

**ARTICLE 6**  
**NON-RESIDENTIAL DEVELOPMENT REQUIREMENTS**

CONTACT THE DEPT. OF PLANNING & ZONING FOR CUSTOMER ASSISTANCE GUIDES  
RELATING TO THE PROVISIONS OF THIS ARTICLE.

	Article 6 Page No.
6-1 Non-Residential Development Requirements	3
6-1.01 Purpose and Intent	3
6-1.02 Development Requirements for I-1 Light Industrial and EC Employment Center Properties with Development Agreements	3
6-2 Lot area, Setback & Height Requirements for Non-Residential Uses	3
6-2.01 Purpose of Lot Area, Lot Width, Setback Requirements for Non- Residential Development	3
6-2.02 Height Regulations for Non-Residential Uses	5
6-3 Parking And Loading Requirements For Non-Residential Uses	5
6-3.01 General Provisions	5
6-3.02 Off-Street Loading and Unloading	17
6-3.03 Sharing of Loading and Unloading Spaces	17
6-4 Pedestrian/Vehicular Flow	18
6-4.01 Site Access	18
6-4.02 Vehicular Flow (on-site)	18
6-4.03 Pedestrian and Bicycle Flow	19
6-4.04 Delivery Trucks and Trash Collection Vehicles	19
6-5 Landscaping	19
6-5.01 Purpose	19
6-5.02 General Requirements	19
6-5.03 Landscaping Within Setbacks Along Rights-of-way and Adjacent Property Boundaries	20
6-5.04 Landscaping and Screening of Parking Areas	21
6-5.05 Buffering Adjacent to Non-Commercial Properties	23
6-5.06 Screening of Accessory Uses	23
6-6 Outdoor Lighting	24
6-6.01 Outdoor Lighting Regulations	24
6-7 Appearance Code for Non-Residential Development Outside Town Centers	28
6-7.01 Applicability	28
6-7.02 Review Process	29

## 6-1.01 Purpose and Intent

	Article 6 Page No.
6-8 Signs	30
6-8.01 Purpose	30
6-8.02 General Sign Provisions	30
6-8.03 Freestanding Signs	31
6-8.04 Building Sign Design	32
6-8.05 Signs Permitted Without a Zoning Permit	33
6-8.06 Signs Requiring Zoning Permits	35
6-8.07 Violations	37
6-9 Campgrounds & Recreational Vehicle Camps	37
6-9.01 Regulations	37
6-10 Adequate Public Facilities Requirements	39
6-10.01 Adequate Public Facilities Requirements for Commercial and Industrial Development	39
6-11 Appeals	40

## **6-1 NON-RESIDENTIAL DEVELOPMENT REQUIREMENTS**

### **6-1.01 Purpose and Intent**

- A. The provisions of this Article are intended to promote public health, safety and welfare by facilitating well-designed and orderly development that is compatible with existing land uses and complies with applicable plans.
- B. The provisions of this Article apply to all commercial, industrial, public, quasi-public, and non-profit uses.

### **6-1.02 Development Requirements for I-1 Light Industrial and EC Employment Center Properties with Development Agreements**

- A. The following shall apply to properties in the I-1 and EC Districts with approved Development Agreements (see also Section 2-8.09.B).
  - 1. Parking requirements may be reduced.
  - 2. Maximum height limitations may be increased subject to public safety requirements.
  - 3. Setback requirements may be reduced.
  - 4. Off-site improvements to County roads may be reduced, phased or waived.
  - 5. During site plan review, the Planning Commission will ensure that the project is compatible with the visual quality of the surrounding area, that the historic and archaeological resources are protected, and that nuisances such as noise, glare, odor or pollution are minimized.

## **6-2 LOT AREA, SETBACK & HEIGHT REQUIREMENTS FOR NON-RESIDENTIAL USES**

### **6-2.01 Purpose of Lot Area, Setback Requirements for Non-Residential Development**

- A. Purpose of Lot Area Requirements for Non-Residential Development  
Minimum lot area requirements are not imposed on non-residential development within Commercial and Industrial Districts (TC, EC, I-1, RC and MC) in order to promote the efficient utilization of these properties for revenue-producing uses. Minimum lot area requirements are imposed for non-residential uses within the Rural and Residential Districts (FFD, RCD, and RD) to ensure that the use of property does not infringe on the rights of neighbors.
- B. Purpose of Setback Requirements for Non-Residential Development
  - 1. The purpose of setbacks for non-residential development is to help maintain an attractive appearance along roadways, to allow room for screening, for light and air, and to serve as filtration areas for stormwater run-off.
    - a. Setbacks from roads are needed to ensure safe distances and good visibility between buildings and traffic.
    - b. Side and rear setbacks are needed to protect adjacent properties if uses are not compatible and to provide room for emergency vehicle access, maintenance, and screening where needed.

(3/25/08) (05/12/09)				
TABLE 6-1 MINIMUM LOT AREA & SETBACK REQUIREMENTS FOR NON-RESIDENTIAL STRUCTURES & USES <sup>1</sup>				
Use	District <sup>2</sup>	Minimum Lot Area	Minimum Depth of Front Setback (in Feet)	Minimum Width of Each Rear <sup>3</sup> & Side Setback (in Feet)
Non-Residential Buildings & Uses (does not include signs <sup>4</sup> , fences or uses that have lot area and/or setbacks specified as conditions in Article 3)	TC, EC, I-1, RC & MC	No minimum lot area	100 feet from arterial roads; 50 feet from collector roads; 35 feet from local roads	50 feet <sup>5</sup>
	FFD, RCD, and RD outside 1-mile radius of TCs	3 acres	100 feet from arterial roads; 60 feet from all other roads	50 feet <sup>5</sup>
	RD inside 1-mile radius of TCs	1 acre	100 feet from arterial roads; 35 feet from all other roads	35 feet <sup>5</sup>
Parking Lots	All	N/A	35 feet from arterial roads; 20 feet from all other roads	20 feet <sup>5</sup>
Utility Service Boxes	FFD, RCD	N/A	30 feet	5 feet
	All Others	N/A	15 feet	5 feet
Bus Shelters	All	N/A	15 feet <sup>6</sup>	Side Setbacks: 2 feet <sup>7</sup> ; Rear Setbacks: N/A
Fences	All	N/A	0 feet	0 feet

<sup>1</sup> Note: Landscaping, buffering and screening may be required in addition to the setbacks specified in this table. See Section 6-5.

<sup>2</sup> Abbreviations for Districts: Farm and Forest District (FFD); Rural Community District (RCD); Residential (RD); Light Industrial (I-1); Rural Commercial (RC); Marine Commercial (MC); Employment Center (EC); and Town Center (TC).

<sup>3</sup> In cases where a single parcel, owned by a single entity, is divided into more than one Zoning District, the Zoning District boundary may be used as the rear setback.

<sup>4</sup> See Section 6-8.03.G for sign setbacks.

<sup>5</sup> May be reduced by the P.C. Administrator to 0 feet if: (1) the adjoining property is zoned TC, EC, I-1, RC, or MC; and (2) emergency vehicle access and maintenance are properly addressed; and (3) screening (existing or proposed) is determined to be adequate by the P.C. Administrator.

<sup>6</sup> Front setbacks for bus shelters may be reduced to 0' if the Dept. of Public Works & the Dept. of Public Safety certify that the reduction will not adversely affect public safety.

<sup>7</sup> Side setbacks for bus shelters may be reduced to 0' when written approval is obtained from the adjoining property owner on lots containing a lot stem of 25' or less.

**6-2.02 Height Regulations for Non-Residential Uses**

No building or structure shall exceed 40 feet, plus the roof, except as follows:

- A. A height of 50 feet, plus the roof, shall be permitted in the RD, I-1, EC, and TC Districts (unless otherwise specified by the Town Center Zoning Ordinance) if the property is served by a water supply system which is capable of providing adequate supply for fire protection, is certified by the agency providing fire protection, and is in compliance with Article 38A, Annotated Code of Maryland.
- B. Fire towers, hose towers, cooling towers, steeples, flag poles, silos, smokestacks, masts, transmission line poles and towers, water tanks, windmills, commercial power generating facilities, and monuments are exempt from height restrictions unless used for the purpose of camouflaging or concealing wireless communications facilities such as towers or antennas. Such structures shall be subject to the requirements of Section 3-3 of this Ordinance.
- C. A clock tower or cupola containing no more than 150 square feet may exceed the height regulations by no more than 12 feet.

**6-3 PARKING AND LOADING REQUIREMENTS FOR NON-RESIDENTIAL USES**

**6-3.01 General Provisions**

- A. The provisions of this Section shall apply to all new construction, to additions to existing buildings and structures, and to buildings for which the primary use is being changed. Occupancy permits will not be granted until such parking and loading facilities are constructed and available.
- B. Parking, loading and driveway surfaces shall meet the standards of the Road Ordinance.
- C. For the purpose of this Section, each off-street parking space shall measure a minimum of nine feet by 18 feet, exclusive of access drives. Parallel parking spaces shall measure 23 feet by seven feet. All parking, passenger loading zones and signage for accessible parking spaces shall comply with the Maryland Accessibility Code (MAC). All other current Federal and State accessibility guidelines for site design shall apply. Any dimensions listed in the Ordinance are offered as examples only.
- D. When calculating the number of parking spaces, fractions shall be rounded up.
- E. The Planning Commission Administrator may allow up to 15 percent of the required number of parking spaces to be reserved for future construction and/or designated as overflow parking provided that:
  - 1. the spaces shall be shown on the Site Plan and the area shall be graded and maintained in grass and reserved for future parking space construction if and when needed; and
  - 2. the applicant shall provide data that demonstrates that the reduction is not likely to create stacking or parking within rights-of-way or driveways; and
  - 3. one year after completion of each construction phase, the Planning Commission Administrator shall require part or all of the reserved parking to be constructed if, on a normal workday, the parking lot is full and parking is observed on an adjacent right-of-way. The applicant may be required to provide traffic counts before a determination is made.

## 6-3.01 General Provisions

4. the applicant shall provide a bond to ensure that the reserved parking area will be constructed if determined to be needed. The bond shall be submitted in accordance with the requirements of Section 4-2.06.
- F. If an applicant wishes to provide more spaces than required by this Section, data justifying the request for additional spaces shall be provided to the Planning Commission Administrator for review and approval. If additional spaces are approved, the first five spaces may be constructed of an impervious surface. The remaining extra spaces shall be pervious.
- G. A minimum of four parking spaces shall be provided for all non-residential uses. Additional parking spaces shall be provided based on individual uses as indicated in Table 6-2.
1. Exceptions:
    - a. If the business caters to boat traffic, up to 30 percent of the number of spaces required may be satisfied by providing an equal number of boat slips reserved exclusively for that purpose.
    - b. A shopping center, mall, plaza, or similar multi-service non-residential development of less than 10,000 square feet shall be computed based on individual use. Expansion of the development to 10,000 square feet or more will require the entire development to be recomputed in accordance with sub-paragraph 'c' below.
    - c. A shopping center, mall, plaza, or similar multi-service non-residential development of 10,000 square feet or more of gross leasable area shall be computed at a rate of one parking space per 200 square feet of net floor area, except theatres, which shall be computed separately,

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED	
AGRITOURISM, ECOTOURISM, AND HERITAGE TOURISM USES	PARKING CATEGORY
Agritourism Enterprise	N/A
Campground, Farm	A
Canoe or Kayak Launching Site, Commercial	A
Commercial Kitchen, Farm	A
Ecotourism Enterprise	A
Farm Support Business, Less than 5,000 square feet	A
Farm Support Business, More than 5,000 square feet	A
Heritage Trail Displays	A
Hunting Service	A
Public Events/Public Assemblies on Farmland	A
Rental Facilities on Farms	A
Sports Practice Fields on a Farm	A
KEY TO TABLE:	
PARKING CATEGORY	NUMBER OF SPACES
A – Very Low Parking Generation Group and/or Seasonal Uses	A minimum of four spaces shall be required. In addition, the parking area shall be adequate in size so that there is no parking on the right-of-way. Parking areas shall meet all other requirements of this Section.
B – Low Parking Generation Group	One space per 300 square feet net floor area.
C – Normal Parking Generation Group	One per 200 square feet net floor area.
D – High Parking Generation Group	One per 150 square feet net floor area.
E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED	
AGRICULTURAL USES	PARKING CATEGORY
Animal Husbandry	A
Aquaculture, Freshwater and Land-based	A
Aquaculture, Marine/Estuarine	A
Commercial Greenhouse, Retail	C
Commercial Greenhouse, Wholesale	A
Commercial Kennel, with indoor facilities only	A
Commercial Kennel, with outdoor facilities	A
Commercial or Non-Profit Stable or Horseback-Riding Club	A
Commercial Raising of Animals, Dangerous or Wild (9/22/09)	A
Commercial Raising of Animals, Fur-bearing (9/22/09)	A
Farm	A
Farm Brewery	N/A
Farm Brewery (with Tasting Room and/or Eating Establishment)	E
Farm Building	A
Farm Distillery	N/A
Farm Distillery (with Tasting Room and/or Eating Establishment)	E
Farm Stand	A
Farm, Tree (9/22/09)	N/A
Farm Winery	N/A
Farm Winery (with Tasting Room and/or Eating Establishment)	E
Field Crops	N/A
Forest Product Processing	A
Garden Center or Farm Supply Store	C
Livestock Auction and/or Sales Barn, Commercial	A
Livestock Auction, by a Non-Profit Organization or Farm Owner	A
Nursery, Retail	A
Nursery, Wholesale	A
Veterinary Hospital or Clinic, Livestock	A
Veterinary Hospital or Clinic, Small Animal and Household Pets	C
KEY TO TABLE:	
PARKING CATEGORY	NUMBER OF SPACES
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D – High Parking Generation Group	One per 150 square feet net floor area.
E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED	
COMMERCIAL RETAIL USES	PARKING CATEGORY
Agricultural Machinery, Service and/or Supplies	B
Antiques Sales	C
Art Gallery	C
Auction Building	C
Boat Dealership	B
Home Improvement Center	C
Manufactured Home Dealer	B
Market, Artisans' and Crafters' (9/22/09)	A
Market, Farmers' (9/22/09)	C
Market, Flea (9/22/09)	C
Market, Watermen's (9/22/09)	C
Mobile Food Sales	N/A
Retail Commercial Building	C
Retail Commercial Building with Drive-up Facility	C
Retail Commercial Sale or Display Area, Outdoor	C
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E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED	
BUSINESS & PERSONAL SERVICE USES	PARKING CATEGORY
Boat Service and/or Repair	B
Boat Storage, Commercial	B
Boatel	B
Commercial Kitchen (not associated with an Eating Establishment)	B
Commercial Pier	A
Commercial Trade or Business School	C
Corporate Headquarters	C
Crematorium (not associated funeral home)	N/A
Crematorium (associated with funeral home)	1 per 4 persons legal occupancy
Drive-up Facility, Accessory (9/22/09)	N/A
Eating Establishments:	
Restaurant	E
Fast Food & Carry-out	1 per 50 gross floor area
Drive-in/Drive-up	2 per 50 square feet of gross floor area including exterior patron area
Eating Establishment within a shopping center or multi-service non-residential development of 10,000 square feet or more	C
Entertainment Business, Adult	1 per 4 persons legal occupancy
Flex Space Business	1 per 500 gross floor area
Funeral Home	1 per 4 persons legal occupancy/visitation areas
Home Occupation, All Employed are Residents	1 per employee
Home Occupation, with up to 2 Equivalent Full-time non-resident employees	1 per employee
Laundry, Industrial	1 per 500 gross floor area
Laundry/Laundromat	D
Motel or Hotel	1 per overnight lodging unit plus 1 per employee
Nightclub, Lounge (9/22/09)	E
Nightclub or Lounge with Outdoor Patron Area (9/22/09)	E
Office, Medical, Non-medical or Clinic	C
Office Support Services, including printing, copying, faxing, internetworking, etc.	B
Personal Services	C
Tavern, Bar (9/22/09)	E
Tavern or Bar with Outdoor Patron Area (9/22/09)	E
KEY TO TABLE:	
PARKING CATEGORY	NUMBER OF SPACES
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D – High Parking Generation Group	One per 150 square feet net floor area.
E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

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RECREATION USES	PARKING CATEGORY
Campground and/or Recreational Vehicle Camp, Non-Farm	A
Carnival, Fair or Circus – Temporary, on Less than Five Acres (9/22/09)	A
Carnival, Fair or Circus – Temporary, on More than Five Acres (9/22/09)	A
Commercial or Non-Profit Meeting Hall, Banquet Hall	D
Convention Center	1 per 4 persons legal occupancy
Drive-in Theatre	A
Golf Course	4 per hole plus 1 per employee
Golf, Driving Range	2/tee
Golf, Miniature	1 per 2 holes plus 1 per employee
Marina (08/07/07)	1 per 2 boat slips + 1 overflow (grass permitted) per 4 slips 5 per boat ramp + 10 overflow (grass permitted) per boat ramp <sup>8</sup>
Recreation Facility, Indoor	1 per 4 persons legal occupancy
Recreation Facility, Indoor Commercial: Bingo Hall, Arcade, Pool Hall (9/22/09)	1 per 4 persons legal occupancy
Recreation Facility, Indoor Commercial: Bowling Center (9/22/09)	5 per lane
Recreation Facility, Indoor Commercial: Fitness Center (9/22/09)	1 per 4 persons legal occupancy
Recreation Facility, Indoor Commercial: Skating Rink (9/22/09)	1 per 200 gross floor area + 1 per 1000 s.f. of rink area
Recreation Facility, Indoor Commercial: Studio, Commercial (9/22/09)	Instructional: 1 per 300 net floor area Artists': 1 per 500 net floor area Performing Arts: 1 per 4 persons legal occupancy
Recreation Facility, Indoor Commercial: Theatre (9/22/09)	1 per 4 persons legal occupancy
Recreation Facility, Outdoor Commercial (9/22/09)	A
Retreat, Day	1 per 4 persons legal occupancy
Target Range, Indoor	1 per 4 persons legal occupancy
Target Range, Outdoor	A
PARKING CATEGORY	NUMBER OF SPACES
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C – Normal Parking Generation Group	One per 200 square feet net floor area.
D – High Parking Generation Group	One per 150 square feet net floor area.
E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

<sup>8</sup> For boat ramps, the parking space size shall be 12 feet by 40 feet.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

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COMMERCIAL WHOLESALE USES	PARKING CATEGORY
Mini-Storage	with office: 4 without office: 2
Warehouse, Indoor	1 per 1500 gross floor area
Warehouse, Outdoor	1 per 1500 gross floor area
Wholesale Lumber and/or Other Building Materials	1 per 1500 gross floor area
Wholesaling, Indoor Only	1 per 1500 gross floor area
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E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

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MOTOR VEHICLE & RELATED SERVICE USES	PARKING CATEGORY
Automobile Filling Station	2 per pump island + stacking + 3 per service bay + 1 per tow truck
Automobile Filling Station with Convenience Store and/or Eating Establishment	2 per pump island + stacking + 3 per service bay + 1 per tow truck + 1 per 200 net floor area
Automobile Parking Lot/Garage as a Principal Use	N/A
Automobile Parts Dismantling and/or Storage	4 + 1 per 2 employees
Automobile Repair/Service Shop without fuel sales	3 per service bay + 1 per tow truck
Bus Lot or Garage	N/A
Car Wash	4 + 1 per 2 employees
Commuter Parking Lot	N/A
Inoperative Motor Vehicle, 1 per lot	N/A
Inoperative Motor Vehicles, 2 per lot	N/A
Motor Vehicle Accessory Shop	C
Motor Vehicle Dealership - New or Used	1 per 300 s.f. display area or 1 per 10 display items (min. 5 spaces)
Other Motor Vehicle Related Uses including: Bus depot, taxi service, vehicle rental or leasing	A
Park-and-Sell Lot	1 per 300 s.f. display area or 1 per 10 display items (min. 5 spaces)
Parking of Commercial Vehicles	A
Storage of Motor Vehicles	A
Truck, Bus and Diesel Service and Repair Shop	3 per service bay + 1 per tow truck
Truck Terminal	B
Vehicle Ferry Service	A
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N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

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INDUSTRIAL USES	PARKING CATEGORY
Agricultural/Seafood/Livestock Processing Plant	1 per 500 gross floor area
Asphalt Plant	A
Commercial Fuel Storage Business	A
Commercial Recycling Facility	A
Distillation of Alcohol as a Fuel, Commercial	A
Distillation of Alcohol as a Fuel on a Farm for Farm Use Only	N/A
Grain Elevator	A
Kiln, Wood Drying	A
Landfill, Land-Clearing Debris	A
Landfill, Rubble	A
Landfill, Sanitary	A
Manufacturing and/or Assembly, Light	1 per 500 gross floor area
Manufacturing and/or Assembly Marine-Related (9/22/09)	1 per 500 gross floor area
Outdoor Storage in Connection with Commercial and/or Industrial Uses	N/A
Power Generating Facility, Accessory to a Residence or Business	N/A
Power Generating Facility, Commercial	A
Research & Development Facility, Environmental	B
Research & Development Facility, Other	B
Salvage and/or Junk Yard	4 + 1 per 2 employees
Sand, Gravel or Mineral Extraction and Processing	4 + 1 per employee
Sand, Gravel or Mineral Extraction (No Processing)	4 + 1 per employee
Sawmill, Commercial	4 + 1 per employee
Sawmill, Portable	N/A
Storage of Machinery & Equipment in Connection With Excavating and /or Contracting Business	N/A
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E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

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INSTITUTIONAL USES	PARKING CATEGORY
College or University	1 per 150 square feet + 1 per 4 seats in auditorium
Day Care Center	3 per teaching station
Elementary, Middle and High School	Elementary: 3 per teaching station Middle: 3 per teaching station + 1 per 4 seats in auditorium (whichever is greater) High: 1 per 4 seats or 5 per teaching station (whichever is greater)
Fire and/or Rescue Service	1 per 4 persons legal occupancy
Hospital	C
Library	1 per employee + 1 per 200 gross floor area
Museum	1 per employee + 1 per 200 gross floor area
Nursing or Convalescent Home	1 per 5 beds + 1 per on-duty employee
Place of Worship, Parish Hall, Convent, Monastery or Rectory	1 per 4 persons legal occupancy
Public or Governmental Building	C
Public Utility Lines & Accessory Structures	A
Solid Waste Collection Site	A
Temporary Structure Incidental to Schools (classroom relocatables)	A
Treatment Facility, Wastewater	A
Treatment Facility, Water Supply	A
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D – High Parking Generation Group	One per 150 square feet net floor area.
E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED

TABLE 6-2 NUMBER OF PARKING SPACES REQUIRED	
UNCLASSIFIED USES	PARKING CATEGORY
Accessory Building, Structure, or Use	Based on Use
Airport or Landing Field	A
Cemetery or Memorial Garden	A
Communications Towers & Antennas (Government, Commercial & Private)	N/A
Dock, Pier, Private	N/A
Garage Sale, Yard Sale or Estate Sale	N/A
Heliport	A
Model Home	A
Pets, Dangerous or Wild Animals (9/22/09)	N/A
Pets, Household (9/22/09)	N/A
Pets, Livestock (on Non-Farm Properties) (9/22/09)	N/A
Recreational Vehicle, Temporary, at Construction site (for watchman) (9/22/09)	1 per employee
Recreational Vehicle, Unoccupied (9/22/09)	N/A
Structure for the Keeping of Animals (on non-farm properties)	N/A
Temporary Structure Incidental to Construction (non-residential)	A
Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)	A
KEY TO TABLE:	
PARKING CATEGORY	NUMBER OF SPACES
A – Very Low Parking Generation Group and/or Seasonal Uses	A minimum of four spaces shall be required. In addition, the parking area shall be adequate in size so that there is no parking on the right-of-way. Parking areas shall meet all other requirements of this Section.
B – Low Parking Generation Group	One space per 300 square feet net floor area.
C – Normal Parking Generation Group	One per 200 square feet net floor area.
D – High Parking Generation Group	One per 150 square feet net floor area.
E – Eating Establishments	One per 50 square feet of interior and exterior patron area
N/A	No parking required.

6-3.02 Off-Street Loading and Unloading

- A. Off-street loading and unloading shall be provided for the following purposes:
1. to remove from the public streets all service vehicles being loaded or unloaded or awaiting loading or unloading and
  2. to minimize the obstruction of both vehicular and pedestrian traffic on public streets, and on designated publicways in developments.
- B. Loading and unloading areas shall be located so as not to impede pedestrian or vehicular traffic.
- C. Loading and unloading areas shall be provided for the uses specified in the table below.

TABLE 6-3 LOADING AREA REQUIREMENTS				
Use	# of Loading Areas	Length	Width	Height (if covered)
Industrial, wholesale, manufacturing, warehousing, storage uses, or flex space	<2000 s.f. = 0 2000-20,000 s.f. = 1 Each additional 40,000 s.f. or fraction thereof = 1	45 feet	15 feet	15 feet
Retail Commercial Uses	<25,000 s.f. = 0 25,000 s.f. = 1 Each additional 25,000 s.f. or fraction thereof = 1	35 feet	12 feet	15 feet

6-3.03 Sharing of Loading and Unloading Spaces

Off-street loading and unloading spaces may be provided cooperatively for two or more uses, subject to arrangements that will assure the permanent availability of such spaces, including the following:

- A. Each individual establishment sharing the joint loading and unloading spaces shall normally receive shipments at different times.
- B. There shall be a binding written agreement between the owners of the establishments which are to have shared loading and unloading spaces. The agreement shall state normal hours for shipment, provisions for stacking, provisions for maintenance, provisions for change of use, number and times of delivery and any other provision which the County Attorney may require in order to approve the agreement for legal sufficiency. The County Attorney shall approve the agreement in writing.

**6-4 PEDESTRIAN/VEHICULAR FLOW**

**6-4.01 Site Access**

(05/12/09)

Site access shall be subject to the following regulations in order to help ensure traffic safety and alleviate traffic congestion. The proposed development shall be served by access roads adequate to safely accommodate the vehicular traffic projected to be generated by the development.

- A. Where property abuts an arterial and a secondary or collector road, access to the property shall be by way of the secondary or collector road. Exceptions to this rule shall be instances where the Planning Commission determines that direct access onto the arterial would promote traffic safety.
- B. Where one or more contiguous parcels abutting an arterial are under single ownership and any one of the parcels abuts a secondary or collector road, access to all of the parcels under single ownership shall be by way of the secondary or collector road.
- C. No more than one direct access approach onto an arterial shall be provided to any individual parcel of record as of May 8, 1984.
  - 1. Exceptions:
    - a. The Planning Commission may, with approval by the State Highway Administration, approve one additional access if the additional access is deemed to be significantly beneficial to the safety and operation of the highway or if allowing only one access approach would be a safety hazard or increase traffic congestion.
    - b. The Planning Commission may approve additional access when the parcel is bisected by steep slopes and/or wetlands in such a manner as to render some portion(s) of the property inaccessible without additional road access.
- D. Where a future roadway is designated on an approved County map, site plans for development adjacent to the designated roadway shall include provisions for future access to the roadway.
- E. Accesses shall be consolidated wherever feasible.
- F. Where an industrial use abuts a road within a residential subdivision and a road not located within a residential subdivision, access shall be restricted to the non-subdivision road.

(05/12/09)

- G. If access to the development is proposed over one or more adjacent properties, a permanent access easement, with a minimum width of 20 feet, shall be recorded among the Land Records of Calvert County. A copy of the easement shall be submitted with the site plan or plot plan application.

**6-4.02 Vehicular Flow (on site)**

Sites shall be designed to prevent awkward or dangerous vehicular flow.

- A. Travelways in parking lots shall meet the following width requirements:
  - 1. 25 feet wide for two-way traffic adjacent to rows of parking spaces;
  - 2. 20 feet wide for two-way traffic when not adjacent to rows of parking spaces;
  - 3. 16 feet wide for one-way traffic
- B. At the ends of parking rows, safe and convenient space shall be provided to allow vehicles to back out of parking spaces (minimum six feet).
- C. A driveway shall be set back at least six feet from a building corner to reduce blind spots.

- D. The following stacking requirements apply to any use that includes a drive-up facility:
  1. A drive-thru lane shall be provided adjacent to the drive-up facility that contains adequate room for stacking of a minimum of seven vehicles; and
  2. A by-pass lane shall be provided adjacent to the drive-thru lane; and
  3. the drive-thru lane and by-pass lane shall not impact or block parking spaces.
- E. Parking islands with six-inch high curbs shall be required at the end of all parking rows. If bio-retention areas are proposed within the parking islands, the curbing requirements may be waived by the Planning Commission Administrator.

6-4.03 Pedestrian and Bicycle Flow

Sites shall be designed to:

- A. Promote access for persons with disabilities in compliance with the Maryland Accessibility Code (MAC).
- B. Discourage pedestrians and vehicles from sharing the same pathways and provide for bicycle access.
- C. Indicate pedestrian walkways by a change in pavement surface and/or height and a narrowing of the travel lanes.
- (9/22/09) D. Provide dedicated pedestrian walkways between multiple buildings on a single site and from parcel line to parcel line along the road frontage.
- (9/22/09) E. For sites located within a Town Center, the location of such dedicated pedestrian walkways shall be in accordance with the Town Center Master Plan and shall be constructed in accordance with the requirements of the Town Center Zoning Ordinance, if specified. If standards are not specified in the Town Center Zoning Ordinance, the sidewalks shall be constructed in accordance with the Calvert County Road Ordinance. The Planning Commission or its designee may grant a reduction or waiver to this Section in the following instances:
  1. If the pedestrian access will conflict with existing vehicular access; or
  2. If the provision of the pedestrian access will require disturbance to streams and/or wetlands and their buffers.

6-4.04 Delivery Trucks and Trash Collection Vehicles

- A. Loading and unloading spaces for delivery trucks shall not block major pedestrian ways or create blind spots when trucks are loading and unloading.
- B. Trash boxes shall be accessible to collection trucks when all vehicle parking spaces are filled. See Section 6-5.06 for screening requirements for trash or disposal areas.

**6-5 LANDSCAPING**

6-5.01 Purpose

- A. Landscaping is required in order to:
  1. promote attractive development;
  2. protect and preserve the appearance and character of the surrounding area; and
  3. help delineate vehicular and pedestrian passageways.

6-5.02 General Requirements

- A. Landscaping shall be installed within setbacks, around and within parking lots, and adjacent to buildings, as specified below.
- B. Native plants, indigenous to the Maryland region, shall be used for landscaping. The Department of Planning and Zoning maintains a list of native plants that are acceptable and appropriate for landscaping of sites.

- C. Sites shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. If any of the plant materials required on the site plan die or are seriously damaged, they shall be replaced so that the site remains in conformance with the approved site plan. Failure to maintain the site in accordance with the approved site plan shall constitute a Zoning Violation and shall be enforced in accordance with the provisions of Section 1-7 of this Ordinance.
- D. Bio-retention areas are encouraged and shall be considered to meet the landscaping requirements. If a stormwater management pond is proposed, it shall be integrated into the overall development and serve as a visual amenity to the site.
- E. Preservation of monument trees is encouraged. A monument tree is defined as:
  - 1. a national, state or local champion tree; or
  - 2. a tree having a diameter of at least 24 inches (measured at 4.5 feet above the ground); or
  - 3. a tree having a diameter that is at least 75 percent of the diameter of the current state champion of that species (measured at 4.5 feet above the ground).

See Sections 6-5.03.B.2 and 6-5.04.B.2.c for incentives for preservation of monument trees.

6-5.03 Landscaping Within Setbacks Along Rights-of-Way and Adjacent Property Boundaries

- A. The following trees and shrubs shall be planted within setbacks:
  - 1. Shade trees at least two inches in caliper with a height of at least ten feet shall be planted every 40 linear feet along road rights-of-way and property boundaries that adjoin residential or agricultural properties or properties that have a non-compatible use.
  - 2. Flowering trees at least 1.5 inches in caliper with a height of at least six feet shall be evenly spaced between shade trees every 40 linear feet along road rights-of-way and property boundaries that adjoin residential or agricultural properties or properties that have a non-compatible use.
  - 3. At least two varieties of shrubs with a minimum height of one foot at time of planting shall be planted in clusters of at least three plants between trees.
  - 4. In lieu of evenly spaced plantings as specified above, alternative landscaping plans utilizing the same number of plantings may be approved by the Planning Commission Administrator.
  - 5. If proposed tree plantings conflict with pre-existing underground utility lines or overhead wires, the applicant shall propose an alternative landscaping plan utilizing the same number of plantings for approval by the Planning Commission Administrator.

- B. Exceptions:
 

Farms shall be exempt from the above landscaping requirements. In addition, the Planning Commission Administrator may waive all or part of the above provisions in the following instances:

  - 1. if the applicant demonstrates that the area within a setback is currently vegetated with at least as many trees and shrubs as that which would be required above; or

2. if a monument tree is located within a setback and is to be preserved, the landscaping requirements for an area equal to the diameter of the drip line of the tree plus 20 feet may be waived; or
  3. if the adjoining property is actively maintained in field crops and the installation of the landscaping would adversely affect the field crops, a waiver may be granted if the farm owner indicates his or her approval in writing.
- C. Stormwater management facilities such as ponds and bio-retention areas are permitted within setbacks provided that they are designed as attractive, landscaped amenities. Designs that rely on chain link fencing to ensure safety, rather than slope contouring and vegetation, are not permitted within setbacks.

6-5.04 Landscaping and Screening of Parking Areas

- A. Perimeter Landscaping and Screening of Parking Areas
1. Purpose: The purpose of requiring perimeter landscaping and screening is to conceal or partially conceal parking areas and outdoor sales areas such as motor vehicle and boat dealerships from motorists, pedestrians and adjoining properties. The view into a parking area without landscaping can be unsightly and disorienting, making it difficult to read directional signs, to locate a specific building, or to find entrances, exits or roadways.
  2. Requirements:
    - a. Parking areas shall be landscaped and screened from view of motorists, pedestrians and adjoining residential or agricultural properties or properties with a non-compatible use.
    - b. Planting materials shall be installed at a minimum height of two feet to three feet utilizing a combination of shrubs with varying heights, colors, and textures. The planting materials shall have the potential of reaching a height of at least three feet within three years.
    - c. Brick walls or decorative fencing may be used in conjunction with landscaping and screening.
    - d. If a landscaped berm is used, the height of the berm shall be a minimum of two feet. The width of the berm shall be at least twice the height. The width of the landscaped area on the berm shall be four feet or wider.
    - e. A minimum of one tree shall be planted for every 40 linear feet of landscaped perimeter strip or fraction thereof.
    - f. Perimeter screening shall not restrict sight distance needed for vehicular safety.
    - g. Sites shall be permanently maintained in good condition with at least the same quality and quantity of screening materials as initially approved. If any of the plant materials required on the site plan die or are seriously damaged, they shall be replaced so that the site remains in conformance with the approved site plan. Failure to maintain the site in accordance with the approved site plan shall constitute a Zoning Violation and shall be enforced in accordance with the provisions of Section 1-7 of this Ordinance.

## 6-5.04 Landscaping and Screening of Parking Areas

3. Exceptions: The Planning Commission Administrator may waive all or part of the above provisions in the following instances:
    - a. Natural slopes and existing vegetation on the subject property may be substituted for some or all of the requirements above, provided that these features serve to screen the parking area from motorists, pedestrians and adjoining property owners.
    - b. If all or part of the parking lot is not visible from public roads or existing buildings on adjacent properties.
- B. Landscaping Within Parking Lots
1. The purpose of requiring landscaping and screening within large parking areas is:
    - a. to help delineate vehicular and pedestrian passageways;
    - b. to minimize the negative visual impact of large expanses of pavement;
    - c. to provide shade and reduce heat and glare; and
    - d. to accommodate stormwater management techniques such as bio-retention areas.
  2. Requirements: The following landscaping is required within all parking lots having more than 25 spaces:
    - a. The equivalent of one full sized parking space for every 20 spaces (or portion thereof) in excess of 25 spaces shall be landscaped with trees. (A recommended tree list is available at the Department of Planning & Zoning.)
    - b. Parking islands and ends of parking rows shall be landscaped with at least one shade tree per island. These areas are encouraged to be designed as bio-retention areas.
    - c. If monument trees, as defined in Section 6-5.02.E, are to be preserved and incorporated into the parking lot design, the number of required parking spaces may be reduced by an area equal to the diameter of the drip line of the tree plus 20 feet.
    - d. Planting which is required for screening along the perimeter of a parking lot (Section 6-5.04.A) shall not be considered as part of the interior landscaping requirement. Interiors of parking lots in the I-1, FFD, and RCD Districts are exempt from these requirements.
- C. Foundation Plantings
1. Landscaping around the foundation of a building is required to:
    - a. reduce the appearance of building mass;
    - b. accent buildings; and/or
    - c. promote sound stormwater management.
  2. Requirements: The Planning Commission Administrator shall determine appropriate foundation plantings based on the size and design of the building as well as consideration of other on-site existing and proposed landscaping.

6-5.05 Buffering Adjacent to Non-Commercial Properties

- A. Purpose: Buffering along property boundaries is sometimes necessary in order to reduce the impact of development on non-commercial properties.
- B. Requirement: All non-residential developments shall provide a minimum of a 20-foot landscaped buffer along the length of the property line when adjacent to an existing residentially used property, a property with an active residential building permit, or a property with a non-compatible use.
- C. Exceptions:  
The Planning Commission Administrator may waive all or part of the above provisions in the following instances:
  - 1. The 20-foot landscaped buffer may be reduced to a minimum of 12 feet through the use of a landscaped berm at least three feet in height at finished grade elevation, prior to the application of mulch to the berm.
  - 2. Natural slopes and existing vegetation may be substituted for some or all of the requirements above, provided that these features serve to buffer the area from adjoining properties.
  - 3. When a screen is required as per Section 6-5.06, that portion of the property which is screened is exempt from this requirement.

6-5.06 Screening of Accessory Uses

- A. Purpose: Screening of accessory uses is sometimes required in order to hide unattractive or incompatible uses from view.
- B. Requirements:
  - 1. Screening is required on any portion of a non-residential development which involves loading and unloading areas, trash or disposal areas, or accessory buildings and structures.
  - 2. Screening is required when exterior storage areas are visible from roadways, sidewalks or nearby residential or agricultural properties or properties with non-compatible uses.
  - 3. Screening is required when business lighting will project into the interiors of nearby residential properties or adjacent roadways.
  - 4. Screening material may be trees, or brick or wooden fencing used with or without berms. The screen shall be capable of providing year round screening. In cases where security fencing (such as chain link) is needed and can not be substituted by any other fencing, it shall be black and screened by vegetation or a wood or brick fence.
  - 5. Where brick or wooden fencing is utilized, a minimum five-foot strip outside the fencing shall be landscaped with clusters of trees and shrubs with a maximum spacing between clusters of 25 feet.
  - 6. The height of any brick or wooden fence shall be no less than six feet. Vegetative screening shall be a minimum of four feet at installation.

**6-6 OUTDOOR LIGHTING**

**6-6.01 Outdoor Lighting Regulations**

- A. Purpose
  - 1. To require and set minimum standards for outdoor lighting to:
    - a. Provide lighting in outdoor public places where public health, safety and welfare are potential issues.
    - b. Protect drivers and pedestrians from the glare of non-vehicular light sources that shine into their eyes and thereby impair safe traverse.
    - c. Protect neighbors and the night sky from nuisance glare and stray light from poorly shielded, aimed, placed, applied or maintained light sources.
    - d. Promote efficient design and operation with regard to energy conservation.
    - e. Protect and retain the established character of the County.
- B. Applicability
  - 1. Outdoor lighting shall be required for safety and personal security for uses that operate during hours of darkness where there is public assembly and traverse, including but not limited to the following uses: residential developments for multi-family dwellings or single-family attached dwellings, commercial, industrial, public-recreational and institutional.
  - 2. Outdoor lighting may be required for other uses or locations, as deemed necessary by the Planning Commission.
  - 3. The glare-control requirements herein contained apply to lighting in all above-mentioned uses as well as, but not limited to, sign, architectural, landscape, recreational and marine facility lighting.
  - 4. Exemptions:
    - a. Temporary use of low wattage lighting for public festivals, celebrations, and seasonal or holiday observances.
    - b. Temporary emergency lighting used by a public safety agency during an emergency.
    - c. Temporary lighting for community celebrations or events.
    - d. Temporary lighting for County or State public works projects.
    - e. Outdoor lighting for single-family detached dwellings.
    - f. Temporary lighting used for private emergencies.
    - g. Temporary lighting used for construction with an approved building permit.
    - h. Flag pole lighting, provided it is not a safety hazard.
  - 5. Non-conforming Lighting
    - a. Any light fixture or lighting installation lawfully existing on the effective date of these regulations (05/01/06) that does not conform with the requirements of these regulations, shall be considered as a lawful non-conforming use subject to the following:

- i. A non-conforming light fixture or lighting installation shall be made to conform with the applicable requirements of these regulations when:
  - (a) It is broken and endangering the public and/or causing glare into oncoming traffic, creating a safety hazard, as determined by the Director of Planning & Zoning; or
  - (b) It is replaced or relocated.

C. Definitions

Definitions for the terms used within this Section of the Zoning Ordinance can be found in Article 12, Definitions.

D. Criteria

1. Illumination Levels

- a. Lighting, where required or permitted by these regulations, shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook or separately in IESNA Recommended Practices.
- b. As the County recognizes future editions, amendments or updates to said IESNA Lighting Handbook/recommended practices of the IESNA, any outdoor light fixture or lighting installation that was installed in conformance with the IESNA Lighting Handbook that was in effect at the time shall become a non-conforming use and shall be subject to the Zoning Ordinance, Section 6-6.01.B. 5, Non-conforming Lighting.

2. Lighting Fixture Design

- a. Fixtures shall be of a type and design appropriate to the lighting application.
- b. For lighting horizontal tasks such as roadways, sidewalks, paths, entrances and parking areas, fixtures shall be aimed straight down, shall have flat lenses and shall meet IESNA full cutoff criteria, or shall meet the design standards of the Town Center Zoning Ordinances.
- c. The use of floodlighting, spotlighting, wall-mounted fixtures, internally illuminated decorative globes and spheres and other fixtures not meeting IESNA full-cutoff criteria, shall be permitted only with the approval of the Planning Commission or its designee, on a case-by-case basis, based upon achievement of the purpose of the Outdoor Lighting Regulations stated in Section 6-6.01.A.1.a. through e. Glare control may include, but is not limited to, refractive globes and internal cutoff refractors.
- d. Fixtures shall be equipped with light directing and/or shielding devices such as shields, visors, skirts or hoods to redirect offending light distribution and/or to reduce direct or reflected glare.
- e. NEMA-head (National Electrical Manufacturers Association) fixtures, a.k.a. "barn lights"/"dusk-to-dawn lights"/"security yard lights" that are non-cutoff or wall packs that are non-cutoff shall not be permitted except for use in agricultural activities. NEMA-head fixtures that are full cutoff and wall packs that are full cutoff shall be permitted.

## 6-6.01 Outdoor Lighting Regulations

3. Control of Nuisance and Disabling Glare
  - a. In no case shall the illumination cast by a source or sources onto an adjacent residential property exceed 0.1 horizontal footcandle measured line-of-site, from any point on the adjacent residential property.
  - b. All outdoor lighting on commercial, industrial, County Government, recreational, or institutional property, or residential developments for multi-family dwellings or single-family attached dwellings or used for marine facilities shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers, pedestrians, or boat operators by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting light onto a neighboring use or property. All outdoor light fixtures shall be full cutoff except as noted in paragraph 'D.2'.
  - c. All outdoor lighting fixtures that light the area under outdoor canopies shall be flat lens so that no light is emitted above a horizontal plane passing through the lowest point of the light-emitting element, so that direct light emitted above the horizontal plane is eliminated. In addition, luminaires mounted beneath canopies shall be recessed so that the lens cover is recessed or flush with the bottom of the surface (ceiling) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is cut-off at less than 90 degrees. Luminaires shall not be mounted on the top or sides (fascias) of the canopy, and the sides (fascias) of the canopy shall not be illuminated. Outdoor canopies include, but are not limited to, the following applications:
    - i. Fuel Island canopies associated with service stations and convenience stores.
    - ii. Exterior canopies above storefronts in shopping centers and malls.
    - iii. Exterior canopies above driveways and building entrances.
    - iv. Pavilions and gazebos.
  - d. Externally illuminated signs and billboards shall be lighted by fixtures mounted at the top of the sign and aimed downward or can be ground-mounted provided that they have glare shields. All such fixtures shall be so designed or fitted to concentrate the light output onto and not beyond the sign or billboard.
  - e. Directional fixtures, e.g., floodlights or spotlights, for such applications as façade, fountain, feature, recreational and landscape illumination shall be aimed so as not to project their output beyond the objects intended to be illuminated.
  - f. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
4. Installation
  - a. Electrical feeds for fixtures mounted on poles shall run underground, not overhead, except for temporary lighting as specified in paragraph 'B.4' of this Section.

- b. Poles supporting lighting fixtures for the illumination of parking areas and located directly behind parking spaces, shall be placed a minimum of five (5) feet outside paved area, curbing or tire stops, or on concrete pedestals at least thirty (30) inches high above the pavement, or suitably protected by other approved means.
    - c. The top of fixtures meeting IESNA full-cutoff criteria shall not be mounted in excess of thirty-two and a half (32.5) feet above finished grade. The top of fixtures meeting IESNA "cutoff" criteria shall not be mounted in excess of sixteen (16) feet above grade. Sports field and sports court lighting is exempt from these height restrictions.
  - 5. Maintenance
 

Lighting fixtures and ancillary equipment shall be maintained so as to meet the requirements of these regulations.
- E. Plan Submission
  - 1. For applications where site lighting is required or proposed, lighting plans shall be submitted to the Department of Planning & Zoning for review and approval prior to approval of a site plan, plot plan, or building permit, and shall include:
    - a. A site plan, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and adjacent uses that might be adversely impacted by the lighting, and a layout of all proposed fixtures by location, mounting height and type. The submittal shall include in addition to area lighting, architectural lighting, building-entrance lighting, landscape lighting, etc.
    - b. Description of the proposed equipment, including fixture catalog cuts, photometrics, glare reduction devices, lamps, on/off control devices, mounting heights, pole foundation details and mounting methods. A pole foundation detail is to be provided on the plan.
    - c. 10 feet x 10 feet illuminance-grid (point-by-point) plot of maintained footcandles, carried out to 0.0 footcandles, which demonstrates compliance with the light trespass, intensity and uniformity requirements as set forth in these regulations. The maintenance (light-loss) factor used in calculating the illuminance levels shall be documented on the plan.
  - 2. Post-approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be either:
    - a. Submitted to the Department of Planning & Zoning for review and approval prior to the alteration or substitution; or
    - b. The applicant shall submit a statement from the manufacturer certifying compliance of construction and performance of the specified fixtures. Substitutions shall comply with the Outdoor Lighting Regulations. A note to that effect shall be placed on the lighting plan.

## 6-7.01 Applicability

- F. Post Installation Inspection
  - 1. The County reserves the right to conduct a post-installation nighttime inspection to verify compliance with the requirements of these regulations , and if appropriate, to require remedial action at no expense to the County. A note to that effect shall be placed on the lighting plan.
- G. Violations, Penalties, and Enforcements  
Refer to Section 1-7 of the Zoning Ordinance.
- H. Modifications  
Where in the case of a particular lighting application, it can be shown that strict compliance with the IESNA lighting intensities and uniformity ratios would result in extraordinary hardship to the applicant because of unusual topography, shape of the parcel, specialized use, existing lighting, or other such non-self-inflicted condition, or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Planning Commission may, after consultation with appropriate agencies (such as the Departments of Economic Development, Public Safety, Public Works, and Planning & Zoning, and the Division of Inspections & Permits), vary, modify, or waive the requirements, provided, however, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of this regulation or interfere with carrying out the Comprehensive Plan of Calvert County. In no case shall any variation or modification be more than the minimum easing of the requirements and in no instance shall it conflict with any zoning ordinance or zoning map. In granting variances and modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.
- I. Measurement Instrument.  
The light meter used for verification of illuminance levels shall be certified by the manufacturer as meeting National Institute of Standards and Technology (N.I.S.T.) standards for light meters.
- J. Effective Date  
These regulations shall become effective immediately upon enactment.

## **6-7 APPEARANCE CODE FOR NON-RESIDENTIAL DEVELOPMENT OUTSIDE TOWN CENTERS**

### 6-7.01 Applicability

- A. The following design standards apply to buildings and accessory structures (including signs) located on all RC Rural Commercial properties where buildings and accessory structures are visible from public roads and adjacent residential properties. Design standards are intended to help ensure that commercial buildings outside Town Centers are compatible with the rural character of the countryside while remaining economical to build and maintain. Specific design requirements are as follow:

1. Exterior siding for all sides of buildings and accessory structures shall be limited to brick, wood, vinyl or aluminum horizontal or vertical board that has the appearance of wood, shingles, stucco and split face block. Uncovered cinder block is not permitted. Metal siding is permitted provided that foundation plantings include, in addition to low-growing plants, one tree or shrub at least six feet tall at time of planting for every 20 feet of siding visible from a public road or adjacent residential use. Plantings shall be a mix of evergreen and deciduous trees and shrubs.
2. Main roof pitch: 6/12 to 12/12. Hipped roofs may have shallower pitch. False mansard roofs are not permitted. The Planning Commission may grant modifications based on the size of the building provided that the appearance of a pitched roof is maintained.
3. Colors and tones on walls and roofs shall be muted. Bright and/or shiny colors, if used at all, shall be used as accents only.
4. All mechanical equipment shall be screened from view using materials that are architecturally integrated with the design of the building.
5. All of the design elements on the building shall be kept in scale with the building.
6. All of the design elements on the building shall be in the same architectural style as the overall style of the building.
7. All of the design elements that are associated with a building (fences, storage sheds, etc.) shall be in the same architectural style as the overall style of the building.
8. Large disparities between the height, width, and length of the building shall be avoided.
9. Large disparities between the height, width, and length of a building in relation to buildings on adjacent parcels shall be avoided.
10. Building mass shall be broken up into smaller components.
11. Walls that are adjacent to sidewalks or roadways shall include some combination of the following features along no less than 70 percent of the horizontal length: recesses, projections, awnings, arcades, display windows and entry areas.
12. False windows shall not be permitted.

(05/12/09)

- B. Properties zoned EC Employment Center shall comply with the Appearance Code for the adjacent Town Center Sub-area. The Planning Commission or its designee may request a recommendation from the Town Center Architectural Review Committee prior to approval of the proposed development.

#### 6-7.02 Review Process

- A. Building elevations, demonstrating that the above criteria have been met, shall be submitted with all Category I Site Plans for review and approval by the Planning Commission as part of the Site Plan approval process.
- B. Building elevations, demonstrating that the above criteria have been met, shall be submitted with all Category II Site Plans for review and approval by the Planning Commission's designee as part of the Site Plan approval process.

## 6-8.01 Purpose

### **6-8 SIGNS**

#### 6-8.01 Purpose

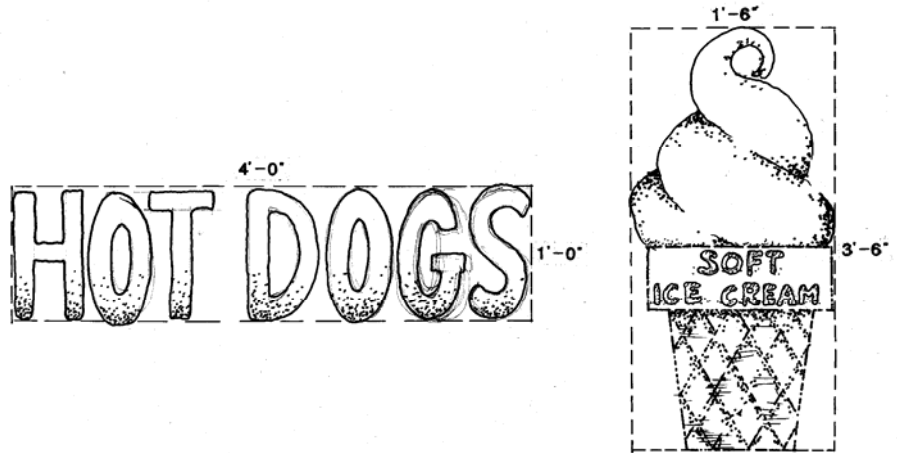
The purpose of this article is to regulate signs and to promote County businesses without significantly impacting overall County aesthetics, property values, public safety, or impinging on free speech.

SEE CUSTOMER ASSISTANCE GUIDE ENTITLED, "SIGN REGULATIONS AND PERMITS", AVAILABLE FROM THE DEPARTMENT OF PLANNING AND ZONING, FOR ADDITIONAL INFORMATION.

#### 6-8.02 General Sign Provisions

In addition to any other regulations imposed by this Ordinance, all signs shall be subject to the following conditions:

- A. Signs shall not be internally illuminated. Materials for sign faces and frames shall be limited to wood or a material that has the appearance of wood.
- B. No sign shall have moving parts or project any intermittent or flashing illumination without approval of the Zoning Officer. Such approval may be granted only if it is determined that the sign will not adversely impact adjoining properties and/or traffic.
- C. No sign shall be displayed which uses the words "Stop" or "Danger" or presents or implies the need or requirement of stopping or the existence of danger as part of an advertising sign.
- D. No sign shall be located where it will interfere with traffic visibility on the right-of-way of any road.
- E. No sign shall be permitted which contains statements, words or pictures of an obscene character.
- F. No sign shall be placed on rocks, trees, or on poles maintained by public utilities.
- G. No sign shall be permitted which becomes unsafe or endangers the safety of a building, premise, or person. The Zoning Officer shall order such signs to be made safe or repaired or removed, such order to be complied with within 15 days of the receipt of such order.
- H. When a sign structure does not include current or up-to-date advertising information for a period of 120 continuous days, such sign structure shall be deemed a violation and shall be removed.
- I. All non-conforming signs shall be removed when:
  1. when the business, enterprise, etc. advertised ceases to exist, or
  2. at the expiration date specified in the permit for erection.Removal shall be the responsibility of the owner of the property on which the sign is located.
- J. Calculation of sign area in square feet. Sign area shall normally be the area of the face of the sign, except for the following situation:
  1. If the sign consists only of letters or figures, the area shall be calculated as if a rectangle were drawn around the exterior of the letters or figures.



(06/03/08)

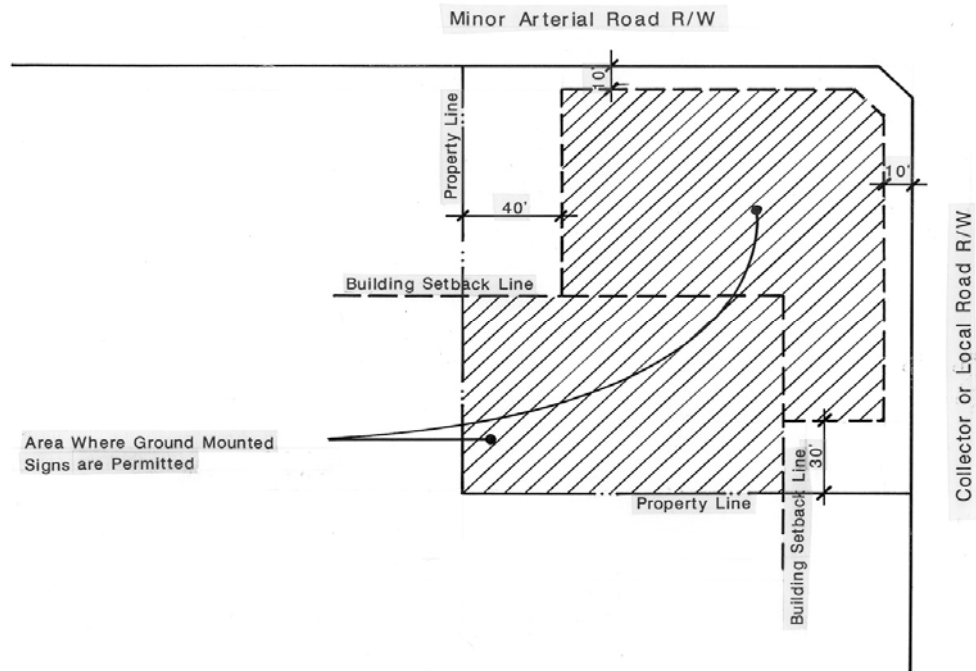
- K. Sign height shall be measured from the average elevation of the finished grade at the front of the sign and/or structure facing the street to the highest point of the sign and/or structure. The use of berms, grading, or other means in order to achieve a greater sign height shall not be permitted unless site conditions are such that the proposed sign location is below the grade of the adjacent roadway. In such cases, a berm, grading or other means may be used to raise the elevation of the land on which the sign is to be placed to the elevation of the adjacent roadway.

(06/03/08)

- L. Signs attached to vehicles are allowed under the following conditions:
1. The vehicle is parked at the business location and the vehicle is operable, tagged and parked in an approved parking space, or
  2. If the vehicle is not parked at the business, it cannot be parked on property zoned FFD, RCD, or RD, unless the vehicle is parked at the driver's residence and it is the resident's primary means of transportation to and from his or her place of work.

#### 6-8.03 Freestanding Signs

- A. No freestanding sign shall exceed 18 feet in height unless approved by the Board of Appeals as a special exception.
- B. Only one freestanding sign is permitted per parcel of record as of the date of adoption of this Ordinance. Additional signs may be approved by the Planning Commission in cases where a site is over five acres, provided that signs are architecturally integrated with each other and with the buildings on the site.
- C. Freestanding signs shall be compatible with the building(s) to which it relates in terms of style, colors, proportion and scale.
- D. All individual signs on a freestanding base shall be uniform in design. Uniformity is defined as:
  1. Having the same (or similar) dimensions or proportions;
  2. Having the same (or similar) background colors;
  3. Being of the same material;
- E. Reader boards on individual signs on a freestanding base shall be limited to two lines and shall have the same background color and width dimensions as the primary sign.
- F. Freestanding signs shall not be centered on single poles. Signs may be mounted on the side of a single pole, between two poles, or within a sign frame constructed of solid wood or a material that has the appearance of wood, or brick.



Section 6-8.03 –Freestanding Signs

- G. **Setback Requirements for Freestanding Signs.** The setback requirement for freestanding signs shall be a minimum of ten feet from the right-of-way except in the following instances:
1. Any sign which is attached to the ground located on an arterial road and within 40 feet of the side lot line shall adhere to the front setback requirement for the district in which it is located (so that, e.g., views from neighboring properties are not obstructed).
  2. If located on a collector or local road and within 30 feet of the side lot line, the sign shall conform to the front setback requirement for the district in which it is located.

**6-8.04 Building Sign Design**

- A. All Building Signs shall meet the following design criteria:
1. Every building sign shall be designed as an integral architectural element of the building; and
  2. Signs on buildings shall not obstruct architectural features of the building; and
  3. Signs shall not be mounted on roofs or extend above the roof line.
  4. All signs for buildings within a shopping center, office complex, commercial park, or business center shall be uniform in design. Uniformity is defined as:
    - a. having the same (or similar) dimensions or proportions;
    - b. having the same (or similar) background colors;
    - c. being of the same material.

### 6-8.05 Signs Permitted Without A Zoning Permit

The following signs are permitted without a zoning permit in any district:

- A. Official traffic signs or sign structures, when erected by a governmental agency.
- B. Signs indicating the name and/or premises or the accessory use of a home for a home occupation of professional purpose, provided such signs meet the following conditions:
  - 1. Such signs shall not exceed four square feet in size;
  - 2. The maximum height of home occupation signs shall be six feet;
  - 3. Materials shall be limited to wood or a material that has the appearance of wood;
  - 4. No window signs shall be permitted.
  - 5. No internally illuminated signs are permitted.
- C. Temporary real estate signs, located on and advertising subject property for sale, lease or rental, provided such signs do not exceed ten square feet in size. However, if the subject property is larger than ten acres, the sign may be as large as 16 square feet in size. Temporary real estate signs shall be removed after the property is sold and settlement has taken place.
- D. Signs located on a farm advertising farm products grown primarily on the premises or an agritourism, ecotourism, or heritage tourism use, shall be permitted with the following conditions:
  - 1. Such signs shall not exceed 30 square feet in area
  - 2. For farms that do not have frontage along an arterial road, one additional sign, that gives direction to the farm, lists products available for sale during the active selling season and does not exceed 20 square feet, shall be permitted per farm off premises.
  - 3. Written permission shall be obtained from the property owner if not on the seller's property.
  - 4. These signs shall be located off the road right-of-way and shall not interfere with traffic visibility.
  - 5. These signs are to be temporary and shall be removed after the selling/business season is over.
- E. Temporary political signs are permitted, subject to State regulations.
- F. A temporary construction sign is permitted, advertising the general contractor, subcontractor, architect, and/or other professional persons, firms, or organizations engaged in or associated with the lawful construction, alteration, remodeling, or demolition of any building or use provided that such sign:
  - 1. is limited to one listing for each person, firm, or organization involved.
  - 2. is removed within 30 days after the completion by the general contractor.
  - 3. Is less than 20 square feet in size.

## 6-8.05 Signs Permitted Without A Zoning Permit

- G. All portable signs shall be limited as follows:
1. Hot air balloons and search lights are allowed for promotions only, not to exceed 72 hours in a year.
  2. Pennants and banners are permitted for display periods not to exceed 14 days prior to an event, and not to exceed 30 days per year.
  3. One sandwich type (A-frame) sign is permitted per business on premises, subject to the following:
    - a. Each sign board face shall not exceed nine square feet.
    - b. The total height is not to exceed 48 inches.
    - c. The sign shall be located so as not to restrict sight distance below that called for in ASHTO standards. NOTE: The County will provide drawings depicting ASHTO standards. Applicants will be responsible for meeting those standards.
    - d. The sign shall either be constructed and maintained according to the adopted specifications or receive special approval from the Architectural Review Committee for the Town.
    - e. The owner shall obtain a permit for the sign; however, the size of the sign will not count against the total signage allowed under Section 6-8.07 of the Zoning Ordinance.
    - f. For roads with posted speed limits greater than 30 miles an hour, the sign shall be at least 50 feet from the right-of-way. NOTE: These signs are not effective on high speed roads, and they present a greater danger.
- H. Directional or informational signs of a public or quasi-public nature, such as those containing the meeting date of a community or civic club, or the advertising of an event of public interest, shall be permitted subject to the following conditions:
1. Temporary informational or directional signs which are erected for the purpose of advertising a special event shall be limited to no more than 32 square feet in size.
  2. Such signs shall not be erected more than 30 days prior to the event and shall be removed within seven days after the event has occurred.
- (05/12/09)
- I. One temporary sign, located to advertise the opening of a new subdivision, development or shopping center, provided that the sign:
1. does not exceed 100 square feet, and
  2. is not illuminated, and
  3. is located not less than 25 feet from any road right-of-way or less than 100 feet from the line of any adjacent lot on which a dwelling is located, and
  4. one additional temporary sign shall be permitted within 1,000 feet of frontage or portion thereof along each road upon which the subdivision, development, or shopping center is located, and
  5. is removed 9 months after it is erected.

(08/07/07) 6-8.06 Signs Requiring Zoning Permits

- A. Signs referred to in this Section shall also be subject to the provisions of Section 6-8.03, Freestanding Signs, and Section 6-8.04, Building Sign Design, depending on their type of construction.
- B. The following signs are permitted in accordance with zoning district regulations and require a zoning permit. Any sign erected without a zoning permit shall constitute a Zoning Violation, which shall be enforced in accordance with Section 1-7.
  - 1. Business and Institutional Signs – Business and Institutional signs pertaining to the "use on the premises" are permitted as an accessory use in all districts, provided that the total square foot area of all signs shall be based on Table 6-4, Maximum Sign Areas.

TABLE 6-4 MAXIMUM SIGN AREAS	
Length of Front Building Wall (ft.)	Maximum Square Footage of Sign (sq. ft.)
10-19	30
20-29	50
30-39	70
40-49	90
50-59	110
60-69	125
70-79	140
80-89	155
90-99	170
>100	See Note 3 Below
	NOTE 1: Fractions will be rounded off to the closest integral number.
	NOTE 2: A cumulative measurement shall be taken for businesses or institutional uses sharing party walls.
	NOTE 3: For building walls which are longer than 100 feet, add one square foot of signage for every linear foot over 100 feet.
	NOTE 4: For each side of a building that has public entrances, the signage shall be calculated for the length of that building wall and the signs shall be located only on that side of the building.
	NOTE 5: Buildings with separate businesses or institutional uses on two or more stories are permitted 50 percent more signage.
	NOTE 6: For businesses or institutional uses having no permanent buildings, a maximum of 50 square feet of signage is permitted.
	NOTE 7: On a corner lot, the building wall facing each road shall be used to compute the square footage for signage on that road.
	NOTE 8: This table does not apply to signs for which square footage limitations are specified (i.e., Home Occupation signs).

- 2. Directional Signs Erected by the County - The purpose of directional signs erected by the County is to provide an attractive format for advertising businesses not located on major roads. Sign structures may be erected at intersections by the County on County rights-of-way and shall be designed to provide for advertising the name, location, type of business and/or principal products, under the following provisions:

## 6-8.06 Signs Requiring Zoning Permits

- a. A uniform County format is to be designed by and approved by the County.
  - b. The structures are to be located at road intersections with arterials and/or major collector roads, as designated by the County Commissioners.
  - c. The permit fees for individual business signs will be used to defray cost of the sign structure.
3. Permanent directional or informational signs of a public or quasi-public nature, such as those containing the meeting date of a community or civic club, or the advertising of an event of public interest, shall be permitted subject to the condition that such a sign shall not exceed 16 square feet in size.
- (06/03/08) 4. Subdivision Entrance Signs shall be subject to the following requirements:
  - a. Such signs shall be set back 15 feet from the right-of-way of any adjoining arterial or collector roads; zero feet from the right-of-way of a subdivision road; and five feet from all other property lines.
  - b. The subdivision entrance sign shall be located at the primary entrance of the subdivision being identified, and shall be limited to no more than two permanent signs.
  - c. Such signs shall be designed and placed so as not to obstruct sight distance along the adjoining roads.
  - d. The size of each sign face shall not exceed 35 square feet in area.
  - e. The size of the structure containing a sign face shall not exceed 200 square feet in area, excluding the sign face.
  - f. The height of the structure containing a sign face shall be no more than seven feet and shall comply with the requirements of Section 6-8.02.K of this Zoning Ordinance.
  - g. The signs shall include the name of the subdivision (as recorded in the Land Records) only, and shall not include any advertising of any kind.
  - h. Maintenance of the sign shall be the responsibility of the developer of the subdivision and/or the developer's assigns.
- (06/03/08) 5. Directional Signs, Other - These directional signs are intended for the sole purpose of indicating distance and/or direction to service-type businesses located in Calvert County. They shall be permitted in all districts subject to the following provisions:
  - a. Signs shall be subject to a minimum setback of ten feet from the road right-of-way.
  - b. Signs shall be limited to those service-type businesses serving the traveling public, such as filling stations, restaurants, motels, marinas, etc., but not businesses primarily occupied with local needs such as furniture, jewelry, shoes, etc.
  - c. Signs shall be limited to two in number for any one business, and shall not be located more than ten miles from the subject use.
  - d. Each sign shall be limited to 16 square feet in area.
6. Billboards - No new billboards shall be permitted after adoption of this amendment (February 27, 1992). Existing billboards may not be expanded as of the date of this amendment.

7. Bus Shelters - With the exception of signs on bus shelters in existence as of the effective date of this amendment (May 6, 1997), no signs shall be displayed on bus shelters. Existing signs on bus shelters may be replaced but not expanded. Any bus shelter with signs which ceases being used as a bus stop either for schools or public transportation shall be removed pursuant to the following procedure:
  - a. By September 15 of each year, the Zoning Officer shall identify any shelters which are not located at sites which are either school bus stops for the current school year or bus stops for public transportation.
  - b. The Zoning Officer shall notify the owner of the shelter as well as the owner of the property upon which the unused shelter is located that the shelter shall be removed in its entirety within 60 days of the notice date.
  - c. The decision of the Zoning Officer may be appealed to the Board of Appeals under Section 11-1.04 of the Zoning Ordinance. Such an appeal shall be taken within thirty (30) days of the date of the above notice.
  - d. Any bus shelter which is removed because of non-use may be relocated to a location used as a bus stop either for schools or public transportation within the 60-day period contained in the notice described above. The right to relocate shall be forfeited if not exercised within the 60-day period.
8. Town Center Entrance Signs
  - a. The County Commissioners shall adopt guidelines governing the design and financing of Town Center entrance signs considering the recommendations of the Department of Planning & Zoning and the Planning Commission.
  - b. All Town Center entrance signs shall be erected and maintained by the County or its designee.

#### 6-8.07 Violations

Any violation of this Section shall be enforced in accordance with the procedures contained in Section 1-7 of this Ordinance. The Zoning Officer shall have the authority to remove any sign that is determined to be a zoning violation, after proper notification is given, as required by Section 1-7.01.C. Any cost associated with any such removal shall be paid by the property owner.

### **6-9 CAMPGROUNDS & RECREATIONAL VEHICLE CAMPS**

#### 6-9.01 Regulations

The following regulations shall apply to the creation of any new campground or recreational vehicle camp, or the enlargement of any lawfully existing camp approved by the Board of Appeals. Campgrounds and recreational vehicle camps shall be referred to as "camps" in this Section.

##### A. Ownership and Subdivision

A camp established as a special exception shall remain under one ownership and subdivision shall not be permitted except as provided by the County Zoning Ordinance and Subdivision Regulations.

- B. Setbacks  
Any vehicle, building, tent, or other structure in such camp shall be located at least 150 feet from the right-of-way of any adjoining public road, and at least 100 feet from the nearest boundary line of such camp.
- C. Density  
The density of vehicle spaces shall not exceed 15 per acre for the gross acreage.
- D. Roads  
Interior roads shall have a minimum dust free surface of 20 feet, except that one-way roads may have a minimum dust-free surface of 12 feet.
- E. Water and Sewerage
1. Campgrounds and recreational vehicle camps shall provide an adequate potable water supply at such locations and of such construction as may be required by the Maryland Department of Health and Mental Hygiene.
  2. Recreational vehicle camps shall provide sewage dumping stations as required by the Maryland Department of Health and Mental Hygiene.
- F. Service Buildings  
Each camp shall provide conveniently located service building(s) as required by the Maryland Department of Health and Mental Hygiene.
- G. Garbage and Trash Collection  
Stations shall be provided in such numbers and at such locations so as to facilitate storage and collection of garbage and trash. Management of the camp shall be responsible for the collection and disposal of garbage and trash.
- H. Special Conditions  
The property shall be surrounded by a 20-foot wide vegetative buffer. Special conditions, such as the provision of fencing and/or planting or other landscaping, additional setback from property lines, provisions for lighting, and other reasonable requirements deemed necessary to safeguard the general community interest and welfare, may be invoked by the Board of Appeals as requisites to the granting of a special exception.
- I. Fire Protection  
Each camp shall provide such fire protection equipment as may be required by the Fire Marshal.
- J. Vehicle Space  
Each designated vehicle space shall have a minimum width of 25 feet, and a minimum area of 1500 square feet.

**6-10 ADEQUATE PUBLIC FACILITIES REQUIREMENTS**

**6-10.01 Adequate Public Facilities Requirements for Commercial and Industrial Development**

A. General

1. The Planning Commission or its designee may grant site plan approval of a commercial or industrial development of land subject to these regulations either in its entirety or by section only if it finds that:
  - a. all roads and intersections identified by the Director of the Department of Public Works (DPW) or his designee are adequate; or
  - b. roads and intersections will be adequate within one year following final site plan approval; or
  - c. the applicant provides improvements to mitigate for the impact of the development (as determined by the Director of DPW or his designee) in accordance with paragraphs 'C.2 and C.3' below.
2. This requirement does not apply to those developments that are exempt as described in Sub-Section 'C' or that receive a waiver under Sub-Section 'D' of this Section.

B. Traffic Study Required

1. The proposed commercial or industrial development shall be served by roads and intersections that are adequate to safely accommodate the vehicular traffic projected to be generated by the development.
2. At the applicant's expense, a traffic study conducted by a Registered Professional Engineer and approved by the Director of DPW or his designee, is required for all commercial and industrial developments as specified in the Calvert County Road Ordinance. If the Director of DPW or his designee determines that a traffic study is required, the traffic study shall be submitted and approved prior to action on the site plan application by the Planning Commission or its designee.
3. The Director of DPW or his designee shall determine whether the traffic study was properly submitted and shall provide recommendations as to whether all the roads and intersections are adequate.

C. Levels-of-Service and Mitigation

The requirements for mitigation described below apply to commercial or industrial uses which are projected to generate an average of more than 400 trips per day.

1. Requirements for County Roads and County Intersections Outside the Town Centers  
To be determined adequate, County roads and County intersections outside the Town Centers shall maintain a level "C" service rating, after completion of the proposed development as well as all other existing and proposed developments within the study area.

2. Requirements for County Roads and County Intersections within the Town Centers

A level "D" service rating will be acceptable for County roads and County intersections within the Town Centers, after completion of the proposed development as well as all other existing and proposed development within the study area. However, in cases where roads and intersections are not adequate, site plan approval shall not be granted unless the applicant provides improvements to mitigate for the impact of the development. The Board of County Commissioners may waive this requirement in certain instances (see 'D' below).

3. Requirements for All State Roads and State Intersections (inside and outside the Town Centers)

The criteria listed in '2' above shall apply to all State roads and State intersections, regardless of whether or not they are located within a Town Center.

D. Waivers

The mitigation requirements of paragraph 'C.2' (above) may be waived by the Board of County Commissioners upon request by the applicant.

(08/28/07) **6-11 APPEALS** (Section Deleted 05/12/09)  
(05/12/09)