

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2026, Legislative Day No. 15

Bill No. 61-26

Introduced by Ms. Hummer, Chair
(by request of the County Executive)

By the County Council, July 20, 2026

Introduced and first read on July 20, 2026
Public Hearing set for September 8, 2026
Bill Expires October 23, 2026

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Safety – Zoning – Article 18 Update

2
3 FOR the purpose of adding and modifying definitions of certain terms; removing the
4 definitions of certain obsolete terms; revising certain general provisions; providing for
5 the scope, administration, and interpretation of the Zoning Code; establishing certain
6 requirements for zoning certificate of use applications; establishing exemptions to bulk
7 regulations for dwellings in existence as of a certain date; modifying certain parking
8 space requirements; adding purpose clauses for certain zoning districts; modifying,
9 adding, and removing certain uses allowed in certain zoning districts under certain
10 circumstances; clarifying certain bulk regulations in certain districts; removing the
11 Open Space Conservation Overlay as obsolete; modifying certain requirements for
12 certain conditional uses; modifying certain requirements for certain special exception
13 uses; modifying certain provisions pertaining to certain special uses; modifying certain
14 provisions pertaining to nonconforming uses; establishing standards for decisions on
15 nonconforming use applications and prohibiting subsequent nonconforming use
16 applications; modifying certain provisions pertaining to applications and hearings
17 before the Administrative Hearing Officer; clarifying the requirements for keeping a
18 variance or special exception from expiring; modifying certain provisions pertaining to
19 certain enforcement and penalties; clarifying certain existing provisions; making
20 certain technical and stylistic changes; correcting references to State Code provisions;
21 correcting certain cross-references; and generally relating to public safety, and zoning.

EXPLANATION: CAPITALS indicate new matter added to existing law and taglines.
[[Brackets]] indicate matter deleted from existing law and taglines.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

1 BY repealing: §§ 18-4-103; 18-9-202; 18-9-204; 18-9-302; 18-10-108; 18-10-141; 18-10-
2 159; 18-10-169; 18-11-111; 18-11-120; 18-11-131; 18-11-138; 18-11-141; 18-11-164;
3 and 18-11-166

4 Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26)

5
6 BY renumbering: §§ 18-10-110; 18-10-111; 18-10-116; 18-10-117; 18-10-119; 18-10-121;
7 18-10-132 through 18-10-136; 18-10-139; 18-10-140; 18-10-144; 18-10-148; 18-10-
8 151; 18-10-152; 18-10-154 through 18-10-158; 18-10-161; 18-10-168; 18-10-171; 18-
9 10-176; and 18-10-179, respectively, to be §§ 18-10-109; 18-10-110; 18-10-115; 18-
10 10-116; 18-10-118; 18-10-120; 18-10-133 through 18-10-137; 18-10-142; 18-10-143;
11 18-10-146; 18-10-151; 18-10-154; 18-10-155; 18-10-157 through 18-10-161; 18-10-
12 163; 18-10-170; 18-10-172; 18-10-178; and 18-10-181, respectively; §§ 18-11-112;
13 18-11-113; 18-11-115; 18-11-116; 18-11-119; 18-11-123 through 18-11-130; 18-11-
14 132; 18-11-134; 18-11-135; 18-11-137; 18-11-139; 18-11-140; 18-11-142; 18-11-143;
15 18-11-145 through 18-11-151; 18-11-153; 18-11-155; 18-11-156; 18-11-158; 18-11-
16 160; 18-11-162; 18-11-163; 18-11-165; and 18-11-167 to be §§ 18-11-111; 18-11-112;
17 18-11-114; 18-11-115; 18-11-118; 18-11-121 through 18-11-128; 18-11-129; 18-11-
18 131; 18-11-132; 18-11-134; 18-11-135; 18-11-136; 18-11-137; 18-11-138; 18-11-140
19 through 18-11-146; 18-11-148; 18-11-150; 18-11-151; 18-11-153; 18-11-155; 18-11-
20 157; 18-11-158; 18-11-160; and 18-11-161, respectively; and §§ 18-15-103 and 18-15-
21 104, respectively, to be §§ 18-15-104 and 18-15-105, respectively

22 Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26)

23
24 BY repealing, reenacting, and renumbering, with amendments: §§ 18-4-104 through 18-4-
25 106, respectively, to be §§ 18-4-103 through 18-4-105, respectively; §§ 18-10-109; 18-
26 10-112 through 18-10-115; 18-10-118; 18-10-120; 18-10-124 through 18-10-131; 18-
27 10-137; 18-10-138; 18-10-142; 18-10-143; 18-10-145; 18-10-146; 18-10-147; 18-10-
28 149; 18-10-150; 18-10-153; 18-10-160; 18-10-162; 18-10-163; 18-10-164; 18-10-165;
29 18-10-166; 18-10-167; 18-10-170; 18-10-172; 18-10-173; 18-10-174; 18-10-175; 18-
30 10-177; and 18-10-178, respectively, to be §§ 18-10-108; 18-10-111 through 18-10-
31 114; 18-10-117; 18-10-119; 18-10-125 through 18-10-132; 18-10-140; 18-10-141; 18-
32 10-144; 18-10-145; 18-10-147; 18-10-148; 18-10-150; 18-10-152; 18-10-153; 18-10-
33 156; 18-10-162; 18-10-164; 18-10-165; 18-10-166; 18-10-167; 18-10-168; 18-10-169;
34 18-10-171; 18-10-173; 18-10-174; 18-10-176; 18-10-177; 18-10-179; and 18-10-180,
35 respectively; §§ 18-11-114; 18-11-117; 18-11-118; 18-11-121; 18-11-122; 18-11-133;
36 18-11-136; 18-11-144; 18-11-152; 18-11-154; 18-11-157; 18-11-159; and 18-11-161
37 to be 18-11-113; 18-11-116; 18-11-117; 18-11-119; 18-11-120; 18-11-130; 18-11-133;
38 18-11-139; 18-11-147; 18-11-149; 18-11-152; 18-11-154; and 18-11-156,
39 respectively; and §§ 18-15-101 and 18-15-102, respectively, to be §§ 18-15-102 and
40 18-15-103, respectively

41 Anne Arundel County Code (2005, as amended) (as amended by Bill Nos. 92-25, 9-26,
42 and 31-26)

43
44 BY adding: §§ 18-2-107(c); 18-2-112 through 18-2-114; 18-2-305; 18-2-306; 18-2-501
45 under the new subtitle “Subtitle 5. Lot in More Than One District”; 18-9-202; 18-9-
46 302; 18-10-121; 18-10-124; 18-10-138; 18-10-139; 18-10-149; 18-10-175; 18-11-159;
47 18-15-101; and 18-17-105

48 Anne Arundel County Code (2005, as amended)

1 BY repealing and reenacting, with amendments: §§ 12-4-801(d)(9); 18-1-101; 18-2-101;
2 18-2-103; 18-2-104(b) and (f); 18-2-202; 18-2-203(a); 18-2-204; 18-2-207(d); 18-2-
3 301; 18-2-303; 18-2-304; 18-2-404; 18-3-104; 18-3-105(c); 18-3-106(b); 18-3-201(a);
4 18-4-203(e); 18-4-301; 18-4-401; 18-4-501; 18-4-601; 18-4-701; 18-4-801; 18-4-901;
5 18-4-1001; 18-5-102; 18-5-201; 18-5-301; 18-5-401; 18-5-501; 18-6-103; 18-6-201;
6 18-6-301; 18-6-401; 18-7-102; 18-7-107; 18-8-102; 18-8-103; 18-8-301; 18-8-302; 18-
7 8-303; 18-9-103; 18-9-105; 18-9-108; 18-9-201; 18-9-301; 18-9-401; 18-9-402; 18-10-
8 104; 18-10-105; 18-10-106; 18-10-107; 18-10-122; 18-10-123; 18-11-102; 18-11-104;
9 18-11-106; 18-11-109; 18-11-110; 18-12-101; 18-12-202; 18-12-501; 18-12-601; 18-
10 12-701; 18-13-204; 18-14-101; 18-14-502; 18-14-601; 18-16-201; 18-16-305; 18-16-
11 405; 18-17-102 through 18-17-104; 18-17-202; 18-17-203; and 18-18-101
12 Anne Arundel County Code (2005, as amended) (as amended by Bill Nos. 92-25, 98-
13 25, 6-26, 9-26, and 28-26)
14

15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
16 That §§ 18-4-103; 18-9-202; 18-9-204; 18-9-302; 18-10-108; 18-10-141; 18-10-159; 18-
17 10-169; 18-11-111; 18-11-120; 18-11-131; 18-11-138; 18-11-141; 18-11-164; and 18-11-
18 166 of the Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26)
19 are hereby repealed.
20

21 SECTION 2. *And be it further enacted,* That §§ 18-10-110; 18-10-111; 18-10-116; 18-
22 10-117; 18-10-119; 18-10-121; 18-10-132 through 18-10-136; 18-10-139; 18-10-140; 18-
23 10-144; 18-10-148; 18-10-151; 18-10-152; 18-10-154 through 18-10-158; 18-10-161; 18-
24 10-164; 18-10-168; 18-10-171; 18-10-176; and 18-10-179, respectively, of the Anne
25 Arundel County Code (as amended by Bill No. 9-26) are hereby renumbered to be §§ 18-
26 10-109; 18-10-110; 18-10-115; 18-10-116; 18-10-118; 18-10-120; 18-10-133 through 18-
27 10-137; 18-10-142; 18-10-143; 18-10-146; 18-10-151; 18-10-154; 18-10-155; 18-10-157
28 through 18-10-161; 18-10-163; 18-10-166; 18-10-170; 18-10-172; 18-10-178; and 18-10-
29 181, respectively, of the Anne Arundel County Code; §§ 18-11-112; 18-11-113; 18-11-
30 115; 18-11-116; 18-11-119; 18-11-123 through 18-11-130; 18-11-132; 18-11-134; 18-11-
31 135; 18-11-137; 18-11-139; 18-11-140; 18-11-142; 18-11-143; 18-11-145 through 18-11-
32 151; 18-11-153; 18-11-155; 18-11-156; 18-11-158; 18-11-160; 18-11-162; 18-11-163; 18-
33 11-165; and 18-11-167, respectively, of the Anne Arundel County Code (as amended by
34 Bill No. 9-26) are hereby renumbered to be §§ 18-11-111; 18-11-112; 18-11-114; 18-11-
35 115; 18-11-118; 18-11-121 through 18-11-128; 18-11-129; 18-11-131; 18-11-132; 18-11-
36 134; 18-11-135; 18-11-136; 18-11-137; 18-11-138; 18-11-140 through 18-11-146; 18-11-
37 148; 18-11-150; 18-11-151; 18-11-153; 18-11-155; 18-11-157; 18-11-158; 18-11-160; and
38 18-11-161, respectively, of the Anne Arundel County Code; and §§ 18-15-103 and 18-15-
39 104, respectively, of the Anne Arundel County Code are hereby renumbered to be §§ 18-
40 15-104 and 18-15-105, respectively.
41

42 SECTION 3. *And be it further enacted,* That Section(s) of the Anne Arundel County
43 Code (2005, as amended) (as amended by Bill Nos. 92-25, 98-25, 6-26, 9-26, 15-26, 28-
44 26, and 31-26) read as follows:
45

46 ARTICLE 12. PUBLIC SAFETY

47 TITLE 4. DEPARTMENT OF ANIMAL SERVICES

48

12-4-801. Animals outdoors.

(d) **Enclosure for animals outdoors other than dogs.** An enclosure shall be provided for any animal other than a dog that is kept outdoors, and shall be maintained in accordance with the following provisions.

(9) Miniature pigs, as that term is defined in **[[§ 18-4-104]]** § 18-4-103, shall be provided shelter that:

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

“ABUTTING”, “ADJOINING”, OR “CONTIGUOUS” MEANS TO BE TOUCHING OR BOUNDING AT A PROPERTY BOUNDARY, POINT OR LINE.

“ACCESSORY STRUCTURE” SEE “STRUCTURE, ACCESSORY”.

[[(1)]] “Accessory USE” means a use **[[or structure that customarily is incidental and subordinate to another use or structure]]** LOCATED ON THE SAME LOT AS THE PRINCIPAL USE THAT IS CLEARLY INCIDENTAL AND CUSTOMARILY FOUND IN CONJUNCTION WITH THE PRINCIPAL USE.

[[(2)]] “Adult bookstore” means a commercial establishment that has a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising from, or maintains a significant or substantial section of its sales or display space for the sale or rental, for any form of consideration, of any one or more of the following:

[[(i)]] (1) books, magazines, periodicals, or other printed matter, or photographs, films, movies, videotapes, cassettes, compact discs, slides, or other visual representations that are characterized by their emphasis upon display of sexual activities; or

[[(ii)]] (2) instruments, devices, or paraphernalia designed for use or marketed primarily for sexual activities.

1 For purposes of this definition, “sexual activities” means sadomasochistic abuse, sexual
2 conduct, or sexual excitement, as those terms are defined in § 11-101 OF the Criminal Law
3 Article[[, § 11-101,]] of the State Code.

4
5 **[(3)]** “Adult day care center” has the meaning stated in § 24-701 OF the Health-General
6 Article[[, § 24-701,]] of the State Code.

7
8 **[(4)]** “Adult movie theater” means a commercial establishment, including an adult
9 film arcade with display devices, that regularly and routinely offers for viewing on the
10 premises films, videos, or similar material characterized by an emphasis upon display of
11 sexual activities, but the term does not include a hotel, motel, or similar place of
12 accommodation that offers such films, videos, or similar material for viewing by guests in
13 their rooms. For purposes of this definition:

14
15 **[(i)]** (1) “Adult film arcade” means a commercial establishment that contains
16 display devices for viewing films, videos, or similar material in viewing booths on the
17 premises if a significant or substantial portion of the films, videos, or similar material
18 available for viewing is characterized by an emphasis upon display of sexual activities;

19
20 **[(ii)]** (2) “Display device” means an electronically or mechanically controlled still
21 or motion picture machine, film projector, videotape player, DVD player, or other image-
22 producing device that is activated by or at the request of a customer in return for money or
23 any other form of consideration;

24
25 **[(iii)]** (3) “Sexual activities” means sadomasochistic abuse, sexual conduct, or
26 sexual excitement, as those terms are defined in § 11-101 OF the Criminal Law Article[[, §
27 11-101,]] of the State Code; and

28
29 **[(iv)]** (4) “Viewing booth” means an enclosed or partially enclosed area for use by
30 customers to view films, videos, or similar material by means of a display device.

31
32 **[(5)]** “Aggregate net energy facility” means an industrial scale, renewable energy
33 generating facility that uses energy from the sun to produce electricity and that operates as
34 a principal use to supply electricity generated at that location to one or more pre-specified
35 locations, and is regulated by Maryland net metering rules and utility tariffs.]]

36
37 **[(6)]** “Aggregation” or “aggregated”, with respect to agritourism and farming, means
38 gathering and selling agricultural products from multiple farm sources to create a larger
39 and more consistent supply to meet consumer demand.

40
41 **[(7)]** “Agricultural heritage site” means a property listed on the County Inventory of
42 Historic Resources that is determined by the Planning and Zoning Officer to be historically
43 significant for its contribution to the agricultural history of the County.

44
45 **[(8)]** “Agritourism” means a business enterprise on a farm related to agriculture or
46 natural resources that is offered to the public or invited groups. Agritourism shall be
47 accessory to a principal use of farming and shall be located on land that qualifies for an
48 agricultural use assessment pursuant to § 8-209 OF the Tax-Property Article[[, § 8-209]] of
49 the State Code or that is covered by a current and active soil conservation and water quality

1 plan approved by the Anne Arundel Soil Conservation District. Agritourism includes
2 fishing; wildlife study; corn mazes; pumpkin patches; harvest festivals; field trips;
3 hayrides; pick-your-own operations; farm tours; food services, including commercial
4 kitchens for preparation of value-added products and service of farm to table meals;
5 aggregation; farm museums; educational classes; and other activities or events related to
6 agriculture, historical, cultural, or natural resources, agricultural products, or agricultural
7 skills.

8
9 **[(9)]** “Airfield” or “airport” means a facility for the takeoff, landing, fueling, and
10 housing of aircraft, the discharging and receiving of passengers and cargo from or to the
11 aircraft, and the provision of shelter and conveniences for passengers.

12
13 **[(10)]** “Animal hospital” or “veterinary clinic” means a structure used by a licensed
14 veterinarian for the practice of veterinary medicine and may include the sale of pet supplies
15 and the boarding and grooming of animals to the extent necessary to the practice of
16 veterinary medicine.

17
18 **[(11)]** “Animal hospital with non-medical overnight stays” or “veterinary clinic with
19 non-medical overnight stays” means a structure used by a licensed veterinarian for the
20 practice of veterinary medicine and may include the sale of pet supplies and grooming, in
21 addition to boarding for non-medical purposes.

22
23 **[(12)]** “Animal rescue” means a facility licensed under Article 12 of this Code, where
24 animals other than livestock or fowl on a property used as a farm, are kept and given care,
25 and that provides adoption services, but does not include commercial activities such as
26 kenneling, breeding, sale, training, or grooming of animals.

27
28 **[(13)]** “Antenna structure” means the rigid part of an assembly that receives or
29 transmits radio energy and the mast or tower on which the assembly is mounted, but does
30 not include non-rigid items such as wire, cable, transmission lines, lightning rods, guy
31 wires, or guy wire anchors.

32
33 **[(14)]** “Arcade” means a facility with nine or more coin-operated amusement devices.

34
35 **[(15)]** “Assisted care unit” means a discrete living space within an assisted living
36 facility intended to be occupied by individuals desiring or requiring to participate in an
37 assisted living program as defined in § 19-1801 OF the Health-General Article**[[, § 19-1801,]]**
38 of the State Code, but does not include a comprehensive care unit.

39
40 **[(16)]** “Assisted living facility” means a facility with an assisted living program as
41 defined in § 19-1801 of the Health-General Article of the State Code that is not a group
42 home or a community-based assisted living facility.

43
44 **[(17)]** “Assisted living facility I, community based” means a facility with an assisted
45 living program as defined in § 19-1801 of the Health-General Article of the State Code that
46 is not a group home and that houses no more than eight residents other than staff.

1 **[(18)]** “Assisted living facility II, community based” means a facility with an assisted
2 living program as defined in § 19-1801 of the Health-General Article of the State Code that
3 is not a group home and that houses between 9 and 16 residents other than staff.

4
5 “ATTACK DOG” MEANS A DOG TRAINED TO ATTACK ON COMMAND OR TO PROTECT
6 HUMAN BEINGS OR PROPERTY.

7
8 **[(19)]** “Automobile and truck dismantling and recycling facility” means a facility that
9 dismantles, tests, and cleans parts from inoperable motor vehicles and may include the sale
10 of parts from dismantled motor vehicles.

11
12 **[(20)]** “Automobile gasoline station” means a facility that offers retail sales to the
13 public of gasoline, motor oil, lubricants, motor fuels, travel aids, or minor automobile
14 accessories.

15
16 “AUXILIARY USE” MEANS A USE IN A BUSINESS COMPLEX THAT IS INDEPENDENT FROM
17 THE PRINCIPAL USES OF A SITE BUT THAT TYPICALLY PROVIDES SERVICE OR SUPPORT TO
18 USES IN THE BUSINESS COMPLEX.

19
20 **[(21)]** “Banquet hall” means an establishment, not open to the public, that prepares
21 or serves food and beverages only for ceremonial gatherings honoring guests or special
22 occasions.

23
24 “BATTERY ENERGY STORAGE SYSTEM, FRONT-OF-THE-METER” MEANS AN
25 ELECTROCHEMICAL DEVICE THAT CHARGES OR COLLECTS ENERGY FROM THE GRID OR A
26 GENERATION FACILITY AND THAT STORES THE ENERGY FOR DISCHARGE AT A LATER TIME
27 IN ORDER TO PROVIDE ELECTRICITY OR OTHER GRID SERVICES. A “BATTERY ENERGY
28 STORAGE SYSTEM, FRONT-OF-THE-METER” DOES NOT INCLUDE INFRASTRUCTURE OR
29 EQUIPMENT OWNED OR OPERATED BY A PUBLIC UTILITY.

30
31 “BED AND BREAKFAST HOME” MEANS AN OWNER-OCCUPIED SINGLE-FAMILY
32 DETACHED DWELLING USED FOR THE LODGING OF TRANSIENT GUESTS IN NOT MORE
33 THAN THREE GUEST ROOMS.

34
35 “BED AND BREAKFAST INN” MEANS AN OWNER-OCCUPIED OR MANAGER-OCCUPIED
36 SINGLE-FAMILY DETACHED DWELLING USED FOR THE LODGING OF TRANSIENT GUESTS
37 THAT CONTAINS AT LEAST FOUR BUT NO MORE THAN 12 GUEST ROOMS.

38
39 **[(22)]** “Beer” has the meaning stated in § 1-101 of the Alcoholic Beverages and
40 Cannabis Article of State Code.

41
42 **[(23)]** “Bird sanctuary” means a facility where birds are kept and given care.

43
44 **[(24)]** “Bog” means an ecosystem consisting of peatland characterized by sphagnum
45 mat, organic soils, or accumulated peat and soils saturated to the surface throughout the
46 year with minimal fluctuation in water level and contiguous nontidal wetlands.

47
48 **[(25)]** “Bog protection area” means an area shown on the Bog Protection Area
49 Guidance Map, consisting of a bog, contributing streams, a one-hundred foot upland area
50 buffer, the limited activity area, and contributing drainage area.

1 **[(26)]** “Borrow pits” means areas from which soil and other natural materials are
2 removed for use, without further processing, as fill for activities such as landscaping,
3 building construction, or highway construction and maintenance.

4
5 **[(27)]** “BRAC Mixed Use Development” means development that meets the
6 requirements of **[[§ 18-10-113]]** § 18-10-114.

7
8 “BREEZEWAY” MEANS A ROOFED PASSAGEWAY NOT EXCEEDING 10 FEET IN WIDTH
9 CONNECTING THE PRINCIPAL STRUCTURE TO ANOTHER BUILDING OR STRUCTURE ON THE
10 SAME LOT.

11
12 **[(28)]** “Brewery” means a facility that has been issued a Class 5 manufacturer’s
13 license under Alcoholic Beverages and Cannabis Article of State Code that produces more
14 than 22,500 barrels of beer per year.

15
16 **[(29)]** “Brewery, craft” means a facility that has been issued a Class 5 manufacturer’s
17 license or a Class 7 micro-brewery license under Alcoholic Beverages and Cannabis
18 Article of State Code that produces not more than 22,500 barrels of beer per year.

19
20 **[(30)]** “Buffer” has the meaning stated in § 8-1802 OF the Natural Resources Article**[[**
21 **§ 8-1802,****]]** of the State Code and COMAR, Title 27.

22
23 **[(31)]** “Building restriction line” **[[for a lot other than a flag lot]]** means a line OR
24 LINES **[[drawn parallel to the lot line at a distance equal to the required setback or to any**
25 **applicable minimum width requirement, whichever is greater. “Building restriction line”**
26 **for a flag lot means the line created when the following two hypothetical lines are**
27 **connected: a line equal to the minimum lot width drawn from the opening of the pipestem**
28 **and continuing along the pipestem lot line and a line equal to the minimum lot width drawn**
29 **from the opening of the pipestem and continuing along the lot line of the flag]]**
30 **ESTABLISHED ON A SUBDIVISION PLAN, SITE DEVELOPMENT PLAN, OR RECORD PLAT TO**
31 **INDICATE THE MINIMUM STRUCTURE SETBACKS REQUIRED IN THE ZONING DISTRICT IN**
32 **WHICH THE DEVELOPMENT IS LOCATED OR THE SETBACKS REQUIRED BY THE**
33 **DEVELOPMENT DESIGN GUIDELINES.**

34
35 “BULK REGULATIONS” MEANS REGULATIONS THAT CONTROL THE LOT SIZE,
36 COVERAGE, HEIGHT, FLOOR AREA RATIO, SETBACKS, DENSITY, OR LOCATION OF
37 BUILDINGS ON A LOT.

38
39 “BUS TERMINAL” MEANS A FACILITY FOR THE STORAGE OR PARKING OF BUSES AND
40 THE LOADING AND UNLOADING OF PASSENGERS.

41
42 **[(32)]** “Business complex” means a PLANNED development on a lot or lots under
43 single ownership or control that combines two or more **[[of the permitted, conditional, or**
44 **special exception]]** NON-RESIDENTIAL uses allowed in the district in which the
45 development is located.

46
47 **[(33)]** “Carwash” means a facility for the washing or cleaning of vehicles. A **[[car**
48 **wash]]** CARWASH may be:

49
50 **[(i)]** (1) a bay or a group of bays with each bay to accommodate one vehicle only
51 where a person uses a high-pressure hose to wash the vehicle by hand; or

1 **[(ii)]** (2) an automated conveyor or drive-through bay that allows washing a
2 vehicle while moving through the structure.

3
4 **“CATERING ESTABLISHMENT”** MEANS AN ESTABLISHMENT FOR THE PREPARATION OF
5 FOOD AND BEVERAGE FOR OFFSITE CONSUMPTION.

6
7 **“CHARTER BUS FACILITY”** MEANS A FACILITY USED FOR THE INSIDE OR OUTSIDE
8 STORAGE, MAINTENANCE, SERVICE, AND ASSOCIATED OPERATIONS OF CHARTER BUSES
9 THAT PROVIDE TRANSPORTATION TO PATRONS THAT PAY FOR THE EXCLUSIVE USE OF A
10 CHARTER BUS.

11
12 **[(34)]** **“Child care center”** has the meaning stated in § 9.5-401 OF the Education
13 Article**[(, § 9.5-401,)]** of the State Code.

14
15 **[(35)]** **“Coffee roaster”** means a facility that roasts green coffee beans for use in
16 brewing and that may sell roasted coffee beans, either whole or ground, to retailers or
17 directly to individuals.

18
19 **“COMMERCIAL RECREATIONAL FACILITY”** MEANS AN INDOOR OR OUTDOOR FACILITY
20 USED FOR ACTIVE RECREATION OR AMUSEMENT.

21
22 **[(36)]** **“Commercial telecommunication facility”** means a structure, such as a tower,
23 antenna, monopole, panel, microwave dish, or in-building wireless communication
24 enhancement system, including accessory structures, used for the wireless electromagnetic
25 transmission of information, but the term does not include a satellite earth station, a
26 structure used for amateur or recreational purposes such as a ham radio or citizens band
27 radio, a small cell system, or a facility owned by a public utility that is used to control the
28 utility’s distribution systems.

29
30 **[(37)]** **“Composting facility”** means a facility where composting takes place under a
31 Tier 1 or Tier 2 composting facility permit issued by the Maryland Department of the
32 Environment pursuant to COMAR 26.04.11.05 or 26.04.11.06.

33
34 **[(38)]** **“Comprehensive care unit”** means a room within an assisted living facility
35 intended to be occupied by individuals requiring continuous health care services.

36
37 **“CONDITIONAL USE”** MEANS A USE ALLOWED WITHIN A ZONING DISTRICT SUBJECT TO
38 SPECIFIC CONDITIONS IN ORDER TO MAINTAIN COMPATIBILITY WITH SURROUNDING USES
39 AND THE GENERAL NEIGHBORHOOD.

40
41 **[(39)]** **“Conference retreat facility”** means a facility with lodging, dining, and other
42 supporting services that are used for educational or religious conclaves, seminars, or
43 similar activities by educational, religious, fraternal, social, service, or other similar groups,
44 but not as accommodations for the general public.

45
46 **[(40)]** **“Confront”** or **“confronting”** when used in reference to real property means a
47 lot or parcel that would adjoin another lot or parcel but for an intervening public or private
48 road or right-of-way.

49
50 **[(41)]** **“Contiguous lots”** means two or more lots that share a boundary line.

1 “CONTRACTOR, GENERAL” MEANS AN ESTABLISHMENT THAT PROVIDES BUILDING
2 CONSTRUCTION, LANDSCAPING, CONCRETE, ELECTRICAL, EXCAVATION, DRILLING, HVAC,
3 PLUMBING, PAVING, ROAD CONSTRUCTION, SEWER OR SIMILAR SERVICES, WITH ONSITE
4 STORAGE SPACE, INSIDE OR OUTSIDE, FOR MATERIALS, CONSTRUCTION EQUIPMENT OR
5 VEHICLES NORMALLY ASSOCIATED WITH THE CONTRACTOR SERVICE.

6
7 “CONTRACTOR, LIMITED” MEANS AN ESTABLISHMENT THAT PROVIDES ELECTRICAL,
8 PLUMBING, HVAC, PAINTING AND SIMILAR CONTRACTOR SERVICES WITH LIMITED
9 OUTSIDE STORAGE OF EQUIPMENT AND VEHICLES.

10
11 **[(42)]** “Contributing drainage area” means an area shown on the Bog Protection Area
12 Guidance Map that drains to the bog and contributing streams.

13
14 **[(43)]** “Contributing streams” means areas shown on the Bog Protection Area
15 Guidance Map as watercourses or streams that drain into the bog.

16
17 “CONVENIENCE STORE” MEANS A BUSINESS THAT SELLS A RANGE OF CONSUMER
18 GOODS, FOOD, AND BEVERAGES FOR CONSUMPTION ON OR OFF OF THE PREMISES.

19
20 **[(44)]** “Cosmetic facial hair salon” means a business that uses cosmetic equipment,
21 including microblades, to remove or temporarily enhance facial hair but does not include
22 use of tattoo equipment or permanent cosmetic procedures.

23
24 **[(45)]** “Cottage food business” means a business that produces and packages cottage
25 food products onsite in a residential kitchen, sells the cottage food products in accordance
26 with § 21-330.1 of the Health-General Article of the State Code and COMAR, and has
27 annual revenues from the sale of cottage food products **[(of \$25,000 or less)]** NOT
28 EXCEEDING THE ALLOWABLE AMOUNT OUTLINED IN COMAR. For purposes of this
29 definition, “cottage food product” has the meaning stated in § 21-301 of the Health-General
30 Article of the State Code.

31
32 “CREMATORY” HAS THE MEANING STATED IN § 7-101(I) OF THE HEALTH OCCUPATIONS
33 ARTICLE OF THE STATE CODE.

34
35 **[(46)]** “Critical area” means all lands and waters defined in § 8-1807 OF THE Natural
36 Resources Article**[[, § 8-1807,]]** of the State Code.

37
38 **[(47)]** “Dance hall” means a facility that is open to the public or to a limited
39 membership that does not have an alcoholic beverage license and that provides
40 entertainment, such as music, a floor show, a stage show, or dancing.

41
42 **[(48)]** “Data storage center” means a facility use primarily for the storage,
43 management, processing, and transmission of digital data, which houses computer or
44 network equipment, systems, servers, appliances and other associated components related
45 to digital data storage and operations.

46
47 **[(49)]** “Density” means the number of dwelling units for each acre of gross area,
48 except that accessory dwelling units, CARETAKER DWELLINGS, and farm tenant houses may
49 not be included when calculating density, unless they are located within the resource
50 conservation area of the critical area.

1 “DIRECT SALE PRODUCTION DISTRIBUTION” MEANS THE SALE OF PRODUCTS
2 PRODUCED ONSITE OR OFFSITE VIA AN INTERNET PLATFORM. “DIRECT SALE PRODUCTION
3 DISTRIBUTION” DOES NOT INCLUDE ONSITE OR IN PERSON SALE OF PRODUCTS.
4

5 **[(50)]** (68) “Distillery” means a facility that has been issued a Class 1 distillery license
6 under SUBTITLE 2 OF Title 2~~[[, Subtitle 2]]~~ of the Alcoholic Beverages and Cannabis Article
7 of State Code or a facility that has been issued a Class 2 rectifying license under SUBTITLE
8 2 OF Title 2~~[[, Subtitle 2]]~~ of the Alcoholic Beverages and Cannabis Article of State Code
9 that rectifies, blends, or bottles more than 100,000 gallons of product per calendar year.
10

11 **[(51)]** “Distillery, limited” means a facility that has been issued a Class 9 limited
12 distillery license under SUBTITLE 2 OF Title 2~~[[, Subtitle 2]]~~ of the Alcoholic Beverages and
13 Cannabis Article of State Code or a facility that has been issued a Class 2 rectifying license
14 under SUBTITLE 2 OF Title 2~~[[, Subtitle 2]]~~ of the Alcoholic Beverages and Cannabis Article
15 of State Code that rectifies, blends, or bottles 100,000 gallons or less of product per
16 calendar year.
17

18 **[(52)]** “Dwelling unit” means a single unit, including attached garages and decks,
19 providing complete, independent living facilities for at least one person, including
20 permanent KITCHEN FACILITIES AND provisions for sanitation, ~~[[cooking, eating,]]~~
21 sleeping, and other activities routinely associated with daily life. The following
22 **[[variations]]** CLASSIFICATIONS of “dwelling” AND “DWELLING UNITS” have the meanings
23 indicated:
24

25 **[(i)]** (1) “Dwelling, duplex” means a structure that contains two dwelling units
26 arranged side-by-side or one above the other.
27

28 (2) “DWELLING, FARM TENANT HOUSE” MEANS AN ACCESSORY SINGLE-FAMILY
29 DETACHED DWELLING ON THE SAME PROPERTY AS A WORKING FARM THAT QUALIFIES
30 FOR AN AGRICULTURAL USE ASSESSMENT PURSUANT TO § 8-209 OF THE TAX-PROPERTY
31 ARTICLE OF THE STATE CODE OCCUPIED BY AT LEAST ONE PERSON ACTIVELY ENGAGED
32 IN THE AGRICULTURAL OPERATION ON THE FARM.
33

34 **[(ii)]** (3) “Dwelling, fourplex” means a structure that contains four dwelling units
35 with each unit separated horizontally or vertically from another dwelling unit by a common
36 wall or partition.
37

38 **[(iii)]** (4) “Dwelling, marina caretaker’s residence” means a dwelling for the sole
39 purpose of housing a person directly involved in the custodial, managerial, or operational
40 aspects of a marina.
41

42 **[(iv)]** (5) “Dwelling, multifamily” means a structure that contains twelve or more
43 dwelling units with each unit separated horizontally or vertically from another dwelling
44 unit by a common wall or partition and with each unit having access from an interior
45 corridor system.
46

47 **[(v)]** (6) “Dwelling, multiplex” means a structure that contains between five and
48 eleven dwelling units with each unit separated horizontally or vertically from another
49 dwelling unit by a common wall or partition and having access from an interior corridor
50 system.

1 **[(vi)]** (7) “Dwelling, single-family detached” means a structure that contains one
2 dwelling unit used as a principal dwelling and entirely separated from any other structure
3 on all sides.

4
5 **[(vii)]** (8) “Dwelling, stacked townhouse” means a structure that contains four or
6 more dwelling units arranged over and under or back-to-back with each unit separated
7 horizontally or vertically from another dwelling unit by a common wall or partition and
8 with each unit having separate access directly to the exterior of the structure or to a garage
9 or small egress landing.

10
11 **[(viii)]** (9) “Dwelling, townhouse” means a structure that contains at least three
12 and no more than eight dwelling units **[(side by side)]** SIDE-BY-SIDE with each unit
13 separated by a common wall or partition, and with each unit having separate access directly
14 to the exterior of the structure.

15
16 **[(ix)]** (10) “Dwelling, triplex” means a structure that contains three dwelling units
17 with each unit separated horizontally or vertically from another dwelling unit by a common
18 wall or partition.

19
20 (11) “DWELLING UNIT, ABUTTING HEAVY INDUSTRIAL ZONE” MEANS A DWELLING
21 UNIT APPROVED PURSUANT TO § 17-3-505 OF THIS CODE.

22
23 **[(x)]** (12) “Dwelling unit, accessory” means a **[(smaller)]** dwelling unit located on
24 the same lot as a principal single-family detached dwelling AND THAT HAS LESS FLOOR
25 AREA THAN THE PRINCIPAL DWELLING.

26
27 **[(xi)]** (13) “Dwelling unit, adult independent” means a dwelling unit of any type
28 that is occupied by at least one person who is 55 years of age or older and resident minor
29 children are prohibited.

30
31 **[(xii)]** (14) “Dwelling unit, apartment” means a single dwelling unit in conjunction
32 with another allowed use in the zoning district.

33
34 **[(xiii)]** “Dwelling unit, abutting heavy industrial zone” means a dwelling unit
35 approved pursuant to § 17-3-505 of this Code.]]

36
37 **[(xiv)]** (15) “Dwelling unit, cottage home” means a structure that contains one
38 detached dwelling unit used as a principal dwelling and that contains no more than 800
39 square feet of floor area that is built on a permanent foundation and constructed according
40 to all building and life safety codes.

41
42 **[(53)]** “Eating disorder treatment facility” means a facility treating persons for and
43 with a mental health diagnosis of eating disorder that is licensed as a limited private
44 inpatient facility pursuant to §§ 10-501 et seq., of the **[(Health General)]** HEALTH-GENERAL
45 Article of the State Code, COMAR 10.07.16.02, and as otherwise required by federal and
46 State law and regulations.

47
48 **[(54)]** “Eating disorder treatment unit” means a discrete living space within an eating
49 disorder treatment facility occupied by individuals receiving treatment in an eating disorder

1 treatment facility that is licensed as a limited private inpatient facility pursuant to §§ 10-
2 501 et seq., of the **[[Health General]]** HEALTH-GENERAL Article of the State Code,
3 COMAR 10.07.16.02, and as otherwise required by federal and State law and regulations.

4
5 **[[55)]]** “Electric vehicle repair facility” means a facility that provides mechanical and
6 electrical services for vehicles powered solely by electrically charged batteries.

7
8 **[[56)]]** “Electric vehicle towing and storage facility” means a facility that provides
9 towing and storage services for vehicles powered solely by electrically charged batteries.

10
11 **[[57)]]** “Battery energy storage system, front-of-the-meter” means an electrochemical
12 device that charges or collects energy from the grid or a generation facility and that stores
13 the energy for discharge at a later time in order to provide electricity or other grid services.
14 A “battery energy storage system, front-of-the-meter” does not include infrastructure or
15 equipment owned or operated by a public utility.]]

16
17 **[[58)]]** “Entertainment complex” means a facility for the presentation of the
18 performing arts, including indoor movie theaters, theaters for live performances, and
19 indoor and outdoor concert halls, but excluding adult movie theaters.

20
21 “EQUIPMENT SALES, REPAIR, AND STORAGE, COMMERCIAL” MEANS AN
22 ESTABLISHMENT FOR THE SALE OR REPAIR OF COMMERCIAL EQUIPMENT, FARM
23 EQUIPMENT, TOOLS, ALL-TERRAIN VEHICLES, TRACTORS, SNOWMOBILES, AND SIMILAR
24 EQUIPMENT.

25
26 **[[59)]]** “Excavation area” means that part of a clay and borrow pit or a sand and gravel
27 operation in which the extraction and removal of natural materials or deposits takes place.

28
29 **[[60)]]** “Fabrication” means the assemblage or packaging of products or parts,
30 predominantly using previously prepared material.

31
32 “FACILITY” MEANS ALL DEVELOPED PORTIONS OF A SITE WHICH ARE BUILT,
33 INSTALLED, ESTABLISHED OR USED TO SERVE A PARTICULAR USE.

34
35 **[[61)]]** “Farm” means land use for farming.

36
37 **[[62)]]** “Farm alcohol production facility” means a facility used for “agricultural
38 alcohol production” as defined in § 4-214 of the Land Use Article of the State Code that is
39 located on a farm that qualifies for an agricultural use assessment pursuant to § 8-209 of
40 the Tax-Property Article of the State Code or that is covered by a current and active soil
41 conservation and water quality plan approved by the Anne Arundel Soil Conservation
42 District.

43
44 **[[63)]]** “Farm dual use” means a lot or parcel on which the principal use is farming
45 and that includes one of the following commercial uses: contractor and construction yards;
46 well and septic service; excavation service; farm vehicle and equipment repair; trades, such
47 as plumbers, mechanical/HVAC, electricians, or other trades required to be licensed by
48 Article 15 of this Code; and outside storage of equipment associated with these commercial
49 uses.

1 **[(64)]** “Farm or agricultural heritage site special event” means a gathering of the
 2 public or invited groups limited to attendance by invitation or reservation for compensation
 3 for events including parties, celebrations, weddings, or receptions on a farm that qualifies
 4 for an agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the
 5 State Code or that is covered by a current and active soil conservation and water quality
 6 plan approved by the Anne Arundel Soil Conservation District, or an agricultural heritage
 7 site.

8
 9 **[(65)]** “Farm or agricultural heritage site stay” means a hosted accommodation for
 10 overnight guests who pay to stay on a farm that qualifies for an agricultural use assessment
 11 pursuant to § 8-209 of the Tax-Property Article of the State Code or that is covered by a
 12 current and active soil conservation and water quality plan approved by the Anne Arundel
 13 Soil Conservation District, or on an agricultural heritage site. “Farm or agricultural heritage
 14 site stay” does not include a bed and breakfast inn, bed or breakfast home, or short-term
 15 residential rental.

16
 17 **[(66)]** “Farming” means the use of land or structures for agricultural purposes,
 18 including agriculture, urban agriculture, apiaries, horticulture and floriculture,
 19 greenhouses, orchards, agricultural nurseries, viticulture, aquaculture, hydroponics,
 20 agroforestry, animal and poultry husbandry subject to the requirements of **[[§ 18-4-104]]** §
 21 18-4-103, dairying, on-farm composting as regulated by COMAR 26.04.11.06, and primary
 22 and **[[value added]]** VALUE-ADDED agricultural processing. For purposes of this definition:
 23

24 **[(i)]** (1) “agriculture” means the business, science and art of cultivating and
 25 managing soil for the production, growing, or harvesting of crops, agricultural or
 26 horticultural products, and may also include selling crops, agricultural, or horticultural
 27 products grown or produced onsite or aggregated from multiple sites;
 28

29 **[(ii)]** (2) “agroforestry” means the integration of trees and shrubs into farming
 30 systems and includes forestry (including silviculture), tree farming, and forest farming;
 31

32 **[(iii)]** (3) “animal and poultry husbandry” means the breeding, feeding, raising,
 33 and general care or use of animals, including equine animals, swine, cattle, goats, chickens,
 34 and similar farm or livestock animals;
 35

36 **[(iv)]** (4) “aquaculture” means the farming or culturing of finfish, shellfish, other
 37 aquatic plants or animals, or both, in lakes, streams, inlets, estuaries, and other natural or
 38 artificial water bodies or impoundments, including hatching, cultivating, planting, feeding,
 39 raising, and harvesting of aquatic plants and animals;
 40

41 **[(v)]** (5) “primary agricultural and **[[value added]]** VALUE-ADDED processing”
 42 means the processing of one or more agricultural ingredients or products in the course of
 43 preparing it for market or on-site consumption, so long as at least one of the ingredients or
 44 products are grown or produced on the farm, including cutting, drying, packaging, canning,
 45 milling, grinding, freezing, heating, and fermenting;
 46

47 **[(vi)]** (6) “farmers’ market” means a facility located on a farm that offers for public
 48 sale locally produced agricultural, horticultural, dairy, meat products, or similar products
 49 produced on that farm or aggregated from other farms;

1 **[(vii)]** (7) “farm stand” means a wagon, trailer, vehicle, or temporary structure
2 located on a farm that offers for public sale agricultural, horticultural, dairy, meat products,
3 or similar products produced on that farm or aggregated from other farms;
4

5 **[(viii)]** (8) “farm store” means a permanent structure located on a farm that offers
6 for public sale agricultural, horticultural, dairy, meat products, or similar products
7 produced on that farm or aggregated from other farms; and
8

9 **[(ix)]** (9) “farming” does not include the cultivation, processing or dispensing of
10 cannabis, as defined in § 1-101 of the Alcoholic Beverages and Cannabis Article of the
11 State Code.
12

13 “FERTILIZER MANUFACTURING” MEANS THE PROCESSING OF MATERIALS, WHETHER
14 OF A NATURAL OR SYNTHETIC ORIGIN, INCLUDING ORGANIC AND INORGANIC
15 MATERIALS, THAT IS APPLIED TO SOIL OR TO PLANT TISSUES TO SUPPLY PLANT
16 NUTRIENTS.
17

18 **[(67)]** “Floor area” means the sum of the gross horizontal area of all floors of a
19 structure other than those areas used for or related to the parking of vehicles, and it is
20 measured from the exterior faces of the exterior walls or from the center line of party walls.
21

22 **[(68)]** “Floor area ratio” means the floor area of a structure divided by the gross area
23 of the lot on which the structure is located.
24

25 “FOOD BANK” MEANS A NONPROFIT ORGANIZATION THAT COLLECTS AND STORES
26 LARGE QUANTITIES OF FOOD AND OTHER BASIC NECESSITIES FOR DISTRIBUTION TO
27 PEOPLE IN NEED PRIMARILY THROUGH INTERMEDIARIES SUCH AS FOOD PANTRIES AND
28 SOUP KITCHENS.
29

30 “FOOD PRODUCT MANUFACTURING” MEANS THE TRANSFORMATION OF RAW
31 INGREDIENTS BY PHYSICAL OR CHEMICAL MEANS INTO FOOD, OR OF FOOD INTO OTHER
32 FORMS.
33

34 “FOOD TRUCK” MEANS A VEHICLE, TRAILER, OR CART THAT MOVES FROM PLACE TO
35 PLACE FROM WHICH FOOD OR DRINK IS SOLD OR DISPENSED.
36

37 **[(69)]** “Gaming position” means a seat at a video lottery terminal.
38

39 **[(70)]** “Garden center” means a facility that sells plants, bushes or trees, grown onsite
40 or offsite, as well as other items customarily used for plants and gardens including seeds,
41 mulch, fertilizer, soil, gardening tools, and pots, but does not include a hardware store, a
42 home center, or a building supply store.
43

44 “GENERAL DEVELOPMENT PLAN” MEANS THE MOST RECENT VERSION, AS ADOPTED
45 BY THE COUNTY COUNCIL, OF THE MASTER PLAN REQUIRED BY § 531 OF THE CHARTER,
46 WHICH IS ALSO THE COMPREHENSIVE PLAN REQUIRED BY §§ 1-405, ET SEQ. OF THE LAND
47 USE ARTICLE OF THE STATE CODE, THAT ESTABLISHES POLICIES TO GUIDE THE USE AND
48 PHYSICAL DEVELOPMENT OF LAND OVER A 20-YEAR PLANNING HORIZON AND INCLUDES
49 THE CONTENTS REQUIRED BY §§ 1-405, ET SEQ. OF THE LAND USE ARTICLE OF THE STATE
50 CODE.
51

52 **[(71)]** “Gross area” means the total area of a lot.

1 **[(72)]** “Group home I” means a residential facility authorized by federal, State or local
2 law or regulation, or licensed or supervised by a federal, State, or local agency that houses
3 no more than eight persons, other than staff, with intellectual, development, or physical
4 disabilities, or mental health issues.

5
6 **[(73)]** “Group home II” means a residential facility authorized by federal, State or
7 local law or regulations, or licensed or supervised by a federal, State, or local agency that
8 houses between 9 and 16 persons, other than staff, with intellectual, development, or
9 physical disabilities or mental health issues.

10
11 **[(74)]** “Health club or spa” means a facility in which **[[memberships in]]** a program
12 of physical exercise **[[are]]** IS offered, including the right to use saunas, whirlpools,
13 weightlifting rooms, massages, steam rooms, or exercising machines.

14
15 **[(75)]** “Height” when used in reference to a structure means the vertical distance from
16 the average height of the highest roof surface for a structure with a roof or from the highest
17 point of a structure without a roof to the grade plane. For purposes of this definition, “grade
18 plane” means the average of the finished ground levels between the structure and a point
19 six feet from the structure or, if the lot line is closer than six feet from the structure, the lot
20 line.

21
22 **[(76)]** “Heliport” means a facility for the takeoff, landing, fueling, and housing of
23 helicopters, the discharging and receiving of passengers and cargo from or to a helicopter,
24 and the provision of shelter and conveniences for helicopter passengers.

25
26 “HOME OCCUPATION” MEANS THE ACCESSORY USE OF A DWELLING UNIT BY THE
27 OCCUPANT FOR BUSINESS PURPOSES.

28
29 **[(77)]** “Homeowner’s association” means a nonprofit community association,
30 condominium association, improvement association, or similar association that owns,
31 leases, or has easement rights on property within a recorded subdivision.

32
33 **[(78)]** “Hospice facility” has the meaning stated in § 19-901 OF the Health-General
34 Article~~[[, § 19-901,]]~~ of the State Code and includes a facility that provides full inpatient
35 care.

36
37 “HOSPITAL” MEANS ANY INSTITUTION THAT HAS A GROUP OF PHYSICIANS ORGANIZED
38 AS A MEDICAL STAFF FOR THE INSTITUTION, MAINTAINS FACILITIES TO PROVIDE
39 MEDICAL DIAGNOSTIC AND TREATMENT SERVICES, AND PROVIDES OVERNIGHT CARE FOR
40 INDIVIDUALS.

41
42 “HOTELS” AND “MOTELS” MEANS A BUILDING OR PORTION THEREOF OR GROUP OF
43 BUILDINGS CONTAINING GUEST ROOMS, WITH OR WITHOUT KITCHEN FACILITIES, FOR
44 COMPENSATION, THAT PROVIDES SLEEPING ACCOMMODATIONS TO TRANSIENT GUESTS
45 ON A DAILY, WEEKLY, OR MONTHLY BASIS. A “HOTEL” OR “MOTEL” IS NOT A DWELLING
46 UNIT.

47
48 **[(79)]** “Institutional uses” means those uses that serve a recreational, social, medical,
49 educational, or religious purpose~~[[, such as schools, nursing homes, assisted living~~
50 facilities, hospitals, libraries, museums, and nonprofit charitable or philanthropic
51 organizations~~]]~~.

1 **[(80)]** “Junk” means any kind of salvage or waste material **[(that is not handled as**
2 recyclables or solid waste by an automobile and truck dismantling and recycling facility,
3 recyclables recovery facility, rubble landfill, rubble processing facility, or solid waste
4 transfer station)], including old, scrap, dismantled, inoperable, or dilapidated motor
5 vehicles, BOATS OR WATERCRAFT or motor vehicle, BOATS OR WATERCRAFT parts,
6 machinery, household furniture and appliances, construction equipment and materials,
7 tanks and drums, tires, pipes, WIRE, wood, paper, metals, rags, and glass.

8
9 **[(81)]** “Junkyard” means any land or structure used for the storage, keeping,
10 collection, salvage, sale, disassembling, wrecking, baling, maintenance, or abandonment
11 of junk, but the term does not include an automobile and truck dismantling and recycling
12 processing facility, recyclables recovery facility, rubble landfill, rubble processing facility,
13 or solid waste transfer station.

14
15 **[(82)]** “Kennel, commercial” means a facility for the housing of dogs, cats, or other
16 domesticated animals for the purpose of commercial breeding, sale, boarding, training, or
17 grooming, BUT DOES NOT INCLUDE TRAINING OF ATTACK DOGS OR LAW ENFORCEMENT
18 K-9 DOGS.

19
20 “KITCHEN FACILITIES” MEANS AN AREA WITHIN A BUILDING DESIGNED AND
21 INTENDED TO BE USED FOR THE COOKING OR PREPARATION OF FOOD. THE PRESENCE OF
22 A RANGE OR OVEN, OR UTILITY CONNECTIONS SUITABLE FOR SERVICING A RANGE OR
23 OVEN, SHALL BE CONSIDERED A KITCHEN FACILITY.

24
25 **[(83)]** “Land-clearing debris” means solid waste that is acceptable for disposal in a
26 land-clearing debris landfill under State law and regulation.

27
28 **[(84)]** “Land-clearing debris landfill” means a sanitary landfill permitted under State
29 law and regulation as a land-clearing debris landfill.

30
31 **[(85)]** “Landscaping and tree contracting” means a business engaged in providing the
32 services of planting, seeding, sodding, removing, cutting, trimming, pruning, mulching,
33 aerating, applying chemicals, watering, fertilizing, or similar services to establish, promote,
34 or control growth of trees, shrubs, flowers, grass, ground cover, and other flora, or
35 otherwise maintaining a lawn or landscape for ornamentation or other nonagricultural
36 purpose.

37
38 **[(86)]** “Limited activity area” means the 200-foot area shown on the Bog Protection
39 Area Guidance Map that is measured as the 300-foot area surrounding the outer edge of
40 the bog but excluding the 100-foot upland buffer.

41
42 **[(87)]** “Lot, corner” means a lot that **[(has frontage)]** ABUTS on more than one
43 intersecting road. For purposes of this definition, a road with angles that are 135 degrees
44 or less, measured from the centerline of the road, is considered two intersecting roads.

45
46 **[(88)]** “Lot, corner through” means a lot that **[(has frontage)]** ABUTS on three roads.

47
48 **[(89)]** “Lot, through” means a lot other than a corner lot or corner through lot **[(with**
49 frontage)] THAT ABUTS on more than one road.

1 **[(90)]** “Lot line, front” means the boundary of a lot that abuts the road right-of-way
2 or, for a waterfront lot, the mean high-water line OR A BOUNDARY LINE THAT ABUTS
3 PLATTED LAND OWNED BY A HOMEOWNER’S ASSOCIATION OR THE COUNTY THAT ABUTS
4 THE MEAN HIGH-WATER LINE.

5
6 “MANUFACTURING AND PROCESSING, GENERAL” MEANS THE MANUFACTURING,
7 PRODUCTION, PROCESS, FABRICATION, ASSEMBLY, TREATMENT, REPAIR, OR PACKAGING
8 OF FINISHED PRODUCTS, FROM PREPARED OR REFINED MATERIALS, OR FROM RAW
9 MATERIALS THAT DO NOT NEED REFINING. THE TERM ALSO INCLUDES WAREHOUSING,
10 WHOLESALING, AND DISTRIBUTION OF FINISHED PRODUCTS PRODUCED AT THE SITE AS
11 AN ACCESSORY USE.

12
13 **[(91)]** “Marina” means a facility located along the shoreline that has docks, moorings,
14 supplies, and other services for watercraft and watercraft passengers. The following types
15 of marinas have the meanings indicated:

16
17 **[(i)]** (1) “Marina, commercial” means a marina for servicing, fueling, and storage
18 of watercraft that may include covered or uncovered wet storage slips, dry storage of
19 watercraft, and boat sales.

20
21 **[(ii)]** (2) “Marina, community” means a marina that provides limited watercraft
22 services in a recorded residential riparian subdivision for residents and their guests and that
23 is located on property leased or owned by a homeowner’s association.

24
25 **[(iii)]** (3) “Marina, neighborhood” means a marina that provides limited watercraft
26 services.

27
28 (4) “MARINA, YACHT CLUB” MEANS A PRIVATE CLUB WITH LAND AND FACILITIES
29 OWNED OR LEASED, MAINTAINED, CONTROLLED, AND MANAGED BY THE MEMBERS THAT
30 PROVIDES LIMITED MARINA FACILITIES FOR THE USE OF MEMBERS AND THEIR GUESTS.

31
32 **[(92)]** “Mean high-water line” means the average level of high tides at a given
33 location.

34
35 **[(93)]** “Meteorological tower” means a meteorological tower or structure designed to
36 support the gathering of wind or solar energy resource data, and includes the tower, base
37 plate, anchors, guy cables and hardware, anemometers, wind direction vanes, booms to
38 hold equipment, data loggers, wiring, and telemetry devices used to monitor and transmit
39 data for over a period of time for instant or historic data.

40
41 **[(94)]** “Mobile home” has the meaning stated for “manufactured home” in **[(§§)]** §
42 11-9-101 of this Code.

43
44 **[(95)]** “Natural wood waste” means tree and other natural vegetative matter, including
45 tree stumps, brush and limbs, root mats, logs, leaves, grass clippings, and unadulterated
46 wood wastes.

47
48 **[(96)]** “Natural wood waste recycling facility” means a facility for the recycling of
49 natural wood waste or for the production of compost or mulch, but the term does not
50 include a collection or processing facility that provides recycling services solely for its own
51 employees or for its own recyclable materials generated onsite.

1 **[(97)]** “Net area” means gross area minus the 100-year nontidal floodplain, steep
2 slopes, and tidal and nontidal wetlands.

3
4 **[(98)]** “Net density” means the number of dwelling units allowed for each acre of net
5 area.

6
7 **[(99)]** “**[[Night club]] NIGHTCLUB**” or “comedy club” means a facility that is open to
8 the public, has an alcoholic beverage license, and provides entertainment, such as music, a
9 floor show, a stage show, or dancing.

10
11 **[(100)]** “Nonconforming use” means a use that was allowed when it came into
12 existence but that is no longer allowed under the law in effect in the zoning district in which
13 the use is located.

14
15 **[(101)]** “Nurseries with landscaping and plant sales” means a facility for the
16 cultivating, harvesting, and sale of plants, bushes, trees, and other nursery items grown
17 onsite, either in the ground or in containers, prior to sale, and includes the sales of products
18 related to landscaping and the cultivation of plants, bushes, trees, and other nursery items.

19
20 **[(102)]** “Nursing home” has the meaning stated in § 19-1401(E) OF the Health-General
21 Article**[[, § 19-1401(e),]]** of the State Code.

22
23 **[(103)]** “Open area” has the meaning stated in § 17-1-101 of this Code.

24
25 “OUTSIDE STORAGE” MEANS THE STORAGE, KEEPING, OR MAINTENANCE, OF
26 EQUIPMENT, PRODUCTS, MERCHANDISE, CONTAINERS, OR OTHER GOODS IN USABLE
27 CONDITION OR GOOD WORKING CONDITION IN A FENCED OR UNENCLOSED AREA,
28 EXCLUDING PARKING LOTS AND ACCESSORY PARKING.

29
30 “OVERLAY ZONE” MEANS A MAPPED GEOGRAPHIC AREA, AS APPROVED BY THE
31 COUNTY COUNCIL, THAT ESTABLISHES DEVELOPMENT, ZONING, USE, OR DESIGN
32 REQUIREMENTS IN ADDITION TO OR DIFFERENT THAN THOSE IN THE UNDERLYING
33 ZONING DISTRICT.

34
35 “OVERSIZED VEHICLE PARKING LOT” MEANS THE PRINCIPAL USE OF PARKING OF
36 REGISTERED AND OPERABLE MOTOR VEHICLES WITH A MANUFACTURER’S GROSS
37 VEHICLE WEIGHT RATING OF MORE THAN 10,000 POUNDS FOR TEMPORARY, SHORT-TERM,
38 DAILY OR OVERNIGHT, OFF-STREET PARKING, BUT DOES NOT INCLUDE SERVICE OR
39 AUTOMOBILE REPAIR FACILITIES OR STORAGE OF MOTOR VEHICLES FOR SALE. AN
40 OVERSIZED VEHICLE PARKING LOT IS NOT CONSIDERED OUTSIDE STORAGE.

41
42 **[(104)]** “Package goods store” means a retail store that keeps for sale and sells beer,
43 wine, and liquor in sealed packages or containers that may not be opened or consumed on
44 the premises where sold.

45
46 “PARKING LOT” MEANS THE PRINCIPAL USE OF PARKING OF REGISTERED AND
47 OPERABLE MOTOR VEHICLES FOR TEMPORARY, SHORT-TERM, DAILY OR OVERNIGHT, OFF-
48 STREET PARKING, BUT DOES NOT INCLUDE AUTOMOBILE SERVICE OR REPAIR FACILITIES,
49 THE STORAGE OF MOTOR VEHICLES FOR SALE, OR THE PARKING OF VEHICLES WITH A
50 MANUFACTURER’S GROSS VEHICLE WEIGHT RATING OF MORE THAN 10,000 POUNDS. A
51 PARKING LOT IS NOT CONSIDERED OUTSIDE STORAGE.

1 “PAWN SHOP” MEANS A BUSINESS LICENSED UNDER ARTICLE 11 OF THIS CODE AS A
2 PAWN BROKER OR SECOND-HAND DEALER.

3
4 **[(105)]** “Pedestrian circulation system” means the sidewalks and other pedestrian
5 ways that serve as access to and between the uses, structures, parking areas, and other
6 elements of a development.

7
8 “PERMITTED USE” MEANS A USE ALLOWED BY RIGHT WITHIN A ZONING DISTRICT.

9
10 **[(106)]** “Personal fitness studio” means a facility with classrooms or offices offering
11 personal health and wellness counseling or classes, supplemented by use of exercising
12 machines and physical training in an exercise area occupying less than 2,000 square feet
13 of the total square footage of the space.

14
15 **[(107)]** “Personal fitness studio, water-based” means a personal fitness studio in
16 which all or part of the physical training offered shall involve activities that take place on
17 a body of navigable water. A personal fitness studio under this definition shall be
18 considered an accessory use to the principal maritime use in MA2, MB and MC Maritime
19 Districts.

20
21 “PET CARE BUSINESS” MEANS A HOME OCCUPATION FOR THE TEMPORARY KEEPING
22 OF PETS OWNED BY OTHERS IN A RESIDENCE FOR A FEE, INCLUDING DAY CARE, BOARDING
23 OR TRAINING, BUT “PET CARE BUSINESS” DOES NOT INCLUDE PET GROOMING OR
24 TRAINING OF ATTACK DOGS OR LAW ENFORCEMENT K-9 DOGS.

25
26 “PET DAY CARE FACILITIES” MEANS THE TEMPORARY KEEPING OF PETS OWNED BY
27 OTHERS FOR A FEE, INCLUDING DAY CARE OR TRAINING, BUT “PET DAY CARE FACILITIES”
28 DOES NOT INCLUDE PET GROOMING, OVERNIGHT BOARDING, OR TRAINING OF ATTACK
29 DOGS OR LAW ENFORCEMENT K-9 DOGS.

30
31 “PET GROOMING PARLOR” MEANS AN ESTABLISHMENT WHERE THE BATHING,
32 DIPPING, CUTTING, OR GROOMING OF PETS IS PROVIDED.

33
34 **[(108)]** “Petroleum products” means liquid petroleum gas, fuel oil, and light fractions
35 of crude oil, including kerosene, naphtha, gasoline, and diesel fuel.

36
37 **[(109)]** “Pier” means a floating or fixed platform, including associated pilings and
38 similar features, that extends over water from the shoreline. The following types of piers
39 have the meanings indicated:

40
41 **[(i)]** (1) “Pier, commercial” means a pier used for commercial purposes that is not
42 located in a residential zoning district.

43
44 **[(ii)]** (2) “Pier, community” means a pier for watercraft that is established and
45 operated for the benefit of a recorded residential riparian subdivision.

46
47 **[(iii)]** (3) “Pier, private” means a pier for watercraft that extends from a privately
48 owned **[[residential]]** lot IN A RESIDENTIAL OR OPEN SPACE DISTRICT or community owned
49 property for which a pier construction agreement (PCA) has been executed.

1 ~~[(iv)]~~ (4) “Pier, recreational” means a pier used by residents of a recorded
2 residential riparian subdivision and their guests for crabbing, fishing, sunning, swimming,
3 and similar activities, but not for watercraft or boating activities of any kind.

4
5 “PILE DRIVING AND MARINE CONSTRUCTION OPERATIONS” MEANS THE USE OF LAND
6 FOR STORING AND STAGING EQUIPMENT, VESSELS, MATERIALS, AND VEHICLES IN
7 SUPPORT OF CONSTRUCTING, REPAIRING, OR REMOVING PILES, BULKHEADS, PIERS,
8 DOCKS, OR SIMILAR MARINE STRUCTURES.

9
10 ~~[(110)]~~ “Plasma center” means a for-profit business licensed under the Health-
11 General Article of State Code that collects human blood plasma and compensates
12 individuals for their blood plasma or other blood product.

13
14 ~~[(111)]~~ “Principal use” means a primary structure or activity for which a lot is
15 employed.

16
17 ~~[(112)]~~ “Private club” means an establishment that provides facilities for members
18 for social or recreational purposes, is not open to the public, is not operated for profit or
19 commercial purposes~~[[, and is exempt from taxation under § 501(c) of the Internal Revenue~~
20 ~~Code]]~~.

21
22 ~~[(113)]~~ “Processing site” means that part of a clay and borrow pit or a sand and gravel
23 operation in which washing, screening, blending, and stockpiling take place.

24
25 ~~[(114)]~~ “Produce market” means a facility, not located on a farm, where local
26 produce, meat products, fruits, vegetables, value-added agricultural or horticultural
27 products, and prepared foods and beverages are sold directly to the public primarily for
28 off-site consumption.

29
30 ~~[(115)]~~ “Public activity area” means a plaza, square, village green, pocket park,
31 courtyard, or similar area of a noncommercial nature that serves as a place for the public
32 to gather and that includes amenities such as benches, fountains, gazebos, pavilions, art,
33 and shade trees.

34
35 ~~[(116)]~~ “Public utility essential services” means 69 kv or lesser transmission lines,
36 distribution lines, and accessory equipment and structures that distribute or transmit such
37 services as electricity, communications, power, or fuel.

38
39 ~~[(117)]~~ “Public utility uses” means an electric substation, a fuel transmission pumping
40 station, and a telephone switching station.

41
42 ~~[(118)]~~ “Reclamation” means the rehabilitation of disturbed land for useful purposes
43 and the protection of the natural resources of adjacent areas, including bodies of water.

44
45 ~~[(119)]~~ “Recovery residence” means a facility that provides recovery residence
46 services as defined under § 8-101 of the Health-General Article of the State Code.

47
48 ~~[(120)]~~ “Recreational uses, active” means recreational activities, other than golf
49 courses, that require special facilities, fields, or equipment, such as playgrounds, ice skating

1 rinks, running tracks, and athletic facilities, including playing fields for athletic events,
2 tennis courts, basketball courts, and swimming pools.

3
4 **[(121)]** “Recreational uses, passive” means recreational activities that require
5 minimal changes to the site and preserve natural features, such as nature areas, picnic areas,
6 walking or hiking areas, fishing areas, hunting areas and bird or wildlife watching areas.

7
8 “RECREATIONAL VEHICLE” MEANS A VEHICLE DESIGNED AS TEMPORARY LIVING
9 QUARTERS FOR RECREATION, CAMPING OR TRAVEL USE, WHICH EITHER HAS ITS OWN
10 MOTOR POWER OR IS MOUNTED ON OR DRAWN BY ANOTHER VEHICLE, AND INCLUDES A
11 “CAMPING TRAILER”, “PARK MODEL RECREATIONAL VEHICLE”, AND “TRAVEL TRAILER”
12 AS DEFINED IN ARTICLE 11 OF THE TRANSPORTATION ARTICLE OF THE STATE CODE.

13
14 **[(122)]** “Recyclables” has the meaning stated for “recyclable materials” in § 9-1701
15 OF the Environment Article~~[[, § 9-1701,]]~~ of the State Code.

16
17 **[(123)]** “Recyclables recovery facility” means a facility used for recycling, but the
18 term does not include an automobile and truck dismantling and recycling facility or a
19 natural wood waste recycling facility.

20
21 **[(124)]** “Recycling” means any process in which materials that would otherwise
22 become solid waste are collected, separated, or processed and returned to the marketplace
23 in the form of raw materials or products.

24
25 **[(125)]** “Refuse” means ashes, garbage, rubbish, junk, industrial waste, dead animals,
26 and salvable waste and other solid waste materials.

27
28 “REGION PLAN” MEANS A LONG-RANGE VISION DOCUMENT FOR A SPECIFIC
29 GEOGRAPHIC AREA OF THE COUNTY AS ADOPTED IN THE GENERAL DEVELOPMENT PLAN
30 THAT PROVIDES RECOMMENDATIONS FOR COMMUNITIES IN THAT REGION ON TOPICS
31 INCLUDING SENSITIVE AREAS, LAND USE, TRANSPORTATION, CULTURAL RESOURCES,
32 COMMUNITY FACILITIES, AND ECONOMIC DEVELOPMENT, TO ACHIEVE A COMMUNITY’S
33 GOALS.

34
35 **[(126)]** “Regional commercial complex” means a large commercial development
36 with retail, entertainment, and service uses, and which may include residential uses, of a
37 scale and function to serve a regional market that contains at least 750,000 square feet of
38 non-residential floor area.

39
40 “RELIGIOUS FACILITY” MEANS A MEETING AREA FOR RELIGIOUS PRACTICES,
41 INCLUDING A CHURCH, SYNAGOGUE, MOSQUE, MONASTERY, OR SIMILAR FACILITY.

42
43 “RENTAL ESTABLISHMENT” MEANS AN ESTABLISHMENT PROVIDING THE RENTAL OF
44 TOOLS, EQUIPMENT, PARTY SUPPLIES, OR SIMILAR GOODS AND EQUIPMENT, INCLUDING
45 STORAGE AND INCIDENTAL MAINTENANCE. “RENTAL ESTABLISHMENT” DOES NOT
46 INCLUDE A MOTOR VEHICLE RENTAL FACILITY.

47
48 **[(127)]** “Restaurant” means an establishment, open to the public, that prepares or
49 serves food and beverages for consumption onsite ~~[[and may include]]~~, take-out, ~~[[and]]~~
50 DRIVE-THROUGH, OR delivery services. Restaurants may also provide banquet hall or
51 catering services for ceremonial gatherings honoring guests or special occasions, as long
52 as such services are not provided exclusively.

1 “RETAIL SPECIALTY STORES OR SHOPS FOR RETAIL SALES AND SERVICE” MEANS AN
2 ESTABLISHMENT THAT SELLS COMMODITIES OR GOODS DIRECTLY TO CONSUMERS.

3
4 “REZONING” MEANS AN AMENDMENT TO THE ZONING MAP TO CHANGE THE ZONING
5 CLASSIFICATION OF PROPERTY FROM ONE ZONING DISTRICT TO ANOTHER.

6
7 “RIGHT-OF-WAY” MEANS PUBLIC OR PRIVATE LAND LEGALLY DEDICATED FOR
8 TRANSPORTATION AND PUBLIC USE FACILITIES, SUCH AS ROADS, RAILROADS,
9 SIDEWALKS, SHARED USE PATHS, OR UTILITY LINES.

10
11 **[(128)]** “Road” means an open way that is dedicated as a public or private right-of-
12 way or easement for the passage of vehicles and persons. The following types of roads are
13 defined from the lowest to the highest classification:

14
15 **[(i)]** (1) “Local road” means a road designed to provide vehicular access to
16 abutting properties and to discourage through traffic, but the term does not include a
17 parking lot, a drive aisle, or an alley.

18
19 **[(ii)]** (2) “Collector road” means a road that provides primary access to an arterial
20 road from one or more neighborhoods; allows for traffic circulation within residential,
21 commercial, and industrial areas and for the internal distribution of trips within a
22 neighborhood; and may provide access to local roads, other collector roads, and abutting
23 properties.

24
25 **[(iii)]** (3) “Minor arterial road” means a road that serves trips of moderate length;
26 interconnects and augments the principal arterial system; provides primary access to or
27 through communities of high density residential, commercial, retail, or industrial land uses
28 and distributes traffic to smaller geographic areas; and partially controls access to abutting
29 commercial, industrial, and residential properties at predetermined locations to discourage
30 direct access to individual properties at other locations.

31
32 **[(iv)]** (4) “Principal arterial road” means a road that serves the needs of through
33 traffic for moderately long trips and serves major activity centers and major portions of the
34 trips entering or leaving urban areas; is a primary travel route for commercial, commuter,
35 and recreational travel in rural areas; provides secondary linkages between large urban
36 centers, suburban population, and employment centers; and permits direct access to
37 individual properties only under unusual circumstances.

38
39 **[(v)]** (5) “Freeway” means a road that provides for efficient and uninterrupted
40 travel over long distances; serves interstate and commuter needs; does not allow direct
41 access to abutting properties; and has access only by interchange facilities.

42
43 “ROADSIDE VENDOR” MEANS A PERSON WHO SELLS GOODS OR FOOD OF ANY KIND AT
44 A FIXED LOCATION ON OR ABUTTING ANY ROAD, BUT “ROADSIDE VENDOR” DOES NOT
45 INCLUDE A PERSON WHO SELLS CHRISTMAS TREES, PRODUCE GROWN ON THE PREMISES,
46 OR, IN AN RA DISTRICT, PRODUCE OF ANY KIND.

47
48 **[(129)]** “Rooming house” means all or part of a **[(single-family detached dwelling)]**
49 BUILDING that is occupied by a resident owner or resident manager and that has rooms
50 without cooking facilities for rent.

1 **[(130)]** “Rubble” means solid waste that is acceptable for disposal in a rubble landfill
2 under State law and regulation.

3
4 **[(131)]** “Rubble landfill” means a sanitary landfill permitted under State law and
5 regulation as a rubble landfill.

6
7 **[(132)]** “Rubble processing facility” means a facility used to reduce or alter the
8 volume or characteristics of rubble that is permitted under State law and regulation as a
9 processing facility.

10
11 **[(133)]** “Sanitary landfill” means a land-clearing debris landfill, municipal landfill,
12 or rubble landfill.

13
14 “SCENIC OR HISTORIC ROAD” MEANS A ROAD SHOWN ON THE OFFICIAL MAP ENTITLED
15 “SCENIC AND HISTORIC ROADS” ADOPTED BY THE COUNTY COUNCIL.

16
17 **[(134)]** “Scenic or historic rural road” means a road shown on the official map entitled
18 “Scenic and Historic Rural Roads**[[, 2006]]**” adopted by the County Council.

19
20 **[(135)]** “School bus facility” means a facility that:

21
22 **[(i)]** (1) is used in whole or in part for the inside or outside storage, maintenance,
23 service, and associated operations of school buses; and

24
25 **[(ii)]** (2) provides school bus transportation for the Board of Education of Anne
26 Arundel County.

27
28 “SCHOOL, CHARTER” HAS THE MEANING FOR “PUBLIC CHARTER SCHOOL” IN § 9-102 OF
29 THE EDUCATION ARTICLE OF THE STATE CODE.

30
31 **[(136)]** “School, private academic” means a private institution that offers an academic
32 course of instruction and that is operated by a religious facility or under a certificate of
33 approval by the State Department of Education.

34
35 “SCHOOL, PUBLIC” HAS THE MEANING FOR “PUBLIC SCHOOLS” IN § 1-101 OF THE
36 EDUCATION ARTICLE OF THE STATE CODE.

37
38 **[(137)]** “Self-service storage facility” means an arrangement of enclosed or
39 unenclosed individual secured storage areas for sale, lease, or rent, but the term does not
40 include storage for wholesale or retail activity, a freight or distribution center, or
41 warehousing as part of a commercial or industrial operation.

42
43 **[(138)]** “Service organization” means an association of persons for the promotion of
44 a common object or goal other than the operation of a profit-making business.

45
46 **[(139)]** “Setback” means a minimum distance between a lot line and a structure.

47
48 **[(140)]** “Shoreline” means the mean high-water line.

1 **[(141)]** “Sign” means any writing, letter, or numeric work, pictorial presentation,
2 illustration or decoration, emblem, device, symbol, trademark, banner, figure, or character,
3 or any other device, **[(figure, or character,)]** fixture, placard or structure, including its
4 component parts, utilized to advertise, announce, identify, or make known or attract
5 attention.

6
7 **[(i)]** (1) “Sign” does not include graveyard and cemetery markers, clearance bars
8 associated with a height restriction and other safety notices integral to an object’s purpose,
9 vending machines, mail drop-off boxes, mailbox signs regulated by the United States
10 Postal Service, flags, pennants, decorations, murals, artwork, a building’s architectural
11 features, or a manufacturer or seller’s markings on machinery or equipment.

12
13 **[(ii)]** (2) Types of signs and sign-related terms are defined in § 18-3-301.

14
15 **[(142)]** “Slip” means a water area used for the wet storage or temporary docking of a
16 watercraft.

17
18 **[(143)]** “Small cell system” means any **[(short range)]** SHORT-RANGE equipment
19 installed for the purpose of supplementing or extending wireless communications coverage
20 in a localized area. “Small cell system” includes:

21
22 **[(i)]** (1) any pole, strand, or other structure used to support a system or to which a
23 system is attached;

24
25 **[(ii)]** (2) any radio transceiver, antenna, coaxial or fiber-optic cable, regular or
26 **[(back- up)]** BACK-UP power supply, and comparable equipment, regardless of
27 technological configuration; and

28
29 **[(iii)]** (3) any ancillary or accessory structure or equipment to house any part of
30 the system.

31
32 **[(144)]** “Small wind energy system” means a wind energy conversion system which
33 may consist of a wind turbine, a tower and base, and associated control or conversion
34 electronics for the purpose of generating energy for use on site and not for sale.

35
36 **[(145)]** “Solar energy generating facility – accessory” means a renewable energy
37 generating facility that uses energy from the sun to produce electricity for on-site use as
38 accessory to a principal use; for which excess electricity generated and not immediately
39 utilized for on-site use or temporarily stored for future on-site use may be provided to a
40 utility company in exchange for a credit or other compensation methodology as prescribed
41 by the utility company, provided the property has existing electrical service supplied by
42 the utility. If the facility is ground-based, the development of the facility shall be subject
43 to Article 17 of this Code and the square footage of the solar panels for the system may not
44 exceed the total square footage of the roofs of all existing structures on the site.

45
46 **[(146)]** “Solar energy generating facility – community” means a renewable energy
47 generating facility that uses energy from the sun to produce electricity and that satisfies the
48 requirements of a “community solar energy generating system” set forth in § 7-306.2 of
49 the Public Utilities Article of the State Code.

1 **[(147)]** “Solar energy generating facility – utility scale” means an industrial scale,
2 renewable energy generating facility as a principal use that uses energy from the sun to
3 produce electricity for sale to a regional wholesale electricity market through transmission
4 lines and not to end-users.

5
6 **[(148)]** “Solar panel” means that part of a solar energy system containing one or more
7 receptive cells or modules, the purpose of which is to capture solar energy.

8
9 **[(149)]** “Solid waste” means solid waste regulated by COMAR, Title 26.

10
11 **[(150)]** “Solid waste transfer station” means a facility where nonhazardous solid
12 waste is taken from a collection vehicle, temporarily stored or stockpiled, and ultimately
13 placed in a transportation unit for movement to another facility that is permitted under State
14 law and regulation as a transfer station.

15
16 “SPECIAL EXCEPTION USE” MEANS A USE THAT IS ALLOWED WITHIN A ZONING
17 DISTRICT SUBJECT TO A UNIQUE SET OF REQUIREMENTS TO ENSURE THE USE IS
18 COMPATIBLE WITH SURROUNDING USES AND THE GENERAL NEIGHBORHOOD AND
19 REQUIRES A PUBLIC HEARING AND APPROVAL BY THE ADMINISTRATIVE HEARING
20 OFFICER.

21
22 **[(151)]** “Stables or riding club” means a commercial or community facility used for
23 the purpose of boarding, selling, riding, or training equines; teaching equestrian skills; or
24 day camps related to those activities.

25
26 “STAGING AREAS FOR COUNTY CAPITAL PROJECTS” MEANS LAND USED DURING A
27 COUNTY CAPITAL PROJECT FOR THE STORAGE OF MATERIALS, EQUIPMENT, VEHICLES,
28 STOCKPILES, TOOLS, AND OTHER CONSTRUCTION MATERIALS, AS WELL AS FOR
29 ASSEMBLING AND PREPARING COMPONENTS BEFORE USE ON THE MAIN CONSTRUCTION
30 SITE.

31
32 **[(152)]** “State-licensed medical clinic” means an outpatient medical clinic licensed
33 by the State of Maryland as a **[(detoxification facility or a substance abuse treatment**
34 **program under Title 8, Subtitle 4 of the Health-General Article including programs exempt**
35 **from licensing requirements under § 7.5-401(b)(1) of the Health-General Article of the**
36 **State Code)]** BEHAVIORAL HEALTH PROGRAM UNDER SUBTITLE 4 OF TITLE 7.5 OF THE
37 HEALTH-GENERAL ARTICLE OF THE STATE CODE. The term does not include a medical
38 clinic located on property owned or leased by the County or the State, or an Early
39 Intervention Level 0.5 program as described in COMAR 10.47.02.03.

40
41 **[(153)]** “Storage, dry” means the keeping of watercraft on land on a trailer, cradle,
42 rack, or other device.

43
44 **[(154)]** “Storage, dry covered” means the keeping of watercraft in a covered enclosed
45 structure on land.

46
47 **[(155)]** “Storage, multilevel watercraft rack structure” means a structure or rack
48 system that is in excess of 10 feet in height and is constructed or used for storing watercraft
49 and appurtenances.

1 **[(156)]** “Storage, wet” means the storage of watercraft by docking, mooring, or
2 berthing a watercraft to a pier, wharf, dock, piling, buoy, or similar facility.

3
4 **[(157)]** “Structure” means anything constructed the use of which requires permanent
5 location on the ground or attachment to something permanently located on the ground.

6
7 “STRUCTURE, ACCESSORY” MEANS A STRUCTURE THAT CUSTOMARILY IS INCIDENTAL
8 AND SUBORDINATE TO ANOTHER USE OR STRUCTURE ON A LOT ON WHICH THE PRINCIPAL
9 STRUCTURE IS LOCATED OR ON AN UNIMPROVED LOT ABUTTING A LOT IMPROVED BY A
10 PRINCIPAL STRUCTURE UNDER COMMON OWNERSHIP.

11
12 **[(158)]** “Structure, principal” means a structure that serves a principal use of the lot
13 on which it is located.

14
15 “SUBURBAN COMMUNITY CENTER” MEANS A DEVELOPMENT THAT INCLUDES A
16 VARIETY OF LAND USES SUCH AS ENTERTAINMENT, FOOD, RETAIL, PERSONAL SERVICES,
17 AND HOUSING AND MEETS THE REQUIREMENTS OF TITLE 12.

18
19 **[(159)]** “Tavern” means an establishment that has been issued a Class D beer, wine,
20 and liquor license by the Board of License Commissioners.

21
22 **[(160)]** “Telecommunication” means the process that permits the passage of
23 information from a sender to one or more receivers in a useable form by means of any
24 electromagnetic system.

25
26 “TEMPORARY” MEANS A FIXED PERIOD OF TIME.

27
28 **[(161)]** “Transitional housing facility” means **[(any use)]** A RESIDENTIAL FACILITY
29 that **[(regularly)]** provides temporary **[(shelter)]**, INTERMEDIATE-TERM HOUSING, with or
30 without food, AND PROGRAMMATIC SUPPORT SERVICES to individuals without permanent
31 housing but does not include temporary shelter in periods of extreme heat or cold or during
32 a state of disaster or emergency.

33
34 **[(162)]** “Transportation shelter” means a structure that protects users from the
35 weather while awaiting transportation and that is an inherent part of the overall
36 transportation system of the County, including bus, light rail, and rapid transit service.

37
38 **[(163)]** “Twenty-year registered use” means a use not allowed as a permitted,
39 conditional or special exception use under the law in effect for the zone in which the use is
40 located when the use commenced, and for which no enforcement action has been initiated
41 within 20 years of the date the use commenced. **]]**

42
43 **[(164)]** “Unmerge” means to restore merged lots to their status as individual lots for
44 the purpose of complying with the requirements of this article applicable to individual lots.

45
46 **[(165)]** “Use” means a purpose for which a lot is employed.

47
48 “VARIANCE” MEANS A REQUEST CONSIDERED BY THE ADMINISTRATIVE HEARING
49 OFFICER TO VARY OR MODIFY THE PROVISIONS OF THIS ARTICLE WHERE IT IS ALLEGED
50 STRICT CONFORMANCE COULD RESULT IN PRACTICAL DIFFICULTIES OR UNWARRANTED
51 HARDSHIP.

1 **[(166)]** “Vehicular circulation system” means the streets and roads, driveways, and
2 other vehicular ways that serve as access to and between the uses, buildings, parking areas,
3 and other elements of the development.

4
5 **[(167)]** “Veterinarian clinic, large animal” means a facility operated by at least one
6 licensed diplomat of the American College of Veterinary Surgeons specializing in the
7 health and treatment of large farm animals such as equine, swine, cattle, goats, fowl, and
8 similar farm or livestock animals.

9
10 **[(168)]** “Video lottery facility” has the meaning **[(set forth)]** STATED in § 9-1A-01 OF
11 the State Government Article**[(, § 9-1A-01,)]** of the State Code.

12
13 **[(169)]** “Video lottery terminal” has the meaning **[(set forth)]** STATED in § 9-1A-01 OF
14 the State Government Article**[(, § 9-1A-01,)]** of the State Code.

15
16 **[(170)]** “Warehouse” means all or part of a commercial structure for the storage of
17 goods, wares, or merchandise and where trucks or similar commercial vehicles may load
18 or unload cargo.

19
20 **[(171)]** “Water-dependent uses OR FACILITIES” has the meaning stated in COMAR,
21 Title 27 AND INCLUDES STRUCTURES OR FACILITIES ASSOCIATED WITH INDUSTRIAL,
22 MARITIME, RECREATIONAL, EDUCATIONAL, OR FISHERIES ACTIVITIES THAT REQUIRE A
23 LOCATION AT OR NEAR THE SHORELINE WITHIN THE BUFFER.

24
25 **[(172)]** “Waterfront lot” means a lot that:

26
27 **[(i)]** (1) abuts the mean high-water line; or

28
29 **[(ii)]** (2) abuts platted land owned by a homeowner’s association or the County
30 that abuts the mean high-water line and, through agreements or conveyances, has the right
31 to function as a waterfront lot.

32
33 **[(173)]** “Waterway” means a navigable body of water shown on waterway maps
34 adopted as part of this article, consisting of the main bodies of the Chesapeake Bay and the
35 Patapsco River, and the main bodies and tributaries of the following tributaries of the
36 Chesapeake Bay or the Patapsco River: Broadwater Creek, Bodkin Creek, Curtis Creek,
37 Magothy River, Parrish Creek, Rhode River, Rock Creek, Rockhold Creek, Severn River,
38 South River, Stoney Creek, West River, and Whitehall Bay.

39
40 “WHOLESALE TRADE, WAREHOUSING, DISTRIBUTION OR STORAGE ESTABLISHMENTS”
41 MEANS AN ESTABLISHMENT ENGAGED IN THE STORAGE AND SELLING OR DISTRIBUTING
42 OF GOODS, FOOD, WARES, OR MERCHANDISE TO RETAILERS, INDUSTRIAL, COMMERCIAL,
43 INSTITUTIONAL, OR PROFESSIONAL BUSINESS USERS, OR TO OTHER WHOLESALERS;
44 INCLUDING AREAS FOR LOADING OR UNLOADING OF CARGO.

45
46 **[(174)]** “Wind turbine” means the parts of the small wind energy system including
47 the blades, generator and tail mounted on a monopole, lattice or guyed structure or mounted
48 on a building.

1 ~~[(175)]~~ “Winery” means a facility that has been issued a Class 3 or Class 4
2 Manufacturer’s License under Alcoholic Beverages and Cannabis Article of THE State
3 Code.

4
5 ~~[(176)]~~ “Yacht club” means a private, nonprofit club with land and facilities owned or
6 leased, maintained, controlled, and managed by the members that provides limited marina
7 facilities for the use of members and their guests.]]

8
9 ~~[(177)]~~ “Yard” means the land area between the lot line and the principal structure,
10 with a front and rear yard extending to the side lot line and a side yard extending ONLY to
11 the front and rear ~~[[lot lines]]~~ YARDS.

12
13 ~~[(178)]~~ “Youth nature immersion program” means a program for youth who are 18
14 years of age or younger that focuses on outdoor exploration and nature-related activities
15 and may include educational enrichment, occupational and behavioral therapies, and day
16 camp programs.

17
18 ~~[(179)]~~ “Zoning certificate of use” means a certification issued by the Office of
19 Planning and Zoning that authorizes a use in a specific zoning district.

20
21 “ZONING DISTRICT” MEANS A GEOGRAPHIC AREA DELINEATED ON THE ANNE
22 ARUNDEL COUNTY DIGITAL ZONING LAYER, AS APPROVED BY COUNTY COUNCIL, THAT
23 MUST CONFORM TO THE REQUIREMENTS OF THE ASSIGNED ZONING CATEGORY.

24 25 **TITLE 2. GENERAL PROVISIONS**

26 27 **SUBTITLE 1. IN GENERAL**

28 29 **18-2-101. Scope; applicability.**

30
31 (a) **Scope.** This article applies to all land located in the County, except that it does not
32 apply to LAND OWNED OR LEASED BY THE FEDERAL OR STATE GOVERNMENT, OR land
33 owned or leased ~~[[and developed]]~~ by the County or the Board of Education AND
34 DEVELOPED FOR A GOVERNMENTAL FUNCTION OR PURPOSE unless federal or state law
35 requires compliance with this article. The provisions of this article are minimum
36 requirements and are in addition to other requirements of law.

37
38 (b) **Applicability to pending and future proceedings.** Subject to the grandfathering
39 provisions of COMAR Title 27, this article applies to all pending and future proceedings
40 and actions of any board, department, or agency empowered to decide applications under
41 this Code, except that:

42
43 (1) an application for a special exception or variance filed on or before April 4,
44 2005 shall be governed by the law as it existed prior to May 12, 2005 for the special
45 exception or variance as approved;

46
47 (2) an application for a special exception or variance filed before July 6, 2010 shall
48 be governed by the law as it existed prior to November 22, 2010 for the special exception
49 or variance as approved if the County approves an administrative waiver as stipulated in
50 COMAR, Title 26 or the project is exempt from the administrative waiver process;

1 (3) an application for a special exception filed before June 4, 2018 shall be governed
2 by the law as it existed prior to June 4, 2018;

3
4 (4) development that falls within one of the exceptions set forth in § 17-2-101(b)(1)
5 through (b)(5) of this Code shall be governed by the law relating to parking, lot size, width
6 at the front building restriction line, coverage, setbacks, height limitations, and density that
7 existed prior to May 12, 2005;

8
9 (5) development that falls within one of the exceptions set forth in § 17-2-101(b)(6)
10 or (b)(7) of this Code shall be governed by the law as it existed prior to July 6, 2010 if the
11 County approves an administrative waiver as stipulated in COMAR, Title 26 or the project
12 is exempt from the administrative waiver process;

13
14 (6) subject to the election provisions of subsection (8), an application for a special
15 exception or variance filed before November 19, 2012 shall be governed by the law as it
16 existed prior to April 16, 2013 for the special exception or variance as approved;

17
18 (7) subject to the election provisions of subsection (8), development that falls within
19 one of the exceptions set forth in § 17-2-101(b)(8) or (b)(9) of this Code shall be governed
20 by the law as it existed prior to April 16, 2013;

21
22 (8) for any application described in subsection (6) or (7), the applicant may make
23 an election, in writing and filed with the Planning and Zoning Officer no later than July 1,
24 2013, to be governed by the law as it exists after April 16, 2013;

25
26 (9) an application for a solar energy generating facility – community filed before
27 January 1, 2018, shall be governed by the law as it existed prior to January 1, 2018 for a
28 solar energy system – principal; [[and]]

29
30 (10) the following shall be governed by the law as it existed prior to August 1, 2020:

31
32 (i) an application for a grading permit, building permit, or zoning certificate of
33 use filed on or before February 18, 2020 for a group home that would be deemed an
34 “assisted living facility I, community based”, an “assisted living facility II, community
35 based,” a “group home I,” or a “group home II” under Bill No. 16-20;

36
37 (ii) an application for a grading permit, building permit, or zoning certificate of
38 use filed on or before February 18, 2020 for an existing use with a group home license
39 issued by the State; and

40
41 (iii) an application for a grading permit, building permit, or zoning certificate
42 of use filed on or before February 18, 2020 for a group home or a rooming house;

43
44 (11) the following shall be governed by the location of critical area boundaries in
45 existence prior to October 8, 2021:

46
47 (i) an application for development, provided any permits associated with the
48 development are issued on or before December 1, 2021; and

(ii) an application for a variance or a special exception, provided the application is filed on or before October 8, 2021 and any permits associated with the application are issued on or before December 1, 2021. A variance or special exception grandfathered under this subsection may not be extended by variance;

(12) for a property located in the Odenton Town Center, any application listed in § 17-2-101(b)(18) of this Code or any application under this article filed on or before March 29, 2024 shall be governed by Subtitle 1 of Title 9 as it existed prior to March 29, 2024; and

(13) for a property located in a mixed use district, any application listed in § 17-2-101(b)(19) of this Code filed on or before February 2, 2025 and any application under this article associated with those applications shall be governed by the law as it existed prior to February 2, 2025.

18-2-103. Planning for future development.

(a) **Guides.** The following documents shall be used as a guide in the future development of land in and the location of public services and facilities by the County:

(1) the current General Development Plan for Anne Arundel County;

(2) all current master plans, concept plans, preservation plans, and management plans adopted by the County Council; and

(3) all region plans authorized by the current General Development Plan and adopted by the County Council.

(b) **Rule of construction.** Except as provided in [[§ 3-1-205(i)]] § 3-2-205(l) or § 18-16-303(g) of this Code, the adoption, amendment, or repeal of any of the documents listed in subsection (a) may not be construed to evidence or constitute a mistake in the zoning map then existing or a change in the character of any neighborhood.

(c) **Current General Development Plan supersedes other land use plans.** Unless specifically provided in subsection (d)(5) or otherwise in this Code or the State Code, the land use plan contained in the current General Development Plan supersedes the land use plan in any other adopted plan.

(d) Green Infrastructure Master Plan.

(1) The 2022 Green Infrastructure Master Plan is not regulatory, does not have the force of law, and does not impose restrictions on development or land use in the County.

(2) On or before July 1, 2023, and on or before July 1 of every year following, the Office of Planning and Zoning, in conjunction with the Department of Recreation and Parks, shall submit to the County Executive and County Council a report on the progress of the implementation of the Green Infrastructure Master Plan. In coordination with the annual report the Office of Planning and Zoning shall update the Green Infrastructure Network Map to:

(i) remove any areas identified as technical errors;

(ii) designate areas in the Network where development has been approved;

(iii) designate areas in the Network where land has been conserved through acquisition, easement, or similar mechanisms; and

(iv) add any adjacent, contiguous areas that have been conserved through acquisition, easement, or similar mechanisms.

(e) Region plans.

(1) Any General Development Plan adopted by the County Council shall designate no less than seven region planning areas encompassing all unincorporated areas of the County.

(2) The General Development Plan shall provide for creation of region plans for each region planning area, and shall specify:

(i) the content of the region plans;

(ii) the implementation process and schedule for completion of the region plans;

and

(iii) the composition of stakeholder advisory committees, which shall include no less than nine and up to fifteen members, all of whom shall be residents of, own property in, or have an interest in land use planning in the region planning area, nominated by the County Executive, and approved by resolution of the County Council. Of the members, two-thirds shall be residents of the region, and including one resident from each Councilmanic District included in the region planning area, who is recommended to the County Executive by the County Councilmember from the Councilmanic District.

(3) The Office of Planning and Zoning shall work with the stakeholder advisory committees to create the region plans and to ensure that the region plans are consistent with the policies in the General Development Plan.

(4) Each region plan shall include maps depicting any changes to the land use map included in the current General Development Plan, and a description of how the changes are consistent with the goals and policies of the General Development Plan.

(5) Region plans adopted by the County Council after adoption of the General Development Plan shall be considered amendments to the General Development Plan, until adoption of the next General Development Plan.

18-2-104. Contents and review of the General Development Plan.

(a) **Definition.** In this section, “specified public facilities” means County and State roads, public elementary and secondary schools, and the capital improvements necessary to provide emergency medical services, fire suppression, and storm water management.

1 (b) **Contents.** The General Development Plan, referred to as a “master plan” in § 531
2 of the Charter, shall include the contents required by §§ 1-405 ET SEQ. OF THE Land Use
3 Article[[, §§ 1-405 et seq.,]] of the State Code, for the comprehensive plan of a chartered
4 county; a concurrency management plan for protecting the quality of life in the County
5 from the adverse impacts of new development by ensuring that public facilities adequate
6 to support future development are in place at the time the future development occurs; and
7 other information deemed necessary by the Planning and Zoning Officer to plan for the
8 orderly growth and development of the County.

9
10 (c) **Concurrency management plan.** The concurrency management plan contained in
11 the General Development Plan shall include:

12
13 (1) a level of service standards for each of the specified public facilities;

14
15 (2) a description of the existing specified public facilities and an evaluation of the
16 existing demand on those specified public facilities, with detailed findings on the
17 improvements to the specified public facilities necessary to accommodate existing demand
18 at the applicable level of service standards and the costs of making those improvements;

19
20 (3) an evaluation of the impact of anticipated future development on the specified
21 public facilities, with detailed findings on the existing capacities of the specified public
22 facilities to accommodate future development at the applicable level of service standards
23 and improvements to the specified public facilities necessary to accommodate future
24 development; and

25
26 (4) a method for measuring and tracking the impacts on the specified public
27 facilities of development approvals, including the approval of subdivisions and the
28 issuance of building permits, and land use decisions such as comprehensive rezonings,
29 administrative rezonings, special exceptions, and amendments to the master plan for water
30 and sewer.

31
32 (d) **Relationship of concurrency management plan to capital improvement**
33 **program.** The concurrency management plan contained in the General Development Plan
34 shall guide the allocation of funds to the County capital improvement program.

35
36 (e) **Relationship of concurrency management plan to laws relating to adequacy of**
37 **public facilities and development impact fees.** The concurrency management plan shall
38 be prepared so as to contain the required information and constitute a sufficient basis for
39 adequacy of public facilities and development impact fee ordinances that:

40
41 (1) regulate the timing and sequencing of future development by conditioning
42 approval of the development on the program of capital improvements described in
43 subsection (d);

44
45 (2) do not require future development to bear the costs of the capital improvements
46 necessary to accommodate existing demand at the applicable level of service standards;
47 and

(3) require future development to bear the costs of the capital improvements attributable to the impact of the future development.

(f) **Review.** The Office of Planning and Zoning continually shall monitor the effectiveness of the General Development Plan in accomplishing its function and shall prepare and provide to the Council an annual report that conforms with State requirements for annual comprehensive plan reports. At intervals not to exceed ~~[[eight]]~~ 10 years, the Office of Planning and Zoning shall undertake a comprehensive review of the General Development Plan and its implementing mechanisms and shall recommend those revisions to the Plan and implementing mechanisms as are necessary due to changes in demographic characteristics and social, economic, and environmental factors.

18-2-107. Zoning district line corrections.

(a) **In general.** The Planning and Zoning Officer may either submit proposed changes to the County Council for adoption by ordinance or certify changes to the digital zoning layer to correct minor or technical errors to a zoning district line:

(1) to follow the boundaries established in § 18-2-106(e)(1) through (4);

(2) to follow the boundaries established in § 18-2-106(e)(5), if there is a clear indication that the zoning district line was intended to match the property boundary, when:

(i) more accurate or updated parcel information becomes available due to approved development activity, a recorded plat, an updated sealed property survey, or other improved information; or

(ii) minor drafting or other technical errors or omissions identified within the GIS mapping system are corrected for a parcel and the correction results in a zoning district line falling inside or outside of the parcel boundary; or

(3) when written text or a map exhibit adopted by a comprehensive zoning ordinance or other property rezoning clearly indicates a discrepancy between a zoning district line as shown on the digital zoning layer and the adopted text or map exhibit.

(b) **Effect of correction.** Any correction made in accordance with subsection (a) may not be construed as a rezoning.

(C) **CONSISTENCY WITH GENERAL DEVELOPMENT PLAN.** WHEN A ZONING DISTRICT LINE CORRECTION MADE IN ACCORDANCE WITH SUBSECTION (A) WOULD NOT BE CONSISTENT WITH THE LAND USE MAP IN THE GENERAL DEVELOPMENT PLAN, THE LAND USE MAP MAY ALSO BE CORRECTED TO MATCH ANY ZONING DISTRICT LINE CORRECTION.

18-2-112. ADMINISTRATION AND INTERPRETATION.

THIS ARTICLE IS ADMINISTERED AND INTERPRETED BY THE PLANNING AND ZONING OFFICER AND THE OFFICE OF PLANNING AND ZONING.

18-2-113. CONSISTENCY WITH THE GENERAL DEVELOPMENT PLAN.

1 (A) **INTERPRETATION.** INTERPRETATION OF THIS ARTICLE SHALL BE CONSISTENT
2 WITH THE GOALS, POLICIES, AND STRATEGIES OF THE GENERAL DEVELOPMENT PLAN TO
3 PROMOTE THE HEALTH, SAFETY AND WELFARE OF COUNTY RESIDENTS.
4

5 (B) **CONSISTENCY.** WHEN AN AMENDMENT TO THIS ARTICLE IS PROPOSED, THE OFFICE
6 OF PLANNING AND ZONING SHALL ADVISE THE COUNTY COUNCIL IF THE AMENDMENT IS
7 CONSISTENT WITH THE GENERAL DEVELOPMENT PLAN AS REQUIRED BY § 1-417 OF THE
8 LAND USE ARTICLE OF THE STATE CODE.
9

10 **18-2-114. CONFLICT WITH OTHER LAW.**

11
12 EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, IF ANY PROVISION IN THIS ARTICLE
13 CONFLICTS WITH ANOTHER PROVISION OF THIS CODE OR STATE LAW, THE STRICTER
14 PROVISION APPLIES.
15

16 **SUBTITLE 2. USES AND STRUCTURES**

17
18 **18-2-202. Zoning certificate of use.**
19

20 (a) **Application.** A person may file an application for a zoning certificate of use on the
21 form provided by the Office of Planning and Zoning. IF A SITE DEVELOPMENT PLAN IS
22 REQUIRED BY TITLE 4 OF ARTICLE 17 OF THIS CODE, AN APPLICATION FOR A ZONING
23 CERTIFICATE OF USE MAY NOT BE CONSIDERED PRIOR TO APPROVAL OF A SITE
24 DEVELOPMENT PLAN. THE OFFICE OF PLANNING AND ZONING MAY DENY THE ISSUANCE
25 OF A ZONING CERTIFICATE OF USE IF THE OFFICE DETERMINES THE APPLICANT HAS BEEN
26 ISSUED A NOTICE OF VIOLATION OF ARTICLES 15, 16, OR 18 OF THIS CODE ON THE
27 PROPERTY AND THE VIOLATION HAS NOT BEEN RESOLVED.
28

29 (b) **Acquisition of certificate required.** A zoning certificate of use is required for all
30 uses except single-family dwellings and accessory dwelling units. A person may not initiate
31 or change a use that will exist for a period exceeding 60 days without obtaining a zoning
32 certificate of use. For a commercial telecommunication facility or a small cell system,
33 “person” includes the owner and each user of the facility or system and “alter” includes
34 any change in configuration, transmit frequency range, or maximum power level from that
35 shown on the application for the zoning certificate of use.
36

37 (c) **Adult bookstores and theaters.** An application for a zoning certificate of use for
38 an adult bookstore or adult movie theater that is not granted or denied within 30 days shall
39 be considered as having been denied.
40

41 (d) **Farm dual uses.** An application for a zoning certificate of use for a farm dual use
42 that is located outside of the critical area may be accompanied by an approved soil
43 conservation and water quality plan in lieu of a site plan, provided the plan depicts
44 sufficient information for the Office of Planning and Zoning to determine that the
45 conditional use requirements will be met.
46

47 (e) **When effective.** A zoning certificate of use remains effective so long as the use
48 remains in conformity with the application granted. A change in ownership does not itself
49 cause the need for a new zoning certificate of use.
50

51 (F) **COMPLIANCE.** A PERSON MAY NOT USE PROPERTY IN A MANNER THAT DOES NOT
52 CONFORM WITH AN APPROVED ZONING CERTIFICATE OF USE OR SITE DEVELOPMENT
53 PLAN.

1 (G) **RIGHT-OF-ENTRY.** THE OFFICE OF PLANNING AND ZONING SHALL HAVE THE RIGHT
2 TO ENTER PROPERTY, INCLUDING STRUCTURES, FOR THE PURPOSE OF INSPECTING THE
3 PORTIONS OF THE PROPERTY AND STRUCTURES THAT ARE PROPOSED FOR A USE SHOWN
4 IN A ZONING CERTIFICATE OF USE APPLICATION TO CONFIRM COMPLIANCE WITH THE
5 APPLICATION, A SITE DEVELOPMENT PLAN, AND THIS ARTICLE.

6
7 **18-2-203. Temporary uses.**

8
9 (a) **TEMPORARY USE AUTHORIZATION.** Except where specific temporary uses are
10 provided for in this Code, and except as provided in subsection (b), upon a determination
11 that a temporary use of land will not adversely affect nearby properties and will not require
12 significant or permanent changes to existing topography, vegetation, or other natural
13 features, the Planning and Zoning Officer may authorize the use in any zoning district for
14 a period not exceeding 60 days. The Planning and Zoning Officer may grant up to two
15 extensions of the temporary use for periods not exceeding 60 days each. The land shall be
16 entirely cleared of the temporary use within five days after the expiration of the period.

17
18 (b) **Farm or agricultural heritage site special events, one to eight annual events.**
19 The Planning and Zoning Officer may authorize up to eight farm or agricultural heritage
20 site special events on a property in the RA, RLD, or R1 zoning districts as a temporary use
21 if:

22
23 (1) the Planning and Zoning Officer determines that the event will not adversely
24 affect nearby properties and will not require significant or permanent changes to existing
25 topography, vegetation, or other natural features;

26
27 (2) no more than eight events on the same property within a 12-month period are
28 authorized;

29
30 (3) authorization is given for each individual event to be held on a property;

31
32 (4) an event will not exceed one day;

33
34 (5) any outdoor assembly areas are located and designed to shield surrounding
35 residential properties from the effects of noise, hazards, or other offensive conditions;

36
37 (6) the maximum capacity for an event will not exceed 25 attendees per acre;

38
39 (7) the owner has owned the property for the immediately preceding two years and
40 has been engaged in active farming for the immediately preceding two years;

41
42 (8) for property in the critical area, provisions of this Code relating to lot coverage
43 and limits on clearing are applicable, and include access, parking regardless of surface,
44 temporary structures, temporary tents, and temporary pavement surfaces; and

45
46 (9) for property in the critical area, no new lot coverage, including for access or
47 parking, is added in the buffer to accommodate the event.

48
49 (c) **Clearing land of use.** The land shall be entirely cleared of the temporary use within
50 five days after the expiration of the period.

1 **18-2-204. Accessory structures.**

2
3 (a) **When not accessory.** A structure ~~[[located within three feet of a principal structure~~
4 ~~and a structure]]~~ connected to a principal structure by an enclosed breezeway less than 15
5 feet long is part of the principal structure and is not an accessory structure.

6
7 (b) **In front yard.**

8
9 (1) Access ramps to accommodate a person under disability, driveways, paved or
10 gravel at-grade surfaces, fences, noise barriers or noise walls, signs, walkways eight inches
11 or less above grade, and walls may be located in the front yard.

12
13 (2) When a new principal structure is constructed in an RA or RLD district, an
14 existing barn may be retained in the front yard.

15
16 (3) (i) An accessory structure may be located in the front yard of a through lot or
17 corner through lot provided that the accessory structure is located in the front yard that
18 does not provide access to the lot.

19
20 (ii) If both front lot lines provide access to the lot, the prevailing front yard
21 pattern on adjoining lots shall be used to determine the front yard in which the accessory
22 structures may be located.

23
24 (4) An accessory structure may not be located in the front yard of a
25 ~~[[nonwaterfront]]~~ NON-WATERFRONT lot.

26
27 (c) **On a different lot.** An accessory structure ~~[[or use]]~~ may not be located on a lot
28 other than the lot on which a principal structure is located, except that:

29
30 (1) a fence may be located on a lot without a principal structure;

31
32 (2) a private residential pier to serve a lot with a principal structure may be located
33 on land owned by a homeowner's association that abuts the mean high-water line if an
34 agreement is recorded among the land records that allows location and use of the pier on
35 the land owned by the homeowner's association; and

36
37 (3) an accessory structure may be located on an unimproved lot abutting a lot
38 improved by a principal structure, provided the lots are under common identical ownership
39 and the accessory structure serves the lot with the principal structure for the exclusive use
40 of the owner or the principal structure on the abutting lot. The Office of Planning and
41 Zoning may require that a structure built pursuant to this subsection be removed as a
42 condition of issuance of a building permit in the event a principal structure is to be
43 constructed on the same lot as the accessory structure.

44
45 (d) **Floor area.** The TOTAL floor area of ~~[[an]]~~ ALL accessory ~~[[structure]]~~
46 STRUCTURES, including an accessory structure constructed pursuant to subsection (c)(3),
47 BUT NOT INCLUDING A DETACHED ACCESSORY DWELLING UNIT, may not be greater than
48 the floor area of the principal structure.

1 (e) **Right-of-way setback.** An accessory structure may not be located in a setback from
2 a **[[right- of-way]]** RIGHT-OF-WAY line.

3
4 **18-2-207. Outdoor seating related to food and beverage service.**

5
6 (a) **Definition.** For purposes of this section, “food service facility” has the meaning
7 stated in § 21-301 of the Health-General Article of the State Code.

8
9 (b) **Requirements.** Subject to subsection (d), a food service facility may continue to
10 utilize outdoor seating for food and beverage service if:

11
12 (1) the food service facility has utilized outdoor seating pursuant to Executive Order
13 No. 22, dated May 29, 2020, issued by County Executive Pittman, as renewed by Executive
14 Order No. 46, dated April 27, 2021, issued by County Executive Pittman, continuously
15 since a date between March 13, 2020, and May 21, 2021;

16
17 (2) the food service facility has continuously complied with all requirements of
18 Executive Order No. 22, dated May 29, 2020, issued by County Executive Pittman, as
19 renewed by Executive Order No. 46, dated April 27, 2021, issued by County Executive
20 Pittman, and Bill No. 55-21, as amended by Bill No. 83-21, Bill No. 1-23, and Bill No. 85-
21 23; and

22
23 (3) (i) within 90 days of June 23, 2024, the food service facility shall file an
24 application on a form provided by the Planning and Zoning Officer to continue to utilize
25 outdoor seating for food and beverage service; and

26
27 (ii) the Planning and Zoning Officer issues a written determination, within their
28 sole discretion, that the applicant has established that it has met the requirements of
29 paragraphs (1), (2), and (3) and may continue to utilize outdoor seating for food and
30 beverage service so long as it continues to comply with all requirements of Executive Order
31 No. 22, dated May 29, 2020, issued by County Executive Pittman, as renewed by Executive
32 Order No. 46, dated April 27, 2021, issued by County Executive Pittman, and Bill No. 55-
33 21, as amended by Bill No. 83-21, Bill No. 1-23, and Bill No. 85-23.

34
35 (c) **Compliance – other.** If a food service facility does not meet the requirements of
36 subsection (b), then outdoor seating for food and beverage service shall comply with all
37 other applicable provisions of this Code.

38
39 (d) **Nonconforming use.** Any nonconforming use that meets the requirements of
40 subsection (b) may utilize outdoor seating for food and beverage service only so long as it
41 complies with **[[§ 18-15-102(b) or § 18-15-103]]** § 18-15-103(B) OR § 18-15-104.

42
43 **SUBTITLE 3. BULK REGULATIONS**

44
45 **18-2-301. Setbacks.**

46
47 **[[a) Lot in more than one district.** A lot located in more than one zoning district shall
48 comply with the setback requirements applicable to the district in which the majority of the
49 property is located.]]

1 **[[b)]] (A) Certain architectural features.** An architectural feature that does not
2 contain floor area, such as an areaway, bay window, greenhouse window, chimney,
3 cornice, eave, sill, steps required for access, or stoop that does not exceed **[[five feet by**
4 **five]]** 25 SQUARE feet IN AREA, may extend no more than three feet into a required setback
5 and be located no closer than five feet from any lot line. For purposes of this subsection,
6 “areaway” means an uncovered subsurface space adjacent to a structure, such as an
7 entrance to a basement.

8
9 **[[c)]] (B) Open fire escapes.** An open fire escape may extend no more than five feet
10 into a required setback and be no closer than five feet from any lot line.

11
12 **[[d)]] (C) Decks.** An open deck attached to a dwelling unit may project no more than
13 10 feet into a rear setback so long as the deck is located at least three feet from the lot line.

14
15 **[[e)]] (D) Certain uses or structures.** The following uses or structures need not
16 comply with setback requirements contained in this article and are not included in
17 determining requirements relating to maximum coverage by structures: access ramps,
18 ELEVATORS OR TRAMS to accommodate a person under disability, driveways, **[[paved or**
19 **gravel]]** at-grade surfaces, fences, noise barriers or noise walls, signs, walkways eight
20 inches or less above grade, and walls.

21
22 **[[f)]] (E) Dwellings on nonconforming lots.** A single-family detached dwelling on a
23 lot that does not meet the area or width requirements of this article may be expanded if the
24 expansion is set back at least 25 feet from the front and rear lot lines **[[and]],** seven feet
25 from side lot lines, 20 FEET FROM CORNER SIDE LOT LINES, and does not exceed 35 feet in
26 height. THE EXPANSION MAY ALSO BE ALLOWED IN ACCORDANCE WITH THE BULK
27 REGULATIONS OF THE UNDERLYING ZONING DISTRICT IF LESS RESTRICTIVE.

28
29 **[[g)]] (F) Residential subdivisions abutting heavy industrial zones.** A dwelling on
30 a lot in a residential subdivision that abuts a W3 Industrial District shall comply with the
31 setback requirements for the district in which the property is located or the setback
32 requirements permitted pursuant to § 17-3-505 of this Code.

33
34 **[[h)]] (G) Setbacks from alleys and easements.** An alley or easement for the passage
35 of vehicles and persons may not be considered a road for the purposes of assessing a front
36 lot line.

37
38 **(H) ACCESSORY STRUCTURES ON NONCONFORMING LOTS.** ACCESSORY
39 STRUCTURES ON A LOT THAT DOES NOT MEET THE AREA OR WIDTH REQUIREMENTS OF
40 THIS ARTICLE SHALL BE SETBACK AT LEAST 40 FEET FROM A FRONT LOT LINE, SEVEN FEET
41 FROM SIDE AND REAR LOT LINES, 20 FEET FROM CORNER SIDE LOT LINES, AND MAY NOT
42 EXCEED A HEIGHT OF 25 FEET OR THE HEIGHT OF THE PRINCIPAL STRUCTURE, WHICH IS
43 LESS. ACCESSORY STRUCTURES MAY ALSO BE ALLOWED IN ACCORDANCE WITH THE
44 BULK REGULATIONS OF THE UNDERLYING ZONING DISTRICT IF LESS RESTRICTIVE.

45
46 **18-2-303. Exemptions to bulk regulations.**

47
48 **(A) IN-KIND REPLACEMENT.** In-kind replacement is exempt from applicable bulk
49 regulations if:

(1) the original structure has been in the same location for at least twenty years; OR

(2) THE ORIGINAL STRUCTURE WAS DAMAGED BY FIRE OR NATURAL CATASTROPHE; and

[(2)] (3) a building permit is obtained within eighteen months after the removal or destruction of the original structure.

(B) **DWELLINGS IN EXISTENCE AS OF A CERTAIN DATE.** A DWELLING IN EXISTENCE AS OF THE EFFECTIVE DATE OF BILL NO. 61-26 IS NOT REQUIRED TO MEET CURRENT BULK REGULATIONS OR CONDITIONS FOR THE DWELLING TYPE IN TITLE 10, AND DOES NOT NEED TO BE REGISTERED AS A NONCONFORMING USE, PROVIDED THE FOLLOWING ARE MET:

(1) THE DWELLING IS LOCATED ON PROPERTY IN A ZONING DISTRICT WHERE THE DWELLING TYPE IS AN ALLOWED USE AND IS THE ONLY DWELLING ON THE PROPERTY; AND

(2) AT THE TIME THE DWELLING WAS CONSTRUCTED, A BUILDING PERMIT WAS ISSUED AUTHORIZING THE CONSTRUCTION, OR A MULTIPLE DWELLING LICENSE HAS BEEN PREVIOUSLY ISSUED FOR THE DWELLING; OR IF RECORDS ARE NOT AVAILABLE, PROOF IS PROVIDED TO THE OFFICE OF PLANNING AND ZONING SHOWING THAT THE DWELLING HAS BEEN IN EXISTENCE FOR A PERIOD OF AT LEAST 20 YEARS.

(C) **DWELLINGS IN EXISTENCE AS OF A CERTAIN DATE; IMPROVEMENTS.** ANY DWELLING DETERMINED TO MEET THE CRITERIA UNDER SUBSECTION (B) SHALL BE SUBJECT TO THE CURRENT PROVISIONS OF THIS CODE FOR ANY IMPROVEMENTS TO THE DWELLING OR PROPERTY.

18-2-304. Front lot line designation for corner lots.

On a corner lot OR A CORNER THROUGH LOT other than one that is corner waterfront, the owner may designate which of the [[two roads]] LOT LINES ABUTTING A ROAD is the front [[road]] LOT LINE so long as the designation is consistent with setback requirements for an existing structure that is to remain.

18-2-305. COVERAGE BY STRUCTURES AND PARKING OR COVERAGE BY STRUCTURES.

COVERAGE BY STRUCTURES AND PARKING OR COVERAGE BY STRUCTURES FOR A SINGLE-FAMILY DWELLING SUBDIVISION SHALL BE BASED ON EACH INDIVIDUAL LOT. COVERAGE BY STRUCTURES AND PARKING FOR ALL OTHER RESIDENTIAL USES SHALL BE BASED ON THE ENTIRE DEVELOPMENT SITE.

18-2-306. RECONFIGURATION OF COVERAGE BY STRUCTURES AND PARKING.

ON A SITE WITH EXISTING COVERAGE THAT EXCEEDS THE MAXIMUM PERMITTED COVERAGE FOR THE UNDERLYING ZONING DISTRICT, REDEVELOPMENT OR RECONFIGURATION OF IMPROVEMENTS ON THE SITE MAY NOT RESULT IN ANY NET INCREASE OF COVERAGE.

SUBTITLE 4. WATERFRONT PROVISIONS

18-2-404. Piers and mooring pilings.

1 (a) **Location.** The Office of Planning and Zoning designates the location of a pier or
2 mooring piling based on its impact on the use and enjoyment of adjacent waterfront lots.

3
4 (b) **Setbacks.** A pier or mooring piling shall be located at least 15 feet from a lot line
5 extended for a private pier or at least 25 feet from a lot line extended for all other piers.
6 The Office of Planning and Zoning determines the method of the lot line extension in
7 accordance with one or more of the following methods:

- 8
9 (1) from the side lot line at a 90-degree angle to the shoreline;
10
11 (2) from the extension of the last course of the lot line into the water;
12
13 (3) from the side lot lines to the center of cove; or
14
15 (4) from the side lot lines generally parallel with existing piers located on adjacent
16 lots.

17
18 (c) **Length.** A pier or mooring piling may not extend into the water any further than
19 the lesser of the following AS DETERMINED BY THE OFFICE OF PLANNING AND ZONING:

- 20
21 (1) one-half the distance from the mean high-water line to the center line of the
22 body of water on which it is situated;
23
24 (2) one-half the distance from the mean high-water line to the center point of a
25 cove; or
26
27 (3) 300 feet from the [[waterfront at mean high tide]] MEAN HIGH-WATER LINE.

28
29 (d) **Joint use of private pier.** By agreement recorded among the land records, two
30 contiguous waterfront property owners may agree to share the use of a private pier located
31 on one of their waterfront lots or located as extending from the common lot line or from a
32 line extending from the common lot line over land owned by a homeowner's association.

33
34 (e) **Restrictions on mooring or docking.** No person may use a private pier or mooring
35 piling for the mooring or docking of watercraft other than the owner or occupant of the lot
36 from which the pier extends, the owners or occupants with a right to use the pier by virtue
37 of an agreement allowed by this article and recorded among the land records, or guests who
38 are visiting those owners or occupants for no more than 30 days in a six-month period. No
39 more than four watercraft exceeding 16 feet in length may be moored or docked at a private
40 pier or mooring piling. Watercraft exceeding 150 feet in length or 35 feet in width may not
41 be moored or docked at a private pier or mooring piling for more than seven days in any
42 30-day period unless the pier or mooring piling is on the Patapsco River or the Chesapeake
43 Bay.

44
45 (F) **RIPARIAN RIGHTS.** THE OFFICE OF PLANNING AND ZONING IS AUTHORIZED TO
46 VERIFY AND ENFORCE THE CERTIFICATION REQUIREMENTS FOR A BUILDING PERMIT
47 APPLICATION FOR A RESIDENTIAL PIER OR BULKHEAD AS SET FORTH IN §§ 105.3.1.7 AND
48 105.3.1.7.1 OF THE CONSTRUCTION CODE.

SUBTITLE 5. LOT IN MORE THAN ONE DISTRICT

18-2-501. LOT IN MORE THAN ONE DISTRICT.

A LOT LOCATED IN MORE THAN ONE ZONING DISTRICT SHALL COMPLY WITH THE BULK REGULATIONS APPLICABLE TO THE DISTRICT IN WHICH THE MAJORITY OF THE PROPERTY IS LOCATED, EXCEPT THAT CALCULATIONS OF FLOOR AREA RATIO AND MAXIMUM COVERAGE LIMITS SHALL BE CALCULATED ON THE AREA OF THE LOT IN EACH ZONING DISTRICT AND NOT THE GROSS AREA OF THE ENTIRE LOT.

TITLE 3. PARKING, OUTDOOR LIGHTING, AND SIGNAGE

SUBTITLE 1. PARKING

18-3-104. Parking space requirements.

The minimum onsite required parking spaces are listed in the chart below. They may be increased based on site development plan review or special exception approval, reduced as provided in § 18-3-105, or superseded by a parking program allowed by this Code. The Planning and Zoning Officer may determine reasonable and appropriate onsite parking requirements for structures and land uses that are not listed on the chart based on requirements for similar uses, comments from reviewing agencies, and the parking needs of the proposed use.

Use	Parking
Adult day care	2 spaces for every 10 adults or less
Airports and airfields	0.5 spaces for each acre of land, with a minimum of 20 spaces and 2 spaces for each planned tie-down
Amusement parks	10 spaces for each ride or activity
Arenas, exposition halls, stadiums, racetracks, fairgrounds, concert facilities	1 space for every 3 seats and 1 space for every 10 persons in designated standing areas
Art galleries, libraries, and museums	1 space for every 150 square feet of floor area
Assisted living facilities	1 space for each adult independent dwelling unit, 1 space for each employee per major shift, and visitor parking at the rate of 2 spaces for every 10 adult independent dwelling units, comprehensive care units, and assisted care units
Assisted living facilities I and II, community-based	[[The number of spaces required for the applicable type of dwelling unit]] 1 SPACE FOR EVERY 3 BEDS PLUS 1 SPACE FOR EACH EMPLOYEE PER MAJOR SHIFT
Automobile and truck dismantling and recycling facilities	1 space shall be provided for every two employees and one space shall be provided for every 1,000 square feet of covered floor area devoted to the storage or sale of parts
Automobile gasoline stations	1 space for each 400 square feet of floor area, service racks count 1 for 1; aisles and pumps not to be used for required spaces

Use	Parking
Automobile gasoline stations[[,]] WITH convenience stores[[,]] OR food service/restaurants	1 space for every 100 square feet OF FLOOR AREA plus 1 space for every 5 restaurant seats; AISLES AND PUMPS MAY NOT BE COUNTED AS SPACES
Automobile repair and service facilities	1 space for every 500 square feet of floor area
Automobile sales show rooms and rental facilities	1 space for every 500 square feet of floor area
Banks	1 space for every 200 square feet of floor area
Bed and breakfast homes	1 space for each guest room
Bed and breakfast inns	1 space for each guest room
Bingo facilities, commercial	1 space for every 2 seats
Bowling alleys	4 spaces for each lane
Child care centers	2 spaces for each group of 10 children or less
Clay and borrow pits and sand and gravel operations	1 space for each employee and at least 5 spaces for visitors
Clubs, lodges, and related [[facilities]] USES	1 space for every 2 people at rated capacity per Fire Prevention Code
COMMUNITY CLUBHOUSES AND RECREATIONAL FACILITIES	1 SPACE FOR EVERY 3 SEATS OR 1 SPACE FOR EVERY 100 SQUARE FEET OF FLOOR AREA, WHICHEVER IS GREATER
Conference retreat facility	1 space for every 2 people at rated capacity per Fire Prevention Code, plus 1 space for each employee and at least 5 spaces for visitors
Cottage home development	1 space for each dwelling unit
Data storage center	1 space per 1,000 square feet of floor area for the first 5,000 square feet and 1 space for each additional 5,000 square feet of floor area
Dwellings: townhouses and stacked townhouses	2.5 spaces for each dwelling unit
Dwellings: single-family detached, duplex, triplex, and fourplex	2 spaces for each dwelling unit
Dwellings: adult independent units	1.5 spaces for each dwelling unit
Dwellings, multifamily and multiplex	
Efficiency and 1 bedroom	1 space for each dwelling unit
2 bedrooms	1.5 spaces for each dwelling unit
3 or more bedrooms	2 spaces for each dwelling unit
Eating disorder treatment facility	1 space for every 3 eating disorder treatment units plus 1 space for each employee per major shift
Farm alcohol production facility	1 space per 5 attendees for outdoor event; 1 space for every 1,000 square feet of building area; and 1 space for every 2 employees. This does not include areas dedicated to agricultural production unrelated to the farm alcohol production facility

Use	Parking
FUNERAL HOMES	1 SPACE FOR EVERY 3 SEATS OR 1 SPACE FOR EVERY 100 SQUARE FEET OF FLOOR AREA, WHICHEVER IS GREATER
Garden center	4 spaces for each acre
Golf courses	8 spaces for each hole
Golf course facilities, private	2 spaces for each hole; plus 1 space for each guest room
Group homes I	The number of spaces required for a single-family dwelling
Group homes II	The number of spaces required for a multifamily dwelling
Health clubs, spas, gymnasiums	4 spaces for every 1,000 square feet of floor area
Heliports	15 spaces plus 1 space for each tiedown
Hospitals	1 space for each bed, plus 1 space per employee per major shift, plus 1 space for each hospital vehicle, 10 spaces for out-patient services
Hotels and motels	1 space for each room or unit
Housing for the elderly of moderate means	3 spaces for every four units
Kennels, commercial	1 space for every 200 square feet of floor area, excluding indoor and outdoor runs
Landfills, rubble and land-clearing debris	1 space for each employee and at least 5 spaces for visitors
Manufacturing, general	1 space for every 1,000 square feet of floor area
Marinas[[, commercial and community]]	1space for every 2 boat slips or moorings; 1 space for every 3 boat slips in dry covered storage or in multilevel storage rack building; 2 trailer spaces per ramp for community AND NEIGHBORHOOD marinas; 5 trailer spaces per ramp for commercial marinas; AND 1 SPACE FOR EVERY 2 BOAT SLIPS OR MOORINGS; 1 SPACE FOR EVERY 3 BOAT SLIPS IN DRY COVERED STORAGE OR IN MULTILEVEL STORAGE RACK BUILDING FOR YACHT CLUB MARINAS
Miniature golf courses/driving ranges/batting cages	2 spaces for each tee or cage
Mobile homes	2 spaces for each dwelling unit
Natural wood waste recycling facilities	1 space for each employee and at least 5 spaces for visitors
Nurseries, landscaping and plant sales	4 spaces for each acre
Nursing homes	1 space for every 3 beds plus 1 space for each employee per major shift
Offices, professional and general	1 space for every 200 square feet of floor area except that medical and dental offices shall provide 1 space for every 150 square feet of floor area
Produce markets	4 spaces for each acre
Public assembly and meeting establishments	1 space for every 3 seats or 1 space for every 100 square feet of floor area, whichever is greater

Use	Parking
Public launching facilities	1 space for every two boat slips or moorings plus 10 trailer spaces per boat ramp
Recovery residences	[[The number of spaces required for the applicable type of dwelling unit]] 1-8 BEDS – THE NUMBER OF SPACES REQUIRED FOR A SINGLE-FAMILY DWELLING; 9 OR MORE BEDS – THE NUMBER OF SPACES REQUIRED FOR A MULTIFAMILY DWELLING
Recreation centers	4 spaces for every 1,000 square feet of floor area
Recyclables recovery facilities	1 space for each employee and at least 5 spaces for visitors
Religious facilities	1 space for every 3 seats (fixed seats) or 1 space for every 100 square feet of floor area (unfixed seating), whichever is greater
Religious facilities in combination with a school	1 space for every 3 seats plus 1 space for every 15 classroom seats plus 1 space for every 5 seats in a [[multi- purpose]] MULTIPURPOSE room or 1 space for every 3 permanent auditorium seats
Research offices and laboratories	1 space for every 200 square feet of floor area
Retail or Service Business:	
For establishments and multiple-use centers with under 50,000 square feet of floor area	1 space for every 160 square feet of floor area
For establishments and multiple-use centers with 50,000 square feet of floor area and over, but less than 600,000 square feet of floor area	1 space for every 180 square feet of floor area
For establishments and multiple-use centers with 600,000 square feet of floor area and over	1 space for every 200 square feet of floor area
Restaurants, banquet halls, and taverns	1 space for every 3 seats or 1 space for every 200 square feet of floor area, whichever is greater
Rooming houses	1 space for every 2 beds and 1 space for each resident owner or resident manager
Rubble processing facilities	1 space for each employee and at least 5 spaces for visitors
Schools, arts, business, technical, or trade	1 space for every 160 square feet of floor area
Schools, public charter and private academic:	
Elementary	1 space for every 20 classroom seats; 1 space for every 5 seats in multi-purpose rooms; 5 spaces for visitors

Use	Parking
Secondary schools	1 space for every 10 classroom seats; 10 spaces for visitors; 1 space for every 3 permanent auditorium seats or 1 space for each 40 square feet of seating area where fixed seating is not used
Colleges, junior colleges, and universities	1 space for every 6 classroom seats; 20 spaces for visitors; 1 space for every 3 permanent auditorium seats or 1 space for each 40 square feet of seating area where fixed seating is not used
Self-storage facilities	1 space for every 60 storage bays; 4 spaces located adjacent to each unenclosed storage area of 8,000 square feet; 2 spaces for employee parking; 5 spaces located at the business office
Skating rinks	5 spaces for every 1,000 square feet of floor area
Solid waste transfer stations	1 space for each employee and at least 5 spaces for visitors
State-licensed medical clinics	[[1 space for each employee and]] 1 space for every [[20 clients served by the clinic]] 150 SQUARE FEET OF FLOOR AREA
Swimming pools, commercial	1 space for every 4 persons based on facility's design capacity
Swimming pools, community	1 space for every 10 persons based on facility's design capacity
Tennis courts	3.5 spaces for each court
Theaters	1 space for every 3 seats
TRANSITIONAL HOUSING FACILITIES	1 SPACE FOR EVERY 3 BEDS PLUS 1 SPACE FOR EACH EMPLOYEE PER MAJOR SHIFT
Truck and trailer rental facilities in conjunction with automobile service stations	1 space for each rental vehicle or trailer and one space every 100 square feet of floor area, with a minimum of at least 5 additional spaces.
Veterinary offices, clinics, and hospitals	1 space for every 200 square feet of floor area, excluding overnight rooms for animals
Video lottery facilities	1 space for every 2 gaming positions at a video lottery terminal
Video rental establishments	1 space for every 100 square feet
Warehouse and goods storage areas	1 space for every 1,000 square feet of floor area
Watercraft charter operations at maritime facilities	1 space for every 4 passengers
Workforce housing	
Efficiency and 1 bedroom	1 space for each dwelling unit
2 bedrooms	1.5 spaces for each dwelling unit
3 bedrooms	2 spaces for each dwelling unit
[[Yacht clubs	1 space for every 2 boat slips or moorings; 1 space for every 3 boat slips in dry covered storage or in multilevel storage rack building]]

1

2

18-3-105. Reduced parking requirements and joint use arrangements.

1 (a) **Reduced parking requirements.** Upon written application, the Planning and
2 Zoning Officer may reduce the parking requirements of this subtitle if the applicant
3 demonstrates that the facility to be served would not require in its day-to-day operation a
4 full complement of parking. The application shall be accompanied by a parking needs study
5 that includes an estimate of the parking needs for the use, a thorough explanation of the
6 basis for the estimate, any data used in calculating the estimate, including parking
7 generation studies and previous experience with similar uses, and an explanation of any
8 other relevant considerations, such as availability of commercial or public parking areas.

9
10 (b) **Joint use parking.** The Planning and Zoning Officer may allow joint use parking
11 arrangements if the applicants enter into a written agreement acceptable to the County.
12 Joint use arrangements may be authorized for a multiple-use facility when parking is
13 provided at a common onsite facility that has the number of spaces required for each
14 individual use. Joint use of the same parking spaces may be used to meet the parking and
15 loading requirements if:

16
17 (1) the uses operate at different times with no overlap and the parking spaces
18 provided are the number required for the greater generator; or

19
20 (2) the uses operate during overlapping time periods and the parking spaces
21 provided are 100% of the number required for the greater generator plus 50% of the number
22 required for the secondary generator; and

23
24 (3) vehicular and pedestrian access is provided within the development, separately
25 from roads and freeways.

26
27 (c) **Reduced parking requirements – Workforce housing.**

28
29 (1) For workforce housing, the parking requirements of this subtitle shall be
30 reduced by 10% if the workforce housing is located within one-quarter mile of a high-
31 frequency transit stop.

32
33 (2) If workforce housing contains secured covered bicycle storage, the parking
34 requirements of this subtitle shall be reduced by an amount not to exceed[[:

35
36 (i)] 1 space for every eight bicycle locking positions [[: or

37
38 (ii)] UP TO A MAXIMUM OF 10% of the total parking required.

39
40 **18-3-106. Parking programs.**

41
42 (a) **Parking program.** The developer of a mixed use project or a PUD shall submit a
43 parking program to the Office of Planning and Zoning. If approved, the program shall
44 supersede the standards of this subtitle to the extent of any conflict.

45
46 (b) **Onsite parking.** Onsite parking for a mixed use project or a PUD shall be separated
47 from walkways by landscaped screening, low-profile walls, berms, or decorative fencing;
48 be well-illuminated; be free of pedestrian barriers; be designed to minimize the number of
49 curb cuts to streets and highways and allow the direct movement of pedestrians between

1 adjacent areas of onsite parking; AND have well illuminated access ways for pedestrians[;]
2 and be located to the rear of buildings, below grade, or in a parking structure, except for
3 short-term convenience parking]].

4
5 (c) **Rideshare spaces.** The Office of Planning and Zoning may require that parking
6 spaces in a mixed use project or PUD be designated for those who rideshare.

7
8 (d) **On-street parking.** The Office of Planning and Zoning may require or allow
9 parking on both public and private streets in a mixed use project or PUD to promote street-
10 level access to buildings and amenities.

11
12 (e) **Vehicular circulation system.** The vehicular circulation system in a mixed use
13 project or PUD shall provide for the safe and convenient movement of vehicles and
14 pedestrians and adequate space for the loading and unloading of persons, goods, and
15 materials.

16
17 (f) **Special uses.** The parking program for a government reuse facility is governed by
18 § 18-12-106.

19 20 SUBTITLE 2. OUTDOOR LIGHTING

21 22 18-3-201. Outdoor lighting.

23
24 (a) **Applicability.** This section does not apply to light fixtures on public streets or
25 PUBLIC rights-of-way.

26
27 (b) **Outdoor lighting in nonresidential zoning districts.** Outdoor light fixtures in
28 nonresidential zoning districts shall be:

29
30 (1) located at least 25 feet from the boundary of any residential district, except that
31 the Office of Planning and Zoning may approve a lesser setback upon the filing of an
32 application that describes the type, location, lumen rating, and height of an outdoor lighting
33 fixture and the reasons why a lesser setback should be allowed. Potential reasons for a
34 lesser setback may include the following:

35
36 (i) fixtures will not be visible at any point along the boundaries of the lot on
37 which they are located due to the location of buildings or walls, topography, or similar
38 visual barriers;

39
40 (ii) lighting will have minimal offsite impact due to the distance of the fixtures
41 from roads and neighboring properties;

42
43 (iii) fixtures will incorporate additional shielding or other features to prevent
44 offsite impact; or

45
46 (iv) lighting plans demonstrate other factors that will prevent glare and light
47 spillover; and

(2) arranged to direct the light down toward the property on which the light fixture is located and away from adjoining lots with residential use or aimed to confine the light to a specific feature, such as a parking lot, walkway or entrance.

(c) **Outdoor lighting in residential zoning districts.** Outdoor light fixtures installed on a residentially zoned lot shall be:

(1) arranged to direct the light down towards the property on which the light fixture is located and away from adjoining residential lots or aimed to confine the light to an object, such as a flag or landscaping; and

(2) installed using motion sensing if used for security purposes.

TITLE 4. RESIDENTIAL DISTRICTS

SUBTITLE 1. IN GENERAL

[[18-4-103. Limitations on mobile homes.

A mobile home may not be stored on land or occupied for dwelling purposes unless located in a mobile home park licensed under § 11-9-103 of this Code or on a manufactured home space licensed under § 11-9-104 of this Code.]]

[[18-4-104.]] 18-4-103. Pets; livestock or fowl.

(a) **Definitions.** For purposes of this section, “miniature pig” means a type of swine that is less than 22 inches tall at the shoulder when fully grown, including a pot-bellied pig and is spayed or neutered.

(b) **Pets.** The keeping of pets for other than commercial purposes is allowed.

(1) The keeping of cats is limited to no more than nine per household.

(2) The keeping of dogs shall be in accordance with the following schedule:

Number of Dogs	Minimum Lot Size
1 to 4	No requirement
5 to 6	25,000 square feet
7 or more	40,000 square feet, plus 5,000 square feet for each additional dog above 7

(3) The keeping of miniature pigs as pets shall be in accordance with the following schedule:

Number of Miniature Pigs	Minimum Lot Size
1 – 2	47,500 square feet

(4) Miniature pigs shall be kept within a fenced area.

(c) **Livestock or fowl.** The keeping of livestock or **[[domestic]]** fowl is allowed in accordance with the following:

(1) Livestock may be kept on a lot of 40,000 square feet or greater and may not exceed a ratio of one animal unit per 40,000 square feet. An animal unit is defined as follows:

2 horses or mules	= 1 animal unit
2 head of cattle	= 1 animal unit
4 ponies, burros, miniature horses, or donkeys	= 1 animal unit
10 sheep or goats	= 1 animal unit
8 swine	= 1 animal unit
8 llamas	= 1 animal unit
8 alpacas	= 1 animal unit
Other animals, 2,000 pounds	= 1 animal unit

(2) **[[Domestic fowl]] FOWL** may be kept on a lot 40,000 square feet or greater and may not exceed a ratio of one bird unit per 40,000 square feet. A bird unit for lots 40,000 square feet or greater is defined as follows:

32 chickens	= 1 bird unit
16 ducks	= 1 bird unit
8 turkeys	= 1 bird unit
8 geese	= 1 bird unit
1 ostrich	= 1 bird unit
2 emus	= 1 bird unit
Other fowl, 100 pounds	= 1 bird unit

(3) Chickens and ducks may be kept on a lot of 20,000 square feet or greater improved by a **[[single family]]** SINGLE-FAMILY dwelling and may not exceed a ratio of one bird unit per 20,000 square feet. A bird unit for lots 20,000 square feet or greater but less than 40,000 square feet is defined as follows:

8 chickens – hens only	= 1 bird unit
4 ducks	= 1 bird unit

(4) Chickens, not including roosters, may be kept on a lot of less than 20,000 square feet improved by a **[[single family]]** SINGLE-FAMILY dwelling in accordance with the following schedule:

Minimum Lot Size	Maximum Number of Chickens
10,000 square feet	4
15,000 square feet	6

(5) Combinations of animals are allowed if the lot is 40,000 square feet or greater and the allowed ratio of animal units to square footage is maintained.

(6) All livestock and fowl shall be kept within a fenced area. Chickens or ducks on lots less than 40,000 square feet shall be kept in a secured enclosure with a chicken coop.

(7) Except for coops or enclosures for chickens or ducks on lots less than 40,000 square feet, MANURE STORAGE AND accessory structures relating to livestock or fowl **[[and manure storage]]** shall be located at least 50 feet from **[[side and rear]]** ALL lot lines.

(8) Coops and enclosures for chickens or ducks on lots less than 40,000 square feet shall be located at least 25 feet from side or rear lot lines and five feet from an onsite dwelling.

[[18-4-105.]] 18-4-104. Noncommercial antennas.

A noncommercial antenna structure in a residential district shall comply with the following:

(1) the height of the structure may not exceed the lesser of 100 feet or the width or depth of the property as determined by a line bisecting the structure and measured from one side of the lot line to the other or from the front lot line to the rear lot line at the shortest distance between the two lines;

(2) the setback for the central vertical portion of the antenna structure shall be at least 10 feet from each lot line for a structure up to 35 feet high and 10 feet plus one additional foot for each three feet in excess of 35 feet for a structure over 35 feet high; **[[and]]**

(3) each rigid radiating element of the structure shall be set back at least 10 feet from any lot line**[[.]]**; AND

(4) NO COMMERCIAL FREQUENCY MAY BE USED FOR TRANSMISSION OR PROPAGATION, AND THERE MAY NOT BE COMMUNICATION FOR HIRE OR COMPENSATION, EXCEPT AS ALLOWED BY FCC REGULATIONS.

[[18-4-106.]] 18-4-105. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in each of the residential districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; AND SE = special exception use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to the listed uses also are allowed**[[, except that guest houses as accessory structures are prohibited and outside storage as an accessory use is limited to the lesser of 10% of the allowed lot coverage or 500 square feet]]**.

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Agritourism	C	C	C	C	C			

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Airports and airfields	SE		SE					
Alcoholic beverage uses as accessory to other uses	C	C	C	C	C	C	C	C
Animal hospitals and veterinary clinics	SE	SE	SE					
Animal rescue	C	C	C	C	C			
Assisted living facilities		SE	SE	SE	SE	SE	SE	SE
Assisted living facilities I, community-based	P	P	P	P	P	P	P	P
Assisted living facilities II, community-based	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P
Battery energy storage system, front-of-the-meter	SE	SE	SE	SE	SE	SE	SE	SE
Bed and breakfast homes	C		C	C	C			
Bed and breakfast inns	SE		SE	SE	SE			
Bird sanctuaries	C	C						
BOATHOUSES EXISTING AS OF FEBRUARY 14, 1994	P	P	P	P	P	P	P	P
Business complexes			C					
CAMPGROUNDS, COMMERCIAL RECREATIONAL	SE	SE	SE					
Camps, private, for seasonal residence only	P	P						
[[Campgrounds, commercial recreational]]	[[SE]]	[[SE]]	[[SE]]					
Carnivals, circuses, and fairs, temporary	C	C	C	C	C	C	C	C
Cemeteries	SE	SE	SE					
Child care centers other than as a home occupation	SE	SE	SE	SE	SE	SE	SE	SE
Christmas tree sales	P	P	P	P				

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Clay and borrow pits or sand and gravel operations	SE							
Commercial recreational facilities, including miniature golf; driving ranges; tennis, racquet, and handball barns or courts; artificial ski slopes; indoor soccer; bowling alleys; BMX bike, skateboard or roller blade parks; and skating rinks		SE	SE					
COMMERCIAL TELECOMMUNICATION FACILITIES FOR TESTING PURPOSES OR EMERGENCY SERVICES FOR A PERIOD NOT EXCEEDING 30 DAYS IF THE FACILITY IS A MONOPOLE NOT EXCEEDING 100 FEET IN HEIGHT AND IS LOCATED AT LEAST 300 FEET FROM ANY DWELLING	P	P	P	P	P	P	P	P
Commercial telecommunication facilities permanently located on the ground	SE	SE	SE	SE	SE	SE	SE	SE

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Commercial telecommunication facilities permanently located on the ground on land owned by a governmental entity or a volunteer fire company or located in a transmission [[right-of-way]] RIGHT-OF-WAY and not attached to a transmission line pole or tower or within 100 feet of a transmission line right-of-way	C	C	C	C	C	C	C	C
Commercial telecommunication facilities that are antennas attached to a nonresidential structure if the antenna does not exceed 15 feet in height above the structure, does not project more than two feet beyond the facade, and does not support lights or signs unless required for safety reasons	P	P	P	P	P	P	P	P

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
[[Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Composting facilities	C							
Conference retreat facilities	SE	SE	SE					
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P	P	P	P	P	P
[[Conversion of existing single-family detached dwellings to duplex dwellings]]				[[SE]]	[[SE]]			
Cottage home development			P	P	P	P		
Country clubs, private clubs, and service[[, nonprofit, charitable]] organizations with less than 125 onsite parking spaces	C	C	C	C	C	C	C	C

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Country clubs, private clubs, and service[[, nonprofit, and charitable]] organizations with 125 or more onsite parking spaces	SE	C	C	C	C	C	C	C
DWELLING UNIT, ABUTTING HEAVY INDUSTRIAL ZONE			P	P				
Dwelling units, accessory	C	C	C	C	C	C	C	
[[Dwelling unit, abutting heavy industrial zone]]			[[P]]	[[P]]				
Dwellings, duplex			C	C	C	C	C	
Dwellings, fourplex				C	C	C	C	C
Dwellings, multifamily			C	C	C	P	P	P
Dwellings, multiplex					C	C	C	C
Dwellings, single-family detached	P	P	P	P	P	[[P]]	[[P]]	
DWELLINGS, SINGLE-FAMILY DETACHED, EXISTING AS OF THE EFFECTIVE DATE OF BILL NO. 61-26						P	P	P
Dwellings, townhouses and stacked townhouses			C	C	C	C	C	C
Dwellings, triplex				C	C	C	C	C
Eating disorder treatment facility			SE					
Farm alcohol production facility	C	C	C					
Farm dual uses	C	C						
Farm or agricultural heritage site special event, 9 to 15 annual events	C	C	C					
Farm or agricultural heritage site special event, 16 to 30 annual events	SE	SE	SE					

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Farm or agricultural heritage site stay	C	C	C					
Farm tenant houses	C	C	C	C				
Farming	P	P	P	P	P	P	P	P
Festival, renaissance	SE							
FOOD BANKS		C						
FOOD TRUCKS	C	C	C	C	C	C	C	C
Garden center	C	C	C	C				
GOLF COURSE FACILITIES, PRIVATE	C	C	C	C	C	C	C	C
Golf courses	P	P	P	P	P	P	P	P
[[Golf course facilities, private]]	[[C]]	[[C]]	[[C]]	[[C]]	[[C]]	[[C]]	[[C]]	[[C]]
Government reuse facilities (see Title 12)			C					
Group homes I	P	P	P	P	P	P	P	P
Group homes II	[[C]]	[[C]]	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P
Heliports	SE	SE	SE					
Home occupations	C	C	C	C	C	C	C	C
Hospice facilities	P	P	P	P	P	P	P	P
Housing for the elderly of moderate means				C	C	C	C	C
Kennels, commercial	SE	SE	SE					
Landscaping and tree contracting	SE	SE						
Landscaping and tree contracting with accessory recycling of logs into firewood	SE							
Libraries, museums, parks, and similar uses of a noncommercial nature that are located on a lot with [[an]] A historic structure or activity	P	P	P	P	P	P	P	P

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Licensed grower of cannabis, as defined in State law and regulation	C							
Licensed processor of cannabis, as defined in State law and regulation	C							
MOBILE HOME OUTSIDE OF A MOBILE HOME PARK	C	C	C	C	C			
Mobile home outside of a mobile home park on a contiguous lot of at least 60 acres	P							
Mobile home parks	SE	SE	SE	SE	SE	SE	SE	
Nurseries with landscaping and plant sales	C	C	C	C				
Nursing homes	SE	SE	SE	SE	SE	SE	SE	SE
OUTSIDE STORAGE AS AN ACCESSORY USE LIMITED TO THE LESSER OF 10% OF ALLOWABLE COVERAGE BY STRUCTURES FOR THE UNDERLYING ZONING DISTRICT OR 500 SQUARE FEET	P	P	P	P	P	P	P	P
Piers and launching ramps, community	[[SE]] C	[[SE]] C	[[SE]] C	[[SE]] C	[[SE]] C	[[SE]] C	[[SE]] C	[[SE]] C
PIERS, PRIVATE RESIDENTIAL, IF ACCESSORY TO A DWELLING UNIT	P	P	P	P	P	P	P	P
Piers, recreational	C	C	C	C	C	C	C	C
[[Piers, private residential, if accessory to a dwelling unit]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Planned unit developments (see Title 12)	SE	SE	SE	SE	SE	SE	SE	SE
Produce markets	C	C	C	C				

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Public utility essential services	P	P	P	P	P	P	P	P
Public utility uses	SE	SE	SE	SE	SE	SE	SE	SE
Recovery residences	P	P	P	P	P	P	P	P
Religious facilities on a lot of at least two acres with less than 300 onsite parking spaces	P		P	P	P	P	P	P
Religious facilities on a lot of at least two acres with 300 or more onsite parking spaces	SE		P	P	P	P	P	P
Religious facilities on a lot of at least 5 acres if the coverage for all buildings, including onsite parking, is not more than 30% of the lot		P						
Religious facilities, existing, with less than 300 onsite parking spaces that abut and have direct access to a collector or higher classification road	P	P	P	P	P	P	P	P
Restaurants, taverns, retail sales, and consumer services in a multifamily structure							C	C
Rifle, pistol, skeet, or archery ranges, OUTDOOR	SE		SE					
Roadside stands consisting of temporary seasonal structures that sell produce and other agricultural goods	P	P	P	P				

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Rooming houses			P	P	P	[[C]] P	[[C]] P	P
Schools, private academic, in existence on or before May 12, 2005	P	P	P	P	P	P	P	P
Schools, [[public charter]] PRIVATE ACADEMIC and [[private academic]] PUBLIC CHARTER, with less than 125 onsite parking spaces	C	C	C	C	C	C	P	P
Schools, [[public charter]] PRIVATE ACADEMIC and [[private academic]] PUBLIC CHARTER, with 125 or more onsite parking spaces	SE	C	C	C	C	C	P	P
Small cell system	C	C	C	C	C	C	C	C
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C	C	C			
One small wind energy system or meteorological tower on a lot less than three acres	SE	SE	SE	SE	SE			
Solar energy generating facility – accessory	P	P	P	P	P	P	P	P
Solar energy generating facility – community	SE							
Solar energy generating facility – utility scale	SE							

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Stables AND RIDING CLUBS, [[commercial or community, and riding clubs]]	C	C	C					
Staging areas for County capital projects	P	P	P	P	P	P	P	P
Storage, bulk for agricultural products	SE							
Swimming pools and recreational facilities, community, if located at least 50 feet from each residential lot line or dwelling unit	P	P	P	P	P	P	P	P
[[Swimming pools, private]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Taxidermists, excluding butchering, rendering, or tanning	P							
[[Theaters, live performances, temporary outdoor]]	[[P]]		[[P]]	[[P]]				
TRANSITIONAL HOUSING FACILITIES	C	C	C	C	C	C	C	C
Veterinarian clinic, large animal	C							
Volunteer fire stations	P	P	P	P	P	P	P	P
Waterman's commercial use in existence as of January 1, 1990	P	P	P	P	p			
Waterman's home commercial use	C	C	C	C	C			
Wildlife and game preserves	P	P						
Workforce housing					C	C	C	C

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Youth nature immersion program	C	C	C					

SUBTITLE 2. LOT MERGER AND UNMERGER

18-4-203. Merger of lots in service of a principal use.

(a) **General prohibition against use of multiple lots to serve principal use.** On and after September 25, 2003, multiple lots under the same ownership may not be used for the purpose of serving a principal use or be merged for the purpose of serving a principal use unless the requirements of this section are met. Contiguous lots under the same ownership may be used for the purpose of serving a principal use without being merged if the principal use is a religious facility with less than 300 onsite parking spaces that abuts and has direct access to a collector or higher classification road.

(b) **Merger by operation of law.** Contiguous lots under the same ownership that are separated by a boundary line upon or across which a principal use is located on or after September 25, 2003, merge by operation of law on that date, and the Office of Planning and Zoning thereafter shall require the owner of the merged lots to execute and record a lot merger agreement as a condition precedent to receiving a permit for demolition, development, grading, or construction activity.

(c) **Merger by agreement.** Contiguous lots shall be merged by the owner of the lots for the purpose of serving a principal use, and the owner shall execute and record a lot merger agreement as a condition precedent to receiving a permit that requires use of the lots in service of a principal use.

(d) **Unmerger.** Some or all of lots merged under subsections (b) or (c), or under a lot consolidation agreement executed and recorded before September 25, 2003, may be unmerged if:

(1) the lots no longer are used in service of a principal use;

(2) the lots comply with the minimum area and dimensional requirements of the zoning district in which the lots are located in effect at the time of the unmerger;

(3) all or part of any lots in the critical area were part of a subdivision approved on or after August 22, 1988; and

(4) the owner executes and records in the land records of the County at the owner's expense an instrument unmerging the lots in the form required by the Office of Planning and Zoning.

(e) **Accessory uses or structures.** Subsection (d)(1) ~~[[shall]]~~ MAY not be construed to prohibit the Office of Planning and Zoning from allowing an accessory use or structure to remain on a lot even if that use or structure would become unlawful after the unmerger if:

(1) necessary to avoid an unnecessary hardship, such as the removal of a proposed shared garage or joint use pier;

(2) the accessory structure is approved pursuant to § 18-2-204(c)(3) and the construction of a principal use on the lot does not require removal of the existing accessory structure to meet the requirements of this article without the need for a variance; and

(3) the conditions for allowing the use or structure to remain are specified in the instrument described in subsection (d)(4).

SUBTITLE 3. RA – RURAL AGRICULTURAL DISTRICTS

18-4-301. PURPOSE AND BULK ~~[[Bulk]]~~ regulations.

(A) **PURPOSE.** THE RA – RURAL AGRICULTURAL DISTRICT IS INTENDED TO PRESERVE AND FOSTER AGRICULTURAL AND RELATED USES OF LAND AND TO PRESERVE THE RURAL CHARACTER OF THE AREA IN WHICH THE DISTRICT IS LOCATED.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in an RA District:

Minimum lot size	40,000 square feet
Maximum coverage by structures	25% of gross area
Minimum width at front building restriction line; for waterfront lots the building restriction line is measured from the rear lot line	150 feet
Minimum setbacks for principal structures:	
Front lot line	40 feet
Rear lot line	35 feet
Side lot line	15 feet
Combined side lot lines	40 feet
Corner side lot line	40 feet
Principal arterial or higher classification road	50 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Front lot line	50 feet

Side and rear lot lines	15 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached, duplex, or semi-detached dwellings), 10 feet
Corner side lot line	40 feet
Maximum height limitations:	
Principal structures	45 feet
Accessory structures	45 feet if all setbacks are increased by one foot for each foot of height in excess of 25 feet
Maximum density	One dwelling unit per 20 acres plus one additional dwelling unit for residue acreage that exceeds 10 acres; [[and,]] IN ADDITION, for sites over 50 acres, one additional dwelling unit for every 50 acres [[and one additional dwelling unit for residue acreage that exceeds 25 acres]]
Cluster development:	
Minimum lot size	20,000 square feet
Maximum lot size	120,000 square feet
Minimum width at front building restriction line	80 feet
Minimum setbacks for principal structures:	
Front lot line	5 feet, but if parking is located in the front yard, 18 feet
Rear lot line	15 feet
Side lot lines	10 feet
Boundary line of the cluster development site	40 feet from adjacent residentially zoned and developed property, except that the setback may be reduced by the Planning and Zoning Officer to preserve environmental features and the setback may be reduced to 25 feet if the adjoining lot is an open space lot or an open area lot created under § 17-6-111 of this Code
Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	10 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached, duplex, or semi-detached dwellings), 5 feet

SUBTITLE 4. RLD – RESIDENTIAL LOW DENSITY DISTRICTS

18-4-401. PURPOSE AND BULK ~~[[Bulk]]~~ regulations.

(a) **PURPOSE.** THE RLD – RESIDENTIAL LOW DENSITY DISTRICT IS INTENDED TO SERVE AS A TRANSITIONAL AREA BETWEEN DESIGNATED DEVELOPMENT AREAS AND RURAL AREAS AND TO FOSTER ENVIRONMENTALLY SOUND DEVELOPMENT IN AREAS OF ENVIRONMENTAL CONCERN. THE RLD DISTRICT PROVIDES FOR LOW DENSITY

RESIDENTIAL DEVELOPMENT IN AREAS THAT ARE RURAL IN CHARACTER AND WHERE FARMING IS NOT THE PREDOMINANT LAND USE ACTIVITY.

(B) BULK REGULATIONS. [[Generally.]]

(1) Except as provided otherwise in this article, the following bulk regulations are applicable in an RLD District:

Minimum lot size	40,000 square feet
Maximum coverage by structures	25% of gross area
MINIMUM WIDTH AT FRONT BUILDING RESTRICTION LINE FOR CLUSTER DEVELOPMENT	80 FEET
Minimum width at front building restriction line; for waterfront lots the building restriction line is measured from the rear lot line	150 feet
Minimum setbacks for principal structures:	
Front lot line	50 feet
Rear lot line	40 feet
Side lot line	20 feet
Combined side lot lines	50 feet
Corner side lot line	40 feet
Principal arterial road	75 feet
Freeway	150 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Front lot line	60 feet
Side and rear lot lines	20 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached, duplex, or semi-detached dwellings), 10 feet
Corner side lot line	50 feet
Maximum height limitations:	
Principal structures	45 feet
Accessory structures	45 feet if all setbacks are increased by one foot for each foot of height in excess of 25 feet
Maximum density	One dwelling unit per five acres
Cluster development:	
Minimum setbacks for principal structures:	
Front lot line	5 feet, but if parking is located in the front yard, 18 feet
Rear lot line	15 feet

Side lot lines	10 feet
Boundary line of the cluster development site	40 feet from adjacent residentially zoned and developed property, except that the setback may be reduced by the Planning and Zoning Officer to preserve environmental features and the setback may be reduced to 25 feet if the adjoining lot is an open space lot or an open area lot created under § 17-6-111 of this Code
Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	10 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached, duplex, or semi-detached dwellings), 5 feet

(2) A lot with an area of less than 40,000 square feet that was approved by a record plat prior to April 9, 1987, may be reviewed in accordance with the bulk regulations of § 18-4-601 and lot size is subject to § 18-4-202.

[(b)] (C) Setback from certain slopes. A 50-foot planted buffer area shall be located and maintained between the principal structure and the crest of steep slopes.

SUBTITLE 5. R1 – RESIDENTIAL DISTRICTS

18-4-501. PURPOSE AND BULK ~~[[Bulk]]~~ regulations.

(A) **PURPOSE.** THE R1 – RESIDENTIAL DISTRICT IS INTENDED TO PROVIDE THE OPPORTUNITY FOR LARGER LOT RESIDENTIAL DEVELOPMENT OF PRIMARILY SINGLE-FAMILY DETACHED DWELLING DEVELOPMENT WHILE PRESERVING THE RESIDENTIAL LOW DENSITY LIVING ENVIRONMENT.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in an R1 District:

Minimum lot size	30,000 square feet; or 15,000 for [[side by side]] SIDE-BY-SIDE duplex
Maximum coverage by structures	50% of gross area
Minimum width at front building restriction line; for waterfront lots the building restriction line is measured from the rear lot line	80 feet
Minimum width at front building restriction line for duplex if located on more than one lot; for waterfront lots the building restriction line is measured from the rear lot line	40 feet
Minimum setbacks for principal structures:	
Front lot line	35 feet
Rear lot line	30 feet

Side lot line	15 feet
Side lot line for duplex dwellings on separate lots	0 foot shared lot line, 15 feet side lot line
Corner side lot line	35 feet for [[single family]] SINGLE-FAMILY detached; or 25 feet for duplex
Principal arterial or higher classification road	50 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Front lot line	50 feet
Side and rear lot lines	15 feet or 10 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	35 feet for [[single family]] SINGLE-FAMILY detached; or 25 feet for duplex
Maximum height limitations:	
Principal structures	45 feet
Accessory structures	45 feet if all setbacks are increased by one foot for each foot of height in excess of 25 feet
Maximum density	One dwelling unit per 40, 000 square feet
Maximum density for adult independent dwelling units served by public sewer and located within a two-mile radius of an assisted living facility or a County owned and operated library or community center	Three dwelling units per acre
Cluster development:	
Minimum lot size	None, except for adult independent dwelling unit developments served by public sewer with a minimum net area of 50 acres, each of which units shall be on a lot not less than 10,000 square feet
Maximum individual lot coverage by structures	Determined by setbacks and constraints imposed by characteristics of lot, coverage not to exceed 50%
Minimum width at front building restriction line	80 feet or, for adult independent dwelling unit developments served by public sewer with a minimum net area of 50 acres, 60 feet
Minimum setbacks for principal structures:	
Front lot line	5 feet, but if parking is located in the front yard, 18 feet
Rear lot line	10 feet
Side lot lines	7 feet

Boundary line of the cluster development site	40 feet from adjacent residentially zoned and developed property, except that the setback may be reduced by the Planning and Zoning Officer to preserve environmental features and the setback may be reduced to 25 feet if the adjoining lot is an open space lot or an open area lot created under § 17-6-111 of this Code
Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)

SUBTITLE 6. R2 – RESIDENTIAL DISTRICTS

18-4-601. PURPOSE AND BULK [[Bulk]] regulations.

(A) **PURPOSE.** THE R2 – RESIDENTIAL DISTRICT IS INTENDED TO PROVIDE THE OPPORTUNITY FOR LARGER LOT RESIDENTIAL DEVELOPMENT OF PRIMARILY SINGLE-FAMILY DETACHED DWELLINGS OR OTHER LOW DENSITY DWELLING TYPES WHILE PRESERVING THE RESIDENTIAL LOW DENSITY LIVING ENVIRONMENT.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in an R2 District:

Minimum lot size:	
If not served by public sewer	20,000 square feet
If served by public sewer	10,000 square feet
Duplex and fourplex dwellings on separate lots	5,000 square feet
Maximum coverage by structures	60% of gross area
Minimum width at front building restriction line; for waterfront lots the building restriction line is measured from the rear lot line	70 feet
Minimum width at front building restriction line for duplex if located on more than one lot; for waterfront lots, the building restriction line is measured from the rear lot line	35 feet
Minimum setbacks for principal structures:	
Front lot line	25 feet
Rear lot line	20 feet
Side lot line	7 feet
Side lot line for duplex dwellings on separate lots	0 foot shared lot line, 7 feet side lot line
Corner side lot line	20 feet

Principal arterial or higher classification road	40 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Front lot line	40 feet
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	50 feet
Maximum height limitations:	
Principal structures	35 feet
Accessory structures	25 feet or the height of the principal structure, whichever is less
Maximum density:	
If not served by public sewer	One dwelling unit per 20,000 square feet
If served by public sewer	2.5 dwelling units per acre
Maximum density for adult independent dwelling units served by public sewer and located within a two-mile radius of an assisted living facility or a County owned and operated library or community center	Five dwelling units per acre
Cluster development:	
Maximum individual lot coverage by structures	Determined by setbacks and constraints imposed by characteristics of lot, coverage not to exceed 60%
Minimum width at front building restriction line	50 feet
Minimum setbacks for principal structures:	
Front lot line	5 feet, but if parking is located in the front yard, 18 feet
Rear lot line	10 feet
Side lot lines	7 feet
Boundary line of the cluster development site	40 feet from adjacent residentially zoned and developed property, except that the setback may be reduced by the Planning and Zoning Officer to preserve environmental features and the setback may be reduced to 25 feet if the adjoining lot is an open space or an open area lot created under § 17-6-111 of this Code

Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
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SUBTITLE 7. R5 – RESIDENTIAL DISTRICTS

18-4-701. PURPOSE AND BULK **[[Bulk]]** regulations.

(A) **PURPOSE.** THE R5 – RESIDENTIAL DISTRICT IS INTENDED TO PROVIDE THE OPPORTUNITY FOR LOW-MEDIUM DENSITY RESIDENTIAL DEVELOPMENT WITH A RANGE OF DWELLING TYPES FROM SINGLE-FAMILY DETACHED TO TOWNHOUSES.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in an R5 District:

Minimum lot size:	
If not served by public sewer	[[10,000]] 20,000 square feet
If served by public sewer	5,000 square feet
Maximum coverage by structures	65% of gross area
Minimum width at front building restriction line; for waterfront lots the building restriction line is measured from the rear lot line	50 feet
Minimum width at front building restriction line for duplex if located on more than one lot; for waterfront lots, the building restriction line is measured from the rear lot line	25 feet
Minimum setbacks for principal structures:	
Front lot line	20 feet
Rear lot line	15 feet
Side lot lines	7 feet
Side lot line for duplex dwellings on separate lots	0 foot shared lot line, 7 feet side lot line
Corner side lot line	15 feet
Principal arterial or higher classification road	35 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Front lot line	40 feet
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)

Corner side lot line	15 feet
Maximum height limitations:	
Principal structures	50 feet
Multifamily and multiplex dwellings	50 feet
Accessory structures	25 feet or the height of the principal structure, whichever is less
Maximum density	Five dwelling units per acre
Maximum density for adult independent dwelling units served by public sewer and located within a two-mile radius of an assisted living facility or a County owned and operated library or community center	Six dwelling units per acre
Cluster development:	
Maximum individual lot coverage by structures	Determined by setbacks and constraints imposed by characteristics of lot, coverage not to exceed 75%
Minimum width at front building restriction line	40 feet
Minimum setbacks for principal structures:	
Front lot line	5 feet, but if parking is located in the front yard, 18 feet
Rear lot line	10 feet
Side lot lines	7 feet
Boundary line of the cluster development site	40 feet from adjacent residentially zoned and developed property, except that the setback may be reduced by the Planning and Zoning Officer to preserve environmental features and the setback may be reduced to 25 feet if the adjoining lot is an open space lot or an open area lot created under § 17-6-111 of this Code
Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)

SUBTITLE 8. R10 – RESIDENTIAL DISTRICTS

18-4-801. PURPOSE AND BULK [[Bulk]] regulations.

(a) **PURPOSE.** THE R10 – RESIDENTIAL DISTRICT IS INTENDED TO PROVIDE THE OPPORTUNITY FOR MEDIUM DENSITY RESIDENTIAL DEVELOPMENT OF PRIMARILY TOWNHOUSES.

(B) **BULK REGULATIONS.** [[Generally.]] Except as provided otherwise in this article, the following bulk regulations are applicable in an R10 District:

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Minimum lot size	None
Maximum coverage by structures	75% of gross area
Minimum setbacks for principal structures:	
Front lot line for structures and a rear or side facade abutting a roadway:	
Arterial road or higher classification	35 feet
Collector road or lower classification	20 feet
Private access drives and parking courts	10 feet
All other lot lines	15 feet
Distance between opposing front facades	30 feet
[[Single family]] SINGLE-FAMILY detached, duplex, triplex, fourplex, and multiplex dwellings:	
Front lot line	20 feet
Side lot line	7 feet
Side lot line for duplex dwellings on separate lots	0 foot shared lot line, 7 feet side lot line
Corner side lot line	15 feet
Rear lot line	15 feet
Multifamily dwelling structures:	
Minimum distance between multifamily structures located on the same lot (closest projecting edge):	
Facades with windows	30 feet
Windowless facades	15 feet
Rear lot line	15 feet
Side lot line	10 feet
Corner side lot line	15 feet
Minimum setbacks from road for garage or carport	18 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Front lot line	40 feet
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	15 feet
Maximum height limitations:	
Multifamily structures	75 feet

Multiplex dwellings	50 feet
[[Single family]] SINGLE-FAMILY detached, duplex, triplex, and fourplex dwellings	50 feet
Accessory structures	20 feet or the height of the principal structure, whichever is less
Maximum density	10 dwelling units per acre

1
2 **[[b)] (C) Exception.** A single-family detached dwelling on a lot in a recorded
3 subdivision shall comply with the bulk regulations of the R5 District.

4 5 **SUBTITLE 9. R15 – RESIDENTIAL DISTRICTS**

6 7 **18-4-901. PURPOSE AND BULK [[Bulk]] regulations.**

8
9 (a) **PURPOSE.** THE R15 – RESIDENTIAL DISTRICT IS INTENDED TO PROVIDE THE
10 OPPORTUNITY FOR HIGH DENSITY RESIDENTIAL DEVELOPMENT OF PRIMARILY
11 MULTIFAMILY DWELLINGS.

12
13 (B) **BULK REGULATIONS. [[Generally.]]** Except as provided otherwise in this article,
14 the following bulk regulations are applicable in an R15 District:
15

Maximum coverage by structures	75% of gross area
Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	15 feet
Side lot line for duplex dwellings on separate lots	0 foot shared lot line, 7 feet side lot line
Corner side lot lines	20 feet
Rear lot line	20 feet
Minimum distance between multifamily structures located on the same lot (closest projecting edge):	
Facades with windows	30 feet
Facades that are windowless	15 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	15 feet
Maximum height limitations:	
Multifamily structures	90 feet
Multiplex dwellings	50 feet
[[Single family]] SINGLE-FAMILY detached, duplex, triplex, and fourplex dwellings	50 feet

Accessory structures	20 feet or the height of the principal structure, whichever is less
Maximum length of a single elevation unless special architectural, landscaping, or topographic treatment, such as a change of material, texture, depression, berm, or other similar change, is used	250 feet
Maximum density	15 dwelling units per acre

1
2 **[(b)] (C) Exception.** A single-family detached dwelling on a lot in a recorded
3 subdivision shall comply with the bulk regulations of the R5 District.
4

5 **SUBTITLE 10. R22 – RESIDENTIAL DISTRICTS**

6 **18-4-1001. PURPOSE AND BULK [[Bulk]] regulations.**

7
8
9 (A) **PURPOSE.** THE R22 – RESIDENTIAL DISTRICT IS INTENDED TO PROVIDE THE
10 OPPORTUNITY FOR HIGH DENSITY RESIDENTIAL DEVELOPMENT OF PRIMARILY
11 MULTIFAMILY DWELLINGS.
12

13 (B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following
14 bulk regulations are applicable in an R22 District:
15

Maximum coverage by structures	75% of gross area
Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	25 feet
Corner side lot line	30 feet
Rear lot line	30 feet
Minimum distance between multifamily structures located on the same lot (closest projecting edge):	
Facades with windows	30 feet
Facades without windows	15 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	15 feet
Maximum height limitations:	
Multifamily structures	None if all setbacks are increased by one foot for each two feet of height in excess of 150 feet
Multiplex dwellings	50 feet

[[Single family]] SINGLE-FAMILY detached, duplex, triplex, and fourplex dwellings	50 feet
Accessory structures	20 feet or the height of the principal structure, whichever is less
Maximum density	22 dwelling units per acre

TITLE 5. COMMERCIAL DISTRICTS

SUBTITLE 1. IN GENERAL

18-5-102. Permitted, conditional, special exception, and business complex auxiliary uses.

The permitted, conditional, and special exception uses allowed in each of the commercial districts, and uses auxiliary to a business complex, are listed in the chart in this section using the following key: **[[P=permitted]]** P = PERMITTED use; C = conditional use; SE = special exception use; and A = auxiliary to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed.

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
Adult bookstores				C
Adult day care centers	P	P	P	P
Adult movie theaters				C
Alcoholic beverage uses as accessory to other uses	C	C	C	C
Amusement parks				SE
Animal hospitals and veterinary clinics	P	P	P	P
Animal hospitals with non-medical overnight stays and veterinary clinics with non-medical overnight stays		C	C	C
Animal rescue			C	C
Appliance sales and service facilities			P	P
Arcades			P	P
Arcades located at least 1,000 feet from an existing dwelling with a maximum floor area of 3,000 square feet	P	A		
Assisted living facilities		C	C	
Auction establishments				P
Automobile and truck detailing shops			P	P
Automobile and truck dismantling and recycling facilities				SE
AUTOMOBILE AND TRUCK PARTS, SUPPLY STORES, AND TIRE STORES			P	P
AUTOMOBILE AND TRUCK RENTAL ESTABLISHMENTS				P
Automobile and truck repair and painting facilities				P
[[Automobile and truck rental establishments]]				[[P]]
Automobile and truck towing storage yard, temporary storage not to exceed 90 days				P

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
Automobile gasoline stations	SE		SE	C
[[Automobile and truck parts, supply stores, and tire stores]]			[[P]]	[[P]]
Automobile service facilities providing oil change, lubrication, and related services			P	P
Automobile towing facilities in conjunction with automobile gasoline service stations			SE	SE
Automobile, truck, and recreational vehicle sales			C	P
BAKERIES, WHOLESALE				P
Bakery or donut shops	P	A	P	P
[[Bakeries, wholesale]]				[[P]]
Banks	P	P	P	P
Banquet halls			P	P
[[Barbershops]]	[[P]]	[[A]]	[[P]]	[[P]]
Battery energy storage system, front-of-the-meter	C	C	C	C
Bicycle, [[motorscooter]] MOTOR SCOOTER, and moped sales and service facilities				P
Bicycle, [[motorscooter]] MOTOR SCOOTER, moped sales and service without outside storage	P		P	
Billiard and pool halls			P	P
Bingo, commercial				C
Boat showroom or sales facilities				P
BRAC Mixed Use Development				C
Brewery, craft				P
Building material storage, including sales and yards				P
Bulk storage for agricultural products			P	P
Bus terminals				P
Business complexes	P	P	P	P
Business complexes with auxiliary uses		C		
Carnivals, circuses, and fairs, temporary	C	C	C	C
Carpet and vinyl flooring stores			P	P
Carpet cleaning establishments				P
Carwashes	C	C	P	P
Catering establishments			P	P
Child care centers	P	P	P	P
Christmas tree sales	P	P	P	P
Civic facilities, community centers, libraries, and museums	P	P	P	P
Clubs, private, and service[[, nonprofit, and charitable]] organizations	P	P	P	P
Coffee roasters				P
Commercial recreational facilities, including miniature golf; driving ranges; tennis, racquet, and handball barns or courts; artificial ski slopes; indoor soccer; bowling alleys; BMX bike, skateboard or roller blade parks; electric go-carting; and skating rinks		P	P	P

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
COMMERCIAL TELECOMMUNICATION FACILITIES FOR TESTING PURPOSES OR EMERGENCY SERVICES FOR A PERIOD NOT EXCEEDING 30 DAYS IF THE FACILITY IS A MONOPOLE NOT EXCEEDING 100 FEET IN HEIGHT AND IS LOCATED AT LEAST 300 FEET FROM ANY DWELLING	P	P	P	P
Commercial telecommunication facilities permanently located on the ground	C	C	C	C
Commercial telecommunication facilities that are antennas attached to a structure if the antenna does not exceed 15 feet in height above the structure, does not project more than two feet beyond the facade, does not support lights or signs unless required for safety reasons, and accessory structures meet the requirements of [[§ 18-10-118(7) of this Code]] § 18-10-119(7)	P	P	P	P
[[Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling]]	[[P]]	[[P]]	[[P]]	[[P]]
Computer goods, sales, and services	P	A	P	P
Conference centers		P	P	P
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P	P
[[Contractor and construction shops and yards]]				[[P]]
CONTRACTOR, GENERAL				P
CONTRACTOR, LIMITED		C	C	P
Convenience stores, gift shops, and newsstands	P	A	P	P
Cottage home development		P	P	
CREMATORY				C
CREMATORY AS ACCESSORY TO FUNERAL ESTABLISHMENTS		C	C	
Cultural centers and exhibits	P	P	P	
Dance halls			SE	SE
Data storage center in the BWI/Fort Meade Growth Area		C	C	
Delicatessens and snack bars	P	A	P	P
Department stores			P	P
Distillery, limited				P
[[Dog day care facilities]]	[[P]]		[[P]]	[[P]]
[[Dog grooming parlors]]	[[P]]		[[P]]	[[P]]
Dog training facilities	P	P	P	P
Dry cleaning and laundry establishments, including pick-up stations, package plants, and coin-operated facilities, limited to establishments with less than 4,000 square feet of floor area	P	A		
Dry cleaning operations and laundry establishments, including pick-up stations, package plants, and coin-operated facilities			P	P
Dwelling units, adult independent		C	C	

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
Dwelling unit, apartment, as an accessory use provided the entrance is separate from the commercial use	P	P	P	P
Dwelling, caretaker or resident manager, not to exceed 1,500 square feet of floor area			P	P
Dwellings, fourplex	C	C	C	
Dwellings, multifamily	C	C	C	C
Dwellings, multiplex	C	C	C	
DWELLINGS, SINGLE-FAMILY DETACHED, EXISTING AS OF THE EFFECTIVE DATE OF BILL NO. 61-26	P	P	P	P
Dwellings, townhouses	C	C	C	C
Dwellings, triplex	C	C	C	
Electric vehicle towing and storage facilities, temporary storage not to exceed 90 days				P
ENTERTAINMENT COMPLEXES INCLUDING MULTI-SCREEN COMPLEXES		A	P	P
Equipment sales, repair, and storage, commercial				P
Farming	P	P	P	P
Flea markets, indoor			P	P
Flea markets, outdoor				P
FOOD BANKS	P	P	P	P
FOOD PRODUCT MANUFACTURING				P
FOOD TRUCKS	P	P	P	P
Funeral establishments on a collector or arterial road		P	P	P
Funeral establishments on a local road		C	C	C
Furniture, appliance, and carpet stores and showrooms			P	P
Furniture refinishing establishments				P
Greenhouses and garden centers	P		P	P
Grocery stores		A	P	P
Grocery stores with a maximum of 25,000 square feet	P			
Grocery stores with a maximum of 35,000 square feet		P		
GROUP HOMES II	P	P	P	P
Gunsmiths and ammunition sales facilities			C	P
Hair, cosmetic facial hair, and nail salons	P	P	P	P
Hardware stores	P	A	P	P
Health clubs, spas, gymnasiums		P	P	P
Health clubs, spas, and gymnasiums with a maximum of 2,500 square feet	P			
Heliports			SE	
Home centers and building supply stores			P	P
Home occupations	C	C	C	C
Hospice facilities		P		
Hospitals		P	P	
Hotels and motels		P	P	P
Housing for elderly of moderate means	C	C	C	C
Interior decorating establishments		A	P	P
Janitorial supply stores			P	P
Kennels, commercial				C

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
LANDSCAPING AND TREE CONTRACTING				P
LANDSCAPING AND TREE CONTRACTING WITH ACCESSORY RECYCLING OF LOGS INTO FIREWOOD				P
Licensed dispensary of cannabis, as defined in State law and regulation	C	C	C	C
Licensed grower of cannabis, as defined in State law and regulation			C	C
Licensed processor of cannabis, as defined in State law and regulation			C	C
Linen supply establishments				P
Locksmiths	P		P	P
Machine shops, welders, sheet metal shops, and custom woodworking shops, including the assembling of component parts				P
Mailing and shipping services	P	P	P	P
Marine service facilities				P
Marine supply stores			P	P
Meat, seafood, and poultry markets	P	A	P	P
Medical or dental stores and laboratories, including assembly of component parts, fabrication, and repair services	P	P	P	P
Motorcycle repair and sales facilities				P
Moving or storage establishments				P
Musical instruments, services, and instruction			P	P
Nightclubs and comedy clubs		A	P	P
Nursing homes		C	C	
Offices, professional and general	P	P	P	P
Opticians and optometrical establishments	P	P	P	P
Outside storage, accessory to permitted uses, LOCATED IN A SIDE OR REAR YARD, limited to 15% of the allowed lot coverage	P			
Outside storage, accessory to permitted uses, located in a side or rear yard, limited to 50% of the allowed lot coverage			P	
Outside storage as a principal use				P
OVERSIZED VEHICLE PARKING LOT			P	P
Package goods stores	C	A	C	C
Parking garages or lots	P	P	P	P
Parks, private	P	P	P	P
Pawnshops			P	[[SE]] P
Personal fitness studios	P	P	P	P
PET DAY CARE FACILITIES	P		P	P
PET GROOMING PARLORS	P		P	P
Pets, livestock, or fowl as permitted by [[§ 18-4-104]] § 18-4-103	P	P	P	P
Pharmacies	P	A	P	P

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
Photography studios	P	P	P	P
Piers, commercial	P	P	P	P
Planned unit developments in the BWI/Ft. Meade Growth Area (See Title 12)		SE	SE	
Plasma centers	SE	SE	SE	SE
Printing and publishing establishments			P	P
Produce markets	P	A	P	P
Psychic, tarot card, and palm reading and fortune telling establishments			P	P
Public utility essential services	P	P	P	P
Public utility uses	SE	SE	SE	SE
Radio, television, or industrial testing towers			SE	SE
Religious facilities	P	P	P	P
Rental establishments			P	P
Restaurants	P	P	P	P
Retail sale of liquefied petroleum gases if accessory to and on the same lot as an allowed use	C		C	C
Retail specialty stores or shops for retail sales AND SERVICE [[, including antique stores, art supplies, bookstore, candy, cards, clocks, clothing, consignments, electronics, fabrics, flowers, gifts, hobbies, housewares, ice cream parlors, jewelry, luggage, musical instruments, news publications, office supply, optical goods, pets, photographic supplies, sewing machines, shoes and shoe repair, sporting goods, stamps and coins, stationary, tobacco, toys, video tapes, wallpaper and paint, window coverings, works of art]]	P	A	P	P
Rifle, pistol, skeet, or archery ranges, indoor			SE	SE
Rifle, pistol, skeet, [[and]] OR archery ranges, [[indoor or]] outdoor				SE
Roadside vendors	P	P	P	P
School AND CHARTER bus facilities	C	C	C	P
Schools, public charter and schools, private: academic, arts, business, technical, or trade	P	P	P	P
Scientific research establishments		P		
Self-service storage facilities		SE	SE	C
Showrooms and sales of specialty building products			P	P
Sign shops, including painting and fabrication				P
Small cell system	C	C	C	C
Small engine repair if all work is done inside a building and there is no outside storage	P		P	P
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C	C
One small wind energy system or meteorological tower on a lot less than three acres	SE	SE	SE	SE
Solar energy generating facility – accessory	P	P	P	P

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4
Solar energy generating facility – community, rooftop-mounted only	C	C	C	C
Solar energy generating facility – utility scale, rooftop-mounted only	C	C	C	C
Staging areas for County capital projects	P	P	P	P
State-licensed medical clinics	[[C]] P	[[C]] P	[[C]] P	[[C]] P
Storage, multilevel watercraft rack, not exceeding 35 feet in height, provided the rack does not cover more than 60% of the gross area of the property, as an accessory use to boat showroom or sales facilities				P
SWIMMING POOL AND SPA SALES, INDOOR			P	P
Swimming pool and spa sales, with outdoor display				P
[[Swimming pool and spa sales, indoor]]			[[P]]	[[P]]
Tailor shops	P	A	P	
Tanning salons	P	A	P	P
Tattoo parlors and body piercing salons	A		P	P
Taverns	P	A	P	P
Taxicab stands and services		P	P	P
Taxidermists				P
Telecommuting centers	P	A	P	
Television stations, radio broadcasting stations, and recording studios			P	P
[[Theaters, live performances]]		[[A]]	[[P]]	
[[Theaters, movie]]		[[A]]	[[P]]	[[P]]
TRANSITIONAL HOUSING FACILITIES	P	P	P	P
TRAVEL AGENCIES	P	P	P	
Truck and trailer rental facilities in conjunction with automobile gas stations			SE	P
[[Travel agencies]]	[[P]]	[[P]]	[[P]]	
Truck stops				P
Upholstering shops, including sailmaking shops			P	P
Vending businesses				P
Video sales and rental establishments with less than 1,500 square feet of floor area	P	A		
Video sales and rental establishments			P	P
Volunteer fire stations	P	P	P	P
WHOLESALE TRADE, WAREHOUSING, AND STORAGE ESTABLISHMENTS IN THE BWI/FORT MEADE GROWTH AREA		C	C	
Wholesale trade, warehousing, DISTRIBUTION, and storage establishments				P
[[Wholesale trade, warehousing, and storage establishments in the BWI/Fort Meade Growth Area]]		[[C]]	[[C]]	
Workforce housing		C	C	C

SUBTITLE 2. C1 – LOCAL COMMERCIAL DISTRICTS

18-5-201. PURPOSE AND BULK ~~[[Bulk]]~~ regulations.

(A) **PURPOSE.** THE C1 – LOCAL COMMERCIAL DISTRICT IS INTENDED TO PROVIDE A LIMITED RANGE OF COMMERCIAL USES THAT SERVE A LOCAL MARKET IN A MANNER THAT IS COMPATIBLE WITH NEARBY RESIDENTIAL COMMUNITIES. THE C1 DISTRICT MAY ALSO INCLUDE A RANGE OF RESIDENTIAL DWELLING TYPES UNDER CERTAIN CONDITIONS.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a C1 District:

Minimum lot size	11,000 square feet
Maximum coverage by structures and parking	75% of gross area
Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	10 feet
Rear lot line	20 feet
All lot lines	60 feet from right-of-way line of a divided principal arterial road
Minimum setbacks for accessory structures:	
Side lot line	10 feet
Rear lot line	10 feet
Minimum lot depth	100 feet
Maximum floor area ratio	1.0
[[Maximum height limitations for development in which less than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	[[45 feet or to a maximum of 60 feet if all setback requirements are increased by one foot for each foot of height in excess of 45 feet]]
Maximum height limitations [[for development in which more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	45 feet or UP to a maximum of 72 feet if all setback requirements are increased by one foot for each foot of height in excess of 45 feet
Rear service area, IF PROVIDED	Accessible by a 15-foot wide unobstructed right-of-way
Road access	Collector or arterial road
Maximum size of retail or other single use establishment	25,000 square feet of floor area or, for offices, 50,000 square feet of floor area

SUBTITLE 3. C2 – COMMERCIAL OFFICE DISTRICTS

18-5-301. PURPOSE AND BULK ~~[[Bulk]]~~ regulations.

(A) **PURPOSE.** THE C2 – COMMERCIAL OFFICE DISTRICT IS INTENDED TO PROVIDE OFFICE SPACE AND A RANGE OF COMMERCIAL USES THAT TYPICALLY SUPPORT OFFICE AND EMPLOYMENT USES. THE C2 DISTRICT MAY ALSO INCLUDE A RANGE OF RESIDENTIAL DWELLING TYPES UNDER CERTAIN CONDITIONS.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a C2 District:

Minimum lot size	20,000 square feet
Maximum coverage by structures and parking	80% of gross area
Minimum setbacks for principal structures:	
Rear lot line	25 feet
All lot lines	60 feet from right-of-way line of a divided principal arterial road
Minimum setbacks for accessory structures in the side or rear yard:	
Side lot line	10 feet
Rear lot line	10 feet
Minimum lot depth	100 feet
Maximum floor area ratio:	
Generally	1.0
For a mix of office, retail, and residential uses with at least 30% of the total floor area devoted to residential uses and for hospitals	2.0
Maximum height limitations:	
If two or more lot lines abut a residential district	60 feet or UP to a maximum of 72 feet [[for development in which more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer and]] IF all setbacks are increased by one foot for each foot of height in excess of 60 feet
If one lot line abuts a residential district	60 feet except that there shall be no maximum [[for development in which more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer and]] IF all setbacks are increased by one foot for each three feet of height in excess of 60 feet
Rear service area, IF PROVIDED	Accessible by a 15-foot wide unobstructed right-of-way

SUBTITLE 4. C3 – GENERAL COMMERCIAL DISTRICTS

18-5-401. PURPOSE AND BULK [[Bulk]] regulations.

(A) **PURPOSE.** THE C3 – GENERAL COMMERCIAL DISTRICT IS INTENDED TO PROVIDE A WIDE RANGE OF COMMERCIAL USES MORE INTENSE THAN THOSE IN THE C1 AND C2 DISTRICTS THAT SERVE A REGIONAL MARKET. THESE DISTRICTS ARE TYPICALLY LOCATED AT KEY COMMERCIAL NODES WITHIN THE HIGHWAY NETWORK AND GENERALLY INCLUDE SHOPPING CENTERS AND LARGE RETAIL ESTABLISHMENTS. THE C3

DISTRICT MAY ALSO INCLUDE A RANGE OF RESIDENTIAL DWELLING TYPES UNDER CERTAIN CONDITIONS.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a C3 District:

Minimum lot size	10,000 square feet
Maximum coverage by structures and parking	80% of gross area
Minimum setbacks for principal structures:	
Side lot line	None, except when abutting a residential district 25 feet
Rear lot line	None, except when abutting a residential district 15 feet
All lot lines	60 feet from right-of-way line of a divided principal arterial road
Minimum setbacks for accessory structures in the side or rear yard:	
Side lot line	10 feet
Rear lot line	10 feet
Minimum lot depth	150 feet
Maximum floor area ratio	2.0
[[Maximum height limitations for development in which less than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	[[60 feet except that all setbacks are increased by one foot for each foot of height in excess of 45 feet]]
Maximum height limitations [[for development in which more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	45 FEET OR UP TO A MAXIMUM OF 72 feet if all setback requirements are increased by one foot for each foot of height in excess of 45 feet
Rear service area, IF PROVIDED	Accessible by a 15-foot wide unobstructed right-of-way

SUBTITLE 5. C4 – HIGHWAY COMMERCIAL DISTRICTS

18-5-501. PURPOSE AND BULK [[Bulk]] regulations.

(A) **PURPOSE.** THE C4 – HIGHWAY COMMERCIAL DISTRICT IS INTENDED FOR THE MOST INTENSE COMMERCIAL USES, GENERALLY LOCATED ALONG MAJOR HIGHWAY CORRIDORS IN A MANNER THAT REDUCES IMPACTS TO NEARBY LOWER INTENSITY COMMERCIAL AND RESIDENTIAL AREAS. THE C4 DISTRICT INCLUDES USES RELATED TO MOTOR VEHICLES AND THOSE THAT REQUIRE OUTSIDE STORAGE. THE C4 DISTRICT MAY ALSO INCLUDE A RANGE OF RESIDENTIAL DWELLING TYPES UNDER CERTAIN CONDITIONS.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a C4 District:

Minimum size lot	10,000 square feet
Maximum coverage by structures and parking	85% of gross area

Minimum setbacks for principal structures:	
Front lot line	20 feet
Rear lot line	20 feet
All lot lines	60 feet from right-of-way line of a divided principal arterial road
Minimum setbacks for accessory structures in the side or rear yard:	
Side lot line	10 feet
Rear lot line	10 feet
Minimum lot depth	150 feet
Maximum floor area ratio	1.0
[[Maximum height limitations for development in which less than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	[[60 feet]]
Maximum height limitations [[for development in which more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	60 FEET OR UP TO A MAXIMUM OF 72 feet if all setback requirements are increased by one foot for each foot of height in excess of 60 feet
Rear service area, IF PROVIDED	Accessible by a 15-foot wide unobstructed right-of-way

TITLE 6. INDUSTRIAL DISTRICTS

SUBTITLE 1. IN GENERAL

18-6-103. Permitted, conditional, [[and]] special exception, AND BUSINESS COMPLEX AUXILIARY uses.

The permitted, conditional, [[and]] special exception, AND BUSINESS COMPLEX AUXILIARY uses allowed in each of the industrial districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and [[A=]] A = auxiliary use to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed, except that outside storage as an accessory use in W1 is limited to 15% of the allowed lot coverage.

[[Permitted, Conditional, and Special Exception]] Uses	W1	W2	W3
Adult bookstores			C
Adult day care centers	P	P	
Adult movie theaters			C
Airports and airfields	SE	SE	SE
Alcoholic beverage uses as accessory to other uses	C	C	C
Amusement parks		SE	SE
Animal hospitals with non-medical overnight stays and veterinary clinics with non-medical overnight stays	P	C	

[[Permitted, Conditional, and Special Exception]] Uses	W1	W2	W3
Animal rescue	C	C	
Artisans and craft work	P	P	P
Automobile and truck detailing shops	P	P	P
Automobile and truck dismantling and recycling facilities		SE	SE
AUTOMOBILE AND TRUCK PARTS, SUPPLY STORES, AND TIRE STORES	P	P	P
Automobile and truck rental establishments	P	P	P
Automobile and truck repair and painting facilities		P	P
Automobile and truck towing storage yards, temporary storage not to exceed 90 days		P	P
Automobile gasoline stations	C	C	C
[[Automobile and truck parts, supply stores, and tire stores]]	[[P]]	[[P]]	[[P]]
Automobile service facilities providing oil change, lubrication, and related services	P	P	P
BAKERIES, WHOLESALE	P	P	P
Bakery or donut shops	A	A	
[[Bakeries, wholesale]]	[[P]]	[[P]]	[[P]]
Banks	P	P	
Barbershops	A	A	
Battery energy storage system, front-of-the-meter	C	C	C
Boat manufacturing, repair, and service		P	P
BONE DISTILLATION			P
Bookbinding		P	P
Bottling works		P	P
[[Bone distillation]]			[[P]]
BRAC Mixed Use Development	C		
Brewery		P	P
Brewery, craft	P	P	P
Building material storage, including sales and yards		P	P
Bus terminals		P	P
Business complexes	P	P	P
Business complexes with auxiliary uses	C	C	
Cabinetry and woodworking and sales without outside storage	P		
Carnivals, circuses, and fairs, temporary	C	C	
Catering establishments	P	P	
[[Cement manufacturing]]			[[SE]]
Chemical and allied products, nonmanufacturing			P
Child care centers	P	P	
Clay and borrow pits or sand and gravel operations		SE	SE
Clubs, private, and service[[, nonprofit, and charitable]] organizations	P	P	P
Coffee roasters		P	P
Coke or coke products manufacturing			SE
Commercial recreational facilities, including miniature golf; driving ranges; tennis, racquet, and handball barns or courts; artificial ski slopes; indoor soccer; bowling alleys; BMX bike, skateboard or roller blade parks; and skating rinks	P	P	

[[Permitted, Conditional, and Special Exception]] Uses	W1	W2	W3
COMMERCIAL TELECOMMUNICATION FACILITIES FOR TESTING PURPOSES OR EMERGENCY SERVICES FOR A PERIOD NOT EXCEEDING 30 DAYS IF THE FACILITY IS A MONOPOLE NOT EXCEEDING 100 FEET IN HEIGHT AND IS LOCATED AT LEAST 300 FEET FROM ANY DWELLING	P	P	P
Commercial telecommunication facilities permanently located on the ground	C	C	C
Commercial telecommunication facilities that are antennas attached to a structure if the antenna does not exceed 15 feet in height above the structure, does not project more than two feet beyond the facade, does not support lights or signs unless required for safety reasons, and accessory structures meet the requirements of [[§ 18-10-118(7) of this Code]] § 18-10-119(7)	P	P	P
[[Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling]]	[[P]]	[[P]]	[[P]]
Communications systems sales and service, manufacturing and wholesale	P	P	P
Computer goods, sales and services	P	P	P
Conference centers	P		
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P
[[Contractor and construction shops and yards]]		[[P]]	[[P]]
CONTRACTOR, GENERAL		P	P
CONTRACTOR, LIMITED	C	P	P
Convenience stores, gift shops, and newsstands	A	A	
Cottage home development	P		
CREMATORY		C	C
Data storage center	P	P	P
Delicatessens and snack bars	A	A	
Die casting		P	P
Distillery		P	P
Distillery, limited	P	P	P
[[Dog day care facilities]]		[[P]]	
[[Dog grooming parlors]]	[[P]]	[[P]]	
Dog training facilities	P	P	
Drive-in theaters	SE	SE	
Dry cleaning and laundry establishments		P	
Dry cleaning and laundry establishments, including pick-up stations, package plants, and coin-operated facilities, limited to establishments with less than 4,000 square feet of floor area	A	A	
DWELLINGS, SINGLE-FAMILY DETACHED, EXISTING AS OF THE EFFECTIVE DATE OF BILL NO. 61-26	P	P	P
Dyeing establishments		P	P
Electric vehicle repair facilities	P	P	P
Electric vehicle towing and storage facilities, temporary storage not to exceed 90 days	C	C	C

[[Permitted, Conditional, and Special Exception]] Uses	W1	W2	W3
ENTERTAINMENT COMPLEXES, INCLUDING A MULTI-SCREEN COMPLEX	A		
Equipment, sales, repair and storage, commercial		P	P
[[Entertainment complexes, including a multi-screen complex]]	[[A]]		
Fabrication and assembly uses	P	P	P
Farming	P	P	P
Fertilizer manufacturing			SE
FOOD BANKS	P		
Food product manufacturing	P	P	P
FOOD TRUCKS	P	P	P
Furniture, appliance, and carpet stores and showrooms	P	P	
Generating plants			P
Grocery stores with a maximum of 25,000 square feet	A	A	
Hair, cosmetic facial hair, and nail salons	A	A	
Hardware stores	A	A	
Health clubs, spas, and gymnasiums	P	P	P
Heliports	SE	SE	SE
Home occupations	C	C	C
Hotels and motels	P	A	
Industrial piers, wharves, and mooring pilings if located in the Chesapeake Bay, Patapsco River, Parish Creek, or Tenthouse Creek		P	P
Kennels, commercial	C	P	
Laboratories, research and development or testing	P	P	P
LANDSCAPING AND TREE CONTRACTING		P	P
LANDSCAPING AND TREE CONTRACTING WITH ACCESSORY RECYCLING OF LOGS INTO FIREWOOD		P	P
Latex fabrication, not including paint		P	P
Licensed dispensary of cannabis, as defined in State law and regulation	C	C	C
Licensed grower of cannabis, as defined in State law and regulation, indoor cultivation only	C	C	C
Licensed processor of cannabis, as defined in State law and regulation	C	C	C
Lumber yards		P	P
Mailing and shipping services	P		
Manufacturing and processing, general[[, including the assembling of component parts, the creation of products, and the blending of materials]]	P	P	P
Manufacturing and processing, heavy, including adhesives; aircraft parts; asphalt; atmospheric gas; bricks; concrete products; paper; metal foundries and forges; insulating materials; metal machinery that includes autos, rail, farm, construction, mining, and industrial machinery; metal refining, stamping, extrusion; paint and allied products; paper and paper products from pulp; plastic; porcelain and porcelain enamel; processing of grain, clay, sand, gravel, stone, synthetic fibers, filaments, and tiles			P

[[Permitted, Conditional, and Special Exception]] Uses	W1	W2	W3
Marine freight terminals, excluding bulk freight, if located in the Chesapeake Bay or Patapsco River		P	P
Maritime suppliers and servicing, including piers and wharves for pile driving and marine construction operations		P	P
Metal products and machinery, manufacturing, fabrication, finishing, tool and die, machine shops, galvanizing, electroplating, die casting, welding		P	P
Milk and dairy products, processing and distribution		P	P
Monument works and statuary production		P	P
Motorcycle manufacturing and fabrication		P	P
Moving and storage establishments		P	P
Natural wood waste recycling facilities		SE	SE
OFFICE SUPPLY STORES AND BUSINESS SERVICE ESTABLISHMENTS	P		
Offices, professional and general	P	P	P
[[Office supply stores and business service establishments]]	[[P]]		
Ore storage			SE
Outside storage as a principal use		P	P
OVERSIZED VEHICLE PARKING LOT	P	P	P
Package goods stores	A	A	
Parking garages or lots	P	P	P
Parks, private	P		
Personal fitness studios	P	P	P
PET DAY CARE FACILITIES		P	
PET GROOMING PARLORS	P	P	
Petroleum products, storage for retail sale		SE	SE
Petroleum products, storage [[on lot]] ONSITE in excess of 1,000,000 gallons for use by W3 district uses or public utilities			SE
Pets, livestock, or fowl as permitted by [[§ 18-4-104]] § 18-4-103	P	P	P
Pharmacies	A	A	
Photoengraving		P	P
Photography studios	P	P	
Piers, commercial	P	P	P
Printing and publishing establishments	P	P	P
Processing sites for clay, sand, gravel, and similar materials			C
Public utility essential services	P	P	P
Public utility uses	SE	P	P
Race tracks for horses	C	SE	
Race tracks [[for]] other than [[horses]] HORSE RACE TRACKS		SE	
Radio and television studios and broadcasting establishments	P	P	
Radio, television, or industrial testing towers		SE	SE
Recyclables recovery facilities		SE	SE
Religious facilities	P	P	P
Rendering plants			SE
Rental establishments	P	P	P
Restaurants	P	P	P
RETAIL SPECIALTY STORES OR SHOPS FOR RETAIL SALES AND SERVICE	P		

[[Permitted, Conditional, and Special Exception]] Uses	W1	W2	W3
Rifle, pistol, skeet, or archery ranges, indoor	SE	SE	SE
Rubble processing facilities		SE	SE
School AND CHARTER bus facilities		P	P
Schools, public charter, and schools, private: academic, arts, business, technical, or trade	P	P	P
Self-service storage facilities	C	C	C
Showrooms and sales of specialty building products	P	P	P
Sign shops, including painting and fabrication	P	P	P
Small cell system	C	C	C
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C
One small wind energy system or meteorological tower on a lot less than three acres	SE	SE	SE
Solar energy generating facility – accessory	P	P	P
Solar energy generating facility – community	C	C	C
Solar energy generating facility – utility scale	C	C	C
Solid waste transfer stations		SE	SE
Stadiums, commercial	SE	SE	SE
Staging areas for County capital projects	P	P	P
State-licensed medical clinics	[[C]] P	[[C]] P	[[C]] P
Storage of atmospheric gas, coal, grain			P
Tattoo parlors and body piercing salons	P		
Taverns	P	P	P
Taxicab stands and services	P	P	
Taxidermists	P	P	P
Telephone exchanges	P	P	P
Trade expositions	P	P	P
Travel agencies	A		
Truck stops		P	P
Video lottery facilities	C		
Video sales and rental establishments with less than 1,500 square feet of floor area	A	A	
Volunteer fire stations	P	P	P
Water-dependent facilities	P	P	P
Wholesale trade, warehousing, DISTRIBUTION, and storage establishments	P	P	P
Wineries		P	P
Workforce housing	C		

SUBTITLE 2. W1 – INDUSTRIAL PARK DISTRICTS

18-6-201. PURPOSE AND BULK [[Bulk]] regulations.

(A) **PURPOSE.** THE W1 – INDUSTRIAL PARK DISTRICT IS INTENDED FOR DEVELOPMENT OF OFFICE PARKS, BUSINESS COMPLEXES, AND RESEARCH AND DEVELOPMENT CAMPUSES.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a W1 District:

Lot size:	
Average lot size	1 acre
Minimum lot size	40,000 square feet
For an industrial park	20 acres
Minimum setbacks for principal structures:	
Front lot line	50 feet
Side lot line	30 feet
Rear lot line	30 feet
Freeway	100 feet
Divided principal arterial road	60 feet
Any other public road or right-of-way	50 feet
Minimum setbacks for accessory structures from rear and side lot lines	25 feet
Maximum coverage by structures and parking	75% of gross area
Minimum width at front building restriction line	150 feet
Maximum height limitations:	
Principal structures	None if all setbacks are increased by one foot for each two feet of height in excess of 90 feet
Accessory structures	None if all setbacks are increased by one foot for each two feet of height in excess of 25 feet
Maximum single front elevation	300 feet in length unless special architectural, landscaping, or topographic treatment, such as a change of material, texture, depression, berm, or other similar change, is employed.

SUBTITLE 3. W2 – LIGHT INDUSTRIAL DISTRICTS

18-6-301. PURPOSE AND BULK [[Bulk]] regulations.

(A) **PURPOSE.** THE W2 – LIGHT INDUSTRIAL DISTRICT IS INTENDED TO PROVIDE FOR A WIDE VARIETY OF LIGHT INDUSTRIAL USES SUCH AS GENERAL MANUFACTURING, WAREHOUSE AND DISTRIBUTION, AND CONTRACTING. THESE AREAS MAY ALSO INCLUDE OUTDOOR STORAGE AND RELATED OUTDOOR ACTIVITIES.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a W2 District:

Minimum lot size	8,000 square feet
Maximum coverage by structures and parking	80% of gross area

Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	15 feet
Rear lot line	30 feet
SIDE OR [[Rear]] REAR lot line that abuts a residentially zoned district	100 feet
Side or rear lot line that abuts a commercially zoned district	20 feet
Freeway	100 feet
Divided principal arterial road	60 feet
Minimum setbacks for accessory structures in a rear yard:	
Side lot line	10 feet
Rear lot line	10 feet
Minimum lot depth	100 feet
Minimum width at front building restriction line	75 feet
[[Maximum height limitations for principal structures where less than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	[[75 feet if all setback requirements are increased by one foot for each two feet of height in excess of 60 feet]]
Maximum height limitations for principal structures [[where more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	75 FEET OR UP TO A MAXIMUM OF 87 feet if all setback requirements are increased by one foot for each two feet of height in excess of 75 feet

SUBTITLE 4. W3 – HEAVY INDUSTRIAL DISTRICTS

18-6-401. PURPOSE AND BULK **[[Bulk]] regulations.**

(A) **PURPOSE.** THE W3 – HEAVY INDUSTRIAL DISTRICT IS INTENDED TO PROVIDE THE HIGHEST INTENSITY INDUSTRIAL USES SUCH AS HEAVY MANUFACTURING AND PROCESSING USES, TO BE BUFFERED FROM NEARBY RESIDENTIAL USES.

(B) **BULK REGULATIONS.** Except as provided otherwise in this article, the following bulk regulations are applicable in a W3 District:

Minimum lot size	6,000 square feet
Maximum coverage by structures and parking	80% of gross area
Minimum setbacks for principal structures:	
Front lot line	10 feet
Front lot line abuts a residential area	10 feet
Side lot line	10 feet
Rear lot line	20 feet
Side or rear lot line abuts a residentially zoned district	200 feet
Side or rear lot line abuts a commercially zoned district	50 feet

Freeway	100 feet
Divided principal arterial road	60 feet
Minimum setbacks for accessory structures in a rear yard:	
Side lot line	5 feet
Rear lot line	5 feet
Minimum lot depth	100 feet
Minimum width at front building restriction line	75 feet
[[Maximum height limitations for principal structures, excluding towers, columns, or a series of columns, towers, or stacks, where less than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	[[75 feet if all setback requirements are increased by one foot for each two feet of height in excess of 60 feet]]
Maximum height limitations for principal structures, excluding towers, columns, or a series of columns, towers, or stacks[[, where more than 50% of allowable lot coverage consists of environmental site design features approved by the Planning and Zoning Officer]]	75 FEET OR UP TO A MAXIMUM OF 87 feet if all setback requirements are increased by one foot for each two feet of height in excess of 75 feet

TITLE 7. MARITIME DISTRICTS

18-7-102. Maritime Districts.

(a) **MA1.** The MA1-Community Marina District GENERALLY serves [[only]] the residents and guests of a recorded residential riparian subdivision and is owned by a homeowner's association. COMMUNITY STRUCTURES AND CLUBHOUSES, MARINA OFFICES, AND MAINTENANCE AND REPAIR OF WATERCRAFT ARE ALLOWED.

(b) **MA1-B.** The MA1-B-Neighborhood Marina District provides limited watercraft services and lots may not exceed three acres.

(c) **MA2.** The MA2-Light Commercial Marina District provides limited commercial services.

(d) **MA3.** The MA3-MARINA Yacht Club District GENERALLY serves [[only]] the members and is a non-profit marina owned and operated by the membership.

(e) **MB.** The MB-General Commercial Marina District offers a full range of commercial services.

(f) **MC.** The MC-Heavy Commercial Marina District offers a [[full service]] FULL-SERVICE marina or industrial operation.

18-7-107. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in each of the Maritime group districts are listed in the chart in this section using the following key: P = permitted

- 1 use; C = conditional use; AND **[[SE=special]]** SE = SPECIAL exception use. A blank means
 2 that the use is not allowed in the district. Except as provided otherwise in this article, uses
 3 and structures customarily accessory to the listed uses also are allowed.
 4

[[Permitted, Conditional, and Special Exception]] Uses	MA1	MA1-B	MA2	MA3	MB	MC
Alcoholic beverage uses as accessory to other uses	C		C	C	C	C
Banquet halls			P	P	P	P
Bed and breakfast homes			C		C	C
Bed and breakfast inns			SE		SE	SE
BUSINESS COMPLEXES	P	P	P	P	P	P
COMMERCIAL TELECOMMUNICATION FACILITIES FOR TESTING PURPOSES OR EMERGENCY SERVICES FOR A PERIOD NOT EXCEEDING 30 DAYS IF THE FACILITY IS A MONOPOLE NOT EXCEEDING 100 FEET IN HEIGHT AND IS LOCATED AT LEAST 300 FEET FROM ANY DWELLING	P	P	P	P	P	P
Commercial telecommunication facilities permanently located on the ground					SE	SE
Commercial telecommunication facilities that are antennas attached to a structure if the antenna does not exceed 15 feet in height above the structure, does not project more than two feet beyond the facade, does not support lights or signs unless required for safety reasons, and accessory structures meet the requirements of [[§ 18-10-118(7) of this Code]] § 18-10-119(7)					P	P
[[Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Community structures and club houses	P		P	P	P	P
Construction of watercraft			P		P	P
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P	P	P	P
Dwellings, marina caretaker's residence: one for a marina with less than 250 slips; two for a marina with 250 or more slips		C	P	P	P	P

[[Permitted, Conditional, and Special Exception]] Uses	MA1	MA1-B	MA2	MA3	MB	MC
DWELLINGS, SINGLE-FAMILY DETACHED, EXISTING AS OF THE EFFECTIVE DATE OF BILL NO. 61-26	P	P	P	P	P	P
FOOD TRUCKS	C	C	P	P	P	P
Heliports					SE	SE
Home occupations	C		C	C	C	C
Hotels and motels					SE	SE
[[Ice vending machines]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Launching ramps and small hoists with a maximum rated lift capacity of 4,000 pounds for the launching and removal of watercraft	P	P	P			
Launching ramps, marine railways, travel lifts, fork lifts, hoists, hydraulic trailers, and other similar facilities for the launching and removal of watercraft			P		P	P
Maintenance and repair of watercraft	P		P	P	P	P
Marinas, commercial			P		P	P
Marinas, community	P					
Marinas, neighborhood		C				
Marinas, yacht club				P		
Marine fuel sales			P		P	P
Marine salvage and towing operations						P
Offices and administration facilities necessary for operating the marina	P		P	P	P	P
Outside storage of crab pots, nets, traps, and other similar devices if the total area of storage does not exceed 5% of the marina site			P		P	P
Personal fitness studio, water-based			P		P	P
PETS, LIVESTOCK OR FOWL AS PERMITTED BY § 18-4-103	P	P	P	P	P	P
[[Pile driving and marine construction operations]]			[[SE]]		[[P]]	[[P]]
Piers and launching ramps, community	C					
Piers, commercial		P	P	P	P	P
Piers, recreational	C					
PILE DRIVING AND MARINE CONSTRUCTION OPERATIONS			SE		P	P
Public utility essential services	P	P	P	P	P	P
Public utility uses	SE	SE	SE	SE	SE	SE
Rental of watercraft, including watercraft charter operations			P		P	P
Restaurants			P	P	P	P
[[Sail making]] SAILMAKING and sail repair					P	P

[[Permitted, Conditional, and Special Exception]] Uses	MA1	MA1-B	MA2	MA3	MB	MC
Sale of groceries, packaged alcoholic beverages, fishing supplies, and watercraft accessories			P	P	P	P
Sale of watercraft, marine engines, and watercraft trailers			P		P	P
Small cell system	C	C	C	C	C	C
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C	C	C	C
One small wind energy system or meteorological tower on a lot less than three acres	SE	SE	SE	SE	SE	SE
Solar energy generating facility – accessory	P	P	P	P	P	P
Staging areas for County capital projects	P	P	P	P	P	P
Storage of watercraft, covered and dry	C	C	[[SE]] C	[[SE]] C	C	P
Storage of watercraft, covered and wet			SE	SE	SE	P
Storage of watercraft, outside and dry	P	C	P	P	P	P
Storage of watercraft in excess of 150 feet						P
Storage, multilevel watercraft rack			SE		C	P
Swimming pools, tennis courts, and other similar recreational facilities	P		P	P	P	P
Taverns			P		P	P
Volunteer fire stations	P	P	P	P	P	P
Water taxi landings			P		P	P
Water-related uses, including storage of seafood in live boxes, fish cleaning, and structures for the storage of crab pots, nets, traps, and similar devices			P		P	P

TITLE 8. MIXED USE DISTRICTS

SUBTITLE 1. IN GENERAL

18-8-102. Mixed Use Districts.

(A) **GENERALLY.** THE MXD-MIXED USE DISTRICTS ARE INTENDED TO PROVIDE A COMBINATION OF RESIDENTIAL, COMMERCIAL RETAIL AND OFFICE USES IN CLOSE PROXIMITY TO EACH OTHER IN ORDER TO PROVIDE HOUSING, SERVICES, AND EMPLOYMENT IN A MANNER THAT EMPHASIZES PEDESTRIAN ACCESS, ENCOURAGES THE USE OF AREAS DEDICATED TO PUBLIC ACTIVITIES, DECREASES RELIANCE ON AUTOMOBILES, AND PRODUCES A BETTER QUALITY OF DESIGN. MIXED USE DISTRICTS PROVIDE AN OPTIONAL OR STANDARD METHOD OF DEVELOPMENT.

1 **[(a)] (B) MXD-V.** The village mixed use district is intended for small-scale, walkable,
2 low intensity mixed use development with residential and local-serving retail and office
3 uses in buildings up to three stories.

4
5 **[(b)] (C) MXD-G.** The general mixed use district is intended for mixed use
6 development providing a wide range of general commercial and employment uses,
7 combined with residential uses at a low to medium suburban scale in buildings up to six
8 stories.

9
10 **[(c)] (D) MXD-N.** The neighborhood mixed use district is intended for mixed use
11 development with a variety of residential dwelling types in a compact community with
12 buildings up to eight stories and with a range of retail and employment uses primarily
13 serving the surrounding community and with a high level of pedestrian connectivity
14 throughout the development.

15
16 **[(d)] (E) MXD-S.** The suburban center mixed use district is intended for mixed use
17 development in a medium to large scale suburban center with buildings up to 15 stories
18 and with a range of residential types, retail, and employment uses, including some light
19 industrial uses.

20
21 **[(e)] (F) MXD-U.** The urban mixed use district is intended for compact, high intensity
22 mixed use development that is more urban in scale, includes multifamily residential uses
23 and a wide range of retail and employment uses compatible with a dense urban
24 environment in buildings up to 15 stories, and provides multimodal connectivity
25 throughout the development.

26 27 **18-8-103. Definitions.**

28
29 In this title, the following words have the meanings indicated:

30
31 **[(1)]** “Optional method of development” means development in which more intense
32 development is allowed in return for the development being subject to greater discretionary
33 approval over all elements of the development to achieve a better quality of design or other
34 amenities.

35
36 **[(2)]** “Standard method of development” means development as a matter of right
37 under applicable zoning and other regulations.

38 39 **SUBTITLE 3. USES UNDER THE OPTIONAL METHOD OF DEVELOPMENT**

40 41 **18-8-301. Permitted ~~[[uses]]~~; conditional, AND SPECIAL EXCEPTION uses.**

42 43 **(a) Uses allowed.**

44
45 (1) The permitted ~~[[and]]~~, conditional, AND SPECIAL EXCEPTION uses under the
46 optional method of development are listed in the chart in this section using the following
47 key: P = permitted use; C = conditional use; AND SE = special exception use. A blank space
48 means that the use is not allowed in the district. Uses and structures customarily accessory
49 to the listed uses also are allowed.

(2) Any use lawfully in existence in a mixed use district prior to February 2, 2025 that became prohibited as of February 2, 2025, may continue, provided the use does not cease operation for 36 consecutive months. Any change, expansion, or alteration of the use on or after February 2, 2025 shall comply with this subtitle or Title 15.

(b) **Categories in chart.** The following chart divides the uses allowed under the optional method of development into the categories of residential, retail and service, office, light industrial, civic/institutional, and other uses, and the uses are subject to the requirements described in § 18-8-302.

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Residential					
Assisted living facilities	C	C	C	C	C
Assisted living facilities I, community-based	P	P	P	P	P
Assisted living facilities II, community-based	P	P	P	P	P
BRAC mixed use development		C	C	C	C
Cottage home development	P	P	P		
Dwelling units, accessory	C	C	C	C	
Dwellings, duplex	P	P	P	P	P
Dwellings, fourplex	P	P	P	P	P
Dwellings, multifamily	P	P	P	P	P
Dwellings, multiplex	P	P	P	P	P
Dwellings, single-family detached	P	P	P	P	
Dwellings, townhouses and stacked townhouses	P	P	P	P	P
Dwellings, triplex	P	P	P	P	P
Group homes I	P	P	P	P	P
Group homes II	P	P	P	P	P
Home occupations	C	C	C	C	C
Housing for the elderly of moderate means	C	C	C	C	C
Nursing homes	C	C	C	C	C
Rooming houses	P	P	P	P	P
Workforce housing	C	C	C	C	C
Retail and Service					
Adult day care centers	P	P	P	P	P
Alcoholic beverage uses as accessory to other uses	C	C	C	C	C
Antique shops	P	P	P	P	P
Appliance sales and service facilities		P	P	P	P
Arcades		P	P	P	P
Art galleries	P	P	P	P	P
Artisans and craft work	P	P	P	P	P
Automobile and truck detailing shops		P	P	P	
Automobile and truck parts, supply stores, and tire stores		P	P	P	

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Automobile and truck rental establishments		P		P	
Automobile gasoline stations	C	C	C	C	C
Automobile repair facilities and painting facilities		P		P	
Automobile service facilities providing oil change, lubrication, and related services		P	P	P	P
Automobile towing facilities in conjunction with automobile gasoline service stations				SE	
Bakery or donut shops	P	P	P	P	P
Banks	P	P	P	P	P
Banquet halls		P	P	P	P
Barbershops	P	P	P	P	P
Bed and breakfast homes	C	C	C	C	C
Bed and breakfast inns	SE	SE	SE	SE	SE
Bicycle, motor scooter, and moped sales and service		P	P	P	P
Billiard and pool halls		P	P	P	P
Bowling alleys		P	P	P	P
Brewery, craft		P	P	P	P
Business complexes	P	P	P	P	P
Business complexes with auxiliary use	C	C	C	C	C
Carnivals, circuses, and fairs, temporary	C	C	C	C	C
Carpet and vinyl flooring stores		P	P	P	P
Carwashes		P	P	P	
Carwashes accessory to automobile gasoline stations	P	P	P	P	P
Catering establishments		P	P	P	P
Child care centers	P	P	P	P	P
Clock shops for sale or repair	P	P	P	P	P
Commercial parking lots or garages	P	P	P	P	P
Commercial recreational facilities, including miniature golf, driving ranges, tennis, racquet, and handball barns or courts, artificial ski slopes, indoor soccer; bowling alleys, BMX bike, skateboard or rollerblade parks, electric go-carting, and skating rinks		P	P	P	P
Computer goods, sales and services	P	P	P	P	P
Convenience stores, gift shops, and newsstands	P	P	P	P	P
Country clubs, private clubs, and service organizations or institutions	P	P	P	P	P

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Country clubs, private clubs, service organizations, and nonprofit charitable or philanthropic organizations or institutions in existence on or before December 31, 2015	P	P	P	P	P
Cultural centers and exhibits	P	P	P	P	P
Delicatessens and snack bars	P	P	P	P	P
Department stores		P	P	P	P
Distillery, limited		P	P	P	P
[[Dog day care facilities]]		[[P]]	[[P]]	[[P]]	[[P]]
[[Dog grooming parlors]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Dry cleaning operations and laundry establishments, including pickup stations, package plants, and coin-operated facilities		P	P	P	P
Dry cleaning operations and laundry establishments, including pickup stations, package plants, and coin-operated facilities, limited to establishments with less than 4,000 square feet of floor area	P				
Entertainment complexes, including multi-screen complexes		P	P	P	P
Florist shops	P	P	P	P	P
Funeral establishments		P	P	P	P
Furniture, appliance, and carpet stores and showrooms		P	P	P	P
Greenhouses and garden centers		P	P	P	
Grocery stores		P	P	P	P
Grocery stores with a maximum of 35,000 square feet	P				
Hair, cosmetic facial hair, and nail salons	P	P	P	P	P
Hardware stores	P	P	P	P	P
Health clubs, spas, and gymnasiums	P	P	P	P	P
Home centers and building supply stores		P	P	P	
Hospice facilities	P	P	P	P	P
Hospitals				P	
Hotels, motels, and hostels	P	P	P	P	P
Interior decorating establishments	P	P	P	P	P
Janitorial supply stores		P		P	
Kennels, commercial			C	C	
Licensed dispensary of cannabis, as defined in State law and regulations	C	C	C	C	C
Licensed grower of cannabis, as defined in State law and regulations, indoor cultivation only		C		C	

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Licensed processor of cannabis, as defined in State law and regulations		C		C	
Linen supply establishments		P	P	P	
Locksmiths	P	P	P	P	P
Mailing and shipping services	P	P	P	P	P
Meat, seafood, and poultry markets	P	P	P	P	P
Motorcycle repair facilities		P		P	
Moving or storage establishments				P	
Nightclubs and comedy clubs		P	P	P	P
Outside storage, accessory to permitted uses, located in a side or rear yard, limited to 35% of the allowed lot coverage	P	P	P	P	P
Package goods stores	C	C	C	C	C
Parking lots or garages	P	P	P	P	P
Parks, private	P	P	P	P	P
Personal fitness studios	P	P	P	P	P
PET DAY CARE FACILITIES		P	P	P	P
PET GROOMING PARLORS	P	P	P	P	P
Pharmacies	P	P	P	P	P
Picture-framing establishments	P	P	P	P	P
Piers, commercial	P	P	P	P	P
Piers, community	C	C	C	C	C
Piers, recreational	C	C	C	C	C
Produce markets	P	P	P	P	P
Race tracks for horses				C	
Religious facilities	P	P	P	P	P
Restaurants	P	P	P	P	P
Restaurants, taverns, retail sales, and consumer services in a multifamily dwelling		P	P	P	P
Retail specialty stores or shops for retail sales AND SERVICE [[including antiques, art supplies, books, candies, cards, clocks, clothing, consignments, electronics, fabrics, flowers, gifts, hobbies, housewares, ice cream parlors, jewelry, luggage, musical instruments, news publications, office supplies, optical goods, pets, photographic supplies, sewing machines, shoes and shoe repair, sporting goods, stamps and coins, stationary, tobacco, toys, video tapes, wallpapers and paints, window coverings, and works of art]]	P	P	P	P	P

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Roadside stands consisting of temporary seasonal structures for selling produce and other agricultural goods	P	P	P	P	P
Roadside vendors	P	P	P	P	P
Schools, public charter, and schools, private: academic, arts, business, technical or trade	P	P	P	P	P
Self-service storage facilities		C	C	C	
Showrooms and sales of specialty building products		P	P	P	P
Small engine repair if all work is performed inside a building without outside storage	P	P	P	P	P
Swimming pools, community and semi-public	P	P	P	P	P
Tailor shops	P	P	P	P	P
Tanning salons	P	P	P	P	P
Tattoo parlors and body-piercing salons	P	P	P	P	P
Taverns	P	P	P	P	P
Taxicab stands and services	P	P	P	P	P
Television studios, radio broadcasting stations, and recording studios, excluding freestanding towers		P	P	P	P
Theaters, live performance	P	P	P	P	P
Theaters, movie	P	P	P	P	P
Trade expositions		P	P	P	P
Travel agencies	P	P	P	P	P
Upholstering shops and sailmaking shops		P	P	P	
Variety stores	P	P	P	P	P
Volunteer fire stations	P	P	P	P	P
Office					
Office, professional and general	P	P	P	P	P
Opticians or optometrical establishments	P	P	P	P	P
State-licensed medical clinics	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P
Telecommuting centers	P	P	P	P	P
Veterinary clinics, if [[over-night]] OVERNIGHT stays are limited to those necessary for medical treatment, without outside runs or pens		P	P	P	P
Light Industrial					
Bakeries, wholesale				P	
Brewery				P	
Building material storage, including sales and yards				P	
Building material storage and sales, not including yards		P	P	P	

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Cabinetry and special lumber mill working and sales				P	
Coffee roasters		P		P	
Contractor, LIMITED [[and construction shops, not including yards]]		[[P]] C		[[P]] C	
Data storage centers				P	
Distillery				P	
Equipment sales, repair, and storage, commercial				P	
Fabrication and assembly uses				P	
Food product manufacturing				P	
Laboratories, research and development or testing				P	
Manufacturing and processing, general[[, including assembly of component parts, creation of products, and blending of materials]]				P	
Printing and publishing establishments		P		P	
Rental establishments		P		P	
Retail display rooms for sales at industrial establishments				P	
Wholesale trade, warehousing, and storage establishments					P
Permitted and conditional uses in the W1 District in accordance with the requirements of subsection (c) and not otherwise provided for in the residential, retail and service, or office categories of this subsection.		P	P	P	P
Civic/Institutional					
Civic facilities, community centers, libraries, museums, parks, and similar noncommercial uses	P	P	P	P	P
Other					
Battery energy storage system, front-of-the-meter	C	C	C	C	C
Bus terminals	P	P	P	P	P
Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and located at least 300 feet from any dwelling	P	P	P	P	P
Commercial telecommunication facilities permanently located on the ground	C	C	C	C	C

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Commercial telecommunication facilities that are antennas attached to a structure if the antenna does not exceed 15 feet in height above the structure, does not project more than two feet beyond the facade, does not support lights or signs unless required for safety reasons, and accessory structures meet the requirements of § 18-10-118(7)	P	P	P	P	P
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P	P	P
FOOD TRUCKS	C	C	C	C	C
PETS, LIVESTOCK OR FOWL AS PERMITTED BY § 18-4-103	P	P	P	P	P
Public utility, essential services	P	P	P	P	P
Public utility uses	SE	SE	SE	SE	SE
Small wind energy systems	SE	SE	SE	SE	SE
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C	C	C
Solar energy generating facility – accessory	P	P	P	P	P
Solar energy generating facility – canopies over parking lots or garages	P	P	P	P	P
Solar energy generating facility – community, rooftop-mounted only	C	C	C	C	C
Staging areas for County capital projects	P	P	P	P	P
Transportation, multimodal stations	P	P	P	P	P

(c) **Additional requirements.** Except for a solar energy generating facility – community or solar energy generating facility – utility scale, the permitted and conditional uses allowed in the W1 District are permitted in MXD-G, MXD-N, MXD-S, and MXD-U Districts provided:

(1) the location is within the Airport Noise Zone, is on land remediated for environmental requirements under federal or State law, is on land that has been reclaimed pursuant to an approved final reclamation plan under State or federal law, or consists of lots abutting remediated or reclaimed land; and

(2) the requirements of § 18-8-302 and Title 10 are met.

18-8-302. Combination of uses.

(a) **Required.** Development in a mixed use district shall include at least one allowed use from at least two of the following land use categories set forth in the chart in § 18-8-301: residential, retail and service, office, light industrial, or civic/institutional.

(b) **Exception.**

[[i]] (1) On a site located in the BWI/Fort Meade Growth Area, as shown on the official map adopted by the County Council entitled “BWI/Fort Meade Growth Area, [[2016]] 2025”, the mix of uses required in subsection (a) may be replaced with multifamily dwellings subject to the conditions and density limits set forth in [[§ 18-10-127(1)(iii)]] § 18-10-130(1)(III).

[[ii]] (2) On a site located in the BRAC mixed use development area expanded boundary that is not being developed as a BRAC mixed use development and is being developed as a mixed use development, the mix of uses required in subsection (a) is not required on an individual lot and may instead be met by providing the required mix of uses in the mixed use phased development as a whole.

18-8-303. Bulk regulations; open area and parking requirements.

(a) **Bulk regulations.** Except as provided otherwise in this article, the following bulk regulations are applicable in a mixed use district:

Bulk Regulations	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Maximum residential density (units/per acre)	7	10	15	22	44
Maximum building height (feet)	36	72	96	180	180
Minimum open area (% of gross site area)	15%	15%	15%	15%	15%
[[Minimum active recreation area (square feet per dwelling unit)]]	[[350]]	[[350]]	[[350]]	[[350]]	[[350]]
Minimum public activity area (% of useable nonresidential gross floor area)	10%	10%	10%	10%	10%

(b) **Open area, active recreation area, and public activity area.** The characteristics of required open area, active recreation area, and public activity area are described in § 17-7-604(4) of this Code and the additional following criteria apply:

(1) **[[Open]] OPEN** area may include wetland and stream buffers, forest conservation easements, floodplains, and stormwater management or drainage facilities;

(2) **[[Active]] ACTIVE** recreation area **[[may be located within the required open area, but may not be located in wetland and stream buffers, forest conservation easements, floodplains, or stormwater management or drainage facilities]]** IS REQUIRED IN ACCORDANCE WITH § 17-6-111 OF THIS CODE; and

(3) **[[Public]] PUBLIC** activity area may include recreational amenities.

(c) **Parking requirements.** Parking shall be in accordance with § 17-7-604 of this Code and § 18-3-106.

TITLE 9. OTHER ZONING DISTRICTS**SUBTITLE 1. ODENTON TOWN CENTER DISTRICTS****18-9-103. Uses.**

(a) **Existing uses.** Any use lawfully in existence in the Odenton Town Center prior to March 29, 2024 that became prohibited as of March 29, 2024, may continue, provided the use does not cease operation for 12 consecutive months. Any change, expansion, or alteration of the use on or after March 29, 2024 shall comply with Subtitle 8 of Title 7 of Article 17 of this Code and Subtitle 1 of Title 9 of this article, or Title 15 of this article.

(b) **Use chart.** The permitted, conditional, and special exception uses allowed in each of the Odenton Town Center Districts and Historic Village Mix Block are listed in this section using the following key: P = permitted use; C = conditional use; AND SE = special exception use. A blank means the use is not allowed in the district or the Historic Village Mix Block.

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Residential							
Assisted living facilities	C	C		C	C		
Assisted living facilities I, community-based	P	P		P	P		P
Assisted living facilities II, community-based	[[C]] P	[[C]] P		[[C]] P	[[C]] P		[[C]] P
Dwelling units, accessory	[[P]] C	[[P]] C	[[P]] C	[[P]] C	[[P]] C	[[P]] C	[[P]] C
Dwellings, duplex	P	P	P	P	P	P	P
Dwellings, fourplex	P	P	P	P	P		
Dwellings, multifamily	P	P	P	P	P		
Dwellings, multiplex	P	P	P	P	P		
Dwellings, single-family detached		P	P	P	P	P	P
Dwellings, townhouse and stacked townhouse	P	P	P	P	P		P
Dwellings, triplex	P	P	P	P	P		
Group homes I	P	P	P	P	P	P	P
Group homes II	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P
Home occupations	C	C	C	C	C	C	C
Housing for the elderly of moderate means	C	C	C	C	C		C
Nursing homes	C	C		C	C		
Rooming houses	P	P	P	P	P		P
Workforce housing	C	C	C	C	C	C	C

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Retail and Service							
Adult day care centers	P	P	P	P	P		P
Alcoholic beverage uses as accessory to other uses	C	C	C	C	C		C
Arcades	P	P	P	P	P		
Artisans and craft work	P	P	P	P	P		P
Automobile and truck detailing shops		P	P	P	P		
Automobile and truck parts, supply stores, and tire stores		P	P	P	P		
Automobile and truck rental establishments		P	P	P	P		
Automobile gasoline stations		C	C	C	C		
Automobile repair facilities and painting facilities		P	P	P	P		
Automobile service facilities providing oil change, lubrication, and related services		P	P	P	P		
Automobile towing facilities in conjunction with automobile gasoline service stations		SE	SE	SE	SE		
Bakery or donut shops	P	P	P	P	P		P
Banks	P	P	P	P	P		P
Banquet halls	P	P	P	P	P		
Barbershops	P	P	P	P	P		P
Bed and breakfast homes						C	C
Bed and breakfast inns						SE	SE
Bicycle, motor scooter, and moped sales and service	P	P	P	P	P		P
Billiard and pool halls	P	P	P	P	P		
Bowling alleys	P	P	P	P	P		
Business complexes	P	P	P	P	P		P
Business complexes with auxiliary use	C	C	C	C	C		C
Carnivals, circuses, and fairs, temporary	P	P	P	P	P		
Carpet and vinyl flooring stores	P	P	P	P	P		

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Carwashes		P	P	P	P		
Carwashes accessory to automobile gasoline stations		P	P	P	P		
Catering establishments	P	P	P	P	P		P
Child care centers	P	P	P	P	P		P
Commercial parking lots or garages	P	P	P	P	P		P
Commercial recreational facilities, including miniature golf, driving ranges, tennis, racquet, and handball barns or courts, artificial ski slopes, indoor soccer; bowling alleys, BMX bike, skateboard or rollerblade parks, electric go-carting, and skating rinks	P	P	P	P	P		P
Computer goods, sales and services	P	P	P	P	P		P
Convenience stores, gift shops, and newsstands	P	P	P	P	P		P
Country clubs, private clubs, and service organizations or institutions	P	P	P	P	P		P
Country clubs, private clubs, service organizations, and nonprofit charitable or philanthropic organizations or institutions in existence on or before December 31, 2015						P	
Cultural centers and exhibits	P	P	P	P	P	P	P
Delicatessens and snack bars	P	P	P	P	P		P
Department stores	P	P	P	P	P		P
[[Dog day care facilities]]		[[P]]	[[P]]	[[P]]	[[P]]		
[[Dog grooming parlors]]		[[P]]	[[P]]	[[P]]	[[P]]		

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Dry cleaning operations and laundry establishments, including pickup stations, package plants, and [[coin-operated]] COIN-OPERATED facilities			P	P	P		
Dry cleaning operations and laundry establishments, including pickup stations, package plants, and [[coin-operated]] COIN-OPERATED facilities, limited to establishments with less than 4,000 square feet of floor area	P	P					
Entertainment complexes, including multi-screen complexes	P	P	P	P	P		
Funeral establishments	P	P	P	P	P		P
Furniture, appliance, and carpet stores and showrooms	P	P	P	P	P		
Greenhouses and garden centers	P	P	P	P	P		P
Grocery stores	P	P	P	P	P		P
Hair, cosmetic facial hair, and nail salons	P	P	P	P	P		P
Hardware stores	P	P	P	P	P		P
Health clubs, spas, gymnasiums	P	P	P	P	P		
Heliports		SE	SE	SE	SE		
Home centers and building supply stores	P	P	P	P	P		P
Hospitals	P	P	P	P	P		P
Hotels, motels, and hostels	P	P	P	P	P		
Interior decorating establishments	P	P	P	P	P		P
Janitorial supply stores	P	P	P	P	P		P
Kennels, commercial		C	P	C	C		

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Licensed dispensary of cannabis, as defined in State law and regulations	SE	SE	SE	SE	SE		SE
Licensed grower of cannabis, as defined in State law and regulations, indoor cultivation only		C	C	C	C		
Licensed processor of cannabis, as defined in State law and regulations		C	C	C	C		
Linen supply establishments	P	P	P	P	P		
Locksmiths	P	P	P	P	P		P
Mailing and shipping services	P	P	P	P	P		
Meat, seafood, and poultry markets	P	P	P	P	P		
Motorcycle repair facilities		P	P	P	P		
Moving or storage establishments		C	P	P	P		
Nightclubs and comedy clubs	P	P	P	P	P		
Outside storage, accessory to permitted uses, located in a side or rear yard, limited to 50% of the allowed lot coverage		P		P	P		
Package good stores	C	C	C	C	C		C
Parking lots or garages	P	P	P	P	P		
Parks, private	P	P	P	P	P	P	P
Personal fitness studios	P	P	P	P	P		
PET DAY CARE FACILITIES		P	P	P	P		
PET GROOMING PARLORS		P	P	P	P		
Pharmacies	P	P	P	P	P		P
Picture-framing establishments	P	P	P	P	P		P
Produce markets	P	P	P	P	P	P	P
Religious facilities	P	P	P	P	P	P	P
Restaurants	P	P	P	P	P		P

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Restaurants, taverns, retail sales, and consumer services in a multifamily dwelling	P	P	P	P	P		
Retail specialty stores or shops for retail sales AND SERVICE [[of antiques, art supplies, books, candies, cards, clocks, clothing, consignments, electronics, fabrics, flowers, gifts, hobbies, housewares, ice cream parlors, jewelry, luggage, musical instruments, news publications, office supplies, optical goods, pets, photographic supplies, sewing machines, shoes and shoe repair, sporting goods, stamps and coins, stationery, tobacco, toys, video tapes, wallpapers and paints, window coverings, and works of art]]	P	P	P	P	P		P
Roadside stands consisting of temporary seasonal structures for selling produce and other agricultural goods	P	P	P	P	P	P	P
Roadside vendors	P	P	P	P	P		P
Schools, public charter, and schools, private: academic, arts, business, technical or trade	P	P	P	P	P		P
Self-service storage facilities	C	C	P	P	P		
Showrooms and sales of specialty building products	P	P	P	P	P		P

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Small engine repair if all work is performed inside a building without outside storage		P	P	P	P		
Swimming pools, community and semi-public	P	P	P	P	P		P
Tailor shops	P	P	P	P	P		P
Tanning salons	P	P	P	P	P		P
Tattoo parlors and [[body- piercing]] BODY PIERCING salons	P	P	P	P	P		P
Taverns	P	P	P	P	P		P
Taxicab stands and services	P	P	P	P	P		
Television studios, radio broadcasting stations, and recording studios, excluding freestanding towers	P	P	P	P	P		
Theaters, live performance	P	P	P	P	P		
Theaters, movie	P	P	P	P	P		
Trade expositions	P	P	P	P	P		
Travel agencies	P	P	P	P	P		P
Upholstering shops and sailmaking shops	P	P	P	P	P		P
Variety stores	P	P	P	P	P		P
Veterinary clinics, if [[over- night]] OVERNIGHT stays are limited to those necessary for medical treatment, without outside runs or pens	P	P	P	P	P		P
Volunteer fire stations	P	P	P	P	P		
Office							
Office, professional and general	P	P	P	P	P		P
Office, professional and general in existence on or before December 31, 2015						P	

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
State-licensed medical clinics	[[C]] P	[[C]] P	[[C]] P	[[C]] P	[[C]] P		[[C]] P
Telecommuting centers	P	P	P	P	P		P
Light Industrial							
Bakeries, wholesale			P				
Brewery, craft	P	P	P	P	P		P
Building material storage, including sales and yards			P				
Building material storage and sales, not including yards		C					
Cabinetry and special lumber mill working and sales		C	P				
Coffee roasters	P	P	P	P	P		P
Contractor, GENERAL [[and construction shops and yards]]			P				
Contractor, LIMITED [[and construction shops, not including yards]]		C					
Data storage centers			P				
Equipment sales, repair, and storage, commercial		P	P				
Food product manufacturing			P				
Laboratories, research and development or testing		C	P				
Manufacturing and processing, general[[, including assembly of component parts, creation of products, and blending of materials]]		C	P				
Outside storage as a principal use			P				
Printing and publishing establishments		C	P				
Rental establishments		C	P				
Retail display rooms for sales at industrial establishments		P	P				

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Shipping or cargo containers, trailers, truck compartments or similar portable storage containers for onsite storage			P				
Wholesale trade, warehousing, and storage establishments		C	P				
Civic/Institutional							
Civic facilities, community centers, libraries, museums, parks, and similar noncommercial uses	P	P	P	P	P		P
Other							
Bus terminals	P	P	P	P	P	P	P
Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and located at least 300 feet from any dwelling	P	P	P	P	P	P	P
Commercial telecommunication facilities permanently located on the ground	C	C	C	C	C	C	C

Uses	OTC -C	OTC -T	OTC -I	OTC -E	OTC -FM	OTC -H	Historic Village Mix Block
Commercial telecommunication facilities that are antennas attached to a structure if the antenna does not exceed 15 feet in height above the structure, does not project more than two feet beyond the facade, does not support lights or signs unless required for safety reasons, and accessory structures meet the requirements of [[§ 18-10-118(7)]] § 18-10-119(7)	P	P	P	P	P	P	P
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P	P	P	P	P
Public utility, essential services	P	P	P	P	P	P	P
Public utility uses	SE	SE	SE	SE	SE	SE	SE
Small wind energy systems or meteorological towers on a lot less than three acres	SE	SE	SE	SE	SE		SE
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C	C	C		C
Solar energy generating facility–accessory	P	P	P	P	P	C	C
Solar energy generating facility–canopies over parking lots or garages	P	P	P	P	P		
Solar energy generating facility–community, rooftop-mounted only	C	C	C	C	C		
Staging areas for County capital projects	P	P	P	P	P		
Transportation, multimodal stations	P						

18-9-105. Conditional uses.

The following requirements shall apply to the conditional uses in this section in lieu of any requirements in Title 10[[:]].

(1) Housing for elderly of moderate means shall:

(i) consist of rental dwelling units only;

(ii) comply with the conditions set forth in [§ 18-10-142(8)] § 18-10-146(8); and

(iii) be encumbered by a recorded covenant, enforceable by the County or its designee, that shall comply with the conditions set forth in [§ 18-10-142(1)(i) through (iii)] § 18-10-146(1)(I) THROUGH (III).

(2) Workforce housing consisting of dwelling units of any type or mixture shall:

(i) be encumbered by a recorded covenant enforceable by the County or its designee that shall comply with the conditions set forth in [§ 18-10-175(2)(i) through (v)] § 18-10-180(2);

(ii) comply with the conditions set forth in [§ 18-10-175(8)] § 18-10-180(8); and

(iii) have home prices set at rates certified by the County or its designee to be affordable to a household with an income that does not exceed 80% of the median income adjusted for household size for the Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the United States Department of Housing and Urban Development.

(3) An assisted living facility shall comply with the following requirements:

(i) [The] THE minimum setback from all property lines shall be 35 feet;

(ii) [An] AN assisted living facility may be operated in conjunction with a nursing home or adult independent dwelling units or both, whether or not owned by the same entity;

(iii) [A] A nursing home or adult independent dwelling units may be located on the same lot as the assisted living facility or on one or more abutting lots, and, if located on one or more abutting lots, item (i) does not apply to the lot lines shared by such abutting lots;

(iv) [Comprehensive] COMPREHENSIVE care units may be provided; and

(v) [Activity] ACTIVITY spaces shall be located in a manner to shield surrounding residential property from the effects of noise, hazards, or other offensive conditions.

(4) [A] A bed and breakfast home shall comply with the following requirements:

1 (i) **[[The]]** THE home shall be located in an owner-occupied single-family
2 detached dwelling on a lot of at least 11,000 square feet;

3
4 (ii) **[[The]]** THE home may contain no more than five guest rooms for the
5 lodging of guests for no more than 14 consecutive days. The owner shall maintain a
6 reservation log of the arrival and departure dates of all guests for inspection by the Office
7 of Planning and Zoning; and

8
9 (iii) **[[Guest]]** GUEST rooms may not contain any cooking facilities, and food
10 service shall be provided only for guests in a group dining area of the home.

11
12 (5) For a business complex with auxiliary uses, the auxiliary uses may not occupy
13 more than 50% of the floor area of the business complex.

14
15 (6) A nursing home shall comply with the following requirements:

16
17 (i) **[[The]]** THE minimum setback from all property lines shall be 35 feet;

18
19 (ii) **[[A]]** A nursing home may be operated in conjunction with an assisted living
20 facility or adult independent dwelling units or both, whether or not owned by the same
21 entity;

22
23 (iii) **[[An]]** AN assisted living facility or adult independent dwelling units may
24 be located on the same lot as the nursing home or on one or more abutting lots, and, if
25 located on one or more abutting lots, item (i) does not apply to the lot lines shared by such
26 abutting lots;

27
28 (iv) **[[Each]]** EACH access drive shall be located at least 40 feet from any
29 residentially zoned property; and

30
31 (v) **[[Activity]]** ACTIVITY space shall be located in a manner to shield
32 surrounding residential property from the effects of noise, hazards, or other offensive
33 conditions.

34
35 (7) Self-service storage facilities shall be located within an enclosed structure with
36 no external access to individual storage units, and on-site loading and unloading facilities
37 shall be located at the rear of a building. Existing self-storage facilities are not required to
38 locate loading areas to the rear of the site.

39
40 (8) Solar energy generating facility – accessory shall comply with the following
41 requirements:

42
43 (i) **[[The]]** THE facility may not be mounted on the rooftop of a contributing
44 historic structure listed on or eligible for the National Register of Historic Places, unless
45 approved by the Cultural Resources Section of the Office of Planning and Zoning. If
46 approved, the facility shall be mounted on a secondary façade to shield the facility from
47 view, the facility shall have minimal impact to historic materials, and the facility shall be
48 capable of being removed without impact to the structure; and

(ii) ~~[[The]]~~ THE facility may not be located on or within the viewshed of a property listed on or eligible for the National Register of Historic Places.

(9) Moving or storage establishments and any light industrial uses allowed under § 18-9-103(b) shall comply with the following requirements:

(i) ~~[[The]]~~ THE facility shall be located on a lot of at least two acres;

(ii) ~~[[The]]~~ THE facility shall have a minimum frontage of at least 200 feet on a public road; and

(iii) ~~[[Outside]]~~ OUTSIDE storage of materials or products is prohibited.

18-9-108. Signage.

(a) **Definitions.** In this section, the following words have the meanings indicated.

~~[[1)]]~~ “Hanging or blade sign” means a sign that projects from the side of a building.

~~[[2)]]~~ “Monument sign” means a ground-level freestanding sign.

~~[[3)]]~~ “On-site directional sign” means a sign that directs vehicular traffic to a use or area within a property.

(b) **Generally.** Signage shall comply with the requirements of this section and Subtitle 3 of Title 3. In cases of conflict, this section shall apply.

(c) **On-site directional signs.** On-site directional signs may not exceed four square feet in area for each sign face or a height of three feet above grade level.

(d) **Façade signs.** The following façade signs shall comply with the conditions set forth.

(1) Wall signs:

(i) shall be mounted flush to a building façade or affixed along a channel or other mounting mechanism, and may not protrude more than six inches from a building;

(ii) may take the form of panels or individual letters; and

(iii) shall be located within an area above the ground floor door and window level, and below the second floor window sill level.

(2) Awning and canopy signs:

(i) shall have letter sizes of no more than eight inches tall in the OTC-H zoning district, or no more than 12 inches tall in all other Odenton Town Center zoning districts;

(ii) shall have no more than 50% of the valance areas as part of a sign area; and

(iii) shall be compatible with and complementary to the color and material of the building to which it is attached.

(3) Hanging or blade signs:

(i) may not exceed 10 square feet;

(ii) shall be hung perpendicular to, and may not project more than four feet from, the façade of a building; and

(iii) shall have no less than 7.5 feet clearance above grade.

(e) **Additional signs.** In addition to any other signs allowed by this Code, one sign not exceeding a total area of 400 square feet is permitted on a property with a theater establishment.

(f) **Freestanding signs.** Freestanding signs shall comply with the following:

(1) The total sign area may not exceed the lesser of one square foot for each one foot of the road frontage or boundary line of a site where the sign will be facing, or 200 square feet.

(2) Exposed supports or wires are not permitted in the OTC-C zoning district.

(3) Except as provided in subsection (i), monument signs:

(i) shall sit flush to the ground with a base that is as wide as, or wider than, the sign face;

(ii) may not exceed a height of 20 feet from grade level, or 24 feet from grade level along arterial roads;

(iii) shall display the street address when a development does not directly abut a road or the range of addresses for each use in a multi-use development;

(iv) shall have a maximum of 50 square feet of sign area per side and shall have no more than two sign faces separated by no more than a 30-degree angle;

(v) shall be limited to one sign for each 500 feet, or fraction of 500 feet, of road frontage with customer entrances; and

(vi) shall be visible from abutting roads.

(g) **Pedestrian directory signs.**

(1) One freestanding pedestrian directory sign is permitted for each 250 feet of road frontage facing the primary building façade. In addition, one freestanding pedestrian directory sign is permitted for each 500 feet of road frontage facing other building facades

1 featuring a customer entrance. In addition to a freestanding sign, a pedestrian directory sign
2 may be a wall sign.

3
4 (2) Pedestrian directory signs:

5
6 (i) shall be located at pedestrian network intersections;

7
8 (ii) shall incorporate a directory of area businesses and a map or other graphic
9 means of direction;

10
11 (iii) may not exceed seven feet from grade level; and

12
13 (iv) shall have a maximum of 30 square feet of sign area for the front and the
14 back, individually.

15
16 (h) **Temporary signs.** In addition to the temporary signs allowed by [[§ 18-3-306]]
17 § 18-3-311, additional temporary signs complying with the following may be posted during
18 business hours only[[:]].

19
20 (1) A temporary sign with a pole base may not exceed a height of four feet from
21 ground level or a sign area of nine square feet.

22
23 (2) A sandwich sign may not exceed a height of three feet from ground level or a
24 maximum width of two feet.

25
26 (3) A temporary sign shall be located on private property or within the public
27 sidewalk if it does not interfere with vehicular access, pedestrian movement, or wheelchair
28 access to, through, and around the site.

29
30 (i) **Residential developments.** Signs in a residential development shall comply with
31 the following:

32
33 (1) [[A]] A multi-family residential development or subdivision with up to 100
34 dwelling units may have a one monument or wall sign not exceeding 48 square feet in area.

35
36 (2) [[A]] A multi-family residential development or subdivision with more than 100
37 dwelling units may have two monument or wall signs. If one sign is used, it may not exceed
38 128 square feet in area. If two signs are used, each sign may not exceed 64 square feet in
39 area.

40
41 (j) **Prohibited signs.** The following sign types are prohibited:

42
43 (1) inflatable;

44
45 (2) pylon and pole;

46
47 (3) vehicle mounted signs;

(4) electronic message boards or back-lit signs on properties located in the OTC-H zoning district;

(5) animated signs; and

(6) twirlers, propellers, and wind-activated devices, including feather banners.

SUBTITLE 2. [[OS/OS-C]] os – OPEN SPACE DISTRICT [[DISTRICTS AND CONSERVATION OVERLAY]]

18-9-201. Scope AND PURPOSE.

(A) **SCOPE.** This subtitle applies to all Open Space Districts.

(B) **PURPOSE.** THE OS - OPEN SPACE DISTRICT IS INTENDED FOR PUBLIC PARKS AND PRIVATELY OWNED AREAS THAT PROVIDE ACTIVE AND PASSIVE RECREATIONAL AMENITIES, INCLUDING GOLF COURSES, HIKING TRAILS, BIKE PATHS, GREENWAYS, AND OTHER OPEN SPACES, WATER ACCESS FACILITIES, CAMPS, TENNIS COURTS, SWIMMING AREAS, AND BALLFIELDS. THE OPEN SPACE DISTRICT ALSO INCLUDES PLATTED FLOODPLAINS, EASEMENTS, AND OTHER PRESERVATION AREAS WHERE THE PRIMARY FUNCTION IS CONSERVATION IN PERPETUITY.

18-9-202. PERMITTED, CONDITIONAL, AND SPECIAL EXCEPTION USES.

THE PERMITTED, CONDITIONAL, AND SPECIAL EXCEPTION USES ALLOWED IN THE OPEN SPACE DISTRICT (OS) ARE LISTED IN THE CHART IN THIS SECTION USING THE FOLLOWING KEY: P = PERMITTED USE; C = CONDITIONAL USE; AND SE = SPECIAL EXCEPTION USE. EXCEPT AS PROVIDED OTHERWISE IN THIS ARTICLE, USES AND STRUCTURES CUSTOMARILY ACCESSORY TO THE LISTED USES ALSO ARE ALLOWED.

USES	OS
ALCOHOLIC BEVERAGE USES AS ACCESSORY TO OTHER USES	C
BARNs, STABLEs, AND KENNELs FOR THE SHELTERING, BREEDING, BOARDING, HIRING, OR SELLING OF AN ANIMAL AND FOR STORAGE OF CROPS RAISED ON THE PREMISES	P
CAMPs, NONPROFIT, INCLUDING DORMITORIES, CABINs, AND STRUCTUREs FOR ADMINISTRATIVE, MAINTENANCE, AND CUSTODIAL ACTIVITIES	P
COMMERCIAL TELECOMMUNICATION FACILITIES FOR TESTING PURPOSES OR EMERGENCY SERVICES FOR A PERIOD NOT EXCEEDING 30 DAYS IF THE FACILITY IS A MONOPOLE NOT EXCEEDING 100 FEET IN HEIGHT AND IS LOCATED AT LEAST 300 FEET FROM ANY DWELLING	P
COMMERCIAL TELECOMMUNICATION FACILITIES PERMANENTLY LOCATED ON THE GROUND	SE
COMMERCIAL TELECOMMUNICATION FACILITIES THAT ARE ANTENNAS ATTACHED TO A NONRESIDENTIAL STRUCTURE IF THE ANTENNA DOES NOT EXCEED 15 FEET IN HEIGHT ABOVE THE STRUCTURE, DOES NOT PROJECT MORE THAN TWO FEET BEYOND THE FACADE, DOES NOT SUPPORT LIGHTS OR SIGNS UNLESS REQUIRED FOR SAFETY REASONS, AND ACCESSORY STRUCTUREs MEET THE REQUIREMENTs OF § 18-10-119(7)	P
CONSERVATION USEs, PRACTICEs, AND STRUCTUREs FOR THE MAINTENANCE OF THE NATURAL ENVIRONMENT	P
FARMING, IF THE USE DOES NOT CHANGE THE STABILITY OF THE LAND	P
FOOD TRUCKs	C
GOLF COURSE FACILITIES, PRIVATE	C
GOLF COURSEs	P

USES	OS
HOME OCCUPATIONS	C
LAUNCHING RAMPS	P
NURSERIES WITH LANDSCAPING AND PLANT SALES	C
PETS, LIVESTOCK, OR FOWL AS PERMITTED BY § 18-4-103	P
PIERS, PRIVATE RESIDENTIAL, IF ACCESSORY TO AN EXISTING RESIDENTIAL USE	P
PIERS, RECREATIONAL	C
PUBLIC UTILITY ESSENTIAL SERVICES	P
PUBLIC UTILITY USES	SE
RECREATIONAL USES, ACTIVE	C
RECREATIONAL USES, PASSIVE	P
RESIDENTIAL USES, EXISTING	P
SOLAR ENERGY GENERATING FACILITY – ACCESSORY	P
STAGING AREAS FOR COUNTY CAPITAL PROJECTS	P
STRUCTURES FOR ADMINISTRATIVE AND CUSTODIAL USES OF THE PRINCIPAL USE OF THE SITE IF BUILDING COVERAGE, INCLUDING PARKING, DOES NOT EXCEED 20% OF THE SITE AND THE STRUCTURES ARE NOT LOCATED IN THE NATURAL DRAINAGE SYSTEM	P
STRUCTURES, PERMANENT, ACCESSORY TO ACTIVE RECREATIONAL USES INCLUDING BLEACHERS OR STANDS WITH A SEATING CAPACITY NOT TO EXCEED 250 PEOPLE, OUTDOOR LIGHTING OTHER THAN FOR PUBLIC SAFETY, ILLUMINATED SCOREBOARDS, AND PUBLIC ADDRESS OR AMPLIFIED SOUND SYSTEMS	SE
STRUCTURES, PERMANENT, ACCESSORY TO ACTIVE RECREATIONAL USES, INCLUDING CONCESSION STANDS, SHOWER AND LOCKER ROOMS, ATHLETIC AND MAINTENANCE EQUIPMENT STORAGE, BLEACHERS OR STANDS WITH A SEATING CAPACITY FOR NO MORE THAN 100 PEOPLE, NON-ILLUMINATED SCOREBOARDS, PLAYGROUND EQUIPMENT, AND STABLES	C
STRUCTURES, TEMPORARY, FOR BOATING, SWIMMING, FISHING, HUNTING, GOLF COURSES, ICE SKATING, NATURE STUDY, PICNIC AREAS, PLAY AREAS, STABLES, AND STANDS FOR THE SALE OF PRODUCTS RAISED ON THE PREMISES	P
VOLUNTEER FIRE STATIONS	P
YOUTH NATURE IMMERSION PROGRAM	C

[[18-9-204. OS-C – Open Space Conservation Overlay.

(a) **Scope.** The OS-C – Open Space Conservation Overlay is an overlay that applies to the following habitats or features located in an Open Space District:

(1) Forest Interior Dwelling Species (“FIDS”) Habitat, as defined in subsection (c);
or

(2) environmentally sensitive features, as defined in Article 17 of this Code, including, but not limited to, tidal and nontidal wetlands, bogs, 100-year floodplains, streams, steep slopes, and all associated buffers.

(b) **Purpose.** The purpose of the OS-C Overlay is to protect and preserve FIDS Habitats, tidal and nontidal wetlands, bogs, 100-year floodplains, streams, steep slopes, and all associated buffer areas created by this Code. These purposes include, but are not limited to, protecting and preserving floodplains and wetlands associated with floodplains in their natural state, protecting and preserving streams and bogs in their natural state, protecting and preserving wildlife habitat associated with streams, wetlands, floodplains and bogs, preventing soil erosion and sedimentation in tidal and nontidal waters by protecting steep slopes, protecting and preserving scenic values, and protecting and preserving wildlife habitat.

1 (c) **FIDS Habitat.** A FIDS Habitat is any forest tract that is greater than 50 acres with
2 at least 10 acres that is 300 feet or more from the nearest forest edge, or a riparian forest
3 that is at least 300 feet in total width and greater than 50 acres in total forest area.

4
5 (d) **Other requirements.** The requirements of this section are in addition to other
6 requirements of this Code.

7
8 (e) **Conflict with other law.** If any provision of this section conflicts with other County
9 law, the more restrictive provision shall prevail.

10
11 (f) **Variance required.** The requirements of this section may be altered only by
12 variance as provided in this Article and Article 3 of this Code.

13
14 (g) **Violations and enforcement.** Violations of this section shall be enforced by the
15 Department of Inspections and Permits under the provisions of Article 16 and Article 18
16 of this Code.

17
18 (h) **Existing uses.** Uses permitted in an OS-C District that were in existence on October
19 1, 2012 may continue except that intensification or expansion shall be in accordance with
20 the provisions of this Code. Any use that ceases to exist or ceases operation for 12
21 consecutive months shall be subject to the provisions of this Code.]]

22 23 **SUBTITLE 3. TC – TOWN CENTER DISTRICTS**

24 25 **18-9-301. Scope AND PURPOSE.**

26
27 (A) **SCOPE.** This subtitle applies to all Town Center Districts.

28
29 (B) **PURPOSE.** THE TOWN CENTER DISTRICT IS DESIGNED TO ENCOURAGE COMPACT
30 URBAN-SCALE MIXED USE DEVELOPMENT INCLUDING A WIDE RANGE OF COMMERCIAL
31 AND RETAIL USES AS WELL AS HIGH DENSITY RESIDENTIAL USES.

32 33 **18-9-302. USES.**

34
35 THE FOLLOWING USES ARE PERMITTED IN TOWN CENTER DISTRICTS.

36
37 (1) ANY USE ALLOWED IN A C3 DISTRICT IN ACCORDANCE WITH TITLE 5;

38
39 (2) ANY RESIDENTIAL USE ALLOWED IN AN R22 DISTRICT IN ACCORDANCE WITH
40 TITLE 4;

41
42 (3) HOSPICE FACILITIES; AND

43
44 (4) NURSING HOMES.

45 46 **SUBTITLE 4. SB – SMALL BUSINESS DISTRICTS**

47 48 **18-9-401. Scope AND PURPOSE.**

49
50 (A) **SCOPE.** This subtitle applies to all Small Business Districts.

(B) **PURPOSE.** THE SMALL BUSINESS DISTRICT IS INTENDED TO PROVIDE SMALL BUSINESS USES TO SERVE SURROUNDING RESIDENTIAL COMMUNITIES AND MAINTAIN RESIDENTIAL CHARACTER AS THE USES CHANGE FROM RESIDENTIAL TO COMMERCIAL.

18-9-402. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in the Small Business Districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; AND SE = special exception use. Except as provided otherwise in this article, uses and structures customarily accessory to the listed uses also are allowed.

[[Permitted, Conditional, and Special Exception]] Uses	SB
Adult day care centers	P
Alcoholic beverage uses as accessory to other uses	C
Antique shops	P
Art galleries	P
Bakeries if all goods are prepared and offered for sale on the premises	P
Barbershops	P
Bed and breakfast homes	P
Bed and breakfast inns	P
Bicycle, skateboard, and roller blade sales and service	P
Bookstores, except adult bookstores	P
Business complexes	P
Child care centers	P
Civic facilities, community centers, libraries, and museums	P
Clock sales and repair	P
Clothing stores	P
Coffee shops	P
Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling	P
Computer goods, sales, and services	P
Construction or sales trailers, temporary, in an approved development actively under construction	P
Convenience stores, gift shops, and newsstands	P
Delicatessens and snack bars	P
[[Dog day care facilities, without outside runs or pens]]	[[P]]
[[Dog grooming parlors, without outside runs or pens]]	[[P]]
Dog training facilities	P
Dwelling unit, apartment, as an accessory use provided the entrance is separate from the commercial use	P
Dwellings, single-family detached	P
Farming	P
Florist shops	P
FOOD TRUCKS	C
Gift shops	P
GROCERY STORES	P
Group homes	P
Hair, cosmetic facial hair, and nail salons	P

[[Permitted, Conditional, and Special Exception]] Uses	SB
Hardware stores	P
Hobby shops	P
Home occupations	C
Hospice facilities	P
Ice cream stores	P
Interior decorating and designer showrooms	P
Jewelry stores	P
Locksmiths	P
Mailing and shipping services	P
Offices, professional and general	P
Opticians and optometric establishments	P
Outside storage, accessory to permitted uses, limited to 10% of the allowed lot coverage	P
Personal fitness studios	P
PET DAY CARE FACILITIES, WITHOUT OUTSIDE RUNS OR PENS	P
PET GROOMING PARLORS, WITHOUT OUTSIDE RUNS OR PENS	P
Pets, livestock, or fowl as permitted by [[§ 18-4-104]] § 18-4-103	P
Pharmacies	P
Photographic studios and camera shops	P
Picture framing shops	P
Produce markets	P
Public utility essential services	P
Public utility uses	SE
Religious facilities	P
Restaurants	P
Retail specialty stores or shops for retail sales AND SERVICE [[, including antique stores, art supplies, bookstores, candy, cards, clocks, clothing, consignments, electronics, fabrics, flowers, gifts, hobbies, housewares, ice cream parlors, jewelry, luggage, musical instruments, news publications, office supply, optical goods, pets, photographic supplies, sewing machines, shoes and shoe repair, sporting goods, stamps and coins, stationery, tobacco, toys, video tapes, wallpaper and paint, window coverings, works of art]]	P
Saddlery and tack shops	P
Schools, public charter, and schools, private: academic, arts, business, technical, or trade	P
Shoe repair shops	P
Solar energy generating facility – accessory	P
Staging areas for County capital projects	P
Tailor shops	P
Tanning salons	P
Telecommuting centers	P
Travel agencies	P
Upholstering shops, including sailmaking shops	P
Veterinary clinics if overnight stays are limited to those necessary for medical treatment, without outside runs or pens	P
Volunteer fire stations	P

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-103. Agritourism.

Agritourism shall comply with the following requirements.

(1) Any building used for agritourism shall comply with the Construction Code [[of Anne Arundel County]], including any agricultural building under § 105.2.1.14 of the Construction Code.

(2) The minimum lot size of the farm shall be three acres.

18-10-104. Alcoholic beverage uses as accessory to other uses.

An alcoholic beverage use that is accessory to another use shall comply with all of the following requirements.

(1) The use shall be licensed by the Board of License Commissioners.

(2) If the use is to be conducted out of doors or will include live entertainment or dancing, the area used for the activity shall be located at least 100 feet from all residentially zoned property.

(3) An off-sale alcoholic beverage license use shall be located away from schools and religious facilities by at least the distance required by § 11-1603 of the Alcoholic Beverages and Cannabis Article of THE State Code. For structures, the distance shall be measured in a straight line from entry to entry.

(4) An off-sale alcoholic beverage license use for a restaurant or a package goods store use operated on the same property as and under common ownership with a restaurant shall be limited to 30% of the floor area of the restaurant. This restriction does not apply to the sale of package goods exclusively available through the restaurant or produced by the restaurant.

18-10-105. Animal Hospitals and Veterinary Clinics with non-medical overnight stays.

For purposes of this subtitle ‘pens or runs’ means a fenced in dedicated area for animals, where the animal may safely exercise, play, socialize, and relieve itself while untethered or unleashed.

Animal hospitals or veterinary clinics with non-medical overnight stays shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least one acre.

(2) All structures, enclosed pens or enclosed runs for the housing or shelter of animals shall be located at least 50 feet from residentially zoned property.

1 (3) Unenclosed pens or runs shall be:

2
3 (i) no larger than 1,800 square feet in total;

4
5 (ii) at least 30 feet from residentially zoned property; and

6
7 (iii) at least 200 feet from an occupied structure.

8
9 (4) An animal hospital or veterinary clinic located in a structure that contains uses other
10 than an animal hospital or veterinary clinic shall incorporate sound attenuation construction
11 designed to minimize the impact of noise from the animal hospital or veterinary clinic on
12 the other uses in the structures.

13
14 (5) An animal hospital or veterinary clinic ~~[[shall]]~~ MAY not unreasonably interfere
15 with other tenants located within the same structure as the animal hospital or veterinary
16 clinic and the use may not be noxious, offensive, or otherwise objectionable to surrounding
17 uses.

18
19 **18-10-106. Animal Rescue.**

20
21 An animal rescue facility shall comply with all of the following requirements.

22
23 (1) Buildings and enclosures for the housing or shelter of animals at a facility with dogs
24 exclusively or dogs in addition to other animals shall be at least 100 feet from any existing
25 residence on any surrounding property and animals may not be housed within the 100 foot
26 setback. Buildings and enclosures for the housing of animals at a facility with no dogs shall
27 be at least 75 feet from any existing residence on any surrounding property and animals
28 may not be housed within the 75 foot setback.

29
30 (2) Animals shall be spayed or neutered prior to the adoption from the facility, unless
31 a veterinarian determines the animal is medically unable to undergo the procedure. The
32 animal rescue owner shall keep a register to show that all animals at the facility have
33 complied with this requirement.

34
35 (3) Notwithstanding ~~[[§ 18-4-104(1)]]~~ § 18-4-103(B), there may be up to 50 cats at the
36 facility at any one time. Cats may not be kept outdoors.

37
38 (4) For an animal rescue in a residential district, the facility shall also comply with the
39 following requirements~~[[:]~~.

40
41 (i) Except for a facility solely for cats, the facility shall be located on a lot of at least
42 three acres.

43
44 (ii) Dogs, livestock or fowl kept on the property may not exceed the limits set forth
45 in § 18-4-103.

46
47 (iii) The use may not be noxious, offensive, or otherwise objectionable to
48 surrounding residential uses.

1 (5) For an animal rescue in a commercial or industrial district, the facility shall also
2 comply with the following requirements[[:]].

3
4 (i) An animal rescue located in a structure that contains uses other than an animal
5 rescue shall incorporate sound attenuation construction or measures designed to minimize
6 the impact of noise from the animal rescue on the other uses or occupants in the structures.

7
8 (ii) An animal rescue may not unreasonably interfere with other uses or occupants
9 within the same structure as the animal rescue and the use may not be noxious, offensive,
10 or otherwise objectionable to surrounding uses or occupants.

11
12 (6) For an animal rescue in a C3 district, the facility may house or shelter only cats or
13 small animals other than cats not exceeding 20 pounds in weight.

14
15 **18-10-107. Assisted living facilities.**

16
17 An assisted living facility shall comply with all of the following requirements.

18
19 (1) The facility shall be located on a lot of at least five acres.

20
21 (2) Structures shall be located at least 50 feet from all lot lines.

22
23 (3) Each access drive shall be located at least 40 feet from any residentially zoned
24 property.

25
26 (4) An assisted living facility may be operated in conjunction with a nursing home or
27 with adult independent dwelling units or both. The nursing home or adult independent
28 dwelling units may be located on the same lot as the assisted living facility or on one or
29 more abutting lots. If located on one or more abutting lots, the provisions of subsections
30 (2) and (3) **[[shall]]** MAY not apply to the lot lines that are shared by such abutting lots.

31
32 (5) For an assisted living facility that consists of land located outside the critical area
33 in more than one zoning district:

34
35 (i) provisions concerning the number of adult independent dwelling units allowed
36 in a given area of land shall be applied in the aggregate rather than separately to the
37 individual zoning districts, lots or sites;

38
39 (ii) provisions concerning public improvements, such as public sewer and water
40 connections, road, and sidewalks, shall be applied to the assisted living facility in its
41 entirety;

42
43 (iii) open area requirements shall be calculated for the entire area of the assisted
44 living facility; and

45
46 (iv) the developer shall demonstrate unified control of the entire assisted living
47 facility and the capability to provide for completion and continuous operation and
48 maintenance of the facility.

1 (6) Comprehensive care units may be provided.

2
3 (7) No more than two units for every 100 units may be devoted to temporary use for
4 guests or family members of residents.

5
6 (8) The permitted uses in a C1 district are allowed as part of an assisted living facility
7 if:

8
9 (i) the uses are centrally located for the use and benefit of the residents and their
10 guests in structures that are architecturally compatible with the residential portion of the
11 assisted living facility; and

12
13 (ii) the floor area of the uses does not exceed 10% of the total floor area of the units.

14
15 (9) A pedestrian circulation system interconnecting all parts of the assisted living
16 facility shall be provided.

17
18 **[[18-10-108. Assisted living facilities II, community-based.**

19
20 To help ensure that persons with disabilities live and interact with individuals without
21 disabilities to the fullest extent possible, the owner of a community-based assisted living
22 facility II may not own two facilities that adjoin each other and, if a proposed adjoining
23 facility is owned by a business entity, the owner, the owner's family, and the owner's
24 business associates may not have any interest, financial or otherwise, in the business
25 entity.]]

26
27 **[[18-10-109.]] 18-10-108. Automobile gasoline stations.**

28
29 An automobile gasoline station shall comply with the following requirements.

30
31 (1) The facility shall be located on a lot of at least 22,500 square feet with at least 150
32 feet of frontage along each road.

33
34 (2) The facility may not be located at the intersection of local roads.

35
36 (3) Service bays shall be oriented to the rear or side lot lines.

37
38 (4) Structures shall be located at least 40 feet from any road right-of-way, at least 25
39 feet from any other structure, and at least 10 feet from all lot lines.

40
41 (5) Pumps shall be located at least 25 feet from any road right-of-way. Pump islands
42 shall be located at least 20 feet apart. Pumps and pump islands shall be located at least 25
43 feet from a structure not used primarily as an automobile gasoline station.

44
45 (6) A canopy over a pump island may not project within 15 feet of a road right-of-way.

46
47 (7) Driveways shall be at least 20 feet from each side or rear lot line, at least 50 feet
48 from any intersecting road right-of-way, and at least 15 feet and no more than 35 feet wide.

1 (8) Obstructions that adversely affect visibility at a station driveway are prohibited.

2
3 (9) THE FACILITY MAY INCLUDE:

4
5 (I) A CONVENIENCE STORE;

6
7 (II) AN AUTOMOBILE REPAIR CENTER, LIMITED TO MINOR WORK TO BE COMPLETED
8 WITHIN THREE DAYS AFTER THE VEHICLE IS DROPPED OFF FOR SERVICE; AND

9
10 (III) A CARWASH.

11
12 **[[18-10-110.]] 18-10-109. Automobile, truck, and recreational vehicle sales.**

13
14 Automobile, truck, and recreational vehicle sales facilities shall comply with all of the
15 following requirements.

16
17 (1) The facility shall be on a lot or parcel located within 300 feet of a lot or parcel where
18 automobile, truck, and recreational vehicle sales are permitted as a matter of right.

19
20 (2) The facility shall have vehicular access to an arterial road.

21
22 (3) The lot or parcel on which the facility is located shall be within a priority funding
23 area.

24
25 (4) The facility shall comply with the requirements of the County Landscape Manual.

26
27 (5) The facility shall be located on a lot or parcel of at least two acres, except that a
28 facility may be located on a lot or parcel of at least one acre if vehicular access is provided
29 to at least two arterial roads.

30
31 (6) The facility shall be served by public water and sewer.

32
33 (7) Except for vehicles displayed in a showroom and facilities on a lot or parcel of at
34 least one acre with vehicular access to at least two arterial roads, at least 75% of the vehicles
35 available for sale shall be parked behind the buildings associated with the facility.

36
37 **[[18-10-111.]] 18-10-110. Battery energy storage system, front-of-the-meter.**

38
39 (a) **Requirements.** A front-of-the-meter battery energy storage system shall comply
40 with the following requirements.

41
42 (1) A front-of-the-meter battery energy storage system on property in a mixed use
43 zoning district:

44
45 (i) shall be surrounded by a non-barbed wire fence that is not more than 20 feet
46 high;

47
48 (ii) may use barbed wire fencing around substations or other critical
49 infrastructure for protection of that infrastructure; and

1 (iii) shall be surrounded by a landscaping buffer or vegetative screening of 25
2 feet in depth that provides four-season visual screening.

3
4 (2) For a front-of-the-meter battery energy storage system in any zoning district:

5
6 (i) grading shall be minimized to the maximum extent possible;

7
8 (ii) topsoil may not be removed from the lot or parcel, but may be moved or
9 temporarily stockpiled for grading; and

10
11 (iii) herbicides may not be used except to control invasive species, which shall
12 be in compliance with Article 13, Title 6 of this Code.

13
14 (3) The front-of-the-meter battery energy storage system shall comply with the
15 NFPA 855, "Standard for the Installation of Stationary Energy Storage Systems", and
16 NFPA 70, "National Electrical Code", as adopted and amended by the Anne Arundel
17 County Construction and Property Maintenance Codes Supplement, October 1, 2005. If a
18 provision in this section conflicts with the NFPA 855 or NFPA 70, as adopted and amended
19 by the Anne Arundel County Construction and Property Maintenance Codes Supplement,
20 October 1, 2005, the NFPA 855 and NFPA 70, as adopted and amended by the Anne
21 Arundel County Construction and Property Maintenance Codes Supplement, October 1,
22 2005 shall control.

23
24 (4) The developer of a front-of-the-meter battery energy storage system shall:

25
26 (i) undergo site development review in accordance with Article 17, Title 4 of
27 this Code in order to ensure all the conditions herein are satisfied and obtain a building
28 permit;

29
30 (ii) file with the application for a building permit, an emergency response plan
31 and a plan for offering site-specific training to county fire service and emergency personnel
32 prior to commencing operation; and

33
34 (iii) prior to the issuance of a building permit, conduct a hazard mitigation
35 analysis as specified by NFPA 855.

36
37 (b) **Conflict with state law.** In the event that any provision of this section conflicts
38 with, is inconsistent with, or is preempted by any provision of the state law regarding front-
39 of-the-meter battery energy storage systems, the applicable state statute shall control to the
40 extent of the conflict.

41
42 **[[18-10-112.]] 18-10-111. Bed and breakfast homes.**

43
44 A bed and breakfast home shall comply with all of the following requirements.

45
46 (1) The home shall be located in an owner-occupied single-family detached dwelling
47 on a lot of at least 11,000 square feet.

1 (2) The home may contain no more than three guest rooms for the lodging of guests for
2 no more than 14 consecutive days. The owner shall maintain a reservation log of the arrival
3 and departure dates of all guests for inspection by the Office of Planning and Zoning.

4
5 (3) On a waterfront lot, one boat slip may be provided for the use of guests.

6
7 (4) Guest rooms may not contain any cooking facilities, and food service shall be
8 provided only for guests and only in a group dining area of the dwelling.

9
10 (5) Exterior alterations may not be made for the purpose of providing the home unless
11 necessary to ensure the safety of the structure.

12
13 **[(6) If the lot is zoned R1, R2, or R5, it shall be located within the area shown on the**
14 **official map adopted by the County Council entitled “Bed & Breakfast Homes and Bed &**
15 **Breakfast Inns in R1, R2, and R5 Zoning Districts”, dated August, 2005, adopted by Bill**
16 **No. 55-05.]]**

17
18 **[[18-10-113.]] 18-10-112. Bingo, commercial.**

19
20 A commercial bingo facility shall comply with all of the following requirements.

21
22 (1) The facility shall be located on a lot of at least one acre and EACH STRUCTURE
23 SHALL BE LOCATED at least 100 feet from any residentially zoned property.

24
25 (2) The facility shall have vehicular access to an arterial road and may not draw traffic
26 through local roads in nearby residential areas.

27
28 (3) Sufficient vehicular access shall be provided to prevent traffic congestion, and all
29 points of access shall be located at least 50 feet apart and at least 50 feet from any road
30 intersection.

31
32 **[[18-10-114.]] 18-10-113. Bird sanctuaries.**

33
34 A bird sanctuary shall comply with all of the following requirements.

35
36 (1) The facility shall be located on a lot of at least three acres.

37
38 (2) Buildings and enclosures for the housing or shelter of birds shall be at least 100 feet
39 from any residentially zoned property and birds may not be housed within the 100-foot
40 setback.

41
42 (3) Any dwelling on the property shall be occupied by at least one person involved in
43 the operation of the bird sanctuary.

44
45 (4) The bird sanctuary shall be operated by **[[an]]** A NONPROFIT entity **[[exempt from**
46 **taxation under § 501(c)(3) of the Internal Revenue Code]]** and may not be operated for
47 commercial purposes.

(5) The entity operating the bird sanctuary shall be accredited by the American Sanctuary Association or the Global Federation of Animal Sanctuaries.

[[18-10-115.]] 18-10-114. BRAC Mixed Use Development.

(a) **Requirements.** BRAC Mixed Use Development shall comply with the following requirements.

(1) The property shall be located in the “BRAC Mixed Use Development Area Expanded Boundary” Area comprising properties within the four mile radius of U.S. Army Ft. George G. Meade and within the shaded areas depicted on the official map adopted by the County Council in Bill No. 50-25.

(2) The minimum parcel size is five acres in the aggregate.

(3) Building height and coverage in a BRAC Mixed Use Development shall be as provided in the underlying zoning district, and setbacks for principal structures shall be the lesser of the setback provided in the bulk regulations applicable to the underlying zoning district or the bulk regulations set forth in § 18-4-901. The maximum allowable density for residential dwellings in a BRAC Mixed Use Development shall be 15 dwelling units per acres of gross area.

(4) When developed on multiple but contiguous lots within an MXD district, BRAC Mixed Use Development shall include, to the extent practicable, integrated design elements and connectivity between the lots to create a cohesive environment.

(b) **Uses.** The following uses are allowed in a BRAC Mixed Use Development, in addition to the uses allowed in the underlying zoning district.

(1) Uses allowed in R15 districts, including all variations of dwellings defined in § 18-1-101, subject to the bulk regulations set forth in § 18-4-901 except for building height, coverage, density, and setbacks.

(2) Grocery stores greater than 25,000 square feet in size, subject to the bulk regulations set forth in § 18-5-401 except for building height, coverage and setbacks.

(3) Retail specialty stores or shops for retail sales AND SERVICE[, as defined in § 18-5-102,]] subject to the bulk regulations set forth in § 18-5-401 except for building height and setbacks.

(4) The use requirements of § 18-8-302 do not apply to BRAC Mixed Use Development.

[[18-10-116.]] 18-10-115. Business complexes in a residential district.

(a) **Requirements.** A business complex located in a residential district shall comply with all the following requirements.

1 (1) The business complex shall be located on property owned by a governmental
2 entity or owned or controlled by a volunteer organization as of March 29, 2024 that
3 provides first responder services as its primary function through the use of equipment and
4 apparatus. For purposes of this paragraph, “controlled by” means subject to a purchase
5 agreement in favor of the volunteer organization.

6
7 (2) The business complex shall be located on a lot of at least five acres.

8
9 (3) The business complex shall be located on a principal arterial road or at an
10 intersection of a principal arterial road and a minor arterial road.

11
12 (4) The business complex may not draw traffic through local roads in nearby
13 residential areas.

14
15 (5) The business complex is subject to the bulk regulations set forth in § 18-5-401.

16
17 (6) Development in the business complex shall:

18
19 (i) use environmental site design features approved by the Planning and Zoning
20 Officer to address 50% of existing lot coverage and 100% of any new development; and

21
22 (ii) comply with the requirements of the County Landscape Manual.

23
24 (7) Any clearing shall be in accordance with the provisions of this article and
25 Article 17 of this Code.

26
27 (8) The business complex shall be served by public water and sewer.

28
29 (9) The business complex shall be located either:

30
31 (i) in an area designated commercial in the planned land use map in the General
32 Development Plan adopted as of May 13, 2021;

33
34 (ii) on property immediately adjacent to property owned by a government entity
35 or volunteer organization as identified under paragraph (1); or

36
37 (iii) on property immediately adjacent to property identified under item (ii) if
38 the property is included in the business complex.

39
40 (b) **Additional uses allowed.** If the requirements of subsection (a) are met, the
41 permitted, conditional, and special exception uses allowed in a C1 district or a C3 district
42 under § 18-5-102 are allowed in the business complex.

43
44 **[[18-10-117.]] 18-10-116. Business complexes with auxiliary uses.**

45
46 A business complex with auxiliary uses shall comply with all of the following
47 requirements.

1 (1) Auxiliary uses may occupy no more than 50% of the floor area of a business
2 complex.

3
4 (2) Any auxiliary use may not occupy more than 25,000 square feet of floor area.

5
6 (3) For an entertainment complex, including a multi-screen complex:

7
8 (i) the facility shall be located in a business complex of at least 100 acres that is
9 located within one mile of a freeway;

10
11 (ii) the facility shall abut an arterial or greater capacity road; and

12
13 (iii) not more than one facility may be constructed in the business complex.

14
15 **[[18-10-118.]] 18-10-117. Carnivals, circuses, and fairs, temporary.**

16
17 A temporary carnival, circus, or fair shall comply with all of the following
18 requirements.

19
20 (1) In residential districts:

21
22 (i) the use shall be located on a lot of at least one acre that is occupied by an existing
23 institutional use, such as a fire station, school, or religious facility;

24
25 (ii) the use may last no longer than 12 days per event and occur no more than twice
26 in a 365-day period at the same location; and

27
28 (iii) the lot shall be completely cleared within seven days after the closing of the
29 use.

30
31 (2) In commercial, **[[and]]** industrial, AND MIXED USE districts:

32
33 (i) the use shall be located on a lot of at least one acre; and

34
35 (ii) the principal vehicular access for the use shall be located on a collector or higher
36 classification road within one-half mile of a freeway or arterial road and may not draw
37 traffic through local roads in nearby residentially zoned areas.

38
39 **[[18-10-119.]] 18-10-118. Carwashes.**

40
41 A carwash shall comply with all of the following requirements.

42
43 (1) There shall be at least a 50-foot area that includes landscaped screening in
44 accordance with the County Landscape Manual between a carwash and the lot line of any
45 residentially zoned property.

46
47 (2) Vehicular access shall be from a minor arterial or higher classification road.

1 **[[18-10-120.]] 18-10-119. Commercial telecommunication facilities.**

2
3 A commercial telecommunication facility shall comply with all of the following
4 requirements.

5
6 (1) The developer of a facility permanently located on the ground shall:

7
8 (i) not less than two weeks and not more than 60 days before filing an application
9 for a building permit, give notice, by certified mail, return receipt requested, to all owners
10 of property located within 250 feet of the lot lines of the proposed facility as listed on the
11 tax rolls of the County; and

12
13 (ii) file with the application for a building permit a list of the names and addresses
14 of all property owners who were notified; a copy of the notice that was sent; copies of all
15 return receipts; copies of the envelopes of any notices that were returned as undelivered;
16 and an affidavit that notice was given as required.

17
18 (2) The developer of a facility shall provide a certification from a registered engineer
19 that the structure will meet the applicable design standards of Article 15 of this Code for
20 wind loads.

21
22 (3) The developer of a facility and each applicant for a zoning certificate of use shall
23 submit a certification from a consultant acceptable to the Planning and Zoning Officer that
24 the facility or the developer's use of the facility will not degrade or interfere with the
25 County's public safety communication systems.

26
27 (4) Within 30 days after the issuance of a zoning certificate of use for a commercial
28 telecommunications facility and by September 1 of each year thereafter, the holder of the
29 certificate shall submit a certification from an engineer acceptable to the Planning and
30 Zoning Officer of the radio frequency radiation actually measured from the facility, that
31 the measurements are accurate, and that the measurements meet the applicable Federal
32 Communications Commission standards and guidelines for those emissions. If at any time
33 the owner or user of the telecommunication facility cannot provide the certification
34 required by this subsection, the certificate of use may be revoked.

35
36 (5) A tower, antenna, or monopole shall be painted gray or a similar color that will
37 minimize its visibility. An accessory structure shall be screened and buffered in accordance
38 with the Landscape Manual so that it is not visible from abutting residential properties. A
39 facility to be constructed within sight of a property listed on the National Register of
40 Historic Places shall mitigate any adverse visual impact of the facility in the manner
41 determined by the Office of Planning and Zoning. Advertising on a facility is prohibited.

42
43 (6) A facility may co-locate on the rooftop of an existing nonresidential structure other
44 than a commercial telecommunication facility and on the rooftop of multifamily dwellings
45 with more than 10 units without meeting the setback requirements applicable to
46 commercial telecommunication facilities if the principal structure is at least 50 feet in
47 height above grade level and the facility does not extend above the existing roof height by
48 more than 15 feet.

1 (7) A facility attached to a transmission line pole or tower may not laterally project
2 more than 15 feet beyond the crossarms or other support extensions affixed to the pole or
3 tower and may not project above the top of the pole or tower by more than 15 feet if the
4 pole or tower will support one provider or 25 feet if the pole or tower will support more
5 than one provider. The pole or tower, including all projections, may not exceed 199 feet in
6 height. All accessory structures shall be underneath the transmission line within the drip
7 line of the outermost lines or be located from the edge of the transmission line right-of-
8 way by a distance equal to at least the minimum setback required for accessory structures
9 in the zoning district in which the facility is located.

10
11 (8) For a facility not attached to a transmission line pole or tower that is located within
12 100 feet of a transmission line right-of-way:

13
14 (i) the principal structure shall be located at least 500 feet from any offsite dwelling;

15
16 (ii) the facility may not exceed 199 feet in height;

17
18 (iii) the principal structure of a facility that is permanently located on the ground
19 shall be a monopole; and

20
21 (iv) accessory structures shall be located within 50 feet of the principal structure
22 and located 500 feet from any offsite dwelling.

23
24 (9) A private facility located on land owned by a governmental entity or a volunteer
25 fire company shall meet the requirements for a commercial telecommunication facility
26 contained in Title 11.

27
28 (10) A facility that ceases operation for a period of 12 consecutive months shall be
29 considered as terminated and shall be removed within 90 days of termination at the
30 property owner's expense.

31
32 (11) For a facility located in a commercial or industrial district, the facility shall also
33 comply with the following requirements:

34
35 (i) ~~[[each]]~~ A PRINCIPAL structure permanently located on the ground shall be
36 located by the greater of 200 feet or one foot for each foot of height from the boundary of
37 a residential district or from the lot line of a residentially occupied property, school, public
38 park, or platted community recreation area or open space;

39
40 (ii) accessory structures shall be screened from adjoining residentially zoned or
41 residentially developed property in accordance with the Landscape Manual; and

42
43 (iii) the height of a PRINCIPAL structure permanently located on the ground may not
44 exceed:

45
46 1. for one provider, 130 feet, or 160 feet for a private facility located on
47 government-owned land;

2. for two providers, 170 feet, or 200 feet for a private facility located on government-owned land;

3. for three providers, 210 feet, or 240 feet for a private facility located on government-owned land; and

4. for four or more providers, 250 feet.

(12) A facility may co-locate on another commercial telecommunication facility existing as of December 31, 2001, without meeting setback requirements that became effective after December 31, 2001. If the principal structure of a facility existed as of December 31, 2001, accessory structures are allowed within 50 feet of the principal structure without meeting applicable setback requirements that became effective after December 31, 2001.

[[18-10-121.]] 18-10-120. Composting facilities.

A composting facility shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least five acres. The active composting area of the facility shall be limited to an area of not more than 25% of the lot, not to exceed 10 acres.

(2) The facility shall be located 100 feet from the property line of the property, 300 feet from a dwelling not owned by the owner of the composting facility, 100 feet from a domestic well, and 100 feet from a stream, lake or other body of water, except for an impoundment for use in the composting process.

(3) All vehicular access to the site shall be from a collector road, an arterial road, or freeway.

(4) Space shall be adequate so that trucks using the facility are not stopped or parked on a road right-of-way.

(5) The active composting area of the facility shall be adequately enclosed, screened and buffered by a fence or natural buffer so as to protect adjoining uses from dust, odors or debris from the facility.

(6) The site shall be cleaned of litter and scattered refuse daily.

(7) Hours of operation shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday.

(8) A Tier 2 composting facility may not accept animal mortalities for composting, except for animal mortalities generated on the same lot during the normal course of operations.

(9) A Tier 2 composting facility may not accept industrially produced food processing materials, including chicken and seafood residuals.

(10) The facility shall comply with applicable Fire Prevention Code requirements as determined by the Fire Marshal.

18-10-121. CONTRACTOR, LIMITED.

OUTSIDE STORAGE OF VEHICLES AND EQUIPMENT IS LIMITED TO THE AMOUNT ALLOWED IN THE UNDERLYING ZONING DISTRICT AND OUTSIDE STORAGE OF MATERIALS IS NOT ALLOWED.

18-10-122. Country clubs, private clubs, and service [[and nonprofit charitable]] organizations with less than 125 onsite parking spaces.

A country club, a private club, or a service [[or nonprofit charitable]] organization that has less than 125 onsite parking spaces shall comply with all of the following requirements.

(1) Each structure shall be located at least 100 feet from all lot lines.

(2) Required onsite parking may not be located in a required setback.

(3) Structures and onsite parking may cover no more than 30% of the lot in RLD districts and no more than 60% of the lot in other residential districts in which the use is allowed.

(4) A facility located in an RA district shall be located on a road other than a scenic or historic rural road.

18-10-123. Country clubs, private clubs, and service [[and nonprofit charitable]] organizations with 125 or more onsite parking spaces.

A country club, a private club, or a service [[or nonprofit charitable]] organization that has 125 or more onsite parking spaces shall comply with all of the following requirements.

(1) Each structure shall be located at least 100 feet from all lot lines.

(2) Required onsite parking may not be located in a required setback.

(3) Structures and onsite parking may cover no more than 30% of the lot in RLD districts and no more than 60% of the lot in other residential districts in which the use is allowed.

18-10-124. CREMATORY.

A CREMATORY MAY NOT BE LOCATED WITHIN 500 FEET OF AN ASSISTED LIVING FACILITY, CHILD CARE CENTER, SCHOOL, OR RESIDENTIALLY ZONED OR OCCUPIED PROPERTY.

[[18-10-124.]] 18-10-125. Data storage centers in the BWI/Fort Meade Growth Area.

Data storage centers in the BWI/Fort Meade Growth Area shall comply with all of the following requirements.

(1) The facility shall be located on a lot or contiguous lots that total at least 25 acres.

(2) The facility shall comply with all applicable bulk regulations for the zoning district in which the facility is located, except that the bulk regulations contained in the following chart shall be met:

Minimum Setbacks for Principal Structures:	
Front lot line	50 feet
Side lot line	30 feet
Rear lot line	30 feet
Freeway	100 feet
Divided principal arterial road	60 feet
Any other public road or right-of-way	50 feet

(3) A variance may not be granted that reduces the minimum setback requirements specified in subsection (2).

(4) The lot or contiguous lots on which the data center is located may not include residential dwelling units.

(5) Outside storage is permitted as an accessory use, provided no more than 15% of the total allowed lot coverage is used for outside storage.

(6) The lot or contiguous lots comprising the facility shall be located in the BWI/Fort Meade Growth Area, as shown on the official map adopted by the County Council entitled “BWI/Fort Meade Growth Area, [[2016]] 2025”.

[[18-10-125.]] 18-10-126. Dwelling units, accessory.

An accessory dwelling unit shall comply with all of the following requirements.

(1) No more than one accessory dwelling unit per lot is allowed.

(2) An accessory dwelling unit may [[not]] be a mobile home or a manufactured home, as defined in § 11-9-101 of this Code, IF IT MEETS WITH THE CONDITIONS IN § 18-10-149.

(3) An accessory dwelling unit shall be located:

(i) in a separate dwelling unit in a principal single-family detached dwelling, or connected by a breezeway, open or enclosed, to a principal single-family detached dwelling;

(ii) in an attached or detached garage; or

(iii) in a detached structure.

(4) An accessory dwelling unit located in a detached structure may not exceed the lesser of 800 square feet OF FLOOR AREA or 50% of the floor area of the principal single-family detached dwelling. ALL OTHER ACCESSORY DWELLING UNITS MAY NOT EXCEED 75% OF

1 THE FLOOR AREA OF THE PRINCIPAL DWELLING. An accessory dwelling unit, or the
2 conversion of all or part of an existing structure into an accessory dwelling unit, shall be
3 constructed pursuant to any permits required by this Code.

4
5 (5) An accessory dwelling unit shall have a separate entrance.

6
7 (6) An accessory dwelling unit shall use the same street address as the principal single-
8 family detached dwelling and shall be designated as “Unit **[[B]] A**”.

9
10 (7) The principal single-family detached dwelling or accessory dwelling unit may be
11 used for short-term residential rentals, as defined in Article 11 of this Code, if the principal
12 single-family detached dwelling or accessory dwelling unit is owner-occupied.

13
14 (8) An accessory dwelling unit in use and in compliance with the provisions of this
15 section prior to May 27, 2023 is not subject to subsections (4), (5), (6), or (7), unless the
16 accessory dwelling unit is altered or expanded after May 27, 2023.

17
18 (9) (i) Except as provided in subparagraph (ii), a variance may not be granted to reduce
19 the minimum setback requirements to an adjacent lot located in a residential district.

20
21 (ii) A variance to reduce the minimum setback requirements to an adjacent lot
22 located in a residential district may be granted if the variance is for a structure that was in
23 existence before May 27, 2023 and the structure is being converted to an accessory
24 dwelling unit.

25
26 **[[18-10-126.]] 18-10-127. Dwelling units, adult independent.**

27
28 Adult independent dwelling units in a commercial district shall comply with all of the
29 following requirements~~[[:]]~~.

30
31 (1) The facility shall be located on a lot of at least one acre.

32
33 (2) Except for the structures and uses listed in ~~[[§ 18-2-301(e)]]~~ § 18-2-301(D) and
34 stormwater management facilities, structures shall be located at least 50 feet from the
35 boundary line of the development site.

36
37 (3) Parking areas shall be located at least 15 feet from any residentially zoned property.

38
39 (4) Each access drive shall be located at least 40 feet from any residentially zoned
40 property.

41
42 (5) The maximum density shall be 22 dwelling units per acre.

43
44 (6) Group facility and service uses, if provided, shall be centrally located for the
45 exclusive use and benefit of the residents and their guests in structures that are
46 architecturally compatible with the residential portion of the development.

47
48 (7) A pedestrian circulation system interconnecting all parts of the community with
49 sidewalks and walkways shall be provided.

[[18-10-127.]] 18-10-128. Dwellings, duplexes, triplexes, fourplexes, and multiplexes.

(1) Density.

(i) Except as provided in paragraph (ii), triplex, fourplex, and multiplex dwelling density may not exceed 12 units per acre in a C1 district, 22 units per acre in a C2 district, or 15 units per acre in a C3 district.

(ii) Except as provided in paragraph (iii), for redevelopment under Title 7 of Article 17 of this Code in a critical economic, critical corridor, **[[transit oriented]]** TRANSIT-ORIENTED development policy area, a mixed use overlay policy area, or a corridor revitalization and redevelopment overlay policy area, as defined in the County's General Development Plan, triplex, fourplex, and multiplex density may not exceed 22 units per acre in a C1, C2, or C3 district.

(iii) Paragraph (ii) **[[shall]]** MAY not apply to properties located in:

1. a critical corridor policy area if a portion of the critical policy area is designated as mixed use planned land use and the area is recommended for a sector plan or study in a region plan adopted between May 4, 2024 and December 31, 2024;

2. region planning areas 8 and 9 of the County's Plan 2040 General Development Plan; and

3. a critical corridor policy area that, as of January 1, 2025, is located in region planning area number 5 of the County's Plan 2040 General Development Plan and **[[councilmanic district number]]** COUNCILMANIC DISTRICT 7.

(2) Utilities. The development shall be served by public water and sewer.

(3) Distances between structures. Minimum distances between structures located on the same lot (closest projecting edge) are contained in the following chart.

Side facade to side facade	14 feet
Rear facade to rear or front facade	20 feet
Rear facade to side facade	15 feet
Front facade to side facade	20 feet

[[18-10-128.]] 18-10-129. **[[Dwelling unit]] DWELLINGS, marina caretaker's residence.**

When a marina caretaker's residence dwelling **[[unit]]** is located on a property with a **[[single family]]** SINGLE-FAMILY dwelling, the square footage of the marina caretaker's residence dwelling **[[unit]]** shall be no more than 800 square feet of floor area.

[[18-10-129.]] 18-10-130. Dwellings, multifamily.

(1) Commercial districts. Multifamily dwellings in a commercial district shall comply with all of the following requirements.

(i) Except as provided in paragraphs (iii) and (iv), density may not exceed:

District	Dwelling Units per Acre
C1	12
C2	22
C3	15
C4	15

(ii) Except as provided in paragraph (iii), the development shall include commercial uses that equal:

District	Floor Area Devoted to Commercial Use
C1	25%
C2	50%
C3	50%
C4	50%

(iii) 1. Except as provided in paragraph 3., for redevelopment under Title 7 of Article 17 of this Code in a critical economic, critical corridor, **[[transit oriented]]** TRANSIT-ORIENTED development policy area, a mixed use overlay policy area, or a corridor revitalization and redevelopment overlay policy area, as defined in the County's General Development Plan, density may not exceed 22 units per acre in a C1, C2 or C3 district.

2. Except as provided in paragraph 3., for redevelopment under Title 7 of Article 17 of this Code in a critical economic, critical corridor, or **[[transit oriented]]** TRANSIT-ORIENTED development policy area, a mixed use overlay policy area, or a corridor revitalization and redevelopment overlay policy area, as defined in the County's General Development Plan, no commercial use is required in a C1, C2, or C3 commercial district.

3. Subparagraphs 1. and 2. **[[shall]]** MAY not apply to properties located in:

a. a critical corridor policy area if a portion of the critical policy area is designated as mixed use planned land use and the area is recommended for a sector plan or study in a region plan adopted between May 4, 2024, and December 31, 2024;

b. region planning areas 8 and 9 of the County's Plan 2040 General Development Plan; and

c. a critical corridor policy area that, as of January 1, 2025, is located in region planning area number 5 of the County's Plan 2040 General Development Plan and **[[councilmanic district number]]** COUNCILMANIC DISTRICT 7.

(iv) In a C3 district, on a site located in the BWI/Fort Meade Growth Area, as shown on the official map adopted by the County Council, entitled "BWI/Fort Meade Growth Area, **[[2016]]** 2025", the commercial uses required under paragraph (ii) may be replaced with multifamily dwellings with density of up to 44 dwelling units per acre for the site.

(v) If commercial uses are included within a multifamily dwelling, the dwelling units shall have entrances that are separate from the entrances to the commercial uses.

1 (vi) The bulk regulations contained in the following chart shall be met.

2

Maximum coverage by structures	In accordance with the requirements of the district in which the development is located
Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	15 feet
Corner side lot lines	20 feet
Rear lot line	20 feet
All lot lines	60 feet from right-of-way line of a divided principal arterial road
Minimum distance between multifamily structures located on the same lot (closest projecting edge):	
Facades with windows	30 feet
Facades that are windowless	15 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	15 feet
Maximum height limitations:	
Principal structures	72 feet
Accessory structures	20 feet or the height of the principal structure, whichever is less
Maximum length of a single elevation unless special architectural, landscaping, or topographic treatment, such as a change of material, texture, depression, berm, or other similar change, is used	250 feet

3

4 (2) **Residential districts.** Multifamily dwellings in R1, R2, and R5 districts shall
5 comply with the following requirements:

6

7 (i) multifamily dwelling units shall be adult independent dwelling units;

8

9 (ii) the development shall be served by public water and sewer; and

10

11 (iii) the bulk regulations contained in the following chart shall be met.

Maximum coverage by structures and parking	In accordance with the requirements of the district in which the development is located
Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	15 feet
Corner side lot lines	20 feet
Rear lot line	30 feet
Minimum distance between multifamily structures located on the same lot (closest projecting edge):	
Facades with windows	30 feet
Facades that are windowless	15 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	15 feet
Maximum height limitations:	
Principal structures	45 feet
Accessory structures	20 feet or the height of the principal structure, whichever is less
Maximum length of a single elevation	200 feet
Maximum density	In accordance with the requirements of the district in which the development is located

[[18-10-130.]] 18-10-131. Dwellings, townhouses and stacked townhouses.

Townhouses and stacked townhouses shall comply with all of the following requirements.

(1) The bulk regulations contained in the following chart shall be met:

Location of a townhouse structure from a residential lot line located in a less intensive zoning district	60 feet except that the setback may be 40 feet if the adjoining lot is an open space lot or open area lot created under § 17-6-111 of this Code
Minimum setbacks for a townhouse structure:	
Front lot line:	5 feet, but if parking is located in the front yard, 18 feet
Side lot line for end units	5 feet
Rear lot line	10 feet

Distance between townhouse structures:	
Front to front between structure facades	40 feet
Back to back between structure facades	40 feet
Adjacent end units	15 feet
Maximum units per townhouse structure	16 units if back-to-back; otherwise, 8 units
Minimum width of individual unit	16 feet
Maximum density – not in a redevelopment project under Article 17, Title 7, Subtitle 12	Density may not exceed 12 units per acre in a C1 district, 22 units per acre in a C2 district, or 15 units per acre in a C3 or C4 district; for all other districts, in accordance with the requirements of the district in which the development is located
Maximum density – in a redevelopment project under Article 17, Title 7, Subtitle 12 except as provided in subsection (2)	22 units per acre in C1, C2, C3 and C4 districts for all other districts in accordance with the requirements of the district in which the development is located
MINIMUM SETBACKS FOR ACCESSORY STRUCTURES, SIDE AND REAR LOT LINES	3 FEET
MAXIMUM HEIGHT LIMITATIONS FOR ACCESSORY STRUCTURES	20 FEET, OR THE HEIGHT OF THE PRINCIPAL STRUCTURE, WHICHEVER IS LESS
Public water and sewer	Required

(2) Increased density for a redevelopment project as provided in the chart in subsection (1) ~~[[shall]]~~ MAY not apply to properties located in:

(i) a critical corridor policy area if a portion of the critical policy area is designated as mixed use planned land use and the area is recommended for a sector plan or study in a region plan adopted between May 4, 2024, and December 31, 2024;

(ii) region planning areas 8 and 9 of the County's Plan 2040 General Development Plan; and

(iii) a critical corridor policy area that, as of January 1, 2025, is located in region planning area number 5 of the County's Plan 2040 General Development Plan and ~~[[councilmanic district number]]~~ COUNCILMANIC DISTRICT 7.

(3) The front facade of an individual unit shall be staggered from the front facade of an adjoining unit by at least two feet in order to create a variation in the front facades, or the developer shall submit a plan showing variations or architectural features to provide a variety of facades, features, and relief acceptable to the Planning and Zoning Officer.

(4) Pedestrian connections, such as walking paths, sidewalks, and hiker-biker trails, shall be provided to connect townhouses, multifamily dwelling buildings, and open areas within the development.

(5) In an R1 or R2 district, townhouses shall be adult independent dwelling units.

(6) In addition to the requirements of subsections (1), (2), (3), ~~[[and]]~~ (4), AND (5), the following is required for developments located in an R1, R2, and R5 district:

Minimum site area	1 acre
Maximum coverage by structures	75% of the gross area of the site; coverage [[shall]] MAY not be based on each individual townhome lot
Minimum setbacks for townhouse structures from the boundary line of the development site	75 feet except that the setback may be 30 feet if the adjoining lot is an open space lot or an open area lot created under § 17-6-111 of this Code or is zoned OS or located in either the same or a more intensive residential zone or in a nonresidential zone
Maximum height limitations:	
Principal structures	50 feet
Accessory structures	20 feet, or the height of the principal structure, whichever is less

(7) In addition to the requirements of subsections (1), (2), ~~[[and]]~~ (3), AND (4), the following is required for developments located in an R10, R15, and R22 district:

Maximum coverage by structures	75% of the gross area of the site; coverage [[shall]] MAY not be based on each individual townhome lot
Maximum height limitations:	
Principal structures	60 feet
Accessory structures	20 feet, or the height of the principal structure, whichever is less

~~[[18-10-131.]]~~ 18-10-132. Electric vehicle towing and storage facilities.

Electric vehicle towing and storage facilities shall comply with the following requirements:

(1) ~~[[The]]~~ THE facility shall provide for the towing and storage of only electric vehicles; and

(2) ~~[[Side]]~~ SIDE yard setbacks shall be increased by five ~~[[5]]~~ feet if the adjacent property is residentially-zoned.

~~[[18-10-132.]]~~ 18-10-133. Farm alcohol production facility.

A farm alcohol production facility shall comply with the following requirements.

1 (1) The facility shall be located on a farm of at least 10 acres and shall be operated by
2 the farm owner or farm manager.

3
4 (2) The farm upon which the facility is located shall produce at least one acre of grain,
5 hops, fruit, or other ingredient, excluding water that is utilized to produce alcohol. For a
6 facility that produces mead, at least one acre of land on the farm upon which the facility is
7 located shall be used to nourish a colony of bees.

8
9 (3) Except as provided in paragraph (i) or (ii), the minimum setback from any lot line
10 for any building or storage facility used in connection with farm alcohol production shall
11 be 100 feet.

12
13 (i) For existing structures used in connection with alcohol manufacturing or
14 tastings, the setback may be reduced to 50 feet if the Planning and Zoning Officer finds
15 that the reduced setback is compatible with surrounding uses; or

16
17 (ii) For a farm bounded by a road, the minimum setback from the lot line to a new
18 structure adjacent to the road may be reduced to 50 feet if the Planning and Zoning Officer
19 finds that the reduced setback is compatible with surrounding uses.

20
21 (4) The floor area for tastings, sale of alcohol produced on-site or accessory non-
22 alcoholic beverage or food sales may not exceed the floor area being used for production
23 and storage of alcohol.

24
25 (5) The facility shall front upon a public road, and public access to and from the facility,
26 including the tasting room, food sales, and promotional events, shall be directly on the
27 public road. No point of vehicular access may be closer than 40 feet to the lot line of a
28 residentially zoned property that is not part of the farm alcohol production facility. The
29 Planning and Zoning Officer may approve access through a private road where no direct
30 access onto a public road is feasible with conditions as follows:

31
32 (i) **[[Maintenance]]** MAINTENANCE of the private road shall be subject to a shared
33 maintenance agreement, with proportional maintenance responsibilities assumed by the
34 owner of the farm alcohol production facility; and

35
36 (ii) **[[If]]** IF there is more than one property owner who has a right to use the private
37 road, the owner of the farm alcohol production facility shall provide affidavits of support
38 from each owner. The affidavits shall be approved as to form by the Planning and Zoning
39 Officer prior to signature.

40
41 (6) A facility located on a scenic and historic road shall comply with the provisions of
42 § 17-6-504 of this Code and mitigate any adverse visual impact to abutting property not
43 owned by the farm operator.

44
45 (7) Parking areas shall be clearly marked through physical means such as timbers,
46 fences, or stakes, and shall be arranged to avoid traffic congestion on public roads. No
47 parking shall be allowed on public or private rights-of-way.

1 **[[18-10-133.]] 18-10-134. Farm dual uses.**

2
3 Farm dual uses shall comply with the following requirements.

4
5 (1) The lot or parcel shall be located in an RA or RLD zoning district with an
6 agricultural use assessment from the State Department of Assessments and Taxation and
7 an approved soil conservation and water quality plan from the Soil Conservation District.

8
9 (2) The lot or parcel shall be actively farmed, as confirmed by the Soil Conservation
10 District.

11
12 (3) The lot or parcel shall be a minimum of 20 acres.

13
14 (4) The owner or operator of the commercial use shall be the owner of the lot or parcel.

15
16 (5) The commercial use shall have no more than five employees that are not a spouse,
17 child, grandchild, parent, sibling, or grandparent of the owner of the lot or parcel.

18
19 (6) The commercial use, including any storage area for equipment utilized by the
20 commercial use, shall be: no more than 20,000 square feet in area; set back at least 100 feet
21 from lot boundaries; and screened with a solid fence that is at least six feet tall or a planted
22 buffer at least 15 feet wide that the Office of Planning and Zoning determines is sufficient
23 to provide screening along any adjacent lots and public road right-of-way.

24
25 (7) No new structures shall be built or utilized as part of the commercial use.

26
27 (8) Only gravel or pervious material shall be used for parking or outdoor storage areas
28 for the commercial use.

29
30 (9) Farming shall remain the principal use of the lot or parcel.

31
32 **[[18-10-134.]] 18-10-135. Farm or agricultural heritage site special event, 9 to 15 annual**
33 **events.**

34
35 A farm or agricultural heritage site special event, 9 to 15 annual events, shall comply
36 with the following requirements.

37
38 (1) The minimum lot size for a farm is 10 acres.

39
40 (2) The minimum lot size for an agricultural heritage site is five acres.

41
42 (3) Onsite circulation and parking areas shall be designed to minimize vehicular and
43 pedestrian conflicts.

44
45 (4) Any outdoor assembly areas shall be located and designed to shield surrounding
46 residential properties from the effects of noise, hazards, or other offensive conditions and
47 shall be screened from adjacent residential properties.

1 (5) Maximum capacity for a special event on a farm, or for an agricultural heritage site
2 with a lot size over 10 acres, may not exceed 200 attendees. Maximum capacity for a
3 special event on an agricultural heritage site with a lot size between 5 and 10 acres may not
4 exceed 50 attendees.

5
6 (6) No more than 15 farm or agricultural heritage site special events may be held on
7 the same property within a 12-month period.

8
9 (7) Operation hours shall be restricted to between 9:00 a.m. and 10:00 p.m., Sunday
10 through Thursday; and between 9:00 a.m. and 11:00 p.m., Friday and Saturday.

11
12 (8) Each farm or agricultural heritage site special event shall be no longer than one day.

13
14 (9) Special event activities shall occur outdoors, unless the use of any structures or tents
15 is in accordance with the Building Code.

16
17 (10) A farm or agricultural heritage site special event shall be accessory and not the
18 principal use on the farm or agricultural heritage site.

19
20 (11) The owner has owned the property for the immediately preceding two years and
21 has been engaged in active farming for the immediately preceding two years.

22
23 (12) For property in the critical area, provisions of this Code relating to lot coverage
24 and limits on clearing apply, and include access, parking regardless of surface, temporary
25 structures, temporary tents, and temporary pavement surfaces.

26
27 (13) For property in the critical area, no new lot coverage, including for access or
28 parking, may be added in the buffer to accommodate the event.

29
30 **[[18-10-135.]] 18-10-136. Farm or agricultural heritage site stay.**

31
32 A farm or agricultural heritage site stay shall comply with the following requirements.

33
34 (1) The farm or agricultural heritage site shall be on a lot of at least 10 acres.

35
36 (2) The owner or manager of the farm or agricultural heritage site shall reside on the
37 property and shall be present during the farm or agricultural heritage site stay.

38
39 (3) For farms or agricultural heritage sites less than 50 acres, a maximum of three
40 groups or 12 guests, whichever is less, may stay at one time. For farms or agricultural
41 heritage sites 50 acres or more, no more than five groups or 20 guests, whichever is less,
42 may stay at one time. Guests may stay no more than 14 consecutive days.

43
44 (4) The owner shall maintain a reservation log of the arrival and departure dates of all
45 guests for inspection by the Office of Planning and Zoning.

46
47 (5) A farm or agricultural heritage site stay shall be accessory and not the principal use
48 on the farm or agricultural heritage site.

(6) A farm or agricultural heritage site stay shall include agricultural promotion and guest education about the farm operation or the agricultural heritage site, and shall be subordinate to and in conjunction with agriculture or agricultural heritage and historic preservation goals.

(7) Any building or other improvements or additions made in connection with a farm or agricultural heritage site stay shall be located and designed to shield surrounding residential properties from the effects of noise, hazards, or other offensive conditions.

(8) The minimum setback from any lot line for any building or other improvements or additions used in connection with a farm or agricultural heritage stay shall be 100 feet.

(9) The owner has owned the property for the immediately preceding two years and has been engaged in active farming for the immediately preceding two years.

(10) For property in the critical area, provisions of this Code relating to lot coverage and limits on clearing apply, and include access, parking regardless of surface, temporary structures, temporary tents, and temporary pavement surfaces.

(11) For property in the critical area, no new lot coverage, including for access or parking, may be added in the buffer to accommodate the event.

[[18-10-136.]] 18-10-137. Farm tenant [[houses]] HOUSE DWELLINGS.

A farm tenant house DWELLINGS shall comply with all of the following requirements.

(1) The house shall be located on a farm of at least 20 acres.

(2) The house shall be occupied by at least one person involved in [[a]] THE ONSITE farming operation [[of the property owner]].

(3) There may be no more than one tenant house for each 50 acres of farming operation.

18-10-138. FOOD BANKS.

A FOOD BANK SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS.

(1) VEHICULAR ACCESS SHALL BE FROM A MINOR ARTERIAL OR HIGHER CLASSIFICATION ROAD, OR IF VEHICULAR ACCESS IS FROM A LOCAL ROAD, THE FOOD BANK SHALL BE LOCATED WITHIN 1,000 FEET OF A MINOR ARTERIAL OR HIGHER CLASSIFICATION ROAD.

(2) COVERAGE BY STRUCTURES SHALL BE LIMITED TO 30% OF GROSS SITE AREA.

(3) THE FACILITY MAY INCLUDE ACCESSORY STRUCTURES AND USES INCLUDING GREENHOUSES AND RETAIL SPACE.

(4) THE FACILITY SHALL BE LOCATED ON A LOT OF AT LEAST 3 ACRES.

18-10-139. FOOD TRUCKS.

A FOOD TRUCK SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS.

1 (1) FOOD TRUCK OPERATIONS ARE LIMITED TO NO MORE THAN THREE DAYS PER
2 CALENDAR WEEK.

3
4 (2) HOURS OF OPERATION ARE LIMITED TO 7 A.M. TO 8 P.M.

5
6 (3) IN RESIDENTIAL DISTRICTS, FOOD TRUCKS SHALL BE LOCATED ON LAND THAT IS
7 OWNED BY A HOMEOWNER'S ASSOCIATION, RELIGIOUS FACILITY, OR SCHOOL.

8
9 (4) IN MIXED USE DISTRICTS, FOOD TRUCKS MAY NOT OPERATE WITHIN 100 FEET OF
10 LAND DEVELOPED WITH RESIDENTIAL USES AS LISTED IN § 18-8-301(B).

11
12 (5) IN OPEN SPACE DISTRICTS, FOOD TRUCKS SHALL BE ACCESSORY TO AN ACTIVE
13 RECREATIONAL USE.

14
15 **[[18-10-137.]] 18-10-140. Funeral establishments ON A LOCAL ROAD.**

16
17 A funeral establishment shall comply with the following requirements[[:]].

18
19 (1) The facility shall be located on a lot of [[a]] AT least 20,000 square feet.

20
21 (2) [[The facility]] EACH STRUCTURE shall be located at least 25 feet from the lot line
22 of a residentially zoned or occupied property.

23
24 **[[18-10-138.]] 18-10-141. Garden centers.**

25
26 A garden center shall comply with all of the following requirements.

27
28 (1) The facility shall be located on a lot that is at least two acres but not more than five
29 acres.

30
31 (2) The facility shall be located on an arterial road.

32
33 (3) Accessory uses include the raising or the keeping of chickens, in accordance with
34 the requirements of [[§ 18-4-104 of this Code]] § 18-4-103, the raising or the keeping of
35 bees, and the sale of eggs, honey, and other products relating to chickens and bees.

36
37 **[[18-10-139.]] 18-10-142. Golf course facilities, private.**

38
39 A private golf course facility shall comply with all of the following requirements.

40
41 (1) Use of the facility shall be restricted to owners, members, and their guests.

42
43 (2) The facility may include guest rooms, dining areas, a pro shop, locker rooms, and
44 fitness facilities.

45
46 (3) No more than 12 guest rooms are allowed on the facility.

47
48 (4) Not more than one caretaker's dwelling is allowed as an accessory structure within
49 the facility.

(5) Sufficient overflow area to accommodate two additional parking spaces for each hole shall be provided but need not be paved.

[[18-10-140.]] 18-10-143. Government reuse facilities.

The requirements for a government reuse facility are located in Title 12.

[[18-10-141. Group homes II.

To help ensure that persons with disabilities live and interact with individuals without disabilities to the fullest extent possible, the owner of a group home II may not own two facilities that adjoin each other and, if a proposed adjoining facility is owned by a business entity, the owner, the owner's family, and the owner's business associates may not have any interest, financial or otherwise, in the business entity.]]

[[18-10-142.]] 18-10-144. Gunsmiths and ammunition sales facilities.

Gunsmiths and ammunition sales facilities shall comply with the following requirements[[:]].

(1) The facility shall be affiliated through ownership, control, or contract, with an indoor or outdoor rifle, pistol, skeet, or archery range.

(2) A gunsmith engaged in the business of repairing firearms or making or fitting special barrels, stocks, or trigger mechanisms to firearms, with or without firearm sales, shall obtain all required licenses and permits required by law.

[[18-10-143.]] 18-10-145. Home occupations.

A home occupation shall comply with all of the following requirements.

(1) EXCEPT FOR A PET CARE BUSINESS THAT COMPLIES WITH SUBSECTION (3)(XVI),
[[A]] A home occupation shall be located and conducted entirely in a principal dwelling unit and shall be incidental and secondary to the use of the structure as a dwelling.

(2) A home occupation may not change the character of the dwelling unit and may not exceed 25% of the total floor area.

(3) Home occupations are limited to the following:

(i) art, handcraft, woodworking, or ceramics studios for the sale of products made on the premises;

(ii) florist or nursery operations for flowers and plants;

(iii) hair, cosmetic facial hair, and nail salons;

(iv) jewelry, watch, or clock repair;

- 1 (v) seamstress or tailoring establishments;
- 2
- 3 (vi) photography studios;
- 4
- 5 (vii) professional or general offices;
- 6
- 7 (viii) scissor, KNIFE, or saw sharpening operations;
- 8
- 9 (ix) massage practice in which only one State-licensed massage therapist or
- 10 practitioner practices massage in the dwelling unit as a sole practitioner and receives no
- 11 compensation from any establishment or individual other than the recipient of the massage;
- 12
- 13 (x) repair and maintenance of firearms, including handguns, rifles, shotguns, and
- 14 antique firearms, as those terms are defined in § 4-201 OF the Criminal Law Article[[, § 4-
- 15 201,]] of the State Code;
- 16
- 17 (xi) typing and computer services;
- 18
- 19 (xii) direct sale product distribution[[, such as Amway, Tupperware, and Avon]];
- 20
- 21 (xiii) tutoring and instruction for no more than six students;
- 22
- 23 (xiv) child care for a maximum of 12 children in accordance with the requirements
- 24 of the State Child Care Administration;
- 25
- 26 (xv) taxidermy, excluding butchering, rendering, or tanning;
- 27
- 28 (xvi) pet care business, on a lot of 6,000 square feet or greater, provided the total
- 29 number of dogs and cats at the residence at any time does not exceed the number of dogs
- 30 and cats permitted to be kept on the property under [[§ 18-4-104(a) of this Code]] § 18-4-
- 31 103(B), the homeowner does not board animals in outside kennels, dogs are kept in a fenced
- 32 area with a secure locking gate when outdoors, and the use is not noxious or offensive to
- 33 surrounding uses; [[and]]
- 34
- 35 (xvii) cottage food business[[.]];
- 36
- 37 (xviii) pet grooming provided the total number of dogs or cats permitted on the
- 38 premises for purposes of grooming services does not exceed 2 at any time unless the dogs
- 39 or cats are under common ownership, and dogs are kept in a fenced area with secure locking
- 40 gate when outdoors[[.]];
- 41
- 42 (xix) animal rescue, provided that the total number of dogs, cats, livestock or fowl
- 43 on the property at any time does not exceed the number permitted to be kept on the property
- 44 under [[§ 18-4-104]] § 18-4-103; the homeowner does not board animals in outside kennels;
- 45 animals are kept in a fenced area with a secure locking gate when outdoors; [[and]] the use
- 46 is not noxious or offensive to surrounding uses; AND THE ANIMALS SHALL BE SPAYED OR
- 47 NEUTERED PRIOR TO ADOPTION IN ACCORDANCE WITH § 18-10-106(2);
- 48
- 49 (XX) LOCKSMITHS;

1 (XXI) PERSONAL FITNESS STUDIOS FOR NO MORE THAN SIX STUDENTS;

2
3 (XXII) TANNING SALONS; AND

4
5 (XXIII) TRAVEL AGENCIES.

6
7 (4) The operator of a home occupation shall be a resident of the dwelling unit in which
8 the occupation is located.

9
10 (5) No more than one nonresident may be employed in the home occupation.

11
12 (6) [[The sale or rental of goods or products other than those produced on the premises
13 by the home occupation is prohibited.

14
15 (7)]] Outside storage is prohibited.

16
17 **[[18-10-144.]] 18-10-146. Housing for the elderly of moderate means.**

18
19 Housing for the elderly of moderate means shall consist of rental dwelling units only
20 and shall comply with all of the following requirements.

21
22 (1) The property shall be encumbered by a recorded covenant enforceable by the
23 County or its designee, that:

24
25 (i) requires the units to be occupied by:

26
27 1. individuals who are 62 years of age or older, except that a live-in caregiver
28 who is less than 62 years of age is allowed for a resident with a disability that meets the
29 definition of a disability under 42 U.S.C. § 12102; or

30
31 2. for a development funded in whole or in part with government funds
32 contingent on adherence to the definition of “elderly family” in 24 C.F.R. 5.403, a family
33 whose head (including co-head), spouse, or sole member is a person who is at least 62
34 years of age or older;

35
36 (ii) requires that at least 60% of the units be occupied by individuals with an income
37 that does not exceed 60% of the median income adjusted for household size for the
38 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
39 United States Department of Housing and Urban Development; and

40
41 (iii) requires that the remaining units be occupied by individuals with an income
42 that does not exceed 80% of the median income adjusted for household size for the
43 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
44 United States Department of Housing and Urban Development.

45
46 (2) The project shall be located on a lot that abuts a collector or higher classification
47 road, with vehicular traffic access from that road.

48
49 (3) Maximum density shall be 22 dwelling units per acre, not to exceed 60 dwelling
50 units in R2 zoning districts or 120 dwelling units in R5 zoning districts.

(4) The floor area of each dwelling unit shall be limited to 1,000 square feet.

(5) (i) Except as provided in subparagraph (ii) maximum coverage by structures and parking may not exceed 65% of the gross area of the lot.

(ii) In R15, R22, and commercial zoning districts, maximum coverage by structures and parking may not exceed 80% of the gross area of the lot.

(6) In R2 and R5 zoning districts, the site shall be located in a priority funding area.

(7) The following bulk regulations apply:

Minimum setbacks for principal structures:	
Front lot line	30 feet
Side lot line	25 feet
Corner side lot line	30 feet
Rear lot line	30 feet
Minimum setbacks for accessory structures:	
Side and rear lot lines	10 feet
Corner side lot line	15 feet
Maximum height limitations:	
Principal structures	55 feet
Accessory structures	20 feet
Public water and sewer	Required

(8) The developer shall establish the allowable maximum rental rates for the rental units and Anne Arundel County or its designee shall confirm that the amount of the rental rates is appropriate.

[[18-10-145.]] 18-10-147. Kennels, commercial.

A commercial kennel shall comply with all the following requirements.

(1) All structures, enclosed coops, and enclosed runs for the housing or shelter of animals in a commercial kennel shall be located at least 100 feet from residentially zoned property, and animals may not be housed within the 100-foot setback.

(2) A commercial kennel located in a structure that contains uses other than a commercial kennel shall incorporate sound attenuation construction designed to minimize the impact of noise from the commercial kennel on the other uses in the structures.

(3) A commercial kennel **[[shall]]** MAY not unreasonably interfere with other tenants located within the same structure as the commercial kennel and the use may not be noxious, offensive, or otherwise objectionable to surrounding uses.

[[18-10-146.]] 18-10-148. Licensed dispensaries, growers and processors of cannabis.

(a) **Dispensary.** A licensed dispensary of cannabis, as defined in State law and regulations, shall comply with all of the following requirements.

1 (1) Except for facilities located in industrial zoning districts, vehicular access shall
2 be from an arterial road or from a local or higher classification road that directly accesses
3 an arterial road.

4
5 (2) “No loitering” signs shall be conspicuously posted in all parking areas.

6
7 (3) Displays and depictions of cannabis may not be visible to the general public.

8
9 (4) The facility may not have an on-site physician for the purpose of issuing written
10 certifications for medical cannabis.

11
12 (5) A licensed dispensary of cannabis may be located in a licensed dispensary of
13 medical cannabis operating on or before January 1, 2023.

14
15 (6) THE DISTANCE REQUIREMENTS IN § 36-410(B) OF THE ALCOHOLIC BEVERAGES
16 AND CANNABIS ARTICLE OF THE STATE CODE SHALL BE MET.

17
18 (b) **Grower.** A licensed grower of cannabis, as defined in State law and regulations,
19 shall comply with all of the following requirements.

20
21 (1) ~~[[The facility]]~~ EACH STRUCTURE may not be located within 750 feet of the lot
22 line of a public or private school; the lot line of real property owned by the Board of
23 Education; or, except in an RA district, residentially zoned property.

24
25 (2) In an RA zoning district, the facility shall be located on a lot or parcel of at least
26 10 acres.

27
28 (3) Other than any security lighting required by State law or regulations, no visible
29 light shall emanate from the facility from dusk to dawn.

30
31 (c) **Processor.** A licensed processor of cannabis, as defined in State law and
32 regulations, shall comply with all of the following requirements.

33
34 (1) ~~[[The facility]]~~ EACH STRUCTURE may not be located within 750 feet of the lot
35 line of a public or private school; the lot line of real property owned by the Board of
36 Education; or, except in an RA district, residentially zoned property.

37
38 (2) Processing of cannabis shall be an accessory use to a licensed grower of
39 cannabis.

40
41 (3) Other than any security lighting required by State law or regulations, no visible
42 light shall emanate from the facility from dusk to dawn.

43
44 **18-10-149. MOBILE HOME OUTSIDE OF A MOBILE HOME PARK.**

45
46 A MOBILE HOME OUTSIDE OF A MOBILE HOME PARK SHALL COMPLY WITH THE
47 FOLLOWING REQUIREMENTS.

48
49 (1) A MOBILE HOME SHALL BE CONVERTED TO REAL PROPERTY IN ACCORDANCE WITH
50 § 8B-201, ET SEQ. OF THE REAL PROPERTY ARTICLE OF THE STATE CODE, WHICH REQUIRES:

1 (I) THE MOBILE HOME SHALL BE ATTACHED TO A PERMANENT FOUNDATION AND
2 CONNECTED TO UTILITIES, INCLUDING WATER, GAS, ELECTRICITY, OR SEWER OR SEPTIC
3 SERVICE;

4
5 (II) THE OWNERSHIP INTERESTS OF THE PARCEL OF LAND AND THE AFFIXED
6 MOBILE HOME ARE IDENTICAL; AND

7
8 (III) AN AFFIDAVIT OF AFFIXATION IS RECORDED IN THE LAND RECORDS; OR
9

10 (2) A MOBILE HOME SHALL BE LOCATED ON LAND MEETING THE CRITERIA IN
11 § 4-104(D)(2) OF THE LAND USE ARTICLE OF THE STATE CODE.

12
13 **[[18-10-147.]] 18-10-150. Neighborhood marinas.**

14
15 A neighborhood marina shall comply with the following requirements.

16
17 (1) A neighborhood marina may have no more than 20 slips.

18
19 (2) In addition to a marina caretaker's residence dwelling unit, a neighborhood marina
20 may have one **[[single family]]** SINGLE-FAMILY detached dwelling unit.

21
22 (3) The lot size of a neighborhood marina may not exceed three acres.

23
24 **[[18-10-148.]] 18-10-151. Nurseries with landscaping and plant sales.**

25
26 A nursery with landscaping and plant sales shall comply with all of the following
27 requirements.

28
29 (1) The facility shall be located on a lot of at least 5 acres.

30
31 (2) The facility shall be located on an arterial or collector road.

32
33 (3) Accessory retail or wholesale uses are permitted.

34
35 (4) Any accessory landscaping or tree cutting operations may not occupy more than
36 15% of the lot, excluding required setbacks.

37
38 (5) The storage and display areas for materials and products used and sold for
39 landscaping and the cultivation of plants, bushes, trees, and other nursery items, such as
40 stone, mulch, or fertilizer, may not occupy more than 30% of the lot, or one acre, whichever
41 is less.

42
43 (6) A conditional use granted under this section and in use as of April 7, 2014 shall be
44 a lawful use if located on a lot of at least five acres in a R2 zoning district, or on a lot of at
45 least two acres in all other zoning districts, and if the requirements of subsections (2)
46 through (5) are met.

47
48 **[[18-10-149.]] 18-10-152. Nursing homes.**

49
50 A nursing home shall comply with all of the following requirements.

1 (1) The facility shall be located on a lot of at least five acres plus one acre for each
2 group of 25 beds, or fraction of 25 beds, in excess of 100.

3
4 (2) All structures shall be located at least 50 feet from all lot lines.

5
6 (3) [[A structure used in whole or part for contagious, mental, or drug or alcohol
7 addiction cases shall be located at least 200 feet from all lot lines.

8
9 (4)] Any source of potential nuisance, including a laundry operation, power plant,
10 restaurant, cafeteria, kitchen, ambulance or emergency patient entrance, unloading area for
11 supplies and food, garbage loading area, incinerator, and animal laboratory, shall be located
12 at least 200 feet from any residentially zoned property and at least 50 feet from any road
13 intersection.

14
15 [(5)] (4) Each access drive shall be located at least 40 feet from any lot line.

16
17 [(6)] (5) Structures and onsite parking may cover not more than 60% of the lot.

18
19 **[[18-10-150.]] 18-10-153. Package goods stores.**

20
21 A package goods store shall comply with all of the following requirements.

22
23 (1) The use shall be licensed by the Board of License Commissioners.

24
25 (2) An off-sale alcoholic beverage license use shall be located away from schools and
26 religious facilities by at least the distance required by § 11-1603 of the Alcoholic Beverages
27 and Cannabis Article of THE State Code. For structures, the distance shall be measured in
28 a straight line from entry to entry.

29
30 **[[18-10-151.]] 18-10-154. Piers and launching ramps, community.**

31
32 A community pier or launching ramp shall comply with all of the following
33 requirements.

34
35 (1) The facility shall be located on a lot of at least 30,000 square feet that is owned by
36 a homeowner's association.

37
38 (2) The facility shall be established and operated for the benefit of the residents of a
39 recorded residential riparian subdivision.

40
41 (3) Adverse effects on water quality and fish, plant, and wildlife habitat shall be
42 minimized.

43
44 (4) Nonwater-dependent structures or operations associated with water-dependent
45 projects or activities shall be located outside the buffer to the extent possible.

46
47 (5) Disturbance to the buffer shall be the minimum necessary to provide a single point
48 of access to the facility.

(6) Food, fuel, or other goods and services may not be offered for sale.

(7) Boarding ladders shall be located along the sides of a pier and along each bulkhead where the water depth at the bulkhead exceeds four feet in depth at mean high water. Ladders along piers shall be 100 feet apart on each side of the pier and staggered so that the ladders alternate sides every 50 feet. Ladders along bulkheads shall be placed no more than 50 feet apart.

(8) United States Coast Guard approved personal flotation devices shall be located along each pier or bulkhead at intervals not exceeding 100 feet.

(9) When a community pier with slips is provided as part of a new residential riparian subdivision, private piers in the subdivision are prohibited.

(10) The number of slips allowed with a community pier shall be the lesser of the following:

(i) one slip for each 50 feet of shoreline in a subdivision located in an intense or limited development area, and one slip for each 300 feet of shoreline in a subdivision located in a resource conservation area; or

(ii) a density of slips to platted lots or dwellings in the critical area in accordance with the following chart:

Platted Lots or Dwellings	Slips
Up to 15	1 for each lot
16 to 40	15 or 75%, whichever is greater
41 to 100	30 or 50%, whichever is greater
101 to 300	50 or 25%, whichever is greater
More than 300	75 or 15%, whichever is greater

(11) In the event the parcel or lot has riparian rights and the proposed development is located on a portion of the parcel or lot that is out of the critical area, these rights may be utilized in accordance with permitted use criteria established for the critical area classification through the use of a community facility established in accordance with this section, based on the actual length of shoreline or potential density that would have been permitted within the critical area portion of the parcel or lot.

[[18-10-152.]] 18-10-155. Piers, recreational.

A recreational pier shall comply with all of the following requirements.

(1) The pier shall extend from a lot owned by a homeowner's association and the lot shall be at least 60 feet wide at the road, 80 feet wide at the shoreline, and not less than 20 feet wide at any point.

(2) The president of the homeowner's association shall file with the Office of Planning and Zoning a signed and dated statement that the executive board of the association or the association as a whole has taken official action to approve the pier.

1 (3) The pier shall be located at least 15 feet from the lot lines extended and at least 50
2 feet from any existing pier or piling.

3
4 (4) The pier and the landward walk leading to the pier shall be at least six feet wide.

5
6 (5) Any walk structure or impervious walk shall be located at least 15 feet from any
7 side lot line and may not unduly obstruct, increase, or redirect the natural flow of water.

8
9 (6) Signs shall be installed on both sides at each end of the pier oriented toward the
10 water indicating that the docking of boats, either permanently or temporarily, is prohibited.

11
12 (7) The pier may have no detached piling, buoy, or other device for the mooring of
13 boats.

14
15 (8) Boarding ladders shall be located along the sides of a pier and along each bulkhead
16 where the water depth at the bulkhead exceeds four feet in depth at mean high water.
17 Ladders along piers shall be 100 feet apart on each side of the pier and staggered so that
18 the ladders alternate sides every 50 feet. Ladders along bulkheads shall be placed no more
19 than 50 feet apart.

20
21 (9) United States Coast Guard approved personal flotation devices shall be located
22 along each pier or bulkhead at intervals not exceeding 100 feet.

23
24 **[[18-10-153.]] 18-10-156. Processing [[facilities]] SITES for clay, sand, gravel, and**
25 **similar materials.**

26
27 A processing [[facility]] SITE for clay, sand, gravel, or similar materials shall comply
28 with all of the following requirements.

29
30 (1) The facility shall be located on a lot of at least 30 acres.

31
32 (2) All stationary equipment and stockpiles shall be located at least 1,000 feet from any
33 residentially zoned property or from an existing dwelling other than a dwelling located at
34 the facility and at least 300 feet from any road other than internal roadways used
35 exclusively for operations.

36
37 (3) The facility shall have operational weight scales.

38
39 **[[18-10-154.]] 18-10-157. Produce market.**

40
41 A produce market shall comply with all of the following requirements.

42
43 (1) The produce market shall be located on a lot of at least two acres.

44
45 (2) The produce market shall be located on a lot that accesses a minor arterial or higher
46 road.

47
48 (3) Structures shall be set back at least 25 feet from the front property line.

1 (4) Adequate off-street parking is provided such that sight distance is not affected by
2 traffic and shall comply with § 18-3-104.

3
4 (5) Signs for the produce market may not exceed 20 square feet in area and a height of
5 four feet.

6
7 (6) A produce market may sell produce and other agricultural and horticultural
8 products.

9
10 (7) Accessory retail items incidental to sales of produce and agricultural or horticultural
11 goods, and outside storage of retail items, may not occupy more than 20% of the lot.

12
13 (8) The outside storage area must be set back 25 feet from all lot lines and screened
14 from all road rights of way and adjacent properties by an opaque screen, whether a fence
15 or wall, not to exceed six feet in height, or berm, and shall have landscape planting that
16 obscures all storage areas year round. The stored items may not extend above the height of
17 the screening and shall be in a side or rear yard.

18
19 (9) A site plan has been approved by the Office of Planning and Zoning.

20
21 **[[18-10-155.]] 18-10-158. Race track for horses.**

22
23 A race track for horses shall comply with all of the following requirements.

24
25 (1) Parking and principal uses, including the grandstand, clubhouse, and track, shall be
26 located at least 60 feet from all lot lines.

27
28 (2) Accessory uses, including dormitories, locker rooms, stables, utility structures, and
29 manure storage areas, shall be located at least 20 feet from all lot lines. Accessory uses
30 abutting residentially zoned property shall be located at least 60 feet from the residential
31 lot line.

32
33 (3) The principal vehicular access shall be located on an arterial or a collector road
34 within one-quarter mile of a freeway or arterial road and may not be located on a freeway
35 or a local road.

36
37 (4) The facility may not draw traffic through local roads in residential areas.

38
39 (5) Parking lots for general public use may not be located in a required setback or less
40 than 50 feet from any lot line.

41
42 (6) The facility may include the uses set forth in § 18-5-102 for a C3 district.

43
44 **[[18-10-156.]] 18-10-159. Recreational uses, active.**

45
46 Active recreational uses shall comply with all of the following requirements.

47
48 (1) No more than 25 % of the forested area on a lot may be cleared for the uses.

1 (2) The site shall be reforested at a ratio of one and one-half acres planted for every
2 acre cleared.

3
4 (3) In addition to the planting requirements of subsection (2), for every acre of
5 playgrounds, playing fields, tennis courts, basketball courts, or swimming pools created,
6 one-half of an acre shall be afforested or reforested and placed in a protective easement.

7
8 (4) The uses shall be set back at least 100 feet from any dwelling and 50 feet from all
9 lot lines.

10
11 (5) The uses shall be set back at least 200 feet from any stream, river, or waterway.

12
13 (6) The uses shall be subject to an approved soil conservation and water quality plan.

14
15 (7) Vehicular access to the property shall be located on a collector road or a road of a
16 higher classification.

17
18 **[[18-10-157.]] 18-10-160. Restaurants, taverns, retail sales, and consumer services in a**
19 **multifamily structure.**

20
21 A restaurant, tavern, retail sales facility, or consumer services facility in a multifamily
22 structure shall comply with all of the following requirements.

23
24 (1) The facility shall be primarily for the purpose of serving residents in the multifamily
25 structure.

26
27 (2) The facility may not exceed 2% of the total floor area of the structure.

28
29 (3) The facility may not be on the same floor as a dwelling unit.

30
31 (4) The facility shall have access from areas that do not serve as common residential
32 recreational or access ways.

33
34 **[[18-10-158.]] 18-10-161. Retail sale of liquefied petroleum gases accessory to and on**
35 **the same lot as an allowed use.**

36
37 The retail sale of liquefied petroleum gases accessory to and on the same lot as an
38 allowed use shall comply with all of the following requirements.

39
40 (1) In a C1 district, the sale of liquefied petroleum gases may be made only by the
41 purchase of full containers or by the exchange of empty containers for full containers, the
42 containers may not be filled onsite, and no liquefied petroleum gases may be stored on the
43 lot other than in the containers available for purchase or exchange.

44
45 (2) In commercial districts other than a C1 district:

46
47 (i) the facility shall be located on a lot of at least 20,000 square feet;

1 (ii) only one storage tank is allowed and the capacity of the tank may not have a
2 water capacity of more than 2,000 gallons;

3
4 (iii) the storage tank shall be at least 25 feet from all lot lines, 25 feet from any
5 inhabitable structure if the tank has a water capacity of more than 500 gallons, and 10 feet
6 from any inhabitable structure if the tank has a water capacity of less than 500 gallons;

7
8 (iv) steel or iron poles at least four inches in diameter and four feet above the ground
9 shall be set in and filled with concrete not more than three feet apart around the perimeter
10 of the tank at a distance from the tank equal to the height of the poles plus six inches;

11
12 (v) a chain link fence at least six feet high shall be provided with an access gate at
13 both ends of the tank; and

14
15 (vi) an emergency telephone number for the gas company servicing the tank shall
16 be posted in plain view on the tank site and in the onsite offices where the tank is located.

17
18 **[[18-10-159. Rooming houses.**

19
20 The owner of a rooming house may not own two facilities that adjoin each other and,
21 if a proposed adjoining facility is owned by a business entity, the owner, the owner's
22 family, and the owner's business associates may not have any interest, financial or
23 otherwise, in the business entity.]]

24
25 **[[18-10-160.]] 18-10-162. School OR CHARTER bus facilities.**

26
27 A school OR CHARTER bus facility shall comply with all of the following requirements.

28
29 (1) In C3 zoning districts, the facility shall be located on a lot or contiguous lots that
30 total at least one acre.

31
32 (2) Outside storage of [[school]] buses shall be limited to the maximum coverage
33 allowed in the zoning district in which the facility is located.

34
35 (3) Outside storage areas for [[school]] buses shall be screened from neighboring
36 residentially zoned properties in accordance with the County Landscape Manual.

37
38 (4) Each building used for the indoor storage of [[school]] buses shall be located at
39 least 100 feet from any residentially zoned property.

40
41 (5) Activities and operations shall be located in a manner to shield surrounding
42 residential property from the effects of noise, hazards, or other offensive conditions.

43
44 (6) Space on the site shall be adequate so that [[school]] buses are not stopped or parked
45 on a road right-of-way.

46
47 (7) Minor repairs to vehicles or equipment are allowed indoors or outdoors. Any
48 outside repairs performed in the C1 or C2 zoning districts shall be no less than 200 feet
49 from all existing, occupied residential structures.

1 (8) Body work, engine rebuilding, engine reconditioning, painting, and similar
2 activities are allowed indoors only. Structures where these activities are performed in the
3 C1 or C2 zoning districts shall be located no less than 100 feet from all residentially zoned
4 properties.

5
6 (9) Structures and uses, such as gas storage tanks, gas pumps, ~~[[charter buses,]]~~ and
7 employee waiting areas, shall be accessory to the facility and may not be the principal use.
8

9 (10) Vehicular access in C3 zoning districts shall be from an arterial road or from a
10 local or higher classification road that directly accesses an arterial road.
11

12 (11) In C1 and C2 zoning districts, the facility shall be located on a lot or contiguous
13 lots that total at least five ~~[[5]]~~ acres and shall adjoin an arterial road.
14

15 (12) Vehicular access in C1 and C2 zoning districts shall be by direct connection to an
16 arterial road.
17

18 **~~[[18-10-161.]] 18-10-163. Schools, private academic and public charter, with less than~~**
19 **~~125 onsite parking spaces.~~**
20

21 A private academic school or a public charter school with less than 125 onsite parking
22 spaces shall comply with all of the following requirements.
23

24 (1) The facility shall be located on a lot of at least three acres.
25

26 (2) Each structure shall be located at least 100 feet from a lot line in an RA district and
27 at least 40 feet from a lot line in other residential districts.
28

29 (3) Structures and onsite parking shall cover no more than 60% of the lot.
30

31 (4) ~~[[Access]]~~ VEHICULAR ACCESS in an RA district shall be provided directly from an
32 arterial road.
33

34 (5) A facility located in an RA district shall be located on a road other than a scenic or
35 historic rural road.
36

37 **~~[[18-10-162.]] 18-10-164. Schools, private academic and public charter, with 125 or~~**
38 **~~more onsite parking spaces.~~**
39

40 A private academic school or a public charter school with 125 or more onsite parking
41 spaces shall comply with all of the following requirements.
42

43 (1) The facility shall be located on a lot of at least three acres.
44

45 (2) Each structure shall be located ~~[[at least 100 feet from a lot line in an RA district~~
46 ~~and]]~~ at least 40 feet from a lot line in ~~[[other]]~~ residential districts.
47

48 (3) Structures and onsite parking shall cover no more than 60% of the lot.

1 [[(4) Access in an RA district shall be provided directly from an arterial road.]]

2
3 **[[18-10-163.]] 18-10-165. Self-service storage facilities.**

4
5 A self-service storage facility shall comply with all of the following requirements.

6
7 (1) In an **[[MXD-E]]** MXD-S district, the facility shall be located on a lot of at least one
8 acre. In all other districts, the facility shall be located on a lot of at least two acres.

9
10 (2) Storage and a residence for a caretaker or resident manager shall be the only
11 activities conducted at the facility.

12
13 (3) Outside storage shall be located and secured at the rear of the lot.

14
15 (4) Access shall be provided as follows:

16
17 (i) each one-way interior driveway shall have a travel lane at least 15 feet wide;

18
19 (ii) each two-way interior driveway shall have two travel lanes, each at least 12 feet
20 wide; and

21
22 (iii) traffic direction and parking shall be designated by directional signs or
23 pavement painting.

24
25 (5) (i) Except as provided in subparagraph (ii), in a W1 district, self-service storage
26 facilities shall be within an enclosed central structure and conform to the design standards
27 of the Industrial Park District in which it is located.

28
29 (ii) In a W1 district, a self-service storage facility located on a principal arterial
30 road may allow the outside storage of vehicles, at the side or the rear of the lot, as an
31 accessory use and with screening that complies with the Landscape Manual.

32
33 (6) In an MXD district, self-service storage facilities shall be within an enclosed central
34 structure.

35
36 **[[18-10-164.]] 18-10-166. Small cell systems.**

37
38 (a) **DEFINITIONS.** In this section the following words have the meanings indicated.

39
40 **[[1]]** “Antenna” means an apparatus designed to emit radio frequency radiation
41 and operate from a fixed location to provide wireless services, and includes materials used
42 for arranging, screening, and camouflaging antenna equipment.

43
44 **[[2]]** “Antenna equipment” means equipment, switches, wiring, cabling, power
45 sources, shelters, or cabinets associated with an antenna and located at the same fixed
46 location as the antenna.

47
48 **[[3]]** “Applicable standards” means engineering and safety standards, including
49 building, fire, safety, electrical, plumbing, and mechanical codes that regulate or otherwise

1 affect the installation, maintenance, and operation of the systems authorized or affected by
2 this section, and includes the regulations of the Federal Communications Commission and
3 the Occupational Safety and Health Administration.

4
5 **[(4)]** “Collocate” means to install or mount a system on a pole.

6
7 **[(5) (i)]** (1) “Make-ready work” means work that the County reasonably
8 determines to be required to accommodate the installation of a system and to comply with
9 all applicable standards;

10
11 **[(ii)]** (2) “Make-ready work” includes repair, rearrangement, replacement, and
12 construction of a pole; inspections; engineering work and certification; permitting work;
13 tree trimming other than trimming performed for normal maintenance purposes; site
14 preparation; and electrical power configuration; and

15
16 **[(iii)]** (3) “Make-ready work” does not include routine maintenance.

17
18 **[(6)]** “Pole” means a pole or similar structure that is used or is capable of being
19 used wholly or partly for the collocation of a system.

20
21 **[(7)]** “Preconstruction survey” means all work or operations required to determine
22 the make-ready work necessary to accommodate a wireless provider’s facilities, including
23 field inspection and administrative processing.

24
25 **[(8)]** “Wireless provider’s facility” means all appurtenances or tangible things
26 related to a small cell system owned, leased, operated, or licensed by a utility or wireless
27 provider that are or are proposed to be located in a County right-of-way.

28
29 **(b) REQUIREMENTS.** A small cell system on private property shall comply with all of
30 the following requirements.

31
32 (1) The developer of a system shall:

33
34 (i) give notice, by certified mail, return receipt requested, not more than 60 days
35 before filing an application for a building permit, to all owners of property located with a
36 lot line within 250 feet of the proposed system, as listed on the tax rolls of the County,
37 including the State, the County, and the Board of Education; and

38
39 (ii) file with the application for a building permit a list of the names and
40 addresses of all property owners who were notified; a copy of the notice that was sent;
41 copies of all return receipts; copies of the envelopes of any notices that were returned as
42 undelivered; and an affidavit that notice was given as required.

43
44 (2) (i) The developer of a system shall obtain required approvals, including
45 franchises and permits, before:

46
47 1. the initial installation or collocation of a system;

48
49 2. the installation of a pole; or

3. the modification of a system or a pole.

(ii) As part of the application process, the developer of a system shall provide:

1. detailed plans describing the installation, collocation, modification, or attachment, including any certifications that may be required;

2. a preconstruction survey;

3. a description of any necessary make-ready work being performed by the developer;

4. a proposed schedule for completion, certified by a licensed professional engineer; and

5. any other information required by the County that will allow the County to properly evaluate:

A. the safety of the installation, collocation, modification, or attachment; and

B. the compatibility of the installation in the neighborhood in which the installation is to be located, as set forth in the aesthetic standards promulgated by the County, which will include screening, spacing, height, and design of system and poles, and underground installation of wiring.

(iii) Developer of a system may file a consolidated application for wireless provider's facilities to be collocated within the County pursuant to guidelines established by the County.

(iv) A system shall be fully operational within 180 days after the date the last or final permit is issued, unless, due to circumstances outside of the control of the developer, the County and the developer of the system agree to extend the period. If not, the County may cancel the approval of the system and require the removal of the system by the developer of the system at the wireless provider's sole expense and in a reasonable time specified by the County.

(3) The developer of a system shall provide a certification from a registered engineer that the system, including any pole, will meet the applicable design standards of Article 15 of this Code for wind loads.

(4) The developer of a system and each applicant for a zoning certificate of use shall submit a certification from a consultant acceptable to the Information Technology Officer that the system or the use of the facility will not degrade or interfere with the County's public safety communication systems.

(5) Within 30 days after the issuance of a zoning certificate of use for a system and by September 1 of each year thereafter, the holder of the certificate of use shall submit a certification from an engineer that the radio frequency radiation from the facility meets the

1 applicable Federal Communications Commission standards and guidelines for those
2 emissions and shall include all data in support of the certification. If at any time the owner
3 or a user of the system cannot provide the certification required by this subsection for any
4 system, the system shall be disabled by the owner or user until such time as the owner or
5 user can provide the required certification, and any certificate of use may be revoked.
6 Before the system may be re-enabled or the certificate of use reissued, the owner or user
7 shall submit a certification from an engineer acceptable to the County that the engineer has
8 visited and inspected the system and that the radio frequency radiation from the facility
9 meets the applicable Federal Communications Commission standards and guidelines for
10 those emissions.

11
12 (6) The owner or user of a system shall submit copies of all notifications from or to
13 the Federal Communications Commission and reporting to the Federal Communications
14 Commission for any system.

15
16 (7) A system, including any pole and accessory structures, shall be of a color and
17 design that is compatible with the neighborhood in which the system is installed. A system
18 to be constructed within sight of a property listed on the National Register of Historic
19 Places shall mitigate any adverse visual impact of the system in the manner determined by
20 the Office of Planning and Zoning. Advertising on a system is prohibited.

21
22 (8) A system may be located on the rooftop of an existing nonresidential structure
23 or of multifamily dwellings with more than 10 units, but the system may not extend above
24 the existing roof height by more than 15 feet.

25
26 (9) A system attached to a transmission line pole or tower may not laterally project
27 more than 15 feet beyond the cross arms or other support extensions affixed to the pole or
28 tower and may not project above the top of the pole or tower by more than 15 feet if the
29 pole or tower will support one provider or 25 feet if the pole or tower will support more
30 than one provider. The pole or tower, including all 130A projections, may not exceed 199
31 feet in height. All accessory structures shall be underneath the transmission line within the
32 drip line of the outermost lines or be located from the edge of the transmission line right-
33 of-way by a distance equal to at least the minimum setback required for accessory
34 structures in the zoning district in which the facility is located.

35
36 (10) A system that ceases operation for a period of 12 consecutive months shall be
37 considered as terminated and shall be removed within 90 days of termination at the system
38 owner's expense.

39
40 **[[18-10-165.]] 18-10-167. Small wind energy systems.**

41
42 (a) **Requirements.** A small wind energy system or meteorological tower shall comply
43 with all of the following requirements.

44
45 (1) The small wind energy system or meteorological tower shall be located on a lot
46 of three acres or more, except that in a RLD, R1, R2 or R5 **[[zone]]** DISTRICT a small wind
47 energy system or meteorological tower may not exceed one system for each three acres of
48 land.

1 (2) The wind turbine or meteorological tower shall be located at a distance of at
2 least 1.1 times the height of the tower from any property line, non-participating structure,
3 public road or right-of-way, or communication lines or structures, and provide for a
4 minimum setback of 20 feet from any lot line for guy cables or tower supports.

5
6 (3) Roof-mounted turbines are permitted. All components of a roof-mounted
7 turbine shall meet required setbacks for the principal structure on which it is located. Roof-
8 mounted turbines may not be mounted on an attached or multi-family dwelling.

9
10 (4) The height of a wind turbine or meteorological tower may not exceed a height
11 of 150 feet. The height of a roof-mounted turbine may not project more than 35 feet from
12 the roof surface. Total height for a small wind energy system mounted on a wind tower is
13 the vertical distance from the ground level to the tip of a wind generator blade when the tip
14 is at its highest point. For a small wind energy system mounted on a building, total height
15 is the vertical distance from the top of the roof or parapet, to the tip of a wind generator
16 blade when the tip is at its highest point.

17
18 (5) The wind turbine or meteorological tower shall have a minimum blade ground
19 clearance of 15 feet.

20
21 (6) The tower shall be designed and installed so as to not allow step bolts or ladder
22 accessibility for a minimum height of 12 feet.

23
24 (7) The wind turbine or meteorological tower and its mounting structure shall be
25 painted a non-reflective, non-obtrusive color that conforms to the environment and
26 architecture of the community.

27
28 (8) The wind turbine or meteorological tower **[[shall]]** MAY not be artificially
29 lighted, except to the extent required by the Federal Aviation Administration.

30
31 (9) The small wind energy system or meteorological tower shall comply with all
32 applicable construction codes and electrical codes and be installed in accordance with
33 manufacturer plans and certifications.

34
35 (10) The wind turbine **[[shall]]** MAY not generate noise in excess of the levels
36 permitted for the **[[zone]]** DISTRICT under Code of Maryland Regulations 26.02.03.02B,
37 26.02.03.02C, and 26.02.03.02D.

38
39 (11) The capacity of a small wind energy system may not exceed 25 kw on a
40 property located in an RLD, R1, R2, or R5 **[[zone]]** DISTRICT and 100 kw in all other
41 **[[zones]]** DISTRICTS. Energy produced by the small wind energy system shall be for the
42 sole use of the property owner, however, energy output from the system may be delivered
43 to a power grid to offset the cost of energy on site.

44
45 (12) Wind turbines must be approved under a small wind certification program
46 recognized by the Maryland Energy Administration.

47
48 (13) All signs are prohibited except for manufacturer or installer identification signs
49 and warning signs or placards.

1 (14) Meteorological towers shall be permitted under the conditions of this section
2 for a period not to exceed one year.

3
4 (15) The small wind energy system or meteorological tower may not adversely
5 ~~[[effect an]]~~ AFFECT A historic site, archaeological resource, or cemetery listed on the
6 County inventory. The placement of a wind turbine within sight of ~~[[an]]~~ A historic resource
7 listed on the inventory shall mitigate any adverse visual impact of the turbine in a manner
8 determined by the Office of Planning and Zoning. If a wind turbine is to be attached to the
9 roof of ~~[[an]]~~ A historic structure listed on the inventory, the method of attachment must be
10 approved by the Office of Planning and Zoning. Approval of a rooftop wind turbine shall
11 require installation on a secondary facade, minimal impact to historic materials, and be a
12 reversible modification. Wind turbines may not be mounted on rooftops of highly
13 significant properties, including those listed on the National Register of Historic Places.

14
15 (16) A small wind energy system or meteorological tower located within the BWI
16 Marshall Airport Four-Mile District shall comply with all height and permitting
17 requirements of the Maryland Aviation Administration.

18
19 (b) **Removal of defective system.** Any small wind energy system or meteorological
20 tower that is cited by administrative order of the Department of Inspections and Permits
21 shall be repaired by the property owner to meet federal, State and local code requirements,
22 or be removed, within six months of the date of the administrative order. If the property
23 owner fails to repair or remove the system as required and the system remains non-
24 operational for more than six months, the County may pursue an action for removal of the
25 system at the property owner's expense.

26
27 (c) **Variances.** A variance may not be granted for the requirements specified in
28 subsection (a).

29
30 **~~[[18-10-166.]] 18-10-168. Solar energy generating facility – community.~~**

31
32 A solar energy generating facility – community shall comply with all of the following
33 requirements.

34
35 (1) The developer shall comply with the County Landscape Manual, and the solar
36 facility, including all equipment and solar panels, shall be enclosed by a fence no less than
37 seven feet in height. In the event of a conflict between the Landscape Manual and § 17-6-
38 504 of the Code, the provisions of § 17-6-504 of the Code shall control.

39
40 (2) The developer of a solar facility located on a scenic or historic road shall provide a
41 viewshed analysis. The solar facility may not have an adverse impact on the scenic or
42 historic viewshed. ~~[[in]]~~ IN this subsection, “adverse impact” means any development that
43 directly or indirectly would alter the road's environmental or historic setting, its visual and
44 physical characteristics, or would diminish the integrity of the scenic or historic road.

45
46 (3) The developer shall comply with the provisions of the County Forest Conservation
47 Act, SUBTITLE 3 OF TITLE 6 OF Article 17~~[[, Title 6, Subtitle 3]]~~ of this Code, regardless of
48 any state waiver or reduction of State forest conservation requirements for solar energy
49 systems. Mitigation for tree removal shall be at the ratio of 3-to-1.

1 (4) A solar facility may not be located on or within the viewshed of a property listed
2 on the County Inventory of Historic Resources.

3
4 (5) Except as required for safety or by applicable Federal, State, or local authority, no
5 visible light shall emanate from the solar facility from dusk to dawn.

6
7 (6) Lot coverage may not exceed 80% of the net area of the site. Lot coverage shall be
8 calculated as the total surface area of all solar panels, plus all impervious surfaces of any
9 supporting or associated equipment, including support structures. Surface area of a solar
10 panel shall be calculated based on the drip line around the perimeter of a panel at minimum
11 tilt. Impervious surface shall be calculated as the area of the foundation or base of any
12 component of the solar facility, including individual solar panels.

13
14 (7) A decommissioning plan shall be submitted to the Office of Planning and Zoning
15 for approval. The plan shall include a requirement for a grading permit or standard grading
16 plan and that all on-site equipment associated with the solar facility shall be removed
17 within 12 months of cessation of operations. Decommissioning security in accordance with
18 § 17-6-702 of this Code and equal to 125% of the decommissioning costs shall be posted
19 prior to commencement of the use.

20
21 (8) The County shall review the amount of the security every five years and may require
22 additional security or reduce the amount of the posted security if it determines, in its sole
23 discretion, that the posted security no longer equals 125% of the decommissioning costs.

24
25 (9) A solar facility is presumed to cease operations if no power is generated by the
26 system for a period of 12 consecutive months. The owner of the solar facility shall have 12
27 months after cessation of operations to dismantle and remove the solar facility. If the owner
28 fails to dismantle or remove the solar facility as required, the County may complete the
29 removal at the owner's expense, and shall retain all or any part of the decommissioning
30 security which shall become the property of the County. Any additional expense incurred
31 by the County, or any expenses incurred for the removal of a rooftop-mounted solar
32 facility, shall be collected pursuant to § 1-8-101 of the Code.

33
34 (10) Facilities proposed for location on properties owned or leased by the County,
35 sanitary landfills, or reclamation areas are exempt from the requirements in subsection (6).

36
37 (11) Rooftop-mounted only facilities are not subject to the requirements of subsections
38 (1), (3), (6), (7), and (8).

39
40 (12) A variance may not be granted for the requirements specified in this section.

41
42 (13) A facility that requires a Certificate of Public Convenience and Necessity from the
43 State Public Service Commission is not required to comply with this section, but the
44 conditions in this section may be the basis of any recommendation to the Public Service
45 Commission in accordance with § 7-207 of the Public Utilities Article of the State Code.

46
47 **[[18-10-167.]] 18-10-169. Solar energy generating facility – utility scale.**

1 (a) **Requirements.** A solar energy generating facility – utility scale shall comply with
2 all requirements of ~~[[§ 18-10-164]]~~ § 18-10-168 for a solar energy generating facility –
3 community.

4
5 (b) **Variance.** A variance may not be granted for the requirements specified in this
6 section.

7
8 **~~[[18-10-168.]] 18-10-170. Stables or riding clubs.~~**

9
10 A stable or riding club shall comply with all of the following requirements.

11
12 (1) A facility with up to two horses shall be located on a lot of at least two acres, plus
13 20,000 square feet for each horse in excess of two horses.

14
15 (2) A structure enclosing a horse shall be located at least 50 feet from any nonresidential
16 lot line and 50 feet from any residentially zoned property line.

17
18 (3) All manure shall be stored at least 50 feet from any lot line.

19
20 **~~[[18-10-169. State-licensed medical clinics.~~**

21
22 A state-licensed medical clinic shall comply with all of the following requirements:

23
24 (1) The facility may not be located within 1,000 feet of a dwelling or school, or within
25 one mile of another State-licensed medical clinic, a plasma center, a licensed dispensary of
26 cannabis, or a transitional housing facility.

27
28 (2) Vehicular access shall be located on an arterial road or higher classification.

29
30 (3) Access to the facility from the road shall be provided and the facility may not draw
31 vehicular traffic through local roads in surrounding residential areas.

32
33 (4) The clinic shall conspicuously post “no loitering” signs in all parking areas.

34
35 (5) A variance may not be granted for the requirements specified in this section.]]

36
37 **~~[[18-10-170.]] 18-10-171. Storage of watercraft, covered and dry.~~**

38
39 A covered facility for the dry storage of watercraft shall comply with all of the
40 following requirements.

41
42 (1) ~~[[The]]~~ IN THE MA2, MA3, AND MB DISTRICTS, THE combined base area of all
43 covered dry storage structures may not exceed:

44
45 (i) 10,000 square feet for a one-acre lot; OR

46
47 (ii) for a lot larger than one acre, 10,000 square feet plus 1,000 square feet for each
48 acre by which the lot exceeds one acre~~[[;]]~~.

(2) FOR A MARINA IN THE MA1 OR MA1-B DISTRICTS, ONLY ONE COVERED, DRY STORAGE STRUCTURE IS ALLOWED FOR THE STORAGE OF NON-MOTORIZED WATERCRAFT AND MAY NOT EXCEED 200 SQUARE FEET AND A HEIGHT OF 20 FEET.

(3) ~~[[The facility]]~~ EACH STRUCTURE shall be located at least 25 feet from each side lot line.

~~[[(3)]]~~ (4) The Office of Planning and Zoning shall designate the location of the facility in accordance with the criteria set forth in § 18-2-403.

~~[[18-10-171.]]~~ 18-10-172. Storage of watercraft, outside and dry.

Outside and dry storage of watercraft shall be limited to non-motorized watercraft except for one motorized watercraft not exceeding 12 feet in length.

~~[[18-10-172.]]~~ 18-10-173. Storage, multilevel watercraft rack.

A multilevel watercraft ~~[[storage]]~~ rack STORAGE shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 1.5 acres above mean high water.

(2) ~~[[The facility]]~~ EACH STRUCTURE shall be located at least 25 feet from each side lot line.

(3) The coverage of the facility may not exceed the combined total floor area of all covered dry storage structures.

(4) The Office of Planning and Zoning shall designate the location of the facility in accordance with the criteria set forth in § 18-2-403.

~~[[18-10-173.]]~~ 18-10-174. Structures, permanent, accessory to active recreational uses.

Permanent structures accessory to active recreational uses shall comply with all of the following requirements.

(1) No more than 25 % of the forested area on a lot may be cleared for the uses.

(2) The site shall be reforested at a ratio of one and one-half acres planted for every acre cleared.

(3) The uses shall be set back at least 100 feet from any dwelling and 50 feet from all lot lines.

(4) The uses shall be set back at least 200 feet from any stream, river, or waterway.

(5) The uses shall be subject to an approved soil conservation and water quality plan.

(6) Vehicular access to the property shall be located on a collector road or a road of a higher classification.

18-10-175. TRANSITIONAL HOUSING FACILITIES.

TRANSITIONAL HOUSING FACILITIES SHALL BE LOCATED ON A LOT OF AT LEAST TWO ACRES, AND FOR FACILITIES WITH MORE THAN 40 BEDS, AN ADDITIONAL ACRE FOR EACH ADDITIONAL GROUP OF 25 BEDS, OR FRACTION OF 25 BEDS.

[[18-10-174.]] 18-10-176. Veterinarian clinic, large animal.

A large animal veterinarian clinic shall comply with all of the following requirements:

(1) ~~[[The]]~~ THE facility may be located on the same lot as a single-family detached dwelling or a farm tenant house DWELLING;

(2) ~~[[The]]~~ THE facility shall be located on a lot of at least five acres;

(3) ~~[[Overnight]]~~ OVERNIGHT boarding of horses or livestock are not permitted, except as required for medical treatment or as permitted under § 105.2.1.14.1 of the Construction Code;

(4) ~~[[The facility]]~~ EACH structure shall be set back at least 50 feet from property lines;

(5) ~~[[The]]~~ THE facility may include an attached apartment dwelling for use by a resident affiliated with the veterinarian clinic; and

(6) ~~[[The]]~~ THE facility shall be operated by at least one licensed Diplomat of the American College of Veterinary Surgeons.

[[18-10-175.]] 18-10-177. Video lottery facilities.

(a) **Master plan for development.** The video lottery facility licensee shall provide to the Local Development Council a master plan as required by § 9-1A-31 OF the State Government Article~~[[, § 9-1A-31,]]~~ of the State Code, and shall assist the County in preparation of a transportation management plan that details internal circulation systems, external access points, and pedestrian flows to and from parking facilities.

(b) **Requirements.** A video lottery facility shall comply with all of the following requirements.

(1) The facility shall comply with the locational requirements imposed by Article XIX, § 1(c)(3)(i) of the Constitution of Maryland.

(2) The facility shall be located on a lot of at least 50 acres in a W1 – Industrial Park District or a regional commercial complex and shall be accessible to an arterial or higher classification road.

(3) ~~[[The facility]]~~ EACH STRUCTURE shall comply with all applicable bulk regulations for the zoning district in which the facility is located.

1 (4) The facility shall comply with a transportation management plan that is
2 approved by the Office of Planning and Zoning.

3
4 (5) The facility shall comply with a traffic study that assesses the impacts of new
5 traffic generated by the proposed use on major roads and intersections as required by
6 Article 17 and that is approved by the Office of Planning and Zoning.

7
8 (6) The facility shall conform to an approved site development plan in accordance
9 with the requirements of Article 17.

10
11 (7) The facility shall conform to approved plans for off-street parking that show all
12 designated parking areas, including handicapped spaces, bus parking, loading, and delivery
13 areas.

14
15 (8) The facility shall include lighting that illuminates all parking areas and
16 walkways and is focused so as to prevent glare upon surrounding areas.

17
18 (9) The facility shall provide 24-hour security for the facility and adjacent parking
19 areas, separate from security provided by other commercial or industrial establishments in
20 the vicinity of the facility.

21
22 (10) The facility shall comply with a written plan approved by the Planning and
23 Zoning Officer to control loitering and conspicuously post “no loitering” signs in all
24 parking areas.

25
26 (11) The facility, including adjacent parking areas, shall be cleared of litter and
27 refuse daily.

28
29 (12) The facility shall ensure that noise from the facility does not exceed a daytime
30 level of 67 dba or a nighttime level of 62 dba at the lot lines.

31
32 (13) The facility shall be licensed by the State and subject to State regulation and
33 enforcement.

34
35 (c) **Alcoholic beverages.** A video lottery facility may operate alcoholic beverage uses
36 as accessory to other uses in the W1 – Industrial Park District and in a regional commercial
37 complex subject to the requirements of § 18-10-104 and State law and regulation.

38
39 **[[18-10-176.]] 18-10-178. Waterman’s home commercial use.**

40
41 A waterman’s home commercial use shall comply with all of the following
42 requirements.

43
44 (1) The operator of the use shall be a resident of the lot on which the use is located.

45
46 (2) The resident waterman shall have a current commercial fishing license.

47
48 (3) No more than two nonresidents of the lot may be employed in the use.

(4) Any use of the dwelling shall be clearly incidental and secondary to the use of the structure as a dwelling unit and may not change the character of the dwelling unit.

(5) All waterman's equipment, including gear, shedding boxes, and crab pots, shall be owned by a resident of the lot.

(6) There may not be any storage of waterman's equipment on the pier out of season except while loading or unloading work boats that are in wet storage at the property.

(7) All waterman's gear shall be located in an enclosed structure or stored outside in accordance with the requirements of this title and screened from adjacent property lines.

(8) Outside storage of shedding boxes shall be located in a rear or side yard and screened from adjacent lot lines.

(9) Crab pots that are stored outside shall be located in a rear or side yard, be screened from adjacent lot lines, and be clean and free of any attached bait. Stacks of crab pots shall be limited to a height of eight feet. The location of crab pot storage may not adversely affect the waterview of dwellings on adjoining waterfront lots.

(10) The onsite sale of seafood harvested by a resident is allowed by the resident only during the hours of 9:00 a.m. to 6:00 p.m. Monday through Saturday and 9:00 a.m. to 4:00 p.m. Sunday.

[[18-10-177.]] 18-10-179. Wholesale trade, warehousing, and storage establishments in the BWI/Fort Meade Growth Area.

Wholesale trade, warehousing, and storage establishments in the BWI/Fort Meade Growth Area shall comply with all of the following requirements.

(1) The facility shall be located on a lot or contiguous lots that total at least 25 acres.

(2) [[The facility]] EACH STRUCTURE shall comply with all applicable bulk regulations for the zoning district in which the facility is located, except that the bulk regulations contained in the following chart shall be met:

Minimum setbacks for principal structures:	
Front lot line	50 feet
Side lot line	30 feet
Rear lot line	30 feet
Freeway	100 feet
Divided principal arterial road	60 feet
Any other public road or right-of-way	50 feet

(3) A variance may not be granted that reduces the minimum setback requirements specified in subsection (2).

(4) The lot or lots on which the facility is located may not include residential dwelling units.

1 (5) Outside storage is permitted as an accessory use, provided no more than 15% of the
2 total allowed lot coverage is used for outside storage.

3
4 (6) The lot or lots comprising the facility shall be located in the BWI/Fort Meade
5 Growth Area, as shown on the official map adopted by the County Council entitled
6 “BWI/Fort Meade Growth Area, [[2016]] 2025”.

7
8 **[[18-10-178.]] 18-10-180. Workforce housing.**

9
10 Workforce housing shall comply with all of the following requirements.

11
12 (1) The project shall consist of dwelling units of any type or mixture and requirements
13 applicable to dwellings in commercial and mixed use zoning districts do not apply.

14
15 (2) The property shall be encumbered by recorded deed restrictions that require:

16
17 (i) the units be restricted to occupancy by eligible households under this section for
18 at least 10 years for home ownership units and at least 30 years for rental units, except that
19 the deed restriction may be 15 years for “lease to purchase” rental units;

20
21 (ii) 1. Except as provided in item 2:

22
23 A. at least 40% of home ownership units be occupied by a household with
24 an income that does not exceed 100% of the median income adjusted for household size
25 for the Baltimore Primary Metropolitan Statistical Area, as defined and published annually
26 by the United States Department of Housing and Urban Development; and

27
28 B. at least 60% of rental units be occupied by a household with an income
29 that does not exceed 60% of the median income adjusted for household size for the
30 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
31 United States Department of Housing and Urban Development;

32
33 2. For workforce housing located in an R5 or R10 zoning district that does not
34 have direct vehicular access to a collector or higher classification road:

35
36 A. at least 25% of home ownership units be occupied by a household with
37 an income that does not exceed 100% of the median income adjusted for household size
38 for the Baltimore Primary Metropolitan Statistical Area, as defined and published annually
39 by the United States Department of Housing and Urban Development; and

40
41 B. at least 25% of rental units be occupied by a household with an income
42 that does not exceed 60% of the median income adjusted for household size for the
43 Baltimore Primary Metropolitan Statistical Area, as defined and published annually by the
44 United States Department of Housing and Urban Development;

45
46 (iii) the initial transfer of a home ownership unit to the original buyer of that unit
47 shall be accompanied by a certification from Anne Arundel County or its designee that the
48 buyer’s household income does not exceed the maximum allowed for that unit; and

1 (iv) if the original buyer of a home ownership unit transfers title to that unit within
2 10 years, the transfer shall be accompanied by a certification from Anne Arundel County
3 or its designee that the transferee's household income does not exceed the maximum
4 allowed for that unit.

5
6 (3) (i) Except as otherwise provided in this paragraph, maximum density shall be 22
7 dwelling units per acre.

8
9 (ii) For workforce housing in an R5 zoning district that does not have direct
10 vehicular access to a collector or higher classification road, the maximum density shall be
11 10 dwelling units per acre.

12
13 (iii) For workforce housing in an R10 zoning district that does not have direct
14 vehicular access to a collector or higher classification road, the maximum density shall be
15 15 dwelling units per acre.

16
17 (4) (i) Except as provided in subparagraph (ii), maximum coverage by structures and
18 parking may not exceed 65% of the gross area of the lot.

19
20 (ii) In R15, commercial, and industrial zoning districts, maximum coverage by
21 structures and parking may not exceed 80% of the gross area of the lot.

22
23 (5) (i) For multifamily dwellings, setbacks and height requirements shall be governed
24 by the bulk regulations for R22 zoning districts.

25
26 (ii) For townhouses, setbacks and height requirements shall be governed by ~~[[§ 18-~~
27 ~~10-128]]~~ § 18-10-131.

28
29 (iii) For all other dwelling types, setbacks and height requirements shall be
30 governed by the bulk regulations applicable under this Code.

31
32 (6) Workforce housing shall be served by public water and sewer.

33
34 (7) Direct vehicular access shall be located on a collector or higher classification road,
35 except for workforce housing in an R5 or R10 district that meets the conditions in this
36 section for workforce housing that does not have direct vehicular access to a collector or
37 higher classification road.

38
39 (8) The initial allowable maximum rental rates for rental units shall be established by
40 the developer and approved by Anne Arundel County or its designee after obtaining and
41 considering information and data dealing with current general market and economic
42 conditions and the current minimum rental rates of privately produced market priced
43 housing.

44
45 **~~[[18-10-179.]]~~ 18-10-181. Youth Nature Immersion Program.**

46
47 A youth nature immersion program shall comply with all of the following requirements.

48
49 (1) The use shall be located on a lot of at least five acres.

1 (2) The use shall be limited to a maximum of 60 youth on-site at one time.

2
3 (3) Adequate and clean sanitary facilities shall be provided.

4
5 (4) Pick-up and drop-off areas shall be adequate to provide convenient access to the
6 site without off-site queuing of vehicles and to provide safe interior circulation of vehicles
7 and visitors.

8
9 (5) The activities on the site shall be located in a manner to shield surrounding
10 residential property from the effects of noise, hazards, or other offensive conditions.

11
12 **TITLE 11. REQUIREMENTS FOR SPECIAL EXCEPTION USES**

13
14 **18-11-101. Airports and airfields.**

15 An airport or airfield shall comply with all of the following requirements.

16
17
18 (1) The facility shall be located adjacent to or in the immediate vicinity of a large park
19 or other open area or body of water.

20
21 (2) Landing, takeoff, and utility areas used by aircraft shall have a dustproof surface.

22
23 (3) A structure or area used for servicing aircraft shall be located at least 200 feet from
24 all lot lines and 1,000 feet from a public or private institution.

25
26 (4) Approach and departure paths may not be located over a residential area, an
27 institutional use, or a densely populated area.

28
29 (5) The day-night noise level may not exceed 70 Ldn at the lot lines.

30
31 (6) Areas used by aircraft shall be located at least 1,000 feet from any residentially
32 zoned property on the approach and departure ends of the runway.

33
34 (7) Parking may not be located within 100 feet of a lot line.

35
36 (8) The facility shall be surrounded by fencing at least six feet high with gates to limit
37 access to the area.

38
39 (9) A facility located in an RA district shall be located on a road other than a scenic or
40 historic rural road.

41
42 **18-11-102. Amusement parks.**

43 An amusement park shall comply with all of the following requirements.

44
45
46 (1) The facility shall be located on a lot of at least 50 acres.

47
48 (2) The facility shall have at least 10 rides, amusements, or amusement activities that
49 are located at least 50 feet from all lot lines.

1 (3) The facility shall be located on and have access to an arterial road, and the exit from
2 a freeway shall be located no more than one-half mile from the closest public entrance into
3 the facility.

4
5 (4) Separate vehicular access shall be provided in locations that are at least 50 feet from
6 any public road intersection.

7
8 (5) The facility shall be located at least 2,000 feet from all residentially zoned property
9 and one mile from the mean ~~[[high water]]~~ HIGH-WATER line of any tidal waterway.

10
11 (6) Go-cart tracks, oval tracks, or ~~[[closed circuit]]~~ CLOSED-CIRCUIT tracks for go-carts,
12 race cars, or other motorized vehicles shall be no more than one-quarter mile in length,
13 may occupy no more than 10% of the total area of the park, shall be limited to vehicles
14 owned by the owner of the park or a single concessionaire, and shall utilize vehicles that
15 are no more than six horsepower per vehicle.

16
17 **18-11-103. Animal hospitals and veterinary clinics.**

18
19 An animal hospital or veterinary clinic shall comply with all of the following
20 requirements.

21
22 (1) All structures, enclosed coops, and enclosed runs for the housing or shelter of
23 animals and fowl shall be located at least 50 feet from residentially zoned property.

24
25 (2) Unenclosed coops and runs shall be located at least 100 feet from residentially
26 zoned property.

27
28 (3) The housing of animals may not be located in a required setback.

29
30 (4) The facility may not be noxious, offensive, or otherwise objectionable to
31 surrounding residential uses.

32
33 **18-11-104. Assisted living facilities.**

34
35 An assisted living facility shall comply with all of the following requirements.

36
37 (1) In RLD districts, the facility shall be located on a lot of at least 10 acres. In R1 and
38 R2 districts, the facility shall be located on a lot of at least 10 acres, except that a facility
39 that abuts a collector or higher classification road may be located on a lot of at least five
40 acres. In other districts, the facility shall be located on a lot of at least ~~[[five]]~~ FOUR acres.
41 In all districts, if the facility abuts a nursing home or adult independent dwelling units,
42 whether or not owned by the same entity, the minimum lot size may be reduced by 50%.

43
44 (2) For an assisted living facility in an RLD district:

45
46 (i) the property in the RLD district shall abut property that is zoned C2 or C3 and
47 that will be part of the assisted living facility; and

1 (ii) the C2 or C3 property comprising part of the facility shall be served by public
2 water and sewer.

3
4 (3) For an assisted living facility that consists of land located outside the critical area
5 in more than one zoning district:

6
7 (i) provisions concerning the number of adult independent dwelling units allowed
8 in a given area of land shall be applied in the aggregate rather than separately to the
9 individual zoning districts, lots or sites;

10
11 (ii) provisions concerning public improvements, such as public sewer and water
12 connections, roads, and sidewalks, shall be applied to the assisted living facility in its
13 entirety; and

14
15 (iii) open area requirements shall be calculated for the entire area of the assisted
16 living facility[;].

17
18 (4) The developer shall demonstrate unified control of the entire assisted living facility
19 and the capability to provide for completion and continuous operation and maintenance of
20 the facility.

21
22 (5) An assisted living facility may be operated in conjunction with a nursing home or
23 with adult independent dwelling units or both, whether or not owned by the same entity.
24 The nursing home or adult independent dwelling units may be located on the same lot as
25 the assisted living facility or on one or more abutting lots. If located on one or more abutting
26 lots, the provisions of subsection (11) relating to setbacks do not apply to the lot lines that
27 are shared by such abutting lots.

28
29 (6) Assisted care units shall be provided in a multifamily structure and may be provided
30 in duplex dwelling units, stacked townhouse dwelling units, and townhouse dwelling units,
31 whether or not allowed in the zoning district in which the facility is located. All assisted
32 care units shall be located on the same lot. A multifamily structure shall contain a centrally
33 located group dining facility.

34
35 (7) Comprehensive care units may be provided.

36
37 (8) No more than two dwelling units for every 100 dwelling units may be devoted to
38 temporary use for guests or family members of residents.

39
40 (9) The permitted uses in a C1 district are allowed in the facility if:

41
42 (i) the uses are centrally located for the use and benefit of the residents and their
43 guests in structures that are architecturally compatible with the residential portion of the
44 assisted living facility; and

45
46 (ii) the floor area of the uses does not exceed 10% of the floor area of the units.

47
48 (10) A pedestrian circulation system interconnecting all parts of the facility shall be
49 provided.

(11) The bulk regulations contained in the following chart shall be met and are the only bulk regulations applicable to an assisted living facility:

Minimum setbacks from all lot lines	50 feet
Maximum height limitations for principal structures on lots less than 20 acres	The height allowed in the zoning district in which the facility is located, except that (1) the facility may exceed that height by 10 feet if all setbacks are increased by two feet for each foot of excess height, and (2) duplex, stacked townhouse, and townhouse dwellings are limited to one story
Maximum height limitations for principal structures on lots of at least 20 acres	Ten additional feet above the height allowed in the zoning district in which the facility is located; and semi-detached and townhouse dwellings are limited to one story
Open area	60% in RLD, R1, AND R2[, and R5]] districts and 50% in R5, R10, R15, and R22 districts, with all front yards being open area and with at least 10% of the open area devoted to recreational area
Maximum density for adult independent dwelling units	One unit per acre in an RLD district; 3 units per acre in an R1 district; 6 units per acre in an R2 district; 8 units per acre in an R5 district; and in all other districts in accordance with the density allowed in the district in which the facility is located
Maximum density for all dwelling units other than multifamily dwellings and adult independent dwelling units	No increase in the density allowed in the RLD district; 6 units per acre in the R1 and R2 districts; 8 units per acre in an R5 district; and in all other districts in accordance with the density allowed in the district in which the facility is located
Maximum square footage for duplex, stacked townhouse, and townhouse dwellings	1,250 square feet
Public sewer	Required

18-11-105. Automobile and truck dismantling and recycling facilities.

An automobile and truck dismantling and recycling facility shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least two acres.

(2) All dismantling and recycling shall be done within a structure at the facility, and the facility shall have at least 8,000 square feet of activity under cover. The operation may include the sale of parts from dismantled motor vehicles.

(3) Hulls of vehicles that are automotive dismantling and recycling by-products may not exceed 500 at any time.

1 (4) The area used to store the remains of dismantled motor vehicles that have no parts
2 value except as scrap may not exceed one-half of the area provided for the storage of motor
3 vehicles that are not dismantled.

4
5 (5) A storage area for vehicles waiting to be dismantled shall have no more than 250
6 vehicles per acre per level.

7
8 (6) Vehicles may be stacked no higher than two levels and only on racks designed
9 specifically to store vehicles. Above ground storage racks higher than two levels may be
10 used for the storage of parts from dismantled vehicles.

11
12 **18-11-106. Automobile gasoline stations.**

13
14 An automobile gasoline station shall comply with all of the following requirements.

15
16 (1) The facility shall be located on a lot of at least 22,500 square feet with at least 150
17 feet of frontage along each road.

18
19 (2) The facility may not be located at the intersection of local roads.

20
21 (3) Service bays shall be oriented to the rear or side lot lines.

22
23 (4) Structures shall be located at least 40 feet from any road right-of-way, at least 25
24 feet from any other structure, and at least 10 feet from any lot line.

25
26 (5) Pumps shall be located at least 25 feet from any road right-of-way. Pump islands
27 shall be located at least 20 feet apart. Pumps and pump islands shall be located at least 25
28 feet from a structure not used primarily as an automobile gasoline station.

29
30 (6) A canopy over a pump island may not project within 15 feet from a road ~~[[right-of-~~
31 ~~way]]~~ RIGHT-OF-WAY.

32
33 (7) Driveways shall be at least 20 feet from each side or rear lot line, at least 50 feet
34 from any intersecting road right-of-way, and at least 15 feet and no more than 45 feet wide.

35
36 (8) Obstructions that adversely affect visibility at a station driveway are prohibited.

37
38 (9) The facility may include a convenience store ~~[[operation]]~~.

39
40 (10) The facility may include ~~[[a]]~~ AN AUTOMOBILE repair center, ~~[[but a repair center~~
41 ~~shall be]]~~ limited to minor work to be completed within three days after the vehicle is
42 dropped off for service.

43
44 (11) The facility may include a ~~[[car wash]]~~ CARWASH.

45
46 **18-11-107. Automobile towing facilities in conjunction with automobile gasoline**
47 **stations.**

1 An automobile towing facility in conjunction with an automobile gasoline station shall
2 comply with all of the following requirements.

3
4 (1) Inoperable vehicles may not be stored on the lot for more than 90 days, and the
5 owner or operator of the facility shall maintain a register listing the owner of each vehicle,
6 the date of arrival and departure of the vehicle, and the name and address of the owner's
7 insurance company.

8
9 (2) Dismantling or demolition of vehicles is prohibited.

10
11 **18-11-108. Battery energy storage system, front-of-the-meter.**

12
13 (a) **Requirements.** A front-of-the-meter battery energy storage system shall comply
14 with all of the following requirements.

15
16 (1) A front-of-the-meter battery energy storage system shall be surrounded by a
17 non-barbed wire fence that is not more than 20 feet high.

18
19 (2) Barbed wire fencing may be used around the substations or other critical
20 infrastructure for protection of that infrastructure.

21
22 (3) A front-of-the-meter battery energy storage system shall be surrounded by a
23 landscaping buffer or vegetative screening of 25 feet in depth that provides for four-season
24 visual screening.

25
26 (4) Grading shall be minimized to the maximum extent possible.

27
28 (5) Topsoil may not be removed from the lot or parcel, but may be moved or
29 temporarily stockpiled for grading.

30
31 (6) Herbicides may not be used except to control invasive species, which shall be
32 in compliance with Article 13, Title 6 of this Code.

33
34 (7) The front-of-the-meter battery energy storage system shall comply with the
35 NFPA 855, "Standard for the Installation of Stationary Energy Storage Systems", and
36 NFPA 70, "National Electrical Code", as adopted and amended by the Anne Arundel
37 County Construction and Property Maintenance Codes Supplement, October 1, 2005. If a
38 provision in this section conflicts with the NFPA 855 or NFPA 70, as adopted and amended
39 by the Anne Arundel County Construction and Property Maintenance Codes Supplement,
40 October 1, 2005, the NFPA 855 and NFPA 70, as adopted and amended by the Anne
41 Arundel County Construction and Property Maintenance Codes Supplement, October 1,
42 2005 shall control.

43
44 (8) The developer of a front-of-the-meter battery energy storage system shall:

45
46 (i) undergo site development review in accordance with Article 17, Title 4 of
47 this Code in order to ensure all the conditions herein are satisfied and obtain a building
48 permit;

1 (ii) file with the application for a building permit, an emergency response plan
2 and a plan for offering site-specific training to county fire service and emergency personnel
3 prior to commencing operation; and
4

5 (iii) prior to the issuance of a building permit, conduct a hazard mitigation
6 analysis as specified by NFPA 855.
7

8 (b) **Conflict with State law.** In the event that any provision of this section conflicts
9 with, is inconsistent with, or is preempted by any provision of the state law regarding front-
10 of-the-meter battery energy storage systems, the applicable state statute shall control to the
11 extent of the conflict.
12

13 **18-11-109. Bed and breakfast inns.**
14

15 A bed and breakfast inn shall comply with all of the following requirements.
16

17 (1) The inn shall be an owner or manager occupied single-family detached dwelling
18 located on a lot of at least one acre.
19

20 (2) The inn shall contain at least four but no more than 12 guest rooms for the lodging
21 of guests for no more than 14 consecutive days. The owner shall maintain a reservation log
22 of the arrival and departure dates of all guests for inspection by the Office of Planning and
23 Zoning.
24

25 (3) On a waterfront lot, one boat slip may be provided for each guest room with a
26 maximum of one boat slip for every three guest rooms.
27

28 (4) Guest rooms may not contain any cooking facilities, and food service shall be
29 provided only for guests and only in a group dining area of the dwelling.
30

31 (5) Exterior alterations may not be made for the purpose of providing the inn unless
32 necessary to ensure the safety of the structure.
33

34 **[(6) If the lot is zoned R1, R2, or R5, it shall be located within the area shown on the**
35 **official map adopted by the County Council entitled “Bed & Breakfast Homes and Bed &**
36 **Breakfast Inns in R1, R2, and R5 Zoning Districts”, dated August, 2005, adopted by Bill**
37 **No. 55-05.]]**
38

39 **18-11-110. Campgrounds, commercial recreational.**
40

41 A commercial recreational campground shall comply with all of the following
42 requirements~~[[:]~~.
43

44 (1) The facility shall be located on a lot of at least 10 acres.
45

46 (2) An individual or group campsite may not be located on land having a slope of more
47 than 3%.

(3) There may be no more than 15 individual campsites per acre. An individual campsite shall have at least 1,600 square feet and a parking space, fireplace, picnic table, and tent or trailer space. There shall be one service structure for every 15 individual campsites, and the walking distance from the individual campsites to the service structure may be no more than 350 feet.

(4) There may be no more than four group camping sites per acre. The density for each group camping site may not exceed 25 persons. There shall be one service structure for every four group camping sites.

(5) A picnic area may not be located on land having a slope of more than 10%. The density of a picnic area may not exceed 60 persons per acre.

(6) A swimming area shall have at least 75 square feet of beach area per campsite. The slope for underwater development in a swimming area may be no more than 6%, and the slope for shore development in a swimming area may be no more than 10%.

(7) The owner or operator of the facility shall maintain a register listing each camper's name, date of arrival, and date of departure.

(8) An individual or group campsite may not be used by the same camper for more than a continuous 30-day period within a six-month period.

[[18-11-111. Cement manufacturing.

A cement manufacturing facility shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 50 acres.

(2) Each use except parking shall be located at least 300 feet from a freeway and 500 feet from any residentially zoned property.]]

[[18-11-112.]] 18-11-111. Cemeteries.

A cemetery shall comply with all of the following requirements.

(1) A cemetery shall be located on a lot of at least 20 acres.

(2) A structure used for the interment of a body or other remains of a person, including a mausoleum, vault, or columbarium, shall be located at least 80 feet from any road and 55 feet from all lot lines.

(3) A grave or burial lot shall be located at least 30 feet from any road bounding the cemetery and at least 25 feet from all lot lines.

[[18-11-113.]] 18-11-112. Child care centers other than as a home occupation.

A child care center other than as a home occupation shall comply with all of the following requirements.

1 (1) The facility shall be located on a lot of at least one acre for a center with less than
2 60 children and on a lot of at least two acres for a center with 60 children or more.

3
4 (2) Onsite circulation and parking areas shall be designed to minimize vehicular and
5 pedestrian conflicts and to provide safe areas for the dropping off and picking up of
6 passengers.

7
8 (3) Outdoor play areas or activity areas shall be fenced and located to the side or rear
9 of the principal structure. The fence shall comply with the side and rear setbacks for
10 accessory structures as provided in the bulk regulations of the residential district in which
11 the child care facility is to be located.

12
13 (4) The activities on the property shall be located in a manner to shield surrounding
14 residential property from the effects of noise, hazards, or other offensive conditions.

15
16 (5) A facility located in an RA district shall be located on a road other than a scenic or
17 historic rural road.

18
19 (6) A facility located in a residential zoning district may not have an entrance on a
20 minor arterial road or a road of higher classification unless the entrance to the center is at
21 least 500 feet from the entrance to a subdivision or commercial property.

22
23 (7) A special exception granted under this section and in use as of January 6, 2014 shall
24 be governed by the law in effect as of that date.

25
26 **[[18-11-114.]] 18-11-113. Clay and borrow pits and sand and gravel operations.**

27
28 A clay and borrow pit or a sand and gravel operation shall comply with all of the
29 following requirements.

30
31 (1) All vehicular access to the site shall be provided from a collector road, an arterial
32 road, a freeway, or a local road that serves only industrially zoned or commercially zoned
33 property between the facility entrance and the first intersecting collector road, arterial road,
34 or freeway in all directions.

35
36 (2) **[[The extraction and removal operation may not be noxious, offensive, or otherwise**
37 **objectionable to surrounding land uses.**

38
39 (3) All significant archaeological sites shall be identified and preserved under the
40 supervision of the Office of Planning and Zoning.

41
42 **(4)]]** The active operation shall be surrounded by fencing at least six feet high with
43 gates to limit access to the area.

44
45 **[[(5)]]** (3) Space on the site shall be adequate so that trucks using the facility are not
46 stopped or parked on a road right-of-way.

47
48 **[[(6)]]** Except in a W3 district, the use of machinery in the excavation area shall be
49 limited to that necessary to extract, screen, wash, and transport materials generated onsite

1 and all material shall be removed from the excavation area to a processing site for any
2 additional processing.]]

3
4 **[(7)]** (4) Except in a W3 district, a permanent legible sign approved by the Office of
5 Planning and Zoning measuring at least four feet by eight feet shall be posted and
6 maintained along each public road abutting the property or, if the property does not abut a
7 public road, one or more signs posted in locations that can be seen by the public. The sign
8 or signs shall state that the property has been approved for a clay and borrow pit or sand
9 and gravel operation, the special exception case number, the applicant's name, and the
10 name and telephone number of the operator.

11
12 **[(8)]** Reclamation activity for a distance of 1,000 feet from undisturbed areas may not
13 increase the site grade above the grade of the adjacent undisturbed areas.]]

14
15 **[(9)]** (5) Offsite materials brought to the site of an operation other than for construction
16 of a berm or for reclamation shall be restricted to the processing site.

17
18 **[(10)]** (6) Except in a W3 district, the hours of operation in an excavation area shall
19 be limited to 7:00 a.m. to 5:00 p.m. Monday through Saturday.

20
21 **[(11)]** (7) Additional rights-of-way for widening or extension of existing roads shall
22 be dedicated and deeded, as appropriate, if requested by the Department of Public Works
23 or the State Highway Administration.

24
25 **[(12)]** (8) County inspectors shall be allowed to enter onto the site during normal
26 business hours to ensure compliance with the terms of any special exception and the
27 requirements of this section.

28
29 **[(13)]** (9) The operation shall be at least 1,000 feet from any dwelling other than a
30 dwelling located on the site of the operation that is otherwise permitted by law, except that
31 the operation is allowed within 1,000 feet of a dwelling if[[:

32
33 (i)] the sound level at all lot lines does not exceed an average of 55 dBA and a
34 peak of 65 Dba[[;

35
36 (ii) the operation is totally obscured from the sight of the affected dwelling at the
37 highest normally accessible location of the dwelling to a maximum height of 30 feet above
38 grade but, during the times set forth in subsection (10), the operation shall be obscured to
39 the extent practical;

40
41 (iii) berms are used for sight obstruction and noise abatement to the extent feasible
42 and, if not feasible, an acceptable alternative is provided; the berms are constructed with
43 processed fill, consisting of rock and similar irreducible material that does not permit the
44 formation of voids into which overlaying soils may be washed, and topsoil intermittently
45 layered with non-organic soil; at least 12 inches of soil covers all rock or irreducible
46 material that is larger than eight inches; and the berms are stabilized with suitable
47 vegetation;

1 (iv) the excavation does not exceed a depth of 50 feet below the existing
2 surrounding grade with angle of repose maintained during the excavation and the site is
3 graded or benched to ensure safety at all times;

4
5 (v) the excavation and any noise abatement method are located at least 300 feet
6 from the affected dwelling and at least 100 feet from the lot line, but the distance may be
7 reduced if a temporary easement is obtained from the affected property owner and the
8 easement for the permitted time frame is contained in the special exception and approved
9 by the County Office of Law;

10
11 (vi) stabilization of the excavation area is accomplished with a cover material
12 capable of supporting long-lived vegetation;

13
14 (vii) reclamation is performed simultaneously with the excavation operation and
15 completed within two years after the excavation operation has ceased; and

16
17 (viii) work ceases immediately for a violation of this subsection or any conditions
18 imposed by the Administrative Hearing Officer and, if there are three violations in a 12-
19 month period, the portion of the special exception that allows work in the 1,000-foot area
20 shall be rescinded and all reclamation shall be completed within 12 months]].

21
22 **[(14)]** (10) The facility may incorporate a processing site for the stockpiling and
23 processing of material generated onsite and offsite if all of the following requirements are
24 met.

25
26 (i) Except in a W3 district, the processing site shall be at least 50 acres; material
27 generated offsite and used for processing with onsite material in any 12-month period may
28 not exceed 45% of the material generated onsite in the same period; material generated
29 offsite may be used only for blending with material generated onsite; the use of machinery
30 shall be limited to that necessary in the production of finished sand and gravel products
31 from materials allowed under this subsection; hours of operation shall be limited to 7:00
32 a.m. to 5:00 p.m. Monday through Saturday; the time frame for the operation of the
33 processing site may not exceed 25 years; and a crusher or similar reduction equipment is
34 prohibited.

35
36 (ii) All stationary equipment and stockpiles shall be located at least 1,000 feet from
37 a dwelling other than an onsite dwelling and at least 300 feet from a road other than an
38 internal road used exclusively for onsite operations.

39
40 (iii) Weight scales shall be operational at all processing sites.

41
42 **[(15)]** A maximum time period for operation of the facility shall be established as part
43 of the special exception approval and may not be renewed.

44
45 (16) The site shall be cleared of litter and scattered refuse daily.

46
47 (17) There shall be a 50-foot natural buffer between the operation and nontidal
48 wetlands.]]

1 ~~[(18)]~~ (11) A facility located in an RA district shall be located on a road other than a
2 scenic or historic rural road.

3
4 ~~[(19)]~~ Combustion ash, including bottom ash and fly ash, may not be used as fill in
5 reclamation of a clay and borrow pit or a sand and gravel operation.]]

6
7 (12) ACCESSORY USES, SUCH AS BIOSOLIDS COMPOSTING AND WOOD WASTE
8 RECYCLING, ARE ALLOWED SUBJECT TO THE FOLLOWING REQUIREMENTS:

9
10 (I) ALL ACCESSORY USES ARE LIMITED TO 25% OF THE SITE AREA, NOT TO EXCEED
11 FIVE ACRES.

12
13 (II) THE ACCESSORY USES ARE RESTRICTED TO THE PROCESSING AREAS.

14
15 **~~[(18-11-115.]] 18-11-114. Coke and coke products manufacturing.~~**

16
17 A facility for coke and coke products manufacturing shall comply with all of the
18 following requirements.

19
20 (1) The facility shall be located on a lot of at least 50 acres.

21
22 (2) Each use except parking shall be located at least 300 feet from a freeway and 1,000
23 feet from any residentially zoned property.

24
25 **~~[(18-11-116.]] 18-11-115. (Reserved).~~**

26
27 **~~[(18-11-117.]] 18-11-116. Commercial recreational facilities.~~**

28
29 A commercial recreational facility shall comply with all of the following requirements.

30
31 (1) The facility shall be located on a lot of at least two acres.

32
33 (2) Activities shall be located in a manner to shield surrounding residential property
34 from the effects of noise, hazards, or other offensive conditions.

35
36 (3) Vehicular access to the property shall be located on an arterial road or a road of a
37 higher classification.

38
39 (4) Activities that include motorcycles, motorized ~~[[dirtbikes]]~~ DIRT BIKES, go-carts,
40 and similar vehicles are not allowed.

41
42 **~~[(18-11-118.]] 18-11-117. Commercial telecommunication facilities.~~**

43
44 A commercial telecommunication facility shall comply with all of the following
45 requirements.

46
47 (1) A principal structure permanently located on the ground shall be a monopole unless
48 the principal structure is located on land owned by a governmental entity or a volunteer
49 fire company.

1 (2) A PRINCIPAL structure permanently located on the ground shall be located at least
2 200 feet or one foot for each foot of height, whichever is greater, from the lot line of a:

3
4 (i) property located in a residential district;

5
6 (ii) residentially occupied property;

7
8 (iii) school;

9
10 (iv) public park; or

11
12 (v) platted open space or open area[[]].

13
14 (3) The height of a PRINCIPAL structure permanently located on the ground may not
15 exceed:

16
17 (i) for one provider, 100 feet, or 130 feet for a private facility located on
18 government-owned land; and

19
20 (ii) for two or more providers, 140 feet, or 170 feet for a private facility located on
21 government-owned land.

22
23 (4) The applicant shall provide affirmative proof in a detailed sworn statement that all
24 potential commercially zoned sites within 2,500 feet of the proposed site have been
25 exhausted, and the statement shall include:

26
27 (i) the names, addresses, and telephone numbers of all owners of commercially
28 zoned property within a 2,500 foot radius of the proposed site;

29
30 (ii) the reasons why commercially zoned property within a 2,500 foot radius of the
31 proposed site is not suitable, including specific statements as to whether the applicant's use
32 is compatible with other uses of the site, the property owner will allow use of the site, and
33 the maximum tower height accommodated by the site is suitable for the applicant's use.

34
35 (5) The applicant shall provide affirmative proof in a detailed sworn statement that all
36 attempts to co-locate the proposed commercial telecommunication facility on the five
37 geographically closest commercial telecommunication facilities have been exhausted, and
38 the statement shall include:

39
40 (i) the addresses or descriptive locations of the five geographically closest
41 commercial telecommunication facilities;

42
43 (ii) the addresses or descriptive locations and a map of the applicant's existing or
44 approved commercial telecommunications facilities within five miles of the proposed
45 telecommunications facility;

46
47 (iii) the names, addresses, and telephone numbers of the owners and operators of
48 the five geographically closest commercial telecommunication facilities; and

(iv) the reasons why the five geographically closest commercial telecommunication facilities are not suitable for co-location, including specific statements as to whether:

1. the location, height, or nature of the facility would make it unsuitable for the applicant's needs;

2. physical, electromagnetic, or other interference would make the commercial telecommunication facility unsuitable for the applicant's needs;

3. the applicant's use of the commercial telecommunication facility would interfere with other users;

4. structurally improving the facility for the applicant's use would cost more than 50% of the facility's original cost; and

5. adding the applicant's use to the facility would make the facility taller than would be allowed on the site.

(6) In addition to meeting the requirements of subsections (2), (3) and (5), the height of a commercial telecommunication facility that is permanently located on the ground in MB, MC, and OS districts may not exceed:

(i) for one provider, 130 feet, or 160 feet for a private facility located on government-owned land;

(ii) for two providers, 170 feet, or 200 feet for a private facility located on government-owned land;

(iii) for three providers, 210 feet, or 240 feet for a private facility located on government-owned land; and

(iv) for four or more providers, 250 feet.

(7) In addition to meeting the requirements of subsections (2), (3), (5), and (6), a commercial telecommunication facility that is permanently located on the ground in an OS district may not:

(i) exceed one facility for each 20 acres of land; and

(ii) be constructed to hold less than three providers.

(8) The facility shall meet the requirements of § [[18-10-118(2) through (12)]] 18-10-119(2) THROUGH (12).

[[18-11-119.]] 18-11-118. Conference retreat facilities.

A conference retreat facility shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 50 acres.

1 (2) Each building shall be located at least 100 feet from any residentially zoned
2 property.

3
4 (3) Vehicular access shall be located on an arterial road or a road of a higher
5 classification.

6
7 (4) One guest room per acre is allowed if the floor area of the guest rooms does not
8 exceed 40% of the floor area of all enclosed conference areas.

9
10 (5) Commercial deliveries and services, including trash collection, shall be limited to
11 the hours of 6:00 am to 6:00 pm.

12
13 (6) A facility located in an RA district shall be located on a road other than a scenic or
14 historic rural road.

15
16 **[[18-11-120. Conversion of existing single-family detached dwellings to duplex**
17 **dwellings.**

18
19 The conversion of an existing single-family detached dwelling to a duplex dwelling
20 shall comply with all of the following requirements.

21
22 (1) The structure to be converted shall have been in existence as a single-family
23 dwelling for at least five years before the filing of an application for a special exception.

24
25 (2) A converted dwelling unit shall have at least two rooms in addition to a kitchen and
26 bathroom.

27
28 (3) The lot on which the structure is located shall be at least 14,000 square feet.

29
30 (4) The lot is served by public water and public sewer.]]

31
32 **[[18-11-121.]] 18-11-119. Country clubs, private clubs, and service [[and nonprofit**
33 **charitable]] organizations with 125 or more onsite parking spaces.**

34
35 A country club, private club, or service [[and nonprofit charitable]] organization with
36 125 or more onsite parking spaces shall comply with all of the following requirements.

37
38 (1) No more than 25% of the net area of the lot may be covered by structures and onsite
39 parking.

40
41 (2) Vehicular access to the property shall be located on an arterial road or a road of a
42 higher classification.

43
44 (3) Sufficient access to the use shall be provided to avoid congestion of roads in
45 adjacent residential areas.

46
47 (4) Each structure shall be located at least 100 feet from any lot line.

48
49 (5) Required onsite parking may not be located in a required setback.

1 (6) The activities on the property shall be located in a manner to shield surrounding
2 residential property from the effects of noise, hazards, or other offensive conditions.

3
4 (7) A facility located in an RA district shall be located on a road other than a scenic or
5 historic rural road.

6
7 **[[18-11-122.]] 18-11-120. Dance halls.**

8
9 A dance hall shall comply with all of the following requirements.

10
11 (1) **[[The facility]]** EACH STRUCTURE shall be located at least 1,000 feet in a straight
12 line from entry to entry from any religious facility, school, library, park, or recreation area,
13 except that when measuring distance from a public park, the distance shall be measured
14 from the entry of the dance hall to the lot line of the park.

15
16 (2) A written plan to control loitering shall be approved by the Administrative Hearing
17 Officer, and “No Loitering” signs shall be conspicuously posted in all parking areas.

18
19 (3) Patrons shall be prohibited from bringing food or beverages into the facility.

20
21 (4) The hours of operation shall be limited to 12:00 noon to 2:00 a.m.

22
23 **[[18-11-123.]] 18-11-121. Drive-in theaters.**

24
25 A drive-in theater shall comply with all of the following requirements.

26
27 (1) The facility shall be located on a minor arterial road or a collector road within **[[one-**
28 **quarter]]** ONE-QUARTER mile of a freeway or arterial road.

29
30 (2) Sufficient access shall be provided to avoid congestion of surrounding roads.
31 Entrances and exits shall be provided at least 150 feet apart and at least 50 feet from any
32 street intersection.

33
34 (3) Traffic within the facility shall be one-way only.

35
36 (4) The facility shall be located at least 200 feet from any residentially zoned property.

37
38 (5) Theater screens may not face a freeway or be visible from outside the facility.

39
40 (6) Individual loudspeakers shall be provided for each vehicle, and central loudspeakers
41 are prohibited.

42
43 (7) Each exit, aisle, and passageway shall be adequately lighted when the facility is
44 open.

45
46 (8) Any accessory amusement area, kiddylane, or refreshment stand or booth shall be
47 for patrons of the facility only.

1 **[[18-11-124.]] 18-11-122. Eating disorder treatment facility.**

2
3 An eating disorder treatment facility shall comply with all of the following
4 requirements.

5
6 (1) The facility shall be located within one half mile of a principal arterial road.

7
8 (2) The facility shall be located on a lot of at least four acres.

9
10 (3) Structures shall be located at least 50 feet from the front and rear lot lines and 20
11 feet from the side lot lines.

12
13 (4) The facility may not have more than 100 eating disorder treatment units.

14
15 (5) Maximum coverage by structures and parking may not exceed 60% of the gross
16 area of the lot.

17
18 (6) No off-site parking on public streets shall be permitted.

19
20 (7) The floor area of each eating disorder treatment unit shall be limited to not more
21 than 1,000 square feet.

22
23 (8) Any source of potential nuisance, including a laundry operation, power plant,
24 restaurant, cafeteria, kitchen, unloading area for supplies and food, garbage loading area,
25 or incinerator shall be located in a manner to shield surrounding residential property from
26 the effects of noise, light, hazards, and other offensive conditions.

27
28 **[[18-11-125.]] 18-11-123. Farm or agricultural heritage site special event, 16 to 30**
29 **annual events.**

30
31 A farm or agricultural heritage site special event, 16 to 30 annual events, shall comply
32 with the following requirements.

33
34 (1) The minimum lot size is 10 acres.

35
36 (2) Onsite circulation and parking areas shall be designed to minimize vehicular and
37 pedestrian conflicts.

38
39 (3) Any outdoor assembly areas shall be located and designed to shield surrounding
40 residential properties from the effects of noise, hazards, or other offensive conditions and
41 shall be screened from adjacent residential properties.

42
43 (4) Maximum capacity may not exceed 200 attendees.

44
45 (5) No more than 30 farm or agricultural heritage site special events may be held on
46 the same property within a 12-month period.

47
48 (6) Operation hours shall be restricted to between 9:00 a.m. and 10:00 p.m., Sunday
49 through Thursday; and between 9:00 a.m. and 11:00 p.m., Friday and Saturday.

(7) Each farm or agricultural heritage site special event shall be no longer than one day.

(8) Special event activities shall occur outdoors, unless the use of any structures or tents is in accordance with the Building Code.

(9) A farm or agricultural heritage site special event shall be accessory and not the principal use on the farm or agricultural heritage site.

(10) The owner has owned the property for the immediately preceding two years and has been engaged in active farming for the immediately preceding two years.

(11) For property in the critical area, provisions of this Code relating to lot coverage and limits on clearing apply, and include access, parking regardless of surface, temporary structures, temporary tents, and temporary pavement surfaces.

(12) For property in the critical area, no new lot coverage, including for access or parking, may be added in the buffer to accommodate the event.

[[18-11-126.]] 18-11-124. Fertilizer manufacturing.

A facility for fertilizer manufacturing shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 10 acres.

(2) Each use except parking shall be located at least 300 feet from a freeway and 1,000 feet from any residentially zoned property.

[[18-11-127.]] 18-11-125. Festival, renaissance.

A renaissance festival shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 150 acres.

(2) Access shall be provided directly from an arterial road.

(3) The Administrative Hearing Officer shall limit the duration of the use to a maximum number of days per year.

(4) A facility located in an RA district shall be located on a road other than a scenic or historic rural road.

[[18-11-128.]] 18-11-126. Heliports.

A heliport shall comply with all of the following requirements.

(1) Land areas to be used by helicopters shall have a dustproof surface.

1 (2) The housing and repair of helicopters and all structures or facilities used to house
2 and repair helicopters shall be located at least 50 feet from all lot lines and 200 feet from
3 any dwelling or public or private institution.

4
5 (3) Parking is not allowed within required setbacks.

6
7 (4) The facility shall be surrounded by fencing at least six feet high with gates to limit
8 access to the area.

9
10 (5) The day-night noise level at the lot lines may not exceed 75 Ldn in an industrial
11 district or a C4 district, or 65 Ldn in any other district.

12
13 (6) A facility located in an RA district shall be located on a road other than a scenic or
14 historic rural road.

15
16 **[[18-11-129.]] 18-11-127. Hotels and motels.**

17
18 A hotel or motel shall comply with all of the following requirements.

19
20 (1) The facility shall be accessory to a marina and located on a lot of at least two acres.

21
22 (2) The lot shall have at least 200 feet of shoreline.

23
24 (3) An accessory structure shall be located at least 50 feet from the rear or side lot lines.

25
26 (4) The principal vehicular access shall be located on an arterial or collector road.

27
28 (5) Transient boat slips shall be provided at a rate of one slip for every 10 rooms in the
29 facility.

30
31 **[[18-11-130.]] 18-11-128. Kennels, commercial.**

32
33 A commercial kennel shall comply with all of the following requirements.

34
35 (1) The facility shall be located on a lot of at least three acres.

36
37 (2) Buildings, enclosures, and runs for the housing or shelter of animals shall be located
38 at least 100 feet from any residentially zoned property, and no animal may be housed within
39 this setback.

40
41 (3) The use may not be noxious, offensive, or otherwise objectionable to surrounding
42 residential uses.

43
44 **[[18-11-131. Landfills, rubble and land-clearing debris landfills.**

45
46 Rubble landfills and land-clearing debris landfills shall comply with all of the following
47 requirements.

48
49 (1) The facility shall be located on a lot of at least 50 acres.

1 (2) All vehicular access to the site shall be provided from a collector road, an arterial
2 road, a freeway, or a local road that serves only industrially zoned or commercially zoned
3 property between the facility entrance and the first intersecting collector road, arterial road,
4 or freeway in all directions.

5
6 (3) The facility shall reclaim all or part of a clay and borrow pit or sand and gravel
7 operation.

8
9 (4) All significant archaeological sites shall be identified and preserved under the
10 supervision of the Office of Planning and Zoning.

11
12 (5) The active operation shall be surrounded by fencing that contains all windblown
13 litter, is at least six feet in height, and is secured by a gate to prevent unauthorized entry.

14
15 (6) The facility shall recycle the rubble or land-clearing debris so that no less than 30%
16 of the total amount of material received in any 12-month period is recycled.

17
18 (7) Space shall be adequate so that trucks using the facility are not stopped or parked
19 on a road right-of-way.

20
21 (8) Except in a W3 district, hours shall be limited to 7:00 a.m. to 5:00 p.m. Monday
22 through Friday.

23
24 (10) The sound level at any lot line may not exceed an average of 55 dBA or a peak of
25 60 dBA.

26
27 (11) The facility shall maintain a 100-foot buffer between the active operation and
28 existing streams and wetlands.

29
30 (12) The height of the landfill may not exceed 30 feet above the natural grade of the
31 surrounding land, and the finished slope shall be four to one or less.

32
33 (13) The facility shall be operated in a way that manages odor, and excessive odor may
34 not be detectable within 100 feet from any property line.

35
36 (14) The facility shall maintain records onsite specifying the date, type, and amount of
37 material received, its place of origin (Anne Arundel County or out-of-County), and the
38 amount of material recycled in accordance with subsection (6), such records to be available
39 for inspection by the County.

40
41 (15) Semiannual reports detailing the information contained in the records kept under
42 subsection (14) shall be completed on a form provided by and submitted to the Department
43 of Inspections and Permits.

44
45 (16) A permanent legible sign approved by the Office of Planning and Zoning
46 measuring at least four by eight feet and indicating that the property has been approved for
47 a rubble landfill shall be posted and maintained along each abutting road and at each
48 entrance to the facility.

1 (17) County inspectors shall be allowed entry onto the site during normal business
2 hours to ensure compliance with the terms of any special exception and the requirements
3 of this section.

4
5 (18) The site shall be cleaned of litter and scattered refuse daily.

6
7 (19) The facility shall conform to the current Solid Waste Management Plan adopted
8 by the County, including any amendments or revisions to the Plan.

9
10 (20) A facility located in an RA district shall be located on a road other than a scenic
11 or historic rural road.

12
13 (21) Combustion ash, including bottom ash and fly ash, may not be used as cover
14 material or for any other fill.]]

15
16 **[[18-11-132.]] 18-11-129. Landscaping and tree contracting.**

17
18 Landscaping and tree contracting facilities shall comply with all of the following
19 requirements.

20
21 (1) The facility shall be located on a lot of at least two acres.

22
23 (2) All vehicular access to the site shall be directly from a collector or higher
24 classification road.

25
26 (3) Buildings and outdoor areas to be used for parking, loading or storage of vehicles,
27 equipment, tools, and supplies shall be delineated on a site development plan and located
28 at least 50 feet from all property lines and public roads, and maximum coverage for outdoor
29 storage may not exceed 20% of the total lot area.

30
31 (4) The location and design of the operation shall be such that the use will not be a
32 nuisance to neighboring properties due to noise, dust, and fumes.

33
34 (5) Hours of operation shall be limited to 7:00 a.m. to 6:00 p.m.

35
36 (6) Accessory outdoor storage and parking areas shall be screened from neighboring
37 properties in accordance with the Landscape Manual.

38
39 (7) Minor repairs to vehicles or equipment are permitted, provided such activities take
40 place inside a building. Body work, engine rebuilding, engine reconditioning, painting, and
41 similar activities are not permitted.

42
43 **[[18-11-133.]] 18-11-130. Landscaping and tree contracting with accessory recycling of**
44 **logs into firewood.**

45
46 Landscaping and tree contracting with accessory recycling of logs into firewood shall
47 comply with all of the following requirements.

48
49 (1) The facility shall be located on a lot of at least five acres.

(2) Buildings and outdoor areas to be used for parking, loading or storage of vehicles, equipment, tools, and supplies related to landscaping and tree contracting shall be delineated on a site development plan and located at least 50 feet from all lot lines and public roads.

(3) The processing areas, parking and loading areas, and areas for storage of mechanical equipment related to the recycling of logs into firewood shall be delineated on a site development plan and located at least 200 feet from lot lines.

(4) Firewood shall be stored in windrows not more than 10 feet high and 20 feet wide, in static piles not more than 20 feet high, or in bulk storage bags and shall be located at least 50 feet from lot lines.

(5) Outdoor storage, including storage of unprocessed logs and processed firewood, may not occupy more than 20% of the total lot area, not to exceed five acres.

(6) Hours of operation for the recycling of logs into firewood shall be limited to either 9:00 a.m. to 12:00 p.m. or 1:00 p.m. to 4:00 p.m. on any one day, Monday through Friday.

(7) The sound level at any residentially zoned or residentially developed property line may not exceed an average of 55 dba and a peak of 60 dba based on readings taken during operations.

(8) The storage and processing of logs that are not incidental to the landscaping and tree contracting business is prohibited.

(9) The facility shall meet the requirements of [[§ 18-11-131(2), (4), (5), (6), and (7)]] § 18-11-129(2), (4), (5), (6), AND (7).

[[18-11-134.]] 18-11-131. Mobile home parks.

A mobile home park shall comply with all of the following requirements.

(1) The park shall be located on a site of at least 10 acres.

(2) The site shall be served by public water and sewer or be scheduled for sewer service within the 10-year water and wastewater master plan.

(3) Each mobile home shall be located on a site of at least 4,000 square feet with a minimum width of 40 feet and be located at least 10 feet from all lot lines.

(4) Density may not exceed that which is allowed in the district in which the park is located, except that the density may not in any event exceed seven mobile homes per acre.

(5) At least 15% of the total area of the park shall be devoted to open area.

[[18-11-135.]] 18-11-132. Natural wood waste recycling facilities.

1 Natural wood waste recycling facilities shall comply with all of the following
2 requirements.

3
4 (1) The facility shall be located on a lot of at least five acres.

5
6 (2) All vehicular access to the site shall be from a collector road, an arterial road, a
7 freeway, or a local road that serves only industrially zoned or commercially zoned property
8 between the facility entrance and the first intersecting collector road, arterial road, or
9 freeway in all directions.

10
11 (3) Composting shall be on an impervious surface.

12
13 (4) Storage of compost shall be on a surface that is adequately drained or under cover.

14
15 (5) Processing and loading areas and all areas for storage of material shall be
16 surrounded by fencing that contains all windblown litter, is at least six feet in height, and
17 is secured by a gate to prevent unauthorized entry.

18
19 (6) The processing areas, parking and loading areas, and areas for storage of mechanical
20 equipment shall be located at least 300 feet from any residentially zoned or residentially
21 developed property.

22
23 (7) Processed natural wood waste shall be stored in windrows not more than 10 feet
24 high and 20 feet wide or static piles not more than 20 feet high.

25
26 (8) Unprocessed natural wood waste stockpiled onsite may not occupy more than 25%
27 of the site.

28
29 (9) Space on the site shall be adequate so that trucks using the facility are not stopped
30 or parked on a road right-of-way.

31
32 (10) Except in a W3 district, hours of operation shall be limited to 7:00 a.m. to 5:00
33 p.m. Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday.

34
35 (11) The sound level at any residentially zoned or residentially developed lot line may
36 not exceed an average of 55 dBA or a peak of 60 dBA.

37
38 (12) The facility shall maintain a 100-foot buffer between parking, loading, storage,
39 processing, and building areas and existing streams and wetlands.

40
41 (13) Material processed onsite and transported offsite as recycled material may be no
42 less than 70% of the total amount of material received in any 12-month period.

43
44 (14) The facility shall be operated in a way that manages odor, and excessive odor may
45 not be detectable within 100 feet from the lot line.

46
47 (15) The facility shall maintain onsite records specifying the date, type, and amount of
48 material received, its place of origin (Anne Arundel County or out-of-County), and the

1 amount of material transported offsite in accordance with subsection (13), such records to
2 be available for inspection by the County.

3
4 (16) Semiannual reports detailing the information contained in the reports kept under
5 subsection (15) shall be completed on a form provided by and submitted to the Department
6 of Inspections and Permits.

7
8 **[[18-11-136.]] 18-11-133. Nursing homes.**

9
10 A nursing home shall comply with all of the following requirements.

11
12 (1) In an RLD district, the facility shall be located on a lot of at least 10 acres. In other
13 districts, the facility shall be located on a lot of at least five acres plus one acre for each
14 group of 25 beds, or fraction of 25 beds, in excess of 100.

15
16 (2) All structures shall be located at least 100 feet from all lot lines in RLD districts
17 and 50 feet from all lot lines in other districts.

18
19 (3) A structure used in whole or part for contagious, mental, or drug or alcohol
20 addiction cases shall be located at least 200 feet from all lot lines.

21
22 (4) Any source of potential nuisance, including a laundry operation, power plant,
23 restaurant, cafeteria, kitchen, ambulance or emergency patient entrance, unloading area for
24 supplies and food, garbage loading area, incinerator, and animal laboratory, shall be located
25 at least 200 feet from any residentially zoned property and at least 50 feet from any road
26 intersection.

27
28 (5) Each access drive shall be located at least 40 feet from any residentially zoned
29 property.

30
31 (6) **[[The facility]]** EACH STRUCTURE may exceed the height limitation allowed in the
32 zoning district in which it is located if all setback requirements are increased by one foot
33 for each foot of excess height.

34
35 (7) In an RLD district, structures and onsite parking may cover no more than 30% of
36 the lot.

37
38 **[[18-11-137.]] 18-11-134. Ore storage.**

39
40 An ore storage facility may not be located within 300 feet of a freeway or a residentially
41 zoned property.

42
43 **[[18-11-138. Pawnshops.**

44
45 A pawnshop shall comply with all of the following requirements.

46
47 (1) The use shall be located at least 1,000 feet from the nearest lot line of any school,
48 library, park, religious facility, or video lottery facility.

1 (2) The facility's customer entrance and any onsite parking areas shall be located at
2 least 100 feet from any residential structure.

3
4 (3) Hours of operation shall be established by the Administrative Hearing Officer as
5 part of the special exception approval.]]

6
7 **[[18-11-139.]] 18-11-135. Petroleum products, storage for retail sale.**

8
9 A facility for the storage of petroleum products for retail sale shall comply with all of
10 the following requirements.

11
12 (1) The facility shall be located on a lot of at least one-half acre.

13
14 (2) The product shall be stored in the same form as received and may not be altered,
15 except that two or more products may be blended.

16
17 (3) Maximum storage of product, whether above or below ground, may not exceed
18 250,000 gallons for the first one-half acre. Above-ground storage may be increased by an
19 additional 125,000 gallons for each additional one-half acre. In any event, no more than
20 1,000,000 gallons may be stored on the lot and no single tank may exceed a capacity of
21 250,000 gallons.

22
23 (4) Each storage tank shall be located at least 50 feet from all lot lines, at least 200 feet
24 from abutting residentially zoned property, and at least 200 feet from an existing dwelling.

25
26 **[[18-11-140.]] 18-11-136. Petroleum products, storage onsite in excess of 1,000,000**
27 **gallons for use by W3 district uses or public utilities.**

28
29 A facility for the storage of petroleum products in excess of 1,000,000 gallons for use
30 by a W3 district use or a public utility shall comply with all of the following requirements.

31
32 (1) The product shall be sold in the same form as received and may not be altered,
33 except that two or more products may be blended.

34
35 (2) The facility shall be located on a lot or contiguous lots that total at least 15 acres.

36
37 (3) All vehicular access to the site shall be from a collector road, an arterial road, a
38 freeway, or a local road that serves only industrially zoned or commercially zoned property
39 between the facility entrance and the first intersecting collector road, arterial road, or
40 freeway in all directions.

41
42 (4) Each storage tank shall be located at least 2,000 feet from any residentially zoned
43 property.

44
45 **[[18-11-141. Piers and launching ramps, community.**

46
47 A community pier or launching ramp shall comply with all of the following
48 requirements.

(1) The facility shall be located on a lot of at least 30,000 square feet that is owned by a homeowner's association or controlled by an assisted living facility.

(2) Adverse effects on water quality and fish, plant, and wildlife habitat shall be minimized.

(3) Nonwater-dependent structures or operations associated with water-dependent projects or activities shall be located outside the buffer to the extent possible.

(4) Disturbance to the buffer shall be the minimum necessary to provide a single point of access to the facility.

(5) Food, fuel, or other goods and services may not be offered for sale, and adequate and clean sanitary facilities shall be provided.

(6) Boarding ladders shall be located along the sides of a pier and along each bulkhead where the water depth at the bulkhead exceeds four feet in depth at mean high water. Ladders along piers shall be 100 feet apart on each side of the pier and staggered so that the ladders alternate sides every 50 feet. Ladders along bulkheads shall be placed no more than 50 feet apart.

(7) United States Coast Guard approved personal flotation devices shall be located along each pier or bulkhead at intervals not exceeding 100 feet.

(8) When a community pier with slips is provided as part of a new residential riparian subdivision, private piers in the subdivision are prohibited.

(9) The number of slips allowed with a community pier shall be the lesser of the following:

(i) one slip for each 50 feet of shoreline in a subdivision or assisted living facility located in an intense or limited development area, and one slip for each 300 feet of shoreline in a subdivision located in a resource conservation area; or

(ii) a density of slips to platted lots or dwellings in the critical area in accordance with the following chart:

Platted Lots or Dwelling units in the Critical Area	Slips
Up to 15	1 for each lot
16 to 40	15 or 75%, whichever is greater
41 to 100	30 or 50%, whichever is greater
101 to 300	50 or 25%, whichever is greater
More than 300	75 or 15%, whichever is greater

(10) In the event the parcel or lot has riparian rights and the proposed development is located on a portion of the parcel or lot that is out of the critical area, these rights may be utilized in accordance with permitted use criteria established for the critical area classification through the use of a community facility established in accordance with § 18-

10-149, based on the actual length of shoreline or potential density that would have been permitted within the critical area portion of the parcel or lot.]]

[[18-11-142.]] 18-11-137. Pile driving and marine construction operations.

Pile driving and marine construction operations shall comply with all of the following requirements:

(1) The pile driving and marine construction use shall be accessory to a marina and limited to the lessor of 15% of the total site area or a quarter of an acre.

(2) The total lot size for facility shall be at least half of an acre.

(3) The facility may operate only between the hours of 8 a.m. and 5 p.m., Monday through Friday.

(4) The facility shall be screened from adjacent properties in a manner consistent with the requirements of the County Landscape Manual.

[[18-11-143.]] 18-11-138. Planned unit developments.

The requirements for a planned unit development are located in Title 12.

[[18-11-144.]] 18-11-139. Plasma centers.

A plasma center shall comply with all the following requirements.

(1) ~~[[The facility]]~~ EACH STRUCTURE may not be located within 1,000 feet of a dwelling or school, or within one mile of another State-licensed medical clinic, a plasma center, a licensed dispensary of cannabis, or a transitional housing facility.

(2) The facility shall conspicuously post “no loitering” signs in all parking and sidewalk areas.

[[18-11-145.]] 18-11-140. Public utility uses.

A public utility use shall comply with all of the following requirements.

(1) The architectural scale, design, and landscaping treatment of the use shall be compatible with other development in the area and shall be fully or partially enclosed as may be necessary to provide compatibility.

(2) The use shall be necessary for public convenience at the designated location.

(3) Utility corridors shall be used to the extent practical.

(4) The alignment shall follow the topography to minimize any effects to the terrain.

1 (5) There shall be selective vegetative clearance for the right-of-way for soil erosion
2 control.

3
4 (6) Structures, such as antennas and lightning masts, may exceed the maximum height
5 limitations of the zoning district in which the use is located if the excess height is the
6 minimum necessary to accomplish the purpose of the structure and minimum setbacks are
7 increased by one foot for each excess foot in height.

8
9 **[[18-11-146.]] 18-11-141. Race tracks for horses.**

10
11 A race track for horses shall comply with all of the following requirements.

12
13 (1) The facility shall be located on a lot of at least 100 acres.

14
15 (2) Vehicular access shall be located on an arterial or collector road within one-quarter
16 mile of a freeway or principal arterial road and may not be located on a freeway or a local
17 road.

18
19 (3) Each vehicular entrance and exit shall be located at least 50 feet from all lot lines.

20
21 (4) The facility may not draw traffic through local roads in surrounding residential
22 areas.

23
24 (5) Parking and principal uses, including the grandstand, clubhouse, and the track, shall
25 be located at least 60 feet from all lot lines.

26
27 **[[18-11-147.]] 18-11-142. Race tracks other than horse race tracks.**

28
29 A race track for a use other than horses shall comply with all of the following
30 requirements.

31
32 (1) The facility shall be located on a lot of at least 100 acres for automobile, stock car,
33 or drag racing, at least 50 acres for miniature race car racing, and at least five acres for go-
34 cart racing.

35
36 (2) Vehicular access shall be located on an arterial or a collector road within one-quarter
37 mile of a freeway or principal arterial road and may not be located on a freeway or a local
38 road.

39
40 (3) The facility may not draw vehicular traffic through local roads in surrounding
41 residential areas.

42
43 (4) Each use shall be located at least 200 feet from any residentially zoned property.

44
45 (5) Racing of automobiles is prohibited within one mile of a residentially zoned
46 property.

47
48 (6) Adequate onsite reservoir space at the vehicular entrance and sufficient vehicular
49 entrances and exits shall be provided to prevent traffic congestion.

(7) Separate vehicular entrances and exits shall be provided at least 100 feet apart and at least 50 feet from any street intersection.

(8) Each structure shall be located at least 100 feet from all lot lines.

(9) Parking may not be located in a required setback and shall be located at least 500 feet from any lot line for automobile, stock car, drag, or miniature car racing and 100 feet from any lot line for go-cart racing.

[[18-11-148.]] 18-11-143. Radio, television, or industrial testing towers.

A testing tower for a radio, television, or industrial testing towers facility shall be set back from any road right-of-way by no less than the height of the tower.

[[18-11-149.]] 18-11-144. Recyclables recovery facilities.

A recyclables recovery facility shall comply with all of the following requirements.

(1) Vehicular access shall be from a collector road, an arterial road, a freeway, or a local road that serves only industrially zoned or commercially zoned property between the facility entrance and the first intersecting collector road, arterial road, or freeway in all directions.

(2) Collection, separation, and processing of recyclables shall be done within a structure at the facility.

(3) Space on the site shall be adequate so that trucks using the facility are not stopped or parked on a road right-of-way.

(4) The sound level at any residentially zoned or residentially developed property line may not exceed an average of 55 dBA and a peak of 60 dBA.

(5) The facility shall maintain onsite records specifying the date, type, and amount of material received, its place of origin (Anne Arundel County or out-of-County), and the amount of material transported offsite, such records to be available for inspection by the County.

(6) Semiannual reports detailing the information contained in the records kept under subsection (6) shall be completed on a form provided by and to be submitted to the Department of Inspections and Permits.

(7) The site shall be cleaned of litter and scattered refuse daily.

(8) The crushing and recycling of concrete is prohibited in W2 districts.

[[18-11-150.]] 18-11-145. Religious facilities with 300 or more onsite parking spaces.

A religious facility with 300 or more onsite parking spaces shall comply with all of the following requirements.

1 (1) No more than 25% of the lot may be covered by structures, including accessory
2 structures, and onsite parking.

3
4 (2) Each structure shall be located at least 100 feet from any lot line.

5
6 (3) Activities shall be located in a manner to shield surrounding residential property
7 from the effects of noise, hazards, or other offensive conditions.

8
9 (4) Vehicular access shall be located on an arterial road or higher classification.

10
11 (5) Sufficient access to the use shall be provided and the facility may not draw vehicular
12 traffic through local roads in surrounding residential areas.

13
14 (6) A facility located in an RA district shall be located on a road other than a scenic or
15 historic rural road.

16
17 **[[18-11-151.]] 18-11-146. Rendering plants.**

18
19 A rendering plant shall comply with all of the following requirements.

20
21 (1) The facility shall be located on a lot of at least four acres.

22
23 (2) Each use except parking shall be located at least 300 feet from a freeway and 1,000
24 feet from any residentially zoned property.

25
26 (3) All vehicular access to the site shall be from a collector road, an arterial road, a
27 freeway, or local road that serves only industrially zoned or commercially zoned property
28 between the facility entrance and the first intersecting collector road, arterial road, or
29 freeway in all directions.

30
31 (4) The facility shall be operated in a way that manages the odor, and excessive odor
32 may not be detectable within 100 feet from any lot line.

33
34 **[[18-11-152.]] 18-11-147. Rifle, pistol, skeet, and archery ranges, indoor.**

35
36 An indoor rifle, pistol, skeet, and archery range shall comply with all of the following
37 requirements.

38
39 (1) The facility shall be located on a lot of at least one acre.

40
41 (2) The facility may not draw vehicular traffic to or through local roads in surrounding
42 residential areas.

43
44 (3) **[[The facility]]** EACH STRUCTURE may not be located within 100 feet of any
45 residentially zoned property.

46
47 (4) Vehicular access to the facility shall be at least 50 feet from any road intersection.

48
49 (5) The sale or consumption of alcoholic beverages is prohibited.

[[18-11-153.]] 18-11-148. Rifle, pistol, skeet, and archery ranges, outdoor.

An outdoor rifle, pistol, skeet, and archery range shall comply with all of the following requirements.

(1) For each rifle or pistol range:

(i) the area between the firing point and target pit shall be baffled overhead and either baffled or fenced on each side to prevent a fired projectile from escaping the range area;

(ii) each backstop shall be constructed of dirt and surfaced with at least three feet of debris-free dirt;

(iii) the backstop shall be of a height so that a bullet fired from the lowest firing position cannot escape between the last baffle and the backstop; and

(iv) the passageway from the firing line to each target pit shall be completely enclosed or consist of a trench of sufficient depth to shield a user from exposure to a bullet.

(2) For a skeet or archery range, the area between the stake and target shall be baffled or fenced on each side to prevent the projectile from escaping the range area.

(3) The sale or consumption of alcoholic beverages is prohibited.

(4) Written approval from the Police Department shall be obtained.

[[18-11-154.]] 18-11-149. Rubble processing facilities.

A rubble processing facility shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 10 acres.

(2) All vehicular access to the site shall be from a collector road, an arterial road, a freeway or a local road that serves only industrially zoned or commercially zoned property between the facility entrance and the first intersecting collector road, arterial road, or freeway in all directions.

(3) Unloading and processing of rubble shall be done within a building at the facility.

(4) The active operation shall be surrounded by fencing that contains all windblown litter, is at least six feet in height, and is secured by a gate to prevent unauthorized entry.

(5) The facility shall recycle the rubble so that no less than 30% of the total amount of material received in any 12-month period is recycled.

(6) Space shall be adequate so that trucks using the facility are not stopped or parked on a road right-of-way.

1 (7) The sound level at any residentially zoned or residentially developed property line
2 may not exceed an average of 55 dBA and a peak of 60 dBA.

3
4 (8) Rubble processed onsite and transported offsite shall be no less than 70% of the
5 total amount of material received in any 12-month period.

6
7 (9) The facility shall maintain records onsite specifying the date, type, and amount of
8 material received and its place of origin (Anne Arundel County or out-of-County), the
9 amount of material recycled in accordance with subsection (5), and the amount of material
10 transported offsite in accordance with subsection (8), such records to be available for
11 inspection by the County.

12
13 (10) Semiannual reports detailing the information contained in the records kept under
14 subsection (9) shall be completed on a form provided by and submitted to the Department
15 of Inspections and Permits.

16
17 (11) The site shall be cleaned of litter and scattered refuse daily.

18
19 (12) The facility shall conform to the current Solid Waste Management Plan adopted
20 by the County, including any amendments or revisions to the Plan.

21
22 **[[18-11-155.]] 18-11-150. Schools, private academic and public charter, with 125 or**
23 **more onsite parking spaces.**

24
25 A private academic school or a public charter school with 125 or more onsite parking
26 spaces shall comply with all of the following requirements.

27
28 (1) The facility shall be located on a lot of at least three acres.

29
30 (2) No more than 25% of the lot may be covered by onsite parking and structures,
31 including accessory structures.

32
33 (3) Each structure shall be located at least 100 feet from all lot lines.

34
35 (4) Vehicular access to the property shall be located on an arterial road or a road of a
36 higher classification.

37
38 (5) Sufficient access to the use shall be provided to avoid congestion of roads in
39 adjacent residential areas.

40
41 (6) Activities shall be located in a manner to shield surrounding residential properties
42 from the effects of noise, hazards, or other offensive conditions.

43
44 (7) A facility located in an RA district shall be located on a road other than a scenic or
45 historic rural road.

46
47 **[[18-11-156.]] 18-11-151. Self-service storage facilities.**

48
49 A self-service storage facility shall comply with all of the following requirements.

1 (1) The facility shall be located on a lot of at least two acres.

2
3 (2) Storage and a residence for a caretaker or resident manager shall be the only
4 activities conducted at the facility.

5
6 (3) Access shall be provided as follows:

7
8 (i) Each one-way interior driveway shall have a travel lane at least 15 feet wide.

9
10 (ii) Each two-way interior driveway shall have two travel lanes, each at least 12
11 feet wide.

12
13 (iii) Traffic direction and parking shall be designated by directional signs or
14 pavement painting.

15
16 (4) Outside storage is not permitted.

17
18 (5) In a C2 district, a self-service storage facility shall be within an enclosed controlled
19 central structure with no external access to individual storage units.

20
21 **[[18-11-157.]] 18-11-152. Small wind energy systems.**

22
23 (a) **Requirements.** A small wind energy system or meteorological tower shall comply
24 with all of the following requirements.

25
26 (1) The small wind energy system or meteorological tower shall be located on a lot
27 less than three acres.

28
29 (2) The wind turbine or meteorological tower shall be located at a distance of at
30 least 1.1 times the height of the tower from any property line, non-participating structure,
31 public road or right-of-way, or communication lines or structures, and provide for a
32 minimum setback of 20 feet from any lot line for guy cables or tower supports.

33
34 (3) Roof-mounted turbines are permitted. All components of a roof-mounted
35 turbine shall meet required setbacks for the principal structure. Roof-mounted turbines may
36 not be mounted on an attached or multi-family dwelling.

37
38 (4) The height of a wind turbine or meteorological tower may not exceed a height
39 of 120 feet. The height of a roof-mounted turbine may not project more than 35 feet from
40 the roof surface. Total height for a small wind energy system mounted on a wind tower is
41 the vertical distance from the ground level to the tip of a wind generator blade when the tip
42 is at its highest point. For a small wind energy system mounted on a building, total height
43 is the vertical distance from the top of the roof or parapet, to the tip of a wind generator
44 blade when the tip is at its highest point.

45
46 (5) The wind turbine shall have a minimum blade ground clearance of 15 feet.

47
48 (6) The tower shall be designed and installed so as to not allow step bolts or ladder
49 accessibility for a minimum height of 12 feet.

1 (7) The wind turbine or meteorological tower and its mounting structure shall be
2 painted a non-reflective, non-obtrusive color that conforms to the environment and
3 architecture of the community.

4
5 (8) The wind turbine or meteorological tower **[[shall]]** MAY not be artificially
6 lighted, except to the extent required by the Federal Aviation Administration.

7
8 (9) The small wind energy system or meteorological tower shall comply with all
9 applicable construction codes and electrical codes and be installed in accordance with
10 manufacturer plans and certifications.

11
12 (10) The wind turbine **[[shall]]** MAY not generate noise in excess of the levels
13 permitted for the **[[zone]]** DISTRICT under Code of Maryland Regulations 26.02.03.02B,
14 26.02.03.02C, and 26.02.03.02D.

15
16 (11) The capacity of a small wind energy system may not exceed 25 kw on a
17 property located in an RLD, R1, R2, or R5 **[[zone]]** DISTRICT and 100 kw in all other
18 **[[zones]]** DISTRICTS. Energy produced by the small wind energy system shall be for the
19 sole use of the property owner, however, energy output from the system may be delivered
20 to a power grid to offset the cost of energy on site.

21
22 (12) Wind turbines must be approved under a small wind certification program
23 recognized by the Maryland Energy Administration.

24
25 (13) All signs are prohibited except for manufacturer or installer identification signs
26 and warning signs or placards.

27
28 (14) Meteorological towers shall be permitted under the conditions of this section
29 for a period not to exceed one year.

30
31 (15) A property owner may apply for special exceptions for a temporary
32 meteorological tower and a small wind energy system in the same application; however,
33 the Administrative Hearing Officer may decide on each request in the application
34 individually and impose conditions deemed appropriate for each use. If an applicant is
35 granted a special exception for a meteorological tower but denied a special exception for a
36 small wind energy system, the applicant shall be permitted to re-apply for a special
37 exception within 12 months of the date of denial of the small wind energy system provided
38 the application includes six months of meteorological data gathered from the **[[applicants]]**
39 APPLICANT'S meteorological tower.

40
41 (16) The small wind energy system or meteorological tower may not adversely
42 **[[effect an]]** AFFECT A historic site, archaeological resource, or cemetery listed on the
43 County inventory. The placement of a wind turbine within sight of **[[an]]** A historic resource
44 listed on the inventory shall mitigate any adverse visual impact of the turbine in a manner
45 determined by the Office of Planning and Zoning. If a wind turbine is to be attached to the
46 roof of **[[an]]** A historic structure listed on the inventory, the method of attachment must be
47 approved by the Office of Planning and Zoning. Approval of a rooftop wind turbine shall
48 require installation on a secondary facade, minimal impact to historic materials, and be a

1 reversible modification. Wind turbines may not be mounted on rooftops of highly
2 significant properties, including those listed on the National Register of Historic Places.

3
4 (17) A small wind energy system or meteorological tower located within the BWI
5 Marshall Airport four-mile district shall comply with all height and permitting
6 requirements of the Maryland Aviation Administration.

7
8 (b) **Removal of defective system.** Any small wind energy system or meteorological
9 tower that is cited by administrative order of the Department of Inspections and Permits
10 shall be repaired by the property owner to meet federal, State and local code requirements,
11 or be removed, within six months of the date of the administrative order. If the property
12 owner fails to repair or remove the system as required and the system remains non-
13 operational for more than six months, the County may pursue an action for rescission of
14 the special exception use under this article and removal of the system at the property
15 owner's expense.

16
17 (c) **Variances.** A variance may not be granted for the requirements specified in
18 subsection (a).

19
20 **[[18-11-158.]] 18-11-153. Solar energy generating facility – community.**

21
22 A solar energy generating facility – community shall comply with all of the following
23 requirements.

24
25 (1) The area to be used for the solar facility may not exceed 25% of the net area of the
26 site, or 20 acres, whichever is less.

27
28 (2) No development on the site may be located in environmentally sensitive areas or
29 habitat for forest interior dwelling species.

30
31 (3) The developer shall comply with the County Landscape Manual, and the solar
32 facility, including all equipment and solar panels, shall be enclosed by a fence no less than
33 seven feet in height. In the event of a conflict between the Landscape Manual and § 17-6-
34 504 of the Code, the provisions of § 17-6-504 of the Code shall control.

35
36 (4) Any solar facility where the fenced area would exceed 15 acres shall provide a
37 wildlife corridor conforming with the provisions of the current Anne Arundel County
38 Green Infrastructure Master Plan.

39
40 (5) The developer of a solar facility located on a scenic or historic road shall provide a
41 viewshed analysis. The solar facility may not have an adverse impact on the scenic or
42 historic viewshed. In this subsection, “adverse impact” means any development that would
43 directly or indirectly alter the road's environmental or historic setting, its visual and
44 physical characteristics, or would diminish the integrity of the scenic or historic road.

45
46 (6) The developer of the solar facility shall avoid disturbing prime farmland, as defined
47 in 7 CFR 657, and shall provide an analysis to demonstrate how the developer is avoiding
48 disturbance of prime farmland.

1 (7) The developer shall comply with the provisions of the County Forest Conservation
2 Act, Article 17, Title 6, Subtitle 3 of this Code, regardless of any State waiver or reduction
3 of State forest conservation requirements for solar energy systems. Mitigation for tree
4 removal shall be at the ratio of 3-to-1.

5
6 (8) (i) A solar facility may not be located within an agricultural preservation area, a
7 priority preservation area, or a rural legacy area, or, except as provided in subparagraph
8 (ii), if the facility is located in a rural agricultural zoning district, within 10 miles of another
9 solar energy generating facility – community or solar energy generating facility – utility
10 scale.

11
12 (ii) The prohibition on locating a solar energy generating facility within 10 miles
13 of another solar energy generating facility does not apply to a solar energy generating
14 facility that is a **[[roof- top]] ROOFTOP** mounted only facility.

15
16 (9) A solar facility may not be located on any portion of a site encumbered with a
17 conservation, historic preservation, or agricultural easement.

18
19 (10) A solar facility may not be located on or within the viewshed of a property listed
20 on the County Inventory of Historic Resources.

21
22 (11) Except as required for safety or by applicable Federal, State, or local authority, no
23 visible light shall emanate from the solar facility from dusk to dawn.

24
25 (12) Lot coverage may not exceed 80% of the area allowed under subsection (1). Lot
26 coverage shall be calculated as the total surface area of all solar panels plus all impervious
27 horizontal surfaces of any supporting or associated equipment, including support
28 structures. Surface area of a solar panel shall be calculated based on the drip line around
29 the perimeter of a panel at minimum tilt. Impervious surface shall be calculated as the area
30 of the foundation or base of any component of the solar facility, including individual solar
31 panels.

32
33 (13) A decommissioning plan shall be submitted to the Office of Planning and Zoning
34 for approval. The plan shall include a requirement for a grading permit or standard grading
35 plan and that all on-site equipment associated with the solar facility shall be removed
36 within 12 months of cessation of operations. Decommissioning security in accordance with
37 § 17-6-702 of this Code and equal to 125% of the decommissioning costs shall be posted
38 prior to commencement of the use.

39
40 (14) The County shall review the amount of the security every five years and may
41 require additional security or reduce the amount of the posted security if it determines, at
42 its sole discretion, that the posted security no longer equals 125 % of the decommissioning
43 costs.

44
45 (15) A solar facility is presumed to cease operations if no power is generated by the
46 system for a period of 12 consecutive months. The owner of the solar facility shall have 12
47 months after cessation of operations to dismantle and remove the solar facility. If the owner
48 fails to dismantle or remove the solar facility as required, the County may complete the
49 removal at the owner's expense, and shall retain all or any part of the decommissioning

1 security which shall become the property of the County. Any additional expense incurred
2 by the County, or any expenses incurred for the removal of a rooftop-mounted solar
3 facility, shall be collected pursuant to § 1-8-101 of the Code.

4
5 (16) Facilities proposed for location on sanitary landfills or reclamation areas are
6 exempt from the requirements of subsections (1), (2), (6), (8), and (12).

7
8 (17) Facilities proposed for location on properties owned or leased by the County are
9 exempt from the requirements of subsections (1) and (12).

10
11 (18) Rooftop-mounted only facilities are not subject to the requirements of subsections
12 (3), (7), (12), (13), and (14).

13
14 (19) A variance may not be granted for the requirements specified in this section.

15
16 (20) A special exception is not required for a facility that requires a Certificate of Public
17 Convenience and Necessity from the State Public Service Commission, but the conditions
18 in this section may be the basis of any recommendation to the Public Service Commission
19 in accordance with § 7-207 of the Public Utilities Article of the State Code.

20
21 **[[18-11-159.]] 18-11-154. Solar energy generating facility – utility scale.**

22
23 A solar energy generating facility – utility scale shall comply with the requirements of
24 **[[§ 18-11-156]]** § 18-11-153 for a solar energy generating facility – community, except for
25 subsection (1), and the following requirements~~[[:]~~.

26
27 (1) The area used for the facility may not exceed 25% of the net area of the site.

28
29 (2) A variance may not be granted for the requirements specified in this section.

30
31 **[[18-11-160.]] 18-11-155. Solid waste transfer stations.**

32
33 A solid waste transfer station shall comply with all of the following requirements.

34
35 (1) The facility shall be located on a lot of at least eight acres.

36
37 (2) All vehicular access to the site shall be from a collector road, an arterial road, a
38 freeway or a local road that serves only industrially zoned or commercially zoned property
39 between the facility entrance and the first intersecting collector road, arterial road, or
40 freeway in all directions.

41
42 (3) Collection, storage, and stockpiling of solid waste shall be done within a building
43 at the facility.

44
45 (4) The active operation shall be surrounded by fencing that contains all windblown
46 litter, is at least six feet in height, and is secured by a gate to prevent unauthorized entry.

47
48 (5) Space shall be adequate so that trucks using the facility are not stopped or parked
49 on a road right-of-way.

1 (6) Except in a W3 district, hours of operation shall be limited to 7:00 a.m. to 5:00 p.m.
2 Monday through Saturday.

3
4 (7) The sound level at any residentially zoned or residentially developed property line
5 does not exceed an average of 55 dBA and a peak of 60 dBA.

6
7 (8) The facility shall transfer 100% of the total amount of solid waste received in any
8 12-month period.

9
10 (9) The facility shall be operated in a way that manages odor, and excessive odor may
11 not be detectable within 100 feet from any lot line.

12
13 (10) The facility shall maintain records onsite specifying the date, type, and amount of
14 material received, its place of origin (Anne Arundel County or out-of-County), and the
15 amount of material transported offsite in accordance with subsection (8), such records to
16 be available for inspection by the County.

17
18 (11) Semiannual reports detailing the information contained in the records kept under
19 subsection (10) shall be completed on a form provided by and submitted to the Department
20 of Inspections and Permits.

21
22 (12) The site shall be cleaned of litter and scattered refuse daily.

23
24 (13) The facility shall conform to the current Solid Waste Management Plan adopted
25 by the County, including any amendments or revisions to the Plan.

26
27 **[[18-11-161.]] 18-11-156. Stadiums, commercial.**

28
29 A commercial stadium shall comply with all of the following requirements.

30
31 (1) The facility shall be located on a lot of at least 50 acres.

32
33 (2) The principal vehicular access for the facility shall be located on an arterial or
34 collector road within one-quarter mile of a freeway or arterial road and may not be located
35 on a freeway or local road.

36
37 (3) The facility may not draw vehicular traffic through local roads in surrounding
38 residential areas.

39
40 (4) **[[The facility]]** EACH STRUCTURE shall be located at least 200 feet from any
41 residentially zoned property.

42
43 **[[18-11-162.]] 18-11-157. Storage, bulk for agricultural products.**

44
45 A facility for bulk storage for agricultural products shall comply with all of the
46 following requirements.

1 (1) The facility shall be restricted to the storage, dispensing, and mixing of products
2 received at the site and may not include processing of a commercial nature.

3
4 (2) The facility shall have frontage on or private access to a principal arterial road.

5
6 (3) A structure for storage purposes shall be located at least 200 feet from any
7 residential structure and 100 feet from all lot lines.

8
9 (4) The height of a grain elevator or silo-type structure may not exceed a maximum
10 height of 150 feet and the height may not exceed the setback from the closest lot line.

11
12 (5) A facility located in an RA district shall be located on a road other than a scenic or
13 historic rural road.

14
15 **[[18-11-163.]] 18-11-158. Storage of watercraft, covered and wet.**

16
17 A covered facility for the wet storage of seaworthy watercraft shall comply with all of
18 the following requirements.

19
20 (1) The facility shall be designed to be compatible with existing adjacent land uses and
21 existing adjacent zoning districts.

22
23 (2) The design of the facility shall afford minimal detrimental impact on adjacent
24 residential areas with respect to structure location and height, access, lighting, signs,
25 landscaping, location of water facilities, location of storage areas, and noise.

26
27 (3) The facility shall be located at least 25 feet from any side lot line.

28
29 (4) The Office of Planning and Zoning shall designate the location of the facility in
30 accordance with the criteria set forth in § 18-2-403.

31
32 **[[18-11-164. Storage of watercraft, covered and dry.**

33
34 A covered facility for the dry storage of seaworthy watercraft shall comply with all of
35 the following requirements.

36
37 (1) The combined base area of all covered dry storage structures may not exceed:

38
39 (i) 10,000 square feet for a one-acre lot;

40
41 (ii) for a lot larger than one acre, 10,000 square feet plus 1,000 square feet for each
42 acre by which the lot exceeds one acre; and

43
44 (2) The facility shall be located at least 25 feet from each side lot line.

45
46 (3) The Office of Planning and Zoning shall designate the location of the facility in
47 accordance with the criteria set forth in § 18-2-403.]]

1 **18-11-159. STORAGE OF WATERCRAFT, MULTILEVEL RACK.**

2
3 A MULTILEVEL WATERCRAFT RACK STORAGE STRUCTURE SHALL COMPLY WITH ALL
4 OF THE FOLLOWING REQUIREMENTS.

5
6 (1) THE FACILITY SHALL BE LOCATED ON A LOT OF AT LEAST 1.5 ACRES ABOVE MEAN
7 HIGH WATER.

8
9 (2) THE HEIGHT OF THE STRUCTURE MAY NOT EXCEED THE MAXIMUM HEIGHT
10 ALLOWED IN THE DISTRICT IN WHICH IT IS LOCATED.

11
12 (3) THE FACILITY SHALL BE DESIGNED TO BE COMPATIBLE WITH EXISTING ADJACENT
13 LAND USES AND EXISTING ADJACENT ZONING DISTRICTS.

14
15 (4) THE DESIGN OF THE FACILITY SHALL HAVE MINIMAL DETRIMENTAL IMPACT ON
16 ADJACENT RESIDENTIAL AREAS WITH RESPECT TO STRUCTURE LOCATION AND HEIGHT,
17 ACCESS, LIGHTING, SIGNS, LANDSCAPING, LOCATION OF WATER FACILITIES, LOCATION OF
18 STORAGE AREAS, AND NOISE.

19
20 (5) A FACILITY SHALL BE SET BACK AT LEAST 25 FEET FROM EACH SIDE LOT LINE.

21
22 (6) THE COVERAGE OF THE FACILITY MAY NOT EXCEED THE COMBINED TOTAL FLOOR
23 AREA OF ALL COVERED DRY STORAGE STRUCTURES.

24
25 (7) THE OFFICE OF PLANNING AND ZONING SHALL DESIGNATE THE LOCATION OF THE
26 FACILITY IN ACCORDANCE WITH THE CRITERIA SET FORTH IN § 18-2-403.

27
28 **[[18-11-165.]] 18-11-160. Structures, permanent, accessory to active recreational uses.**

29
30 Permanent structures accessory to active recreational uses shall comply with all of the
31 following requirements.

32
33 (1) No more than 25 % of the forested area on a lot may be cleared for the uses.

34
35 (2) The site shall be reforested at a ratio of one and one-half acres planted for every
36 acre cleared.

37
38 (3) The uses shall be set back at least 150 feet from any dwelling and 100 feet from all
39 lot lines.

40
41 (4) The uses shall be set back at least 200 feet from any stream, river, or waterway.

42
43 (5) The uses shall be subject to an approved soil conservation and water quality plan.

44
45 (6) Outdoor light fixtures, other than those required for safety purposes, may not be on
46 after 9:00 p.m. Sunday through Thursday and after 10:00 p.m. Friday and Saturday.

47
48 (7) Outdoor lighting shall have minimal offsite impact by way of the distance of the
49 fixtures from roads or neighboring properties, or additional shielding or other features.

50
51 (8) Vehicular access to the property shall be located on a collector road or a road of a
52 higher classification.

[[18-11-166. Storage of watercraft, multilevel watercraft rack.

A multilevel watercraft storage rack structure shall comply with all of the following requirements.

(1) The facility shall be located on a lot of at least 1.5 acres above mean high water.

(2) The height of the structure may not exceed the maximum height allowed in the district in which it is located.

(3) The facility shall be designed to be compatible with existing adjacent land uses and existing adjacent zoning districts.

(4) The design of the facility shall have minimal detrimental impact on adjacent residential areas with respect to structure location and height, access, lighting, signs, landscaping, location of water facilities, location of storage areas, and noise.

(5) A facility shall be set back at least 25 feet from each side lot line.

(6) The coverage of the facility may not exceed the combined total floor area of all covered dry storage structures.

(7) The Office of Planning and Zoning shall designate the location of the facility in accordance with the criteria set forth in § 18-2-403.]]

[[18-11-167.]] 18-11-161. Truck and trailer rental facilities in conjunction with automobile gasoline stations.

The trailer or truck storage areas at a truck and trailer rental facility in conjunction with automobile gasoline stations shall be graded and drained to prevent surface water accumulation and shall be paved with a durable and dustproof surface.

TITLE 12. SPECIAL USES

SUBTITLE 1. GOVERNMENT REUSE FACILITIES

18-12-101. Definitions.

In this subtitle, the following words have the meanings indicated:

[[(1)]] “Government reuse facility” means all or part of a facility that:

[[(i)]] (1) was previously owned by the federal government;

[[(ii)]] (2) is redeveloped as an integrated development with a variety of industrial and commercial uses;

[[(iii)]] (3) is located on a site that is transferred to the County or its assignee under the Federal Base Realignment and Closure Act or under a related conveyance of ancillary

parcels recognized by ordinance of the County Council as adjacent to and functionally part of a site transferred under the Federal Base Realignment and Closure Act; and

[(iv)] (4) is developed in accordance with the recommendations in a reuse plan approved by the federal government that is supported and affirmed by resolution or ordinance of the County Council.

[(2)] “Lot” includes an area of land recognized as an approved lot by ordinance of the County Council based upon a determination by the Planning and Zoning Officer that recognition of the lot reasonably reflects the use of the area of land before its conveyance to the County or assignee.

SUBTITLE 2. PUD – PLANNED UNIT DEVELOPMENTS

18-12-202. Uses.

(a) For less than 500 units.

(1) A PUD of less than 500 dwelling units may have adult independent dwelling units, duplex [[or semi-detached]] dwellings, multifamily dwellings, MULTIPLEX DWELLINGS, single-family detached dwellings, townhouse AND STACKED TOWNHOUSE dwellings, TRIPLEX AND FOURPLEX DWELLINGS, public utility essential services, and public utility uses in accordance with [[§ 18-11-141]] § 18-11-140.

(2) In addition to the [[above]] dwelling units IN PARAGRAPH (A)(1), a PUD in a C2 or C3 zoning district may have the permitted, conditional, special exception, and business complex auxiliary uses for C2 and C3 commercial districts in accordance with § 18-5-102.

(3) FOOD TRUCKS ARE ALLOWED IN PUDS IN RESIDENTIAL DISTRICTS IN ACCORDANCE WITH § 18-10-139.

(4) HOME OCCUPATIONS ARE ALLOWED IN PUDS IN RESIDENTIAL DISTRICTS IN ACCORDANCE WITH § 18-10-145.

(b) For 500 to 1,000 units. A PUD that has between 500 and 1,000 dwelling units may have the uses (1) permitted in subsection (a) and (2) listed in the chart in this subsection if the uses are limited to 10 square feet for each dwelling unit and are located on a collector or arterial road.

Uses	
Assisted living facilities	SE
Child care centers OTHER THAN AS A HOME OCCUPATION	SE
Nursing homes	P
Piers, community, and water-oriented recreational facilities, structures, and uses	SE
Religious facilities	P
Schools, public charter, and schools, private: academic, arts, business, technical, or trade	P

(c) **For 1,001 to 5,000 units.** A PUD that has between 1,001 and 5,000 dwelling units may have the uses (1) permitted in subsections (a) and (b) and (2) listed in the chart in this section if the uses are limited to 30 square feet for each dwelling unit.

Uses	
Adult day care	P
Automobile gasoline stations	SE
Bakery or donut shops	P
Banks	P
Barbershops	P
Bicycle, motor scooter, moped sales and service without outside storage	P
Business complexes	P
Carpet and vinyl flooring stores	P
Carwashes	SE
Catering establishments	P
Child care centers OTHER THAN AS A HOME OCCUPATION	[[P]] SE
Convenience stores, gift shops, and newsstands	P
Cultural centers and exhibits	P
Delicatessens and snack bars	P
Dog grooming and day care facilities	P
Dry cleaning operations	P
Furniture, appliance, and carpet stores and showrooms	P
Greenhouses and garden centers	P
Grocery stores	P
Hair and nail salons	P
Hardware stores	P
Health clubs, spas, and gymnasiums	P
Home centers and building supply stores	P
Interior decorating establishments	P
Locksmiths	P
Meat, seafood, and poultry markets	P
Medical or dental stores and laboratories	P
Musical instruments sales, services, and instruction	P
Nursing homes	P
Offices	P
Opticians and optometrical establishments	P
Package goods stores	P
Pharmacies	P
Photography studios	P
Printing and publishing establishments	P
Produce markets	P
Religious facilities	P
Rental establishments	P
Restaurants	P
Retail specialty stores or shops FOR RETAIL SALES AND SERVICE	P
Schools, public charter, and schools, private: academic, arts, business, technical, or trade	P

Uses	
Showrooms and sales of specialty building products, including kitchen cabinets, tile, and lighting	P
Small engine repair if all work is done inside a building and there is no outside storage	P
Swimming pool and spa sales, indoor	P
Tailor shops	P
Tanning salons	P
Theaters, live performances	P
Travel agencies	P
Upholstering shops, including [[sail making]] SAILMAKING shops	P
Veterinary clinics if overnight stays are limited to those necessary for medical treatment, without outside runs or pens	P
Video sales and rental establishments	P
Volunteer fire stations	P

SUBTITLE 5. SUBURBAN COMMUNITY CENTERS

18-12-501. Scope; applicability; USES.

A suburban community center in existence ~~[[on]]~~ AS OF September 7, 2004 is governed by Bill No. 36-96, AND THE PERMITTED USES ARE AS SET FORTH IN THIS SECTION. Other consistent provisions of this article also apply.

(1) THE USES LISTED IN THIS SECTION, INCLUDING CUSTOMARILY INCIDENTAL ACCESSORY STRUCTURES AND USES ARE PERMITTED IN SUBURBAN COMMUNITY CENTERS.

(2) UNLESS OTHERWISE PROVIDED IN THE MASTER DEVELOPMENT STANDARDS, ALL OF THE ENUMERATED CONDITIONS FOR EACH CONDITIONAL USE AND ALL OF THE CRITERIA FOR EACH SPECIAL EXCEPTION USE SHALL BE MET.

(I) PERMITTED USES, CONDITIONAL USES, AND SPECIAL EXCEPTION USES IN THE ZONING DISTRICT IN WHICH THE CENTER IS LOCATED.

(II) PERMITTED USES, CONDITIONAL USES, AND SPECIAL EXCEPTION USES IN C3 - GENERAL COMMERCIAL DISTRICTS.

(III) PERMITTED USES, CONDITIONAL USES, AND SPECIAL EXCEPTION USES IN R15 - RESIDENTIAL DISTRICTS.

(IV) PERMITTED USES IN C4 - HIGHWAY COMMERCIAL DISTRICTS, PROVIDED THE USES DO NOT OCCUPY MORE THAN 25% OF THE TOTAL DEVELOPABLE LAND.

SUBTITLE 6. SHORT-TERM RESIDENTIAL RENTALS

18-12-601. Definitions.

In this subtitle, the following words have the meaning indicated:

~~[[(1)]]~~ “Host” has the meaning set forth in § 11-13A-101 of this Code.

1 **[(2)]** “Short-term residential rental” has the meaning set forth in § 11-13A-101, except
2 that the term does not include a hotel, a bed and breakfast home, a bed and breakfast inn,
3 or a rooming house.

4 5 **SUBTITLE 7. MODERATELY PRICED DWELLING UNITS**

6 7 **18-12-701. Moderately priced dwelling units.**

8
9 A development that includes moderately priced dwelling units under Title 12 of Article
10 17 of this Code shall qualify for a density bonus by the Planning and Zoning Officer as
11 follows:

12
13 (1) Subject to subsection (2):

14
15 (i) for developments that include up to 100% allowable density, no additional
16 density;

17
18 (ii) for developments that include more than 100% of allowable density up to 115%
19 of the allowable density, 25% of the additional units must be moderately priced dwelling
20 units; and

21
22 (iii) for developments achieving greater than 115% of the allowable density, 25%
23 of the additional units between 100% and 115% of allowable density must be moderately
24 priced dwelling units and 40% of the additional units over 115% of allowable density must
25 be moderately priced dwelling units.

26
27 (2) (i) In R1 and R2 zoning districts, density **[(shall)]** MAY not exceed 125% of
28 allowable density.

29
30 (ii) In R5, R10, R15, and R22 zoning districts, density **[(shall)]** MAY not exceed
31 150% of allowable density.

32 33 **TITLE 13. CRITICAL AREA OVERLAY**

34 35 **SUBTITLE 2. USES**

36 37 **18-13-204. IDA uses.**

38
39 (a) **Generally.** The uses allowed in the IDA are those uses allowed in the underlying
40 zoning district in accordance with the requirements of the district in which the use is
41 located, except that the following uses are allowed only if the use results in a net
42 improvement in water quality to the adjacent body of water:

43
44 (1) non-maritime heavy industrial facilities;

45
46 (2) permanent sludge handling, storage, or disposal facilities other than those
47 associated with wastewater treatment facilities; and

1 (3) transportation facilities to serve allowed uses or a regional or interstate
2 transportation facility that must cross tidal waters.

3
4 (b) **Accessory uses.** Restaurants and banquet halls are permitted on a pier as accessory
5 to a commercial use in Maritime and Commercial Districts, only in accordance with § 8-
6 1808.4(C) OF the Natural Resources Article[[, § 8-1808.4(c),]] of the State Code, provided
7 the principal and accessory uses are allowed in the underlying zoning districts in
8 accordance with the requirements of the district.

9
10 **TITLE 14. OTHER OVERLAYS**

11
12 **SUBTITLE 1. IN GENERAL**

13
14 **18-14-101. Overlay zones; conflict with other law.**

15
16 Subtitles 2, 3, [[and]] 4, 5, AND 6 are overlay zones and the requirements of these
17 subtitles are in addition to other requirements of this Code. If any provision in this title
18 conflicts with other County law, the provisions of this title prevail, except that § 18-13-102
19 shall apply if a property subject to one or more of the overlays in this title is located in the
20 critical area.

21
22 **SUBTITLE 5. BWI MIXED USE OVERLAY**

23
24 **18-14-501. BWI Mixed Use Overlay Area Map.**

25
26 This section applies to those properties within the BWI Mixed Use Overlay Area as
27 shown on the official map adopted by the County Council in Bill No. 30-25 entitled the
28 BWI Mixed Use Overlay Area.

29
30 **18-14-502. Uses.**

31
32 The uses allowed on a property in the BWI Mixed Use Overlay Area are the permitted,
33 conditional, and special exception uses allowed in the underlying zoning district in
34 accordance with the requirements of the district in which the use is located. The following
35 additional uses are allowed as permitted uses within the BWI Mixed Use Overlay Area:

36
37 (1) alcoholic beverage uses as accessory to other uses, and subject to the provisions
38 of § 18-10-104;

39
40 (2) banks;

41
42 (3) carwashes;

43
44 (4) dwellings, multifamily;

45
46 (5) dwellings, townhouses and stacked townhouses;

47
48 (6) hotels and motels;

(7) offices, professional and general;

(8) package goods stores, subject to the provisions of ~~[[§ 18-10-148]]~~ § 18-10-153;

(9) pharmacies;

(10) restaurants; and

(11) retail specialty stores or shops for retail sales AND SERVICE.

SUBTITLE 6. GLEN BURNIE SUSTAINABLE COMMUNITY OVERLAY AREA

18-14-601. Definitions; purpose.

(a) **Definitions.** For purposes of this subtitle, the following words have the meanings indicated.

~~[[(1)]]~~ “Community enhancement” means a contribution or feature that exceeds the requirements of the County Code and is provided by a developer, in whole or in part, to improve the community’s aesthetic character or quality of life and may include pocket parks, playgrounds, recreation facilities, bicycle or pedestrian trail improvements, bus shelter or other transit improvements, public meeting space, or public art, or contributions to capital improvements to a public park or community facility that serves the surrounding community.

~~[[(2)]]~~ “Redevelopment” means rehabilitation of an existing structure or new construction on a lot or lots when one or more of the lots:

~~[[(i)]]~~ (1) is zoned R10, R15, R22, TC, Commercial, or Industrial, or is located, in whole or in part, within a transit-oriented overlay development policy area identified in the General Development Plan;

~~[[(ii)]]~~ (2) has or had preexisting structures, uses, or paved parking; and

~~[[(iii)]]~~ (3) has primary vehicular access from an arterial road or from a local or higher classification road that directly accesses an arterial road.

“REHABILITATION” MEANS TO RETURN A BUILDING OR STRUCTURE TO A USEFUL STATE BY MEANS OF REPAIR, MODIFICATION, OR ALTERATION.

(b) **Purposes.** The purposes of the Glen Burnie Sustainable Community Overlay Area are to:

(1) facilitate redevelopment of improved properties that are underutilized, obsolete, or deteriorated;

(2) allow flexibility of design, building types, and densities to integrate the redevelopment into the surrounding community;

(3) provide a wide range of redevelopment alternatives;

- 1 (4) allow creative uses or mixes of uses;
2
3 (5) achieve quality land use proposals through flexible and timely development
4 approvals;
5
6 (6) address pedestrian connections and circulation;
7
8 (7) encourage community enhancements;
9
10 (8) encourage high-quality site and building design; and
11
12 (9) encourage the assemblage of lots when appropriate.
13

14 **TITLE 15. NONCONFORMING USES**

15 **18-15-101. SCOPE.**

16 THIS TITLE APPLIES TO ALL REGISTERED NONCONFORMING USES.
17

18 **[[18-15-101.]] 18-15-102. Registration of nonconforming uses.**

19
20 (a) **Application.** A person who wishes to register a nonconforming use shall file an
21 application on a form provided by the Office of Planning and Zoning, except that a SOLE
22 nonconforming SINGLE-FAMILY DETACHED dwelling **[[may not]]** ON A LOT OR PARCEL IS
23 NOT REQUIRED TO be registered.
24

25 (b) **[[Posting.]] NOTICE AND SIGNS.** For a period of 14 days after filing an application
26 to register a nonconforming use, the applicant shall post one or more signs on the property.
27 Signs shall be furnished by the Office of Planning and Zoning and posted and maintained
28 by the applicant. THE OFFICE OF PLANNING AND ZONING SHALL ALSO SEND A NOTICE OF
29 THE APPLICATION TO ALL PROPERTY OWNERS WITHIN 300 FEET OF THE AFFECTED
30 PROPERTY.
31

32 (c) **Rebuttable presumption.** There is a rebuttable presumption that a use in existence
33 continuously for a period of **[[10]]** 20 years is a nonconforming use.
34

35 (d) **Decision.** After receipt of an application, the Office of Planning and Zoning shall
36 determine whether the use may be registered as a nonconforming use and classify the use
37 based on the zoning district in which the use is allowed. If the use is specified in more than
38 one zoning district, the Office of Planning and Zoning shall classify the use based on what
39 it considers to be the most appropriate district. The Office shall notify the applicant in
40 writing of its determinations.
41

42 **[[e) Limitations.**

43
44 (1) No enforcement action under Title 17 to abate a use of property in violation of
45 this article shall be initiated 20 years or more after the date the use commenced, if:
46

47 (i) the use is operated by the owner of the property and has been in existence
48 continuously since first commenced; and
49
50

1 (ii) the property on which the use is located has been owned by the same owner
2 since the use commenced.

3
4 (2) A use to which subsection (e)(1) applies shall be registered and classified by the
5 Office of Planning and Zoning as a “twenty-year registered use.”

6
7 (3) A use to which subsection (e)(1) applies shall terminate when the use ceases
8 operation for 12 consecutive months or when the scope of the use is so significantly
9 reduced during the 12 month period as to change its nature or character, or upon a transfer
10 of ownership from the owner described in subsection (e)(1)(ii), unless that transfer of
11 ownership is to a child of the owner who continues to operate the use without cessation.]]

12
13 (E) **STANDARDS FOR DECISION.** THE OFFICE OF PLANNING AND ZONING MAY
14 REGISTER A USE AS NONCONFORMING IF IT IS DETERMINED THAT THE USE WAS
15 PERMITTED IN THE ZONING DISTRICT WHEN IT CAME INTO EXISTENCE BUT IS NO LONGER
16 PERMITTED IN THE ZONING DISTRICT IN WHICH IT IS LOCATED, THE USE HAS BEEN
17 CONTINUOUS AS REQUIRED BY THIS SUBTITLE, AND THE USE HAS NOT TERMINATED AS
18 PROVIDED IN § 18-15-105. AN APPLICANT HAS THE BURDEN OF PROVING THAT THE USE WAS
19 ALLOWED WHEN ORIGINALLY ESTABLISHED AND THAT THE USE HAS BEEN CONTINUOUS.
20 REGISTRATION IS LIMITED TO THE USE AS IT EXISTED ON THE DATE THE USE BECAME
21 NONCONFORMING.

22
23 (F) **LIMIT ON SUBSEQUENT APPLICATIONS.** THE SAME PROPERTY MAY NOT BE
24 CONSIDERED FOR THE SAME NONCONFORMING USE AFTER THE DATE OF THE DENIAL BY
25 THE PLANNING AND ZONING OFFICER, THE BOARDS OF APPEALS, OR A COURT.

26
27 **[[18-15-102.]] 18-15-103. Nonconforming uses generally.**

28
29 (a) **Change in use.** A nonconforming use may be changed to another use allowed by
30 this article if the Planning and Zoning Officer determines the new use to be of the same or
31 a less intensive nature or character. A new use shall be considered to be of the same or less
32 intensive nature or character only if the following are the same or less than the existing
33 use: the number and kind of vehicular trips; the nature of any outside storage, loading, and
34 parking; hours of operation; and impact on natural features.

35
36 (b) **Intensification.** An intensification of a nonconforming use is allowed so long as
37 the nature and character of the use are unchanged and substantially the same facilities are
38 used. Nonconforming uses within the critical area are subject to § 18-13-201.

39
40 (c) **Reconstruction, repair, or relocation.** A nonconforming use or a structure in
41 which the use is located may be reconstructed, repaired, or relocated.

42
43 (1) Except to the extent permitted by subsection (d) and [[§ 18-15-103]] § 18-15-104,
44 the reconstruction or relocation may not increase the nonconforming status of the property
45 or result in a greater nonconformance than previously enjoyed.

46
47 (2) Reconstruction, repair, or relocation may not occur on a lot other than the one
48 on which the nonconforming use was originally located.

(3) Nonconforming structures that have been damaged but not destroyed by fire or natural catastrophe may be reconstructed, repaired, or relocated within 20 years of the damage in accordance with subsections (c)(1) and (2).

(d) Nonconforming single-family dwellings. The Office of Planning and Zoning may allow:

(1) the expansion of a nonconforming use single-family dwelling LOCATED IN A NONRESIDENTIAL DISTRICT if the expansion is set back at least seven feet from each side lot line OR 20 FEET FROM A CORNER SIDE LOT LINE and 25 feet from the front and rear lot lines and if the expansion does not cause the structure to exceed a height of 35 feet;

(2) notwithstanding any other provisions of this Code, the registration and use of a nonconforming dwelling reconstructed, repaired, or relocated pursuant to subsection (c) as a nonconforming dwelling unit use if the structure was previously used as a dwelling unit prior to being damaged by fire or natural catastrophe; or

(3) structures accessory to the nonconforming use dwelling if the accessory structure is located in a side or rear yard, set back at least seven feet from side and rear lot lines, 15 FEET FROM CORNER SIDE LOT LINES, and does not exceed a height of 25 feet or the height of the principal structure, whichever is less.

(e) Nonconforming mobile homes. An existing mobile home with a valid mobile home permit on a lot that is subsequently subdivided is not required to apply as a nonconforming use provided the permit was issued before the application for subdivision. The mobile home may continue as a legal, nonconforming use without registration provided the mobile home is not expanded and no structures accessory to the mobile home are added to the lot. If a lot occupied by a mobile home is improved with a dwelling, the mobile home must be removed upon occupancy of the dwelling unless the dwelling is otherwise permitted under this Code.

(F) PORTABLE STORAGE CONTAINERS. SHIPPING OR CARGO CONTAINERS, TRAILERS, TRUCK COMPARTMENTS, AND SIMILAR PORTABLE STORAGE CONTAINERS MAY NOT BE REGISTERED AS A NONCONFORMING USE IN A RESIDENTIAL DISTRICT.

[[18-15-103.]] 18-15-104. Special exceptions.

(a) Expansion or combination of floor area. Subject to the requirements of this section and § 18-16-304, the Administrative Hearing Officer may grant a special exception for expansion of a nonconforming use or a special exception for combining floor area when more than one structure on the same property is used for the nonconforming use, subject to compliance with the following:

(1) a proposed expansion of floor area, land area, or water area may not exceed 30% of the area authorized under the nonconforming status of the property, except that each type of area is to be considered separately and no area may be substituted for another area;

(2) existing and proposed facilities shall meet the lot area, screening, land-to-water ratio, height, parking, lot coverage, and, to the extent feasible, setbacks for the use specified in the zoning district in which the use is allowed;

(3) construction shall be designed to be as inoffensive as practicable in appearance and location to other properties in the area and, whenever practical, similarity in design to other buildings in the area and appropriate landscaping shall be provided; and

(4) construction shall be undertaken in accordance with the requirements of this section and of the Administrative Hearing Officer concurrently so that each change or improvement is completed at or near the same time.

(b) Marina storage rack building. The Administrative Hearing Officer, subject to the requirements in Title 11, may grant a special exception for a multilevel watercraft storage rack building in a marina with nonconforming travel lift facilities and dry storage of watercraft.

[[18-15-104.]] 18-15-105. Termination of nonconforming uses.

(a) Generally. A nonconforming use terminates when the use ceases operation for 12 consecutive months or when the scope of the use is so significantly reduced during the 12-month period as to change its nature or character. The Planning and Zoning Officer shall calculate the cessation of the use, and, provided the cessation was not caused by the property owner, may exclude in the calculation any cessation up to:

(1) two years in which the use ceased because of government action, or destruction due to fire or natural catastrophe; or

(2) twenty years in which the use of a nonconforming use structure ceased because of damage, but not destruction, caused by fire or natural catastrophe.

(b) Extension of nonconforming use. The Planning and Zoning Officer may extend the 12-month period set forth in subsection (a) to a maximum of 18 months upon a written application for extension received before the termination date. The application shall demonstrate unusual or exceptional circumstances beyond the control of the property owner that prevented continuance of the nonconforming use. The Planning and Zoning Officer's decision on the application shall be in writing and shall specify the reason for the decision.

(c) Conformance with article after termination. After a nonconforming use is terminated, any further use of the site shall be in conformance with this article.

TITLE 16. ADMINISTRATIVE HEARINGS

SUBTITLE 2. APPLICATION PROCESS AND PRE-HEARING PROCEDURES

18-16-201. Applications.

1 (a) **Generally.** A person having a financial, contractual, or proprietary interest in
2 property to be affected may file an application, accompanied by an administrative site plan,
3 with the Office of Planning and Zoning on a form supplied by the Office. A separate
4 application is required for each request. Each application shall contain a list of the names
5 and addresses of all property owners who own land[[:

6
7 (1)] located within 300 feet FROM ALL BOUNDARIES of the affected property[[;

8
9 (2) that confronts or adjoins the affected property; and

10
11 (3) except for property owned by government entities or public service companies,
12 that confronts or adjoins land identified in subsection (a)(2)].

13
14 (b) **Failure to conform.** The Office of Planning and Zoning may not accept an
15 application for filing if it fails to conform with the requirements of this title.

16
17 (c) **Pre-filing meeting [[required]].** Before filing an application for a variance, special
18 exception, or to change a zoning district, to change or remove a critical area classification,
19 or for a variance in the critical area or a bog protection area, an applicant [[shall]] MAY
20 meet with the Office of Planning and Zoning to review a pre-file concept plan or an
21 administrative site plan. For single lot properties the owner shall prepare a simple site plan
22 as a basis for determining what can be done under the provisions of this Code to avoid the
23 need for a variance.

24
25 (d) **Contents of a pre-file plan.** A pre-file plan shall include:

26
27 (1) the outline of the property and topography with steep slopes and buffers
28 delineated with scale and north arrow which requirement may be satisfied by a County GIS
29 with tax map boundary overlay;

30
31 (2) zoning boundaries;

32
33 (3) critical area and bog protection areas;

34
35 (4) existing and proposed structures and uses;

36
37 (5) setbacks and parking;

38
39 (6) access and interior road circulation;

40
41 (7) conceptual utilities and drainage structures;

42
43 (8) forested areas and mean [[high water]] HIGH-WATER lines;

44
45 (9) all natural features and required buffers; and

46
47 (10) a vicinity map.

1 (e) **Contents of administrative site plan.** An administrative site plan shall include:

- 2
- 3 (1) the outline of the property with scale and north arrow;
- 4
- 5 (2) zoning boundaries and, where the boundary abuts a public right-of-way, the
- 6 boundary shall be shown to the center line of the right-of-way;
- 7
- 8 (3) critical area and bog protection areas;
- 9
- 10 (4) existing and proposed structures and uses;
- 11
- 12 (5) setbacks, parking, and landscaping in accordance with requirements of the
- 13 Landscape Manual;
- 14
- 15 (6) access and interior road circulation;
- 16
- 17 (7) utilities and drainage structures;
- 18
- 19 (8) easements of record;
- 20
- 21 (9) forested areas and mean **[[high water]]** HIGH-WATER lines;
- 22
- 23 (10) natural features;
- 24
- 25 (11) for sites in the critical area, **[[field run]]** topography at two-foot intervals if the
- 26 site has slopes of 15% or more;
- 27
- 28 (12) for sites not in the critical area, **[[field run]]** topography at two-foot intervals
- 29 if the site has slopes of 25% or more;
- 30
- 31 (13) a vicinity map;
- 32
- 33 (14) for any development impacting environmentally sensitive areas, and all new
- 34 **[[single- family]]** SINGLE-FAMILY dwellings, all information contained in the current
- 35 County SKETCH PLAN AND preliminary plan checklist or other relevant information
- 36 specified by the Planning and Zoning Officer; and
- 37
- 38 (15) for any development impacting environmentally sensitive areas or disturbing
- 39 5,000 square feet or more, and all new single-family dwellings, a stormwater management
- 40 CONCEPT plan that satisfies requirements of the County Procedures Manual.
- 41

42 (f) **Modification of application.** After the Office of Planning and Zoning accepts an

43 application for filing, the application may be modified or amended until **[[10]]** 21 days

44 before the date of the hearing **[[for a more restrictive use only]]**.

45

46 (g) **Withdrawal of application.** An application that is withdrawn after the hearing is

47 advertised shall be considered as having been denied on the date of the withdrawal.

SUBTITLE 3. HEARING AND DECISION

18-16-305. Variances.

(a) **Requirements for zoning variances.** The Administrative Hearing Officer may vary or modify the provisions of this article when it is alleged that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

(1) **[[Because]]** BECAUSE of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or

(2) **[[Because]]** BECAUSE of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

(b) **Requirements for critical or bog protection area variances.** For a property located in the critical area or a bog protection area, a variance to the requirements of the County's critical area program or the bog protection program may be granted if the Administrative Hearing Officer makes the following affirmative findings:

(1) **[[Because]]** BECAUSE of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program or bog protection program would result in an unwarranted hardship, as that term is defined in § 8-1808 OF the Natural Resources Article~~[[, § 8-1808,]]~~ of the State Code, to the applicant;

(2) (i) **[[A]]** A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County; or

(ii) **[[The]]** THE County's bog protection program will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the bog protection area of the County;

(3) **[[The]]** THE granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area;

(4) **[[The]]** THE variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development

1 before an application for a variance was filed, and does not arise from any condition
2 relating to land or building use on any neighboring property;

3
4 (5) ~~[[The]]~~ THE granting of a variance will not adversely affect water quality or
5 adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog
6 protection area and will be in harmony with the general spirit and intent of the County's
7 critical area program or bog protection program;

8
9 (6) ~~[[The]]~~ THE applicant for a variance to allow development in the 100-foot
10 upland buffer has maximized the distance between the bog and each structure, taking into
11 account natural features and the replacement of utilities, and has met the requirements of §
12 17-9-208 of this Code;

13
14 (7) ~~[[The]]~~ THE applicant, by competent and substantial evidence, has overcome
15 the presumption contained in § 8-1808 OF the Natural Resources Article~~[[, § 8-1808,]]~~ of the
16 State Code; and

17
18 (8) ~~[[The]]~~ THE applicant has evaluated and implemented site planning alternatives
19 in accordance with § 18-16-201(c).

20
21 **(c) Requirements for all variances.** A variance may not be granted unless it is found
22 that:

23
24 (1) the variance is the minimum variance necessary to afford relief; and

25
26 (2) the granting of the variance will not:

27
28 (i) alter the essential character of the neighborhood or district in which the lot
29 is located;

30
31 (ii) substantially impair the appropriate use or development of adjacent
32 property;

33
34 (iii) reduce forest cover in the limited development and resource conservation
35 areas of the critical area;

36
37 (iv) be contrary to acceptable clearing and replanting practices required for
38 development in the critical area or a bog protection area; nor

39
40 (v) be detrimental to the public welfare.

41
42 **(d) Conditions for granting a variance in the critical area.**

43
44 (1) For a property with an outstanding violation, the granting of a variance under
45 this subsection shall be conditioned on the applicant completing the following within 90
46 days of the date of decision, as applicable:

47
48 (i) obtaining an approved mitigation or restoration plan;

1 (ii) completing the abatement measures in accordance with the County critical
2 area program; and

3
4 (iii) paying any civil fines assessed and finally adjudicated.

5
6 (2) Notwithstanding the provisions of subsection (d)(1), the Office of Planning and
7 Zoning may extend the time for abatement to the next planting season because of adverse
8 planting conditions. An applicant may also be granted a 180 day extension to satisfy the
9 conditions of a variance upon timely application to the Planning and Zoning Officer and
10 good cause shown.

11
12 (e) **Lapse.** Any critical area variance granted shall lapse by operation of law if the
13 conditions are not satisfied within 90 days or as extended.

14
15 (f) **Prohibition.** A variance may not be granted to density within the resource
16 conservation area (RCA).

17
18 (g) **Odenton Town Center.** A variance may not be granted to the provisions of the
19 Odenton Town Center Master Plan.

20
21 **SUBTITLE 4. POST-DECISION PROCEDURES AND EVENTS**

22
23 **18-16-405. Time period after which variances and special exceptions are void.**

24
25 (a) **Expiration by operation of law.** A variance or special exception that is not
26 extended or tolled expires by operation of law unless the applicant within 18 months of the
27 granting of the variance or special exception (1) obtains a building permit FOR THE
28 IMPROVEMENTS APPROVED IN THE SPECIAL EXCEPTION OR VARIANCE DECISION; **[[or]]**
29 (2) files an application for subdivision; OR (3) WHEN A PERMIT IS NOT REQUIRED, OBTAINS
30 A RELATED APPROVAL FROM THE COUNTY. Thereafter, the variance or special exception
31 **[[shall]]** MAY not expire so long as (1) construction proceeds in accordance with the permit
32 or (2) a record plat is recorded among the land records pursuant to the application for
33 subdivision, the applicant obtains a building permit within one year after recordation of the
34 plat, and construction proceeds in accordance with the permit.

35
36 (b) **Extension for phasing or other good cause.** In deciding an application for a
37 special exception use, the Administrative Hearing Officer may extend the time periods set
38 forth in subsection (a) for the use and any variance granted in connection with it when the
39 application includes a phasing plan or sets forth facts that demonstrate other good cause
40 why the time periods set forth in subsection (a) reasonably cannot be met.

41
42 (c) **Extension by variance.** An applicant may file an application for a variance to
43 extend the time periods set forth in subsection (a).

44
45 (d) **Tolling.** The pendency of litigation may toll the time periods set forth in subsection
46 (a) to the extent provided by law.

TITLE 17. ENFORCEMENT AND PENALTIES

SUBTITLE 1. JUNKYARDS; SOLID WASTE; VEHICLES

18-17-102. Inoperable and unregistered vehicles.

(a) **Definition.** For purposes of this section, the term “vehicle” means a motor vehicle, trailer, or boat.

(b) **Scope.** This section does not apply to the storage of vehicles as accessory to a marina, SALES or ~~[[a]]~~ service ~~[[and sales]]~~ facility, AUTOMOBILE REPAIR FACILITY FOR A PERIOD NOT EXCEEDING 90 DAYS, or to the storage of unregistered vehicles within a roofed structure entirely enclosed on all sides.

(c) **Prohibition.** Except as provided otherwise by this article, land may not be used for the parking, storage, collection, accumulation, or abandonment of any inoperable, wrecked, partially dismantled, or destroyed vehicle or of any vehicle that does not display all information required by law, including a current registration plate and validation sticker.

(d) **Exemption.** No more than one vehicle on a lot may be exempted from the prohibition of section (c) if the property owner can demonstrate that the vehicle is:

(1) recently purchased, pending inspection, for a single period not to exceed 60 consecutive days;

(2) being advertised for sale, for a period not to exceed 60 consecutive days;

(3) actively being repaired to a permitted condition and that it will be registered within a 90-day period or within an extension of the period granted by the Planning and Zoning Officer after the filing of a written application showing good cause; or

(4) being held pending settlement of insurance, estate, or similar legal claims.

18-17-103. Oversized vehicles on residentially zoned or developed lots.

(a) **Scope.** This section does not apply to recreational vehicles. ~~[[For purposes of this section, the term “recreational vehicle” means a motor vehicle designed and constructed primarily to provide temporary living quarters for recreation, camping, or travel.]]~~

(b) **Prohibition.** Except as provided in subsection (c), a vehicle with a manufacturer’s gross vehicle weight rating of more than 10,000 pounds may not be parked on a residentially zoned or developed lot except for the purpose of providing temporary service.

(c) **Exceptions.**

(1) A vehicle of any gross vehicle rating may be parked on a residentially zoned or developed lot if the owner demonstrates that the vehicle is customarily used in connection with an existing lawful use.

(2) The owner of a lot or parcel located in an RA or RLD Zoning District with an agricultural use assessment from the State Department of Assessments and Taxation or an approved soil conservation and water quality plan from the Soil Conservation District may park or store a vehicle of any gross vehicle weight on the lot or parcel provided the vehicle is used as part of an active farming operation.

18-17-104. Portable storage containers in residential districts.

Shipping or cargo containers, trailers, truck compartments, and similar portable storage containers are prohibited in residential districts for a period of more than 60 days unless used in connection with construction authorized by an active building permit issued by the Department of Inspections and Permits OR USED IN CONNECTION WITH AN ACTIVE ONSITE FARMING OPERATION.

18-17-105. RECREATIONAL VEHICLES AND MOTOR VEHICLES AS DWELLING UNITS.

A RECREATIONAL VEHICLE OR MOTOR VEHICLE MAY NOT BE USED AS A DWELLING UNIT.

SUBTITLE 2. ZONING VIOLATIONS

18-17-202. [[Administrative orders; informal]] INFORMAL letters.

[[a) Administrative orders.

(1) The Office of Planning and Zoning may serve an administrative order on a person who has committed a zoning violation. The order shall direct the person to cure the violation described in the order within a specified time period. The order also shall advise the person of the right to appeal to the Board of Appeals within 15 days after service of the order, that failure to appeal results in an inability to contest the violation, and that violation of the order may result in civil or criminal penalties.

(2) (i) The order shall be served by delivery to the person; leaving a copy of the order with a person of suitable age and discretion at the person's dwelling or place of business; or certified mail, restricted delivery, return receipt requested. If reasonable efforts to serve the person by one of these methods fail, service of the order may be accomplished by sending it by first class mail to the person at the person's last known address and by posting a copy of the order on the land associated with the violation.

(ii) An order for an alleged violation on property with an agricultural use assessment or an approved soil and water quality plan from the Soil Conservation District shall be sent by certified mail, in addition to any other method allowed by this section.

(iii) Any person aggrieved by the order may appeal to the Board of Appeals within 15 days after service.

(b) **Informal letters.** Instead of an administrative order, the]] THE Office of Planning and Zoning may send an informal letter as notification that a zoning violation may exist. An informal letter does not constitute a final decision that a violation exists, and it is not appealable to the Board of Appeals.

18-17-203. Civil fines and citations.

(a) **How civil fine imposed; service.** A civil fine may be imposed for a zoning violation through the issuance and prosecution of a civil citation in accordance with §§ 11-201 through 11-209 OF THE Land Use Article[[, §§ 11-201 through 11-209,]] of the State Code. Civil citations shall be served in accordance with Maryland Rule 3-121.

(b) **Amount of fine.** The civil fines for a zoning violation that occurs on property located in the critical area are \$500 for the first violation and \$1,000 for any subsequent violation. For a zoning violation that occurs on any other property other than for the posting of a temporary sign, the civil fines are \$125 for the first violation, \$500 for the second violation, and \$1,000 for any subsequent violation. For the posting of a temporary sign, the civil fine is \$125 for each violation.

TITLE 18. FEES**18-18-101. Fees.**

The following fees shall be paid as provided in the following chart, except that fees paid on an application governed by the law as it existed prior to May 12, 2005 shall be credited against the fees in the following chart if the application is withdrawn and a new application is filed under this article:

Category	Fee
Buffer modification map amendment	\$150
Growth allocation	\$1,000
Nonconforming use registration	\$250
Rubble processing facility	\$5,000 annual operating fee
Signs and replacement signs for a critical area reclassification, a rezoning, a special exception, a variance, a [[non-conforming]] NONCONFORMING use, or a buffer modification map amendment	\$35 per sign
Solid waste transfer station	\$5,000 annual operating fee
Title 16 applications:	
Critical area reclassification	\$1,200
Rezoning	\$1,000
Special exception (or modification) for a solid waste facility	\$3,000
Special exception (or modification) for any other use	\$1,200
Variance [[for]] RELATING TO a single-family dwelling or an accessory structure [[for]] OR USE RELATING TO a single-family dwelling	\$180
Variance for any other use	\$480
Zoning certificate of use	\$50
Zoning verification letter	\$50

SECTION 4. *And be it further enacted*, That all references in this Ordinance to “the effective date of Bill No. 61-26”, or words to that effect, shall, upon codification, be

1 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
2 County Charter as certified by the Administrative Officer to the County Council.
3

4 SECTION 5. *And be it further enacted*, That this Ordinance shall take effect 45 days
5 from the date it becomes law.