

Comparison of the 2023 Draft Zoning Ordinance Articles 18 & 19 with the Current Zoning Ordinance (Adopted 2006)

Draft Zoning Ordinance	Current Zoning Ordinance
Article 18 (Uses)	Article 3; Article 5 (Section 5-1.10); Article 6 (Section 6-2); Article 2 (Section 2-10.04.D)
Article 19 (Accessory Structures and Uses)	

Article 18 (Uses)

- **Section 18-3.A (Agritourism Enterprise)**
 - The following condition from the current Zoning Ordinance has been revised slightly
 - In the current Zoning Ordinance, the condition states, *“The activity shall be related to agriculture or natural resources and incidental to the primary operation of the farm”*
 - In the draft Zoning Ordinance, this condition now states, *“Such activities shall relate to on premises agriculture and the activities shall be incidental to the agricultural operation.”*
 - This use is permitted with conditions in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC under the current Zoning Ordinance

- **Section 18-3.B (Campground, Farm)**
 - The following conditions from the current Zoning Ordinance has been revised
 - In the current Zoning Ordinance, the condition states, *“No more than 15 campers shall be permitted”*
 - In the draft Zoning Ordinance, this has been revised and now states, *“No more than 10 designated campsites are permitted and no more than 6 people are permitted per campsite.”*
 - The following condition has been added to this use in the draft Zoning Ordinance, *“The campground shall be located on a property at least 20 acres in size.”*

- **Section 18-3.D (Commercial Kitchen, Farm)**
 - This use is permitted with conditions in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC under the current Zoning Ordinance

- **Section 18-3.E (Cultural Heritage Tourism)**
 - This use has been added to the draft Zoning Ordinance

- **Section 18-3.D (Farm Support Business)**
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“Implements being kept for parts shall be kept inside or screened from view from all public roads and adjoining properties”*
 - This use is permitted with conditions in the RD and EC in the draft Zoning Ordinance
 - This use is not permitted in the RD or EC under the current Zoning Ordinance

- **Section 18-3.H (Hunting Service, Farm)**
 - In the current Zoning Ordinance this use is permitted in the RCD and not permitted in the RD or EC
 - In the draft Zoning Ordinance, this use is permitted with a special exception in the RCD, RND, RD, and EC

- **Section 18-3 (Agritourism, Ecotourism, & Heritage Tourism)**
 - The following use from the current Zoning Ordinance, *Sports Practice Fields on a Farm*, was not included in the draft Zoning Ordinance
 - The following use, *Heritage Trail Displays*, was moved to draft Article 19 (Accessory Structures & Uses)
 - The following uses, *Public Events/Public Assemblies on Farmland* and *Rental Facilities on Farms*, have been moved to Section 18-13 (Temporary) in the draft Zoning Ordinance

- **Section 18-4.A (Animal Husbandry)**
 - In the current Zoning Ordinance this use is not permitted in the EC
 - In the draft Zoning Ordinance, this use is permitted conditionally in the EC

- **Section 18-4.B.1 (Aquaculture, Freshwater and Land-based)**
 - The following condition was added for this use in the draft Zoning Ordinance, *“If located in an Agricultural Preservation District, approval of the Agricultural Preservation Advisory Board is required for aquaculture facilities.”*

- The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“In the Rural Community District and Historic Districts, only freshwater impoundments are permitted.”*
- **Section 18-4.D (Commercial Greenhouse, Wholesale)**
 - In the current Zoning Ordinance this use is permitted in the EC
 - This use is not permitted in the EC in the draft Zoning Ordinance
- **Section 18-4.E (Commercial or Non-Profit Stable or Horseback-Riding Club)**
 - This use is permitted in the RD in the draft Zoning Ordinance
 - In the current Zoning Ordinance this use is not permitted in the RD
- **Section 18-4.F (Commercial Raising of Dangerous or Wild Animals)**
 - This use is permitted through a special exception with conditions in the FFD and APDs in the draft Zoning Ordinance
 - This use is not permitted outside town centers in the current Zoning Ordinance
- **Section 18-4.G (Commercial Raising of Fur-Bearing Animals)**
 - This use is permitted through a special exception with conditions in the RD in the draft Zoning Ordinance
 - This use is not permitted in the RD in the current Zoning Ordinance
 - A special exception is required for this use in the FFD and APDs under the current Zoning Ordinance
 - A special exception is not required in these districts in the draft Zoning Ordinance
- **Section 18-4.G (Farm Alcohol Production Facility)**
 - In the draft Zoning Ordinance, the uses Farm Brewery, Farm Winery, and Farm Distillery from the current Zoning Ordinance have been consolidated under one use (Farm Alcohol Production Facility)
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance:
 - *“The brewery shall be designed and managed to brew no more than 15,000 barrels of beer per year”*
 - *“The distillery shall be capable of producing no more than 500 liters (132 gallons)”*
 - In the draft Zoning Ordinance, these conditions have been replaced with the following, *“The facilities shall be designed and managed to meet all required State regulations for limits on alcohol production.”*

- The following condition was added to the draft Zoning Ordinance, *“If located in an Agricultural Preservation District, approval of the Agricultural Preservation Advisory Board is required.”*
- **Section 18-4.J (Farm Stand)**
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“any new permanent stand shall meet the front setback requirements specified in Section 5-1 and a temporary stand shall be at least 30 feet from the right-of-way”*.
- **Section 18-4.L (Forest Product Processing)**
 - The following condition from the current Zoning Ordinance has been revised, *“All structures shall be at least 200 feet from any property boundary that adjoins a property that is used for residential purposes”*
 - In the draft, this condition now states, *“All structures related to forest product processing shall be located at least 500 feet from any lot or parcel with a residential building or active residential building permit.”*
 - In the draft Zoning Ordinance, this use is permitted conditionally in the FFD
 - In the current Zoning Ordinance, this use is not permitted in the FFD
- **Section 18-4.N (Livestock Auction and/or Sales Barn, Commercial)**
 - In the current Zoning Ordinance, this use is permitted in the RC and permitted in the RCD with a special exception
 - In the draft Zoning Ordinance, this use requires a special exception in the RC and is not permitted in the RCD
 - This use is not to be confused with Livestock Auction by a Non-Profit Organization or Farm Owner, which has been relocated to Section 18-13 (Temporary) in the draft Zoning Ordinance
- **Section 18-4.O (Nursery, Retail)**
 - This use requires a special exception in the RD in the current Zoning Ordinance
 - In the draft, this use doesn’t require a special exception in the RD
 - The statement, *“The Administrative Variance Officer or his/her designee may reduce or waive the setback requirements, in accordance with Article 11 of this Ordinance”* was not included as a condition in the draft due to redundancy
- **Section 18-4 (Agriculture)**
 - Commercial Kennel has been moved to Section 18-7 (Business and Personal Service) in the draft Zoning Ordinance

- Veterinary Hospital or Clinic has been moved to Section 18-7 (Business and Personal Service) in the draft Zoning Ordinance
- Livestock Auction by a Non-Profit Organization or Farm Owner has been relocated to Section 18-13 (Temporary) in the draft Zoning Ordinance
- **Section 18-5.B (Bed and Breakfast Facility)**
 - The definition of this use has been revised and now states, *“A residence, where the owner or operator resides, where paying guests are lodged overnight and meals are served to overnight guests. The bed and breakfast facility may be part of the primary dwelling unit or an existing dwelling accessory to the residence.”*
 - This replaces the definition from the current Zoning Ordinance which states, *“A residence where paying guests are lodged overnight and breakfast is the only meal served to overnight guests.”*
 - In the draft Zoning Ordinance, this use (with 3 to 5 bedrooms) is permitted conditionally with a special exception in the RD
 - In the current Zoning Ordinance, this use (with 3 to 5 bedrooms) doesn't require a special exception in the RD
 - In the draft Zoning Ordinance, this use (with 3 to 5 bedrooms) is permitted conditionally in the RC
 - In the current Zoning Ordinance, this use requires a special exception in the RC
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance, *“An owner or operator lives on the premises; and the facility shall be a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used”*
 - These conditions are instead addressed in the definition of the use in the draft Zoning Ordinance, *“A residence, where the owner or operator resides, where paying guests are lodged overnight and meals are served to overnight guests. The bed and breakfast facility may be part of the primary dwelling unit or an existing dwelling accessory to the residence.”*
- **Section 18-5.C (Dormitory)**
 - This use has been added to the draft Zoning Ordinance
- **Section 18-5.D (Dwelling, Accessory to a Residence)**
 - In the current Zoning Ordinance, this use is titled Apartment, Accessory to a Residence
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“In the I-1 and EC Districts, accessory apartments shall only be permitted on properties on which a house existed as of the effective*

date of this condition (05/01/06) unless the house and apartment are constructed on an approved family conveyance lot”

- The following condition from the current Zoning Ordinance has been revised, *“If the apartment is not a part of the dwelling, it shall be within 100 feet of the dwelling. In no case shall it contain more than 900 square feet gross floor area of enclosed space, including enclosed porches.”*
 - In the draft Zoning Ordinance, this condition has been replaced with the following condition, *“A detached accessory dwelling cannot exceed 1,200 square feet gross floor area of enclosed space, including enclosed porches.”*
- The following condition was added to the draft Zoning Ordinance, *“The accessory dwelling shall function as a complete, independent living facility with cooking facilities, sleeping facilities, and a full bath and sanitation.”*
- In the current Zoning Ordinance, this use is permitted in the I-1
 - In the draft Zoning Ordinance, this use is not permitted in the I-1
- **Section 18-5.E (Dwelling, Attached – Duplex)**
 - The definition of this use has been revised in the draft Zoning Ordinance and now states, *“A structure on a permanent foundation containing two dwelling units. A duplex does not include a townhouse or a single family-detached dwelling with an attached accessory dwelling.”*
 - This replaces the definition from the current Zoning Ordinance, which states, *“Attached dwelling units, separated by a vertical division wall, each of which has direct access to the ground level. The first-floor enclosed living area is on the ground level, or may be elevated above the dwelling unit's private parking or storage space on the ground level. These units do not have horizontal separation from any other residential unit, or attachment to any non-residential use or parking garage”*
 - In the draft Zoning Ordinance, duplexes are not permitted in the RCD
 - In the current Zoning Ordinance, duplexes are permitted in the RCD with conditions
 - The following conditions from the current zoning Ordinance were not included in the draft Zoning Ordinance, *“Duplexes shall be permitted in the Residential District (RD) subject to the following conditions: (1) only if the property is located within the one-mile radius of a Town Center as defined by Section 2-10.02.C; (2) the combined lot area of the attached dwelling development is at least 30,000 square feet; and (3) the maximum units per acre shall not exceed that which is permitted under Section **5-1.04**; and (4) the architecture of the attached dwelling development is such that the building looks like a single-family detached dwelling; and (5) the entryways for each unit shall be located on different walls; and (6) the development shall comply with Section 5-3 of this Ordinance.”*

- The following condition has been added to the draft Zoning Ordinance, *“In the RD, if more than one duplex is proposed, at least 40 percent of the units on the site shall be single family detached dwellings.”*
- **Section 18-5.F (Dwelling, Attached – Multi-Family)**
 - The definition of this use has been revised in the draft Zoning Ordinance and now states, *“A structure on a permanent foundation containing five or more dwelling units. A multi-family dwelling does not include a townhouse dwelling.”*
 - This replaces the definition from the current Zoning Ordinance which states, *“A residential building containing two or more attached dwelling units with horizontal separation between any of the dwelling units.”*
- **Section 18-5.G (Dwelling, Attached to a Non-Residential Building)**
 - In the current Zoning Ordinance, this use is titled Apartment, Attached to a Business or, in Solomons Town Center, Apartment, in a Mixed-Use Building
 - This definition has been revised in the draft Zoning Ordinance and now states, *“A dwelling unit structurally attached to a building with a non-residential use that functions as a complete independent apartment.”*
 - This replaces the definition from the current Zoning Ordinance which states, *“A dwelling unit structurally attached to a business that functions as a complete, independent living facility with provisions for cooking, eating, sanitation, and sleeping.”*
 - The following condition from the current Zoning Ordinance (that applies to workforce housing) was not included in the draft Zoning Ordinance, *“The size of the apartments shall be no less than 400 square feet and no more than 800 square feet”*
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“In addition to the parking required for the business, a minimum of one parking space shall be provided for each apartment plus an additional 20% for overflow and visitor parking”*
- **Section 18-5.H (Dwelling, Attached - Townhouse)**
 - The definition of this use has been revised and now states, *“A structure on a permanent foundation consisting of two or more dwelling units each on a separate lot, the interior of which is configured in a manner such that the dwelling units are separated by a party wall. A townhouse is typically designed so that each unit has a separate exterior entrance and yard area.”*
 - This replaces the definition from the current Zoning Ordinance which states, *“Attached dwelling units, separated by a vertical division wall, each of which has direct access to the ground level. The first-floor*

enclosed living area is on the ground level, or may be elevated above the dwelling unit's private parking or storage space on the ground level. These units do not have horizontal separation from any other residential unit, or attachment to any non-residential use or parking garage."

- The following conditions from the current zoning Ordinance were not included in the draft Zoning Ordinance, *"Townhomes shall be permitted in the Residential District (RD) subject to the following conditions: (1) only if the property is located within the one-mile radius of a Town Center as defined by Section 2-10.02.C; (2) the combined lot area of the attached dwelling development is at least 30,000 square feet; and (3) the maximum units per acre shall not exceed that which is permitted under Section **5-1.04**; and (4) the development shall comply with Section 5-3 of this Ordinance."*
- The following condition has been added to the draft Zoning Ordinance, *"All **townhouse dwellings shall be served by sewer.**"*
- The following text in red has been added to this condition in the draft Zoning Ordinance, *"In **the RD and in the Fairgrounds District of Prince Frederick Town Center, provided that at least 40 percent of the units on the site are single family detached dwellings.**"*
- **Section 18-5.I (Dwelling, Attached - Triplex or Quadraplex)**
 - The definition of this use has been revised and now states, *"A **structure on a permanent foundation containing three or four dwelling units. A triplex or quadraplex does not include a townhouse dwelling.**"*
 - This replaces the definition from the current Zoning Ordinance which states, *"Attached dwelling units, separated by a vertical division wall, each of which has direct access to the ground level. The first-floor enclosed living area is on the ground level, or may be elevated above the dwelling unit's private parking or storage space on the ground level. These units do not have horizontal separation from any other residential unit, or attachment to any non-residential use or parking garage."*
 - In the current Zoning Ordinance, a Quadraplex is called a Fourplex, and is listed separately as a use
 - The following conditions from the current zoning Ordinance were not included in the draft Zoning Ordinance, *"Triplexes and Fourplexes shall be permitted in the Residential District (RD) subject to the following conditions: (1) only if the property is located within the one-mile radius of a Town Center as defined by Section 2-10.02.C; (2) the combined lot area of the attached dwelling development is at least 30,000 square feet; and (3) the maximum units per acre shall not exceed that which is permitted under Section **5-1.04**; and (4) the architecture of the attached dwelling development is such that the building looks like a single-family detached dwelling; and (5) the entryways for each unit shall*

be located on different walls; and (6) the development shall comply with Section 5-3 of this Ordinance.”

- The following condition has been added to the draft Zoning Ordinance, *“All triplex and quadraplex dwellings shall be served by sewer.”*
- The following text in red has been added to this condition in the draft Zoning Ordinance, *“In the RD and in the Fairgrounds District of Prince Frederick Town Center, provided that at least 40 percent of the units on the site are single family detached dwellings.”*
- In the draft Zoning Ordinance, duplexes are not permitted in the RCD
 - In the current Zoning Ordinance, duplexes are permitted in the RCD with conditions
- **Section 18-5.J (Dwelling, Detached – Single-Family)**
 - The definition of this use has been revised and now states, *“A detached structure on a permanent foundation containing only one dwelling unit with the exception of a permitted accessory dwelling to a residence. This definition does not include manufactured homes or recreational vehicles.”*
 - This replaces the definition from the current Zoning Ordinance which states, *“A single-family dwelling which is not attached to any other dwelling.”*
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“at least 50 percent of the length of the building shall be 20 feet wide, excluding porches”*
 - The following condition has been added to the draft Zoning Ordinance, *“In the FFD, RCD, RND, WCD, and RD, if the lot or parcel does not meet the density requirements as required in this Ordinance, a maximum of one single-family dwelling is permitted per lot or parcel of record, provided the lot or parcel meets the requirements of a buildable lot or parcel in accordance with Section 25-6 of this Ordinance.”*
 - In the draft Zoning Ordinance, this use is not permitted in the I-1, RC, MC, and EC Districts
 - In the current Zoning Ordinance, this use is permitted in the I-1, RC, MC, and EC Districts with conditions
- **Section 18-5.K (Group Home)**
 - This use is not permitted in the RC in the draft Zoning Ordinance
 - This use is permitted with conditions in the RC in the current Zoning Ordinance

- **Section 18-5.L (Liveboards)**
 - In the draft Zoning Ordinance, the definition for this use has been revised and now states, *“Permanent occupancy of watercraft. This definition also applies to short-term rental use of watercraft.”*
 - In the current Zoning Ordinance, this definition states, *“Permanent occupancy of watercraft. This definition does not apply to weekend and short-term vacation use of watercraft.”*
 - The following condition applicable to Solomons Town Center was omitted erroneously and will be included in the next draft, *“The slip limitations in a marina do not apply for weekend and short-term vacation use by vessel owners.”*

- **Section 18-5.M (Manufactured Home Community)**
 - In the draft Zoning Ordinance, this use is permitted in the FFD and RCD with the following condition, *“Only expansion of manufactured home communities in existence as of May 1, 2006 shall be permitted, subject to the standards of Section 25-8 of this Ordinance.”*
 - This is not a change in policy, but a clarification of the current policy.

- **Section 18-5.N (Manufactured Home on a Farm)**
 - In the draft Zoning Ordinance, this use is not permitted in the RD
 - In the current Zoning Ordinance, this use is permitted in the RD with conditions
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“the manufactured home shall be used in conjunction with agricultural purposes”*
 - The following condition has been added to the draft Zoning Ordinance, *“The manufactured home is included in the permitted density for the property.”*

- **Section 18-5.O (Manufactured Home on an Individual Lot)**
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“In the I-1, RC, MC, and EC Districts, one manufactured home is permitted per lot or parcel of record as of the effective date of this condition (05/01/06). Exception: family conveyance subdivisions shall be permitted in the I-1 and EC Districts subject to the provisions of Article 5”*
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“the unit is at least 24 feet wide”*
 - The following condition was added to the draft Zoning Ordinance, *“One manufactured home is permitted per buildable lot.”*
 - This use is not permitted in the RD in the draft Zoning Ordinance

- In the current Zoning Ordinance, this use is permitted with conditions in the RD
- **Section 18-5.P (Short-Term Rental)**
 - This use has been added to the draft Zoning Ordinance
- **Section 18-5.P (Tenant House)**
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance:
 - *“The property shall consist of a minimum of 25 acres”*
 - *“the tenant house shall be at least 60 feet from any other dwelling on the property”*
 - The following conditions were added to the draft Zoning Ordinance:
 - *“One tenant house is permitted per lot or parcel”*
 - *“The tenant house counts towards the permitted density for the property”*
 - *“The property shall consist of a minimum of 50 acres”*
 - *“The tenant house shall meet all setback requirements for a single-family dwelling in the district”*
 - *“The tenant house shall not exceed 1,500 square feet in gross floor area”*
- **Section 18-5 (Residential)**
 - The following uses from the current Zoning Ordinance were not included in the draft Zoning Ordinance: Apartment, Accessory for Resident Watchman/Caretaker, Boarding House, Manufactured Home For Resident Watchman/Caretaker, Manufactured Subdivision
 - The use, Manufactured Home or Recreational Vehicle (Emergency), has been relocated to Section 18-13 (Temporary) in the draft Zoning Ordinance
- **Section 18-6.B (Antique Sales)**
 - This use is permitted in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC is the current Zoning Ordinance
- **Section 18-6.C (Art Gallery)**
 - This use is permitted in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC is the current Zoning Ordinance
- **Section 18-6.D (Auction Building)**
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance:
 - *“Auctions shall be held no more often than once a month”*

- The following condition from the current Zoning Ordinance that applies in the FFD, RCD, RD, APD, and HD Districts was revised. The following crossed-out text was not included in the draft Zoning Ordinance.
 - *“only seasonal markets shall be permitted ~~and shall be set back 30 feet from the right-of-way~~”*
- This use is permitted with conditions in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC in the current Zoning Ordinance
- **Section 18-6.J (Retail, General)**
 - This use is not permitted in the EC in the draft Zoning Ordinance
 - This use is permitted with conditions in the EC in the current Zoning Ordinance
- **Section 18-6 (Commercial Retail)**
 - The following uses have been relocated to Section 18-13 (Temporary) in the draft Zoning Ordinance: Mobile Food Sales; Seasonal Retail Sales or Display Area, Outdoor
 - The following uses have been relocated to Article 19 (Accessory Structures and Uses) in the draft Zoning Ordinance: Retail Commercial Sale or Display Area, Outdoor; Drive-up Facilities
- **Section 18-7.A (Animal Shelter, Municipal or Non-Profit)**
 - This use has been added to the draft Zoning Ordinance
- **Section 18-7.C (Boat Storage)**
 - This use is not permitted in the FFD, RCD, RD, or APD in the draft Zoning Ordinance
 - This use is permitted in the FFD, RCD, RD, and APD in the current Zoning Ordinance with the following condition, *“The Commercial Boat Storage shall be in a barn that was in existence as of the effective date of this condition.”*
- **Section 18-7.E (Commercial Kennel)**
 - In the current Zoning Ordinance, this use is separated into two separate categories: Commercial Kennels with Indoor Facilities Only and Commercial Kennels with Outdoor Facilities
 - In the draft Zoning Ordinance, these uses have been consolidated into one use

- In the draft Zoning Ordinance, all structures associated with the use shall be at least 100 feet from any property line and 100 feet from a right-of-way, including commercial kennels with outdoor facilities
 - In the current Zoning Ordinance, the condition for commercial kennels with outdoor facilities is as follows, *“all structures or accessory uses shall be at least 500 feet from any property line and 300 feet from a right-of-way. These setbacks may not be reduced;”*
- **Section 18-7.H (Commercial Trade or Business School)**
 - In the draft Zoning Ordinance, this use is permitted in the I-1 and not permitted in the RC
 - In the current Zoning Ordinance, this use is not permitted in the I-1 and permitted in the RC
- **Section 18-7.I (Crematorium)**
 - In the draft Zoning Ordinance, this use is permitted conditionally in the RCD with a special exception
 - In the current Zoning Ordinance, this use is not permitted in the RCD
 - In the draft Zoning Ordinance, a condition has been revised and now states, *“Outside Town Centers, a crematorium shall be associated with a funeral home or animal shelter located on the same site.”*
 - This replaces the following condition from the current Zoning Ordinance, *“The crematorium shall be accessory to a funeral home.”*
- **Section 18-7.J (Eating Establishment)**
 - In the draft Zoning Ordinance, this use is permitted in the EC with no conditions
 - In the current Zoning Ordinance, this use is permitted in the EC with the following conditions, *“In the EC District, the eating establishment shall be either a cafeteria for the business, serving primarily the employees on site, or a part of a business park and the eating establishment shall not be adjacent to an arterial or collector road.”*
- **Section 18-7.L (Entertainment Business, Adult Enterprises)**
 - In the draft Zoning Ordinance, this use is permitted with a special exception in the I-MU
 - In the current Zoning Ordinance, this use is not permitted in any zoning district in the county

- **Section 18-7.M (Funeral Home)**

- In the draft Zoning Ordinance, this use is permitted in the FFD with a special exception and the following condition, *“The funeral home shall be accessory to an existing public cemetery as of the adoption of this ordinance.”*
 - This is not permitted in the FFD in the current Zoning Ordinance

- **Section 18-7.M (Home Occupation)**

- The definition of this use has been revised in the draft Zoning Ordinance and now states, *“Any activity carried out for gain by a resident as an accessory use in the resident's dwelling unit. Non-medical offices, home studios, commercial kennels, pet grooming establishments, commercial kitchens, non-farm alcohol production facilities, online retail sales, day cares, and personal service uses are permitted as home occupations. Other uses that are listed separately in the Land Use Charts shall not be permitted as home occupations (e.g., Automobile Repair, Crematorium, Veterinary Hospital, etc.).”*
 - The definition in the current Zoning Ordinance is as follows, *“Any activity carried out for gain by a resident as an accessory use in the resident's dwelling unit. This definition does not apply to business activities conducted on farms, as permitted by this Zoning Ordinance.”*
 - The revised definition in the draft Zoning Ordinance partially includes text from a condition in the current Zoning Ordinance, *“Non-medical and medical offices, office support services, home studios, indoor commercial kennels, commercial kitchens, non-farm breweries, non-farm distilleries, non-farm wineries and personal service uses are permitted as home occupations. Other uses that are listed separately in the Land Use Charts shall not be permitted as home occupations (e.g., Automobile Repair, Commercial Studios, Commercial Performing Arts Studios, etc.).”*
- The following condition has been added to the draft Zoning Ordinance, *“There shall be no perceptible noise, odor, smoke, electrical interference, vibration, or other nuisance emanating from the structure where the home occupation is located in excess of that normally associated with residential use.”*
- The following text in red has been added to this condition in the draft Zoning Ordinance, *“The space occupied by all the occupations on a single site shall not exceed 600 square feet including storage with the following exceptions.*
 - i. The use of a tobacco barn for a home occupation is permitted, regardless of size, with the conditions that (a) the barn shall have been in existence as of the effective date of this condition (05/01/06); and (b) the barn shall be constructed of wood.*
 - ii. Home day cares are exempt from this condition; however no other home occupations shall be permitted.”*

- The following condition has been added to the draft Zoning Ordinance, *“Home day cares are allowed a maximum of 12 clients and all conditions required for Day Care Centers (Section 18-12.E.1 below) shall be met.”*
- The following conditions applicable to Solomons Town Center from the current Zoning Ordinance were not included in the draft Zoning Ordinance:
 - *“If road access to the home occupation is gained through another person's property via an easement type road right-of-way, written approval of those property owners shall be obtained.”*
 - *“Total signage for home occupations shall be restricted to four square feet, and all signs shall be erected at least 10 feet from the edge of the right-of-way.”*
- **Section 18-7.N (Laundry/Laundromat)**
 - This use is permitted in the I-1 in the draft Zoning Ordinance
 - This use is not permitted in the I-1 in the current Zoning Ordinance
- **Section 18-7.R (Non-Farm Alcohol Production Facility)**
 - In the draft Zoning Ordinance, the uses Non-Farm Brewery, Non-Farm Winery, and Non-Farm Distillery from the current Zoning Ordinance have been consolidated under one use (Non-Farm Alcohol Production Facility)
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance:
 - *“The brewery shall be designed and managed to brew no more than 15,000 barrels of beer per year”*
 - *“The distillery shall be capable of producing no more than 500 liters (132 gallons)”*
 - In the draft Zoning Ordinance, these conditions have been replaced with the following, *“The facilities shall be designed and managed to meet all required State regulations for limits on alcohol production.”*
 - In the current Zoning Ordinance, Non-Farm Alcohol Production Facilities are not permitted in Town Centers
 - In the draft Zoning Ordinance, this use is permitted with conditions in Town Centers wherever Tavern, Bars, or Nightclubs are permitted (and if the latter requires a special exception, the former also requires a special exception)
- **Section 18-7.U (Pet Grooming Establishment)**
 - This use has been added to the draft Zoning Ordinance

- **Section 18-7.V (Tavern, Bar, or Nightclub)**
 - In the current Zoning Ordinance, Nightclub/Lounge and Tavern/Bar are listed under separate use categories
 - In the draft Zoning Ordinance these have been combined into one use
 - In the draft Zoning Ordinance, this use is permitted conditionally with outdoor patron areas in the RC
 - Outdoor patron areas associated with this use are not permitted in the RC in the current Zoning Ordinance
 - The following condition has been added to the draft Zoning Ordinance, *“All patron areas shall be shown and approved on the site plan.”*
 - The following condition has been added to the draft Zoning Ordinance for clarification purposes, not a change in policy, *“Outdoor bar facilities are not permitted in Dunkirk, Owings, Huntingtown, Prince Frederick, St. Leonard, and Lusby Town Centers.”*

- **Section 18-7.V (Veterinary Hospital or Clinic, Livestock)**
 - This use is permitted in the I-1 and the RC in the current Zoning Ordinance
 - In the draft Zoning Ordinance, this use is not permitted in the I-1 and requires a special exception in the RC

- **Section 18-7.V (Veterinary Hospital or Clinic, Small Animals and Household Pets)**
 - This use is permitted with a special exception in the FFD in the draft Zoning Ordinance
 - This use is not permitted in the FFD in the current Zoning Ordinance

- **Section 18-7 (Business and Personal Service)**
 - The use, Commercial or Non-Profit Stable or Horseback-Riding Club, has been moved to Section 18-4 (Agricultural) in the draft Zoning Ordinance
 - The following uses from the current Zoning Ordinance were not included in the draft Zoning Ordinance: Corporate Headquarters; Flex Business Space; Laundry, Industrial; Office Support Services

- **Section 18-8.A (Amphitheater)**
 - This use has been added to the draft Zoning Ordinance

- **Section 18-8.B (Campground and/or Recreational Vehicle Camp, Non-Farm)**
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“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.”*

- The following condition from the current Zoning Ordinance has been revised, *“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.”*
 - In the draft Zoning Ordinance, this condition now states, *“Interior roads shall have a minimum width of 20 feet except that one-way roads may have a minimum width of 12 feet, or as approved by the Department of Public Works.”*
- The following crossed out text in this condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“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.”*
- **Section 18-8.C (Commercial or Non-Profit Meeting Hall or Banquet Hall)**
 - In the current Zoning Ordinance, this use requires a special exception in the RC and MC
 - In the draft Zoning Ordinance, a special exception is not required in these districts
- **Section 18-8.F (Drive-In Theater)**
 - In the draft Zoning Ordinance, this is permitted with a special exception in the EC
 - In the current Zoning Ordinance, this use is not permitted in the EC
- **Section 18-8.G (Golf Course)**
 - In the current Zoning Ordinance, this use is permitted in the FFD, RD, RC, and EC
 - This use is not permitted in these districts in the draft Zoning Ordinance
 - However, Driving Ranges and Miniature Golf are permitted with a special exception in the RC and EC in the draft Zoning Ordinance
- **Section 18-8.K (Recreation Facility, Indoor Commercial)**
 - The definition of this use has been revised in the draft Zoning Ordinance and now states, *“An entirely enclosed building or facility that offers commercial indoor recreational activities including but not limited to tennis, batting cages, bowling, skating, racquetball, arcade games, volleyball, basketball, indoor soccer, martial arts, miniature golf, paint ball, laser tag, gymnastics, play gallery, the study of performing arts and related training, the production of arts and crafts products, or similar activities. This use also includes establishments offering or providing facilities in controlled exercise, weight lifting, calisthenics, aerobics, and general physical fitness. This use may include associated ancillary eating and*

drinking areas, retail sales areas (limited to items customarily associated with the principal use only), and staff offices.”

- In the current Zoning Ordinance, the definition of this use is as follows, *“An entirely enclosed building or facility which offers commercial indoor sports activities including but not limited to tennis, batting cages, bowling, skating, racquetball, arcade games, volleyball, basketball, indoor soccer, martial arts, miniature golf, paint ball, laser tag, gymnastics, play gallery or similar activities. This use may include associated accessory eating and drinking areas, retail sales areas and staff offices.”*
- In the current Zoning Ordinance, Fitness Center, Indoor Commercial Studio, and Performing Arts Studio are listed as separate uses in the land use table for districts outside town centers
 - In the draft, these uses have been consolidated into one use in the land use table for districts outside town centers
- In the current Zoning Ordinance, these uses (except Indoor Commercial Studios) are permitted in the I-1 with conditions
 - In the draft Zoning Ordinance, these uses are not permitted in the I-1, but are permitted in the I-MU
- In the current Zoning Ordinance, Fitness Centers and Performance Art Studios are not permitted in the MC
 - In the draft Zoning Ordinance, these uses and others are permitted in the MC, but in the next draft this will be revised, and the types of recreational facilities permitted in the MC will be more restrictive
- The following condition has been added to the draft Zoning Ordinance for clarification purposes, *“Movie theaters are not permitted outside Town Centers or in the Village Residential-Office District of Lusby Town Center.”*
- **Section 18-8.L (Recreation Facility, Outdoor Commercial)**
 - In the draft Zoning Ordinance, this use is permitted in the EC with conditions
 - In the current Zoning Ordinance, this use is not permitted in the EC
 - In the draft Zoning Ordinance, this use requires a special exception in the RC
 - In the current Zoning Ordinance, this use does not require a special exception in the RC
- **Section 18-8.M (Retreat, Day)**
 - In the current Zoning Ordinance, this use is permitted in the EC
 - In the draft Zoning Ordinance, this use is not permitted in the EC

- **Section 18-8.N (Target Range, Indoor)**
 - In the draft Zoning Ordinance, this use requires a special exception outside town centers
 - In the current Zoning Ordinance, this use does not require a special exception outside town centers
 - The following condition has been revised in the draft Zoning Ordinance and now states, *“The target range site, including any ancillary uses such as parking, shall be located at least 200 feet from any lots or parcels with a residential building or active residential building permit.”*
 - This replaces the following condition from the current Zoning Ordinance, *“the use shall maintain a 200 foot setback from any residence”*
 - The following condition has been revised in the draft Zoning Ordinance and now states, *“A site plan is required, which, at a minimum, incorporates best management practices.”*
 - This replaces the following condition from the current Zoning Ordinance, *“A site development plan shall be submitted to and approved by the Planning Commission, which, at a minimum, incorporates nationally accepted standards for target range construction. Prior to Planning Commission action, all adjoining property owners shall be notified of the proposed development by first class mail at least thirty (30) days in advance of the meeting and shall be provided the opportunity to comment on placement of the facility.”*

- **Section 18-8.O (Target Range, Outdoor)**
 - In the current Zoning Ordinance, this use is permitted in the I-1
 - In the draft Zoning Ordinance, this use is not permitted in the I-1
 - The following condition has been revised in the draft Zoning Ordinance and now states, *“A site plan is required, which, at a minimum, incorporates best management practices.”*
 - This replaces the following condition from the current Zoning Ordinance, *“a site development plan shall be submitted to and approved by the Planning Commission, which, at a minimum, incorporates nationally accepted standards for target range construction”*

- **Section 18-8.O (Target Range, Institutional)**
 - In the current Zoning Ordinance, this use is permitted in the RCD
 - In the draft Zoning Ordinance, this use is not permitted in the RCD
 - The following condition has been revised in the draft Zoning Ordinance and now states, *“An institutional target range site that allows the discharge of a firearm only within an enclosed structure or building shall be located at least 200 feet*

from any lot or parcel with a residential building or active residential building permit.”

- This replaces the following condition from the current Zoning Ordinance, *“An Institutional Target Range that allows the discharge of a firearm only within an enclosed structure or building shall be located at least 200 feet from any residence”*
- The following condition has been revised in the draft Zoning Ordinance and now states, *“A site plan is required, which, at a minimum, incorporates best management practices.”*
 - This replaces the following condition from the current Zoning Ordinance, *“A site development plan shall be submitted to and approved by the Planning Commission, which, at a minimum, incorporates nationally accepted standards for target range construction. Prior to Planning Commission action, all adjoining property owners shall be notified of the proposed development by first class mail at least thirty (30) days in advance of the meeting and shall be provided the opportunity to comment on placement of the facility.”*
- **Section 18-8 (Recreation)**
 - The use, Commercial or Non-Profit Stable or Horseback-Riding Club, has been moved to Section 18-4 (Agricultural) in the draft Zoning Ordinance
 - The following uses from the current Zoning Ordinance were not included in the draft Zoning Ordinance: Corporate Headquarters; Flex Business Space; Laundry, Industrial; Office Support Services
 - The use, Carnival, Fair or Circus, Temporary, has been relocated to Section 18-13 (Temporary) in the draft Zoning Ordinance
- **Section 18-9.A (Mini-Storage)**
 - In the current Zoning Ordinance, this use is permitted in the RC
 - In the draft Zoning Ordinance, this use is not permitted in RC
- **Section 18-9.B and C (Warehouse, Indoor and Outdoor)**
 - In the current Zoning Ordinance, this use is permitted in the EC
 - In the draft Zoning Ordinance, this use is not permitted in EC
- **Section 18-9.D (Wholesale Lumber and/or Other Building Materials)**
 - In the current Zoning Ordinance, this use is permitted in the RC
 - In the draft Zoning Ordinance, this use is not permitted in RC
 - The following condition from the current Zoning Ordinance that applies in the I-1 was not included in the draft Zoning Ordinance, *“Provided that all buildings*

combined do not exceed 25,000 square feet per lot or parcel of record as of August 10, 2004.”

- In the draft Zoning Ordinance, if the use exceeds 25,000 square feet gross floor area, a special exception is required in the I-1 and I-MU

- **Section 18-9.D (Wholesaling, Indoor Only)**

- In the current Zoning Ordinance, this use is permitted in the RC
 - In the draft Zoning Ordinance, this use is not permitted in RC
- In the draft Zoning Ordinance, the following condition applies, *“Outside Town Centers, the combined gross floor area of all buildings associated with the use is limited to 25,000 square feet.”*
 - This condition was included in the draft Zoning Ordinance in error and will be removed in the next draft

- **Section 18-10.A (Automobile Filling Station)**

- In the draft Zoning Ordinance, this use is permitted conditionally in the RC and I-MU
 - In the current Zoning Ordinance, this use is not permitted outside town centers
- In the current Zoning Ordinance, in Owings Town Center, if there is a convenience store and/or eating establishment, no fuel pump, oil draining pit, or other visible appliance for servicing automobiles are permitted within 100 feet of the front lot or parcel line
 - This condition was not included in the draft Zoning Ordinance
- Conditions addressing service bays, junk cars, etc. applicable in some town centers were not included for this use in the draft Zoning Ordinance due to redundancy (if automobile repair is also a use on the site, the conditions for Automobile Repair/Service Shop would still apply)

- **Section 18-10.B (Automobile Parking Lot/Garage (Principal Use))**

- In the draft Zoning Ordinance, this use requires a special exception in the RC
 - In the current Zoning Ordinance, this use does not require a special exception in the RC

- **Section 18-10.D (Automobile Repair/Service Shop)**

- The following condition from the current Zoning Ordinance that applies outside town centers has been revised and now states, *“No visible appliance for servicing automobiles shall be located within 25 feet of the front lot line or parcel line.”*

- This replaces the following condition from the current Zoning Ordinance, *“No fuel pump, oil draining pit, or other visible appliance for servicing automobiles shall be located within 100 feet of the front lot line”*
 - The following condition from the current Zoning Ordinance that applies outside town centers has been revised and now states, *“No structure or building shall be erected within 150 feet of any lot or parcel with a residential building or active residential building permit...Variances to reduce these setbacks are not permitted.”*
 - This replaces the following condition from the current Zoning Ordinance, *“no structure or building shall be erected within 150 feet of any dwelling or 100 feet from any arterial road. Neither setback may be reduced.”*
 - The following condition from the current Zoning Ordinance has been revised and now states, *“No more than five inoperative vehicles and/or junk cars are allowed, except for those that are completely screened from adjoining properties and rights-of-way. An area for the storage of inoperative motor vehicles and/or junk cars shall be so designated and separated from customer parking and shall be screened as per Section 28-8 of this Ordinance. Inoperative vehicles and/or junk vehicles shall be removed after 30 days. The provisions concerning inoperative vehicles and junk cars will go into effect immediately for new development and within one year of adoption of this Ordinance for existing development.”*
 - This replaces the following conditions from the current Zoning Ordinance (outside town centers), *“No more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way. An area for the storage of junk cars shall be so designated, separate from customer parking.”*
 - The following condition has been added to the draft Zoning Ordinance (for districts outside town centers). *“No new service bay openings shall face a right-of-way.”*
- In Prince Frederick, St. Leonard, and Solomons Town Centers, the number of inoperable vehicles/junk cars allowed except those which are completely screened from adjoining properties and rights-of-way is ten in the current Zoning Ordinance
 - In the draft Zoning Ordinance, this has been reduced to five
- The definition of this use states, *“Any building or lot used for automobile repair and/or bodywork and which may have automobile servicing but does not include the sale of fuel(s).”*

- In the next draft, “...but does not include the sale of fuel(s)” will be removed so that these conditions would apply for an automobile repair/service shop that also has an automobile filling station on site
- **Section 18-10.F (Car Wash)**
 - In the draft Zoning Ordinance, this use is not permitted in the RC
 - In the current Zoning Ordinance, this use is permitted in the RC with the following condition, “No new car washes shall be permitted within Rural Commercial property which adjoins or has access to an arterial road”
 - The following condition applicable to Prince Frederick Town Center from the current Zoning Ordinance was not included in the draft Zoning Ordinance, “provided that parking areas for commercial or customer vehicles shall either meet the landscaping requirements for parking lots or the landscaping requirements for outdoor storage areas”
- **Section 18-10.G (Commuter Parking Lot)**
 - In the draft Zoning Ordinance, this use requires a special exception in the RCD, RND, or RD
 - In the current Zoning Ordinance, this use does not require a special exception in the RCD or RD
- **Section 18-10.H (Impound Lot)**
 - This use is included within the use category Storage of Motor Vehicles in the current Zoning Ordinance
 - In the draft Zoning Ordinance, Impound lot is a separate use with its own conditions including:
 - “All structures and outdoor storage areas shall be located at least 200 feet from any lot or parcel line.”
 - “All outdoor facilities shall be screened with a solid fence a minimum of six feet in height to a maximum of eight feet in height.”
 - “The use shall have direct access to a publicly-owned and maintained right-of-way. If this standard cannot be met, the Department of Public Works shall review the access and impose appropriate construction standards where applicable.”
- **Section 18-10.M (Park-and-Sell Lot)**
 - In the draft Zoning Ordinance, this use is permitted in the I-1
 - This use is not permitted anywhere outside town centers in the current Zoning Ordinance

- The following condition applicable to Prince Frederick Town Center from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“provided that parking areas for automobiles that are for sale shall either meet the landscaping requirements for parking lots or the landscaping requirements for outdoor storage areas”*
- **Section 18-10.S (Vehicle Operations Service)**
 - This use is included within the use category Other Motor Vehicle Related Uses: Bus Depot, Taxi Service, Vehicle Rental or Leasing in the current Zoning Ordinance
 - In the draft Zoning Ordinance, Vehicle Operations Service is a separate use
 - In the current Zoning Ordinance, Other Motor Vehicle Related Uses: Bus Depot, Taxi Service, Vehicle Rental or Leasing is a permitted use in the EC
 - In the draft Zoning Ordinance, Vehicle Operations Service is not a permitted use in the EC
- **Section 18-11.A (Airport or Landing Field)**
 - This use is permitted in the FFD, RCD, and I-1 in current Zoning Ordinance
 - This Use is not permitted in the FFD, RCD, or I-1 in the draft Zoning Ordinance
- **Section 18-11.B (Agricultural/Seafood/Livestock Processing Plant)**
 - In the current Zoning Ordinance, this use is permitted in the FFD and RC
 - In the draft Zoning Ordinance, this use is not permitted in the FFD or RC
 - The following condition from the current Zoning Ordinance has been revised and now states, *“Retail sales are permitted only as an accessory use.”*
 - This replaces the following condition from the current Zoning Ordinance, *“retail sales of processed food are not permitted in the I-1 District and are permitted only as an accessory use in the RC and MC Districts”*
- **Section 18-11.C (Asphalt Plant)**
 - In the draft Zoning Ordinance, this use is permitted in the I-2
 - In the current Zoning Ordinance, this use isn’t permitted in any zoning district in the county
- **Section 18-11.D (Commercial Fuel Storage Business)**
 - In the draft Zoning Ordinance, this use is permitted in the EC
 - In the current Zoning Ordinance, this use isn’t permitted in the EC

- **Section 18-11.E (Commercial Recycling Facility)**
 - The following condition has been added to the draft Zoning Ordinance, *“Outdoor areas shall be screened with a solid fence a minimum of six feet to a maximum of eight feet in height.”*

- **Section 18-11.F (Distillation of Alcohol as a Fuel)**
 - In the current zoning ordinance, if this use is located on a farm it is listed as a separate use category
 - In the draft Zoning Ordinance, this separate use category has been removed, however the following condition has been added, *“In the FFD and Owings, St. Leonard, and Prince Frederick Town Centers, the use shall be located on a farm for farm use only.”*
 - The following condition for this use (when located on a farm) from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“The production shall be limited to 50 gallons a day.”*
 - In the current Zoning Ordinance, this use (if located on a farm) is permitted in the RCD, RD, and APDs
 - This use is not permitted in these districts in the draft Zoning Ordinance
 - However, this use will be permitted in APDs in the next draft

- **Section 18-11.G (Grain Elevator)**
 - In the draft Zoning Ordinance, this use is permitted conditionally in the FFD
 - This use is not permitted in the FFD in the current Zoning Ordinance
 - This use is permitted without conditions in the I-1 in the current Zoning Ordinance
 - The listed conditions apply everywhere outside town centers in the draft Zoning Ordinance
 - In the next draft, this use will be permitted without conditions in the I-1

- **Section 18-11.H (Heliport)**
 - In the current Zoning Ordinance, this use is permitted with a special exception everywhere outside town centers except the HD and WL
 - This use is only permitted in the FFD, MC, and the industrial districts (with a special exception) outside town centers in the draft Zoning Ordinance

- **Section 18-11.I (Landfill, Land-Clearing Debris)**
 - In the current Zoning Ordinance, this use is permitted in the I-1
 - This use is not permitted in the I-1 in the draft Zoning Ordinance, but is permitted conditionally with a special exception in the I-2

- **Section 18-11.J (Landfill, Rubble)**
 - In the current Zoning Ordinance, this use is permitted in the I-1
 - This use is not permitted in the I-1 in the draft Zoning Ordinance, but is permitted conditionally with a special exception in the I-2

- **Section 18-11.K (Landfill, Sanitary)**
 - In the draft Zoning Ordinance, this use is permitted conditionally with a special exception in the RD
 - This use is not permitted in the RD in the current Zoning Ordinance

- **Section 18-11.L (Manufacturing and/or Assembly, Heavy)**
 - In the draft Zoning Ordinance, this use is permitted in the I-2
 - This use isn't permitted in any zoning district in the county in the current Zoning Ordinance

- **Section 18-11.M (Manufacturing and/or Assembly, Light)**
 - In the current Zoning Ordinance, this use is separated into two categories based on whether the use is less than or equal to 5,000 square feet or 5,000 square feet or greater
 - In the draft Zoning Ordinance, this square footage threshold is 7,500 square feet
 - In the current Zoning Ordinance, Manufacturing and/or Assembly, Light - Less than 5,000 sf of gross floor area is permitted in the RCD and RD
 - In the draft Zoning Ordinance, Manufacturing and/or Assembly, Light - Less than 7,500 sf of gross floor area is not permitted in the RCD or RD
 - In the current Zoning Ordinance, Manufacturing and/or Assembly, Light - 5,000 sf of gross floor area or more is permitted in the EC
 - In the draft Zoning Ordinance, Manufacturing and/or Assembly, Light - 7,500 sf of gross floor area or more is not permitted in the EC

- **Section 18-11.N (Manufacturing and/or Assembly, Marine-Related)**
 - In the draft Zoning Ordinance, this use is erroneously listed as permitted without conditions in the I-1 and I-2

- **Section 18-11.V (Storage of Machinery & Equipment in Connection with Excavating and/or Contracting Business)**
 - In the current Zoning Ordinance, this use is permitted in the EC
 - In the draft Zoning Ordinance, this use is not permitted in the EC

- **Section 18-11 (Industrial)**
 - The use following uses have been relocated to Article 19 (Accessory Structures) in the draft Zoning Ordinance: Kiln, Wood-Drying; Outdoor Storage in Connection with Commercial and/or Industrial Uses; Power Generating Facility, Accessory to a Residence or Business; Sawmill, Portable

- **Section 18-12.A (Cemetery or Memorial Garden)**
 - In the current Zoning Ordinance, this use is permitted in the EC
 - In the draft Zoning Ordinance, this use is not permitted in the EC

- **Section 18-12.C (Communications Towers and Antennas)**
 - The following revisions apply to Private/Not-for-Profit Towers (Section 18-12.C.3.d and e)
 - In the draft Zoning Ordinance, a special exception is required (in every district) for Private/Not-for-Profit Towers, Greater than 100 Feet in Height
 - In the current Zoning Ordinance, the threshold for when a special exception is required is a tower greater than 75 feet
 - The following text in red has been added to this condition and now states, *“The distance between the base of the tower and the nearest property line equals no less than 75% of the height of the tower. However, the setback for crank-up style towers and monopoles shall be no less than 100% of the nested height of the tower/monopole.”*
 - In the draft Zoning Ordinance, the following condition applies to Private/Not-for-Profit Towers, Greater than 100 Feet in Height, *“The applicant demonstrates that the proposed tower will not degrade or cause interference to the County's wireless communication systems which include, but are not limited to public safety, administrative, and school wireless systems.”*
 - In the current Zoning Ordinance, the threshold for when a special exception is required is a tower greater than 75 feet

- **Section 18-12.D (Cultural Facility/Library/Museum)**
 - In the current Zoning Ordinance, Library and Museum are listed as separate use categories

- In the draft Zoning Ordinance, these uses have been consolidated into one use category
 - In the draft Zoning Ordinance, a Library is a permitted use in the RCD and FFD (but requires a special exception in the FFD)
 - In the current Zoning Ordinance, a Library is not permitted in these districts
 - In the draft Zoning Ordinance, a Library or Museum is permitted in the EC and I-1
 - In the current Zoning Ordinance, a Library or Museum is not permitted in these districts
- **Section 18-12.D (Day Care Center)**
 - In the current Zoning Ordinance, this use is permitted in the APD and HD if the Day Care Center has 19 or fewer clients
 - In the draft Zoning Ordinance, this use is not permitted in the APD or HD
 - In the current Zoning Ordinance, this use is permitted in the I-1 with conditions
 - In the draft Zoning Ordinance, this use is not permitted in the I-1
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance, *“in the I-1 and EC Districts only, the following additional condition shall apply: the Day Care Center shall not be open to the public, but shall only provide care to children of employees of businesses located: (a) on-site; (b) other businesses located within the same I-1 or EC zoning district boundary as the Day Care Center; or (c) other businesses located within I-1 or EC Districts which adjoin the I-1 or EC zoning district within which the Day Care Center is located.”*
 - In the current Zoning Ordinance, if the Day Care Center has between 9 and 19 clients a special exception is required in the RD
 - In the draft Zoning Ordinance, a special exception is not required if the Day Care Center has between 9 and 19 clients in the RD
 - In the draft Zoning Ordinance, the following condition applies to all Day Care Centers, *“The use shall have direct road access on to a publicly-owned and maintained right-of-way. If the use does not have direct access on a publicly-owned and maintained right-of-way, special exception approval is required. If special exception approval is granted, the day care center is limited to a maximum of six clients.”*
 - This replaces the following condition from the current Zoning Ordinance, *“A Special Exception is required if the use does not have direct access on a publicly-owned and maintained right-of-way.”*
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“On-premise signs shall be limited to 16 square feet in size. No off-premise signs shall be permitted”*

- The following conditions from the current Zoning Ordinance, which apply to Day Care Centers with 41 or more clients, were not included in the draft Zoning Ordinance, *“In the Farm and Forest District, the following additional conditions apply: (a) the property on which the Day Care Center is located must share a common boundary with and lie directly adjacent to an elementary or middle school; and (b) a pedestrian walkway to that school shall be provided”*
- The following condition from the current Zoning Ordinance, which applies to Day Care Centers with 41 or more clients, was not included in the draft Zoning Ordinance, *“In the RC, the maximum number of clients shall be set by the Board of Appeals.”*
 - In the draft Zoning Ordinance, the number of clients in the RC is limited to 120
- The following condition from the current Zoning Ordinance, which applies to Day Care Centers with 41 or more clients, was not included in the draft Zoning Ordinance, *“In the EC District...the maximum number of clients shall be set by the Board of Appeals”*
- **Section 18-12.E (Elementary or Secondary School)**
 - The definition for this use has been revised and now states, *“An educational facility that includes buildings, structures, or facilities that by design and construction are primarily intended for the education of students as well as associated uses such as office buildings, athletic fields, etc. An elementary school is a school including usually the first four to the first eight grades and often a kindergarten. A secondary school is a school intermediate between elementary school and college and usually offering general, technical, vocational, or college-preparatory courses.”*
 - This replaces the following definition from the current Zoning Ordinance, *“An educational facility that typically includes prekindergarten through twelfth grades. Includes buildings, structures, or facilities that by design and construction are primarily intended for the education of students including accessory associated uses, including, without limitation, dormitories, office buildings, athletic fields, etc.”*
 - “The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“In the RD & EC, private schools, shall meet the conditions imposed on Day Care Centers, based on the maximum number of students allowed as per the State accreditation requirements.”*
 - In draft Table 18-1, this use is listed as conditional in the RCD, RND, WCD, RD, and EC, but there are no applicable conditions listed in Section 18-12.E
 - This is an error that will be corrected in the next draft

- **Section 18-12.H (Hospital)**
 - In the draft Zoning Ordinance, this use is permitted in the EC
 - In the current Zoning Ordinance, this use is not permitted in the EC

- **Section 18-12.I (Nursing or Convalescent Home)**
 - In the draft Zoning Ordinance, this use is permitted in the EC
 - In the current Zoning Ordinance, this use is not permitted in the EC
 - In the draft Zoning Ordinance, this use requires a special exception in the RD
 - In the current Zoning Ordinance, this a special exception is not required in the RD
 - In the current Zoning Ordinance, this use is permitted in the RC
 - In the draft Zoning Ordinance, this use is not permitted in the RC

- **Section 18-12.J (Place of Worship)**
 - In the draft Zoning Ordinance, a Place of Worship with seating capacity of all sanctuaries combined less than or equal to 1,500 is permitted in the EC
 - In the current Zoning Ordinance, this use is not permitted in the EC

- **Section 18-12.K (Public or Governmental Building)**
 - In the draft Zoning Ordinance, this use is permitted in the FFD and HD
 - In the current Zoning Ordinance, this use is not permitted in the FFD and HD

- **Section 18-12.L (Public Recreation Area)**
 - In the current Zoning Ordinance, this use is titled, Public or Non-Profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc.
 - The following condition has been revised and in the draft Zoning Ordinance now states, *“Only buildings that are associated with or accessory to the primary use such as but not limited to recreational facilities, community centers, restrooms, locker rooms, equipment storage, maintenance buildings, open-air pavilions, accessory offices, and meeting space are permitted.”*
 - This replaces the following condition from the current Zoning Ordinance, *“only buildings that are accessory to the primary use such as restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions, accessory offices and meeting space, etc. shall be permitted.”*

- **Section 18-12.O (Treatment Facility, Wastewater) and Section 18-12.P (Treatment Facility, Water)**
 - In the current Zoning Ordinance, these uses are permitted in the FFD

- In the draft Zoning Ordinance, these uses are not permitted in the FFD
 - The following conditions have been added to the draft Zoning Ordinance, *“In the WCD, wastewater treatment facilities are only allowed when necessary to address public health and safety”* and *“In the WCD, water treatment facilities are only allowed when necessary to address public health and safety.”*
- **Section 18-12 (Institutional)**
 - The use, Temporary Structure Incidental to Schools (classroom relocatables), has been relocated to Section 18-13 (Temporary) in the draft Zoning Ordinance
- **Section 18-13.A (Classroom Relocatables)**
 - In the current Zoning Ordinance, this use is permitted in the RC, MC, and I-1
 - In the draft Zoning Ordinance, this use is not permitted in these districts
 - The following conditions have been added to the draft Zoning Ordinance, *“Classroom relocatables are permitted as a temporary accessory use to any institutional use”* and *“No temporary structure may be placed within a parking lot that causes the minimum number of spaces required by this Ordinance to be reduced below the required amount or alter vehicular circulation”*
- **Section 18-13.B.1 (Model Home/Model Unit)**
 - The following conditions applicable for multi-family, mixed-use developments, and nonresidential developments have been added to the draft Zoning Ordinance:
 - *“One or more units within the development may be used for model units for sale or rental within the development, whether residential units or commercial spaces as applicable.”*
 - *“All model unit(s) shall be closed within 30 days after the sale or lease of the last unit and/or space of the development. In a mixed-use development, the residential model unit shall be closed with the sale or rental of the last unit, and a commercial model unit shall be closed with the sale or lease of the last commercial space.”*
- **Section 18-13.B.2 (Real Estate Project Sales Office)**
 - The following conditions have been added to the draft Zoning Ordinance:
 - *“A development is limited to one temporary stand-alone real estate sales office, which cannot exceed 1,000 square feet in gross floor area and cannot be located in any required setback. There is no limit to the number or size of temporary real estate offices within the development structure itself.”*

to 6 a.m., unless the unit and property on which it is located are under the same ownership”

- *“if units will remain on site and will not be removed daily, they are subject to the appropriate use and conditions within the Land Use Charts and a plot plan shall be required”*
- *“the mobile food vending unit and all related accessories are limited to occupying a space not to exceed 400 sf”*

- **Section 18-13.D (Livestock Auction by a Non-Profit Organization or Farm Owner)**

- This use is permitted in the I-1 in the current Zoning Ordinance
 - This use is not permitted in the I-1 in the draft Zoning Ordinance
- This use is listed as permitted with conditions in the draft Zoning Ordinance in error; it should be listed as permitted without conditions

- **Section 18-13.F.1 (Carnival, Fair, or Circus)**

- This use is permitted in the I-1 in the current Zoning Ordinance
 - This use is not permitted in the I-1 in the draft Zoning Ordinance
- The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“A carnival, fair or circus located on property where there exists a building occupied by a non-profit organization will be considered an accessory use. However, operators of the carnival, fair or circus must obtain a permit from the County before the event begins.”*

- **Section 18-13.F.2 (Public Events/Public Assemblies on Farmland)**

- This use is permitted in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC in the current Zoning Ordinance
- The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“no event shall exceed two weeks in duration”*
- The following condition has been added to this use in the draft Zoning Ordinance, *“The use shall have direct access to a publicly-owned and maintained right-of-way. If this standard cannot be met, the Department of Public Works shall review the access and impose appropriate construction standards where applicable.”*

- **Section 18-13.F.3 (Rental Facilities on Farmland)**

- This use is permitted in the EC in the draft Zoning Ordinance
 - This use is not permitted in the EC in the current Zoning Ordinance

- **Section 18-13.E.2 (Temporary or Seasonal Outdoor Sales – General)**

- This use is permitted in the EC in the draft Zoning Ordinance

- This use is not permitted in the EC in the current Zoning Ordinance
 - In the draft Zoning Ordinance, this use is permitted in the FFD, RCD, RND, WCD, and RD with the following condition, *“In the FFD, RCD, RND, WCD, and RD temporary outdoor seasonal retail sales and display are only permitted in conjunction with events conducted by the following uses in any district: elementary or secondary school, college or university, or place of worship.”*
 - This use is not permitted in these districts in the current Zoning Ordinance
 - The following conditions were added to the draft Zoning Ordinance:
 - *“A portion of a parking area may be used for temporary outdoor sales. Permanent display structures are prohibited in parking areas. No more than 10% of the required parking area for the existing use may be used for the temporary outdoor sales and display.”*
 - *“Temporary outdoor sales - general shall be located at least 30 feet from any right-of-way.”*
 - The following conditions from the current Zoning Ordinance were not included in the draft Zoning Ordinance:
 - *“plot plan approval shall be required for approval and shall illustrate that setback requirements are met”*
 - *“the sale or display area shall not be located within designated travelways.”*
 - This condition was omitted from the draft in error and will be included in the next draft
- **Article 18: Additional Notes**
 - The following conditions from the current Zoning Ordinance have been revised wherever they appear, *“(2) The use shall have direct road access on to a publicly-owned and maintained right-of-way, or (3) if the use does not have direct access to a public road, the business owner(s) or owner(s) of the property where the use is located shall have sole ownership of the right-of-way. A Special Exception is required if the use does not meet Condition 2 or 3 above, and the Board of Appeals shall consider adding the following condition: The Department of Public Works shall review and approve the access and impose appropriate construction standards.”*
 - In the draft Zoning Ordinance, these conditions have been replaced with the following, *“The use shall have direct access to a publicly-owned and maintained right-of-way. If this standard cannot be met, the Department of Public Works shall review the access and impose appropriate construction standards where applicable.”*

- Revisions were made where appropriate to clarify that square footage is the square footage of the gross floor area
- General conditions such as, *“Health Department approval shall be obtained”*, *“Outdoor lighting of the sales area is permitted subject to Article 6”*, etc. have been addressed in Section 18-1 (General Use Requirements) instead of being listed repeatedly for every applicable use
- The following condition from the current Zoning Ordinance relevant to Historic Districts was not included in the draft Zoning Ordinance, *“In addition, the following conditions shall apply to special exception uses: Parking and accessory uses such as refuse bins, storage, etc., shall be screened from view from adjoining properties.”*
- Instead of separate uses being listed addressing drive through facilities for specific uses (Eating Establishment with Drive-Up Facility, Eating Establishment without Drive-Up Facility, etc.) a Drive Through Facility is treated as a separate accessory use in the draft Zoning Ordinance

Article 19 (Accessory Structures & Uses)

- **Section 19-1.B (General Regulations for Accessory Structures)**
 - The following provisions have been added to the draft Zoning Ordinance:
 - *“Certain accessory structures may also be prohibited in front yards with the exception of flag lots which are exempt from these prohibitions.”*
 - *“If more than one zoning district is located on a property, all accessory structures and uses shall be located within the same zoning district as the principal use to which they are accessory.”*
 - *“No accessory structure shall be constructed prior to construction of the primary structure to which it is accessory. This does not apply to agricultural uses.”*
 - *“No accessory structure may be placed within any required sight distance.”*
- **Section 19-1.B (Apiary)**
 - This section has been added to the draft Zoning Ordinance
- **Section 19-1.C (Bus Shelter)**
 - In the draft Zoning ordinance, Bus Shelters shall be setback a minimum of 10 feet from any access easement, travel way, driveway, or private right-of-way and side setbacks are 5 feet

- *“All coops shall be designed to ensure the health and well-being of the animals, including protection from predators, the elements, and inclement weather.”*
 - *“Slaughtering of poultry on-site is prohibited.”*
- **Section 19-1.F (Dock or Pier, Private)**
 - The first condition listed in the draft Zoning Ordinance is outdated and will be updated or removed in the next draft to prevent potential conflicts with Section 23-6.A
 - This condition should be consistent with Section 23-6.A.1 which states, *“One private pier is permitted as an accessory structure to a single-family dwelling on a buildable lot or parcel on any waterfront lot or parcel for the use of the lot or parcel owner or his/her tenant only. Exception: If an undeveloped property with a riparian right is in contiguous ownership with a property that has a single-family dwelling but lacks a riparian right, a pier may be built on the lot or parcel with a riparian right, provided it meets applicable setback requirements (lateral line & harbor line).”*
- **Section 19-1.H (Drive Through Facility)**
 - The following condition from the current Zoning Ordinance was not included in the draft Zoning Ordinance, *“In the Neighborhood Commercial District of Lusby, a drive through facility may be permitted provided the drive through travel way is an alley.”*
- **Section 19-1.H (Electric Vehicle Charging Station (Public))**
 - This section has been added to the draft Zoning Ordinance
- **Section 19-1.I (Fence)**
 - This section has been added to the draft Zoning Ordinance
- **Section 19-1.J (Garage, Detached)**
 - This section has been added to the draft Zoning Ordinance
- **Section 19-1.J (Livestock Enclosures)**
 - The following condition has been revised in the draft Zoning Ordinance and now states, *“A minimum lot or parcel size of two acres is required to keep livestock.”*
 - This replaces the following conditions from the current Zoning Ordinance, *“The size of the parcel shall be at least three acres”* and *“If the size of the*

parcel is less than three acres, a special exception from the Board of Appeals is required”

- The following condition has been added to the draft Zoning Ordinance:
 - *“All enclosures shall be designed to ensure the health and well-being of the animals, including protection from predators, the elements, and inclement weather.”*
- **Section 19-1.J (Mechanical Equipment)**
 - In the current Zoning Ordinance, Power Generating Facility, Accessory to a Residence or Business is its own separate use category
 - In the draft Zoning Ordinance, accessory power generating facilities are included with Mechanical Equipment
 - The following condition was added to the draft Zoning Ordinance, *“Accessory power generating facilities shall not be permitted in the front yard.”*
- **Section 19-1.O (Outdoor Sales and Display (Accessory))**
 - The following condition has been added to the draft Zoning Ordinance, *“The sale or display area shall not be located within designated travel ways.”*
- **Section 19-1.P (Outdoor Storage (Accessory))**
 - The following conditions have been added to the draft Zoning Ordinance:
 - *“Outdoor storage is prohibited in the front setback.”*
 - *“Outdoor storage is not permitted in any public right-of-way or designated travel ways and shall not be located in such a way that obstructs pedestrian or vehicular traffic or restricts sight distance.”*
 - *“Required parking areas shall not be used as outdoor storage. Excess parking areas may be used for outdoor storage. If parking areas are used for outdoor storage site plan approval is required.”*
- **Section 19-1.P (Pets, Livestock)**
 - The first condition listed in the draft Zoning Ordinance is outdated and will be updated in the next draft
 - This condition should state, *“A minimum lot or parcel size of two acres is required to keep livestock on lots or parcels that do not have an agricultural use assessment from the State of Maryland.”*
- **Section 19-1.T (Satellite Dish Antennas)**
 - The following conditions applicable to Satellite Dish Antennas (less than three feet in diameter) have been added to the draft Zoning Ordinance:

- *“Subject to operational requirements, the dish color shall be of a neutral color, such as white or grey. No additional signs or advertising is permitted on the satellite dish itself, aside from the logos of the satellite dish service provider and/or dish manufacturer.”*
- *“Every effort shall be made to install satellite dish antennas in locations that are not readily visible from neighboring properties or from the public right-of-way.”*

- **Section 19-1.U (Shed)**

- This Section has been added to the draft Zoning Ordinance

- **Section 19-1.V (Shipping Container Storage)**

- This Section has been added to the draft Zoning Ordinance

- **Section 19-1.V (Solar Energy Generating System, Accessory)**

- This Section has been added to the draft Zoning Ordinance

- **Section 19-2 (Permitted Encroachments)**

- This Section, which addresses and sets regulations for the extension or placement of an accessory structure or architectural feature within a required front, side, or rear setback has been added to the draft Zoning Ordinance