

**PERTAINING TO THE AMENDMENTS OF THE DUNKIRK, OWINGS,
HUNTINGTOWN, PRINCE FREDERICK, ST. LEONARD, LUSBY, AND SOLOMONS
TOWN CENTER ZONING ORDINANCES**

RE: Proposed Change to Remove the Use Charts

(Text Amendment Case No. 24-03)

WHEREAS, Title 4 of the *Land Use Article* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners of Calvert County, Maryland (the “Board of County Commissioners”) to enact a Zoning Ordinance to promote the health, safety and welfare of the citizens of Calvert County, and to provide for its administration, enforcement and amendment;

WHEREAS, by Ordinance 35-06, the Board of County Commissioners of Calvert County, Maryland has heretofore adopted the Calvert County Zoning Ordinance;

WHEREAS, after study and evaluation, the Calvert County Department of Planning & Zoning recommended to the Planning Commission and the Board of County Commissioners text amendments to the Dunkirk, Owings, Huntingtown Prince Frederick, St. Leonard, Lusby, and Solomons Town Center Zoning Ordinances;

WHEREAS, after due notice was published, the Planning Commission conducted a public hearing on November 20, 2024, at which time the proposed revisions to the CCZO, and comprehensive rezoning were discussed, staff’s recommendations were considered, and public comment was solicited;

WHEREAS, at the conclusion of said public hearing the Planning Commission voted to leave the record open and did reconvene at special meeting on December 30, 2024, continued deliberations at its regular meeting of January 15, 2025, and conveyed its recommendation to the Board of County Commissioners by Resolution dated January 15, 2025;

WHEREAS, after due notice was published, the Board of County Commissioners conducted a public hearing on February 18, 2025, at which time the proposed amendments were discussed, staff’s recommendations were considered, and public comment was solicited; and

WHEREAS, after considering the staff report, testimony presented at the public hearing regarding the proposed text amendments, and the recommendation of the Planning Commission, and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland determined it is in the best interest of the citizens of the County to enact the text amendment to the aforementioned Town Center Zoning Ordinances as set forth in Exhibit A, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, the Dunkirk, Owings, Huntingtown Prince Frederick, St. Leonard, Lusby, and Solomons Town Center Zoning Ordinances **BE**, and hereby **IS**, amended by adopting the text amendments as shown in Exhibit A hereto and made a part hereof (Exhibit B depicts the amendments as they will actually appear in the Zoning Ordinance);

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County,

BK0075P60373

Ordinance No. 09-25

RE: Text Amendment Case No. 24-03

Amendments to Town Center Zoning Ordinances

RE: To Remove the Use Charts

Maryland that, in the event any portion of this Ordinance or the Calvert County Zoning Ordinance, is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this amendatory Ordinance shall take effect on the 1st day of March 2025 without publication of a fair summary.

DONE, this 18th day of February 2025, by the Board of County Commissioners of Calvert County, Maryland.

Aye: 5
Nay: 0
Absent/Abstain: 0

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND


Ashley Staples-Reid, Acting Clerk

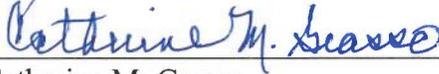

Earl F. Hance, President


Todd Ireland, Vice President

Approved for legal sufficiency:


Mark C. Cox Sr.


John B. Norris, III, County Attorney


Catherine M. Grasso


Mike Hart

Received for Record... February 19, 2025
at 11:19 o'clock... A.M. Same day
recorded in Liber KPS No. 75
Folio 372 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.



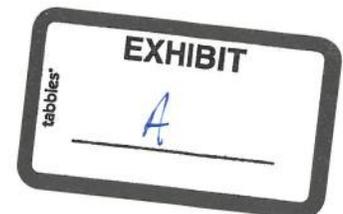
Text Amendment Case #24-03

Amendments to the Dunkirk, Owings,
Huntingtown, Prince Frederick, St. Leonard,
Lusby and Solomons Town Center Zoning
Ordinances

Black font – existing ordinance language

Red font – proposed ordinance language

~~Black Strikethrough~~ – existing ordinance language to be removed



DUNKIRK TOWN CENTER ZONING ORDINANCE

DUNKIRK ZONING ORDINANCE

A. PERMITTED LAND USES

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

Table 1 is a list of Permitted Land Uses in the Dunkirk Town Center. No use shall be allowed except as indicated in the Table.

Following is a key to the Table.

P—Permitted Use. Uses designated by the letter "P" shall be permitted on any lot in the geographic area inside the Dunkirk Town Center boundaries, subject to all applicable regulations.

(10/28/03)
(05/01/06)

S—Special Exception. Uses designated by the letter "S" may be authorized by the Board of Appeals in accordance with the provisions of Article 11 of the Calvert County Zoning Ordinance.

S1—Permitted Use, subject to a Special Exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.

S2—Permitted Use, subject to a Special Exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.

(10/28/03)
(05/01/06)

C—Permitted Use subject to certain conditions. The conditions are listed in Section 3-2.01.A of the Calvert County Zoning Ordinance and paragraph C of this Chapter.

SC—Permitted Use, subject to a Special Exception if it meets conditions.

Exhibit A

KEY TO LAND USE CHARTS:		
	A blank indicates the use is not permitted	§C Permitted use subject to special exception if it meets conditions
P	Permitted Use	§1 Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
C	Permitted Use if it meets certain conditions	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.
S	Permitted Use subject to special exception from the Board of Appeals	§2

DUNKIRK TOWN CENTER		
USE #	3-2-01 DUNKIRK TABLE OF LAND USES -- AGRITOURISM, ECO TOURISM, AND HERITAGE TOURISM USES	TC
1.	Agritourism Enterprise	
2.	Campground, Farm	
3.	Canoe or Kayak Launching Site, Commercial	
4.	Commercial Kitchen, Farm	
5.	Ecotourism Enterprise	
6.	Farm Support Business, Less than 5,000 square feet	
7.	Farm Support Business, More than 5,000 square feet	
8.	Heritage Trail Displays	
9.	Hunting Service	
10.	Public Events/Public Assemblies on Farmland	
11.	Rental Facilities on Farms	
12.	Sports Practice Fields on a Farm	

Exhibit A

DUNKIRK TOWN CENTER		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - AGRICULTURAL	TC
1.	Animal Husbandry	
2.	Aquaculture, Freshwater and Land-based	
3.	Aquaculture, Marine/Estuarine	
4.	Commercial Greenhouse, Retail	P
5.	Commercial Greenhouse, Wholesale	P
6.	Commercial Kennel, with indoor facilities only	
7.	Commercial Kennel, with outdoor facilities	
8.	Commercial or Non-Profit Stable or Horseback Riding Club	
9.	Commercial Raising of Dangerous or Wild Animals	SC
10.	Commercial Raising of Fur-bearing Animals	
11.	Farm	P
12.	Farm Brewery	
13.	Farm Building	P

3-2.01 DUNKIRK TABLE OF LAND USES - AGRICULTURAL		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - AGRICULTURAL	TC
14.	Farm Distillery	
15.	Farm Stand	
16.	Farm Winery	
17.	Field Crops	P
18.	Forest Product Processing	
19.	Garden Center or Farm Supply Store, 75,000 square feet	C
20.	Garden Center or Farm Supply Store, less than 75,000 square feet	P
21.	Livestock Auction and/or Sales Barn, Commercial	
22.	Livestock Auction, by a Non-Profit Organization or Farm Owner	
23.	Nursery, Retail	P
24.	Nursery, Wholesale	P
25.	Tree Farming	
26.	Veterinary Hospital or Clinic, Livestock	P
27.	Veterinary Hospital or Clinic, Small Animals and Household Pets	C

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

DUNKIRK TOWN CENTER

Exhibit A

USE #	3-2-01 DUNKIRK TABLE OF LAND USES - COMMERCIAL-RETAIL	TC
1.	Agricultural Machinery, Service and/or Supplies	S2
2.	Antiques Sales	P
3.	Art Gallery, Less than 75,000 square feet	P
4.	Artisans' and Crafters' Market	C
5.	Auction Building	S1
6.	Boat Dealership	S2
7.	Farmers' Market	P
8.	Flea Market by Non-profit Organization	C
9.	Home Improvement Center, 75,000 square feet	C
10.	Home Improvement Center, Less than 75,000 square feet	P
11.	Manufactured Home Dealer	C
12.	Mobile Food Sales	C
13.	Retail Commercial Building with Drive-up Facility, 75,000 square feet	C
14.	Retail Commercial Building with Drive-up Facility, Less than 75,000 square feet	P
15.	Retail Commercial Building, 75,000 square feet	C
16.	Retail Commercial Building, Less than 75,000 square feet	P
17.	Retail Commercial Sale or Display Area, Outdoor	C
18.	Watermen's Market	C

DUNKIRK TOWN CENTER		TC
USE #	3-2-01 DUNKIRK TABLE OF LAND USES - BUSINESS & PERSONAL SERVICES	TC
1.	Boat Service and/or Repair	S
2.	Boat Storage, Commercial	S

Exhibit A

BK0075PG0380

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

DUNKIRK TOWN CENTER

Exhibit A

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

BK0075PG0381

DUNKIRK TOWN CENTER		FC
USE #	3-2.01 DUNKIRK TABLE OF LAND USES - COMMERCIAL WHOLESALE	
1.---	Mini Storage	

Exhibit A

2.	Warehouse, Indoor	S
3.	Warehouse, Outdoor	
4.	Wholesale Lumber and/or Other Building Materials, 75,000 square feet	C
5.	Wholesale Lumber and/or Other Building Materials, less than 75,000 square feet	P
6.	Wholesaling, Indoor Only	S

BK 0075 PG 0382

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

DUNKIRK TOWN CENTER

Exhibit A

USE #	3-2.01 DUNKIRK TABLE OF LAND USES - INDUSTRIAL	FC
1.	Agricultural I Seafood / Livestock Processing Plant	
2.	Asphalt Plant	
3.	Commercial Fuel Storage Business	
4.	Commercial Recycling Facility	
5.	Distillation of Alcohol as a Fuel, Commercial	
6.	Distillation of Alcohol as a Fuel on a Farm for Farm-Use-Only	
7.	Grain Elevator	
8.	Kiln, Wood Drying	
9.	Landfill, Land Clearing Debris	
10.	Landfill, Rubble	
11.	Landfill, Sanitary	
12.	Manufacturing and/or Assembly, Heavy	
13.	Manufacturing and/or Assembly, Light, Less than 5,000 square feet	S1
14.	Manufacturing and/or Assembly, Light, More than 5,000 square feet	S2
15.	Manufacturing and/or Assembly, Watercraft, Commercial	C
16.	Outdoor Storage in Connection with Commercial and/or Industrial Uses	C
17.	Power Generating Facility, Accessory to a Residence or Business	C

USE #	3-2.01 DUNKIRK TABLE OF LAND USES - INDUSTRIAL	FC
18.	Power Generating Facility, Commercial	
19.	Research & Development Facility, Environmental	P
20.	Research & Development Facility, Other	P
21.	Salvage and/or Junk Yard	
22.	Sand, Gravel or Mineral Extraction and Processing	
23.	Sand, Gravel or Mineral Extraction (No Processing)	
24.	Sawmill, Commercial	
25.	Sawmill, Portable	
26.	Storage of Machinery & Equipment in Connection With Excavating and /or Contracting Business	
27.	Wind Energy System, Accessory to a Residence or Business (10/13/10)	C

Exhibit A

28.—	Wind Energy System, Commercial (10/13/10)
------	---

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

BK0075PG0384

DUNKIRK TOWN CENTER		
USE #	3-2.01 DUNKIRK TABLE OF LAND USES — UNCLASSIFIED	TC
1.—	Accessory Building or Use	P
2.—	Airport or Landing Field	

Exhibit A

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

3-2.01.A Dunkirk Town Center Conditional Uses

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

Agricultural Use #9	Commercial Raising of Dangerous or Wild Animals, provided that all animals are kept indoors
Agricultural Use #20	Garden Center or Farm Supply Store, 75,000 square feet, provided that the conditions for "Retail Commercial Building, 75,000 square feet" are met.
Agricultural Use #27	Veterinary Hospital or Clinic, Small Animals and Household Pets — See CCZO for conditions
Residential Use #1	Apartment Accessory — See CCZO for conditions.
Residential Use #2	Apartment Accessory for Resident Watchman/Caretaker, provided that: <ol style="list-style-type: none"> 1. Only one accessory apartment for a watchman shall be allowed on each lot or parcel, and 2. the accessory apartment shall be clearly subordinate to the on-site businesses, and 3. in no case shall the apartment contain more than 900 square feet gross floor area of enclosed space, including enclosed porches, and 4. at least two off-street parking spaces shall be available for the apartment, and 5. the owner shall obtain Health Department approval, and 6. the accessory apartment shall be located within the building restriction lines required for the principal use, and 7. only one kitchen shall be permitted within the accessory apartment.
Residential Use #3	Apartment, Accessory Over a Business, provided that it meets the conditions required for "Apartment, Accessory for Resident Watchman/Caretaker"
Residential Use #5	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use — See CCZO for conditions
Residential Use #6	Bed & Breakfast Facility with up to 2 Bedrooms in Use — See CCZO for conditions
Residential Use #7	Boarding House, provided that: <ol style="list-style-type: none"> 1. An owner lives on the premises, and 2. the facility is a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used, and 3. no separate kitchens are provided, and 4. adequate off-street parking is provided, and 5. Fire Marshall and Health Department approvals are obtained, and 6. an Occupancy Permit for such use is obtained.
Residential Use #10 (10/15)96)	Dwelling, Attached: Multi-family, provided that: <ol style="list-style-type: none"> 1. The multi-family dwelling development shall be for age-restricted housing only and 2. no more than 10 percent of the Dunkirk Town Center shall be eligible for such age-restricted housing at a maximum density of 14 units per acre.
Residential Use #13	Dwelling, Single Family Detached — See CCZO for conditions
Residential Use #20	Manufactured Home or Recreational Vehicle (Emergency) — See CCZO for conditions
Commercial Retail Use #4	Artisans' and Crafters' Market — See CCZO for conditions.
Commercial Retail Use #8	Flea Market by Non-profit Organization, provided that each organization operates a market no more than one day per year
Commercial Retail Use #9 (8/10/04)	Home Improvement Center, 75,000 square feet, provided that: <ol style="list-style-type: none"> 1. All storage is 100 percent screened by wood fencing and/or landscaping, and

Exhibit A

- Commercial Retail Use #12
2. ~~the conditions for "Retail Commercial Building, 75,000 square feet" are met.~~
~~Mobile Food Sales — See CCZO for conditions.~~
- Commercial Retail Use #13
- Retail Commercial Building with Drive-up Facility, 75,000 square feet provided that the conditions for "Retail Commercial Building, 75,000 square feet" are met.
- Commercial Retail Use #15
 (08/10/04)
- Retail Commercial Building, 75,000 square feet provided that:
1. ~~Building and Site Design~~
~~In addition to specific requirements to the Town Center Zoning Ordinance and Article 6 of the County Zoning Ordinance, the following provisions shall apply:~~
 - a) ~~Any outdoor sales areas shall be specifically designed as such and shall include fencing and landscaping around their entire perimeter in accordance with the Architectural Review Standards of this Town Center Zoning Ordinance. They shall not impede pedestrian circulation and shall not be located within parking lots.~~
 - b) ~~An outdoor area or areas totaling a minimum of 2000 sq. ft. shall be provided for a bus stop and outdoor seating. The area(s) shall be landscaped and shall be conveniently located near the public entrance and pedestrian travelways.~~
 - c) ~~All sides having a public entrance shall include some combination of the following features along no less than 70 percent of the horizontal length of any façade with a public entrance, recesses, projections, awnings, arcades, display windows and entry areas. (see Guidelines Appendix attached to the Town Center Ordinance).~~
 2. ~~Maintenance Agreement~~
~~Before a building permit is issued, a maintenance agreement shall be executed between the landowner and the Board of County Commissioners, which agreement shall apply whether the building is fully occupied, partially occupied or vacant. The agreement shall provide for the maintenance of the building exterior, signage, lighting, landscaping, parking lots, sidewalks, and trash removal. It shall contain provisions whereby the County shall give the landowner notice of any violations of the agreement and a reasonable time to correct the violation. The agreement shall further provide that if the violation has not been corrected within the specified time, the County shall be permitted to enter the premises, correct the violation and add the costs incurred to the landowner's next tax bill. The agreement shall be recorded among the land records of Calvert County and shall be binding on all subsequent owners so long as the building creating the need for the agreement remains standing.⁴~~
 3. ~~Co-location¹~~
~~For the purposes of these regulations, co-location is defined as: The placement of smaller retail and service buildings with individual outside entrances on the same site as a large (75,000 sq. ft. +) retail building. The total square footage of the smaller buildings shall equal at least 20 percent of the large retail building (See design guidelines for examples of co-location.) The square footage of the co-located buildings shall be excluded from the maximum square footage permitted by the Land Use Charts for the large retail building.~~
 - a) ~~Waivers for Co-location~~

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

~~Commercial Retail Use #17 Retail Commercial Sale or Display Area, Outdoor — See CCZO for conditions~~

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

<p>Commercial Retail Use #18</p> <p>Business & personal Services Use #13</p> <p>Business & Personal Services Use #15</p> <p>Business & Personal Services Use #16</p> <p>Recreation Use #2</p> <p>Recreation Use #10 (8/10/04)</p> <p>Recreation Use #18</p> <p>Commercial Wholesale Use #4</p> <p>Motor Vehicle Use #1</p>	<p>Watermen's Market — See CCZO for conditions</p> <p>Flex Space Business, provided that:</p> <ol style="list-style-type: none"> 1. The conditions of the Calvert County Zoning Ordinance are met, and 2. no building is more than 20,000 square feet. <p>Home Occupation, All Employed are Residents — See CCZO for conditions</p> <p>Home Occupation, with up to 2 Equivalent, Full time Non-resident Employees — See CCZO for conditions</p> <p>Carnival, Fair or Circus — Temporary, Less than Five Acres — See CCZO for conditions.</p> <p>Indoor Commercial Amusements: Arcade, Pool Hall, Bingo Hall, provided that the facility does not operate during school hours.</p> <p>Studio, Commercial — See CCZO for conditions</p> <p>Wholesale lumber and/or Other Building Materials, 75,000 square feet, provided that:</p> <ol style="list-style-type: none"> 1. all storage is 100 percent screened by wood fencing and/or landscaping, and 2. that the conditions for "Retail Commercial Buildings, 75,000 square feet" are met. <p>Automobile Filling Station, provided that:</p> <ol style="list-style-type: none"> 1. no fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line, and 2. no structure or building is erected within 80 feet of any dwelling. Neither setback may be reduced, and 3. no new service bay openings shall face a right of way, and 4. no more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights of way, and 5. junk vehicles shall be removed after 30 days, and 6. automobile filing stations in existence as of the date of this amendment (September 30, 1994) may expand subject to site plan review.
---	--

Motor Vehicle Use #2	Automobile Filling Station with Convenience Store and/or Eating Establishment, provided that the conditions for Automobile Filling Station are met.
Motor Vehicle Use #5	Automobile Repair/Service Shop without fuel sales — See CCZO for conditions.
Motor Vehicle Use #11	Motor Vehicle Accessory Shop — See CCZO for conditions.
Motor Vehicle Use #15	Parking of Commercial Motor Vehicles — See CCZO for conditions.
Industrial Use #14 (8/10/04)	Manufacturing and/or Assembly, Light (more than 5,000 square feet), provided that no building is more than 20,000 square feet.
Industrial Use #16 (8/10/04)	Outdoor Storage in Connection with Commercial and/or industrial Uses, provided that all storage is 100 percent screened by wood fencing and landscaping.
Industrial Use #17 (8/10/04 (10/13/10)	Power Generating Facility, Accessory to a Residence or Business, see Section 3-3 of the CCZO for conditions.
Industrial Use #27 (10/13/10)	Wind Energy System, Accessory to a Residence or Business, see Section 3-3 of the CCZO for conditions.
Institutional Use #16	Wastewater Treatment Facility — See CCZO for conditions.
Unclassified Use #6	Garage Sale, Yard Sale or Estate Sale — See CCZO for conditions.
Unclassified Use #10	Model Home — See CCZO for conditions.
Unclassified Use #13	Temporary Structure Incidental to construction (non residential) — see CCZO for conditions.

OWINGS TOWN CENTER ZONING ORDINANCE

TABLE OF CONTENTS

<u>ARTICLE NO.</u>	<u>PAGE NO.</u>
ARTICLE 1- SCOPE OF REGULATIONS.....	1
1-1 Purpose of this Ordinance	1
1-2 Effective Date and Territorial Limits	1
1-3 Applicability.....	1
1-4 Separability.....	1
1-5 Interpretations	1
1-6 Permits	1
ARTICLE 2 - DISTRICT BOUNDARIES	2
2-1 District Boundaries Established	2
2-2 Interpretation of District Boundaries..... Zoning Map	2 2
ARTICLE 3 — ZONING DISTRICTS.....	3
3-1 Purpose of Establishing Zoning Districts	3
3-2 Purpose and Intent of Districts.....	3
3-3 Table of Permitted Land Uses By Districts.....	3
3-4 Non-Conforming Uses	4
3-5 Conditional Uses.....	4
ARTICLE 4 — TRANSFER ZONE DISTRICT	10
4-1 Designated Transfer Zones	10
ARTICLE 5 — DEVELOPMENT REQUIREMENTS	11
5-1 Purpose.....	11
5-2 Development Requirements for All Districts.....	11
5-3 Development Requirements for the Core District.....	13
5-4 Development Requirements for the Village District.....	15
5-5 Development Requirements for the Edge District	17
ARTICLE 6 - ARCHITECTURAL REQUIREMENTS AND GUIDELINES	19
6-1 Purpose.....	19
6-2 Town Center Architectural Requirements	19
6-3 Building Design Standards	22
6-4 Signage.....	23
6-5 Procedures for Architectural Review.....	27

ARTICLE 3
ZONING DISTRICTS

- 3-0 Zoning Districts
- 3-1 Purpose of Establishing District Boundaries
- 3-2 Purpose and Intent of Districts
- 3-3 ~~Table of~~ Permitted Land Uses by District

3-3 ~~TABLE OF~~ PERMITTED LAND USES BY DISTRICT

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

~~The following Table of Land Uses lists the different uses and the zoning districts in which they are permitted. If a use is not listed or does not fall within one of the general categories, it is not a permitted use in any district. If a use is specifically listed in the Land Use Tables, it takes precedence over general use listings.~~

~~-A blank indicates that the use is not permitted.~~

~~P ————— A "P" indicates the use is permitted.~~

~~C ————— Permitted Use if it meets certain listed conditions.~~

~~S ————— An "S" indicates that the use is subject to a Special Exception from the Board of Appeals. ————— Refer to the Calvert County Zoning Ordinance concerning Special Exceptions.~~

~~SC ————— An "SC" indicates that the use is subject to a Special Exception from the Board of Appeals if it meets conditions.~~

KEY TO LAND USE CHARTS:

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

OWINGS TOWN CENTER

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

OWINGS TOWN CENTER

USE #	OWINGS TABLE OF LAND USES -- AGRICULTURAL	EDGE	VILLAGE	CORE
1.	Animal Husbandry	C	C	C
2.	Aquaculture, Freshwater and Land-based			
3.	Aquaculture, Marine/Estuarine			
4.	Commercial Greenhouse, Retail	P	P	P
5.	Commercial Greenhouse, Wholesale	P	P	P
6.	Commercial Kennel, with indoor facilities only			
7.	Commercial Kennel, with outdoor facilities			
8.	Commercial or Non-Profit Stable or Horseback-Riding Club			

9.---	Commercial-Raising of Dangerous or Wild Animals				
10.---	Commercial-Raising of Fur-bearing Animals				
11.---	Farm	P	P	P	P
12.---	Farm Brewery				
13.---	Farm Building	P	P	P	P
14.---	Farm Distillery				
15.---	Farm Stand	C	C	C	C
16.---	Farm Winery				
17.---	Field Crops	P	P	P	P
18.---	Forest Product Processing				
19.---	Garden-Center or Farm Supply Store	P	P	P	P
20.---	Livestock Auction and/or Sales Barn, Commercial				
21.---	Livestock Auction by a Non-Profit Organization or Farm Owner				
22.---	Nursery, Retail	P	P	P	P
23.---	Nursery, Wholesale	P	P	P	P
24.---	Tree Farming				
25.---	Veterinary Hospital or Clinic, Livestock				
26.---	Veterinary Hospital or Clinic, Small Animals or Household Pets				

OWINGS TOWN CENTER					
USE #	OWINGS TABLE OF LAND USES - RESIDENTIAL	EDGE	VILLAGE	CORE	
1.---	Apartment, Accessory	C	C	C	C
2.---	Apartment, Accessory for Resident Watchman/Caretaker	P	P	P	P
3.---	Apartment, Attached to a Business (3/25/08)	P	P	P	P
4.---	Assisted Living Facility				
5.---	Bed & Breakfast Facility with up to 2 Bedrooms in Use	C	C	C	C
6.---	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use	C	C	C	C
7.---	Boarding House	C	C	C	C
8.---	Dwelling, Attached: Duplex	C	C	C	C
9.---	Dwelling, Attached: Fourplex				
10.---	Dwelling, Attached: Multi-family				
11.---	Dwelling, Attached: Townhouse				
12.---	Dwelling, Attached: Triplex				
13.---	Dwelling, Single Family Detached	P	P	P	P
14.---	Group Home	P	P	P	P

Exhibit A

15.---	Liveaboards				
16.---	Lodgers in Residence (no more than 3)	P		P	P
17.---	Manufactured Home Community				
18.---	Manufactured Home For Resident Watchman/Caretaker				
19.---	Manufactured Home on Individual Lot				
20.---	Manufactured Home or Recreational Vehicle (Emergency)	C		C	C
21.---	Manufactured Home Subdivision				
22.---	Manufactured Home, Farm				
23.---	Tenant House	C		C	
24.---	Tenant Houses, Additional (no more than 2 additional)	SC		SC	

OWINGS TOWN CENTER

USE #	OWINGS TABLE OF LAND USES - COMMERCIAL RETAIL	EDGE	VILLAGE	CORE
1.---	Agricultural Machinery, Service and/or Supplies			P
2.---	Antiques Sales	P	P	P
3.---	Art Gallery		P	P
4.---	Artisans' and Crafters' Market		C	C
5.---	Auction Building		P	P
6.---	Boat Dealership			P
7.---	Farmers' Market		P	P
8.---	Flea Market by Non-profit Organization		P	P
9.---	Home Improvement Center, less than 25,000 square feet		P	P
10.---	Manufactured Home Dealer			P
11.---	Mobile Food Sales		C	C
12.---	Retail Commercial Building with Drive-up Facility			C
13.---	Retail Commercial Building		P	P
14.---	Retail Commercial Sale or Display Area, Outdoor		C	C
15.---	Watermen's Market		C	C

OWINGS TOWN CENTER

USE #	OWINGS TABLE OF LAND USES - BUSINESS & PERSONAL SERVICE	EDGE	VILLAGE	CORE
1.---	Boat Service and/or Repair			
2.---	Boat Storage, Commercial	S		
3.---	Boatel			
4.---	Commercial Kitchen (not associated with an Eating Establishment)		P	P

Exhibit A

12.	Indoor Commercial Amusements, Fitness Center			P	P
13.	Indoor Commercial Amusements, Studio, Commercial Performing Arts			P	P
14.	Indoor Commercial Amusements, Swimming Pool, Athletic Courts			P	P
15.	Marina				
16.	Outdoor Recreation Facility, such as Swimming Pools, Athletic Courts			C	C
17.	Retreat, Day			S	S
18.	Studio, Commercial			P	P
19.	Target Range, Indoor				
20.	Target Range, Outdoor				

OWINGS TOWN CENTER

USE #	OWINGS TABLE OF LAND USES - COMMERCIAL WHOLESAL	EDGE	VILLAGE	CORE
1.	Mini-Storage		P	P
2.	Warehouse, Indoor			P
3.	Warehouse, Outdoor			C
4.	Wholesale Lumber and/or Other Building Materials			
5.	Wholesaling, Indoor Only			

OWINGS TABLE OF LAND USES - MOTOR VEHICLE & RELATED SERVICES

USE #	OWINGS TABLE OF LAND USES - MOTOR VEHICLE & RELATED SERVICES	EDGE	VILLAGE	CORE
1.	Automobile Filling Station		SC	C
2.	Automobile Filling Station with Convenience Store and/or Eating Establishment		SC	C
3.	Automobile Parking Lot/Garage as a Principal Use		P	P
4.	Automobile Parts Demantling and/or Storage			
5.	Automobile Repair/Service Shop without fuel sales			SC
6.	Bus lot or garage			S
7.	Car Wash			SC
8.	Commuter Parking Lot		P	P
9.	Inoperative Vehicle, 1 per lot	P	P	P
10.	Inoperative Vehicles, 2 per lot			
11.	Motor Vehicle Accessory Shop		C	C
12.	Motor Vehicle Dealership - New or Used		S	S
13.	Other Motor Vehicle Related Uses including:			
14.	Bus depot, taxi service			S

BK0075PG0397

Exhibit A

15.	Vehicle rental or leasing			S	S
16.	Park and Sell Lot			S	S
17.	Parking of Commercial Motor Vehicles		C	C	C
18.	Storage of Motor Vehicles				
19.	Truck, Bus and Diesel Service and Repair Shop				
20.	Truck Terminal				
21.	Vehicle Ferry Service				

OWINGS TOWN CENTER

USE #	OWINGS TABLE OF LAND USES—INDUSTRIAL	EDGE	VILLAGE	CORE
1.	Agricultural/Seafood/Livestock Processing Plant			
2.	Asphalt Plant			
3.	Commercial Fuel Storage Business			
4.	Commercial Recycling Facility			
5.	Distillation of Alcohol as a Fuel, Commercial			
6.	Distillation of Alcohol as a Fuel On a Farm for Farm Use Only	C	C	C
7.	Grain Elevator			
8.	Kiln, Wood-drying			
9.	Landfill, Land-Clearing Debris			
10.	Landfill, Rubble			
11.	Landfill, Sanitary			
12.	Manufacturing and/or Assembly, Heavy			
13.	Manufacturing and/or Assembly, Light, Less than 5,000 square feet		SC	C
14.	Manufacturing and/or Assembly, Light, More than 5,000 square feet		SC	SC
15.	Manufacturing and/or Assembly of Watercraft, Commercial			
16.	Outdoor Storage in Connection with Commercial and/or Industrial Uses		C	C
17.	Power Generating Facility, Accessory to a Residence or Business	C	C	C
18.	Power Generating Facility, Commercial			S
19.	Research & Development Facility, Environmental		P	P
20.	Research & Development Facility, Other		P	P
21.	Salvage and/or Junk Yard			
22.	Sand, Gravel or Mineral Extraction and Processing			
23.	Sand, Gravel or Mineral Extraction (No Processing)			
24.	Sawmill, Commercial			

BK0075PG0398

Exhibit A

25.—	Sawmill, Portable				
26.—	Storage of Machinery & Equipment in Connection With Excavating and/or Contracting Business				C

OWINGS TOWN CENTER					
USE #	OWINGS TABLE OF LAND USES — INSTITUTIONAL	EDGE	VILLAGE	CORE	
1.—	College or University		P	P	
2.—	Day-Care Center	P	P	P	
3.—	Elementary or Secondary School		P	P	
4.—	Fire and/or Rescue Service			P	
5.—	Hospital				
6.—	Library	P	P	P	
7.—	Museum	P	P	P	
8.—	Nursing or Convalescent Home	P	P	P	
9.—	Place of Worship, Parish Hall, Convent, Monastery or Rectory	P	P	P	
10.—	Public or Governmental Building		P	P	
11.—	Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic	P	P	P	
12.—	Public Utility Lines & Accessory Structures				
13.—	Solid Waste Collection Site				S
14.—	Temporary Structure Incidental to School (classroom relocatable)		P	P	
15.—	Wastewater Treatment Facility				C
16.—	Water Supply Treatment Facility				P

OWINGS TOWN CENTER					
USE #	OWINGS TABLE OF LAND USES — UNCLASSIFIED	EDGE	VILLAGE	CORE	
1.—	Accessory Building or Use ¹	P	P	P	
2.—	Airport or Landing Field				
3.—	Cemetery or Memorial Garden	P	P	P	
4.—	Communications Towers & Antennas (Government, Commercial & Private)	SEE SECTION 3-3 OF THE CALVERT COUNTY ZONING ORDINANCE			
5.—	Dock, Pier, Private				
6.—	Flea Market by Non-Profit Organization		P	P	
7.—	Garage Sale, Yard Sale or Estate Sale	C	C	C	
8.—	Heliport				

BK0075PG0399

Exhibit A

9.	Household Pets	P	P	P
10.	Livestock Kept as Pets	C	C	C
11.	Model Home		C	C
12.	Structure for the Keeping of Animals (on non-farm properties)	P	P	P
13.	Temporary Recreational Vehicle at Construction site (for watchman)		P	P
14.	Temporary Structure Incidental to Construction (non-residential)		C	C
15.	Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments			
16.	Unoccupied Recreational Vehicle	C	C	C
17.	Wild or Dangerous Animals Kept as Pets			

Definition: A use or structure on the same lot with, and of a nature customarily incidental to a principal structure, including private garages, tool sheds, home workshops, artists studios, woodworker shops, bicycle repair/shop, pottery making shop, furniture refinishing shop, and other similar small scale uses or structures conducted or used for gain or not by the occupant of the same lot. A use may be deemed an accessory use on community open space if it is for the use of the residents of the community only and is not open to the public. A drive-up or drive-through service window is not an accessory use or structure to any use.

(10/28/03) ~~3-4~~ **NON-CONFORMING USES**

~~Any building, structure or premises lawfully existing at the time of the adoption of this Ordinance, or lawfully existing at the time this Ordinance is subsequently amended, may continue to be used even though such building, structure or premises does not conform to use or dimensional regulations of the zoning district in which it is located; subject to the provisions listed in Section 2-6 of the Calvert County Zoning Ordinance.~~

3-5
(06/01/06)

CONDITIONAL USES

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

- | | |
|--|---|
| <p>Agricultural Use
#1 Agricultural
Use #15
Residential Use #1
Residential Use #5

Residential Use #6

Residential Use #7</p> | <p>Animal Husbandry — See CCZO for conditions. Farm Stand — See CCZO for conditions.

Apartment, Accessory — See CCZO for conditions.

Bed & Breakfast Facility with up to 2 Bedrooms in Use — See CCZO for conditions.

Bed & Breakfast Facility with 3 to 5 Bedrooms in Use — See CCZO for conditions.

Boarding House, provided that:</p> <ol style="list-style-type: none"> 1. An owner lives on the premises; and 2. the facility is a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used; and 3. no separate kitchens are provided; and 4. adequate off-street parking is provided; and 5. Fire Marshall and Health Department approvals are obtained; and 6. an Occupancy Permit for such use is obtained. |
|--|---|

Exhibit A

BK0075PG0401

~~Residential Use~~

~~Dwelling, Attached: Duplex — See CCZO for conditions
(those conditions imposed in the Residential District shall
apply in the Town Center).~~

~~#20 Residential~~

~~Manufactured Home or Recreational Vehicle (Emergency) —
See CCZO for conditions.~~

~~Residential Use #8~~

~~Tenant House — See CCZO for conditions.~~

	Residential Use #24—Tenant Houses, Additional (no more than 2 additional)— See CCZO for conditions.
Use #4	Commercial Retail—Artisans' and Crafters' Market—See CCZO for conditions.
Commercial Retail Use #11	Mobile Food Sales— See CCZO for conditions.
Commercial Retail Use #12	Retail Commercial Building with Drive-up Facility, provided that the drive-up / drive through travelway is an alley.
Commercial Retail Use #14	Retail Commercial Sale or Display Area, Outdoor— See CCZO for conditions.
Commercial Retail Use #15	Watermen's Market— See CCZO for conditions. Flex Space Business, provided
Business & Personal Services Use #12	that:
	1. the conditions of the Calvert County Zoning Ordinance for Flex Space Businesses are met; and
Business & Personal Services Use #14	2. if the use involves light manufacturing and/or assembly, the conditions of the Owings Town Center Zoning Ordinance for Light Manufacturing and Assembly are met.
Business & Personal Services Use #15	Home Occupation – All Employed are Residents— See CCZO for conditions.
Recreation Use #2	Home Occupation— with up to 2 Equivalent Full-time non-resident employees— See CCZO for conditions.
Recreation Use #3	Carnival, Fair or Circus— Temporary, On Less than Five Acres—See CCZO for conditions.
Recreation Use #16	Carnival, Fair or Circus— Temporary, On More than Five Acres—See CCZO for conditions.
Commercial Wholesale Use #3	Outdoor Recreation Facility, such as Swimming Pools, Athletic Courts— See CCZO for conditions.
Motor Vehicle Use #1	Warehouse, Outdoor, provided that the storage is completely screened from neighboring properties and public rights-of-way.
	Automobile Filling Station, provided that the following conditions are met:

Exhibit A

- Motor Vehicle Use #2
1. ~~No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line,~~
 3. ~~Fuel pumps and service bays are located to the rear of the building, No structure or building is erected within 80 feet of any dwelling (neither setback may be reduced),~~
 4. ~~No new service bay openings shall face a right-of-way,~~
 5. ~~No more than five inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way,~~
 6. ~~Junk vehicles shall be removed after 30 days, and~~
 7. ~~The provisions concerning inoperative vehicles and junk cars will go into effect immediately for new development and within one year for existing development.~~

~~Automobile Filling Station with Convenience Store and/or Eating Establishment, provided that the following conditions are met:~~

- Motor Vehicle Use #5 Motor Vehicle Use #7
1. ~~No oil draining pit or other visible appliance for servicing automobiles is located within 100 feet of the front lot line,~~
 2. ~~No structure or building is erected within 150 feet of any dwelling, (neither setback may be reduced),~~
 3. ~~No new service bay openings shall face a right-of-way,~~
 4. ~~No more than five inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way,~~
 5. ~~Junk vehicles shall be removed after 30 days, and~~
 6. ~~The provisions concerning inoperative vehicles and junk cars will go into effect immediately for new development and within one year for existing development.~~

Motor Vehicle Use #11

Motor Vehicle Use #17

Industrial Use #5

~~Automobile Repair/Service Shop without fuel sales — See CCZO for conditions.~~

~~Car Wash — See CCZO for conditions.~~

Exhibit A

- ~~Motor Vehicle Accessory Shop— See CCZO for conditions. Parking of Commercial Vehicles — See CCZO for conditions.~~
- Industrial Use #14**
- ~~Distillation of Alcohol as a Fuel On a Farm for Farm Use Only— See CCZO for conditions.~~
- ~~Manufacturing and/or Assembly, Light, Less than 5,000 square feet, provided that the following conditions are met:~~
- ~~1. Adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and~~
 - ~~2. Design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies.~~
- Industrial Use #16**
- ~~Manufacturing and/or Assembly, Light, More than 5,000 square feet, provided that the following conditions are met:~~
- ~~1. All structures have a minimum setback of 100 feet from all district boundary lines, that form the edge of a district that does not permit, by right, this use, except where the district boundary line is formed by a public road right-of-way.~~
 - ~~2. Adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and~~
 - ~~3. Design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies.~~
- Industrial Use #17**
- ~~Outdoor Storage in Connection with Commercial and/or Industrial Uses, provided that the machinery and/or equipment stored is not visible from adjoining properties or the road.~~
- Institutional Use #15**
- ~~Power Generating Facility, Accessory to a Residence or Business— See CCZO for conditions.~~
- Unclassified Use #7**
- Unclassified Use #10**
- Unclassified Use #11**
- Unclassified Use #14**

~~Storage of Machinery & Equipment in Connection With Excavating and /or Contracting Business, provided that the following conditions are met:~~

- ~~1. The machinery and/or equipment stored is not visible from adjoining properties or the road,~~
- ~~2. All storage buildings together contain no more than 2,000 square feet,~~
- ~~3. The owner lives on the premises.~~

~~Wastewater Treatment Facility — See CCZO for conditions.~~

~~Garage Sale, Yard Sale or Estate Sale — See CCZO for conditions.~~

~~Livestock Kept as Pets — See CCZO for conditions. Model Home — See CCZO for conditions.~~

~~Temporary Structure Incidental to Construction (non-residential) — See CCZO for conditions.~~

~~Unoccupied Recreational Vehicle — See CCZO for condition~~

HUNTINGTOWN TOWN CENTER ZONING ORDINANCE

ARTICLE 3: ZONING DISTRICTS

3-2 Table of Land Uses by District

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

~~The following Table of Land Uses lists the different uses and the zoning districts in which they are permitted. If a use is not listed or does not fall within one of the general categories, it is not a permitted use in any district. If a use is specifically listed in the Land Use Tables, it takes precedence over general use listings.~~

~~P — A "P" indicates permitted uses.~~

~~S — An "S" indicates in which districts the property owner needs a special exception from the Board of Appeals. Refer to the Calvert County Zoning Ordinance concerning special exceptions.~~

~~S1 — An "S1" is for those uses which are visually incompatible with residential property (such as large commercial buildings). They require a special exception unless they are located more than 150' from the nearest residential building or site where there is an active house building permit.~~

~~S2 — An S2 is for those uses which have outside storage, late evening hours, create excessive noise, are motor vehicle service related or generate a lot of parking. They require a special exception unless they are located more than 300' from the nearest residential building or site where there is an active house building permit.~~

~~C — A "C" indicates the use is permitted only if it meets certain conditions.~~

~~A blank indicates the use is not permitted in the district.~~

KEY TO LAND USE CHARTS:

	A - blank indicates the use is not permitted	SC	Permitted use subject to special exception if it meets conditions
P	Permitted Use	S4	Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
C	Permitted Use if it meets certain conditions	S2	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.
S	Permitted Use subject to special exception from the Board of Appeals		

HUNTINGTOWN TOWN CENTER

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

HUNTINGTOWN TOWN CENTER

HUNTINGTOWN TABLE OF LAND USES -- AGRICULTURAL

USE #	HUNTINGTOWN TABLE OF LAND USES -- AGRICULTURAL	MIXED USE	NEIGHBORHOOD	RESIDENTIAL
1.	Animal Husbandry		C	C
2.	Aquaculture, Freshwater and Land-based			
3.	Aquaculture, Marine/Estuarine			

4.---	Commercial Greenhouse, Retail	P	P	P	P
5.---	Commercial Greenhouse, Wholesale	P			P
6.---	Commercial Kennel, with indoor facilities only				
7.---	Commercial Kennel, with outdoor facilities				
8.---	Commercial or Non-Profit Stable or Horseback-Riding Club				
9.---	Commercial Raising of Dangerous or Wild Animals				
10.---	Commercial Raising of Fur-bearing Animals				
11.---	Farm	P		P	P
12.---	Farm Brewery				
13.---	Farm Building	P		P	P
14.---	Farm Distillery				
15.---	Farm Stand	C		C	C
16.---	Farm Winery				
17.---	Field Crops	P		P	P
18.---	Forest Product Processing				
19.---	Garden Center or Farm Supply Store, less than 25,000 square feet	P			
20.---	Livestock Auction and/or Sales Barn, Commercial				
21.---	Livestock Auction by a Non-Profit Organization or Farm Owner				
22.---	Nursery, Retail	P		P	P
23.---	Nursery, Wholesale	P		P	P
24.---	Tree Farming	P		P	P
25.---	Veterinary Hospital or Clinic, Livestock	P		P	P
26.---	Veterinary Hospital or Clinic, Small Animals and Household Pets	C		C	C

HUNTINGTOWN TOWN CENTER					
USE #	HUNTINGTOWN TABLE OF LAND USES - RESIDENTIAL	MIXED USE	NEIGHBORHOOD	RESIDENTIAL	
1.---	Apartment, Accessory	C	C		
2.---	Apartment, Accessory for Resident Watchman/Caretaker	P	P		
3.---	Apartment, Attached to a Business (3/25/08)	P	P		
4.---	Assisted Living Facility	P	P		P
5.---	Bed & Breakfast Facility with up to 2 Bedrooms in Use	P	C		C
6.---	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use	P	C		C
7.---	Boarding House	C	C		C
8.---	Dwelling, Attached: Duplex	P	P		

BK0075P60409

Exhibit A

9.---	Dwelling, Attached: Fourplex	P	P	
10.---	Dwelling, Attached: Multi-family	C	C	
11.---	Dwelling, Attached: Townhouse			
12.---	Dwelling, Attached: Triplex	P	P	
13.---	Dwelling, Single-Family Detached	P	P	P
14.---	Group Home	P	P	P
15.---	Liveabeards			
16.---	Lodgers in Residence (no more than 3)	P	P	
17.---	Manufactured Home-Community			
18.---	Manufactured Home For Resident Watchman/Carotaker	S		
19.---	Manufactured Home on Individual Lot			
20.---	Manufactured Home or Recreational Vehicle (Emergency)	C	C	C
21.---	Manufactured Home-Subdivision			
22.---	Manufactured Home, Farm			
23.---	Tenant House			
24.---	Tenant Houses, Additional (no more than 2 additional)			

HUNTINGTOWN TOWN CENTER				
USE #	HUNTINGTOWN TABLE OF LAND USES -- COMMERCIAL-RETAIL	MIXED-USE	NEIGHBORHOOD	RESIDENTIAL
1.	Agricultural Machinery, Service and/or Supplies	S2		
2.	Antiques-Sales	P	C	
3.	Art Gallery, less than 25,000 square feet	P		
4.	Artisans' and Crafters' Market	C	C	C
5.	Auction Building	S1		
6.	Boat Dealership	S2		
7.	Farmers' Market	C	C	C
8.	Flea Market by Non-profit Organization	P	P	P
9.	Home Improvement Center, Less Than 25,000 square feet	P		
10.	Manufactured Home Dealer			
11.	Mobile Food Sales	C		
12.	Retail Commercial Building, less than 25,000 square feet	P		
13.	Retail Commercial Building with Drive-up Facility, less than 25,000 square feet	P		
14.	Retail Commercial Sale or Display Area, Outdoor	C		
15.	Watermen's Market	C	C	C

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

HUNTINGTOWN TOWN CENTER					
USE #	HUNTINGTOWN TABLE OF LAND USES -- RECREATION	MIXED USE	NEIGHBORHOOD	RESIDENTIAL	
1.	Campground and/or Recreational Vehicle Camp				
2.	Carnival, Fair or Circus -- Temporary, Less than Five Acres	SC	SC	SC	

3. —	Carnival, Fair or Circus — Temporary, More than Five Acres	SC	SC	SC
4. —	Commercial or Non-Profit Meeting Hall, Banquet Hall			
5. —	Convention Center	P		C
6. —	Drive-in Theatre			S
7. —	Golf Course			P
8. —	Golf, Driving Range		S	S
9. —	Golf, Miniature	S		S
10. —	Indoor Commercial Amusements: Arcade, Pool Hall	S		
11. —	Indoor Commercial Amusements: Bowling, Skating Rink, Theatre	S4		
12. —	Indoor Commercial Amusements: Fitness Center	P	S	S
13. —	Indoor Commercial Amusements: Games of Chance, Bingo Hall	C		
14. —	Indoor Commercial Amusements: Studio, Commercial-Performing Arts	P	S	S
15. —	Indoor Commercial Amusements: Swimming Pool, Athletic Courts	P	S	S
16. —	Marina			
17. —	Outdoor Recreation, such as: Swimming Pools, Athletic Courts	S	S	S
18. —	Retreat, Day	P		C
19. —	Studio, Commercial	P	S	S
20. —	Target Range, Indoor			
21. —	Target Range Outdoor			

HUNTINGTOWN TOWN CENTER				
USE #	HUNTINGTOWN TABLE OF LAND USES — COMMERCIAL WHOLESAL USES	MIXED USE	NEIGHBORHOOD	RESIDENTIAL
1. —	Mini-Storage	C		
2. —	Warehouse, Indoor	S		
3. —	Warehouse, Outdoor			
4. —	Wholesale Lumber and/or Other Building Materials less than 25,000-square-foot	P		
5. —	Wholesaling, Indoor-Only	S		

HUNTINGTOWN TABLE OF LAND USES — MOTOR VEHICLE & RELATED SERVICES				
USE #	MIXED USE	NEIGHBORHOOD	RESIDENTIAL	
1. —	Automobile-Filling Station	SC	RESIDENTIAL	

Exhibit A

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

HUNTINGTOWN TOWN CENTER			
USE #	HUNTINGTOWN TABLE OF LAND USES - INDUSTRIAL USES	MIXED USE	NEIGHBORHOOD RESIDENTIAL
1.	Agricultural/Seafood/Livestock Processing Plant:		
2.	Asphalt Plant		
3.	Commercial Fuel Storage Business		
4.	Commercial Recycling Facility		
5.	Distillation of Alcohol as a Fuel, Commercial		
6.	Distillation of Alcohol as a Fuel On a Farm for Farm Use Only		
7.	Grain Elevator		
8.	Kiln, Wood		
9.	Landfill, Land-Clearing Debris		
10.	Landfill, Rubble		
11.	Landfill, Sanitary		
12.	Manufacturing and/or Assembly, Heavy		

13.	Manufacturing and/or Assembly, Light, Less than 5,000 square foot	S1		
14.	Manufacturing and/or Assembly, Light, More than 5,000 square foot	S2		
15.	Manufacturing and/or Assembly, Watercraft, Commercial			
16.	Outdoor Storage in Connection with Commercial and/or Industrial Uses	S	S	
17.	Power Generating Facility, Accessory to a Residence or Business	C	C	C
18.	Power Generating Facility, Commercial			
19.	Research & Development Facility, Environmental	P		
20.	Research & Development Facility, Other	P		
21.	Salvage and/or Junk Yard			
22.	Sand, Gravel or Mineral Extraction and Processing			
23.	Sand, Gravel or Mineral Extraction (No Processing)			
24.	Sawmill, Commercial			
25.	Sawmill, Portable			
26.	Storage of Machinery & Equipment in Connection With Excavating and/or Contracting	S		

HUNTINGTOWN TOWN CENTER

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

HUNTINGTOWN TOWN-CENTER					
USE #	HUNTINGTOWN TABLE OF LAND USES--UNCLASSIFIED USES	MIXED USE	NEIGHBORHOOD	RESIDENTIAL	
1.---	Accessory Building or Use	P	P	P	
2.---	Airport or Landing Field				
3.---	Cemetery or Memorial Garden		P	P	
4.---	Communications Towers & Antennas (Government, Commercial & Private)	SEE SECTION 3-3 OF THE CALVERT COUNTY ZONING ORDINANCE			
5.---	Deck, Pier, Private				
6.---	Garage Sale, Yard Sale or Estate Sale	P	P	P	
7.---	Helipport	S			
8.---	Household Pets	P	P	P	
9.---	Livestock Kept as Pets		C	C	
10.---	Model Home	C	C	C	
11.---	Structure for the Keeping of Animals (on non-farm properties)	P	P	P	
12.---	Temporary Recreational Vehicle at Construction site (for watchman)	P	P	P	
13.---	Temporary Structure Incidental to Construction (non-residential)	P	P	P	
14.---	Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)				
15.---	Unoccupied Recreational Vehicle	C	C	C	
16.---	Wild or Dangerous Animals Kept as Pets				

3-3 Huntingtown Town Center Conditional Uses

~~(05/01/06) The following are conditions imposed upon land uses indicated in the Table of Land Uses. If a use is listed as conditional in the Land Use Tables (indicated by a 'C' or an 'SC'), and no conditions are listed below, the conditions listed in Section 3-2 of the Calvert County Zoning Ordinance (CCZO) apply. The conditions listed below are unique to the Huntingtown Town Center. Note: This section of the Huntingtown Town Center Zoning Ordinance has been renumbered for consistency with the Calvert County Zoning Ordinance.~~

- ~~Agricultural Use #1 Animal Husbandry — See CCZO for conditions~~
- ~~Agricultural Use #15 Farm Stand — See CCZO for conditions~~
- ~~Residential Use #1~~
- ~~Residential Use #5 Apartment, Accessory — See CCZO for conditions~~
- ~~Residential Use #6 Bed & Breakfast Facility with up to 2 Bedrooms in Use — See CCZO for conditions~~
- ~~Residential Use #7 Bed & Breakfast Facility with 3 to 5 Bedrooms in Use — See CCZO for conditions~~
- ~~Residential Use #10 Boarding House — See CCZO for conditions~~
 - ~~1. — An owner lives on the premises, and~~
 - ~~2. — the facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used, and~~
 - ~~3. — no separate kitchens are provided, and~~
 - ~~4. — adequate off-street parking is provided, and~~
 - ~~5. — Fire Marshall and Health Department approvals are obtained, and~~
 - ~~6. — an Occupancy Permit for such use is obtained.~~
- ~~Residential Use #20 Dwelling, Attached: Multi-Family — provided that it is restricted to housing for the elderly where at least one resident of each apartment is over age 65. The property must abut an arterial or collector street. All off-street parking must be screened from view from any public right-of-way or park. The Calvert County Department of Planning & Zoning must approve the architectural plans.~~
- ~~Commercial Retail Use #2 Manufactured Home or Recreational Vehicle (Emergency) — See CCZO for conditions.~~
- ~~Commercial Retail Use #4 Antiques Sales — provided that the property has frontage on arterial or collector streets and off-street parking is screened.~~
- ~~Commercial Retail Use #7 Artisans' and Crafters' Market — See CCZO for conditions.~~

Commercial—Retail Use #11	<u>Mobile Food Sales</u> — See CCZO for conditions.
Commercial—Retail Use #14	<u>Retail Commercial Sale or Display Area, Outdoor</u> — See CCZO for conditions.
Commercial—Retail Use #15	<u>Watermen's Market</u> — See CCZO for conditions.
Business & Personal—Services Use #8	<u>Crematorium</u> — provided access is provided from an arterial or major collector road.
Business & Personal—Services Use #12	<u>Flex Space Business</u> — See CCZO for conditions.
Business & Personal—Services Use #9	<u>Funeral Home</u> — provided access is provided from an arterial or major collector road.
Business & Personal—Services Use #14	<u>Home Occupation— All Employed are Residents</u> — See CCZO for conditions.
Business & Personal—Services Use #15	<u>Home Occupation— 1 Equivalent Full-time Non-resident Employee</u> — See CCZO for conditions.
Business & Personal—Services Use #16	<u>Home Occupation— 2 Equivalent Full-time Non-resident Employees</u> — See CCZO for conditions.
Business & Personal—Services Use #18	<u>Laundry/Laundromat</u> , provided that access is provided from an arterial or major collector road.
Business & Personal—Services Use #22	<u>Personal Services, less than 5,000 square feet</u> — provided access is provided from an arterial or major collector road.
Recreation Use #2	<u>Carnival, Fair or Circus— Temporary, Less than Five Acres</u> — See CCZO for conditions.
Recreation Use #3	<u>Carnival, Fair or Circus— Temporary, More than Five Acres</u> — See CCZO for conditions.
Recreation Use #5	<u>Convention Center</u> — provided access is provided from an arterial or major collector road and the parcel is a minimum of 10 acres.
Recreation—Use #13	<u>Indoor Commercial Amusements: Games of Chance, Bingo Hall</u> — See CCZO for conditions.
Recreation—Use #18	<u>Retreat, Day</u> — provided access is provided from an arterial or major collector road and the parcel is a minimum of 10 acres.

Commercial
Wholesale Use #1

~~Mini Storage—provided that bay doors are not visible from adjoining road~~

Motor Vehicle &
Related Services
Use #1

~~Automobile Filling Station—provided that no fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line, no structure or building is erected within 80 feet of any dwelling. Neither setback may be reduced, no service bay openings shall face a right-of-way and no more than 10 inoperative vehicles are allowed.~~

Motor Vehicle &
Related Services
Use #2

~~Automobile Filling Station with Convenience Store and/or Eating Establishment—provided that no fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line, no structure or building is erected within 80 feet of any dwelling. Neither setback may be reduced, no service bay openings shall face a right-of-way and no more than 10 inoperative vehicles are allowed.~~

Motor Vehicle &
Related Services
Use #5

~~Automobile Repair/Service Shop without fuel sales—See CCZO for conditions.~~

Motor Vehicle &
Related Services
Use #9

~~Inoperative Vehicle, 1 per lot—provided that it does not remain on lot for more than two months.~~

Motor Vehicle &
Related Services
Use #11

~~Motor Vehicle Accessory Shop—See CCZO for conditions.~~

Motor Vehicle &
Related Services
Use #15

~~Parking of Commercial Motor Vehicles—See CCZO for conditions.~~

Industrial Use #17

~~Power Generating Facility, Accessory to a Residence or Business—See CCZO for conditions.~~

Institutional Use
#13

~~Solid Waste Collection Sites—provided that they are in accordance with the Calvert County Comprehensive Solid Waste Management Plan and do not exceed 100 square feet in size.~~

Unclassified Use
#9

~~Livestock Kept as Pets—See CCZO for conditions.~~

Unclassified Use
#10

~~Model Home—See CCZO for conditions.~~

Unclassified Use
#15

~~Unoccupied Recreational Vehicle—See CCZO for conditions.~~

PRINCE-FREDERICK TOWN-CENTER										
USE	3-2-04 PRINCE-FREDERICK TABLE OF LAND USES— AGRICULTURAL	OLD TOWN	OLD-TOWN RESIDENTIAL	OLD-TOWN TRANSITIONAL	FAIR- GROUND	ENTRY	VILLAGE	NEW TOWN	FOREST	
1.	Animal Husbandry									
2.	Aquaculture, Freshwater and Land-based									
3.	Aquaculture, Marine/Estuarine									
4.	Commercial Greenhouse, Retail	P		P	P	P	P	P	P	
5.	Commercial Greenhouse, Wholesale	P		P	P	P	P	P	P	
6.	Commercial Kennel, with indoor facilities only									
7.	Commercial Kennel, with outdoor facilities									
8.	Commercial or Non-Profit Stable or Horseback-									
9.	Commercial Raising of Dangerous or Wild									
10.	Commercial Raising of Fur-bearing Animals									
11.	Farm	P	P	P	P	P	P	P	P	
12.	Farm-Brewery									
13.	Farm-Building	P	P	P	P	P	P	P	P	
14.	Farm-Distillery									
15.	Farm-Stand	C		C	C	C	C	C	C	
16.	Farm-Winery									
17.	Field-Crops	P	P	P	P	P	P	P	P	
18.	Forest Product Processing									
19.	Garden-Center or Farm-Supply Store, Less than 25,000 s.f.	P		P		P	P	P	P	
20.	Garden-Center or Farm-Supply Store, More than 25,000 and less than 75,000 s.f.						P			
21.	Livestock Auction and/or Sales Barn									
22.	Livestock Auction by a Non-Profit Organization or Farm Owner									
23.	Nursery, Retail	P	P	P	P	P	P	P	P	
24.	Nursery, Wholesale	P	P	P	P	P	P	P	P	
25.	Tree Farming	P	P	P	P	P	P	P	P	
26.	Veterinary Hospital or Clinic, Livestock									
27.	Veterinary Hospital or Clinic, Small Animals and Household Pets					C	C	C	C	

BK0075PG0421

Exhibit A

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

BK0075PG0422

Exhibit A

PRINCE-FREDERICK-TOWN-CENTER										
USE	PRINCE-FREDERICK-TABLE-OF-LAND-USES — COMMERCIAL-RETAIL	OLD-TOWN	OLD-TOWN RESIDENTIAL	OLD-TOWN TRANSITIONAL	FAIR- GROUND	ENTRY	VILLAGE	NEW TOWN	FOREST	
1.	Agricultural-Machinery, Service-and/or-Supplies	P		P	S2	P	P	P	P	
2.	Antiques-Sales	P	P	P	P	P	P	P	P	
3.	Art-Gallery-Less-than-25,000-s.f.	P		P		P	P	P	P	
4.	Art-Gallery-More-than-25,000-and-less-than-75,000-s.f.					P	P			
5.	Artisan's-and-Crafters'-Market	C		C	C	C	C	C	C	
6.	Auction-Building					S1	S1	S1	S1	
7.	Boat-Dealership					S2	S2	S2	S2	
8.	Farmers'-Market	C		C	C	C	C	C	C	
9.	Flea-Market-by-Non-profit-Organization	P	P	P	P	P	P	P	P	
10.	Home-Improvement-Center, Less-Than-25,000-s.f.	P		P	S2	P	P	P	P	
11.	Home-Improvement-Center, More-Than-25,000-s.f. and Less-Than-75,000-s.f.					P	P			
12.	Home-Improvement-Center, More-Than-75,000-s.f. with-a-maximum-size-limit-of-120,000-s.f.					C	C			
13.	Manufactured-Home-Dealer									
14.	Mobile-Food-Sales	C		C		C	C	C	C	
15.	Retail-Commercial-Building-with-Drive-up-Facility, Less than-25,000-s.f.	P		P		P	P	P	P	
16.	Retail-Commercial-Building-with-Drive-up-Facility, More-than-25,000-and-less-than-75,000-s.f.					P	P			
17.	Retail-Commercial-Building-with-Drive-up-Facility, More-than-75,000-s.f. with-a-maximum-size-limit-of					C	C			
18.	Retail-Commercial-Building, Less-than-25,000-s.f.	P		P		P	P	P	P	
19.	Retail-Commercial-Building, More-than-25,000-and-less than-75,000-s.f.					P	P			
20.	Retail-Commercial-Building, More-than-75,000-s.f. with-a-maximum-size-limit-of-120,000-s.f.					C	C			
21.	Retail-Commercial-Sale-or-Display-Area, Outdoor	C		C		C	C	C	C	
22.	Watermen's-Market	C		C	C	C	C	C	C	

16.—	Storage of Motor Vehicles					P			P
17.—	Truck, Bus and Diesel Service and Repair Shop					P			P
18.—	Truck Terminal								
19.—	Vehicle Ferry Service								

PRINCE-FREDERICK TOWN CENTER									
USE	PRINCE FREDERICK TABLE OF LAND USES— INDUSTRIAL	OLD TOWN	OLD TOWN RESIDENTIAL	OLD TOWN TRANSITIONAL	FAIR-GROUND	ENTRY	VILLAGE	NEW TOWN	FOREST
1.—	Agricultural/Seafood/Livestock Processing Plant								
2.—	Asphalt Plant								
3.—	Commercial Fuel Storage Business					S			
4.—	Commercial Recycling Facility								
5.—	Distillation of Alcohol as a Fuel, Commercial								
6.—	Distillation of Alcohol as a Fuel On a Farm for Farm Use			C	C	C			
7.—	Grain Elevator								
8.—	Kiln, Wood Drying								
9.—	Landfill, Land Clearing Debris								
10.—	Landfill, Rubble								
11.—	Landfill, Sanitary								
12.—	Manufacturing and/or Assembly, Heavy								
13.—	Manufacturing and/or Assembly, Light, Less than 5,000 square feet	SI		S1	S2	C	C	C	
14.—	Manufacturing and/or Assembly, Light, More than 5,000 square feet					C	C	C	
15.—	Manufacturing and/or Assembly, Watercraft, Commercial					S2	S2	S2	
16.—	Outdoor Storage in Connection with Commercial and/or Industrial Uses	P		P		P	P	P	P
17.—	Power Generating Facility Accessory to a Residence or Business	C	C	C	C	C	C	C	C
18.—	Power Generating Facility, Commercial								
19.—	Research & Development Facility, Environmental	P	S1	P	S1	P	P	P	
20.—	Research & Development Facility, Other	P	S1	P	S1	P	P	P	

Exhibit A

21.	Salvage and/or Junk Yard																		
22.	Sand, Gravel or Mineral Extraction and Processing																		
23.	Sand, Gravel or Mineral Extraction (No Processing)																		
24.	Sawmill, Commercial																		
25.	Sawmill, Portable																		
26.	Storage of Machinery & Equipment in Connection With Excavating and/or Contracting Business																		

PRINCE-FREDERICK-TOWN-CENTER																			
USE #	PRINCE-FREDERICK TABLE OF LAND USES -- INSTITUTIONAL	OLD TOWN	OLD TOWN RESIDENTIAL	OLD TOWN TRANSITIONAL	FAIR-GROUND	ENTRY	VILLAGE	NEW TOWN	FOREST										
1.	College or University	P	P	P	P	P	P	P	P										
2.	Day Care Center																		
3.	12 Clients or Less	P	P	P	P	P	P	P	P										
4.	13 to 19 Clients	P	S	P	P	P	P	P	P										
5.	20 or More Clients				S	P	P	P	P										
6.	Elementary or Secondary School	P	P	P	P	P	P	P	P										
7.	Fire and/or Rescue Service	P																	
8.	Hospital	P																	
9.	Library	P	P	P	P	P	P	P	P										
10.	Museum	P	P	P	P	P	P	P	P										
11.	Nursing or Convalescent Home	P	P	P	P	P	P	P	P										
12.	Place of Worship, Parish Hall, Convent, Monastery or Rectory	P	P	P	P	P	P	P	P										
13.	Public or Governmental Building	P	P	P	P	P	P	P	P										
14.	Public or Non-profit Park and/or Recreation Area including: Tennis Courts, Swimming Pools, Athletic	P	P	P	P	P	P	P	P										
15.	Public Utility Lines & Accessory Structures	S2	S2	S2	S2	S2	S2	S2	S2										
16.	Solid Waste Collection Site					C	C	C	C										

3-2.04.A Prince Frederick Town Center Conditional Uses

The following are conditions imposed upon land uses indicated in Section 3-2.04, Table of Land Uses. If a use is listed as conditional in the Land Use Tables (indicated by a 'C' or an 'SC'), and no conditions are listed below, the conditions listed in Section 3-1 of the Calvert County Zoning Ordinance (CCZO) apply. The conditions listed below are unique to the Prince Frederick Town Center. Note: This section of the Prince Frederick Town Center Zoning Ordinance has been renumbered for consistency with the Calvert County Zoning Ordinance.

- Agricultural Use #15 Farm Stand — See CCZO for conditions.
- Agricultural Use #27 Veterinary Hospital or Clinic, Small Animals or Household Pets — See CCZO for conditions.
- Residential Use #1 Apartment, Accessory — See CCZO for conditions.
- Residential Use #5 Bed & Breakfast Facility with up to 2 Bedrooms in Use — See CCZO for conditions.
- Residential Use #6 Bed & Breakfast Facility with 3 to 5 Bedrooms in Use — See CCZO for conditions.
- Residential Use #7 Boarding House, provided that the following conditions are met:

1. An owner lives on the premises,
2. The facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used,
3. No separate kitchens are provided,
4. Adequate off-street parking is provided,
5. Fire Marshall and Health Department approvals are obtained, and
6. An Occupancy Permit for such use is obtained

Residential Use #8

Dwelling, Attached (Duplex, Triplex, Fourplex and Townhouse):

1. In Fairgrounds District, provided that at least 40 percent of the units on the site are single family detached dwellings.
2. In Entry District and Village District and New Town District provided that at least 50 percent of the site is reserved for commercial, office or industrial use.¹
3. In Forest District provided that dwelling units are part of a comprehensively designed community where 30 percent of the dwelling units are single family detached, 30 percent are single family attached and 30 percent are multifamily. The remaining 10 percent may be any of the above. The Planning Commission may waive this requirement if it can be demonstrated that the proposed development will contribute to a housing mix within the Town Center as a whole that is roughly equal to the required housing mix on the site.

Residential Use #9

Dwelling, Attached: Multi-Family:

1. In Entry District, Village District and New Town District provided that at least 50 percent of the site is reserved for commercial, office or industrial use.
2. In Old Town Transition District provided that:
 - a. at least 50 percent of the site is reserved for commercial or office use (see footnote 1), and
 - b. the site is immediately adjacent to Route 2/4 or Dares Beach Road.
3. In Fairgrounds District provided that no more than 20 percent of the dwelling units on the site are multi-family dwellings.
4. In Forest District, provided that dwelling units are part of a comprehensively designed community where 30 percent of the dwelling units are single family detached, 30 percent are single family attached and 30 percent are multifamily. The remaining 10 percent may be any of the above. The Planning Commission may waive this requirement if it can be demonstrated that the proposed development will contribute

BK 0075PG 0430

Exhibit A

~~to a housing mix within the Town Center as a whole that is roughly equal to the required housing mix on the site.~~

Residential Use #10

Dwelling Single-family Detached:

1. In Old Town District, Old Town Residential District, Fairgrounds District, and Old Town Transition District provided that at least 50 percent of the length of the building is 20 feet wide, excluding porches.
2. In Entry District, Village District and New Town District provided that:
 - a. At least 50 percent of the site is reserved for commercial, office or industrial use¹ and
 - b. At least 50 percent of the length of the building is 20 feet wide, excluding porches.
3. In Forest District provided that:
 - a. dwelling units are part of a comprehensively designed community where 30 percent of the dwelling units are single family detached, 30 percent are single family attached and 30 percent are multifamily. The remaining 10 percent may be any of the above. The Planning Commission may waive this requirement if it can be demonstrated that the proposed development will contribute to a housing mix within the Town Center as a whole that is roughly equal to the required housing mix on the site, and
 - b. at least 50 percent of the length of the building is 20 feet wide, excluding porches.

Residential Use #14

Residential Use #17

Manufactured Home Community, (conditional in the Forest District) provided that it meets the Regulations in the Manufactured Home Rental Communities Ordinance, (Section 5-7 of the Calvert County Zoning Ordinance).

Residential Use #18

Residential Use #19

Manufactured Home or Recreational Vehicle (Emergency) — See CCZO for

Residential Use #20

conditions. Manufactured Home Subdivision — See CCZO for conditions.

Residential Use #21

Manufactured Home, Farm — See CCZO for conditions.

Commercial Retail Use #5

Tenant House — See CCZO for conditions.

Commercial Retail Use #8

Tenant Houses, Additional (no more than 2 additional) — See CCZO for conditions. Artisan's and Crafters' Market — See CCZO for conditions.

Commercial Retail Use #12

Farmers' Market — See CCZO for conditions.

Home Improvement Center, more than 75,000 s.f. with a maximum size of 150,000 s.f., not to exceed 120,000 s.f. in the Entry and Village district, provided that, in addition to specific requirements of the Town Center Zoning Ordinance and Article 6 of the County Zoning Ordinance, the following conditions are met.

1. Building and Site Design
 - a. In the New Town District, the building shall be setback of a minimum 950' from the Maryland Route 4 right-of-way as its current alignment exists as of May 1, 2016. This setback may not be reduced and is not eligible for consideration of a variance, notwithstanding any provision to the contrary.
 - b. Any outdoor sales areas shall be specifically designed as such and shall include fencing and landscaping around their entire perimeter in accordance with the Architectural Review Standards of this Town Center Zoning Ordinance. They shall not impede pedestrian circulation and shall not be located within parking lots.
 - c. Outdoor sales areas and outdoor garden centers that are accessory to a principal use are permitted; the square footage of outdoor sales areas and outdoor garden centers accessory to a principal use, not to exceed 45,000 s.f., shall be excluded from the maximum square footage of the principal use allowed by the Land Use Charts.
 - d. The site shall include an outdoor area or areas, totaling a minimum of 2000 sq. ft., for a bus stop and outdoor seating. The area(s) shall be landscaped and shall be conveniently located near the public entrance and pedestrian travelways.

Exhibit A

~~1. The requirement that at least 50 percent of the site be reserved for commercial office or industrial use may be waived if the Planning Commission determines that the site is not suitable for commercial use as measured in terms of generally recognized marketing standards. These standards include visibility, accessibility, potential site development costs, and neighboring uses.~~

~~e. All sides having a public entrance shall include some combination of the following features along no less than 70 percent of the horizontal length of any façade with a public entrance: recesses, projections, awnings, arcades, display windows and entry areas. (see Building Guidelines Appendix attached to this Town Center Ordinance).~~

~~2. Maintenance Agreement~~

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

~~3. Co-location¹~~

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

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

Mobile Food Sales — See CCZO for conditions.

Retail Commercial Building with Drive-up Facility, more than 75,000 s.f. with a maximum size limit of 120,000 s.f., provided that it meets the conditions for "Retail Commercial Buildings, More than 75,000 s.f. with a maximum size limit of 120,000 s.f."

Retail Commercial Buildings, more than 75,000 square feet with a maximum size of 120,000 square feet, provided that the following conditions are met:

~~1. Building and Site Design~~

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

~~a. Any outdoor sales areas shall be specifically designed as such and shall include fencing and landscaping around their entire perimeter in accordance with the Architectural Review Standards of this Town Center Zoning Ordinance. They shall not impede pedestrian circulation and shall not be located within parking lots.~~

~~An outdoor area or areas totaling a minimum of 2000 sq. ft. shall be provided for a bus stop and outdoor seating. The area(s) shall be landscaped and shall be conveniently located near the public entrance and pedestrian travelways.~~

~~b. All sides having a public entrance shall include some combination of the following features along no less than 70 percent of the horizontal length of any facade with a public entrance: recesses, projections, awnings, arcades,~~

display windows and entry areas. (see Guidelines Appendix attached to this Town Center Ordinance),

2. Maintenance Agreement

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

3. Co-location²

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

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

a. Waivers for Co-location

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

Commercial Retail Use

#21

Commercial Retail Use

#22

Business & Personal Services Use #13

Retail Commercial Sale or Display Area, Outdoor — See CCZO for conditions. Watermen's Market — See CCZO for conditions.

Flex Space Business, provided that:

Business & Personal Services Use #15

Business & Personal Services Use #16

Business & Personal Services Use #17

1. in the Old Town, Old Town Transitional, and Fairgrounds District, the size of the building shall be limited to 5,000 square feet; and
2. in all Districts, the conditions of the Calvert County Zoning Ordinance for Flex Space Businesses shall be met; and
3. noise, odor and glare shall be comparable to or less than retail commercial uses of similar size.

Recreation Use #2

²The requirements for co-location may apply to each phase of a development or to the entire site, at the developers discretion.

Recreation Use #3

Home Occupation, All Employed are Residents — See CCZO for conditions.

Commercial Wholesale Use #6

Home Occupation, 1 Equivalent Full-time non-resident employee — See CCZO for conditions.

Motor Vehicle Use #1

Home Occupation, 2 Equivalent Full-time non-resident employees — See CCZO for conditions.

Exhibit A

Carnival, Fair or Circus — Temporary Less than 5 acres — See CCZO for conditions.

Carnival, Fair or Circus — Temporary, More than 5 acres — See CCZO for conditions.

Wholesale Lumber and/or other Building Materials, More than 75,000 s.f. with a maximum size limit of 120 square feet, provided that the conditions for "Retail Commercial Buildings, more than 75,000 square feet with a maximum size of 120,000 square feet" are met.

Automobile Filling Station, provided that the following conditions are met:

- | | |
|----------------------|---|
| Motor Vehicle Use #2 | 1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line, |
| Motor Vehicle Use #5 | 2. No structure or building is erected within 80 feet of any dwelling. Neither setback may be reduced, |
| | 3. No new service bay openings shall face a right-of-way, |
| | 4. No more than ten inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way, |
| | 5. Junk vehicles shall be removed after 30 days, and |

Automobile Filling Station with Convenience Store and/or Eating Establishment provided that the conditions for "Automobile Filling Station" are met.

Automobile Repair Shop/Service Shop without fuel sales, provided that the following conditions are met:

- | | |
|-----------------------|---|
| Motor Vehicle Use #6 | 1. No oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line, |
| Motor Vehicle Use #7 | 2. No structure or building is erected within 80 feet of any dwelling. Neither setback may be reduced, |
| Motor Vehicle Use #11 | 3. No new service bay openings shall face a right-of-way, |
| Motor Vehicle Use #13 | 4. No more than ten inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way, |
| | 5. Junk vehicles shall be removed after 30 days, and <u>Bus lot or garage</u> — See CCZO for conditions. |

Car Wash, 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.

Motor Vehicle Accessory Shop — See CCZO for conditions.

- | | |
|-----------------------|--|
| Motor Vehicle Use #14 | <u>Motor Vehicle Dealer— New or Used, 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. Notwithstanding the above, a landscaped display area capable of displaying up to five vehicles may be located adjacent to the right-of-way.</u> |
| Motor Vehicle Use #15 | <u>Other Motor Vehicle Related Uses including bus depot, taxi service, vehicle rental or leasing, 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.</u> |
| Industrial Use #6 | |
| Industrial Use #13 | |

- | | |
|--------------------|--|
| Industrial Use #14 | <u>Park and Sell Lot, 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. Notwithstanding the above, a landscaped display area capable of displaying up to five vehicles may be located adjacent to the right-of-way.</u> |
| Industrial Use #17 | |
| Industrial Use #23 | |
| Industrial Use #24 | |

Parking of Commercial Motor Vehicles — See CCZO for conditions.

Distillation of Alcohol as a Fuel On a Farm for Farm Use Only — See CCZO for conditions.

Exhibit A

- ~~Manufacturing and/or Assembly, Light, less than 5,000 square feet provided that potential noise, odor and glare are comparable to retail commercial uses of similar size.~~
- Institutional Use #16 ~~Manufacturing and/or Assembly, Light, more than 5,000 square feet, provided that potential noise, odor and glare are comparable to retail commercial uses of similar size.~~
- Unclassified Use #3 ~~Power Generating Facility Accessory to a Residence or Business — See CCZO for conditions. Sand, Gravel or Mineral Extraction (No Processing) — See CCZO for conditions.~~
- Unclassified Use #7 ~~Sawmill, Commercial, provided that the following conditions are met:~~
- Unclassified Use #11 1. ~~Such use is not nearer than 500 feet from any property boundary; and~~
- Unclassified Use #13 2. ~~Such use is not nearer than 100 feet from any road maintained by the County or State; and~~
- Unclassified Use #14 3. ~~Adequate measures are taken for the abatement of obnoxious or offensive odor, dust, smoke, noise, vibration, or similar nuisance, and protection against fire is employed.~~
- Unclassified Use #16 ~~Solid Waste Collection Sites, provided that they are in accordance with the Comprehensive Solid Waste Management Plan and do not exceed 100 square feet in size.~~
- ~~Cemetery or Memorial Garden (conditional in Old Town District, Old Town Transitional District, Old Town Residential District, and Fairgrounds District), provided that it is an expansion of an existing cemetery or memorial garden.~~
- ~~Garage Sale, Yard Sale or Estate Sale — See CCZO for conditions.~~
- ~~Model Home — See CCZO for conditions.~~
- ~~Temporary Recreational Vehicle at Construction Site (for watchman) — See CCZO for conditions. Temporary Structure Incidental to Construction (non-residential) — See CCZO for conditions. Unoccupied Recreational Vehicle — See CCZO for conditions.~~

ST. LEONARD TOWN CENTER ZONING ORDINANCE

ARTICLE 3: ZONING DISTRICTS

3-2 ~~TABLE OF~~ PERMITTED LAND USES BY DISTRICT

Refer to the County Zoning Ordinance for Permitted Land Uses.

~~The following Table of Land uses lists the different uses and the zoning districts in which they are permitted. If a use is not listed or does not fall within one of the general categories, it is not a permitted use in any district. If a use is specifically listed in the Land Use Tables, it takes precedence over general use listings.~~

~~A blank indicates that the use is not permitted.~~

~~P — A "P" indicates the use is permitted.~~

~~C — Permitted Use if it meets certain listed conditions.~~

~~S — An "S" indicates that the use is subject to a Special Exception from the Board of~~

~~Appeals. Refer to the Calvert County Zoning Ordinance concerning Special Exceptions.~~

~~S1 — An "S1" indicates that the use is subject to a Special Exception from the Board of Appeals if it is less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.~~

~~S2 — An "S2" indicates that the use is subject to a Special Exception from the Board of Appeals if it is less than 300 feet from a residential building or site with an active house permit or an established Historic District.~~

~~SC — An "SC" indicates that the use is subject to a Special Exception from the Board of Appeals if it meets conditions.~~

~~(10/28/03) — NON-CONFORMING USES: Any building, structure or premises lawfully existing at the time of the adoption of this Ordinance, or lawfully existing at the time this Ordinance is subsequently amended, may continue to be used even though such building, structure or premises does not conform to use or dimensional regulations of the zoning district in which located; subject to the provisions listed in Section 2-6 of the Calvert County Zoning Ordinance.~~

KEY TO LAND USE CHARTS:

	A blank indicates the use is not permitted	SC	Permitted use subject to special exception if it meets conditions
P	Permitted Use	S4	Permitted Use subject to special exception if less than 150 feet from a residential building or site where there is an active house permit or an established Historic District.
C	Permitted Use if it meets certain conditions	S2	Permitted Use subject to special exception if less than 300 feet from a residential building or site where there is an active house permit or an established Historic District.
S	Permitted Use subject to special exception from the Board of Appeals		

ST. LEONARD TOWN CENTER

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

ST. LEONARD TOWN CENTER

USE #	ST. LEONARD TABLE OF LAND USES -- AGRICULTURAL	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.	Animal Husbandry	C	C	C
2.	Aquaculture, Freshwater and Land-based			
3.	Aquaculture, Marine/Estuarine			
4.	Commercial Greenhouse, Retail	P	S	P
5.	Commercial Greenhouse, Wholesale	P	S	P

6.---	Commercial Kennel, with indoor facilities only				
7.---	Commercial Kennel, with outdoor facilities				
8.---	Commercial or Non-Profit Stable or Horseback-Riding Club				
9.---	Commercial Raising of Dangerous or Wild Animals	S			S
10.---	Commercial Raising of Fur-bearing Animals				
11.---	Farm	P		P	P
12.---	Farm Brewery				
13.---	Farm Building	P		P	P
14.---	Farm Distillery				
15.---	Farm Stand	C		C	C
16.---	Farm Winery				
17.---	Field Crops	P		P	P
18.---	Forest Product Processing				
19.---	Garden Center or Farm Supply Store, Less than 5,000 square feet	P			
20.---	Garden Center or Farm Supply Store, More than 5,000 square feet and less than 25,000 sq. ft.	S1			
21.---	Livestock Auction and/or Sales Barn, Commercial				
22.---	Livestock Auction by a Non-Profit Organization or Farm Owner				
23.---	Nursery, Retail	P		P	P
24.---	Nursery, Wholesale	P		P	P
25.---	Tree Farming	P		P	P
26.---	Veterinary Hospital or Clinic, Livestock	P		P	P
27.---	Veterinary Hospital or Clinic, Small Animals and Household Pets	P		P	P

ST. LEONARD TOWN-CENTER

USE #	ST. LEONARD TABLE OF LAND USES - RESIDENTIAL	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.---	Apartment, Accessory	C	C	
2.---	Apartment, Accessory for Resident Watchman/Caretaker			P
3.---	Apartment, Accessory over a Business			P
4.---	Assisted Living Facility	P	P	
5.---	Bed & Breakfast Facility with up to 2 Bedrooms in Use	C	C	C
6.---	Bed & Breakfast Facility with 3 to 5 Bedrooms in Use	C	C	
7.---	Boarding House	C	C	
8.---	Dwelling, Attached- Duplex			
9.---	Dwelling, Attached- Fourplex	C	C	
10.---	Dwelling, Attached- Multi-family			

11.—	Dwelling, Attached; Townhouse	SC	
12.—	Dwelling, Attached; Triplex		
13.—	Dwelling, Single Family Detached	C	C
14.—	Group Home	P	P
15.—	Liveboards		
16.—	Lodgers in Residence (no more than 3)	P	P
17.—	Manufactured Home Community		
18.—	Manufactured Home, Farm	C	C
19.—	Manufactured Home for Resident Watchman/Caretaker		
20.—	Manufactured Home on Individual Lot		
21.—	Manufactured Home or Recreational Vehicle (Emergency)	C	C
22.—	Manufactured Home Subdivision		
23.—	Tenant House	C	C
24.—	Tenant Houses, Additional (no more than 2 additional)	SC	SC

ST. LEONARD TOWN CENTER				
USE #	ST. LEONARD TABLE OF LAND USES -- COMMERCIAL RETAIL	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.	Agricultural Machinery, Service and/or Supplies	S2	S2	P
2.	Antiques Sales	P	P	
3.	Art Gallery, Less than 5,000 square feet	P		
4.	Art Gallery, More than 5,000 square feet and less than 25,000 square feet	S4		
5.	Artisans' and Crafters' Market	C	C	C
6.	Auction Building	S1	S1	
7.	Boat Dealership	S2	S2	
8.	Farmers' Market	C	C	C
9.	Flea Market by Non-profit Organization	P	P	
10.	Home Improvement Center less than 25,000 square feet	S2		
11.	Manufactured Home Dealer			
12.	Mobile Food Sales	C	C	C
13.	Retail Commercial Building, Less than 5,000 square feet	P		C
14.	Retail Commercial Building, More than 5,000 square feet and less than 25,000 square feet	S1		
15.	Retail Commercial Building with Drive-up Facility, Less than 5,000 square feet	P		C
16.	Retail Commercial Building with Drive-up Facility, More than 5,000 square feet and less than 25,000 square feet	S1		
17.	Retail Commercial Sale or Display Area, Outdoor	C		C

BK0075PG0440

48.	Watermen's Market	c	c	c	c
-----	-------------------	---	---	---	---

ST. LEONARD TOWN CENTER						
USE #	ST. LEONARD TABLE OF LAND USES - BUSINESS & PERSONAL SERVICES	VILLAGE	RESIDENTIAL	EMPLOYMENT		
1.---	Boat Service and/or Repair	S		P		
2.---	Boat Storage, Commercial	S		P		
3.---	Boatel					
4.---	Commercial Kitchen (not associated with an Eating Establishment)	P		P		
5.---	Commercial Pier					
6.---	Commercial Trade or Business School	P		P		
7.---	Corporate Headquarters	P	P	P		
8.---	Crematorium	P	P			
9.---	Eating Establishment with Drive-up Facility	S2		SC		
10.---	Eating Establishment without Drive-up Facility	P	P	C		
11.---	Entertainment Business, Adult					
12.---	Flex-Space Business	SC		C		
13.---	Funeral Home	P	P			
14.---	Home Occupation, All Employed are Residents	C	C	C		
15.---	Home Occupation, 1 Equivalent Full-time non-resident employee	SC	SC	P		
16.---	Home Occupation, 2 Equivalent Full-time non-resident employees	SC	SC	P		
17.---	Laundry, Industrial					
18.---	Laundry/Laundromat					
19.---	Motel or Hotel	S4	S4			
20.---	Office, Non-Medical, Medical or Clinic, less than 5,000 sq. ft.	C				
21.---	Office, Non-Medical, Medical or Clinic, more than 5,000 sq. ft.					
22.---	Office Support Services, including printing, copying, faxing, internetworking, etc., less than 5,000 sq. ft.	C				
23.---	Office Support Services, including printing, copying, faxing, internetworking, etc., more than 5,000 sq. ft.					
24.---	Personal Services, Less than 5,000 sq. ft.	P				
25.---	Personal Services, More than 5,000 sq. ft.					
26.---	Tavern, Nightclub, Lounge, Dance Hall	S4				
27.---	Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars					

ST. LEONARD TOWN CENTER				
USE #	ST. LEONARD TABLE OF LAND USES – RECREATION	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.	Campground and/or Recreational Vehicle Camp		SC	
2.	Carnival, Fair or Circus – Temporary, Less than Five Acres	SC	SC	SC
3.	Carnival, Fair or Circus – Temporary, More than Five Acres	C	C	C
4.	Commercial or Non-Profit Meeting Hall, Banquet Hall	SC		
5.	Convention Center	P	S1	P
6.	Drive-in Theatre			
7.	Golf Course	S		
8.	Golf, Driving Range	S2		
9.	Golf, Miniature	S	S	
10.	Indoor Commercial Amusements:			
11.	Indoor Commercial Amusements: Arcade, Pool Hall, Bingo Hall	S		
12.	Indoor Commercial Amusements: Bowling, Skating Rink, Theatre	S4		
13.	Indoor Commercial Amusements: Fitness Center	P	P	P
14.	Indoor Commercial Amusements: Studio, Commercial Performing Arts	P	P	P
15.	Indoor Commercial Amusements: Swimming Pool, Athletic Courts	S4	S4	P
16.	Marina			
17.	Outdoor Recreation, such as: Swimming Pools, Athletic Courts	S		C
18.	Retreat, Day	P	S4	P
19.	Studio, Commercial	P	P	P
20.	Target Range, Indoor			
21.	Target Range, Outdoor			

ST. LEONARD TOWN CENTER				
USE #	ST. LEONARD TABLE OF LAND USES – COMMERCIAL WHOLESAL	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.	Mini-Storage	S		P
2.	Warehouse, Indoor	S		P
3.	Warehouse, Outdoor			C
4.	Wholesale Lumber and/or Other Building Materials less than 25,000-square feet	S2		
5.	Wholesaling, Indoor Only	S		P

BK0075PG0442

Exhibit A

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

ST. LEONARD TOWN CENTER				
USE #	ST. LEONARD TABLE OF LAND USES -- INDUSTRIAL USES	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.	Agricultural Processing Plant (Granary only)			SC
2.	Agricultural/Livestock Processing Plant (Meats & Poultry only)			SC
3.	Agricultural/Seafood Processing Plant (Seafood only)	S2		SC
4.	Asphalt Plant			
5.	Commercial Fuel Storage Business	S		S
6.	Commercial Recycling Facility			
7.	Distillation of Alcohol as a Fuel, Commercial			
8.	Distillation of Alcohol as a Fuel On a Farm for Farm Use Only	C	C	C
9.	Grain Elevator			SC
10.	Kiln, Wood drying			

14.	Landfill, Land-Clearing Debris				
15.	Landfill, Rubble				
16.	Landfill, Sanitary				
17.	Manufacturing and/or Assembly, Heavy				
18.	Manufacturing and/or Assembly, Light, Less than 5,000 square feet	S4			C
19.	Manufacturing and/or Assembly, Light, More than 5,000 square feet	S2			C
20.	Manufacturing and/or Assembly, Watercraft, Commercial	S2			S2
21.	Outdoor Storage in Connection with Commercial and/or Industrial Uses	P			C
22.	Power-Generating Facility, Accessory to a Residence or Business	P		P	P
23.	Power-Generating Facility, Commercial				S
24.	Research & Development Facility, Environmental	P			P
25.	Research & Development Facility, Other	P			P
26.	Salvage and/or Junk Yard				
27.	Sand, Gravel or Mineral Extraction and Processing				
28.	Sand, Gravel or Mineral Extraction (No Processing)				SC
29.	Sawmill, Commercial				
30.	Sawmill, Portable			S4	
31.	Storage of Machinery & Equipment in Connection With Excavating and/or Contracting	S		S	C

ST.-LEONARD TOWN CENTER

USE #	ST.-LEONARD TABLE OF LAND USES - INSTITUTIONAL USES	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.	College or University	P		P
2.	Day Care Center: 12 or Less Clients	P	P	P
3.	Day Care Center: 13 or More Clients	S	S	P
4.	Elementary or Secondary School	P	S	
5.	Fire and/or Rescue Service	P	S2	P
6.	Hospital	P	S2	
7.	Library	P	P	
8.	Museum	P	P	
9.	Nursing or Convalescent Home	P	P	
10.	Place of Worship, Parish Hall, Convent, Monastery or Rectory	P	P	
11.	Public or Governmental Building	P	P	P
12.	Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc.	P	P	

BK0075PG0444

Exhibit A

13.---	Public Utility Lines & Accessory Structures	S2		P
14.---	Solid Waste Collection Site		S4	
15.---	Temporary Structure Incidental to School (classroom-relocatable)	P		P
16.---	Wastewater Treatment Facility	C		C
17.---	Water Supply Treatment Facility	P		P

ST. LEONARD TOWN CENTER				
USE #	ST. LEONARD TABLE OF LAND USES -- UNCLASSIFIED USES	VILLAGE	RESIDENTIAL	EMPLOYMENT
1.---	Accessory Building or Use	P	P	P
2.---	Airport or Landing Field			
3.---	Cemetery or Memorial Garden	P	P	
4.---	Communications Towers & Antennas (Government, Commercial & Private)			
		SEE SECTION 3-3 OF THE CALVERT COUNTY ZONING ORDINANCE		
5.---	Dock, Pier, Private			
6.---	Flea Market by Non-Profit Organization	P	P	
7.---	Garage Sale, Yard Sale or Estate Sale	C	C	
8.---	Heliport	S	S	S
9.---	Household Pets	P	P	P
10.---	Livestock Kept as Pets	C	C	C
11.---	Model Home	C	C	
12.---	Structure for the Keeping of Animals (on non-farm properties)	P	P	P
13.---	Temporary Recreational Vehicle at Construction site (for watchman)	P	P	P
14.---	Temporary Structure Incidental to Construction (non-residential)	C	S	C
15.---	Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)			
16.---	Unoccupied Recreational Vehicle	C	C	
17.---	Wild or Dangerous Animals Kept as Pets			

St. Leonard Town Center Conditional Uses

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

Agricultural Use #1 Animal Husbandry — See CCZO for conditions.

Agricultural Use #15 Farm Stand — See CCZO for conditions.

Residential Use #1 Apartment, Accessory — See CCZO for conditions.

Residential Use #5 Bed & Breakfast Facility with up to 2 Bedrooms in Use — See CCZO for conditions.

Residential Use #6 Bed & Breakfast Facility with 3 to 5 Bedrooms in Use — See CCZO for conditions.

Residential Use #7 Boarding House, provided that the following conditions are met:

1. An owner lives on the premises, and
2. the facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used, and
3. no separate kitchens are provided, and
4. adequate off-street parking is provided, and
5. Fire Marshall and Health Department approvals are obtained, and
6. an Occupancy Permit for such use is obtained.

Residential Use #8 Dwelling, Attached: Duplex — See CCZO for conditions (those imposed in the Residential District shall apply in the Town Center).

~~Residential Use Dwelling, Attached: Townhouse, provided that the following conditions are met.~~

- ~~1. The townhouses are located within an approved residential subdivision recorded prior to the adoption of zoning in 1967, and~~
- ~~2. the lots within the recorded residential subdivision do not meet current minimum lot size requirements, and~~
- ~~3. the total number of townhouses does not exceed the total number of undeveloped recorded lots within the approved subdivision, and~~
- ~~4. the lots within the recorded residential subdivision do not front directly onto Rt. 2/4, Rt. 765 or Ball Road, and~~
- ~~5. the townhouses are located within Sub-area B, and~~
- ~~6. all of the conditions of this ordinance except lot size and setback requirements are met.~~

Residential Use #13

Residential Use #18

~~Dwelling, Single Family Detached — See CCZO for conditions.~~

Residential Use

#21

~~Manufactured Home, Farm — See CCZO for conditions.~~

Residential Use

#22

~~Manufactured Home or Recreational Vehicle (Emergency) — See CCZO for conditions.~~

Residential Use

#23

~~Manufactured Home Subdivision — See CCZO for conditions.~~

Residential Use

#24

~~Tenant House — See CCZO for conditions.~~

Commercial Retail Use #5

~~Tenant Houses, Additional (no more than 2 additional) — See CCZO for conditions.~~

~~Artisans' and Crafters' Market — See CCZO for conditions.~~

Commercial Retail Use	<u>Farmers' Market</u> — See CCZO for conditions.
Commercial Retail Use	<u>Mobile Food Sales</u> — See CCZO for conditions.
Commercial Retail Use	<p data-bbox="425 527 1403 590"><u>Retail Commercial Building, Less than 5,000 Square Feet</u>, provided that the following conditions are met:</p> <ol data-bbox="425 611 1403 743" style="list-style-type: none"> <li data-bbox="425 611 1403 642">1. The business is serving primarily the business on site, and <li data-bbox="425 663 1403 695">2. the business is not adjacent to an arterial or collector road, and <li data-bbox="425 716 1403 743">3. the total space consists of no more than 5,000 square feet.
Commercial Retail Use	<p data-bbox="425 810 1386 873"><u>Retail Commercial Building with Drive-up Facility, Less than 5,000 square feet</u>, provided that the following conditions are met:</p> <ol data-bbox="425 894 1386 1029" style="list-style-type: none"> <li data-bbox="425 894 1386 926">1. The business is serving primarily the business on site, and <li data-bbox="425 947 1386 978">2. the business is not adjacent to an arterial or collector road, and <li data-bbox="425 999 1386 1029">3. the total space consists of no more than 5,000 square feet.
Commercial Retail Use	<u>Retail Commercial Sale or Display Area, Outdoor</u> — See CCZO for conditions.
Commercial Retail Use	<u>Watermen's Market</u> — See CCZO for conditions.
Business & Personal Services Use	<u>Eating Establishment with drive-up facility</u> , provided that the restaurant is either a cafeteria for the business, serving primarily the employees on site, or is a part of a business park and the business is not adjacent to an arterial or collector road.
Business & Personal Services Use #1o	<u>Eating Establishment without drive-up facility</u> , provided that the restaurant is either a cafeteria for the business, serving primarily the employees on-site, or is a part of a business park and the business is not adjacent to an arterial or collector road.

Exhibit A

~~Business &
Personal
Services Use
#12~~

~~Flex Space Business, provided that:~~

- ~~1. the conditions of the Calvert County Zoning Ordinance for Flex Space Businesses are met; and~~
- ~~2. if the use involves light manufacturing and/or assembly, the conditions of the St. Leonard Town Center Zoning Ordinance for Light Manufacturing and/or Assembly are met.~~

~~Business &
Personal
Services Use
#14~~

~~Home Occupation, All Employed are Residents — See CCZO for conditions.~~

~~Business &
Personal
Services Use
#15~~

~~Home Occupation, 1 Equivalent Full-time Non-resident Employee — See CCZO for conditions.~~

~~Business &
Personal
Services Use
#16~~

~~Home Occupation, 2 Equivalent Full-time Non-resident Employee — See CCZO for conditions.~~

~~Business &
Personal
Services Use
#20~~

~~Office, Non-Medical, Medical or Clinic, less than 5,000 sq. ft. — See CCZO for conditions.~~

~~Business &
Personal
Services Use
#22~~

~~Office Support Services, including printing, copying, faxing, internetworking, etc., less than 5,000 sq. ft. — See CCZO for conditions.~~

~~Recreation Use
#1~~

~~Campground and/or Recreational Vehicle Camp — See CCZO for conditions.~~

~~Recreation Use #2 Carnival, Fair or Circus – Temporary, Less than Five Acres – See CCZO for conditions.~~

~~Recreation Use #3 Carnival, Fair or Circus – Temporary, More than Five Acres – See CCZO for conditions.~~

~~Recreation Use #4 Commercial or Non-Profit Meeting Hall/Banquet Hall, provided that parking is provided in accordance with Section 6-2 of the Calvert County Zoning Ordinance.~~

~~Recreation Use #17 Outdoor Recreation, such as: Swimming Pools, Athletic Courts – See CCZO for conditions.~~

~~Commercial Wholesale Use #3 Warehouse, Outdoor, provided that the storage is completely screened from neighboring properties and public rights-of-way.~~

~~Motor Vehicle Use Automobile Filling Station, provided that the following conditions are met:~~

- ~~1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line, and~~
- ~~2. no structure or building is erected within 80 feet of any dwelling (neither setback may be reduced), and~~
- ~~3. no new service bay openings shall face a right-of-way, and~~
- ~~4. no more than ten inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way, and~~
- ~~5. Junk vehicles shall be removed after 30 days, and~~
- ~~6. the provisions concerning inoperative vehicles and junk cars will go into effect immediately for new development and within one year for existing development.~~

~~Motor Vehicle Use~~

~~Automobile Filling Station, with Convenience Store and/or Eating Establishment, provided that the conditions for “Automobile Filling Station” are met.~~

~~Motor Vehicle — Automobile Repair Shop/Service Shop without fuel sales, provided that the~~

~~Use #5 — following conditions are met:~~

~~Motor Vehicle — Automobile Parts Dismantling and/or Storage – See CCZO for conditions.~~

Use #4

- ~~1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 100 feet of the front lot line, and~~
- ~~2. no structure or building is erected within 150 feet of any dwelling, (neither setback may be reduced), and~~
- ~~3. no new service bay openings shall face a right-of-way, and~~
- ~~4. no more than ten inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way, and~~
- ~~5. junk vehicles shall be removed after 30 days, and~~
- ~~6. the provisions concerning inoperative vehicles and junk cars will go into effect immediately for new development and within one year for existing development.~~

~~Motor Vehicle Use~~

~~Motor Vehicle Use — Car Wash — See CCZO for conditions.~~

~~Motor Vehicle Use — Motor Vehicle Accessory Shop — See CCZO for conditions.~~

~~Industrial Use — Parking of Commercial Motor Vehicles — See CCZO for conditions.~~

~~Agricultural Processing Plant (Granary only), provided that the following conditions are met:~~

- ~~1. All processing structures are at least 100 feet from all side, front and rear lot lines; and~~
- ~~2. adequate measures are taken for the abatement of dust, noise or similar nuisances.~~

~~Industrial Use #2 Agricultural/Livestock Processing Plant; (Meats & Poultry only), provided that the following conditions are met:~~

- ~~1. Such use is located on a lot not less than five acres in size, and is not nearer than 200 feet from any Village District boundary, and~~
- ~~2. all structures have a minimum setback of 100 feet from side, front and rear lot lines, and~~
- ~~3. adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and~~
- ~~4. design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies, and~~
- ~~5. retail sales of processed food are permitted only as an accessory use.~~

~~Industrial Use #3 Agricultural/Seafood Processing Plant (Seafood only), provided that the following conditions are met:~~

- ~~1. Such use is located on a lot not less than five acres in size, and is not nearer than 200 feet from any Village or Rural District boundary, and~~
- ~~2. all structures have a minimum setback of 100 feet from side, front and rear lot lines, and~~
- ~~3. adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and~~
- ~~4. design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies, and~~
- ~~5. retail sales of processed food are permitted only as an accessory use.~~

~~Industrial Use #8 Distillation of Alcohol as a Fuel on a Farm for Farm Use Only — See CCZO for conditions.~~

~~Industrial Use #9 Grain Elevator — See CCZO for conditions.~~

**Industrial Use
#15**

**Manufacturing and/or Assembly, Light, less than 5,000 sq. ft.,
provided that the following conditions are met:**

- 1. All structures have a minimum setback of 100 feet from all district boundary lines, and**
- 2. adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and**
- 3. design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory**

- Industrial Use #16** Manufacturing and/or Assembly, Light, more than 5,000 sq. ft., provided that the following conditions are met:
- 1. All structures have a minimum setback of 100 feet from all district boundary lines, and
 - 2. adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and
 - 3. design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies.
- Industrial Use #18** Outdoor Storage in Connection with Commercial and Industrial Uses, provided that the machinery and/or equipment stored is not visible from adjoining properties or the road.
- Industrial Use #25** Sand, Gravel or Mineral Extraction (No Processing) — See CCZO for conditions.
- Industrial Use #28** Storage of Machinery and Equipment in Connection with Excavating and/or Contracting Business, provided that the following conditions are met:
- 1. The machinery and/or equipment stored is not visible from adjoining properties or the road, and
 - 2. all storage buildings together contain no more than 2,000 square feet, and
 - 3. the owner lives on the premises.
- Institutional Use #16** Wastewater Treatment Facility — See CCZO for conditions.
- Unclassified Use #7** Garage Sale, Yard Sale or Estate Sale — See CCZO for conditions.
- Unclassified Use #10** Livestock Kept as Pets — See CCZO for conditions.
- Unclassified Use #11** Model Home — See CCZO for conditions.

Exhibit A

BK0075PG0454

~~Unclassified Use Temporary Structure Incidental to Construction (non-
#14 CCZO for conditions.~~

~~Unclassified Use Unoccupied Recreational Vehicle — See CCZO for conditions.
#16~~

LUSBY TOWN CENTER ZONING ORDINANCE

3-2 ~~TABLE OF~~ PERMITTED LAND USES

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

~~The following table of land uses lists the various land uses and the zoning districts in which they are permitted. If a use is not listed or does not fall within one of the general categories of use, it is not a permitted use in any district of the Town Center. If a use is specifically listed in the Table of Permitted Land Uses, it takes precedence over general use listings.~~

~~A blank _____ indicates that the use is not permitted~~

~~“P” _____ indicates the use is permitted~~

~~“C” _____ indicates the use is permitted if it meets certain conditions~~

~~“S” _____ indicates that the use is subject to a Special Exception from the Board of Appeals
(Refer to the Calvert County Zoning Ordinance concerning Special Exceptions)~~

~~“SC” _____ indicates that the use is subject to a Special Exception from the Board of Appeals if it meets conditions~~

BK0075PG0456

Exhibit A

KEY TO LAND USE CHARTS:

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

LUSBY TOWN CENTER

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

LUSBY TOWN CENTER

USE #	LUSBY TABLE OF LAND USES -- AGRICULTURAL	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Animal Husbandry					

Exhibit A

2.—	Aquaculture, Freshwater and Land-based								
3.—	Aquaculture, Marine/Estuarine								
4.—	Commercial Greenhouse, Retail								P
5.—	Commercial Greenhouse, Wholesale								P
6.—	Commercial Kennel, with indoor facilities only								
7.—	Commercial Kennel, with outdoor facilities								
8.—	Commercial or Non-Profit Stable or Horseback-Riding Club								
9.—	Commercial Raising of Dangerous or Wild Animals								
10.—	Commercial Raising of Fur-bearing Animals								
11.—	Farm								P
12.—	Farm Brewery								
13.—	Farm Building								
14.—	Farm Distillery								
15.—	Farm Stand								C
16.—	Farm Winery								
17.—	Field Crops								P
18.—	Forest Product Processing								
19.—	Garden Center or Farm Supply Store, 75,000 sq. ft.					C			C
20.—	Garden Center or Farm Supply Store, less than 75,000 sq. ft.					P			P
21.—	Livestock Auction and/or Sales Barn, Commercial								
22.—	Livestock Auction by a Non-Profit Organization or Farm Owner								
23.—	Nursery, Retail								P
24.—	Nursery, Wholesale								P
25.—	Tree Farming								P
26.—	Veterinary Hospital or Clinic, Livestock								P
27.—	Veterinary Hospital or Clinic, Small Animals and Household Pets								C

LUSBY TOWN CENTER

USE #	LUSBY TABLE OF LAND USES - RESIDENTIAL	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.—	Apartment, Accessory				C	C
2.—	Apartment, Accessory for Resident Watchman/Caretaker	P	P	P	P	P

BK0075PG0458

Exhibit A

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

LUSBY TOWN-CENTER

USE #	LUSBY TABLE OF LAND USES — COMMERCIAL RETAIL	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.—	Agricultural Machinery, Service and/or Supplies			P		P
2.—	Antiques Sales			P	P	
3.—	Art Gallery, less than 75,000 sq. ft.			P	P	
4.—	Artisans' and Crafters' Market		C	C		
5.—	Auction Building			P		P
6.—	Boat Dealership					P
7.—	Farmers' Market		C	C		P

18.—	Motel or Hotel	S	P	P	P	S	P
19.—	Office, Medical, Non-Medical or Clinic		P	P	P	P	P
20.—	Office Support Services, including printing, copying, faxing, internetworking, etc.		P	P	P	P	P
21.—	Personal Services		P	P	P	P	P
22.—	Tavern, Nightclub, Lounge, Dance Hall						P
23.—	Tavern, Nightclub, Lounge, Dance Hall with Outdoor Facilities such as Bars						P

LUSBY TOWN-CENTER

USE #	LUSBY TABLE OF LAND USES — RECREATION	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.—	Campground and/or Recreational Vehicle Camp					
2.—	Carnival, Fair or Circus—Temporary, On Less than 5 Acres					SC
3.—	Carnival, Fair or Circus—Temporary, On More than 5 Acres					SC
4.—	Commercial or Non-Profit Meeting Hall, Banquet Hall		P	P		P
5.—	Convention Center		P	S		
6.—	Drive-in Theatre					
7.—	Fitness Center	S	P	P	S	
8.—	Golf Course					
9.—	Golf, Driving Range					
10.—	Golf, Miniature					P
11.—	Indoor Commercial Amusements: Arcade, Pool Hall, Bingo Hall			P		
12.—	Indoor Commercial Amusements: Bowling Alley		P			P
13.—	Indoor Commercial Amusements: Motion Picture Theatre			P		
14.—	Indoor Commercial Amusements: Skating Rink			P	P	P
15.—	Indoor Commercial Amusements: Swimming Pool, Athletic Court	S	P	P	S	
16.—	Indoor Commercial Amusements: Theatre			P	P	P
17.—	Marina					
18.—	Outdoor Recreation, such as: Swimming Pools, Athletic Courts	SC	C	C	SC	C
19.—	Retreat, Day	P			S	P
20.—	Studio, Commercial		P	P	P	
21.—	Studio, Commercial-Performing Arts		P	P	P	

22.	Target Range, Indoor						
23.	Target Range, Outdoor						

LUSBY TOWN-CENTER							
USE #	LUSBY TABLE OF LAND USES—COMMERCIAL-WHOLESALE	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE	
1.	Mini-Storage					SC	
2.	Warehouse, Indoor					SC	
3.	Warehouse, Outdoor						
4.	Wholesale Lumber and/or Other Building Materials less than 75,000 sq. ft.					P	
5.	Wholesale Lumber and/or Other Building Materials, 75,000 sq. ft.		C	C			
6.	Wholesaling, Indoor-Only					SC	

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

17.-	Truck, Bus and Diesel Service and Repair Shop							
18.-	Truck Terminal							
19.-	Vehicle Ferry Service							

LUSBY TOWN-CENTER								
USE #	LUSBY TABLE OF LAND USES—INDUSTRIAL	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE		
1.-	Agricultural / Seafood/Livestock Processing Plant:							
2.-	Asphalt Plant							
3.-	Commercial Fuel Storage Business							
4.-	Commercial Recycling Facility							
5.-	Distillation of Alcohol as a Fuel On a Farm for Farm Use Only							
6.-	Distillation of Alcohol as a Fuel, Commercial							
7.-	Grain Elevator							
8.-	Kiln, Wood Drying							
9.-	Landfill, Land-Clearing Debris							
10.-	Landfill, Rubble							
11.-	Landfill, Sanitary							
12.-	Manufacturing and/or Assembly, Heavy							
13.-	Manufacturing and/or Assembly, Light, Less than 5,000 square feet			C				C
14.-	Manufacturing and/or Assembly, Light, More than 5,000 square feet							SC
15.-	Manufacturing and/or Assembly, Watercraft, Commercial							
16.-	Outdoor Storage in Connection with Commercial and/or Industrial Uses		C	C				
17.-	Power Generating Facility, Accessory to a Residence or Business (10/13/10)	C	C	C	C			C
18.-	Power Generating Facility, Commercial							
19.-	Research & Development Facility, Environmental			P				P
20.-	Research & Development Facility, Other			P				P
21.-	Salvage and/or Junk Yard							
22.-	Sand, Gravel or Mineral Extraction and Processing							
23.-	Sand, Gravel or Mineral Extraction (No Processing)							
24.-	Sawmill, Commercial							
25.-	Sawmill, Portable							
26.-	Storage of Machinery & Equipment in Connection With Excavating and/or Contracting Business							

BK0075PG0463

Exhibit A

27.	Wind Energy System, Accessory to a Residence or Business (10/13/10)	C	C	C	C	C
28.	Wind Energy System, Commercial (10/13/10)					

LUSBY TOWN CENTER						
USE #	LUSBY TABLE OF LAND USES — INSTITUTIONAL USES	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	College or University	P				P
2.	Day Care Center	P	P	P	P	P
3.	Elementary or Secondary School	P		P	P	P
4.	Fire and/or Rescue Service					P
5.	Hospital					
6.	Library	P		P	P	
7.	Museum	P		P	P	
8.	Nursing or Convalescent Home	P	P	P	P	P
9.	Place of Worship, Parish Hall, Convent, Monastery or Rectory	P	P	P	P	P
10.	Public or Governmental Building	P	P	P	P	P
11.	Public or Non-profit Park and/or Recreation Area Including: Tennis Courts, Swimming Pools, Athletic Fields, etc.	P		P	P	
12.	Public Utility Lines & Accessory Structures					
13.	Solid Waste Collection Site					
14.	Temporary Structural Incidental to School (classroom relocatable)	P		P	P	P
15.	Wastewater Treatment Facility					
16.	Water Supply Treatment Facility		P			

LUSBY TOWN CENTER						
USE #	LUSBY TABLE OF LAND USES — UNCLASSIFIED	INSTITUTIONAL	NEIGHBORHOOD COMMERCIAL	VILLAGE COMMERCIAL	VILLAGE RESIDENTIAL-OFFICE	VILLAGE EDGE
1.	Accessory Building or Use	P	P	P	P	P
2.	Airport or Landing Field					
3.	Cemetery or Memorial Garden					

		SEE SECTION 3-3 OF THE CALVERT COUNTY ZONING ORDINANCE					
4.—	Communications Towers & Antennas (Government, Commercial & Private)						
5.—	Deck, Pier, Private						P
6.—	Flea Market by Non-Profit Organization						C
7.—	Garage Sale, Yard Sale or Estate Sale						C
8.—	Heliport						
9.—	Household Pets						P
10.—	Livestock Kept as Pets						
11.—	Model Home						C
12.—	Structure for the Keeping of Animals (on non-farm properties)						P
13.—	Temporary Recreational Vehicle at Construction site (for watchman)						C
14.—	Temporary Structure Incidental to Construction (non-residential)						C
15.—	Temporary Structure Incidental to Sales or Rentals in New Residential or Commercial Developments (sales trailers)						
16.—	Unoccupied Recreational Vehicle						
17.—	Wild or Dangerous Animals Kept as Pets						

~~3-3 NON-CONFORMING USES~~

~~(10/28/03) Any building, structure or premises lawfully existing at the time of the adoption of this Ordinance, or lawfully existing at the time this Ordinance is subsequently amended, may continue to be used even though such building, structure or premises does not conform to use or dimensional regulations of the zoning district in which it is located; subject to the provisions listed in Section 2-6 of the Calvert County Zoning Ordinance.~~

~~3-4 CONDITIONAL USES~~

~~The following are conditions imposed upon land uses as indicated in the table entitled "Land Uses by District".~~

~~3-4.01 Agricultural Uses~~

~~A. Veterinary Hospital or Clinic, provided that all structures or accessory uses are not less than 100 feet from any residence except that of the operator of such use. If the Veterinary Hospital or Clinic has outside kennels or boarding facilities, such structures shall be not less than 500 feet from any property line and 300 feet from a right-of-way.~~

~~3-4.02 Residential Uses~~

~~A. Accessory Apartments, provided that:~~

- ~~i. Only one accessory apartment is created on each single family lot,~~
- ~~ii. The accessory apartment is clearly subordinate to the single family dwelling.~~
 - ~~a. If the apartment is not a part of the dwelling, it must be within 100 feet of the dwelling and attached to an accessory building such as a garage. In no case shall it contain more than 900 square feet gross floor area of enclosed space, including enclosed porches.~~
 - ~~b. If the apartment is contained within the dwelling (i.e., as an addition or wing), then it shall contain no more than 40% of the total square footage of the building,~~
 - ~~c. If the apartment is located in the basement of the dwelling, then it can consist of the entire basement.~~
- ~~iii. An owner of the lot occupies at least one of the dwelling units on the premises, except for bona fide temporary absences as determined by the Zoning Officer,~~
- ~~iv. At least one off street parking space is available for the accessory apartment,~~
- ~~v. The owner obtains Health Department approval.~~

~~B. Bed and Breakfast provided that:~~

- ~~i. An owner lives on the premises,~~

- ii. ~~The facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used,~~
- iii. ~~No separate kitchens are provided,~~
- iv. ~~Adequate off-street parking is provided,~~
- v. ~~Fire Marshall and Health Department approvals are obtained,~~
- vi. ~~The breakfast shall be served to overnight lodgers only, and~~
- vii. ~~An Occupancy Permit for such use is obtained.~~

C. Boarding House provided that:

- i. ~~An owner lives on the premises,~~
- ii. ~~The facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used,~~
- iii. ~~No separate kitchens are provided,~~
- iv. ~~Adequate off-street parking is provided,~~
- v. ~~Fire Marshall and Health Department approvals are obtained, and~~
- vi. ~~An Occupancy Permit for such use is obtained.~~

~~D. Mobile Home or Recreational Vehicle for Emergency Use In case of fire or other disaster (destroying livability of residence) the Zoning Officer may issue a permit in any district for one mobile home or recreational vehicle to serve as a temporary shelter on the premises. If such temporary use exceeds six months, the Board of Appeals may approve an extension for a period not to exceed one year beyond the date such temporary residence was established.~~

~~3-4.03 Commercial Retail~~

~~A. Retail Commercial with Drive Up/Drive Through Service Window(s) provided that the drive-up / drive through travel way is an alley.~~

~~B. Roadside Stand provided that:~~

- i. ~~It is restricted to selling produce/nursery products only,~~
- ii. ~~Any new permanent stand meets the front setback requirements of the District within which it is located. A temporary roadside stand shall also meet the front setback requirements of the District in which it is located, and~~
- iii. ~~Adequate parking is provided so that parking on a public right of way is minimized and any on-street parking does not, in the opinion of the Zoning Officer, impede the safe flow of traffic.~~

~~3-4.04 Commercial Businesses And Personal Services~~

~~A. Any restaurant with drive up / drive through service window(s) provided that the drive-up / drive through travel way is an alley.~~

~~B. Home Occupation provided that:~~

- i. ~~The occupation is conducted within the dwelling or secondary structure. In addition, no outside storage of equipment, materials or items to be repaired shall be permitted, unless screened from view of public or private rights of way, and neighboring land uses per Section 5-2.03 of this Ordinance,~~

- ii. ~~No article or commodity is offered for sale or is publicly displayed on the premises except those incidental to the services offered,~~
- iii. ~~Applicable State Licenses are obtained, and~~
- iv. ~~The occupation does not utilize more than 650 square feet, including storage.~~

C. ~~Laundry / Laundromat with drive up / drive through service window(s) provided that the drive up / drive through travel way is an alley.~~

D. ~~Other Commercial businesses, personal services, or clinics with drive up / drive through service windows provided that the drive up / drive through travel way is an alley.~~

3-4.05 Commercial Recreation

A. ~~Carnival, Fair or Circus, when sponsored by a non-profit organization, provided that:~~

- i. ~~The parcel is used as such for no more than 14 days a year,~~
- ii. ~~Adequate parking is provided,~~
- iii. ~~A County permit for the event is obtained before the event begins. The permit is to include approvals by the Health Department, Inspections & Permits Division, and the Public Safety Department.~~
- iv. ~~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.~~

B. ~~Other Outdoor Recreation such as Swimming Pools, Athletic Courts provided that the use is accessory to the principal use.~~

~~3-4.06 Commercial, Wholesale~~

- ~~A. Wholesaling or Warehouse, Indoor provided that buildings are located at least 200 feet from any residence and screened from adjacent land uses and rights-of way.~~
- ~~B. Mini Storage provided that buildings are located at least 200 feet from any residence and screened from adjacent land uses and rights-of way.~~

~~3-4.07 Motor Vehicle And Related Services~~

- ~~A. Automobile Filling Station, provided that:
 - ~~i. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 25 feet of the front lot line,~~
 - ~~ii. Fuel pumps and service bays are located to the rear of the building,~~
 - ~~iii. No structure or building is erected within 150 feet of any dwelling (neither setback may be reduced),~~
 - ~~iv. No new service bay openings shall face a right-of way,~~
 - ~~v. No more than 5 inoperative vehicles and/or junk cars are allowed, except for those that are completely screened from adjoining properties and rights-of way per Section 5-2.04A,~~
 - ~~vi. Junk vehicles shall be removed after 30 days, and~~
 - ~~vii. 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.~~~~
- ~~B. Repair Shop/Service Shop/ Car Wash provided that:
 - ~~i. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles is located within 100 feet of the front lot line,~~
 - ~~ii. No structure or building is erected within 150 feet of any dwelling, (neither setback may be reduced),~~
 - ~~iii. No new service bay openings shall face a right-of way,~~
 - ~~iv. No more than 5 inoperative vehicles and/or junk cars are allowed, except for those that are completely screened from adjoining properties and rights-of way per Section 5-2.04A,~~
 - ~~v. Junk vehicles shall be removed after 30 days, and~~
 - ~~vi. 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.~~~~

~~3-4.08 Industrial~~

- ~~A. General Manufacturing/Assembly provided that:
 - ~~i. Adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and~~
 - ~~ii. Design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies,~~
 - ~~iii. No structure or building is located within 200 feet of any dwelling, and~~~~

- iv. ~~Any outdoor storage is completely screened from adjoining properties and rights of way, per Section 5-2.04A, and~~
- v. ~~Landscaping adjacent to buildings is provided to help reduce building mass, promote safe pedestrian circulation, accent buildings and draw attention away from parking lots, utility lines and outdoor storage areas.~~

~~B. All Other Light Industrial Uses provided that:~~

- i. ~~Adequate measures are taken for the abatement of offensive and obnoxious odors, dust, smoke, noise, vibration, or similar nuisances, and~~
- ii. ~~Design, construction, and operation of the facility meets requirements of appropriate State and Federal regulatory agencies,~~
- iii. ~~No structure or building is located within 200 feet of any dwelling,~~
- iv. ~~Any outdoor storage is completely screened from adjoining properties and rights of way, per Section 5-2.04A, and~~
- v. ~~Landscaping adjacent to buildings is provided to help reduce building mass, promote safe pedestrian circulation, accent buildings and draw attention away from parking lots, utility lines, and outdoor storage areas.~~

~~3-4.09 Unclassified~~

~~A. Garage Sale, Yard Sale or Estate Sale provided that:~~

- i. ~~Articles for sale consist of personal possessions of the seller, and~~
- ii. ~~Such sale is not held more than once every three months.~~

~~B. Outdoor Storage in Connection with Commercial and Industrial Uses provided that the machinery and/or equipment stored is not visible from adjoining properties or rights of way.~~

~~C. Temporary Recreational Vehicle at Construction Site for Watchman provided that it is removed when the construction is finished. Only one recreational vehicle is permitted.~~

~~D. Temporary Structure Incidental to Construction (non-residential) provided that it is removed when the construction is finished.~~

SOLOMONS TOWN CENTER ZONING ORDINANCE

ARTICLE 3 - LAND USES BY ZONING DISTRICT

	Article 3 Page No.	
3-1	Solomons Table of Land Uses	2
	3-1.01 Agritourism, Ecotourism, & Heritage Tourism Uses	3
	3-1.02 Agricultural Uses	4
	3-1.03 Residential Uses	5
	3-1.04 Commercial Retail Uses	6
	3-1.05 Business & Personal Services Uses	7
	3-1.06 Recreation Uses	8
	3-1.07 Commercial Wholesale Uses	9
	3-1.08 Motor Vehicle & Related Service Uses	9
	3-1.09 Industrial Uses	10
	3-1.10 Institutional Uses	11
	3-1.11 Unclassified Uses	12
3-2	Solomons Table of Conditional Uses & Definitions	13
	3-2.01 Agritourism, Ecotourism, & Heritage Tourism Uses	13
	3-2.02 Agricultural Uses	15
	3-2.03 Residential Uses	21
	3-2.04 Commercial Retail Uses	25
	3-2.05 Business & Personal Services Uses	28
	3-2.06 Recreation Uses	31
	3-2.07 Commercial Wholesale Uses	32
	3-2.08 Motor Vehicle & Related Service Uses	32
	3-2.09 Industrial Uses	34
	3-2.10 Institutional Uses	34
	3-2.11 Unclassified Uses	34
3-32	Tower and Antenna Regulations	36

BK 0075PG0471

KEY TO LAND USE CHARTS:

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

US E#	SOLOMONS TABLE OF LAND USES— 3-1.01 AGRITOURISM, ECO-TOURISM, AND HERITAGE TOURISM USES												NORTH OF LORE ROAD					DOWELL			WEST SIDE				
	SOUTH OF LORE ROAD						NORTH OF LORE ROAD						D	D	D	D	D	D	D	D	E1	E2	E3	F1	F2
1.	Agritourism Enterprise	B 4	B 2	B 3	B 4	C 4 ¹	C 2	C 3	C 4	C 5	C 6	C 7	D 1	D 2	D 3	D 4	D 5								
2.	Campground, Farm																								
3.	Canoe or Kayak Launching Site, Commercial		C	C			C	C	C	C		C	C				C	C	C	C					
4.	Commercial Kitchen, Farm																								
5.	Ecotourism Enterprise																								
6a.	Farm Support Business, Less than 5,000 square feet																								
6b.	Farm Support Business, More than 5,000 square feet																								
7.	Heritage Trail Displays		C	C	C		C	C	C	C	C	C	C	C			C	C	C	C				C	
8.	Hunting Service																								
9.	Public Events/Public Assemblies on Farmland																								

¹. For Agritourism, Eco-tourism, and Heritage Tourism Uses permitted in the C1 Sub-area, see Section 6-12.07 of this Ordinance.

Exhibit A

USE #	SOUTH-OF-LORE ROAD												NORTH-OF-LORE ROAD						DOWELL		WEST SIDE					
	B 1	B 2	B 3	B 4	C 1 ⁴	C 2	C 3	C 4	C 5	C 6	C 7	C 8	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	E 1	E 2	E 3	F1	F2	
5c.					C	C																				
5d.					C	C				C*																
5e.					C	C				C*																
5f.		C	C	C	C	C				C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
6.		C	C	C	C	C				C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
7.																										
8a.																										
8b.										C																
8c.																										
8d.		C	C	C	C	C				C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
8e.																										
9a.										C																
9b.																										
USE #	SOUTH-OF-LORE ROAD												NORTH-OF-LORE ROAD						DOWELL		WEST SIDE					
	B 1	B 2	B 3	B 4	C 1 ⁴	C 2	C 3	C 4	C 5	C 6	C 7	C 8	D 1	D 2	D 3	D 4	D 5	D 6	D 7	D 8	E 1	E 2	E 3	F1	F2	
1.													P			P	P									
2.		C		C		P	C		C*	C	C	C	C	C		C	C	C	C	C	C	C				
3.		C		C		C	C			C	C	C	C	C		C	C	C	C	C	C	C				
4.																										
5.			P	P									P			P	P									
6.													C			C	C									
7.																										
8a.		C		C		C	C			C	C	C	C	C		C	C	C	C	C	C	C				
8b.		C		C		C	C						C			C	C	C	C	C	C	C				

⁴ For Commercial Retail Uses permitted in the C1 Sub-area, see Section 6-12.07 of this Ordinance.

8d.	Recreation Facility, Indoor-Commercial- Studio	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
8e.	Recreation Facility, Indoor-Commercial- Studio, Performing Arts	S	S	S																	
8f.	Recreation Facility, Indoor-Commercial- Swimming Pool, Athletic Courts, etc.		S	S																	
9.	Recreation Facility, Outdoor Commercial- Swimming Pools, Athletic Courts, etc.		P	S																	
10.	Retreat, Day																				
11a.	Target Range, Indoor																				
11b.	Target Range, Outdoor																				

USE #	SOLOMONS TABLE OF LAND USES— 3-1.07 COMMERCIAL WHOLESALER USES	SOUTH-OF LORE ROAD										NORTH-OF LORE ROAD					DOWELL			WEST SIDE							
		B 1	B 2	B 3	B 4	B 7	C 1	C 2	C 3	C 4	C 5	C 6	C 7	D 1	D 2	D 3	D 4	D 5	D 6	E 1	E 2	E 3	F 1	F 2			
1.	Mini-Storage																										
2a.	Warehouse, Indoor																										
2b.	Warehouse, Outdoor																										
3.	Wholesale Lumber and/or Other Building Materials																										
4.	Wholesaling, Indoor-Only																										

USE E-#	SOLOMONS TABLE OF LAND USES— 3-1.08 MOTOR VEHICLE & RELATED SERVICES USES	SOUTH-OF LORE ROAD										NORTH-OF LORE ROAD					DOWELL			WEST SIDE							
		B 1	B 2	B 3	B 4	B 6	C 1	C 2	C 3	C 4	C 5	C 6	C 7	D 1	D 2	D 3	D 4	D 5	D 6	E 1	E 2	E 3	F 1	F 2			
1a.	Automobile Filling Station																										

⁷ Commercial Wholesale Uses are not permitted in the C1 Sub-area.

⁸ For Motor Vehicle and Related Services Uses permitted in the C1 Sub-area, see Section 6-12.07 of this Ordinance.

US E #	SOLOMONS TABLE OF LAND USES-- 3-1-09-INDUSTRIAL USES	SOUTH-OF LORE ROAD										NORTH-OF LORE ROAD					DOWELL			WEST SIDE						
		B 1	B 2	B 3	B 4	B	C 1 ⁹	C 2	C 3	C 4	C 5	C 6	C 7	C	D 1	D 2	D 3	D 4	D 5	E 1	E 2	E 3	F 1	F 2		
1.	Agricultural/Seafood/Livestock Processing Plant																									
2.	Asphalt Plant																									
3.	Commercial Fuel Storage Business																									
4.	Commercial Recycling Facility																									
5a.	Distillation of Alcohol as a Fuel, Commercial																									
5b.	Distillation of Alcohol as a Fuel On a Farm for Farm-Use Only																									
6.	Grain Elevator																									
7.	Kiln, Wood-Drying																									
8a.	Landfill, Land-Clearing Debris																									
8b.	Landfill, Rubble																									
8c.	Landfill, Sanitary																									
9a.	Manufacturing and/or Assembly, Heavy																									
9b.	Manufacturing and/or Assembly, Light, Less than 5,000-square feet													S												
9c.	Manufacturing and/or Assembly, Light, More than 5,000-square feet													S												
9d.	Manufacturing and/or Assembly, Marine-Related													P	S						S					
10.	Outdoor Storage in Connection with Commercial and/or Industrial Uses													P	C				C							
11 a.	Power-Generating Facility, Accessory to a Residence or Business	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
11 b.	Power-Generating Facility, Commercial																									
12 a.	Research & Development Facility, Environmental		C	C	C	P								P	C				S	S						

⁹For Industrial Uses permitted in the C1 Sub-area, see Section 6-12.07 of this Ordinance.

3-2 SOLOMONS TABLE OF CONDITIONAL USES & DEFINITIONS

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

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

USE #	3-2.01 AGRITOURISM, ECOTOURISM, & HERITAGE TOURISM USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	<p>Agritourism Enterprise <i>Activities conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in a farm operation. Such activities include farm tours, hayrides, corn mazes, classes, and picnic facilities.</i></p>	<ol style="list-style-type: none"> 1. The activity shall be related to agriculture or natural resources and incidental to the primary operation of the farm; and 2. the use shall not be permitted on a lot or open space within a subdivision.
2.	<p>Campground, Farm <i>An area of a farmland where tent campsites are rented or leased or held out for rent or lease for the use of camping parties.</i></p>	<ol style="list-style-type: none"> 1. No more than 15 campers shall be permitted; and 2. only tent camping shall be permitted (recreational vehicles and travel trailers shall not be permitted); and 3. no permanent structures shall be permitted with the exception of tent platforms and cooking grills; and 4. temporary restrooms and potable water shall be provided within 75 feet of the campsites; and 5. shower/bath facilities, electricity, and telephone lines shall not be permitted in conjunction with the campground; and 6. the campsites shall be located at least 300 feet from any adjoining properties and the road; and 7. in addition to the above conditions, the requirements of Section 2-10.04 shall apply to Historic Districts; and 8. the use shall not be permitted on a lot or open space within a subdivision.

<p>3.</p>	<p>Canoe or Kayak Launching Site, Commercial <i>A waterfront site where canoes and kayaks are launched into the water for a fee.</i></p>	<ol style="list-style-type: none"> 1. No motorized watercraft shall be permitted; and 2. portage and launch areas shall be stabilized to prevent erosion and there shall be no exposed soils. 3. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted.
<p>4.</p>	<p>Commercial Kitchen, Farm <i>A food preparation facility not associated with an eating establishment used for the preparation of foods for sale for human consumption. May be attached to a farm stand.</i></p>	<ol style="list-style-type: none"> 1. The kitchen shall not exceed 2,000 square feet; and 2. goods produced shall incorporate farm commodities produced on the farm where the kitchen is located.
<p>USE #</p>	<p>3-2.01 AGRITOURISM, ECOTOURISM, & HERITAGE TOURISM USES & DEFINITIONS <i>(in italics)</i></p>	<p style="text-align: center;">CONDITIONS</p>
<p>6a.</p>	<p>Farm Support Business, Less than 5,000 square feet <i>An enterprise on a farm that is clearly and directly related to the practice of farming. Services include, but are not limited to, blacksmithing, farrier, farm implement repair, agricultural pest service, fertilizer service, irrigation installation service, and greenhouse construction and installation.</i></p>	<ol style="list-style-type: none"> 1. Implements being kept for parts shall be kept inside or screened from view from all public roads and adjoining properties; and 2. fertilizer mixing and/or manufacture is not permitted; and 3. the enterprise shall be specifically associated with farming. For example, the repair of farm tractors and implements would qualify whereas general diesel service or general welding services would not; and 4. the use shall not be permitted on a lot or open space in a subdivision.
<p>6b.</p>	<p>Farm Support Business, More than 5,000 square feet <i>An enterprise on a farm that is clearly and directly related to the practice of farming. Services include, but are not limited to, blacksmithing, farrier, farm implement repair, agricultural pest service, fertilizer service, irrigation installation service, and greenhouse construction and installation.</i></p>	<ol style="list-style-type: none"> 1. Implements being kept for parts shall be kept inside or screened from view from all public roads and adjoining properties; and 2. fertilizer mixing and/or manufacture is not permitted; and 3. the enterprise shall be specifically associated with farming. For example, the repair of farm tractors and implements would qualify whereas general diesel service or general welding services would not. 4. In addition to the above conditions, the requirements of Section 2-10.04 shall apply to Historic Districts; and 5. the use shall not be permitted on a lot or open space in a subdivision.

7.	Heritage Trail Displays <i>A trail board, kiosk, or station where visitors are directed, either for a fee or at no cost, to gain information about local history.</i>	The heritage trail display shall conform to standards established by the National Park Service.
9.	Public Events/Public Assemblies on Farmland <i>A special event held on a farm not related to farm activities. Such uses include performing arts and concerts.</i>	<ol style="list-style-type: none"> 1. No more than two events per year shall be permitted; and 2. no event shall exceed two weeks in duration; and 3. approval from the Historic District Commission shall be required for properties that are Historically Districted and the requirements of Section 2-10.04 shall apply to those properties; and 4. approval from the Agricultural Preservation Advisory Board shall be required for properties located in Agricultural Preservation Districts.
10.	Rental Facilities on Farms <i>Facilities or areas on farms that are available for rent for private events such as weddings, company picnics, or private parties.</i>	<ol style="list-style-type: none"> 1. Approval from the Agricultural Preservation Advisory Board shall be required for properties located in Agricultural Preservation Districts. 2. In addition to the above conditions, the requirements of Section 2-10.04 shall apply to Historic Districts; and 3. the use shall not be permitted on a lot or open space in a subdivision.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1.	Animal Husbandry <i>The care and/or breeding of livestock on a farm and raised for sale or profit, including but not limited to the following animals: horses, cattle, sheep, swine, goats, bison, llamas, alpacas, rabbits, and poultry.</i>	<ol style="list-style-type: none"> 1. Size of the parcel is three acres or more; and 2. the property qualifies for and receives an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2a.	<p>Aquaculture, Freshwater and Land-based <i>The culture of aquatic species under natural or artificial conditions in freshwater ponds, tanks, raceways or other freshwater impoundments. This definition excludes commercial seafood processing, packing and storage plants. When aquaculture is clearly accessory to other land uses such as raising fish on the same site in conjunction with recreational uses, or for personal, noncommercial purposes, it shall be subject to zoning ordinance requirements for the principal use.</i></p>	<ol style="list-style-type: none"> 1. Any water discharged shall be treated through land application; and 2. a minimum of one (1) acre shall be provided for every 1000 square feet of building space. All structures used for aquaculture which contain more than 1000 square feet must be located at least 100 feet from all property lines; and 3. only freshwater impoundments are permitted.
2b.	<p>Aquaculture, Marine/Estuarine <i>The culture of salt-tolerant aquatic species under natural or artificial conditions in tidal waters and coastal ponds including, but not limited to: fish farming utilizing pens, tanks or impoundments; the culture of shellfish on the bay floor or stream or river beds, in cages, or suspended from structures in the water, and the culturing of aquatic plants. This definition excludes commercial seafood processing, packing and storage plants. When aquaculture is clearly accessory to other land uses such as raising fish on the same site in conjunction with recreational uses, or for personal, noncommercial purposes, it shall be subject to zoning ordinance requirements for the principal use.</i></p>	<ol style="list-style-type: none"> 1. All structures shall meet the lateral line setback requirements and those setbacks <u>shall not be reduced</u>; and 2. the aquaculture operation shall be part of a controlled environmental remediation project; and 3. no pens, tanks, or impoundments are permitted on land; and 4. the operation shall be limited to the raising of shellfish and aquatic plants only.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
3a.	Commercial Greenhouse, Retail <i>A structure or building made with translucent or light transparent walls conducive to plant growth, in which plants, vegetables, and flowers are grown for retail sale.</i>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6 of the Calvert County Zoning Ordinance; and 2. the retail greenhouse shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.
3b.	Commercial Greenhouse, Wholesale <i>A structure or building made with translucent (light transparent) walls conducive to plant growth, in which plants, vegetables, and flowers are grown for wholesale purposes only.</i>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6 of the Calvert County Zoning Ordinance; and 2. the wholesale greenhouse shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.
4a.	Commercial Kennel with Indoor Facilities only <i>An establishment in which household pets are kept or boarded for a fee entirely within an enclosed structure.</i>	<ol style="list-style-type: none"> 1. all structures or accessory uses shall be at least 100 feet from any property line and 100 feet from a right-of-way. These setbacks may not be reduced; and 2. the use shall not be permitted on a lot or open space within a subdivision.
4b.	Commercial Kennel with Outdoor Facilities <i>An establishment in which household pets are kept or boarded for a fee where outdoor facilities such as runs, pens, and walking areas are provided.</i>	<ol style="list-style-type: none"> 1. all structures or accessory uses shall be at least 500 feet from any property line and 300 feet from a right-of-way. These setbacks may not be reduced; and 2. the use shall not be permitted on a lot or open space within a subdivision.
5.	Commercial or Non-Profit Stable or Horseback-Riding Club <i>An establishment in which horses are kept, trained, boarded handled, or ridden for a fee.</i>	<p>The property shall contain a minimum of five acres.</p>

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS (<i>in italics</i>)	CONDITIONS
7b.	<p>Farm Brewery (5/12/09)</p> <p><i>An establishment for the manufacture of malt liquors, such as beer and ale, using grains such as oats, hops, wheat and barley produced on the farm on which the farm brewery is located.</i></p>	<ol style="list-style-type: none"> 1. The brewery shall be designed and managed to brew no more than 15,000 barrels of beer per year; and 2. at least one of the primary ingredients shall be produced on the farm where the brewery is located; and 3. sampling and the sale for on- and off-site consumption of the brewery's products shall be permitted in accordance with State and County alcohol laws and regulations; and 4. events allowed on farms (e.g., Section 3-1.01, Use #10, Public Events/Public Assemblies on Farmland, and Use #11, Rental Facilities on Farms) shall be permitted on the site of the brewery in accordance with the requirements of this Ordinance and with State and County alcohol laws and regulations; and 5. the brewery shall be operated in accordance with all local, state, and federal laws; and 6. the use shall not be permitted on a lot or open space within a subdivision defined as a parcel of land under which there is a governance structure and regulations (i.e., a homeowners' association and recorded covenants); and 7. retail sales of items may be permitted subject to the following additional conditions: <ol style="list-style-type: none"> a. the items sold are primarily associated with the farm brewery (e.g., glassware and souvenirs) or are locally produced goods which would be permitted to be sold at an Artisan's and Crafter's Market or Farmers' Market, as defined by this Ordinance; and b. the retails sales are conducted within the brewery or an accessory structure; and c. in no case shall the area designated for the retail sales exceed 20 percent of all brewery buildings combined.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
7d.	<p>Farm Distillery (5/12/09) <i>A facility located wholly on a farm designed for the distillation of grains and fruits produced primarily on the farm into alcoholic beverages.</i></p>	<ol style="list-style-type: none"> 1. The distillery shall be capable of producing no more than 500 liters (132 gallons); and 2. at least one of the primary ingredients shall be produced on the farm where the distillery is located; and 3. sampling and the sale for on- and off-site consumption of the distillery's products shall be permitted in accordance with State and County alcohol laws and regulations; and 4. events allowed on farms (e.g., Section 3-1.01, Use #10, Public Events/Public Assemblies on Farmland, and Use #11, Rental Facilities on Farms) shall be permitted on the site of the distillery in accordance with the requirements of this Ordinance and with State and County alcohol laws and regulations; and 5. the distillery shall be operated in accordance with all local, state, and federal laws; and 6. the use shall not be permitted on a lot or open space within a subdivision defined as a parcel of land under which there is a governance structure and regulations (i.e., a homeowners' association and recorded covenants); and 7. retail sales of items may be permitted subject to the following additional conditions: <ol style="list-style-type: none"> a. the items sold are primarily associated with the farm distillery (e.g., glassware and souvenirs) or are locally produced goods which would be permitted to be sold at an Artisan's and Crafter's Market or Farmers' Market, as defined by this Ordinance; and b. the retails sales are conducted within the distillery or an accessory structure; and c. in no case shall the area designated for the retail sales exceed 20 percent of all distillery buildings combined.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
7e.	<p>Farm Stand <i>A seasonal or year-round facility located on a farm that specializes in the sale of produce, including value-added agricultural products, nursery products, and other agricultural goods.</i></p>	<ol style="list-style-type: none"> 1. Items sold are restricted to produce, value-added agricultural products, and nursery products only; and 2. any new permanent stand shall meet the front setback requirements specified in Section 5-1 and a temporary stand shall be at least 30 feet from the right-of-way.
	<p>Farm Winery (5/12/09) <i>An establishment located on a farm with a producing vineyard, orchard, or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner manufactures wine from fresh fruits or other agricultural products.</i></p>	<ol style="list-style-type: none"> 1. at least one of the primary ingredients shall be produced on the farm where the winery is located; and 2. sampling and the sale for on- and off-site consumption of the winery's products shall be permitted in accordance with State and County alcohol laws and regulations; and 3. events allowed on farms (e.g., Section 3-1.01, Use #10, Public Events/Public Assemblies on Farmland, and Use #11, Rental Facilities on Farms) shall be permitted on the site of the winery in accordance with the requirements of this Ordinance and with State and County alcohol laws and regulations; and 4. the winery shall be operated in accordance with all local, state, and federal laws; and 5. the use shall not be permitted on a lot or open space within a subdivision defined as a parcel of land under which there is a governance structure and regulations (i.e., a homeowners' association and recorded covenants); and 6. retail sales of items may be permitted subject to the following additional conditions: <ol style="list-style-type: none"> a. the items sold are primarily associated with the farm winery (e.g., glassware and souvenirs) or are locally produced goods which would be permitted to be sold at an Artisan's and Crafter's Market or Farmers' Market, as defined by this Ordinance; and b. the retails sales are conducted within the winery or an accessory structure; and c. in no case shall the area designated for the retail sales exceed 20 percent of all winery buildings combined.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
10.	<p>Garden Center or Farm Supply Store <i>An establishment with retail sales of nursery stock, landscaping and/or gardening equipment and tools, seeds, and/or the sale of supplies related to farming including, but not limited to, animal feeds, fencing, irrigation supplies, fertilizer, small equipment, pesticides, and similar goods.</i></p>	<ol style="list-style-type: none"> 1. In the B4, C2, and E1 Sub-areas, the maximum square footage of the Garden Center or Farm Supply Store shall be 2,500 square feet. 2. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Garden Center or Farm Supply Store shall be 75,000 square feet.
11b.	<p>Livestock Auction by a Non-Profit Organization or Farm Owner <i>A place of business to which the public may consign livestock for sale by auction open to public bidding conducted by non-profit organizations such as Future Farmers of America and 4-H groups, including auction sales conducted in conjunction with county, state or private fairs, or auction sales conducted by or for a person at which livestock of such person's ownership are sold on the premises of the person by a non-profit organization.</i></p>	<p>Such auctions shall take place no more than two times per year on a single property.</p>
12a.	<p>Nursery, Retail <i>An area or establishment where trees, shrubs or plants are grown for transplanting, for use as stock for budding and grafting or for sale directly to the general public.</i></p>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6 of the Calvert County Zoning Ordinance; and 2. the Retail Nursery shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.

USE #	3-2.02 AGRICULTURAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
12b.	<p>Nursery, Wholesale <i>An area or establishment where trees, shrubs or plants are grown for transplanting, for use as stock for budding and grafting or for sale to retailers or other businesses, but not directly to the general public.</i></p>	<ol style="list-style-type: none"> 1. Outdoor lighting of the sales area is permitted subject to Article 6 of the Calvert County Zoning Ordinance; and 2. the wholesale nursery shall be part of the overall agricultural activities on a property with an Agricultural Use Assessment from the Maryland Department of Assessments and Taxation; and 3. the sales inventory shall include plant materials and their containers only; and 4. the use shall not be permitted on a lot or open space within a subdivision.

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1a.	<p>Apartment, Accessory to a Residence <i>A second dwelling unit either within or added to a single-family detached dwelling, or in a separate accessory structure on the same lot as the principal dwelling, that functions as a complete, independent living facility with provisions for cooking, eating, sanitation, and sleeping. (08/28/07)</i></p>	<ol style="list-style-type: none"> 1. Only one accessory apartment shall be created on each single-family lot. See Section 8-1.05.D.3 for provisions regarding accessory apartments in the Critical Area; and 2. the accessory apartment shall be clearly subordinate to the single-family dwelling. <ol style="list-style-type: none"> a. If the apartment is not a part of the dwelling, it shall be within 100 feet of the dwelling. In no case shall it contain more than 900 square feet gross floor area of enclosed space, including enclosed porches. b. If the apartment is contained within the dwelling (i.e., as an addition or wing), then it shall contain no more than 40 percent of the total square footage of the building. c. If the apartment is located in the basement of the dwelling, then it can consist of the entire basement; and 3. An owner of the lot shall occupy at least one of the dwelling units on the premises, except for bona fide temporary absences as determined by the Zoning Officer; and 4. at least two off-street parking spaces shall be available for each unit; and 5. the owner shall obtain Health Department approval; and 6. the accessory apartment shall be located within the building restriction lines required for the principal dwelling; and 7. only one kitchen shall be permitted within the accessory apartment.
1b.	<p>Apartment, in a Mixed Use Building <i>A dwelling unit which functions as a complete, independent living facility with provisions for cooking, eating, sanitation, and sleeping, and which is located in a Mixed Use Building.</i></p>	<p>The density shall not exceed that which is permitted by Article 5 of this Ordinance.</p>

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
3.	<p>Bed & Breakfast Facility with up to 5 Bedrooms in Use <i>A residence where paying guests are lodged overnight and breakfast is the only meal served to overnight guests.</i></p>	<p>1. An owner or operator lives on the premises; and 2. the facility shall be a part of the dwelling unit with the exception that existing non-conforming guesthouses may be used; and 3. no separate kitchens shall be provided; and 4. Fire Marshall and Health Department approvals shall be obtained; and 5. breakfast shall be served to overnight lodgers only; and 6. an Occupancy Permit for such use shall be obtained.</p>
4a.	<p>Boarding House or Dormitory (more than 3 Lodgers). <i>A dwelling or part thereof, in which the owner or operator provides lodging and meals to lodgers.</i></p>	<p>1. An owner lives on the premises; and 2. the facility is a part of the dwelling unit with the exception that existing non-conforming guest houses may be used; and no separate kitchens are provided; and 4. Fire Marshall and Health Department approvals are obtained; and 5. An Occupancy Permit for such is obtained.</p>
5a.	<p>Dwelling, Attached: Duplex <i>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 (see Dwelling, Multi-family), or attachment to any non-residential use or parking garage (see Mixed Use Building or Development).</i></p>	<p>1. The density shall not exceed that which is permitted by Article 5 of this Ordinance; and 2. in the C7 Sub-areas, at least 60 percent of the site shall be reserved for non-residential uses.</p>

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
5b.	<p>Dwelling, Attached: Fourplex <i>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 (see Dwelling, Multi-family), or attachment to any non-residential use or parking garage (see Mixed Use Building or Development).</i></p>	<p>1. The density shall not exceed that which is permitted by Article 5 of this Ordinance; and 2. in the C7 Sub-areas, at least 60 percent of the site shall be reserved for non-residential uses.</p>
5c.	<p>Dwelling, Attached: Multi-family <i>A residential building containing two or more attached dwelling units with horizontal separation between any of the dwelling units.</i></p>	<p>1. The density shall not exceed that which is permitted by Article 5 of this Ordinance; and 2. in the C7 Sub-areas, at least 60 percent of the site shall be reserved for non-residential uses.</p>
5d.	<p>Dwelling, Attached: Townhouse <i>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 (see Dwelling, Multi-family), or attachment to any non-residential use or parking garage (see Mixed Use Building or Development).</i></p>	<p>1. The density shall not exceed that which is permitted by Article 5 of this Ordinance; and 2. in the C7 Sub-areas, at least 60 percent of the site shall be reserved for non-residential uses.</p>

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
5e.	<p>Dwelling, Attached: Triplex <i>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 (see Dwelling, Multi-family), or attachment to any non-residential use or parking garage (see Mixed Use Building or Development).</i></p>	<p>1. The density shall not exceed that which is permitted by Article 5 of this Ordinance; and 2. in the C7 Sub-areas, at least 60 percent of the site shall be reserved for non-residential uses.</p>
5f.	<p>Dwelling, Detached: Single-Family <i>A single-family dwelling which is not attached to any other dwelling.</i></p>	<p>1. Only one single-family detached dwelling shall be permitted per buildable lot or parcel; and 2. at least 50 percent of the length of the building shall be 20 feet wide, excluding porches; and 3. in the C7 Sub-areas, at least 60 percent of the site shall be reserved for non-residential uses.</p>
6.	<p>Group Home <i>A community-based living facility offering a family or home-like environment for up to 16 residents for people who need assistance or care in some form (e.g., seniors, disabled, etc.).</i></p>	<p>1. No more than 16 residents reside on the premises, excluding the owner and/or employees; and 2. no separate kitchens shall be provided; and 3. Health Department approval shall be obtained for the number of bedrooms in use in the residence.</p>

Exhibit A

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
7.	Liveaboards <i>Permanent occupancy of watercraft. This definition does not apply to weekend and short-term vacation use of watercraft.</i>	1. Marinas with one to 100 wet slips shall have no more than one liveaboard. Marinas with 101 to 200 wet slips shall have no more than two liveaboards, marinas with 201 to 300 slips shall have no more than three liveaboards, and marinas with 300+ slips shall have no more than four liveaboards; and 2. the marina shall have pump-out facilities and shower facilities available year-round; and 3. the sewage systems on liveaboards shall be closed systems. No overboard discharge shall be permitted. The slip limitations in a marina do not apply for weekend and short-term vacation use by vessel owners.
8b.	Manufactured Home, Farm	1. No more than one manufactured home shall be located on any one farm; and 2. the property shall consist of a minimum of 25 acres; and 3. the manufactured home shall be used in conjunction with agricultural purposes; and 4. the manufactured home shall be occupied by a person or family associated with agricultural activities on the farm.

USE #	3-2.03 RESIDENTIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
8d.	<p>Manufactured Home or Recreational Vehicle (Emergency)</p> <p><i>Manufactured Home: A transportable structure designed to be used as a dwelling, built in one or more sections in a factory and bearing a seal certifying that it conforms to the U.S. Department of Housing and Urban Development's (HUD) Manufactured Home Construction and Safety Standards Code (a.k.a. mobile home or residential trailer). This definition does not include modular houses.</i></p> <p><i>Recreational Vehicle: A vehicular portable structure without permanent foundation, which can be towed, hauled or driven and is primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.</i></p>	<p>In case of fire or other disaster that was not intentionally caused by the owner and that destroys the livability of a residence, the Zoning Officer may issue a permit for one manufactured home or recreational vehicle to serve as a temporary shelter on the premises. If such temporary use exceeds six months, the Board of Appeals may approve an extension for a period of one year beyond the date such temporary residence was established. After the initial extension, the Board of Appeals may grant additional extensions at six-month intervals upon the applicants' request and at the Board's discretion.</p>
9a.	<p>Tenant House</p> <p><i>A farm dwelling, other than the main farm house, for occupancy by a person or family associated with the operation of the farm.</i></p>	<ol style="list-style-type: none"> 1. The property shall consist of a minimum of 25 acres; and 2. the owner shall demonstrate to the Zoning Officer that the property meets the definition of a farm; and 3. the tenant house shall be at least 60 feet from any other dwelling on the property.

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2.	<p>Antiques Sales <i>An establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period. All sales and storage occur inside a building.</i></p>	<ol style="list-style-type: none"> 1. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted. 2. In the B2, B4, C2, C6, C7, E1, and E2 Sub-areas, the maximum square footage of the footprint of the Antique Sales Building shall be 5,000 square feet. 3. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Antique Sales Building shall be 75,000 square feet. 4. In the C6 Sub-area, an Antique Sales Building is permitted only on properties which border on South Solomons Island Road.
3.	<p>Art Gallery <i>Premises used principally for the sale, display and exhibition of arts and craft products and may include accessory production or instruction in the production of arts and crafts using paint, clay, fabric or other media.</i></p>	<ol style="list-style-type: none"> 1. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted. 2. In the B4, C2, C6, C7, and E1 Sub-areas, the maximum square footage of the footprint of the Art Gallery shall be 5,000 square feet. 3. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Art Gallery shall be 75,000 square feet. 4. In the C6 Sub-area, an Art Gallery is permitted only on properties which border on South Solomons Island Road.
4.	<p>Auction Building <i>A place where auctions are held. Merchandise to be auctioned may be stored and displayed prior to the auction. This definition does not include Livestock Auction Barns.</i></p>	<ol style="list-style-type: none"> 1. There shall be no outside storage of articles to be sold; and 2. the Auction Building shall not be used for the sale or auction of motor vehicles; and 3. the maximum square footage of the Auction Building shall be 75,000 square feet.
6.	<p>Home Improvement Center <i>A commercial retail store that sells lumber and other building materials, where most display and sales activities occur indoors. Products sold may include paint, wallpaper, glass, fixtures, nursery stock, home appliances, and lawn and garden equipment and supplies. Includes stores selling to the general public even if contractor sales account for a major proportion of total sales.</i></p>	<ol style="list-style-type: none"> 1. Any outdoor storage of building materials or lumber be screened from adjacent properties and the road; and 2. in the D1, D4, and D5 Sub-areas, the maximum square footage of the Home Improvement Center shall be 75,000 square feet.

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
8a.	<p>Market, Artisans' and Crafters' <i>A site with or without permanent structures, operated on a seasonal or year-round basis that allows multiple artists and/or crafters to retail products that they produced directly to consumers. May operate separately or in conjunction with a Farmers' Market and/or a Waterman's Market.</i></p>	<ol style="list-style-type: none"> 1. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted. 2. In the B4, C2, C6, and E1 Sub-areas, the maximum square footage of the footprint of the Artisans' and Crafters' Market shall be 5,000 square feet. 3. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Artisans' and Crafters' Market shall be 75,000 square feet. 4. In the C6 Sub-area, an Artisans' and Crafters' Market is permitted only on properties which border on South Solomons Island Road.
8b.	<p>Market, Farmers' (3/25/08) <i>A structure, either permanent or temporary, operated on a seasonal or year-round basis, that allows one or more agricultural producers to retail their products and agriculture-related items directly to consumers.</i></p>	<ol style="list-style-type: none"> 1. It shall be restricted to selling farm-produced and/or value-added products only; and 2. it shall be located on property with the permission of the owner; and 3. if the Farmers' Market is located in a permanent structure, the following additional conditions apply: <ol style="list-style-type: none"> a. Any new permanent market shall meet the setback requirements specified in Article 6 of this Ordinance. b. In the B4, C2, C6, and E1 Sub-areas, the maximum square footage of the footprint of the Farmers' Market shall be 5,000 square feet. c. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Farmers' Market shall be 75,000 square feet. d. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted.

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS (<i>in italics</i>)	CONDITIONS
8d.	<p>Market, Watermen's <i>A site with or without permanent structures, operated on a seasonal or year-round basis that allows watermen possessing a Maryland Commercial Fishing License to retail their products. May operate separately but in conjunction with a Farmers' Market and/or an Artisans' and Crafters' Market.</i></p>	<ol style="list-style-type: none"> 1. The market is restricted to selling seafood only; and 2. the market is located on property with the permission of the owner; and 3. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted. 4. In the B2, B3, B4, C2, C6, C7, E1, and E2 Sub-areas, the maximum square footage of the footprint of the Watermen's Market shall be 5,000 square feet. 5. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Watermen's Market shall be 75,000 square feet. 6. In the C6 Sub-area, a Watermen's Market is permitted only on properties which border on South Solomons Island Road.
9.	<p>Mobile Food Sales <i><u>Mobile Food Sales</u> - The selling of food from a mobile food vending unit that is temporarily parked or located on a private parcel of property.</i> <i><u>Mobile Food Vending Unit</u> - Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand or other device designed to be portable and not permanently attached to the ground from which only prepared, ready-to-eat food is sold.</i></p>	<ol style="list-style-type: none"> 1. The mobile food vending unit shall be located on property with the permission of the owner; and 2. while in operation, the mobile food vending unit shall not be parked at a single property for more than one hour per site; and 3. Health Department approval is obtained.
10a.	<p>Retail Commercial Building <i>A building that houses a commercial retail establishment that either stands alone or is connected to other buildings by a common wall having no entrances or exits. A commercial retail building may include more than one retail establishment and/or service.</i></p>	<ol style="list-style-type: none"> 1. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted. 2. In the B3, B4, C2, C7, E1, and E2 Sub-areas, the maximum square footage of the footprint of the Retail Commercial Building shall be 5,000 square feet. 3. In the D1, D4, and D5 Sub-areas, the maximum square footage of the Retail Commercial Building shall be 75,000 square feet.

USE #	3-2.04 COMMERCIAL RETAIL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
10b.	<p>Retail Commercial Building with Drive-up Facility <i>A commercial retail building that includes a structure or part of a structure designed to accommodate patrons' motor vehicles, from which the occupants of the motor vehicle may make purchases or transact business.</i></p>	<p>The conditions for "Retail Commercial Building" shall be met.</p>
11.	<p>Retail Commercial Sale or Display Area, Outdoor <i>The use of space exterior to the walls of a retail commercial building for the sale and/or display of products. This definition does not include outdoor storage and does not apply to temporary retail sales conducted by non-profit organizations (e.g., seasonal sales).</i></p>	<p>1. An outdoor retail commercial sale or display area shall only be permitted as an accessory use to an approved retail commercial building and shall not exceed 25 percent of the size of the associated retail commercial building; and 2. site plan approval shall be obtained; and 3. the sale or display area shall not be located within designated parking areas unless it can be demonstrated that the parking requirements will be met. Note: Parking shall be provided for the outdoor sales area in addition to the retail commercial building; and 4. the sale or display area shall not be located within designated travelways.</p>

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

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
5.	Commercial Pier <i>A pier used for commercial purposes such as chartering fishing boats, selling gas, etc.</i>	<ol style="list-style-type: none"> 1. In the C3 Sub-area located along the public boardwalk, the pier shall have been in existence as of the date of adoption of this Ordinance; and 2. an existing commercial pier may be extended in length but shall be restricted to a total length of no more than 117 feet as measured from mean high tide.
10a.	Eating Establishment With No Outdoor Patron Area <i>A public eating place that serves food for consumption at tables or counters located on the premises, or by carry-out or delivery, but that does not have a drive-through facility. This term shall include, but not be limited to, an establishment known as a cafeteria, delicatessen, café, smorgasbord, diner or similar business where the sale of alcohol constitutes less than 50 percent of the total sales.</i>	In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted.
10b.	Eating Establishment with Outdoor Patron Area <i>See "Eating Establishment" Definition. Patron Area: An indoor or outdoor area of an eating establishment or similar use including but not limited to a tavern, nightclub, lounge, or bar designated for use by customers and/or the general public for eating, drinking, congregating, and/or waiting for service.</i>	<ol style="list-style-type: none"> 1. There are adequate safeguards to protect against noise levels that would exceed State standards; and 2. all Patron Areas shall be shown and approved on the site plan and parking shall be provided for all Patron Areas in accordance with Article 6.

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
14.	<p>Home Occupation <i>— Any activity carried out for gain by a resident as an accessory use in the resident's dwelling unit. This definition does not apply to business activities conducted on farms, as permitted by this Zoning Ordinance.</i></p>	<ol style="list-style-type: none"> 1. The occupation shall be conducted within the dwelling or an accessory structure; and 2. no outside storage of equipment, materials or items to be repaired shall be permitted; and 3. no article or commodity shall be offered for sale or publicly displayed on the premises except those incidental to the services offered; and 4. applicable State Licenses shall be obtained; and 5. the space occupied by all the occupations on a single site shall not exceed 600 square feet including storage. Exception: The use of a tobacco barn for a home occupation is permitted, regardless of size, with the conditions that (a) the barn shall have been in existence as of the effective date of this condition (05/01/06); and (b) the barn shall be constructed of wood; and 6. if road access to the home occupation is gained through another person's property via an easement type road right-of-way, written approval of those property owners shall be obtained. 7. Condition #6 above applies to all home occupations in which customers come to the premises. 8. Non-medical and medical offices, office support services, home studios, and personal service uses are permitted as home occupations. Other uses that are listed separately in the Land Use Charts shall not be permitted as home occupations (e.g., Automobile Repair, Commercial Studios, Commercial Performing Arts Studios, etc.). 9. Total signage for home occupations shall be restricted to four square feet, and all signs shall be erected at least 10 feet from the edge of the right-of-way. 10. No more than two equivalent full-time non-resident employees shall be permitted.

Exhibit A

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
17a.	<p>Nightclub, Lounge <i>An establishment, either open to the public or operated as a private club, which is distinguished from a Tavern or Bar by the provision of areas for entertainment and/or dancing, and which may or may not include the sale of alcohol, food or other beverages.</i></p>	<p>There are adequate safeguards to protect against noise levels that would exceed State standards</p>
17b.	<p>Nightclub or Lounge with Outdoor Patron Area <i>See "Nightclub, Lounge" Definition. Patron Area: An indoor or outdoor area of an eating establishment or similar use including but not limited to a tavern, nightclub, lounge, or bar designated for use by customers and/or the general public for eating, drinking, congregating, and/or waiting for service.</i></p>	<p>1. There are adequate safeguards to protect against noise levels that would exceed State standards; and 2. all Patron Area shall be shown and approved on the site plan and parking shall be provided for all patron areas in accordance with Article 6 of this Ordinance.</p>

Exhibit A

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
18a.	<p>Office, Non-Medical, Medical Clinic, Less than 2500 square feet</p> <p><i>Medical Office or Clinic: An establishment used by members of licensed health care and medical professions to provide diagnosis and treatment to the general public without overnight accommodation and with accessory uses such as reception areas, administrative offices, consultation rooms, x-ray and minor operating rooms and a dispensary, providing that all such uses have access only from the interior of the building or structure. Examples of such professions include dentists, chiropractors, osteopaths, physicians, and occupational therapists. This definition does not include personal services, such as licensed massage therapists.</i></p> <p><i>Non-Medical Office: An establishment for professional, executive and administrative offices, including those of accountants, lawyers, architects, engineers, drafting offices, insurance agents, real estate agents, and other occupations which are of similar character to those enumerated, but not including medical professions, barbers, beauty parlors, cosmetologists, or other personal service establishments.</i></p>	<p>1. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted.</p> <p>2. In the C6 Sub-area, such a use is permitted only on properties which border on South Solomons Island Road.</p>
18b.	Office, Non-Medical, Medical, Clinic more than 2500 square feet	In the C7 Sub-areas, the use shall be marine-related.
20a.	<p>Personal Services, Less than 2,500 square feet</p> <p><i>Premises in which services with respect to the grooming of persons are conducted, including those of licensed massage therapists, cosmetologists, estheticians, nail technicians and make-up artistry.</i></p>	<p>3. In the C3 Sub-area located along the public boardwalk, only buildings in existence as of the date of the adoption of this Ordinance (9/22/09) shall be used, and no expansion of such buildings shall be permitted.</p> <p>4. In the C6 Sub-area, such a use is permitted only on properties which border on South Solomons Island Road.</p>

USE #	3-2.05 BUSINESS & PERSONAL SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
20b.	<p>Personal Services, More than 2,500 square feet <i>Premises in which services with respect to the grooming of persons are conducted, including those of licensed massage therapists, cosmetologists, estheticians, nail technicians and make-up artistry.</i></p>	<p>In the C7 Sub-areas, the use shall be marine-related.</p>
21a.	<p>Tavern, Bar <i>An establishment, either open to the public or operated as a private club, where more than 50 percent of the total sales are from the sale of alcohol, and which may or may not include the sale of food or other beverages, but which does not include areas for entertainment and/or dancing.</i></p>	<p>There are adequate safeguards to protect against noise levels that would exceed State standards</p>
21b.	<p>Tavern or Bar with Outdoor Patron Area See "Tavern, Bar" Definition. <i>Patron Area: An indoor or outdoor area of an eating establishment or similar use including but not limited to a tavern, nightclub, lounge, or bar designated for use by customers and/or the general public for eating, drinking, congregating, and/or waiting for service.</i></p>	<p>1. There are adequate safeguards to protect against noise levels that would exceed State standards; and 2. all Patron Area shall be shown and approved on the site plan and parking shall be provided for all patron areas in accordance with Article 6 of this Ordinance.</p>

USE #	3-2.06 RECREATION USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2a.	<p>Carnival, Fair or Circus, Temporary, on Less than 5 Acres <i>A traveling or short-term enterprise which entertains the public by the provision of performances such as feats of skill or daring by humans or animals, and/or amusement rides, exhibitions, or games, and/or food and beverage stands. Amusement ride means a mechanical device that carries passengers along, under, around, through or over a fixed course, or within a limited area, for the amusement of the passengers, and includes but is not limited to a merry-go-round or ferris wheel.</i></p>	<p>1. The parcel is used as such for no more than 14 days a year; and 2. a County permit for the event is obtained before the event begins. The permit is to include approvals by the Health Department, Inspections & Permits Division, and the Public Safety Department. 3. A carnival, fair or circus located on property where there exists a building occupied by a non-profit organization will be considered an accessory use. However, operators of the carnival, fair or circus must obtain a permit from the County before the event begins.</p>

Exhibit A

USE #	3-2.06 RECREATION USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
2b.	Carnival, Fair or Circus, Temporary, on More than 5 Acres	SAME CONDITIONS AS IMPOSED FOR LESS THAN 5 ACRES.
8d.	Recreation Facility, Indoor Commercial: Studio <i>Premises used principally for the production of arts and craft products using paint, clay, fabric, metal or other medium and may include accessory sales, display and exhibition of arts and craft products.</i>	1. The studio shall be used as a place of work by artists, for instructional purposes, and other related activities only; and 2. retail sales shall be limited to items associated with the primary use only (e.g., art supplies, uniforms, costumes).
10.	Retreat, Day <i>A facility designed with the specific intent of facilitating spiritual and/or educational enrichment needs and that may include supporting dining, and recreational facilities as accessory uses.</i>	In the C5 Sub-area, the lot size shall be a minimum of 20 acres.

USE #	3-2.07 COMMERCIAL WHOLESALE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
3.	Wholesale Lumber and/or Other Building Materials <i>A business primarily engaged in sales to contractors of bulk or large building materials including, but not limited to, lumber, drywall, windows, doors, trusses, roofing, insulation, and masonry materials.</i>	In the D1, D4, and D5 Sub-areas, the maximum square footage of the Wholesale Lumber and/or Other Building Materials building shall be 75,000 square feet.

USE #	3-2.08 MOTOR VEHICLE & RELATED SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
--------------	--	-------------------

Exhibit A

1a.	<p>Automobile Filling Station <i>A building or lot having pumps and storage tanks at which automotive fuels, oils, and/or accessories are dispensed, sold or offered for sale at retail.</i></p>	<ol style="list-style-type: none"> 1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles shall be located within 25 feet of the front lot line; and 2. Fuel pumps and service bays are located to the rear of the building, and; 3. no structure or building shall be erected within 150 feet of any dwelling (neither setback may be reduced), and 4. no new service bay openings shall face a right-of-way, and 5. No more than 5 inoperative vehicles and/or junk cars are allowed, except those which are completely screened from adjoining properties and rights-of-way per Section 6-4.05 of the Calvert County Zoning Ordinance, and 6. An area for the storage of junk cars shall be so designated, separate from customer parking. 7. Junk vehicles shall be removed after 30 days, and
-----	--	---

USE #	3-2.08 MOTOR VEHICLE & RELATED SERVICE USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
1b.	<p>Automobile Filling Station with Convenience Store and/or Eating Establishment</p> <p><i>A building or lot having pumps and storage tanks at which automotive fuels, oils, and/or accessories are dispensed, sold or offered for sale at retail.</i></p> <p><i>An Automobile Filling Station that includes a building that is used for retail sales of packaged or prepared food, beverages, lottery tickets, tobacco products, and limited stock of groceries or similar products for the traveling public or neighborhood residents. May include automotive fuel dispensing services and an eating establishment without a drive-through facility.</i></p>	<p>Conditions for "Automobile Filling Station" must be met.</p>
4.	<p>Automobile Repair/Service Shop without fuel sales</p> <p><i>Any building or lot used for automobile repair and/or bodywork facilities and which may have automobile servicing, but not the sale of fuels.</i></p>	<p>1. No fuel pump, oil draining pit, or other visible appliance for servicing automobiles shall be located within 100 feet of the front lot line; and</p> <p>2. no structure or building shall be erected within 150 feet of any dwelling or 100 feet from any arterial road. Neither setback may be reduced.</p> <p>3. No more than 10 inoperative vehicles and/or junk cars are allowed, except those which are 100 percent screened from adjoining properties and rights-of-way. An area for the storage of junk cars shall be so designated, separate from customer parking.</p> <p>4. Junk vehicles shall be removed after 30 days.</p>
9.	<p>Motor Vehicle Accessory Shop</p> <p><i>A retail establishment that specializes in the sale and/or installation of automotive accessories including but not limited to audio systems, alarm systems, windshields, and other items that do not involve exterior body modification that requires major painting or other body work, or the sale and/or service of tires.</i></p>	<p>All automotive accessories shall be installed indoors.</p>

Exhibit A

13.	Parking of Commercial Motor Vehicles	Only commercial vehicles that are the residents' primary means of transportation to and from their place of work are permitted to be parked at residences.
-----	---	---

USE #	3-2.09 INDUSTRIAL USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
4.	Agricultural/Seafood/Livestock Processing Plant <i>A facility used for the handling, unloading, storing, shucking, freezing, preparing, changing into different market forms, manufacturing, preserving, packing or labeling of agricultural commodities or fish, shellfish and related products.</i>	Only Seafood Processing shall be permitted.
10.	Outdoor Storage in Connection with Commercial and/or Industrial Uses <i>The storage of materials accessory to a commercial and/or industrial use. Does not include machinery and equipment.</i>	The material and/or equipment stored is not visible from adjoining properties or the road.
11a.	Power Generating Facility, Accessory to a Residence or Business <i>A facility designed and constructed near an individual residence, business, or public building for the purpose of generating power for use in that residence, business or public building.</i>	The generator shall be installed within the Building Restriction Lines required for the primary structure.
12a.	Research & Development Facility, Environmental <i>A facility containing operations engaged in scientific research and investigation, the development of prototype products for test and evaluation, and/or the assembly or manufacture of prototype products.</i>	No research or development involving the use of hazardous wastes is conducted on the premises.
12b.	Research & Development Facility, Other	No research or development involving the use of hazardous wastes is conducted on the premises.

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

USE #	3-2.11 UNCLASSIFIED USES & DEFINITIONS (<i>in italics</i>)	CONDITIONS
5.	<p>Dock, Pier, Private <i>Any marine structure, fixed or floating, generally referred to as a pier, dock or wharf, including pilings, and other such facilities, used for storage of watercraft owned by and registered to the owner and/or tenant of the property from which the facility extends.</i></p>	<p>No part of the pier or slips shall be covered or enclosed.</p>
6.	<p>Garage Sale, Yard Sale or Estate Sale <i>All general sales, open to the public, conducted from or on a residential premise in any District for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage," "lawn," "yard," "attic," "estate," "porch," "room," "backyard," "patio," or "rummage" sale. This definition shall not include flea markets.</i></p>	<ol style="list-style-type: none"> 1. Articles for sale shall consist of personal possessions of the seller; and 2. such a sale shall not be held in the same location more than once every six months.
8.	<p>Model Home <i>A residential unit used by builders, realtors, etc., as an example of other units available for sale or rent.</i></p>	<ol style="list-style-type: none"> 1. The model home shall be closed after 90 percent of the lots or units are sold or rented; and 2. the Model Home shall be used for the sale or rental of units within the development in which it is located only.

Exhibit A

USE #	3-2.11 UNCLASSIFIED USES & DEFINITIONS <i>(in italics)</i>	CONDITIONS
9b.	<p>Pets, Livestock (Kept on Non-Farm Properties)</p> <p><i>Livestock such as horses, cows, sheep, swine, goats, llamas, alpacas, or poultry that are kept on a non-farm property as pets rather than for their productive value.</i></p>	<p>1. The size of the parcel shall be at least three acres; and</p> <p>2. provisions for sanitation shall meet the requirements of the County Health Department.</p>
9c.	<p>Pets, Livestock, Chickens Only (Kept on Non-Farm Properties)</p>	<p>1. Livestock shall be restricted to the raising of chickens only; and</p> <p>2. flocks shall be limited to a maximum of six chickens per household; and</p> <p>3. no roosters shall be permitted; and</p> <p>4. no slaughter on premises shall be permitted; and</p> <p>5. the chickens shall be kept in clean coops and the provisions for sanitation shall meet the requirements of the County Health Department; and</p> <p>6. the coops shall be set back 25' from side and rear and comply with the front setback required for the principal structure.</p>
11.	<p>Structure for the Keeping of Animals (on non-farm properties)</p> <p><i>An accessory building or structure designed and used to contain animals. Such structures include, but are not limited to, dog houses or pens, rabbit pens, or aviaries. This definition does not apply to structures for the keeping of animals on farms (see Farm Buildings, Animal).</i></p>	<p>1. The structure shall be setback a minimum of 25' from the side and rear property lines; and</p> <p>2. The structure shall meet the front setbacks required for the principal dwelling, in accordance with Article 5 of this Ordinance.</p>
12a.	<p>Temporary Structure Incidental to Construction (non-residential)</p> <p><i>A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.</i></p>	<p>The structure shall be removed when the construction is finished.</p>

3-1 Solomons Land Uses

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

3-32 TOWER AND ANTENNA REGULATIONS

The provisions of Section 3-3 of the Calvert County Zoning Ordinance apply in the Solomons Town Center with no exceptions.

Text Amendment Case #24-03

Amendments to the Dunkirk, Owings,
Huntingtown, Prince Frederick, St. Leonard,
Lusby and Solomons Town Center Zoning
Ordinances



BK0075PG0517

Exhibit B

DUNKIRK TOWN CENTER ZONING ORDINANCE

DUNKIRK ZONING ORDINANCE

A. PERMITTED LAND USES

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

OWINGS TOWN CENTER ZONING ORDINACE

TABLE OF CONTENTS

<u>ARTICLE NO.</u>	<u>PAGE NO.</u>
ARTICLE 1- SCOPE OF REGULATIONS	1
1-1 Purpose of this Ordinance.....	1
1-2 Effective Date and Territorial Limits.....	1
1-3 Applicability	1
1-4 Separability	1
1-5 Interpretations	1
1-6 Permits	1
ARTICLE 2 - DISTRICT BOUNDARIES.....	2
2-1 District Boundaries Established.....	2
2-2 Interpretation of District Boundaries	2
Zoning Map	
ARTICLE 3 — ZONING DISTRICTS	3
3-1 Purpose of Establishing Zoning Districts	3
3-2 Purpose and Intent of Districts	3
3-3 Permitted Land Uses By Districts.....	3
3-4 Non-Conforming Uses	4
3-5 Conditional Uses.....	4
ARTICLE 4 — TRANSFER ZONE DISTRICT	10
4-1 Designated Transfer Zones	10
ARTICLE 5 — DEVELOPMENT REQUIREMENTS	11
5-1 Purpose	11
5-2 Development Requirements for All Districts	11
5-3 Development Requirements for the Core District	13
5-4 Development Requirements for the Village District	15
5-5 Development Requirements for the Edge District.....	17
ARTICLE 6 - ARCHITECTURAL REQUIREMENTS AND GUIDELINES	19
6-1 Purpose	19
6-2 Town Center Architectural Requirements	19
6-3 Building Design Standards	22
6-4 Signage	23
6-5 Procedures for Architectural Review.....	27

ARTICLE 3

Exhibit B

ZONING DISTRICTS

- 3-0 Zoning Districts
- 3-1 Purpose of Establishing District Boundaries
- 3-2 Purpose and Intent of Districts
- 3-3 Permitted Land Uses by District

3-3 **PERMITTED LAND USES BY DISTRICT**

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

BK0075PG0520

Exhibit B

HUNTINGTOWN TOWN CENTER ZONING ORDINANCE

ARTICLE 3: ZONING DISTRICTS

3-2 Land Uses by District

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

BK 0075PG0521

Exhibit B

PRINCE FREDERICK TOWN CENTER ZONING ORDINANCE

Chapter VII- PERMITTED USES BY DISTRICT

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

BK0075PG0522

Exhibit B

ST. LEONARD TOWN CENTER ZONING ORDINANCE

ARTICLE 3: ZONING DISTRICTS

3-2 PERMITTED LAND USES BY DISTRICT

Refer to the County Zoning Ordinance for Permitted Land Uses.

SOLOMONS TOWN CENTER ZONING ORDINANCE
ARTICLE 3 - LAND USES BY ZONING DISTRICT

- 3-1 Solomons Land Uses
- 3-2 Tower and Antenna Regulations

Article 3
Page No.
2
2

3-1 Solomons Land Uses

Refer to the Calvert County Zoning Ordinance for Permitted Land Uses.

3-2 TOWER AND ANTENNA REGULATIONS

The provisions of Section 3-3 of the Calvert County Zoning Ordinance apply in the Solomons Town Center with no exceptions.