article 8 of the Calvert County Zoning Ordinance.
3. Comprehensive plans for Sub-areas E1 and E3 are required and it will be mandatory to abide by the appearance and landscape guidelines because of the potential visual impact of development on the site.

C. Sub-area Zoning Policies for Planning Area E

Planning Area E is further divided into Zoning Sub-areas as shown on the Official Solomons Town Center Zoning Maps. The following policies relating to the zoning of each sub-area are included in the Solomons Master Plan and are intended to be implemented and enforced through this Ordinance:

1. Sub-areas E1: This area is developed with marina and residential uses and is designated for mixed residential, marina and commercial use.
2. Sub-area E2: This area is developed with individual single family-homes and is designated for residential, local-serving commercial uses, and wet boat storage.
3. Sub-area E3: This area is primarily developed in townhouses. Commercial use is not permitted on parcels adjacent to the waterfront in Sub-area E3.
4. The retention of historic buildings shall be encouraged.

2-8.06 Planning Area F – West Side of Route 2/4 South of Swaggers Point Road

A. Description

Planning Area F includes primarily residential uses with some commercial uses fronting MD Route 2/4. Sub-area F1 includes the land west of MD Route 2/4 and north of the Solomons Annex of NAS PAX River, and is comprised of multi-family dwellings, single-family attached dwellings and businesses along the highway. Sub-area F2 is the single-family residential area south of Swaggers Point Road.

B. Planning Area F Zoning Policies

The Solomons Master Plan includes general policies relating to the zoning of Planning Area F. They are as follow:

1. The Appearance Code shall be mandatory in Planning Area F. See Article 6 herein.

2. Waterfront buffers shall be required to protect the Patuxent River and the Mill Creek watershed, including The Narrows, Back Creek, Mill Creek and St. John Creek, and thus the Chesapeake Bay. Buffers from mean high water vary based on current intensity of use, need for environmental protection and Chesapeake Bay Critical Areas Commission regulations. See Article 8 of the Calvert County Zoning Ordinance.

C. Sub-area Zoning Policies for Planning Area F

Planning Area F is further divided into Zoning Sub-areas as shown on the Official Solomons Town Center Zoning Maps. The following policies relating to the zoning of each sub-area are included in the Solomons Master Plan and are intended to be implemented and enforced through this Ordinance:

1. Sub-area F1: This area is developed as age-restricted housing as well as a large townhouse development. It is therefore designated primarily for residential and institutional uses. There is an area of existing commercial development fronting on Creston Lane. However, the Solomons Master Plan includes a policy that retail commercial shall not be permitted in Sub-area F1. The wooded wetland at the entrance to Hungerford Creek is a natural asset and is to be preserved for use as passive recreation. No commercial or community water-dependent facilities are to be permitted within the mouth of the creek.
2. Sub-area F2: This area is to remain in residential use.

2-9 OVERLAY DISTRICTS

2-9.01 Purpose of Establishing Overlay Zoning Districts

Overlay Districts are created to impose special regulations in designated areas of the County. The Solomons Town Center contains properties that have been designated with Overlay Districts or are eligible for such designation. Regulations which apply within Overlay Districts shall be in addition to the underlying Zoning Sub-area regulations. There are three types of Overlay Districts in the Solomons Town Center: Agricultural Preservation Districts (see Section 2-10.01); Critical Area Districts (see Section 2-10.02); and Historic Districts (see Section 2-10.03).

2-10 OVERLAY DISTRICTS: PURPOSES, DESCRIPTIONS & POLICIES

2-10.01 Agricultural Preservation Districts

- A. Agricultural Preservation Districts (APDs) are part of the Agricultural Land Preservation Program. According to the Calvert County Zoning Ordinance, the purpose of this program shall be to:
 1. offer an incentive for preservation of prime agricultural and forestry land;
 2. provide compensation to the landowner who voluntarily agrees to place agricultural and forestry use covenants on his land;
 3. offer a free market system for financing agricultural and forestry preservation, thus reducing direct cost to the taxpayers;
 4. guide development away from prime agricultural and forestry lands on which viable farming and forestry endeavors are practical; and

5. act as a source of development rights.

See Section 2-10.01 of the Calvert County Zoning Ordinance for regulations applying to APDs.

- B. An APD currently occupies Sub-area C5 and is highly valued for the scenic vistas it provides from within the Solomons Town Center as well as from the Thomas Johnson Bridge.
- C. No additional APDs shall be permitted within the Solomons Town Center, as the Master Plan contains the following policy: "Because the purpose of the Town Center is to be a focal point in the County for growth, it is recommended that no additional Agricultural Preservation Districts be designated in the Solomons Town Center."

2-10.02 Critical Area District

- A. The majority of the Solomons Town Center is located within the Critical Area District. According to the Calvert County Zoning Ordinance, this District is created to:
 - 1. minimize adverse impacts on water quality that result from pollutants in run off from surrounding land uses;
 - 2. conserve fish, wildlife and plant habitat; and
 - 3. establish land-use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

See Article 8 herein and in the Calvert County Zoning Ordinance for regulations within the Critical Area.

2-10.03 Historic Districts

- A. Many properties within the Solomons Town Center contain historic features which may be eligible for designation as a Historic District. According to the Calvert County Zoning Ordinance, the purpose of this District shall be to:
 - 1. safeguard the heritage of the County by preserving areas and structures which reflect significant elements of its cultural, social, economic, political or architectural history;
 - 2. stabilize and improve property values in the area of Historic Districts and strengthen the local economy;
 - 3. foster civic beauty;
 - 4. promote the use and preservation of Historic Districts for the education, welfare, and pleasure of the residents of the County;
 - 5. develop an awareness among property owners of the value of preserving, protecting and restoring areas of historical significance; and
 - 6. enable the County government to identify and officially designate landscapes, structures and sites of historical and cultural importance to the County in order to make such structures and sites eligible for specific benefits conferred by this and other County ordinances and policies both current and adopted in the future.
- B. See Section 2-10.04 of the Calvert County Zoning Ordinance for regulations regarding District Boundaries and Administration of Historic Districts.

C. Permitted Uses and Special Exception Uses

Permitted and special exception uses shall be as indicated in Article 3 of the Calvert County Zoning Ordinance. In addition, the following conditions shall apply to special exception uses in Historic Districts:

1. If the property is a lot within a recorded subdivision containing more than five lots, the use shall only be permitted if:
 - a. access to the Historic District is not through the subdivision, and
 - b. all the lot owners in the subdivision sign the special exception application.
2. Parking and accessory uses such as refuse bins, storage, etc. shall be screened from view from adjoining properties.

**ARTICLE 3
LAND USES BY ZONING DISTRICT**

Article 3
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3-1 SOLOMONS TABLE OF LAND USES

The Solomons Table of Land Uses contained in Sections 3-1.01 through 3-1.11 lists different uses and the sub-areas of the Solomons Town Center 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 sub-area. If a use is listed as a Conditional Use, the conditions are contained in Section 3-2. If a use is specifically listed in the Land Use Tables, it takes precedence over general use listings.

Additions released with Set 1 shown in **red bold underline**. Deletions shown in ~~red strikethrough~~.
 Additions proposed by staff since release of Set 1 shown in **blue bold underline**. Deletions shown in ~~blue strikethrough~~.

KEY TO LAND USE CHARTS:			
	A blank indicates the use is not permitted	S	Permitted Use subject to special exception from the Board of Appeals
P	Permitted Use	SC	Permitted use subject to special exception if it meets conditions
C	Permitted Use if it meets certain conditions	S1	Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
* -	<u>In the C5 Sub-area only: Use only allowed if APD is lifted and conditions, if any, are met.</u>	S2	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.

B1, C6, D2, D3, E3, F1, F2	Sub-areas designated primarily for residential uses. Note: In addition to residential uses, small-scale commercial & wet boat storage should be permitted in D2, D3 & E2.
C1	Form-Based Code Proposed.
C5	Existing APD.
C7	Existing Marinas.

USE #	SOLOMONS TABLE OF LAND USES – 3-1.01 AGRITOURISM, ECO-TOURISM, AND HERITAGE TOURISM USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE	
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
1.	Agritourism Enterprise									C												
2.	Campground, Farm									C												
3.	Canoe or Kayak Launching Site, Commercial		C	C		C	C	C	C	C		C	C				C	C		C		
4.	Commercial Kitchen, Farm									C												
5.	Ecotourism Enterprise									P		P					P					
6.	Farm Support Business, Less than 5,000 square feet									C												
7.	Farm Support Business, More than 5,000 square feet									SC												
8.	Heritage Trail Displays		C	C	C	C	C	C	C	C		C	C			C	C	C			C	
9.	Hunting Service																					
10.	Public Events/Public Assemblies on Farmland									SC												
11.	Rental Facilities on Farms									C												
12.	Sports Practice Fields on a Farm																					

USE #	SOLOMONS TABLE OF LAND USES – 3-1.02 AGRICULTURAL USES	SOUTH OF LORE ROAD										NORTH OF LORE ROAD					DOWELL			WEST SIDE		
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
1.	Animal Husbandry																					
2.	Aquaculture, Freshwater and Land-based																					
3.	Aquaculture, Marine/Estuarine																					
4.	Commercial Greenhouse, Retail																					
5.	Commercial Greenhouse, Wholesale																					
6.	Commercial Kennel, with indoor facilities only																					
7.	Commercial Kennel, with outdoor facilities																					
8.	Commercial or Non-Profit Stable or Horseback-Riding Club																					
9.	Commercial Raising of Dangerous or Wild Animals																					
10.	Commercial Raising of Fur-bearing Animals																					
11.	Farm																					
12.	Farm Brewery																					
13.	Farm Building																					
14.	Farm Distillery																					
15.	Farm Stand																					
16.	Farm Winery																					
17.	Field Crops																					
18.	Forest Product Processing																					
19.	Garden Center or Farm Supply Store, Less than 2,500 square feet																					
20.	Garden Center or Farm Supply Store, More than 2,500 square feet and less than 25,000 square feet																					
21.	Garden Center or Farm Supply Store, More than 25,000 square feet and less than 75,000 square feet																					
22.	Garden Center or Farm Supply Store, 75,000 square feet																					
23-20.	Livestock Auction and/or Sales Barn																					
24-21.	Livestock Auction by a Non-Profit Organization or Farm Owner																					
25-22.	Nursery, Retail																					
26-23.	Nursery, Wholesale																					
27-24.	Tree Farming																					
28-25.	Veterinary Hospital or Clinic, Livestock																					
29-26.	Veterinary Hospital or Clinic, Small Animals and Household Pets																					

USE #	SOLOMONS TABLE OF LAND USES – 3-1.03 RESIDENTIAL USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE	
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
1.	Apartment, Accessory to a Residence	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C
2.	Apartment, Accessory for Resident Watchman/Caretaker																					
2.	Apartment, Attached Accessory to a Business (3/25/08)	C	C	C	C	C	C		C	C*	C	C	C	C	C	C	C	C	C	C	C	C
4-3.	Assisted Living Facility												P	P	P		P			P	P	P
5.	Bed & Breakfast Facility with up to 2 Bedrooms in Use	C	C	C	C	C				C	C	C	C	C	C	C	C	C	C	C	C	C
6-4.	Bed & Breakfast Facility with 3 up to 5 Bedrooms in Use	SC	SC	SC	SC	SC			C	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC	SC
16-5.	Lodgers in Residence Boarding House or Dormitory (no more than 3 Lodgers)	P	P	P	P	P				P*	P	P	P	P	P	P	P	P	P	P	P	P
7-6.	Boarding House or Dormitory (>3 Lodgers)	C	C	C	C	C			C	C*	C	C	C	C	C	C	C	C	C	C	C	C
8-7.	Dwelling, Attached: Duplex			PC	PC	PC				PC*	PC	PC	P	PC	PC		P	PC	PC	PC	PC	PC
9-8.	Dwelling, Attached: Fourplex			PC	PC	PC				PC*	PC	PC	P	PC	PC		P	PC	PC	PC	PC	PC
10-9.	Dwelling, Attached: Multi-family			SC	SC	SC						SC	SC	SC	SC		SC	SC		SC	SC	SC
11-10.	Dwelling, Attached: Townhouse			C	C	C				C*	C	C	C	C	C		C	C	C	C	C	C
12-11.	Dwelling, Attached: Triplex			PC	PC	PC				PC*	PC	PC	P	PC	PC		P	PC	PC	PC	PC	PC
13-12.	Dwelling, Single Family Detached	PC	PC	PC	PC	PC			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
14-13.	Group Home	PC	PC	PC	PC	PC			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
15-14.	Liveboards									C	C	C					C					
18-15.	Manufactured Home Community																					
19-16.	Manufactured Home, Farm									C												
20-17.	Manufactured Home on Individual Lot																					
17-18.	Manufactured Home or Recreational Vehicle (Emergency)	C	C	C	C	C			C	C	C	C	C	C	C	C	C	C	C	C	C	C
21.	Manufactured Home or Recreational Vehicle (Emergency)																					
22.	Manufactured Home For Resident Watchman/Caretaker																					
23-19.	Manufactured Home Subdivision																					
24-20.	Tenant House									C				C	C		C		C		C	
25-21.	Tenant Houses, Additional (no more than 2 additional)													C	C		C		C		C	

USE #	SOLOMONS TABLE OF LAND USES – 3-1.04 COMMERCIAL RETAIL USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE		
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2	
1.	Agricultural Machinery, Service and/or Supplies												P				P	P					
2.	Antiques Sales		C	C	PC	PC	P	C		C*	C	PC	PC	C	C	PC	C	C	C	C	C	C	C
3.	Art Gallery, Less than 2,500 square feet		C	P	PC	PC	PC	C		C*	C	PC	PC	S1		PC	PC	PC	C			C	
4.	Art Gallery, More than 2,500 square feet and less than 25,000 square feet			S1	S1	P	P						S1	S1	S2		P	P	P				
5.	Art Gallery, More than 25,000 square feet and less than 75,000 square feet															P							
6.	Art Gallery, 75,000 s. f.															C							
7. 4.	Artisans' and Crafters' Market		C		C	C	C			C*	C	C	C			C	C	C	C				
8. 5.	Auction Building															PC	PC						
9. 6.	Boat Dealership			P	P								P	P		P	P	P					
10. 7.	Farmers' Market		C		C	C	C					C	C			C	C	C	C				
11. 8.	Flea Market by Non-profit Organization				C				P				P			P							
12. 9.	Home Improvement Center less than 25,000 square feet												PC			PC	PC					C	
13.	Home Improvement Center, more than 25,000 square feet and less than 75,000 square feet															P							
14.	Home Improvement Center, 75,000 square feet															C							
15. 10.	Manufactured Home Dealer																						
16. 11.	Mobile Food Sales				C	C		C					C			C		C	C	C	C		
17.	Retail Commercial Building, Less than 2,500 square feet			P	P	P	P						P	P	S1		P	P	P			C	
18. 12.	Retail Commercial Building, More than 2,500 square feet and less than 25,000 square feet			S1	S1	P	P	C					S1	S1	S2		PC	PC	PC	C			
19.	Retail Commercial Building, More than 25,000 square feet and less than 75,000 square feet															P							
20.	Retail Commercial Building, 75,000 s. f.															C							
21. 13.	Retail Commercial Building with Drive-up Facility, Less than 2,500 square feet			P	P	P	P						P	P	S1		P	P	P			C	
22.	Retail Commercial Building with Drive-up Facility, More than 2,500 square feet and less than 25,00 square feet			S1	S1	P	P						S1	S1	S2		P	P	P				
23.	Retail Commercial Building with Drive-up Facility, More than 25,000 square feet and less than 75,000 square feet															P							
24.	Retail Commercial Building with Drive-up Facility, 75,000 s. f.															C							
25. 14.	Retail Commercial Sale or Display Area, Outdoor			C	C	C	C						C	C	C		C	C	C				
26. 15.	Watermen's Market		C	C	C	C	C	C		C*	C	C	C	C		C	C	C	C				

USE #	SOLOMONS TABLE OF LAND USES – 3-1.05 BUSINESS & PERSONAL SERVICES USES	SOUTH OF LORE ROAD										NORTH OF LORE ROAD					DOWELL			WEST SIDE			
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2	
1.	Boat Service and/or Repair			<u>SP</u>		S						P	P			P	P						
2.	Boat Storage, Commercial			C		C				<u>C</u>		C	C			C	C						
3.	Boatel			P	<u>S</u>	S				<u>S1*</u>		P	P			P	P	P				P	
4.	Commercial Pier			P		P						P	P					P					
5.	Commercial Kitchen (not associated with an Eating Establishment)		<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>						<u>C</u>	<u>PC</u>			<u>PC</u>	<u>PC</u>	<u>C</u>	<u>C</u>			<u>S</u>	
6.	Commercial Trade or Business School		P	P	P	P						<u>P</u>	P			P	P					<u>S</u>	
7.	Corporate Headquarters, less than 2,500 sq. ft.		<u>SP</u>	P	P	P						P	P	<u>P</u>		P	P	P	P			<u>P</u>	
8.	Corporate Headquarters, more than 2,500 sq. ft.			S1	S1	S1						P	P			P	S1	S1	S1			<u>S1</u>	<u>C</u>
9.	Crematorium			<u>S1</u>	<u>S1</u>	<u>S1</u>						<u>P</u>	P			P	S1	S1	<u>S1</u>			<u>S1</u>	<u>C</u>
10.	Drive-up Facility, Accessory											<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>						
10.11.	Eating Establishment with Drive-up Facility					P	P					P	<u>SP</u>			P	<u>SP</u>	<u>S</u>					
11.12.	Eating Establishment without Drive-up Facility			P	P	P	P	<u>C</u>				P	P			P	P	P					<u>P</u>
13.	Eating Establishment with Outdoor Patron Area			<u>SC</u>	<u>SC</u>	<u>C</u>	<u>C</u>					<u>C</u>	<u>C</u>			<u>C</u>	<u>C</u>	<u>C</u>					
12. 14.	Entertainment Business, Adult																						
13. 15.	Flex Space Business																						
14. 16.	Funeral Home			<u>S1</u>	<u>S1</u>	<u>S1</u>						<u>P</u>	P			P	S1	S1	<u>S1</u>			<u>S1</u>	
15.17.	Home Occupation – All Employed are Residents	C	C	C	C	C				<u>C</u>	C	C	C	C	C	C	C	C	C	C	C	C	C
46.	Home Occupation – 1 Equivalent Full-time non-resident employee	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>C</u>	<u>C</u>					<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>
17.	Home Occupation – 2 Equivalent Full-time non-resident employees				<u>C</u>	<u>C</u>					<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>	<u>SC</u>
18.	Laundry, Industrial																						
19.	Laundry/Laundromat		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						P	P			P	P	P					
20.	Motel or Hotel		<u>S</u>	<u>PS</u>	<u>SP</u>	<u>SP</u>				<u>S1*</u>		P	P			P	P	P					<u>P</u>
25.21.	Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars					S										<u>SC</u>			<u>SC</u>				
22.	Nightclub or Lounge with Outdoor Patron Area					<u>C</u>						<u>C</u>	<u>C</u>			<u>C</u>	<u>C</u>	<u>SC</u>					
21.23.	Office, Non-Medical, Medical, or Personal Services, Clinics Less than 2,500 sq.ft.		<u>SP</u>	P	P	P		<u>C</u>		<u>C*</u>	<u>C</u>	P	P	<u>P</u>		P	P	P	P				<u>P</u>
22.24.	Office, Non-Medical, Medical, or Personal Services, Clinics More than 2,500 sq. ft.		<u>P</u>	S1	S1	<u>S1P</u>						<u>PC</u>	P			P	S1	S1	S1			<u>S1</u>	<u>C</u>
23.25.	Office Support Services, including printing, copying, faxing, internetworking, etc., less than 2,500 sq. ft.		<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>				<u>C*</u>		<u>CP</u>	<u>CP</u>	<u>C</u>		<u>CP</u>	<u>CP</u>	<u>C</u>	<u>CP</u>				<u>C</u>
24.26.	Tavern, Bar, Nightclub, Lounge, Dance Hall					<u>SCP</u>	<u>SC</u>									<u>SC</u>		<u>SC</u>					
27.	Tavern or Bar with Outdoor Patron Area					<u>C</u>						<u>C</u>	<u>C</u>			<u>C</u>	<u>C</u>	<u>SC</u>					

USE #	SOLOMONS TABLE OF LAND USES – 3-1.06 RECREATION USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE	
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
9-1.	Indoor Commercial-Amusements: Arcade, Pool Hall, Bingo (Indoor Commercial)												S			S		P				
10-2.	Indoor Commercial-Amusements: Bowling, Skating Rink, Movie Theatre (Indoor Commercial)												P			P		P				
4-3.	Campground and/or Rec. Vehicle Camp																					
2-4.	Carnival, Fair or Circus – Temporary, on Less than 5 Acres									SC			SC			SC	SC				SC	
3-5.	Carnival, Fair or Circus – Temporary, on More than 5 Acres									C			C			C	C				C	
4-6.	Commercial or Non-Profit Meeting Hall, Banquet Hall		S	S	P	P	P					S	P		P	P	P				P	
5-7.	Convention Center				P					P*			P			P	P	P				P
6-8.	Drive-in Theatre																					
11-9.	Indoor Commercial-Amusements: Fitness Center (Indoor Commercial)				C	PC				S*		P	P	P		P	P	P			P	
7-10.	Golf Course																					
8-11.	Golf, Miniature											S			S		P					
15.	Marina or Yacht Club			C		C			C			C	C	C	C		C	C				
14-12.	Marina with Fuel Dock & Repair Facilities			P					P			P	P				P	S				
17-13.	Retreat, Day									PC			P			P	P	P			P	
48-14.	Studio, (Indoor Commercial)		C	C	C	PC						PC			PC	PC	PC					
12-15.	Indoor Commercial-Amusements: Studio, Commercial-Performing Arts (Indoor Commercial)		S	S	S	P						P			P	P	P					
13-16.	Indoor Commercial-Amusements: Swimming Pool, Athletic Courts, etc., (Indoor Commercial)			S	S				P	S*		P	P	P		P	P	P			P	
16-17.	Outdoor Recreation, such as: Swimming Pools, Athletic Courts, etc., (Outdoor Commercial)			SP	S	S				S1*		S1	S1	S1		PS1	S1	S1			S1	
19-18.	Target Range, Indoor																					
20-19.	Target Range, Outdoor																					

USE #	SOLOMONS TABLE OF LAND USES – 3-1.07 COMMERCIAL WHOLESALE USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE	
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
1.	Mini-Storage											S			S	S					S	
2.	Warehouse, Indoor											S			S	S						
3.	Warehouse, Outdoor																					
4.	Wholesale Lumber and/or Other Building Materials less than 25,000 square feet											PC			PC	PC					G	
5.	Wholesale Lumber and/or Other Building Materials, more than 25,000 square feet and less than 75,000 square feet														P							
6.	Wholesale Lumber and/or Other Building Materials, 75,000 square feet														C							
7-5.	Wholesaling, Indoor Only											S			S	S						

USE #	SOLOMONS TABLE OF LAND USES – 3-1.08 MOTOR VEHICLE & RELATED SERVICES USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE	
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
1.	Automobile Filling Station											SC			SC	SC	SG					
2.	Automobile Filling Station with Convenience Store and/or Eating Establishment											SC			SC	SC	SC					
3.	Automobile Repair/Service Shop without fuel sales											SC			SC	SC	SG					
4.	Automobile Parking Lot/Garage as a Principal Use							P														
5.	Automobile Parts Dismantling and/or Storage																					
6.	Bus lot or garage											S			S	S2	S					
7.	Car Wash											S			S	S2	S					
8.	Commuter Parking Lot							P				P	P	P	P	P					P	
9.	Inoperative Vehicle, 1 per lot	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10.	Inoperative Vehicles, 2 per lot																					
11.	Motor Vehicle Accessory Shop											C			C	C						
12.	Motor Vehicle Dealership - New or Used											S			S	S2						
13.	Other Motor Vehicle Related Uses including: Bus depot, taxi service, vehicle rental or leasing											S			S	S2	S					
14.	Park-and-Sell Lot											S			S	S2						
15.	Parking of Commercial Motor Vehicles	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
16.	Storage of Motor Vehicles																					
17.	Truck, Bus and Diesel Service & Repair Shop																					
18.	Truck Terminal																					
19.	Vehicle Ferry Service							SG		SC												

USE #	SOLOMONS TABLE OF LAND USES – 3-1.09 INDUSTRIAL USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE		
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2	
1.	Agricultural/Seafood/Livestock Processing Plant											C											
2.	Asphalt Plant																						
3.	Commercial Fuel Storage Business																						
4.	Commercial Recycling Facility																						
5.	Distillation of Alcohol as a Fuel, Commercial																						
6.	Distillation of Alcohol as a Fuel On a Farm for Farm Use Only																						
7.	Grain Elevator																						
8.	Kiln, Wood Drying																						
9.	Landfill, Land-Clearing Debris																						
10.	Landfill, Rubble																						
11.	Landfill, Sanitary																						
12.	Manufacturing and/or Assembly, Heavy																						
13.	Manufacturing and/or Assembly, Light, Less than 5,000 square feet											S											
14.	Manufacturing and/or Assembly, Light, More than 5,000 square feet											S											
15.	Manufacturing and/or Assembly, of Watercraft, Commercial <u>Marine-Related</u>											S P	S				S						
16.	Outdoor Storage in Connection with Commercial and/or Industrial Uses											P	C			C							
17.	Power Generating Facility, Accessory to a Residence or Business	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
18.	Power Generating Facility, Commercial																						
19.	Research & Development Facility, Environmental		C	C	P							P	C	SC	SC	SC	SC					C	
20.	Research & Development Facility, Other											P	C	SC	SC	SC	SC					C	
21.	Salvage and/or Junk Yard																						
22.	Sand, Gravel or Mineral Extraction and Processing																						
23.	Sand, Gravel or Mineral Extraction (No Processing)																						
24.	Sawmill, Commercial																						
25.	Sawmill, Portable																						
26.	Storage of Machinery & Equipment in Connection With Excavating and /or Contracting Business												S		S	S	S					S	

USE #	SOLOMONS TABLE OF LAND USES – 3-1.10 INSTITUTIONAL USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE	
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2
1.	College or University		P	P					S												S	
2.	Day Care Center, 3 Clients or Less	P	P	P	P	P		P	P	P*	P	P	P	P	P	P	P	P	P	P	P	P
3.	Day Care Center, 12 Clients or Less					P			P	P*	P	P	P	P	P	P	P	P	P	P	P	P
4.	Day Care Center, 13 or More Clients					S			S	S*	S	S	S	S	S	S	S	S	S	S	S	S
5.	Elementary or Secondary School																					
6.	Fire and/or Rescue Service												P			P	P					
7.	Hospital												P									
8.	Library		P	P	S	P	S	P	S	S*	S	S	P			P	P	P				P
9.	Museum		P	P	S	P	S	P	S	S*	S	S	P			P	P	P				P
10.	Nursing or Convalescent Home				P								P	P	P		P					P
11.	Place of Worship, Parish Hall, Convent, Monastery or Rectory		P	P	P	P			P	P*	P		P	P	P	P	P	P	P	P		P
12.	Public or Governmental Building		P	P	P	P		P	P	P*	P		P	P	P	P	P	P	P	P	P	P
13.	Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc.		S1	P	S1	P		P	S1	S1*	S1		P	P	P	P	P	P	S1	P	P	
14.	Public Utility Lines & Accessory Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
15.	Solid Waste Collection Site																					
16.	Temporary Structure Incidental to Schools (classroom relocatable)																					
17.	Wastewater Treatment Facility																					
18.	Water Supply Treatment Facility																					

US E #	SOLOMONS TABLE OF LAND USES – 3-1.11 UNCLASSIFIED USES	SOUTH OF LORE ROAD											NORTH OF LORE ROAD					DOWELL			WEST SIDE		
		B1	B2	B3	B4	C1	C2	C3	C4	C5	C6	C7	D1	D2	D3	D4	D5	E1	E2	E3	F1	F2	
1.	Accessory Building or Use	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
2.	Airport or Landing Field																						
3.	Cemetery or Memorial Garden					P				P*	P		P										
4.	Communications Towers & Antennas (Government, Commercial & Private)	SEE SECTION 3-3 OF THE CALVERT COUNTY ZONING ORDINANCE																					
5.	Dock, Pier, Private	PC		PC		PC			PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC
6.	Garage Sale, Yard Sale or Estate Sale	C	C	C	C	C			C	C	C		C	C	C		C	C	C	C	C	C	C
7.	Heliport									S*			S			S		S					
8.	Household Pets	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9.	Livestock Kept as Pets									C				C	C		C	C	C	C	C	C	C
10.	Model Home				C					C			C	C	C	C	C	C	C	C	C	C	C
11.	Structure for the Keeping of Animals (on non-farm properties)	PC	PC	PC	PC	PC	PC	P	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
12.	Temporary Structure Incidental to Construction (non-residential)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
13.	Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)																						
14.	Temporary Recreational Vehicle at Construction site (for watchman)																						
15.	Unoccupied Recreational Vehicle																						
16.	Wild or Dangerous Animals Kept as Pets																						

3-2 SOLOMONS TABLE OF CONDITIONAL USES & DEFINITIONS

If a use is listed as a Conditional Use in the Table of Land Uses, the conditions are listed below.

NOTE: Only those uses listed as “Conditional” in the Solomons Table of Land Uses are included in this Section. For definitions of uses not listed in this Section, see Article 12 of the Calvert County Zoning Ordinance.

USE #	3-2.01 AGRITOURISM, ECOTOURISM, & HERITAGE TOURISM USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	<p>Agritourism Enterprise</p> <p><i>Activities conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in a farm operation. Such activities include farm tours, hayrides, corn mazes, classes, and picnic facilities.</i></p>	<ol style="list-style-type: none"> 1. The activity shall be related to agriculture or natural resources and incidental to the primary operation of the farm; and 2. the use shall not be permitted on a lot or open space within a subdivision.
2.	<p>Campground, Farm</p> <p><i>An area of a farmland where tent campsites are rented or leased or held out for rent or lease for the use of camping parties.</i></p>	<ol style="list-style-type: none"> 1. No more than 15 campers shall be permitted; and 2. only tent camping shall be permitted (recreational vehicles and travel trailers shall not be permitted); and 3. no permanent structures shall be permitted with the exception of tent platforms and cooking grills; and 4. temporary restrooms and potable water shall be provided within 75 feet of the campsites; and 5. shower/bath facilities, electricity, and telephone lines shall not be permitted in conjunction with the campground; and 6. the campsites shall be located at least 300 feet from any adjoining properties and the road; and 7. In addition to the above conditions, the requirements of Section 2-10.04 shall apply to Historic Districts; and 8. the use shall not be permitted on a lot or open space within a subdivision.
3.	<p>Canoe or Kayak Launching Site, Commercial</p> <p><i>A waterfront site where canoes and kayaks are launched into the water for a fee.</i></p>	<ol style="list-style-type: none"> 1. No motorized watercraft shall be permitted; and 2. portage and launch areas shall be stabilized to prevent erosion and there shall be no exposed soils. 3. <u>In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u>
4.	<p>Commercial Kitchen, Farm</p> <p><i>A food preparation facility not associated with an eating establishment used for the preparation of foods for sale for human consumption. May be attached to a farm stand.</i></p>	<ol style="list-style-type: none"> 1. The kitchen shall not exceed 2,000 square feet; and 2. goods produced shall incorporate farm commodities produced on the farm where the kitchen is located.

USE #	3-2.01 AGRITOURISM, ECOTOURISM, & HERITAGE TOURISM USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
6.	Farm Support Business, Less than 5,000 square feet <i>An enterprise on a farm that is clearly and directly related to the practice of farming. Services include, but are not limited to, blacksmithing, farrier, farm implement repair, agricultural pest service, fertilizer service, irrigation installation service, and greenhouse construction and installation.</i>	<ol style="list-style-type: none"> 1. Implements being kept for parts shall be kept inside or screened from view from all public roads and adjoining properties; and 2. fertilizer mixing and/or manufacture is not permitted; and 3. the enterprise shall be specifically associated with farming. For example, the repair of farm tractors and implements would qualify whereas general diesel service or general welding services would not; and 4. the use shall not be permitted on a lot or open space in a subdivision.
7.	Farm Support Business, More than 5,000 square feet <i>An enterprise on a farm that is clearly and directly related to the practice of farming. Services include, but are not limited to, blacksmithing, farrier, farm implement repair, agricultural pest service, fertilizer service, irrigation installation service, and greenhouse construction and installation.</i>	<ol style="list-style-type: none"> 1. Implements being kept for parts shall be kept inside or screened from view from all public roads and adjoining properties; and 2. fertilizer mixing and/or manufacture is not permitted; and 3. the enterprise shall be specifically associated with farming. For example, the repair of farm tractors and implements would qualify whereas general diesel service or general welding services would not. 4. In addition to the above conditions, the requirements of Section 2-10.04 shall apply to Historic Districts; and 5. the use shall not be permitted on a lot or open space in a subdivision.
8.	Heritage Trail Displays <i>A trail board, kiosk, or station where visitors are directed, either for a fee or at no cost, to gain information about local history.</i>	<ol style="list-style-type: none"> 1. The heritage trail display shall conform to standards established by the National Park Service. 2. <u>In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u>
10.	Public Events/Public Assemblies on Farmland <i>A special event held on a farm not related to farm activities. Such uses include performing arts and concerts.</i>	<ol style="list-style-type: none"> 1. No more than two events per year shall be permitted; and 2. no event shall exceed two weeks in duration; and 3. approval from the Historic District Commission shall be required for properties that are Historically Districted and the requirements of Section 2-10.04 shall apply to those properties; and 4. approval from the Agricultural Preservation Advisory Board shall be required for properties located in Agricultural Preservation Districts.
11.	Rental Facilities on Farms <i>Facilities or areas on farms that are available for rent for private events such as weddings, company picnics, or private parties.</i>	<ol style="list-style-type: none"> 1. Approval from the Agricultural Preservation Advisory Board shall be required for properties located in Agricultural Preservation Districts. 2. In addition to the above conditions, the requirements of Section 2-10.04 shall apply to Historic Districts; and 3. the use shall not be permitted on a lot or open space in a subdivision.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	<p>Animal Husbandry</p> <p><i>The care and/or breeding of livestock on a farm and raised for sale or profit, including but not limited to the following animals: horses, cattle, sheep, swine, goats, bison, llamas, alpacas, rabbits, and poultry.</i></p>	<ol style="list-style-type: none"> 1. Size of the parcel is three acres or more; and 2. the property qualifies for and receives an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation.
2.	<p>Aquaculture, Freshwater and Land-based</p> <p><i>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>	<ol style="list-style-type: none"> 1. Any water discharged shall be treated through land application; and 2. a 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; and 3. only freshwater impoundments are permitted.
3.	<p>Aquaculture, Marine/Estuarine</p> <p><i>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>	<ol style="list-style-type: none"> 1. All structures shall meet the lateral line setback requirements and those setbacks <u>shall</u> not be reduced; and 2. the aquaculture operation shall be part of a controlled environmental remediation project; and 3. no pens, tanks, or impoundments are permitted on land; and 4. the operation shall be limited to the raising of shellfish and aquatic plants only.
4.	<p>Commercial Greenhouse, Retail</p> <p><i>A structure or building made with translucent or light transparent walls conducive to plant growth, in which plants, vegetables, and flowers are grown for retail sale.</i></p>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6; and 2. the retail greenhouse shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
5.	<p>Commercial Greenhouse, Wholesale</p> <p><i>A structure or building made with translucent (light transparent) walls conducive to plant growth, in which plants, vegetables, and flowers are grown for wholesale purposes only.</i></p>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6; and 2. the wholesale greenhouse shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.
6.	<p>Commercial Kennel with indoor facilities only</p> <p><i>An establishment in which household pets are kept or boarded for a fee entirely within an enclosed structure.</i></p>	<ol style="list-style-type: none"> 1. all structures or accessory uses shall be at least 100 feet from any property line and 100 feet from a right-of-way. These setbacks may not be reduced; and 2. the use shall not be permitted on a lot or open space within a subdivision.
7.	<p>Commercial Kennel with outdoor facilities</p> <p><i>An establishment in which household pets are kept or boarded for a fee where outdoor facilities such as runs, pens, and walking areas are provided.</i></p>	<ol style="list-style-type: none"> 1. all structures or accessory uses shall be at least 500 feet from any property line and 300 feet from a right-of-way. These setbacks may not be reduced; and 2. the use shall not be permitted on a lot or open space within a subdivision.
8.	<p>Commercial or Non-Profit Stable or Horseback-Riding Club</p> <p><i>An establishment in which horses are kept, trained, boarded handled, or ridden for a fee</i></p>	<p>The property shall contain a minimum of five acres.</p>
12.	<p>Farm Brewery</p> <p><i>An establishment for the manufacture of malt liquors, such as beer and ale, using grains such as oats, hops, wheat and barley produced on the farm on which the farm brewery is located.</i></p>	<ol style="list-style-type: none"> 1. The brewery shall be designed and managed to brew no more than 15,000 barrels of beer per year; and 2. at least one of the primary ingredients shall be produced on the farm where the brewery is located; and 3. only off-site consumption of the alcoholic beverages shall be permitted with the exception of tasting events or if a bar or eating establishment is permitted on the farm; and 4. the brewery shall be operated in accordance with all local, state, and federal laws; and 5. the use shall not be permitted on a lot or open space within a subdivision.
14.	<p>Farm Distillery</p> <p><i>A facility located wholly on a farm designed for the distillation of grains and fruits produced primarily on the farm into alcoholic beverages.</i></p>	<ol style="list-style-type: none"> 1. The distillery shall be capable of producing no more than 500 liters (132 gallons); and 2. at least one of the primary ingredients shall be produced on the farm where the distillery is located; and 3. only off-site consumption of the alcoholic beverages shall be permitted with the exception of tasting events or if a bar or eating establishment is permitted on the farm; and 4. the distillery shall be operated in accordance with all local, state, and federal laws; and 5. the use shall not be permitted on a lot or open space within a subdivision.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
15.	<p>Farm Stand</p> <p><i>A seasonal or year-round facility located on a farm that specializes in the sale of produce, including value-added agricultural products, nursery products, and other agricultural goods.</i></p>	<ol style="list-style-type: none"> 1. Items sold are restricted to produce, value-added agricultural products, and nursery products only; and 2. any new permanent stand shall meet the front setback requirements specified in Section 5-1 and a temporary stand shall be at least 30 feet from the right-of-way.
16.	<p>Farm Winery</p> <p><i>An establishment located on a farm with a producing vineyard, orchard, or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner manufactures wine from fresh fruits or other agricultural products.</i></p>	<ol style="list-style-type: none"> 1. at least one of the primary ingredients shall be produced on the farm where the winery is located; and 2. only off-site consumption of the alcoholic beverages shall be permitted with the exception of tasting events or if a bar or eating establishment is permitted on the farm; and 3. the winery shall be operated in accordance with all local, state, and federal laws; and 4. the use shall not be permitted on a lot or open space within a subdivision.
19.	<p>Garden Center or Farm Supply Store</p> <p><i>An establishment with retail sales of nursery stock, landscaping and/or gardening equipment and tools, seeds, 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></p>	<p>The gross square footage of all buildings combined, regardless of use, shall not exceed 25,000 square feet per lot or parcel of record as of the effective date of this condition (05/01/06).</p> <ol style="list-style-type: none"> 1. <u>In the B4, C1, C2, and E1 Sub-areas, the maximum square footage of the Garden Center or Farm Supply Store shall be 2,500 square feet.</u> 2. <u>In the D1, D4 and D5 Sub-area, the maximum square footage of the Garden Center or Farm Supply Store shall be 75,000 square feet.</u>
21.	<p>Livestock Auction by a Non-Profit Organization or Farm Owner</p> <p><i>A place of business to which the public may consign livestock for sale by auction open to public bidding conducted by non-profit organizations such as Future Farmers of America and 4-H groups, including 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 by a non-profit organization.</i></p>	<p>Such auctions shall take place no more than two times per year on a single property.</p>
22.	<p>Nursery, Retail</p> <p><i>An area or establishment where trees, shrubs or plants are grown for transplanting, for use as stock for budding and grafting or for sale directly to the general public.</i></p>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6; and 2. the Retail Nursery shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
23.	Nursery, Wholesale An area or establishment where trees, shrubs or plants are grown for transplanting, for use as stock for budding and grafting or for sale to retailers or other businesses, but not directly to the general public.	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6; and 2. the wholesale nursery shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	Apartment, Accessory to a Residence <i>A second dwelling unit either within or added to a single-family detached dwelling, or in a separate accessory structure on the same lot as the principal dwelling, that functions as a complete, independent living facility with provisions for cooking, eating, sanitation, and sleeping. (08/28/07)</i>	1. In the I-1 and EC Districts, accessory apartments shall only be permitted on properties on which a house existed as of the effective date of this condition (05/01/06) unless the house and apartment are constructed on an approved family conveyance lot; and <ol style="list-style-type: none"> 1. In all Districts, only Only one accessory apartment shall be created on each single-family lot. See Section 8-1.05.D.3 for provisions regarding accessory apartments in the Critical Area; and 2. the accessory apartment shall be clearly subordinate to the single-family dwelling. <ol style="list-style-type: none"> a. If the apartment is not a part of the dwelling, it shall be within 100 feet of the dwelling. 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; and 3. An owner of the lot 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 least two off-street parking spaces shall be available for each unit; and 5. the owner shall obtain Health Department approval; and 6. the accessory apartment shall be located within the building restriction lines required for the principal dwelling; and 7. only one kitchen shall be permitted within the accessory apartment.

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2.	<p>Apartment, Attached Accessory to a Business <i>A dwelling unit structurally attached to <u>on the same property with</u> a business, which functions as a complete, independent living facility with provisions for cooking, eating, sanitation, and sleeping.</i></p>	<ol style="list-style-type: none"> 1. In the RC, MC, and EC Districts, The conditions of Section 5-1.05 shall be met; and 2. If located on an Historically Districted property, only one apartment attached to a business shall be allowed and the business shall be a permitted or special exception use within Historic Districts. In addition, the requirements of Section 2-10.04 shall apply to Historic Districts; and 3. The density shall not exceed that which is permitted by Article 5; and 4. <u>The apartment shall be located to the rear or above the business.</u>
4.	<p>Bed & Breakfast Facility with up to 5 Bedrooms in Use <i>A residence where paying guests are lodged overnight and breakfast is the only meal served to overnight guests.</i></p>	<ol style="list-style-type: none"> 1. An owner or operator lives on the premises; and 2. the facility shall be a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used; and 3. no separate kitchens shall be provided; and 4. Fire Marshall and Health Department approvals shall be obtained; and 5. breakfast shall be served to overnight lodgers only; and 6. an Occupancy Permit for such use shall be obtained.
6.	<p>Boarding House or Dormitory (>3 Lodgers). <i>A dwelling or part thereof, in which the owner or operator provides lodging and meals to more than three lodgers.</i></p>	<ol style="list-style-type: none"> 1. <u>An owner lives on the premises; and</u> 2. <u>the facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used; and</u> 3. <u>no separate kitchens are provided; and</u> 4. <u>Fire Marshall and Health Department approvals are obtained; and</u> 5. <u>An Occupancy Permit for such is obtained.</u>
7.	<p>Dwelling, Attached: Duplex <i>A residential building on a permanent foundation consisting of containing 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></p>	<p><u>The density shall not exceed that which is permitted by Article 5.</u></p>
8.	<p>Dwelling, Attached: Fourplex <i>A residential building on a permanent foundation consisting of containing four dwelling units, each of which has primary ground floor access to the outside and which are attached to each other.</i></p>	<p><u>The density shall not exceed that which is permitted by Article 5.</u></p>
9.	<p>Dwelling, Attached: Multi-family <i>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></p>	<p>provided that density does not exceed seven dwelling units per acre. See Section D.2, Article VII of the Solomons Zoning Ordinance. <u>The density shall not exceed that which is permitted by Article 5.</u></p>

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
10.	Dwelling, Attached: Townhouse <i>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>	density does not exceed seven dwelling units per acre for two or more bedroom units or eight dwelling units per acre for one bedroom units. Five development rights are required for the second unit per acre. See Section D.2, Article VII of the Solomons Zoning Ordinance. <u>The density shall not exceed that which is permitted by Article 5.</u>
11.	Dwelling, Attached: Triplex <i>A residential building on a permanent foundation consisting of <u>containing</u> three dwelling units, each of which has primary ground floor access to the outside and which are attached to each other.</i>	<u>The density shall not exceed that which is permitted by Article 5.</u>
12.	Dwelling, Single Family Detached <i>A single-family dwelling which is not attached to any other dwelling.</i>	<ol style="list-style-type: none"> 1. Only one single-family detached dwelling shall be permitted per buildable lot or parcel; and 2. at least 50 percent of the length of the building shall be 20 feet wide, excluding porches; and
13.	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>	<ol style="list-style-type: none"> 1. No more than 16 residents reside on the premises, excluding the owner and/or employees; and 2. no separate kitchens shall be provided; and 3. Health Department approval shall be obtained for the number of bedrooms in use in the residence.
14.	Liveaboards <i>Permanent occupancy of watercraft. This definition does not apply to weekend and short-term vacation use of watercraft.</i>	<ol style="list-style-type: none"> 1. Marinas with one to 100 wet slips shall have no more than one liveaboard. Marinas with 101 to 200 wet slips shall have no more than two liveaboards, marinas with 201 to 300 slips shall have no more than three liveaboards, and marinas with 300+ slips shall have no more than four liveaboards; and 2. <u>the marina shall have pump-out facilities and shower facilities available year-round; and</u> 3. <u>the sewage systems on liveaboards shall be closed systems. No overboard discharge shall be permitted.</u> 4. The slip limitations in a marina do not apply for weekend and short-term vacation use by vessel owners.
16.	Manufactured Home, Farm <i><u>Manufactured Home:</u> 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>	<ol style="list-style-type: none"> 1. No more than one manufactured home shall be located on any one farm; and 2. the property shall consist of a minimum of 25 acres; and 3. the manufactured home shall be used in conjunction with agricultural purposes; and 4. the manufactured home shall be occupied by a person or family associated with agricultural activities on the farm.

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
18.	Manufactured Home or Recreational Vehicle (Emergency) <i>Manufactured Home (see above)</i> <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>	In case of fire or other disaster that was not intentionally caused by the owner and that destroys the livability of a residence, the Zoning Officer may issue a permit 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 of one year beyond the date such temporary residence was established. After the initial extension, the Board of Appeals may grant additional extensions at six-month intervals upon the applicants' request and at the Board's discretion.
20.	Tenant House <i>A farm dwelling, other than the main farm house, for occupancy by a person or family associated with the operation of the farm.</i>	<ol style="list-style-type: none"> 1. The property shall consist of a minimum of 25 acres; and 2. the owner shall demonstrate to the Zoning Officer that the property meets the definition of a farm; and 3. the tenant house shall be at least 60 feet from any other dwelling on the property.

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2.	Antiques Sales <i>An establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period. All sales and storage occur inside a building.</i>	<ol style="list-style-type: none"> 1. All sales or display merchandise are inside an enclosed structure; and 2. adequate off street parking is available, but does not exceed four parking spaces; and 3. signs indicating the business name do not exceed four square feet in size; and 4. applicable State Licenses are obtained. <u>1. In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u> <u>2. In the B2, B4, C1, C2, C6, C7, E1, and E2 Sub-areas, the maximum square footage of the footprint of the Antique Sales Building shall be 2,500 5,000 square feet.</u> <u>3. In the D1, D4 and D5 Sub-area, the maximum square footage of the Antique Sales Building shall be 75,000 square feet.</u> <u>4. In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u> <u>5. In the C6 Sub-area, an Antique Sales Building is permitted only on properties which border on and have direct access to Solomons Island Road.</u>

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
3.	<p>Art Gallery</p> <p><i>Premises used principally for the sale, display and exhibition of arts and craft products and may include accessory production or instruction in the production of arts and crafts using paint, clay, fabric or other media.</i></p>	<ol style="list-style-type: none"> <u>1. In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u> <u>2. In the B4, C1, C2, C6, C7, and E1 Sub-areas, the maximum square footage of the footprint of the Art Gallery shall be 2,500 5,000 square feet.</u> <u>3. In the D1, D4 and D5 Sub-area, the maximum square footage of the Art Gallery shall be 75,000 square feet.</u> <u>4. In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u> <u>5. In the C6 Sub-area, an Art Gallery is permitted only on properties which border on and have direct access to Solomons Island Road.</u>
4.	<p>Artisans' and Crafters' Market</p> <p><i>A site with or without permanent structures, operated on a seasonal or year-round basis that allows multiple artists and/or crafters to retail products that they produced directly to consumers. May operate separately or in conjunction with a Farmers' Market and/or a Waterman's Market.</i></p>	<ol style="list-style-type: none"> <u>1. In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u> <u>2. In the B4, C1, C2, C6, and E1 Sub-areas, the maximum square footage of the footprint of the Artisans' and Crafters' Market shall be 2,500 5,000 square feet.</u> <u>3. In the D1, D4 and D5 Sub-area, the maximum square footage of the Artisans' and Crafters' Market shall be 75,000 square feet.</u> <u>4. In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u> <u>5. In the C6 Sub-area, an Artisans' and Crafters' Market is permitted only on properties which border on and have direct access to Solomons Island Road.</u>
5.	<p>Auction Building</p> <p><i>A place where auctions are held. Merchandise to be auctioned may be stored and displayed prior to the auction. This definition does not include Livestock Auction Barns.</i></p>	<ol style="list-style-type: none"> 1. There shall be no outside storage of articles to be sold; and 2. the Auction Building shall not be used for the sale or auction of motor vehicles; and <u>3. the maximum square footage of the Auction Building shall be 75,000 square feet.</u>

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
7.	<p>Farmers' Market (3/25/08)</p> <p><i>A structure, either permanent or temporary, operated on a seasonal or year-round basis, that allows one or more agricultural producers to retail their products and agriculture-related items directly to consumers.</i></p>	<ol style="list-style-type: none"> 1. It shall be restricted to selling farm-produced and/or value-added products only; and 2. it shall be located on property with the permission of the owner; and 3. <u>If the Farmers' Market is located in a permanent structure, the following additional conditions apply:</u> <ol style="list-style-type: none"> a. any new permanent market shall meet the front setback requirements specified in Section 6-2 <u>Article 6.</u> b. <u>In the B4, C1, C2, C6, and E1 Sub-areas, the maximum square footage of the footprint of the Farmers' Market shall be 2,500 5,000 square feet.</u> c. <u>In the D1, D4 and D5 Sub-area, the maximum square footage of the Farmers' Market shall be 75,000 square feet.</u> d. <u>In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u> e. <u>In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u>
8.	<p>Flea Market <u>by Non-Profit Organization</u></p> <p><i>An occasional or periodic market usually held in an open area, but which may be held indoors, where an individual or groups of individual sellers offer goods for sale to the public for a fee or other compensation paid to a for-profit entity. There may exist long-term or short-term leases between the sellers and operators and the sellers may use their own vehicles for display or set up temporary tables or booths for their wares or stalls or other means of display may be provided.</i></p>	<p><u>In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u></p>
9.	<p>Home Improvement Center</p> <p><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>	<ol style="list-style-type: none"> 1. A six-foot sidewalk along the property boundary which adjoins Creston Lane be constructed prior to issuance of an occupancy permit for a new business. 1. Any outdoor storage of building materials or lumber be screened from adjacent properties and the road; and 2. <u>In the D1, D4 and D5 Sub-area, the maximum square footage of the Home Improvement Center shall be 75,000 square feet.</u>

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
11.	<p>Mobile Food Sales</p> <p><i>Mobile Food Sales - The selling of food from a mobile food-vending unit that is temporarily parked or located on a private parcel of property.</i></p> <p><i>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.</i></p>	<ol style="list-style-type: none"> 1. the mobile food-vending unit shall be located on property with the permission of the owner; and 2. while in operation, the mobile food vending unit shall not be parked at a single property for more than one hour per site; and 3. Health Department approval is obtained. 4. <u>In the C3 Sub-area, Mobile Food Sales are only permitted if a Special Event Permit has been issued.</u>
12.	<p>Retail Commercial Building</p> <p><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></p>	<ol style="list-style-type: none"> 1. <u>In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u> 2. <u>In the B3, B4, C1, C2, , C7, E1, and E2 Sub-areas, the maximum square footage of the footprint of the Retail Commercial Building shall be 2,500 5,000 square feet.</u> 3. <u>In the D1, D4 and D5 Sub-areas, the maximum square footage of the Retail Commercial Building shall be 75,000 square feet.</u> 4. <u>In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u>
13.	<p>Retail Commercial Building with Drive-up Facility</p> <p>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.</p>	<p><u>The conditions for "Retail Commercial Building" shall be met.</u></p>

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
14.	Retail Commercial Sale or Display Area, Outdoor <i>The use of space exterior to the walls of a retail commercial building for the sale and/or display of products. This definition does not include outdoor storage and does not apply to temporary retail sales conducted by non-profit organizations (e.g., seasonal sales).</i>	1. An outdoor retail commercial sale or display area shall only be permitted as an accessory use to an approved retail commercial building and shall not exceed 25 percent of the size of the associated retail commercial building; and 2. site plan approval shall be obtained; and 3. the sale or display area shall not be located within designated parking areas unless it can be demonstrated that the parking requirements will be met. Note: Parking shall be provided for the outdoor sales area in addition to the retail commercial building; and 4. the sale or display area shall not be located within designated travelways; and 5. fencing and/or screening may be required; and 6. in the MC District, the use shall be marine related.
15.	Watermen's Market <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 Crafters' Market.</i>	1. The market is restricted to selling seafood only; and 2. the market is located on property with the permission of the owner; and <u>3. In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u> <u>4. In the B2, B3, B4, C1, C2, C6, C7, E1 and E2 Sub-areas, the maximum square footage of the footprint of the Watermen's Market shall be 2,500 5,000 square feet.</u> <u>5. In the D1, D4 and D5 Sub-area, the maximum square footage of the Watermen's Market shall be 75,000 square feet.</u> <u>6. In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u> <u>7. In the C6 Sub-area, a Watermen's Market is permitted only on properties which border on and have direct access to Solomons Island Road.</u>

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2.	Boat Storage, Commercial <i>A facility designed for the keeping of watercraft and associated trailers.</i>	1. <u>In the C5 Sub-area, the Commercial Boat Storage shall be in a barn that was in existence as of the effective date of this condition the Calvert County Zoning Ordinance (05/01/06).</u> 2. no multi-level boat storage is permitted unless completely enclosed within building.
5.	Commercial Kitchen (not associated with an Eating Establishment) <i>A food preparation facility not associated with an eating establishment used for the preparation of foods for sale for human consumption off-site.</i>	1. No retail sales shall be permitted; and 2. no on-site consumption of the food prepared in the Commercial Kitchen shall be permitted.

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
12.	<p>Eating Establishment without Drive-up Facility</p> <p><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><u>In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u></p>
<u>13.</u>	<u>Eating Establishment with Outdoor Patron Area</u>	<ol style="list-style-type: none"> <u>1. All Patron Areas shall be shown and approved on the site plan and parking shall be provided for all Patron Areas in accordance with Article 6.</u> <u>2. In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u> <u>3. The Outdoor Patron Area shall not be used after 11:00 p.m.</u> <u>4. No amplified music or other entertainment shall be permitted in the Outdoor Patron Area and no music or other entertainment shall be permitted to be broadcast from within the building to the Outdoor Patron Area.</u>

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
17.	<p>Home Occupation</p> <p><i>Any activity carried out for gain by a resident as an accessory use in the resident's dwelling unit. This definition does not apply to business activities conducted on farms, as permitted by this Zoning Ordinance.</i></p>	<ol style="list-style-type: none"> 1. The occupation shall be conducted within the dwelling or an accessory structure; and 2. no outside storage of equipment, materials or items to be repaired shall be permitted; and 3. no article or commodity shall be offered for sale or publicly displayed on the premises except those incidental to the services offered; and 4. applicable State Licenses shall be obtained; and 5. the space occupied by all the occupations on a single site shall not exceed 600 square feet including storage. Exception: The use of a tobacco barn for a home occupation is permitted, regardless of size, with the conditions that (a) the barn shall have been in existence as of the effective date of this condition (05/01/06); and (b) the barn shall be constructed of wood; and 6. if road access to the home occupation is gained through another person's property via an easement type road right-of-way, written approval of those property owners shall be obtained. 7. Condition #6 above applies to all home occupations in which customers come to the premises. 8. Non-medical and medical offices, office support services, home 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, Commercial Studios, Commercial Performing Arts Studios, etc.). 9. Total signage for home occupations shall be restricted to four square feet, and all signs shall be erected at least 10 feet from the edge of the right-of-way. 10. <u>No more than two equivalent full-time non-resident employees shall be permitted.</u>
21.	<p>Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars</p>	<p>There are adequate safeguards to protect against noise levels that would exceed State standards; and</p>
22.	<p><u>Nightclub or Lounge with Outdoor Patron Area</u></p>	<ol style="list-style-type: none"> <u>1. There are adequate safeguards to protect against noise levels that would exceed State standards; and</u> <u>2. all Patron Area shall be shown and approved on the site plan and parking shall be provided for all patron areas in accordance with Article 6.</u> <u>3. The Outdoor Patron Area shall not be used after 11:00 p.m.</u> <u>4. No amplified music or other entertainment shall be permitted in the Outdoor Patron Area and no music or other entertainment shall be permitted to be broadcast from within the building to the Outdoor Patron Area.</u>

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
23.	<p>Office, Non-Medical, Medical or Personal Services, Clinics, Less than 2500 square feet</p> <p><i>Medical Office or Clinic: An establishment used 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.</i></p> <p><i>Non-Medical Office: 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.</i></p> <p><i>Personal Services: 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.</i></p>	<p><u>1. In the C3 Sub-area, only structures in existence as of the date of the adoption of this Ordinance shall be used and no expansion of such structures shall be permitted.</u></p> <p><u>2. In the C6 Sub-area, such a use is permitted only on properties which border on and have direct access to Solomons Island Road.</u></p>
24.	Office, Non-Medical, Medical or Personal Services, Clinics more than 2500 square feet	<u>In the C7 Sub-area, the use shall be marine-related.</u>
26.	<p>Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars</p> <p><i>An establishment where more than 50 percent of the total sales are from the sale of alcohol, and which may include entertainment and/or dancing using either live or electronically produced music, as well as the sale of ready-to-consume food and beverages, either open to the public or operated as a private club open to members only.</i></p>	There are adequate safeguards to protect against noise levels that would exceed State standards; and

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
27.	<u>Tavern or Bar with Outdoor Patron Area</u>	<ol style="list-style-type: none"> 1. <u>There are adequate safeguards to protect against noise levels that would exceed State standards; and</u> 2. <u>all Patron Area shall be shown and approved on the site plan and parking shall be provided for all patron areas in accordance with Article 6.</u> 3. <u>The Outdoor Patron Area shall not be used after 11:00 p.m.</u> 4. <u>No amplified music or other entertainment shall be permitted in the Outdoor Patron Area and no music or other entertainment shall be permitted to be broadcast from within the building to the Outdoor Patron Area.</u>

USE #	3-2.06 RECREATION USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
4.	Carnival, Fair or Circus, Temporary, <u>on</u> Less than 5 Acres <i>A traveling or short-term enterprise which entertains the public by the provision of performances such as feats of skill or daring by humans or animals, and/or amusement rides, exhibitions, or games, and/or food and beverage stands. Amusement ride means a mechanical device that carries passengers along, under, around, through or over a fixed course, or within a limited area, for the amusement of the passengers, and includes but is not limited to a merry-go-round or ferris wheel.</i>	<ol style="list-style-type: none"> 1. The parcel is used as such for no more than 14 days a year; and 2. 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. 3. 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.
5.	Carnival, Fair or Circus, Temporary, <u>on</u> More than 5 Acres	SAME CONDITIONS AS IMPOSED FOR MORE THAN 5 ACRES.
9.	Indoor Commercial Amusements: Fitness Center (Indoor Commercial) <i>An establishment offering or providing facilities in controlled exercise, weight lifting, calisthenics, aerobics, and general physical fitness.</i>	<u>In the B4 Sub-area, buffering shall be provided along property lines bordering the B1 and B2 Sub-areas in accordance with Article 6.</u>
13.	Retreat, Day <i>A facility designed with the specific intent of facilitating spiritual and or educational enrichment needs and that may include supporting dining, and recreational facilities as accessory uses.</i>	<u>In the C5 Sub-area,</u> the lot size shall be a minimum of 20 acres.
14.	Studio (Indoor Commercial) <i>Premises used principally for the production of arts and craft products using paint, clay, fabric, metal or other medium and may include accessory sales, display and exhibition of arts and craft products.</i>	<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).

USE #	3-2.07 COMMERCIAL WHOLESALE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	<p>Wholesale Lumber and/or Other Building Materials less than 25,000 square feet</p> <p><i>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.</i></p>	<p><u>In the D1, D4 and D5 Sub-areas, the maximum square footage of the Wholesale Lumber and/or Other Building Materials building shall be 75,000 square feet.</u></p>

USE #	3-2.08 MOTOR VEHICLE & RELATED SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	<p>Automobile Filling 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.</i></p>	<ol style="list-style-type: none"> 1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles shall be located within 25 feet of the front lot line; and 2. Fuel pumps and service bays are located to the rear of the building; and 3. no structure or building shall be erected within 150 feet of any dwelling (neither setback may be reduced), and 4. no new service bay openings shall face a right-of-way, and 5. No more than 5 inoperative vehicles and/or junk cars are allowed, except those which are completely screened from adjoining properties and rights-of-way per Section 6-4.05 of the Calvert County Zoning Ordinance, and 6. An area for the storage of junk cars shall be so designated, separate from customer parking. 7. Junk vehicles shall be removed after 30 days, and
2.	<p>Automobile Filling Station with Convenience Store and/or Eating Establishment</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.</i></p> <p><i>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.</i></p>	<ol style="list-style-type: none"> 1. Conditions for “Automobile Filling Station” must be met.

USE #	3-2.08 MOTOR VEHICLE & RELATED SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
3.	Automobile Repair/Service Shop without fuel sales <i>Any building or lot used for automobile repair and/or bodywork facilities and which may have automobile servicing, but not the sale of fuels.</i>	1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles shall be located within 100 feet of the front lot line; and 2. no structure or building shall be erected within 150 feet of any dwelling or 100 feet from any arterial road. Neither setback may be reduced. 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.
11.	Motor Vehicle Accessory Shop <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 major painting or other body work, or the sale and/or service of tires.</i>	All automotive accessories shall be installed indoors.

USE #	3-2.09 INDUSTRIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
<u>1.</u>	<u>Agricultural/Seafood/Livestock Processing Plant</u>	<u>Only Seafood Processing shall be permitted.</u>
16.	Outdoor Storage in Connection with Commercial and/or Industrial Uses <i>The storage of materials accessory to a commercial and/or industrial use. Does not include machinery and equipment.</i>	The material and/or equipment stored is not visible from adjoining properties or the road.
17.	Power Generating Facility, Accessory to a Residence or Business <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>	The generator shall be installed within the Building Restriction Lines required for the primary structure.
19.	Research & Development Facility, Environmental <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.</i>	No research or development involving the use of hazardous wastes is conducted on the premises.
20.	Research & Development Facility, Other	No research or development involving the use of hazardous wastes is conducted on the premises.

USE #	3-2.10 INSTITUTIONAL USES & DEFINITIONS (<i>in italics</i>)	CONDITIONS
None of the uses listed in the Table of Land Uses are conditional. Therefore, no conditions are included in this Section. For Use Definitions, see Article 12 of the Calvert County Zoning Ordinance.		

USE #	3-2.11 UNCLASSIFIED USES & DEFINITIONS (<i>in italics</i>)	CONDITIONS
5.	Dock, Pier, Private <i>Any marine structure, fixed or floating, generally referred to as a pier, dock or wharf, including pilings, and other such facilities, used for storage of watercraft owned by and registered to the owner and/or tenant of the property from which the facility extends.</i>	No part of the pier or slips shall be covered or enclosed.
6.	Garage Sale, Yard Sale or Estate Sale <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>	<ol style="list-style-type: none"> 1. Articles for sale shall consist of personal possessions of the seller; and 2. such a sale shall not be held in the same location more than once every six months.
9.	Livestock Kept as Pets on Non-Farm Properties <i>Livestock such as horses, cows, sheep, swine, goats, llamas, alpacas, or poultry that are kept on a non-farm property as pets rather than for their productive value.</i>	<ol style="list-style-type: none"> 1. The size of the parcel shall be at least three acres; and 2. provisions for sanitation shall meet the requirements of the County Health Department.
10.	Model Home <i>A residential unit used by builders, realtors, etc., as an example of other units available for sale or rent.</i>	<ol style="list-style-type: none"> 1. The model home shall be closed after 90 percent of the lots or units are sold or rented; and 2. the Model Home shall be used for the sale or rental of units within the development in which it is located only.
11.	Structure for the Keeping of Animals (on non-farm properties) <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>	<ol style="list-style-type: none"> 1. The structure shall be setback a minimum of 25' from the side and rear property lines; and 2. The structure shall meet the front setbacks required for the principal dwelling, in accordance with Article 5.
12.	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>	The structure shall be removed when the construction is finished.