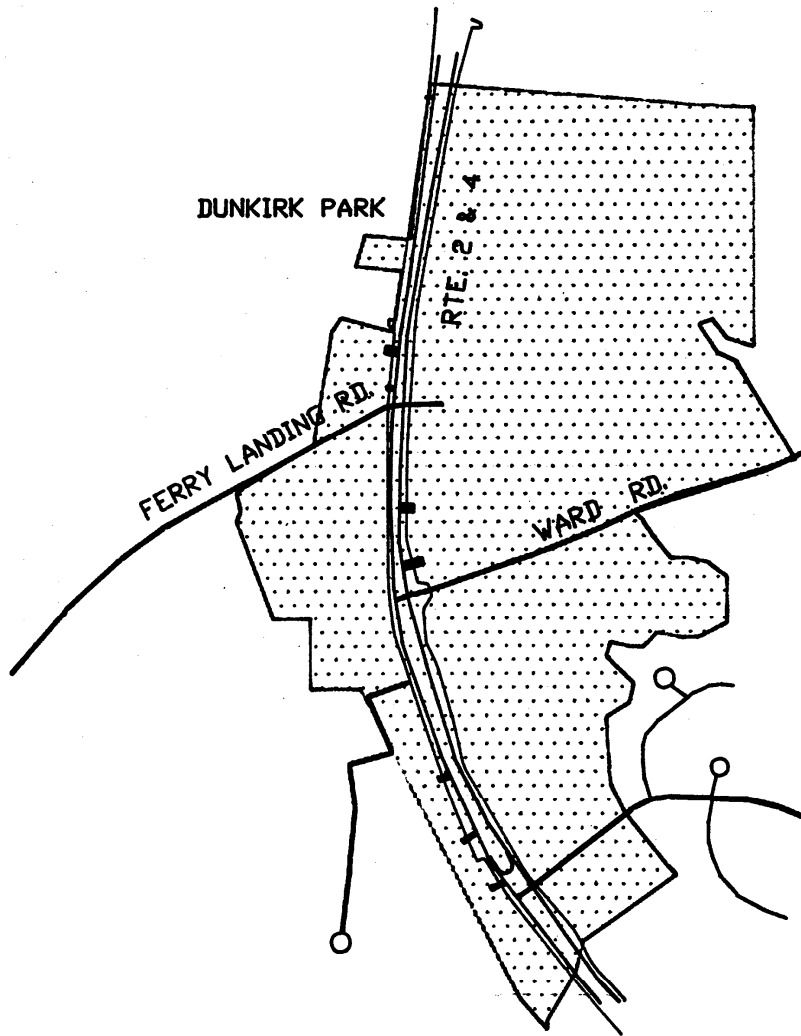


3-2 LAND USES BY TOWN CENTER DISTRICT

(08/07/07) The Tables of Land Uses contained in Sections 3-2.01 through 3-2.07 list the different uses and the areas of the Town Centers 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 the Town Center. If a use is specifically listed in the Land Use Tables, it takes precedence over general use listings.

3-2.01 Dunkirk Town Center

DUNKIRK TOWN CENTER BOUNDARY



KEY TO LAND USE CHARTS:

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

DUNKIRK TOWN CENTER

USE #	3-2.01 DUNKIRK TABLE OF LAND USES – AGRITOURISM, ECO-TOURISM, AND HERITAGE TOURISM USES	TC
1.	Agritourism Enterprise	
2.	Campground, Farm	
3.	Canoe or Kayak Launching Site, Commercial	
4.	Commercial Kitchen, Farm	
5.	Ecotourism Enterprise	
6.	Farm Support Business, Less than 5,000 square feet	
7.	Farm Support Business, More than 5,000 square feet	
8.	Heritage Trail Displays	
9.	Hunting Service	
10.	Public Events/Public Assemblies on Farmland	
11.	Rental Facilities on Farms	
12.	Sports Practice Fields on a Farm	

DUNKIRK TOWN CENTER		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - AGRICULTURAL	TC
1.	Animal Husbandry	
2.	Aquaculture, Freshwater and Land-based	
3.	Aquaculture, Marine/Estuarine	
4.	Commercial Greenhouse, Retail	P
5.	Commercial Greenhouse, Wholesale	P
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	SC
10.	Commercial Raising of Fur-bearing Animals	
11.	Farm	P
12.	Farm Brewery	
13.	Farm Building	P
14.	Farm Distillery	
15.	Farm Stand	
16.	Farm Winery	
17.	Field Crops	P
18.	Forest Product Processing	
19.	Garden Center or Farm Supply Store, 75,000 square feet	C
20.	Garden Center or Farm Supply Store, less than 75,000 square feet	P
21.	Livestock Auction and/or Sales Barn, Commercial	
22.	Livestock Auction, by a Non-Profit Organization or Farm Owner	
23.	Nursery, Retail	P
24.	Nursery, Wholesale	P
25.	Tree Farming	
26.	Veterinary Hospital or Clinic, Livestock	P
27.	Veterinary Hospital or Clinic, Small Animals and Household Pets	P

DUNKIRK TOWN CENTER

USE #	3-2.01 DUNKIRK TABLE OF LAND USES - RESIDENTIAL	TC
1.	Apartment, Accessory	C
2.	Apartment, Accessory for Resident Watchman/Caretaker	C
3.	Apartment, Attached to a Business (3/25/08)	C
4.	Assisted Living Facility	P
5.	Bed & Breakfast Facility with up to 2 Bedrooms in Use	C
6.	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use	SC
7.	Boarding House	C
8.	Dwelling, Attached: Duplex	P
9.	Dwelling, Attached: Fourplex	P
10.	Dwelling, Attached: Multi-family	C
11.	Dwelling, Attached: Townhouse	P
12.	Dwelling, Attached: Triplex	P
13.	Dwelling, Single Family Detached	C
14.	Group Home	P
15.	Liveaboards	
16.	Lodgers in Residence (no more than 3)	P
17.	Manufactured Home Community	
18.	Manufactured Home for Resident Watchman/Caretaker	
19.	Manufactured Home on Individual Lot	
20.	Manufactured Home or Recreational Vehicle (Emergency)	C
21.	Manufactured Home Subdivision	
22.	Manufactured Home, Farm	
23.	Tenant House	
24.	Tenant Houses, Additional (no more than 2 additional)	

DUNKIRK TOWN CENTER		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL RETAIL	TC
1.	Agricultural Machinery, Service and/or Supplies	S2
2.	Antiques Sales	P
3.	Art Gallery, Less than 75,000 square feet	P
4.	Artisans' and Crafters' Market	C
5.	Auction Building	S1
6.	Boat Dealership	S2
7.	Farmers' Market	P
8.	Flea Market by Non-profit Organization	C
9.	Home Improvement Center, 75,000 square feet	C
10.	Home Improvement Center, Less than 75,000 square feet	P
11.	Manufactured Home Dealer	
12.	Mobile Food Sales	C
13.	Retail Commercial Building with Drive-up Facility, 75,000 square feet	C
14.	Retail Commercial Building with Drive-up Facility, Less than 75,000 square feet	P
15.	Retail Commercial Building, 75,000 square feet	C
16.	Retail Commercial Building, Less than 75,000 square feet	P
17.	Retail Commercial Sale or Display Area, Outdoor	C
18.	Watermen's Market	C

DUNKIRK TOWN CENTER		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - BUSINESS & PERSONAL SERVICES	TC
1.	Boat Service and/or Repair	S
2.	Boat Storage, Commercial	S
3.	Boatel	
4.	Commercial Kitchen (not associated with an Eating Establishment)	S1
5.	Commercial Pier	
6.	Commercial Trade or Business School	S1
7.	Corporate Headquarters, less than 5,000 square feet	P
8.	Corporate Headquarters, more than 5,000 square feet	S1
9.	Crematorium	P
10.	Eating Establishment with Drive-up Facility	S2
11.	Eating Establishment without Drive-up Facility	P
12.	Entertainment Business, Adult	
13.	Flex Space Business	SC
14.	Funeral Home	P
15.	Home Occupation, All Employed are Residents	C
16.	Home Occupation, with up to 2 Equivalent Full-time non-resident employees	SC
17.	Laundry, Industrial	
18.	Laundry/Laundromat	P
19.	Motel or Hotel	S1
20.	Office, Medical, Non-medical or Clinic, less than 5,000 square feet	P
21.	Office, Medical, Non-medical or Clinic, more than 5,000 square feet	S1
22.	Office Support Services, including printing, copying, faxing, internetworking, etc., less than 5,000 square feet	P
23.	Office Support Services, including printing, copying, faxing, internetworking, etc., more than 5,000 square feet	S1
24.	Personal Services Less than 5,000 sq.ft.	P
25.	Personal Services More than 5,000 sq.ft.	S1
26.	Tavern, Nightclub, Lounge, Dance Hall	S2
27.	Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars	

DUNKIRK TOWN CENTER		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - RECREATION	TC
1.	Campground and/or Recreational Vehicle Camp, Non-Farm	
2.	Carnival, Fair or Circus – Temporary, Less than Five Acres	SC
3.	Carnival, Fair or Circus – Temporary, More than Five Acres	
4.	Commercial or Non-Profit Meeting Hall, Banquet Hall	S1
5.	Convention Center	S1
6.	Drive-in Theatre	
7.	Golf Course	
8.	Golf, Driving Range	
9.	Golf, Miniature	
10.	Indoor Commercial Amusements: Arcade, Pool Hall, Bingo Hall	SC
11.	Indoor Commercial Amusements: Bowling, Skating Rink, Theatre	S1
12.	Indoor Commercial Amusements: Fitness Center	P
13.	Indoor Commercial Amusements: Studio, Commercial-Performing Arts	P
14.	Indoor Commercial Amusements: Swimming Pool, Athletic Courts	S1
15.	Marina	
16.	Outdoor Recreation Facility, such as: Swimming Pools, Athletic Courts	S
17.	Retreat, Day	S1
18.	Studio, Commercial	C
19.	Target Range, Indoor	
20.	Target Range, Outdoor	

DUNKIRK TOWN CENTER

USE #	3-2.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL WHOLESALE	TC
1.	Mini-Storage	
2.	Warehouse, Indoor	S
3.	Warehouse, Outdoor	
4.	Wholesale Lumber and/or Other Building Materials, 75,000 square feet	C
5.	Wholesale Lumber and/or Other Building Materials, less than 75,000 square feet	P
6.	Wholesaling, Indoor Only	S

USE #	3-2.01 DUNKIRK TABLE OF LAND USES-MOTOR VEHICLE & RELATED SERVICES	
1.	Automobile Filling Station	SC
2.	Automobile Filling Station with Convenience Store and/or Eating Establishment	SC
3.	Automobile Parking Lot/Garage as a Principal Use	P
4.	Automobile Parts Dismantling and/or Storage	
5.	Automobile Repair/Service Shop without fuel sales	SC
6.	Bus lot or garage	S2
7.	Car Wash	S2
8.	Commuter Parking Lot	P
9.	Inoperative Vehicle, 1 per lot	P
10.	Inoperative Vehicles, 2 per lot	
11.	Motor Vehicle Accessory Shop	C
12.	Motor Vehicle Dealership - New or Used	S
13.	Other Motor Vehicle Related Uses including: Bus depot, taxi service, vehicle rental or leasing	S2
14.	Park-and-Sell Lot	S
15.	Parking of Commercial Motor Vehicles	C
16.	Storage of Motor Vehicles	
17.	Truck Terminal	
18.	Truck, Bus and Diesel Service and Repair Shop	
19.	Vehicle Ferry Service	

DUNKIRK TOWN CENTER

USE #	3-2.01 DUNKIRK TABLE OF LAND USES - INDUSTRIAL	TC
1.	Agricultural / Seafood / Livestock Processing Plant	
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	S1
14.	Manufacturing and/or Assembly, Light, More than 5,000 square feet	SC
15.	Manufacturing and/or Assembly, Watercraft, Commercial	S2
16.	Outdoor Storage in Connection with Commercial and/or Industrial Uses	C
17.	Power Generating Facility, Accessory to a Residence or Business	C
18.	Power Generating Facility, Commercial	
19.	Research & Development Facility, Environmental	P
20.	Research & Development Facility, Other	P
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	
27.	Wind Energy System, Accessory to a Residence or Business (10/13/10)	C
28.	Wind Energy System, Commercial (10/13/10)	

DUNKIRK TOWN CENTER

USE #	3-2.01 DUNKIRK TABLE OF LAND USES – INSTITUTIONAL	TC
1.	College or University	P
2.	Day Care Center: 19 Clients or Less	P
3.	Day Care Center: 20 or More Clients	S
4.	Elementary or Secondary School	P
5.	Fire and/or Rescue Service	P
6.	Hospital	P
7.	Library	P
8.	Museum	P
9.	Nursing or Convalescent Home	P
10.	Place of Worship, Parish Hall, Convent, Monastery or Rectory	P
11.	Public or Governmental Building	P
12.	Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc.	P
13.	Public Utility Lines & Accessory Structures	S2
14.	Solid Waste Collection Site	
15.	Temporary Structure Incidental to Schools (classroom relocatables)	P
16.	Wastewater Treatment Facility	SC
17.	Water Supply Treatment Facility	P

DUNKIRK TOWN CENTER

USE #	3-2.01 DUNKIRK TABLE OF LAND USES – UNCLASSIFIED	TC
1.	Accessory Building or Use	P
2.	Airport or Landing Field	
3.	Cemetery or Memorial Garden	P
4.	Communications Towers & Antennas (Government, Commercial & Private)	SEE SECT. 3-3
5.	Dock, Pier, Private	
6.	Garage Sale, Yard Sale or Estate Sale	C
7.	Heliport	S
8.	Household Pets	P
9.	Livestock Kept as Pets on Non-Farm Properties	
10.	Model Home	C
11.	Structure for the Keeping of Animals (on non-farm properties)	P
12.	Temporary Recreational Vehicle at Construction site (for watchman)	
13.	Temporary Structure Incidental to Construction (non-residential)	C
14.	Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)	
15.	Unoccupied Recreational Vehicle	
16.	Wild or Dangerous Animals Kept as Pets	

3-2.01.A Dunkirk Town Center Conditional Uses

The following are conditions imposed upon land uses indicated in Section 3-2.01, Table of Land Uses. If a use is listed as conditional in the Land Use Tables (indicated by a 'C' or an 'SC'), and no conditions are listed below, the conditions listed in Section 3-1 of the Calvert County Zoning Ordinance (CCZO) apply. The conditions listed below are unique to the Dunkirk Town Center. Note: this section of the Dunkirk Town Center Zoning Ordinance has been renumbered for consistency with the Calvert County Zoning Ordinance.

Agricultural Use #9	Commercial Raising of Dangerous or Wild Animals, provided that all animals are kept indoors.
Agricultural Use #20	Garden Center or Farm Supply Store, 75,000 square feet, provided that the conditions for "Retail Commercial Building, 75,000 square feet" are met.
Residential Use #1	Apartment, Accessory – See CCZO for conditions.
Residential Use #2	Apartment, Accessory for Resident Watchman/Caretaker, provided that: <ol style="list-style-type: none">1. Only one accessory apartment for a watchman shall be allowed on each lot or parcel; and2. the accessory apartment shall be clearly subordinate to the on-site business; and3. in no case shall the apartment contain more than 900 square feet gross floor area of enclosed space, including enclosed porches; and4. at least two off-street parking spaces shall be available for the apartment; and5. the owner shall obtain Health Department approval; and6. the accessory apartment shall be located within the building restriction lines required for the principal use; and7. only one kitchen shall be permitted within the accessory apartment.
Residential Use #3	Apartment, Accessory Over a Business, provided that it meets the conditions required for "Apartment, Accessory for Resident Watchman/Caretaker".
Residential Use #5	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use – See CCZO for conditions.
Residential Use #6	Bed & Breakfast Facility with up to 2 Bedrooms in Use – See CCZO for conditions.
Residential Use #7	Boarding House, provided that: <ol style="list-style-type: none">1. An owner lives on the premises; and2. the facility is a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used; and3. no separate kitchens are provided; and4. adequate off-street parking is provided; and5. Fire Marshall and Health Department approvals are obtained; and6. an Occupancy Permit for such use is obtained.
Residential Use #10 (10/15/96)	Dwelling, Attached: Multi-family, provided that: <ol style="list-style-type: none">1. The multi-family dwelling development shall be for age-restricted housing only, and2. no more than 10 percent of the Dunkirk Town Center shall be eligible for such age-restricted housing at a maximum density of 14 units per acre.
Residential Use #13	Dwelling, Single Family Detached – See CCZO for conditions.
Residential Use #20	Manufactured Home or Recreational Vehicle (Emergency) – See CCZO for conditions.
Commercial Retail Use #4	Artisans' and Crafters' Market – See CCZO for conditions.
Commercial Retail Use #8	Flea Market by Non-profit Organization, provided that each organization operates a market no more than one day per year.
Commercial Retail Use #9 (8/10/04)	Home Improvement Center, 75,000 square feet, provided that: <ol style="list-style-type: none">1. All storage is 100 percent screened by wood fencing and/or landscaping, and2. the conditions for "Retail Commercial Building, 75,000 square feet" are met.
Commercial Retail Use #12	Mobile Food Sales – See CCZO for conditions.
Commercial Retail Use #13	Retail Commercial Building with Drive-up Facility, 75,000 square feet provided that the conditions for "Retail Commercial Building, 75,000 square feet" are met.

Commercial Retail Use #15 (8/10/04) Retail Commercial Building, 75,000 square feet provided that:

1. Building and Site Design

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

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

2. Maintenance Agreement

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

3. Co-location¹

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

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

a. Waivers for Co-location

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

Commercial Retail Use #17 Retail Commercial Sale or Display Area, Outdoor – See CCZO for conditions.

Commercial Retail Use #18 Watermen's Market – See CCZO for conditions.

¹ The requirements for co-location may apply to each phase of a development or to the entire site, at the developer's discretion.

Business & Personal Services Use #13	Flex Space Business, provided that: <ol style="list-style-type: none"> 1. The conditions of the Calvert County Zoning Ordinance are met; and 2. no building is more than 20,000 square feet.
Business & Personal Services Use #15	Home Occupation, All Employed are Residents – See CCZO for conditions.
Business & Personal Services Use #16	Home Occupation, with up to 2 Equivalent Full-time Non-resident Employees – See CCZO for conditions.
Recreation Use #2	Carnival, Fair or Circus – Temporary, Less than Five Acres – See CCZO for conditions.
Recreation Use #10 (8/10/04)	Indoor Commercial Amusements: Arcade, Pool Hall, Bingo Hall, provided that the facility does not operate during school hours.
Recreation Use #18	Studio, Commercial – See CCZO for conditions.
Commercial Wholesale Use #4	Wholesale Lumber and/or Other Building Materials, 75,000 square feet, provided that: <ol style="list-style-type: none"> 1. all storage is 100 percent screened by wood fencing and/or landscaping, and 2. that the conditions for “Retail Commercial Buildings, 75,000 square feet” are met.
Motor Vehicle Use #1	Automobile Filling Station, provided that: <ol style="list-style-type: none"> 1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line; and 2. no structure or building is erected within 80 feet of any dwelling. Neither setback may be reduced; and 3. no new service bay openings shall face a right-of-way; and 4. no more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way; and 5. junk vehicles shall be removed after 30 days; and 6. automobile filling stations in existence as of the date of this amendment (September 30, 1994) may expand subject to site plan review.
Motor Vehicle Use #2	Automobile Filling Station with Convenience Store and/or Eating Establishment, provided that the conditions for Automobile Filling Station are met.
Motor Vehicle Use #5	Automobile Repair/Service Shop without fuel sales – See CCZO for conditions.
Motor Vehicle Use #11	Motor Vehicle Accessory Shop – See CCZO for conditions.
Motor Vehicle Use #15	Parking of Commercial Motor Vehicles – See CCZO for conditions.
Industrial Use #14 (8/10/04)	Manufacturing and/or Assembly, Light (more than 5,000 square feet), provided that no building is more than 20,000 square feet.
Industrial Use #16 (8/10/04)	Outdoor Storage in Connection with Commercial and/or Industrial Uses, provided that all storage is 100 percent screened by wood fencing and landscaping.
Industrial Use #17 (8/10/04) (10/13/10)	Power Generating Facility, Accessory to a Residence or Business, see Section 3-3 of the CCZO for conditions.
Industrial Use #27 (10/13/10)	Wind Energy System, Accessory to a Residence or Business, see Section 3-3 of the CCZO for conditions.
Institutional Use #16	Wastewater Treatment Facility – See CCZO for conditions.
Unclassified Use #6	Garage Sale, Yard Sale or Estate Sale – See CCZO for conditions.
Unclassified Use #10	Model Home – See CCZO for conditions.
Unclassified Use #13	Temporary Structure Incidental to Construction (non-residential) – See CCZO for conditions.