

ARTICLE V
District Standards

§ 18:1-13. General district regulations.

A. Purpose. The purpose of this section is:

- (1) To specify the *uses* allowed in each zoning district;
- (2) To specify the *uses* allowed in a given zoning district only upon obtaining conditional *use* approval; and
- (3) To establish the minimum and maximum standards for the *density* of *residential uses*, the intensity of *commercial uses*, the size of *lots*, the size of yards and other *open spaces*, and the height of *buildings*.

B. Permitted and not permitted.

- (1) In general. Except as otherwise provided under this Chapter 18:1 or otherwise provided by law, a *person* may not *use* or occupy a *building*, *structure*, or land that is not in compliance with this Chapter 18:1.
- (2) *Uses* permitted by right. A *use* listed as a permitted *use* in this section is a *use* permitted by right, provided that:
 - (a) All other requirements of state law and this Chapter 18 have been met; and
 - (b) A *zoning certificate* has been issued in accordance with Part 7 of this Chapter 18:1.

C. Conditional *uses*. A *use* listed as a conditional *use* in this section may be permitted as a conditional *use* in any district, provided that the requirements of this Part 3 and Part 5, Article XVII, of this Chapter 18:1 have been met.

D. *Uses* not permitted.

- (1) No building permit shall be issued for a *use* not listed or described by category in this section.
- (2) The intent of this section is to group similar or compatible land *uses* into specific zoning districts, either as permitted *uses* or as *uses* permitted following conditional *use* approval. *Uses* not listed as a permitted or conditional *use* shall be presumed to be prohibited from the applicable zoning district. The *Planning Director* may determine whether a proposed *use* is materially similar to a *use* in this section listed as a permitted or conditional *use* in this section.
- (3) Should the *Planning Director* determine that a proposed *use* not specifically listed in this section is materially similar to a listed *use*, the regulations governing the listed *use* shall apply to the *use* not listed and the *Planning Director's* decisions shall be in writing. The *Planning Director* shall not determine that an unlisted *use* is materially similar to a listed *use* unless the unlisted *use* is similar in impact on public facilities and adjacent land *uses*.

- (4) Should the *Planning Director* determine that a materially similar *use* does not exist, the matter may be referred to the *Planning Commission* for consideration for *amendment* to this Chapter 18:1 to establish a specific listing for the *use* in question.
- (5) As authorized by the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland, § 36-407(b)(1), *on-site cannabis consumption establishments* are prohibited in all zoning districts. **[Added 3-12-2024 by Ord. No. 24-04]**

E. Application of other laws.

- (1) In addition to *use* regulations contained in this Chapter 18:1, *uses* permitted by right or as a conditional *use* are subject to all other regulations, *easements*, and provisions of this Chapter 18.
- (2) The laws of the state and the regulations of the *County's* Department of Health regarding water supply and waste disposal shall be adhered to.
- (3) A *zoning certificate* or building permit may not be issued until approval is obtained from the *County's* Department of Health for water supply and sewage disposal, unless the premises are served by *County* owned water and/or sewage treatment facilities.

F. Access lots.

- (1) Notwithstanding any other provision of this Chapter 18, in instances where an *access lot* provides the only access to another *lot* that is located in a different zoning district, the *Planning Commission* may authorize the construction and *use* of a driveway across the *access lot*.
- (2) The following conditions shall apply to such authorization:
 - (a) The area authorized for the driveway shall not exceed that reasonably necessary to provide access to the *lot* in the other district;
 - (b) The driveway shall be constructed and maintained in a dust-free, safe condition at all times; and
 - (c) A "B" *buffer yard* referred to in Part 4, Article XI, of this Chapter 18:1 shall be provided and maintained along the entire length, and on both sides, of the driveway on the *access lot*.

G. Parcels within a district. Although a *use* may be permitted or conditionally permitted in a particular district, a *use* is not permitted or permissible on every parcel unless the *use* can be located on a parcel in full compliance with all of the *density* and dimensional requirements and other regulations of this Chapter 18 applicable to the specific *use* and parcel.

H. *Density/intensity* requirements.

- (1) All proposed land *uses* shall meet the applicable residential *density* or nonresidential intensity requirements set forth in this section.
- (2) For *development* proposals that include both residential and nonresidential *uses*, whether existing or proposed, *density* shall be calculated for only that portion of the

property given to residential *use*, and *floor area* and *impervious surface ratios* shall be calculated only for that portion of the property given to nonresidential *use*.

- (3) The *density* and intensity requirements set forth in this section are required standards, and are not guarantees that certain densities or intensities can be reached on a particular *site*. Other regulations or site-specific conditions may further limit *development* on a *site*.

I. Dimensional and bulk requirements.

- (1) All proposed land *uses* shall meet the applicable dimensional and bulk requirements set forth in this section. Section 18:1-36 of this Chapter 18:1 provides additional dimensional and bulk requirements for individual *lots* within *planned residential developments*.
- (2) The dimensional and bulk requirements set forth in this section are required standards, and are not guarantees that certain maximums or minimums can be reached on a particular *site*. Other regulations or site-specific conditions may further limit *development* on a *site*. In cases where the *buffer yard* exceeds any minimum setback, the more restrictive shall apply.
- (3) Any nonresidential detached *structures* on a *lot* shall be placed at least 15 feet apart from one another. *Uses* associated with *agriculture* shall be exempt from *building* separation requirements. In cases where two setback requirements apply, the more restrictive shall govern. In cases where no dimensional or bulk requirement is given for a particular *use* or district, that requirement is presumed not to apply. *Residential development* on a *lot of record* shall be governed by dimensional and bulk requirements applicable to *large-lot subdivisions*.

J. *Open space* requirements. *Open space* required by this Part 3 shall be used only in accordance with the table set forth in § 18:1-13K.

K. Special restrictions on *large-lot*, *sliding-scale*, and *single-family cluster subdivisions*.

- (1) A *lot* or parcel, or a part thereof, created by single-family *large-lot* or *large-lot* agricultural *subdivision* meeting the minimum *lot* size requirements set forth in this section may not be further subdivided as a *single-family cluster* or *multifamily development*; or be used as a *transferor parcel* for the *transfer* of development rights.
- (2) Existing *lots of record* in the AG or CS Zoning District that were not created by the *cluster*, *large-lot*, or *sliding-scale subdivision* techniques may be reduced in size below 20 *acres* but not to less than 20,000 square feet in size.
- (3) Properties created through the *large-lot subdivision* technique may not be reduced in size below 20 *acres*.
- (4) The number of sliding-scale *lots* allowed will be based only on the original parcel size, and any future sliding-scale potential will be the right of the original parcel's owner. Applicants for newly proposed *sliding-scale subdivisions* must provide to the *Planning*

Director a cover letter outlining the history of the original parcel and any future *subdivision* potential.

- (5) *Lots* created through the *cluster subdivision* technique may not be further subdivided.

§ 18:1-14. Agricultural (AG) District. [Amended 9-7-2004 by Ord. No. 04-04; 9-7-2004 by Ord. No. 04-12; 8-2-2005 by Ord. No. 05-13; 9-5-2006 by Ord. No. 06-10; 8-19-2008 by Ord. No. 08-15; 2-24-2009 by Ord. No. 09-01; 8-9-2011 by Ord. No. 11-09; 12-13-2011 by Ord. No. 11-07; 3-26-2013 by Ord. No. 13-01; 4-11-2017 by Ord. No. 17-06; 3-12-2024 by Ord. No. 24-04; 6-10-2025 by Ord. No. 25-01]

A. Purpose.

- (1) The Agricultural (AG) District is intended to preserve and protect areas of the *County* that are predominately in agricultural *use*. The AG District is characterized by agricultural and related *uses*. A minimal amount of new *residential development* shall be allowed, provided the rural and agricultural character of the area is preserved.
- (2) It is intended that in the AG District, there shall be no basis under state law (COMAR § 5-4-03) or this Chapter 18:1 for recourse against the effects of any normal farming operations conducted in accordance with standard and acceptable *best management practices*. Normal agricultural effects include, but are not limited to, noise, odor, vibration, fumes, dust, spray drift, or *glare*.

B. Permitted *uses*.

- (1) *Agricultural support* (with the exception of *organic fertilizer storage or transfer operations*).
- (2) *Agriculture*.
- (3) *Agricultural/equestrian activity*.
- (4) *Agricultural/equestrian events* as provided in § 18:1-58L.
- (5) *Aquaculture*, with up to two ponds created by extraction, that are each less than or equal to five *acres* in size, on any single *lot*.
- (6) *Auctions*.
- (7) *Bed-and-breakfast*.
- (8) *Cannabis licensed grower*.
- (9) *Commercial and noncommercial forestry*.
- (10) *Commercial and private stables*.
- (11) *Effluent disposal*.
- (12) *Family day care*.
- (13) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.

- (14) *Farmers market.*
 - (15) *Home occupations.*
 - (16) *Institutional residential* (serving five or fewer residents), except for *assisted living programs*, which may serve up to 16 residents.
 - (17) *Kennels.*
 - (18) Large-lot agricultural *subdivision.*
 - (19) Major and minor *single-family cluster subdivision.*
 - (20) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
 - (21) *Migrant labor camp* as per § 18:1-54 of this Chapter 18:1.
 - (22) *Minor extraction and dredge disposal uses:*
 - (a) Minor extraction that does not require the issuance of a surface mining permit in accordance with COMAR 26.21.01.08 (C), (D), (E) and (F).
 - (b) *Minor extraction and dredge disposal uses* that require the issuance of a surface mining permit provided that the parcel has not been subject to a *cluster subdivision* nor is the parcel a *developed parcel* for noncontiguous *development* but may be a *transferor parcel*, as defined by this Chapter 18. For the purposes of this subsection, parcel shall mean a lot of record existing on September 1, 2008.
 - (23) *Nurseries.*
 - (24) *Outdoor recreation.*
 - (25) *Public service.*
 - (26) Single-family residential, including one single-wide *manufactured home* as the primary residence on a *farm.*
 - (27) *Sliding-scale subdivision.* (See § 18:1-13K of this Chapter 18:1.)
 - (28) *Veterinary offices.*
- C. Conditional uses.
- (1) *Agricultural conference facilities.*
 - (2) *Aquaculture*, with more than two ponds created by extraction, or any single pond greater than five *acres* in size created by extraction, on any single *lot.*
 - (3) *Campgrounds.*
 - (4) *Commercial apartments*; allowed only in conjunction with a *country store.*

- (5) *Country inn.*
 - (6) *Country store.*
 - (7) *Major extraction and dredge disposal.*
 - (8) *Minor extraction and dredge disposal uses:*
 - (a) Minor extraction that requires a surface mining permit in accordance with COMAR 26.21.01, except as provided in § 18:1-14B(19)(b).
 - (b) *Minor extraction and dredge disposal uses* that require the issuance of a surface mining permit on a parcel that has been subject to a *cluster subdivision* or a parcel that is a *developed parcel* for noncontiguous *development*. For the purposes of this subsection, parcel shall mean a lot of record existing on September 1, 2008.
 - (9) *Fraternal organizations.*
 - (10) *Funeral homes.*
 - (11) *Group day-care center.*
 - (12) *Institutional residential* (serving six or more residents).
 - (13) *Nonprofit and for-profit institutional.*
 - (14) *Organic fertilizer storage and transfer operations.*
 - (15) *Private airports.*
 - (16) *Private landing strips and heliports.*
 - (17) *Public heliports and airports.*
 - (18) *Public utilities.*
 - (19) *Rural country clubs.*
 - (20) *Shooting clubs.*
 - (21) *Telecommunications facilities.*
 - (22) *Youth camps.*
 - (23) *Nonprofit, seasonal, live-performance dinner theatre.*
 - (24) *Solar arrays.*
 - (25) *Special events.*
- D. *Density/intensity requirements.*
- (1) *Maximum residential density.*
 - (a) *Single-family cluster:* .125.

- (b) *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area.
 - (c) *Sliding-scale subdivision*: one new *lot* up to the first 100 *acres* of a *site*, and one new *lot* for each additional 100 *acres*, or part thereof.
 - (d) Noncontiguous *development*: in accordance with Chapter 18:1, Part 6, Article XIX.
 - (e) *Scenic corridor development*: in accordance with Chapter 18:1, Part 6, Article XIXA.
- (2) Maximum nonresidential *floor area ratio*.
- (a) *Agricultural support*: .35.
 - (b) *Rural country clubs*: .05.
 - (c) All other: .12.
- E. Dimensional and bulk requirements.
- (1) *Residential uses*.
- (a) Minimum *open space ratio*.
 - [1] *Single-family cluster*: .85.
 - [2] Noncontiguous *development*: .85 overall; in accordance with Chapter 18:1, Part 6, Article XIX.
 - (b) Minimum *site area*.
 - [1] *Single-family cluster*: 16 *acres*.
 - (c) Minimum *lot area*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Large-lot subdivision*: 20 *acres*.
 - [3] *Sliding-scale subdivision*: 20,000 square feet.
 - (d) Minimum setbacks.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Large-lot subdivision*:
 - [a] Front: 50 feet.
 - [b] Side (minimum/total): 50 feet/100 feet.
 - [c] Rear: 50 feet.
 - [3] *Sliding-scale subdivision* (if equal to or less than 20 *acres*):
 - [a] Front: 40 feet.

[b] Side: 20 feet.

[c] Rear: 50 feet.

[4] *Sliding-scale subdivision* (if over 20 acres):

[a] Front: 50 feet.

[b] Side: 50 feet.

[c] Rear: 50 feet.

(e) Maximum *building height*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Large-lot subdivision*: 40 feet.

[3] *Sliding-scale subdivision*: 40 feet.

(f) Minimum *lot width*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Large-lot subdivision*: 500 feet.

[3] *Sliding-scale subdivision*: 130 feet.

(g) Minimum *lot frontage*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Large-lot subdivision*: 35 feet.

[3] *Sliding-scale subdivision*: 35 feet.

(2) Nonresidential *uses*.

(a) Maximum *impervious surface ratio*.

[1] *Agricultural support*: .80.

[2] *Rural country clubs*: .15.

[3] All other: .40.

(b) Minimum *lot frontage*: 35 feet.

(c) Minimum setbacks.

[1] Front: 35 feet.

[2] U.S. Routes 50/301: 100 feet.

[3] Arterial: 75 feet.

[4] Side and rear: 10 feet.

(d) Maximum *building height*.

[1] On-lot agricultural: 135 feet.

[2] Commercial: 135 feet.

[3] *Telecommunications facilities*: 200 feet.

[4] All other: 45 feet.

(e) Minimum *site area*.

[1] *Campgrounds*: 25 acres.

[2] *Major extraction and disposal*: 75 acres.

[3] *Organic fertilizer storage and transfer operation*: 300 acres.

[4] *Private airports*: 200 acres.

[5] *Shooting clubs*: 100 acres.

§ 18:1-15. Countryside (CS) District. [Amended 9-7-2004 by Ord. No. 04-04; 9-7-2004 by Ord. No. 04-12; 9-7-2004 by Ord. No. 04-13; 8-2-2005 by Ord. No. 05-13; 12-8-2009 by Ord. No. 09-23; 8-9-2011 by Ord. No. 11-09; 8-9-2011 by Ord. No. 11-12; 12-13-2011 by Ord. No. 11-07; 3-26-2013 by Ord. No. 13-01; 6-10-2025 by Ord. No. 25-01]

A. Purpose. The Countryside (CS) District is intended to preserve and protect the rural and agricultural areas of the *County* that generally lie within the *Chesapeake Bay Critical Area* and contain extremely sensitive natural resources. *Residential development densities* and design standards shall ensure resource protection and preservation of *open space*. This district shall be predominately characterized by *open space*, farmettes, and very low-density residential uses or small single-family cluster developments with significant associated *open space*.

B. Permitted uses.¹

(1) *Agriculture*.

(2) *Aquaculture*, with up to two ponds created by extraction, that are each less than or equal to five acres in size, on any single lot.

(3) *Bed-and-breakfast*.

(4) *Cannabis licensed grower*.

(5) *Commercial and noncommercial forestry*.

(6) *Commercial and private stables*.

1. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (7) *Effluent disposal.*
- (8) *Family day-care center.*
- (9) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.
- (10) *Home occupations.*
- (11) *Institutional residential* (serving five or fewer residents), except for assisted living programs, which may serve up to 16 residents.
- (12) *Kennels.*
- (13) *Large-lot subdivision.*
- (14) Major and minor *multifamily.*
- (15) Major and minor *single-family cluster.*
- (16) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter or temporary housing for *farm* workers, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (17) *Nurseries.*
- (18) *Outdoor recreation.*
- (19) *Public service.*
- (20) Single-family residential; including one single-wide *manufactured home* as the primary residence on a *farm*.
- (21) *Sliding-scale subdivision.* (See § 18:1-13K of this Chapter 18:1.)

C. Conditional uses.

- (1) *Agricultural support* (except *organic fertilizer storage and transfer operations*).
- (2) *Aquaculture*, with more than two ponds created by extraction, or any single pond greater than five *acres* in size created by extraction, on any single *lot*.
- (3) *Campgrounds.*
- (4) *Country inn.*
- (5) *Major extraction and dredge disposal.*
- (6) *Farmers market.*
- (7) *Fraternal organizations.*
- (8) *Funeral homes.*
- (9) *Group day-care center.*

- (10) *Institutional residential* (serving six or more residents).
- (11) *Marinas*.
- (12) *Minor extraction and dredge disposal uses*.
- (13) *Nonprofit and for-profit institutional*.
- (14) *Private airports*.
- (15) *Private covered slips*.
- (16) *Private landing strips and heliports*.
- (17) *Public utilities*.
- (18) *Rural country clubs*.
- (19) *Shooting clubs*.
- (20) *Telecommunications facilities*.
- (21) *Youth camps*.
- (22) *Resort hotels*, in compliance with the provisions of § 18:1-95R of this chapter.
- (23) *Nonprofit, seasonal, live-performance dinner theatre*.
- (24) *Solar arrays*.
- (25) *Special events*.

D. *Density/intensity requirements*.

- (1) *Maximum residential density*.
 - (a) *Single-family cluster*: .125.
 - (b) *Multifamily*: .20.
 - (c) *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area.
 - (d) *Sliding-scale subdivision*: one new *lot* up to the first 100 *acres* of a *site*, and one new *lot* for each additional 100 *acres*, or part thereof.
 - (e) *Noncontiguous development*: in accordance with Chapter 18:1, Part 6, Article XIX.
 - (f) In the critical area, *density* can be increased to the base *density* by using critical area TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (g) *Scenic corridor development*: in accordance with Chapter 18:1, Part 6, Article XIXA.
- (2) *Maximum nonresidential floor area ratio*.
 - (a) *Rural country clubs*: .05.

(b) All other: .10.

E. Dimensional and bulk requirements.

(1) *Residential uses.*

(a) Minimum *open space ratio*.

[1] *Single-family cluster*: .85.

[2] *Multifamily*: .85.

[3] *Noncontiguous parcel*: .85 overall; in accordance with Chapter 18:1, Part 6, Article XIX.

[4] TDRs: in accordance with Chapter 18:1, Part 6, Article XX.

(b) Minimum *site area*.

[1] *Single-family cluster*: 10 acres.

[2] *Multifamily*: 10 acres.

(c) Minimum *lot area*.

[1] *Single-family cluster*: 20,000 square feet.

[2] *Large-lot*: 20 acres.

[3] *Sliding-scale subdivision*: 20,000 square feet.

(d) Minimum setbacks.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Large-lot subdivision*.

[a] Front: 50 feet.

[b] Side (minimum/total): 50 feet/100 feet.

[c] Rear: 50 feet.

[4] *Sliding-scale subdivision* (if equal to or less than 20 acres).

[a] Front: 40 feet.

[b] Side: 20 feet.

[c] Rear: 50 feet.

[5] *Sliding-scale subdivision* (if over 20 acres).

[a] Front: 50 feet.

[b] Side: 50 feet.

[c] Rear: 50 feet.

(e) Maximum *building height*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Large-lot subdivision*: 40 feet.

[4] *Sliding-scale subdivision*: 40 feet.

(f) Minimum *lot width*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Large-lot subdivision*: 500 feet.

[4] *Sliding-scale subdivision*: 130 feet.

(g) Minimum *lot frontage*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Large-lot subdivision*: 35 feet.

[4] *Sliding-scale subdivision*: 35 feet.

(2) *Nonresidential uses*.

(a) Maximum *impervious surface ratio*.

[1] *Rural country clubs*: .15.

[2] All other: .30.

(b) Minimum *lot frontage*: 35 feet.

(c) Minimum setbacks.

[1] Front: 35 feet.

[2] U.S. Routes 50/301: 100 feet.

[3] Arterial: 75 feet.

[4] Side and rear: 10 feet.

(d) Maximum *building height*.

- [1] On-lot agricultural: 135 feet.
- [2] Commercial: 135 feet.
- [3] *Telecommunications facilities*: 200 feet.
- [4] All other: 45 feet.

§ 18:1-16. Estate (E) District.

- A. Purpose The Estate (E) District is intended to provide for *low-density, large-lot residential uses* or *single-family cluster development* with significant associated *open space*. The E District is characterized by spacious residential neighborhoods of an estate-type character.
- B. Permitted *uses*.²
 - (1) *Effluent disposal*.
 - (2) *Family day-care center*.
 - (3) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.
 - (4) *Home occupations*.
 - (5) *Institutional residential* (serving five or fewer residents), except for *assisted living programs*, which may serve up to 16 residents. [Amended 9-7-2004 by Ord. No. 04-04]
 - (6) *Large-lot subdivision* [Added 9-7-2004 by Ord. No. 04-13]
 - (7) Major and minor *multifamily*.
 - (8) Major and minor *single-family cluster*.
 - (9) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
 - (10) *Noncommercial forestry*.
 - (11) *Nonprofit institutional*.
 - (12) *Outdoor recreation*.
 - (13) *Private stables*.
 - (14) *Public service*.
 - (15) Single-family residential.
- C. Conditional *uses*.

2. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (1) *Agriculture.*
- (2) *Aquaculture.*
- (3) *Bed-and-breakfast.*
- (4) *Commercial forestry.*
- (5) *Commercial stables.*
- (6) *Country inn.*
- (7) *For-profit institutional.*
- (8) *Fraternal organizations.*
- (9) *Funeral homes.*
- (10) *Group day-care center.*
- (11) *Institutional residential* (serving six or more residents).
- (12) *Minor extraction and dredge disposal uses.*
- (13) *Nurseries.*
- (14) *Private covered slips.*
- (15) *Public utilities.*
- (16) *Telecommunications facilities.*

D. *Density/intensity requirements.*

- (1) Maximum residential *density*.
 - (a) *Single-family cluster*: .50.
 - (b) *Multifamily*: .50.
 - (c) *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area.
[Amended 9-7-2004 by Ord. No. 04-12]
 - (d) In the *growth area*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (2) Maximum nonresidential *floor area ratio*.
 - (a) All *uses*: .10.
 - (b) In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

E. *Dimensional and bulk requirements.*

- (1) *Residential uses.*

- (a) Minimum *open space ratio*.
 - [1] *Single-family cluster*: .50.
 - [2] *Multifamily*: .50.
 - (b) Minimum *site area*.
 - [1] *Single-family cluster*: 10 acres.
 - (c) Minimum *lot area*.
 - [1] *Single-family cluster*: 20,000 square feet.
 - [2] *Large-lot subdivision*: two acres.
 - (d) Minimum setbacks.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*.
 - [a] Front: 50 feet.
 - [b] Side (minimum/total): 25 feet/55 feet.
 - [c] Rear: 100 feet.
 - (e) Maximum *building height* .
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 35 feet.
 - (f) Minimum *lot width*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 200 feet.
 - (g) Minimum *lot frontage*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 35 feet.
- (2) Nonresidential *uses*.

(a) Maximum *impervious surface ratio*.[1] All *uses*: .30.[2] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.(b) Minimum *lot frontage*: 35 feet.

(c) Minimum setbacks.

[1] Front: 35 feet.

[2] U.S. Routes 50/301: 100 feet.

[3] Arterial: 50 feet.

[4] Side and rear: 10 feet.

(d) Maximum *building height*.[1] *Telecommunications facilities*: 55 feet.

[2] All other: 30 feet.

§ 18:1-17. Suburban Estate (SE) District.

A. Purpose. The Suburban Estate (SE) District is intended to provide for low-density, large-lot *residential uses* or *single-family clusterdevelopment* with significant associated *open space*. The SE District is characterized by spacious residential neighborhoods of an estate-type character.

B. Permitted *uses*.³

(1) *Effluent disposal*.(2) *Family day-care center*.(3) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.(4) *Home occupations*.(5) *Institutional residential* (serving five or fewer residents), except for *assisted living programs*, which may serve up to 16 residents. [Amended 9-7-2004 by Ord. No. 04-04](6) *Large-lot subdivision* [Added 9-7-2004 by Ord. No. 04-13](7) Major and minor *multifamily*.(8) Major and minor *single-family cluster*.

3. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

(9) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

(10) *Noncommercial forestry*.

(11) *Nonprofit institutional*.

(12) For-profit institutional. **[Added 2-24-2009 by Ord. No. 08-27]**

(13) *Outdoor recreation*.

(14) *Private stables*.

(15) *Public service*.

(16) Single-family residential.

C. *Conditional uses*.

(1) *Agriculture*.

(2) *Aquaculture*.

(3) *Bed-and-breakfast*.

(4) *Commercial forestry*.

(5) *Commercial stables*.

(6) *For-profit institutional*.

(7) *Fraternal organizations*.

(8) *Funeral homes*.

(9) *Group day-care center*.

(10) *Institutional residential* (serving six or more residents).

(11) *Manufactured home community*.

(12) *Marinas*.

(13) *Minor extraction and dredge disposal uses*.

(14) *Nurseries*.

(15) *Private covered slips*.

(16) *Public utilities*.

(17) *Telecommunications facilities*.

D. *Density/intensity requirements*.

- (1) Maximum residential *density*.
 - (a) *Single-family cluster*: 1.25.
 - (b) *Multifamily*: 1.50.
 - (c) *Manufactured home community*: 1.75.
 - (d) *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area. **[Amended 9-7-2004 by Ord. No. 04-12]**
 - (e) In the *growth area*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (2) Maximum nonresidential *floor area ratio*. **[Amended 2-24-2009 by Ord. No. 08-27]**
 - (a) *Institutional uses*: 0.30.
 - (b) Other: 0.10.
 - (c) In the *growth area*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

E. Dimensional and bulk requirements.

- (1) *Residential uses*.
 - (a) Minimum *open space ratio*.
 - [1] *Single-family cluster*: .40.
 - [2] *Multifamily*: .50.
 - [3] *Manufactured home community*: .60.
 - (b) Minimum *site area*.
 - [1] *Single-family cluster*: two acres.
 - [2] *Multifamily*: two acres.
 - [3] *Manufactured home community*: five acres.
 - (c) Minimum *lot area*.
 - [1] *Single-family cluster*: 15,000 square feet.
 - [2] *Manufactured home community*: 4,000 square feet.
 - [3] *Large-lot subdivision*: one acre.
 - (d) Minimum setbacks.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.

- [3] *Manufactured home community*: See § 18:1-36.
- [4] *Large-lot subdivision*.
 - [a] Front: 50 feet.
 - [b] Side (minimum/total): 20 feet/45 feet.
 - [c] Rear: 75 feet.
- (e) Maximum *building height*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 35 feet.
- (f) Minimum *lot width*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Manufactured home community*: See § 18:1-36.
 - [4] *Large-lot subdivision*: 140 feet.
- (g) Minimum *lot frontage*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Manufactured home community*: See § 18:1-36.
 - [4] *Large-lot subdivision*: 35 feet.
- (2) Nonresidential *uses*.
 - (a) Maximum *impervious surface ratio*. **[Amended 2-24-2009 by Ord. No. 08-27]**
 - [1] *Institutional uses*: 0.65.
 - [2] Other: 0.30.
 - [3] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (b) Minimum *lot frontage*: 35 feet.
 - (c) Minimum setbacks.
 - [1] Front: 35 feet.

[2] U.S. Routes 50/301: 100 feet.

[3] Arterial: 50 feet.

[4] Side and rear: 10 feet.

(d) Maximum *building height*.

[1] *Telecommunications facilities*: 55 feet.

[2] All other: 45 feet. **[Amended 2-24-2009 by Ord. No. 08-27]**

§ 18:1-18. Suburban Residential (SR) District.

A. Purpose. The Suburban Residential (SR) District is intended to provide for a variety of housing types at moderate *densities*. Permitted *densities* are slightly higher than allowed in the SE District. *Open space* requirements are slightly lower than in the SE District. The SR District shall be characterized by *multifamily*, or *single-family cluster* housing served by *public sewer*, with a moderate amount of *open space*.

B. Permitted *uses*.⁴

(1) *Camping cooperative*. **[Added 3-26-2024 by Ord. No. 24-02]**

(2) *Effluent disposal*.

(3) *Family day-care center*.

(4) *Home occupations*.

(5) *Institutional residential* (serving five or fewer residents), except for *assisted living programs*, which may serve up to 16 residents. **[Amended 9-7-2004 by Ord. No. 04-04]**

(6) Large-lot subdivision. **[Added 9-7-2004 by Ord. No. 04-13]**

(7) Major and minor *multifamily*.

(8) Major and minor *single-family cluster*.

(9) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

(10) *Noncommercial forestry*.

(11) *Nonprofit institutional*.

(12) *Outdoor recreation*.

(13) *Private stables*.

4. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

(14) *Public service.*

(15) *Single-family residential.*

C. *Conditional uses.*

(1) *Agriculture.*

(2) *Aquaculture.*

(3) *Bed-and-breakfast.*

(4) *Commercial forestry.*

(5) *Commercial stables.*

(6) *For-profit institutional.*

(7) *Fraternal organizations.*

(8) *Funeral homes.*

(9) *Group day-care center.*

(10) *Institutional residential* (serving six or more residents).

(11) *Manufactured home community.*

(12) *Marinas.*

(13) *Minor extraction and dredge disposal uses.*

(14) *Private covered slips.*

(15) *Public utilities.*

(16) *Telecommunications facilities.*

D. *Density/intensity requirements.*

(1) *Maximum residential density.*

(a) *Single-family cluster:* 2.00.

(b) *Multifamily:* 3.40.

(c) *Manufactured home community:* 3.65.

(d) *Large-lot subdivision:* equal to total *site area* divided by minimum large-lot area.
[Amended 9-7-2004 by Ord. No. 04-12]

(e) In the *growth area*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(2) *Maximum nonresidential floor area ratio.*

- (a) *Institutional*: .13.
- (b) All other: .11.
- (c) In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

E. Dimensional and bulk requirements.

(1) *Residential uses*.

(a) Minimum *open space ratio*.

- [1] *Single-family cluster*: .20.
- [2] *Multifamily*: .45.
- [3] *Manufactured home community*: .45.

(b) Minimum *site area*.

- [1] *Single-family cluster*: two acres.
- [2] *Multifamily*: two acres.
- [3] *Manufactured home community*: five acres.
- [4] *Camping cooperative*: 40 acres. **[Added 3-26-2024 by Ord. No. 24-02]**

(c) Minimum *lot area*.

- [1] *Single-family cluster*: 10,000 square feet.
- [2] *Manufactured home community*: 4,000 square feet.
- [3] *Large-lot subdivision*: 30,000 square feet.

(d) Minimum setbacks.

- [1] *Single-family cluster*: See § 18:1-36.
- [2] *Multifamily*: See § 18:1-36.
- [3] *Manufactured home community*: See § 18:1-36.
- [4] *Large-lot subdivision*.
 - [a] Front: 40 feet.
 - [b] Side (minimum/total): 15 feet/35 feet.
 - [c] Rear: 50 feet.
- [5] *Camping cooperative*. **[Added 3-26-2024 by Ord. No. 24-02]**

- [a] All trailers and recreational vehicles shall be at least six feet from *lot*

lines.

- [b] All administrative and recreational *structures* shall be 40 feet from the *front lot line*, 15 feet from *side lot lines*, and 50 feet from the *rear lot line*.

(e) Maximum *building height*.

- [1] *Single-family cluster*: See § 18:1-36.
- [2] *Multifamily*: See § 18:1-36.
- [3] *Large-lot subdivision*: 35 feet.

(f) Minimum *lot width*.

- [1] *Single-family cluster*: See § 18:1-36.
- [2] *Multifamily*: See § 18:1-36.
- [3] *Manufactured home community*: See § 18:1-36.
- [4] *Large-lot subdivision*: 120 feet.

(g) Minimum *lot frontage*.

- [1] *Single-family cluster*: See § 18:1-36.
- [2] *Multifamily*: See § 18:1-36.
- [3] *Manufactured home community*: See § 18:1-36.
- [4] *Large-lot subdivision*: 35 feet.

(2) Nonresidential *uses*.

(a) Maximum *impervious surface ratio*.

- [1] *Institutional*: .40.
- [2] All other: .35.
- [3] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18: 1, Part 6, Article XX.

(b) Minimum *lot frontage*. 35 feet.

(c) Minimum setbacks.

- [1] Front: 35 feet.
- [2] U.S. Routes 50/301: 100 feet.
- [3] Arterial: 50 feet.

[4] Side and rear: 10 feet.

(d) Maximum *building height*.

[1] *Telecommunications facilities*: 55 feet.

[2] All other: 30 feet.

§ 18:1-19. Neighborhood Conservation (NC) District.

A. Purpose.

- (1) There are several varieties of NC Districts. The NC Districts are intended to preserve the character, *density*, and scale of existing residential neighborhoods. The NC Districts allow existing neighborhoods to conform to this Chapter 18:1, and they allow for in-fill development to be compatible with the surrounding area. NC Districts are designated for existing *residential developments* as follows:
 - (a) NC-1: one-acre average *lot* size;
 - (b) NC-2: two-acre average *lot* size;
 - (c) NC-5: five-acre average *lot* size;
 - (d) NC-8: eight-thousand-square-foot average *lot* size;
 - (e) NC-15: fifteen-thousand-square-foot average *lot* size; and
 - (f) NC-20: twenty-thousand-square-foot average *lot* size.
- (2) All NC District regulations apply to NC Districts with a "T" designation on the *Zoning Maps*; except that single-wide *manufactured homes* are a permitted *use* within NC-T Districts.

B. Permitted *uses*.⁵

- (1) *Agriculture*: allowed only on *farms* that are five *acres* or more in size; and permitted agricultural activities in this district shall be limited to commercial production or management of crops, vegetation, soil and the related activities of tillage, fertilization, pest control, silviculture *aquaculture* (with up to two ponds created by extraction, that are each less than or equal to five *acres* in size, on any single *lot*), harvesting, and marketing.
- (2) *Effluent disposal*. [Added 9-7-2004 by Ord. No. 04-14]
- (3) *Family day-care center*.
- (4) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.
- (5) *Home occupations*.

5. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (6) *Institutional residential* (serving five or fewer residents), except for *assisted living programs*, which may serve up to 16 residents. [Amended 9-7-2004 by Ord. No. 04-04]
- (7) *Large-lot subdivision*. [Added 9-7-2004 by Ord. No. 04-13]
- (8) *Manufactured home* single-wide; allowed only in districts designated "NC-T"; or as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (9) *Minor single-family cluster*.
- (10) *Noncommercial forestry*.
- (11) *Private stables*.
- (12) *Public service*.
- (13) *Single-family residential*.

C. Conditional uses.⁶

- (1) *Aquaculture* with more than two ponds created by extraction or any single pond greater than five *acres* in size created by extraction, on any single *lot*.
- (2) *Bed-and-breakfast*.
- (3) *Commercial forestry*.
- (4) *Commercial stables*.⁷
- (5) *Fraternal organizations*.
- (6) *Funeral homes*.
- (7) *Institutional residential* (serving six or more residents).
- (8) Major and minor *multifamily*.
- (9) Major *single-family cluster*.
- (10) *Manufactured home community*; if contains single-wide *manufactured homes*, only allowed in districts designated as "NC-T."
- (11) *Marinas*.
- (12) *Minor extraction and dredge disposal uses*.
- (13) *Nonprofit and for-profit institutional*.

6. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

7. Editor's Note: The former entry for effluent disposal, which immediately followed this subsection, was repealed 9-7-2004 by Ord. No. 04-14.

- (14) *Nurseries.*
- (15) *Outdoor recreation.*
- (16) *Private covered slips.*
- (17) *Public utilities.*
- (18) *Telecommunications facilities.*

D. *Density/intensity requirements.*

(1) *Maximum residential density.*

- (a) All housing types: equal to *total site area* divided by minimum *large-lot subdivision area* except that *subdivision* applications filed between January 17, 2004, and December 31, 2004, may calculate maximum residential *density* by dividing the *total site area* by the minimum *lot area* provided in § 18:1-19E(1)(a)[3]. **[Amended 9-7-2004 by Ord. No. 04-12; 3-1-2005 by Ord. No. 04-48]**
- (b) In the critical area, *density* can be increased to the base *density* by using critical area TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(2) *Maximum nonresidential floor area ratio.*

- (a) *Institutional/residential*: .30. **[Amended 1-18-2005 by Ord. No. 04-49]**
- (b) All other: .13.

E. *Dimensional and bulk requirements.*

(1) *Residential uses.*

(a) *Planned residential development.*

[1] *Minimum open space ratio.*

- [a] NC-1: .40.
- [b] NC- 2: .40.
- [c] NC-5: .40.
- [d] NC-8: .30.
- [e] NC-15: .30.
- [f] NC-20: .30.

[2] *Minimum site area.*

- [a] NC-1: two *acres*.
- [b] NC- 2: four *acres*.

[c] NC-5: 10 *acres*.

[d] NC-8: one *acre*.

[e] NC-15: one *acre*.

[f] NC-20: one *acre*.

[3] Minimum *lot area*.

[a] NC-1: 20,000 square feet.

[b] NC-2: one *acre*.

[c] NC-5: two *acres*.

[d] NC-8: 6,000 square feet.

[e] NC-15: 7,500 square feet.

[f] NC-20: 10,000 square feet.

(b) *Large-lot subdivision*.

[1] NC-1: one *acre*.

[2] NC-2: two *acres*.

[3] NC-5: five *acres*.

[4] NC-8: 8,000 square feet.

[5] NC-15: 15,000 square feet.

[6] NC-20: 20,000 square feet.

(c) Minimum setbacks.

[1] *single-family cluster*:: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Manufactured home community*: See § 18:1-36.

[4] *Large-lot subdivision*.

[a] NC-1.

[i] Front: 35 feet.

[ii] Side: 20 feet.

[iii] Rear: 50 feet.

[b] NC-2.

[i] Front: 35 feet.

[ii] Side: 20 feet.

[iii] Rear: 50 feet.

[c] NC-5.

[i] Front: 35 feet.

[ii] Side: 20 feet.

[iii] Rear: 50 feet.

[d] NC-8.

[i] Front: 25 feet.

[ii] Side (minimum/total): eight feet/18 feet.

[iii] Rear: 35 feet.

[e] NC-15.

[i] Front: 35 feet.

[ii] Side (minimum/total): eight feet/18 feet.

[iii] Rear: 50 feet.

[f] NC-20.

[i] Front: 35 feet.

[ii] Side (minimum/total): 15 feet/35 feet.

[iii] Rear: 50 feet.

(d) Maximum *building height*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Large-lot subdivision*: See § 18:1-36.

(e) Minimum *lot width*.

[1] *Single-family cluster*: See § 18:1-36.

[2] *Multifamily*: See § 18:1-36.

[3] *Manufactured home community*: See § 18:1-36.

[4] *Large-lot subdivision*:

- [a] NC-1: 150 feet.
- [b] NC-2: 150 feet.
- [c] NC-5: 250 feet.
- [d] NC-8: 60 feet.
- [e] NC-15: 70 feet.
- [f] NC-20: 100 feet.

(f) Minimum *lot frontage*.

- [1] *Single-family cluster*: See § 18:1-36.
- [2] *Multifamily*: See § 18:1-36.
- [3] *Manufactured home community*: See § 18:1-36.
- [4] *Large-lot subdivision*: 35 feet.

(2) Nonresidential *uses*.

(a) Maximum *impervious surface ratio*.

- [1] *Institutional/residential*: .50. **[Amended 1-18-2005 by Ord. No. 04-49]**
- [2] All other: .40.

(b) Minimum *lot frontage*. 35 feet.

(c) Minimum setbacks.

- [1] Front: 35 feet.
- [2] U.S. Routes 50/301: 50 feet.
- [3] Arterial: 25 feet.
- [4] Side and rear: 10 feet.

(d) Maximum *building height*.

- [1] *Telecommunications facilities*: 55 feet.
- [2] All other: 30 feet.

F. Additional conditional *use* review criteria.

(1) In addition to the requirements set forth in Chapter 18:1, Part 5, Article XVII, the following shall apply to major *single-family cluster subdivisions* or major or minor *multifamily developments*:

- (a) Units may be located as infill development on undeveloped parcels throughout an NC District neighborhood. Not more than 30% of the total *dwelling units* permitted

within the immediate NC District shall consist of a *planned residential development*.

- (b) The *dwelling units* developed within the cluster and *planned residential developments* shall be in keeping with the architectural character of the area as well as the colors and materials of surrounding *buildings*; and
 - (c) *Planned residential development* may not consist of more than six *dwelling units* per *building*.
- G. Use and merger of *lots* of substandard area or dimensions in Neighborhood Conservation (NC) District in areas designated S-3 or higher in the Comprehensive Water and Sewerage Plan.
 - (1) The provisions of this subsection shall apply in the NC District in areas designated S-3, S-4, S-5, and S-6 in the Comprehensive Water and Sewerage Plan on or after the effective date of this Subsection G and shall apply notwithstanding any other provision in this article, including, without limitation, those relating to *nonconforming uses* or *lots*. The provisions of this subsection shall not be construed to affect the *nonconforming use* or *lot* status of lots in zoning districts or areas to which this subsection does not apply.
 - (2) Except as provided in Subsection G(3) and (4) of this section, a *dwelling* may be constructed on a *lot* that does not comply with the minimum area or dimensional requirements of the zoning district in which the *lot* is located, provided that the *lot* complied with applicable minimum area and dimensional requirements, if any, at the time it was created.
 - (3) A *dwelling* may not be constructed on an unimproved *lot* or *lots* that do not comply with the minimum area or dimensional requirements of the zoning district in which the lot or *lots* are located if the unimproved *lot* or *lots* are contiguous with an improved *lot* under the same ownership on November 12, 2013. An unimproved *lot* or *lots* governed by this subsection shall be administratively merged with the contiguous improved *lot* under the same ownership as of November 12, 2013, prior to the extension of *public sewer* service to the improved lot. Further, an unimproved *lot* or *lots* that must be merged with an improved *lot* under this subsection shall be merged with an additional contiguous unimproved *lot* or *lots* with the same ownership on November 12, 2013, that is or are necessary to prevent leaving an unimproved *lot* that does not satisfy the minimum area and dimensional requirements of the zoning district. The owner conducting a merger pursuant to this subsection must apply and receive approval of an *administrative subdivision* pursuant to § 18:1-171 of the Public Local Laws of Queen Anne's County prior to the extension of *public sewer* service to the improved *lot*. If the owner of a *lot* or *lots* required to be merged under this Subsection G(3) fails to apply for and receive approval of an *administrative subdivision*, the Director of Planning shall process, consider and approve an *administrative subdivision* effecting the merger pursuant to § 18:1-171 of the Public Local Laws of Queen Anne's County.
 - (4) Except as provided in Subsection G(5) of this subsection, an unimproved *lot* that does not comply with the minimum area or dimensional requirements of the NC District in effect at the time an application for a building permit is submitted may not be used for

the construction of a *dwelling* if the *lot* was contiguous to and under the same ownership as one or more unimproved *lots* on November 12, 2013.

- (5) A *lot* described in Subsection G(4) of this section may be used for the construction of a *dwelling* if the *lot* is merged with the contiguous, unimproved *lot* or *lots* in order to create a lot that (i) complies with, or comes as close as possible to complying with, the minimum area and dimensional requirements of the NC District, and (ii) does not leave a contiguous *lot* under the same ownership that does not comply with minimum area and dimensional requirements of the zoning district. The owner conducting a merger pursuant to this subsection must apply for and receive approval of an *administrative subdivision* pursuant to § 18:1-171 of the Public Local Laws of Queen Anne's County as a condition precedent to receiving a building permit for the *dwelling*.
- (6) The seller of a *lot* subject to merger under this Subsection G must disclose in writing to any buyer of the *lot* the fact that the *lot* is subject to merger with another *lot* or *lots* under Subsection G. This disclosure also shall (i) be contained in all contracts of sale, deeds or similar documents relating to the sale, (ii) cite this Subsection G, and (iii) be displayed prominently with the heading "Notice of Required Lot Merger."

§ 18:1-20. Urban Residential (UR) District.

- A. Purpose. The Urban Residential (UR) District is intended to provide for affordable high-density *residential development* within designated *growth areas*. A wide range of housing types are permitted. The UR District is characterized by high-quality, affordable, *multifamily* housing and *apartment development* served by *public sewer*. [Amended 7-10-2012 by Ord. No. 12-02]
- B. Permitted *uses*.
 - (1) *Apartment development*. [Added 7-10-2012 by Ord. No. 12-02⁸]
 - (2) *Commercial and private stables*.
 - (3) *Effluent disposal*.
 - (4) *Family day-care center*.
 - (5) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.
 - (6) *Home occupations*.
 - (7) *Institutional residential*.
 - (8) Major and minor *multifamily*.
 - (9) Major and minor *single-family cluster*.
 - (10) *Manufactured home community*.
 - (11) *Manufactured home* single-wide; allowed only as a replacement for any legal existing

8. Editor's Note: This ordinance also renumbered former Subsection B(1) through (16) as Subsection B(2) through (17), respectively.

mobile home or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

(12) *Noncommercial forestry.*

(13) *Nonprofit institutional.*

(14) *Nurseries.*

(15) *Outdoor recreation.*

(16) *Public service.*

(17) *Single-family residential.*

C. *Conditional uses.*

(1) *Agriculture.*

(2) *Aquaculture.*

(3) *Commercial forestry.*

(4) *For-profit institutional.*

(5) *Fraternal organizations.*

(6) *Funeral homes.*

(7) *Group day-care center.*

(8) *Marinas.*

(9) *Minor extraction and dredge disposal uses.*

(10) *Private covered slips.*

(11) *Public utilities.*

(12) *Telecommunications facilities.*

D. *Density/intensity requirements.*

(1) *Maximum residential density.*

(a) *Apartment development:* 10. [Added 7-10-2012 by Ord. No. 12-02⁹]

(b) *Single-family cluster:* 3.20.

(c) *Multifamily:* 8.50.

(d) *Manufactured home community:* 5.00.

9. Editor's Note: This ordinance also redesignated former Subsection D(1)(a) through (d) as Subsection D(1)(b) through (e), respectively.

(e) In the *planning area*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX. **[Amended 7-10-2012 by Ord. No. 12-02]**

(f) In the planning area, the *Planning Commission* may increase the *density* for *apartment development* to 20 units per *acre* provided: **[Added 7-10-2012 by Ord. No. 12-02]**

[1] The *site area* does not exceed five *acres* for the *apartment development*.

[2] Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and presents design, bulk, height and *building materials* that are compatible with surrounding *development* in the area.

[3] The *apartment development* is providing workforce housing, *age-restricted housing*, or other moderately priced housing.

[4] Landscape screening is provided for the *structure* and *parking* areas for adjacent single-family *residential uses*.

[5] The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.

(2) Maximum nonresidential *floor area ratio*.

(a) All *uses*: .15.

(b) In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

E. Dimensional and bulk requirements.

(1) *Residential uses*.

(a) Minimum *open space ratio*.

[1] *Apartment development*: .10. **[Added 7-10-2012 by Ord. No. 12-02¹⁰]**

[2] *Single-family cluster*: .20.

[3] *Multifamily*: .30.

[4] *Manufactured home community*: .20.

(b) Minimum *site area*.

10. Editor's Note: This ordinance also renumbered former Subsection E(1)(a)[1] through [3] as Subsection E(1)(a)[2] through [4], respectively.

- [1] *Apartment development*: one acre. [Added 7-10-2012 by Ord. No. 12-02¹¹]
- [2] *Single-family cluster*: two acres.
- [3] *Multifamily*: two acres.
- [4] *Manufactured home community*: five acres.
- (c) Minimum *lot area*.
 - [1] *Single-family cluster*: 8,000 square feet.
 - [2] *Manufactured home community*: 4,000 square feet.
- (d) Minimum setbacks.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Manufactured home community*: See § 18:1-36.
- (e) Maximum *building height*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
- (f) Minimum *lot width*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Manufactured home community*: See § 18:1-36.
- (g) Minimum *lot frontage*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Manufactured home community*: See § 18:1-36.
- (2) Nonresidential *uses*.
 - (a) Maximum *impervious surface ratio*.
 - [1] All *uses*: .50.
 - [2] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

11. Editor's Note: This ordinance also renumbered former Subsection E(1)(b)[1] through [3] as Subsection E(1)(b)[2] through [4], respectively.

- (b) Minimum *lot frontage*. 35 feet.
- (c) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 100 feet.
 - [3] Arterial: 50 feet.
 - [4] Side and rear: 10 feet.
- (d) Maximum *building height*.
 - [1] *Telecommunications facilities*: 55 feet.
 - [2] All other: 40 feet.

§ 18:1-21. Suburban Commercial (SC) District. [Amended 9-7-2004 by Ord. No. 04-15; 4-11-2017 by Ord. No. 17-06; 3-12-2024 by Ord. No. 24-04; 6-10-2025 by Ord. No. 25-01; 6-24-2025 by Ord. No. 25-03]

- A. Purpose. The Suburban Commercial (SC) District is intended to provide primarily for a variety of *commercial uses* and limited *light industrial uses* in predominately rural or suburban areas not served by *public sewer*. Extensive landscaping requirements and other restrictions within the SC District are intended to mitigate *commercial use* impacts and preserve surrounding rural or suburban character.
- B. Permitted *uses*.
 - (1) *Agricultural support*.
 - (2) *Auctions*.
 - (3) *Bed-and-breakfast*.
 - (4) *Cannabis licensed dispensary*.
 - (5) *Carry-out food service*.
 - (6) *Coffee shop*.
 - (7) *Commercial apartments*.
 - (8) *Convenience stores*, with or without gas pumps.
 - (9) *Country inn*.
 - (10) *Country store*.
 - (11) Deli.
 - (12) *Drive-through beverage stand*.

- (13) *Effluent disposal.*
- (14) *Family day-care center.*
- (15) *Farmers market.*
- (16) *Fraternal organizations.*
- (17) *Funeral homes.*
- (18) *Group day-care center.*
- (19) *High commercial.*
- (20) *Hotels.*
- (21) *Low commercial.*
- (22) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (23) *Medium commercial.*
- (24) *Miniwarehouse* (with or without *exterior storage*).
- (25) *Noncommercial forestry.*
- (26) *Nonprofit and for-profit institutional.*
- (27) *Nurseries.*
- (28) *Outdoor recreation.*
- (29) *Parking.*
- (30) *Public service.*
- (31) *Shopping centers.*
- (32) *Veterinary offices.*

C. Conditional uses.

- (1) *Campgrounds.*
- (2) *Commercial forestry.*
- (3) *First-floor commercial apartments.*
- (4) *Light industrial.*
- (5) *Marinas.*
- (6) *Cannabis licensed processor.*

- (7) *Minor extraction and dredge disposal uses.*
- (8) *Public utilities.*
- (9) *Telecommunications facilities.*

D. *Density/intensity requirements.*

- (1) Maximum residential *density*: not applicable.
- (2) Maximum nonresidential *floor area ratio*.
 - (a) *Office*: .17.
 - (b) *Commercial*: .20.
 - (c) *All other*: .17.
 - (d) In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:
 - (a) *Auctions*;
 - (b) Auto repair with repair areas;
 - (c) Banks and other financial facilities;
 - (d) Boat sales and repairs;
 - (e) Bowling alley;
 - (f) *Commercial apartments*;
 - (g) Commercial or trade schools;
 - (h) New and used vehicle sales/service and repair with *exterior storage* and/or repair areas;
 - (i) *Nonprofit and for-profit institutional*;
 - (j) *Offices*: business or professional; medical *offices* and clinics; *veterinary offices*; and all other *offices*;
 - (k) *Public uses*;
 - (l) Recreational vehicle sales;
 - (m) Theaters and auditoriums (indoor); and
 - (n) Where approved by conditional *use* granted from the Board of Appeals:
 - [1] *Light industrial*, where incidental retail stores do not exceed 25,000 square

feet of gross *floor area*.

[2] *Marinas*.

E. Dimensional and bulk requirements.

(1) *Residential uses*: not applicable.

(2) *Nonresidential uses*.

(a) *Maximum impervious surface ratio*.

[1] *All uses*: .45.

[2] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(b) *Minimum lot frontage*: 35 feet.

(c) *Minimum setbacks*.

[1] *Front*: 35 feet.

[2] *U.S. Routes 50/301*: 50 feet.

[3] *Arterial*: 50 feet.

[4] *Side and rear*: 10 feet.

(d) *Maximum building height*.

[1] *Telecommunications facilities*: 55 feet.

[2] *All other*: 40 feet.

F. Design guidelines. *Development* in the SC District shall conform to the design guidelines in § 18:1-37 unless otherwise noted.

§ 18:1-21.1. Kent Island Suburban Commercial (KISC) District. [Added 6-23-2009 by Ord. No. 09-05; amended 6-10-2025 by Ord. No. 25-01]

A. Purpose. The Kent Island Suburban Commercial (KISC) District is intended to provide primarily for a variety of *commercial uses* and limited *light industrial uses*, in predominately rural or suburban areas not served by *public sewer*. Extensive landscaping requirements and other restrictions within the KISC District are intended to mitigate *commercial use* impacts and preserve surrounding rural or suburban character.

B. Permitted *uses*.

(1) *Agricultural support*.

(2) *Auctions*.

- (3) *Bed-and-breakfast.*
- (4) *Cannabis licensed dispensary.*
- (5) *Carry-out food service.*
- (6) *Coffee shop.*
- (7) *Commercial apartments.*
- (8) *Convenience stores, with or without gas pumps.*
- (9) *Country inn.*
- (10) *Country store.*
- (11) *Deli.*
- (12) *Drive-through beverage stand.*
- (13) *Effluent disposal.*
- (14) *Family day-care center.*
- (15) *Farmers market.*
- (16) *Fraternal organizations.*
- (17) *Funeral homes.*
- (18) *Group day-care center.*
- (19) *High commercial.*
- (20) *Hotels.*
- (21) *Low commercial.*
- (22) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (23) *Medium commercial.*
- (24) *Miniwarehouse* (with or without *exterior storage*).
- (25) *Noncommercial forestry.*
- (26) *Nonprofit and for-profit institutional.*
- (27) *Nurseries.*
- (28) *Outdoor recreation.*
- (29) *Parking.*

(30) *Public service.*

(31) *Shopping centers.*

(32) *Veterinary offices.*

C. *Conditional uses.*

(1) *Campgrounds.*

(2) *Commercial forestry.*

(3) *First-floor commercial apartments.*

(4) *Light industrial.*

(5) *Marinas.*

(6) *Minor extraction and dredge disposal uses.*

(7) *Public utilities.*

(8) *Telecommunications facilities.*

D. *Density/intensity requirements.*

(1) Maximum residential *density*: not applicable.

(2) Maximum nonresidential *floor area ratio*.

(a) *Office*: .17.

(b) *Commercial*: .20.

(c) All other: .17.

(d) In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following uses:

(a) *Auctions*;

(b) Auto repair with repair areas;

(c) Banks and other financial facilities;

(d) Boat sales and repairs;

(e) Bowling alley;

(f) *Commercial apartments*;

(g) Commercial or trade schools:

- (h) New and used vehicle sales/service and repair with *exterior storage* and/or repair areas;
 - (i) *Nonprofit and for-profit institutional*;
 - (j) *Offices*: business or professional; medical *offices* and clinics; *veterinary offices* ; and all other *offices*;
 - (k) *Public uses*;
 - (l) Recreational vehicle sales;
 - (m) Theaters and auditoriums (indoor); and
 - (n) Where approved by conditional *use* granted from the Board of Appeals:
 - [1] *Light industrial*, where incidental retail stores do not exceed 25,000 square feet of gross *floor area*.
 - [2] *Marinas*.
- E. Dimensional and bulk requirements.
- (1) *Residential uses*: not applicable.
 - (2) Nonresidential *uses*.
 - (a) Maximum, *impervious surface ratio*.
 - [1] All *uses*: .45.
 - [2] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (b) Minimum *lot frontage*: 35 feet.
 - (c) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 50 feet.
 - [4] Side and rear: 10 feet.
 - (d) Maximum *building height*.
 - [1] *Telecommunications facilities*: 55 feet.
 - [2] All other: 30 feet.
- F. Access. All *development* and redevelopment in the KISC District shall be required to limit and consolidate entrances and curb cuts, to the extent practical, through the use of shared

entrances, off-site *parking*, internal circulation systems that connect *parking* areas and other means. All *development* and redevelopment shall be in accordance with the Vehicular and Pedestrian Access and Circulation Standards of the Commercial and Mixed-Use Development Standards adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, as amended.

- G. Design guidelines. *Development* in the KISC District shall conform to the Town Center (TC) and Urban Commercial Design Guidelines: Commercial and Mixed-Use Development Standards adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, as amended. The *Planning Commission* shall consider these guidelines and the community design objectives of the Chester/Stevensville Community Plan in its review of all new *development*, infill, redevelopment and renovations within the KISC District. The *Planning Commission* may not approve *development* applications that have not made a practical and good faith effort to comply with the adopted Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, as amended, and community design objectives of the Chester/Stevensville Community Plan, and the following design guidelines:

- (1) All lighting proposed on properties near the Airport District must be directed away or shielded from the airport and designated flight path;
- (2) Properties developing near the existing airport should provide fencing, berming and a landscaping buffer to minimize impacts of noise and *glare* from the existing airport on the proposed *development*. Proposed *developments* should also provide berming, landscaping and fencing to minimize any adverse impacts to the airport property; and
- (3) Potential safety conflicts between the existing airport and new *development* shall be minimized. *Site* design including *building height*, *building location*, and landscaping should consider the on-site and off-site impacts of the existing airport. All new *buildings* should be constructed at a height that does not encroach into the transitional and approach surfaces established by the Federal Aviation Administration as of the adoption date of this Chapter 18:1.
- (4) Roadside sidewalks are required to be provided when *sites* are developed or redeveloped. Sidewalks linking *structures* to roadside sidewalks are to be provided in accordance with the Commercial and Mixed-Use Development Standards on Pedestrian Access and Circulation.
- (5) *Parking* location and layout shall be in accordance with the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Developments Standards, if applicable.
- (6) Newly installed utility and service connections are to be placed underground wherever possible.
- (7) Exterior lighting shall be designed in accordance with the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development

Standards.

- (8) *Building* design, location, style, architectural details, materials and colors shall adhere to the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards.
 - (9) Mechanical equipment or other utility equipment and hardware shall be screened in accordance with the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, *Screening* of outside storage areas and service equipment shall also be accomplished in accordance with the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards.
 - (10) Pedestrian-oriented open spaces shall be created in accordance with the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards.
 - (11) Multiple-story *buildings* with *commercial uses* on the ground floor and mixed *office* or *commercial apartment uses* on upper floors are encouraged.
- H. *Development* review process. Notwithstanding the provisions of Chapter 18:1, Part 7, the following items shall apply to the *development* review process for KISC projects.
- (1) A preapplication conference between the applicant and Department of Planning and Zoning staff is required for all KISC District *development*.
 - (2) The applicant shall submit any additional information plans, specifications, documents, drawings, etc., as necessary to determine compliance with the requirements of this Chapter 18:1 and the Town Center (TC) and Urban Commercial, (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, as amended.
- I. Landscaping requirements.
- (1) The number of plantings required in the KISC District shall be consistent with the number of plantings required in the Town Center (TC) and Urban Commercial (UC) Districts.
 - (2) The location of required plantings can be adjusted to accomplish the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, as amended.
 - (3) To accomplish the Town Center (TC) and Urban Commercial (UC) Design Guidelines: Commercial and Mixed-Use Development Standards, as amended, additional landscaping may be necessary.

§ 18:1-22. Urban Commercial (UC) District. [Amended 8-19-2008 by Ord. No. 08-11;¹² 4-11-2017 by Ord. No. 17-06; 1-28-2020 by Ord. No. 19-17; 3-12-2024 by Ord. No. 24-04; 11-12-2024 by Ord. No. 24-13; 6-10-2025 by Ord. No. 25-01]

- A. Purpose. The Urban Commercial (UC) District is intended to provide primarily for a variety of *commercial and limited light industrial uses* in predominately urban areas along major highways. Stringent design and landscaping standards within the UC District are intended to minimize the impacts of highway *commercial uses*.
- B. Permitted *uses*.
- (1) *Agricultural support.*
 - (2) *Auctions.*
 - (3) *Cannabis licensed dispensary.*
 - (4) *Cannabis licensed processor.*
 - (5) *Carry-out food service.*
 - (6) *Coffee shop.*
 - (7) *Commercial apartments.*
 - (8) *Convenience stores, with or without gas pumps.*
 - (9) *Country inn.*
 - (10) *Country store.*
 - (11) *Deli.*
 - (12) *Drive-through beverage stand.*
 - (13) *Effluent disposal.*
 - (14) *Family day-care center.*
 - (15) *Farmers market.*
 - (16) *Fraternal organizations.*
 - (17) *Funeral homes.*
 - (18) *Group day-care center.*
 - (19) *High commercial.*
 - (20) *Hotels.*
 - (21) *Light industrial.*
 - (22) *Low commercial.*
 - (23) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the

12. Editor's Note: This ordinance also provided that it shall apply only to development applications filed on or after 7-10-2008.

provisions of § 18:1-53 of this Chapter 18:1 have been met.

(24) *Medium commercial.*

(25) *Miniwarehouse* (with or without *exterior storage*).

(26) *Noncommercial forestry.*

(27) *Nonprofit and for-profit institutional.*

(28) *Nurseries.*

(29) *Outdoor recreation.*

(30) *Parking.*

(31) *Public service.*

(32) *Shooting range, indoor*; shall be located a minimum of 100 feet from any *residential use*.

(33) *Shopping centers.*

(34) *Veterinary offices.*

C. *Conditional uses.*

(1) *Commercial forestry.*

(2) *First-floor commercial apartments.*

(3) *Marinas.*

(4) *Minor extraction and dredge disposal uses.*

(5) *Private airports.*

(6) *Public utilities.*

(7) *Telecommunications facilities.*

D. *Density/intensity requirements.*

(1) Maximum residential *density*: not applicable.

(2) Maximum nonresidential *floor area ratio*.

(a) All *uses*: .40.

(b) In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:

(a) *Auctions*;

- (b) Auto repair with repair areas;
- (c) Banks and other financial facilities;
- (d) Boat sales and repair;
- (e) Bowling alleys;
- (f) *Commercial apartments*;
- (g) Commercial or trade schools;
- (h) *Hotels*;
- (i) *Light industrial*, where incidental retail stores do not exceed 25,000 square feet of gross *floor area*;
- (j) New and used vehicle sales/service and repair with *exterior storage* and/or repair areas;
- (k) *Nonprofit and for-profit institutional*;
- (l) *Offices*: business or professional; medical *offices* and clinics; *veterinary offices*; and all other *offices*;
- (m) Public *uses*;
- (n) Recreational vehicle sales;
- (o) Theaters and auditoriums (indoor); and
- (p) Where approved by conditional *use* granted from the Board of Appeals:
 - [1] *Marinas*.
 - [2] *Private airports*.
- (q) Expansion of a *use* and/or tenant space that occupies more than 65,000 square feet of gross *floor area* in a structure that existed on or before January 6, 2004; such expansion is limited to 50% of the gross *floor area* of the *use* and is subject to supplemental *use* standards outlined in Chapter 18:1-58O.

E. Dimensional and bulk requirements.

- (1) *Residential uses*: not applicable.
- (2) Nonresidential *uses*.
 - (a) Maximum *impervious surface ratio*.
 - [1] All *uses*: .80.
 - [2] In the *growth areas*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6,

Article XX.

- (b) Minimum *lot frontage*: 35 feet.
 - (c) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 20 feet.
 - [4] Side and rear: 10 feet.
 - (d) Maximum *building height*:
 - [1] *Telecommunications facilities*: 90 feet.
 - [2] All other: 45 feet.
- F. Design guidelines. *Development* in the UC District shall conform to the Design Standards adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) District and Urban Commercial (UC) District Design Standards: Commercial and Mixed-Use Development Standards, as amended, unless otherwise noted and the following design guidelines:
- (1) All lighting proposed on properties near the Airport District must be directed away or shielded from the airport and designated flight path;
 - (2) Properties developing near the existing airport should provide fencing, berming and a landscaping buffer to minimize impacts of noise and *glare* from the existing airport on the proposed *development*. Proposed *developments* should also provide berming, landscaping and fencing to minimize any adverse impacts to the airport property; and
 - (3) Potential safety conflicts between the existing airport and new *development* shall be minimized. *Site* design including *building height*, *building location*, and landscaping should consider the on-site and off-site impacts of the existing airport. All new *buildings* should be constructed at a height that does not encroach into the transitional and approach surfaces established by the Federal Aviation Administration as of the adoption date of this Chapter 18:1.

§ 18:1-23. Suburban Industrial (SI) District. [Amended 8-12-2014 by Ord. No. 14-11; 1-24-2017 by Ord. No. 16-17; 4-11-2017 by Ord. No. 17-06; 3-12-2024 by Ord. No. 24-04; 11-12-2024 by Ord. No. 24-13; 6-10-2025 by Ord. No. 25-01]

- A. Purpose. The Suburban Industrial (SI) District is intended to provide primarily for the *development* of *office*, regional commercial, *warehouse*, and *light industrial uses* that are compatible with surrounding *development*. New *development* within the SI District should provide adequate *screening* and *buffer yards* in order to minimize adverse impacts to surrounding areas.
- B. Permitted *uses*.

- (1) *Agricultural support.*
- (2) *Business and professional offices.*
- (3) *Cannabis licensed processor.*
- (4) *Effluent disposal.*
- (5) *Family day-care center.*
- (6) *Garden centers, garden supplies, and greenhouses.*
- (7) *Grocery stores and supermarkets (excluding convenience stores).*
- (8) *Group day-care center.*
- (9) *Lawnmower and garden equipment sales.*
- (10) *Light industrial.*
- (11) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (12) *Migrant labor camp.*
- (13) *Miniwarehouse* (with or without *exterior storage*).
- (14) *Minor extraction and dredge disposal uses.*
- (15) *Noncommercial forestry.*
- (16) *Nonprofit and for-profit institutional.*
- (17) *Nurseries.*
- (18) *Parking.*
- (19) *Public service.*
- (20) *Shooting range, indoor*; shall be located a minimum of 100 feet from any *residential use*.
- (21) *Shopping centers.*
- (22) *Theaters and auditoriums.*
- (23) *Trade schools with only indoor activities.*

C. *Conditional uses.*

- (1) *Agriculture.*
- (2) *Aquaculture.*
- (3) *Commercial forestry.*

- (4) *Major extraction and dredge disposal.*
- (5) *Heavy industrial.*
- (6) *Marinas.*
- (7) *Outdoor recreation.*
- (8) *Private airports.*
- (9) *Public heliports and airports.*
- (10) *Public utilities.*
- (11) *Telecommunications facilities.*
- (12) *Truck stops and travel plazas.*
- (13) *Kennels.*

D. *Density/intensity requirements.*

- (1) Maximum residential *density*: not applicable.
- (2) Maximum nonresidential *floor area ratio*.
 - (a) *Office*: .27.
 - (b) *Industrial*: .40.
 - (c) All other: .27.
 - (d) In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:
 - (a) *Agricultural support*;
 - (b) Business and professional *office* complexes over 25,000 square feet;
 - (c) *Nonprofit and for-profit institutional*;
 - (d) *Light industrial*, where incidental retail stores do not exceed 25,000 square feet of gross *floor area*;
 - (e) *Public uses*;
 - (f) Theaters and auditoriums;
 - (g) Trade schools with only indoor activities; and
 - (h) Where approved by conditional *use* granted from the Board of Appeals:
 - [1] *Heavy industrial*.

- [2] *Marinas.*
- [3] *Private airports.*
- [4] *Public heliports and airports.*

E. Dimensional and bulk requirements.

- (1) *Residential uses*: not applicable.
- (2) *Nonresidential uses*.

- (a) *Maximum impervious surface ratio.*

- [1] *All uses*: .65; Except uses located in *growth areas* outside the *Chesapeake Bay Critical Area*: 0.80.

- (b) *Minimum lot frontage*: 35 feet.

- (c) *Minimum setbacks*.

- [1] *Front*: 35 feet.
 - [2] *U.S. Routes 50/301*: 75 feet.
 - [3] *Arterial*: 50 feet.
 - [4] *Side and rear*: 10 feet.

- (d) *Maximum building height*.

- [1] *Telecommunications facilities*: 200 feet.
 - [2] *All other*: 45 feet.

§ 18:1-24. Light Industrial Highway Service (LIHS) District. [Amended 4-11-2017 by Ord. No. 17-06; 3-12-2024 by Ord. No. 24-04; 6-10-2025 by Ord. No. 25-01]

- A. Purpose. The Light Industrial Highway Service (LIHS) District is intended to provide *light industrial*, highway service, *office*, and regional *commercial uses* at key intersections along the U.S. Route 301 corridor from the U.S. Routes 50/301 split north to Kent County. The LIHS District is limited to those principal intersections that are planned to be upgraded or can provide safe access/egress to *sites* along the Route 301 corridor that have intermodal transportation access. Extensive landscaping and *screening* is required within the LIHS District in order to mitigate off-site impacts on less intensive *uses*.

B. Permitted *uses*.

- (1) *Agricultural support.*
- (2) *Agriculture.*
- (3) *Aquaculture*, with up to two ponds created by extraction, that are each less than or equal to five *acres* in size, on any single *lot*.

- (4) Business and professional *office* complexes over 25,000 square feet.
- (5) *Cannabis licensed processor*.
- (6) *Effluent disposal*.
- (7) *Family day-care center*.
- (8) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.
- (9) *Farmers market*.
- (10) *Garden centers*, garden supplies, and *greenhouses*.
- (11) Grocery stores and *supermarkets* (excluding *convenience stores*).
- (12) *Group day-care center*.
- (13) *Hotels*.
- (14) Lawnmower and garden equipment sales.
- (15) *Light industrial*.
- (16) *Miniwarehouse* (with or without *exterior storage*).
- (17) *Minor extraction and dredge disposal uses*.
- (18) *Noncommercial forestry*.
- (19) *Nonprofit and for-profit institutional*.
- (20) *Nurseries*.
- (21) *Parking*.
- (22) *Public service*.
- (23) Theaters and auditoriums.
- (24) Trade schools with only indoor activities.

C. Conditional *uses*.

- (1) *Aquaculture*, with more than two ponds created by extraction, or any single pond greater than five *acres* in size created by extraction, on any single *lot*.
- (2) *Commercial forestry*.
- (3) *Major extraction and dredge disposal*.
- (4) *Heavy industrial*.
- (5) *Outdoor recreation*.
- (6) *Private airports*.

- (7) *Public heliports and airports.*
- (8) *Public utilities.*
- (9) *Telecommunications facilities.*
- (10) *Truck stops and travel plazas.*

D. *Density/intensity requirements.*

- (1) Maximum residential *density*: not applicable.
- (2) Maximum nonresidential *floor area* ratio: .40.
- (3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:
 - (a) *Agricultural support*;
 - (b) Business and professional *office* complexes over 25,000 square feet;
 - (c) *Hotels*;
 - (d) *Light industrial*, where incidental retail stores do not exceed 25,000 square feet of gross *floor area*;
 - (e) *Nonprofit and for-profit institutional*;
 - (f) *Public uses*;
 - (g) Theaters and auditoriums;
 - (h) Trade schools with only indoor activities; and
 - (i) Where approved by conditional *use* granted from the Board of Appeals:
 - [1] *Heavy industrial.*
 - [2] *Private airports.*
 - [3] *Public heliports and airports.*

E. *Dimensional and bulk requirements.*

- (1) *Residential uses.*
 - (a) Minimum *lot* size: 10 *acres*; except that *subdivision* of existing residence is one *acre*.
- (2) *Nonresidential uses.*
 - (a) Maximum *impervious surface ratio*.
 - (b) All *uses*: .65.
 - (c) Minimum *lot frontage*: 35 feet.

(d) Minimum setbacks.

- [1] Front: 35 feet.
- [2] U.S. Routes 50/301: 200 feet.
- [3] Arterial: 150 feet.
- [4] Side and rear: 100 feet.
- [5] A minimum one-hundred-foot setback is required if the property fronts on a *road* or intersection with a right-of-way that results in at least 100 feet of planted *open space* between the paved edge of the *roadway* and the back edge of the right-of-way.

(e) Maximum *building height*.

- [1] *Telecommunications facilities*: 200 feet.
- [2] All other: 45 feet.

F. Design guidelines. *Development* in the LIHS District shall conform to the design guidelines in § 18:1-37 unless otherwise noted.

§ 18:1-25. Village Center (VC) District. [Amended 9-7-2004 by Ord. No. 04-12; 9-7-2004 by Ord. No. 04-13; 7-10-2012 by Ord. No. 12-02; 7-10-2012 by Ord. No. 12-10; 6-10-2025 by Ord. No. 25-01]

A. Purpose. The Village Center (VC) District is intended to preserve the unique mixed-use character of existing crossroads and unincorporated communities throughout the *County*. *Development* densities and design standards vary depending upon the availability of *public sewers*. Most nonresidential *uses* must be considered on a case-by-case basis by the Board to ensure compatibility with existing community character within the village.

B. Permitted *uses*.¹³

- (1) *Apartment development*, only with *public sewer*.
- (2) *Auctions*.
- (3) *Bed-and-breakfasts*.
- (4) *Carry-out food service*.
- (5) *Coffee shop*.
- (6) *Commercial apartments*.
- (7) *Country inns*.
- (8) *Country stores*.

13. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (9) Deli.
- (10) *Drive-through beverage stand.*
- (11) *Effluent disposal.*
- (12) *Family day-care center.*
- (13) *Farmers market.*
- (14) *Fraternal organizations.*
- (15) *Funeral homes.*
- (16) *Home occupations.*
- (17) *Institutional residential use* for five or fewer residents, except for assisted living programs, which may serve up to 16 residents.
- (18) *Large-lot subdivision.*
- (19) *Low commercial uses.*
- (20) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (21) Minor *multifamily.*
- (22) Minor *single-family cluster.*
- (23) *Noncommercial forestry.*
- (24) *Nonprofit institutional uses.*
- (25) *Outdoor recreation.*
- (26) *Parking.*
- (27) *Private stables.*
- (28) *Public service.*
- (29) *Single-family residential.*
- (30) *Veterinary offices.*

C. Conditional uses.

- (1) *Agricultural support.*
- (2) *Aquaculture.*
- (3) *Cannabis licensed dispensary.*
- (4) *Commercial forestry.*

- (5) *Commercial stables.*
- (6) *Convenience stores, with or without gas pumps.*
- (7) *First-floor commercial apartments.*
- (8) *Group day-care center.*
- (9) *High commercial.*
- (10) *Hotels.*
- (11) *Institutional residential.*
- (12) *Light industrial.*
- (13) *Major multifamily.*
- (14) *Major single-family cluster.*
- (15) *Marinas.*
- (16) *Medium commercial.*
- (17) *Miniwarehouse (with or without exterior storage).*
- (18) *Minor extraction and dredge disposal uses.*
- (19) *Nonprofit and for-profit institutional.*
- (20) *Nurseries.*
- (21) *Private covered slips.*
- (22) *Public utilities.*
- (23) *Telecommunications facilities.*

D. *Density/intensity requirements.*

- (1) *Maximum residential density.*
 - (a) *Single-family cluster.*
 - [1] *With public sewer: 3.20.*
 - [2] *Without public sewer: 1.25.*
 - (b) *Multifamily.*
 - [1] *With public sewer: 4.50.*
 - [2] *Without public sewer: 1.50.*
 - (c) *Apartment development.*

- [1] With *public sewer*: 10.
- (d) *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area.
- (e) In the growth area, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (f) In the planning area, the *Planning Commission* may increase the *density* for *apartment development* to 20 units per *acre* provided:
 - [1] The *site area* does not exceed five *acres* for the *apartment development*.
 - [2] Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and represents design, bulk, height and *building* materials that are compatible with surrounding *development* in the area.
 - [3] The *apartment development* is providing workforce housing, *age-restricted housing*, or other moderately priced housing.
 - [4] Landscape screening is provided for the *structure* and *parking* areas for adjacent single-family *residential uses*.
 - [5] The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.
- (2) Maximum nonresidential *floor area* ratio.
 - (a) All *uses*: .30.
 - (b) In the growth area, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:
 - (a) *Apartment development*;
 - (b) *Auctions*;
 - (c) Banks and other financial facilities;
 - (d) *Commercial apartments*;
 - (e) *Nonprofit institutional uses*;
 - (f) *Offices*: business or professional; medical offices and clinics; *veterinary offices*; and all other *offices*;
 - (g) Public *uses*; and

(h) Where approved by conditional *use* granted from the Board of Appeals:

- [1] Auto repair with repair areas.
- [2] Boat sales and repair.
- [3] Bowling alleys.
- [4] Commercial or trade schools.
- [5] *Hotels*.
- [6] *Light industrial*, where incidental retail stores do not exceed 25,000 square feet of gross *floor area*.
- [7] Major *multifamily*.
- [8] *Marinas*.
- [9] New and used vehicle sales/service and repair with *exterior storage* and/or repair areas.
- [10] Recreational vehicle sales.
- [11] Theaters or auditoriums.

E. Dimensional and bulk requirements.

(1) *Residential uses*.

(a) Minimum *open space* ratio.

- [1] *Single-family cluster*.
 - [a] With *public sewer*: .20.
 - [b] Without *public sewer*: .40.
- [2] *Multifamily*.
 - [a] With *public sewer*: .30.
 - [b] Without *public sewer*: .50.
- [3] *Apartment development*: not applicable.

(b) Minimum *site area*.

- [1] *Single-family cluster*.
 - [a] With *public sewer*: two *acres*.
 - [b] Without *public sewer*: five *acres*.
- [2] *Multifamily*.

- [a] With *public sewer*: two acres.
- [b] Without *public sewer*: five acres.
- [3] *Apartment development*: not applicable.
- (c) Minimum *lot area*.
 - [1] *Single-family cluster*.
 - [a] With *public sewer*: 8,000 square feet.
 - [b] Without *public sewer*: 15,000 square feet.
 - [2] *Large-lot subdivision*:
 - [a] With *public sewer*: 10,000 square feet.
 - [b] Without *public sewer*: 20,000 square feet.
 - [3] *Apartment development*: not applicable.
- (d) Minimum setbacks.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*.
 - [a] Front: 35 feet.
 - [b] Side: eight feet.
 - [c] Rear: 40 feet.
 - [4] *Apartment development*.
 - [a] Front: 15 feet.
 - [b] Side: 15 feet.
 - [c] Rear: 30 feet.
 - [d] Spacing between *buildings*: 20 feet.
- (e) Maximum *building height*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 40 feet.
 - [4] *Apartment development*: 45 feet.

- (f) Minimum *lot width*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 60 feet.
 - [4] *Apartment development*: not applicable.
- (g) Minimum *lot frontage*.
 - [1] *Single-family cluster*: See § 18:1-36.
 - [2] *Multifamily*: See § 18:1-36.
 - [3] *Large-lot subdivision*: 35 feet.
 - [4] *Apartment development*: 35 feet.
- (2) Nonresidential *uses*.
 - (a) Maximum *impervious surface ratio*.
 - [1] All *uses*: .70.
 - [2] In the growth area, the *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (b) Minimum *lot frontage*: 35 feet.
 - (c) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 25 feet.
 - [4] Side and rear: 10 feet.
 - (d) Maximum *building height*.
 - [1] *Telecommunications facilities*: 55 feet.
 - [2] All other: 45 feet.
- F. Design guidelines. *Development* in the VC District shall conform to the design guidelines in § 18:1-37 unless otherwise noted.
- G. *Development* phasing. *Development* phasing for *development* for the VC District shall comply with § 18:1-38 of this Chapter 18:1.
- H. Additional conditional *use* review criteria.

- (1) In general. The rules set forth in this subsection apply to the review of conditional *uses* in the VC District.
- (2) General considerations.
 - (a) The Board of Appeals shall review the concept plans and elevations of the proposed *use* for suitability to the *site*.
 - (b) The Board of Appeals shall consider the following items:
 - [1] Consistency with the scale of surrounding *buildings* and *uses* in bulk, height and setback;
 - [2] Consistency with the architectural character of the area, so that if adjoining *buildings* are residential in character, the new *buildings* shall maintain that character;
 - [3] Conformity with any detailed area plans adopted by the *County Commissioners* for the area; and
 - [4] Compatibility with surrounding *uses*.
- (3) Proposed conversion.
 - (a) An applicant must present evidence that a proposed conversion will improve existing undesirable conditions on the property such as traffic patterns and location and condition of *structures*.
 - (b) When reviewing a proposed conversion of residential *use* to nonresidential *use*, the Board of Appeals shall consider the relationship and compatibility of the proposed conversion to surrounding *uses* and whether the proposed conversion promotes cohesive *development* in the VC District given the surrounding *building* scales, intensities and locations.
- (4) *Light industrial uses*. *Light industrial uses* shall be limited to *uses* having fewer than 12 employees, with all storage of materials to be within *structures*. Company vehicles having *signs* on them or trucks shall be stored within *structures* or in *parking* areas that are fully screened from adjacent properties with fences, berms or hedges.
- (5) *Hotels*. For *hotels* in the VC District:
 - (a) The maximum number of rooms may not exceed 20 rooms per *acre*; and
 - (b) The proposed *use* shall meet any additional requirements set forth in this Chapter 18:1.
- (6) Conditional *uses* in existence. The expansion, enlargement or extension of *uses* that are listed as conditional *uses* in § 18:1-25 of this Chapter 18:1 that are in existence on April 9, 1987, and that do not expand, enlarge or extend the *floor area*, impervious area, number of boat slips or overall intensity of the *use* by more than 40% are deemed to be permitted *uses* and may not be required to obtain conditional *use* approval.

§ 18:1-26. Waterfront Village Center (WVC) District. [Amended 9-7-2004 by Ord. No. 04-16; 5-13-2008 by Ord. No. 08-04; 2-24-2009 by Ord. No. 08-19]

A. Purpose. [Amended 6-11-2013 by Ord. No. 13-09]

- (1) The Waterfront Village Center (WVC) District is intended to facilitate orderly mixed-use *commercial, light industrial*, marine-oriented, and seafood-industry-oriented *uses* at the Kent Narrows in accordance with the Kent Narrows Community Plan.
- (2) The WVC District is intended to preserve the character of the working waterfront in the Kent Narrows area and allow greater freedom, imagination, and flexibility in the *development* of land surrounding the waterfront while insuring excellence in urban design and district appearance. The WVC District allows flexibility in the relationship of *uses, structures, open spaces*, water views and vistas, and heights of *structures*.
- (3) This section is further intended to encourage more rational and economic *development*, and to encourage consistency with the objectives of the Kent Narrows Development Foundation, and the Community Plan for the Kent Narrows to accomplish the following objectives:
 - (a) To establish the Kent Narrows as a year-round destination by encouraging a mixture of *uses* that will attract visitors to the area.
 - (b) To link the quadrants of Kent Narrows for pedestrian access, centralize *parking* and provide for pedestrian circulation throughout the area, preferably along the waterfront, to alleviate the need for vehicular traffic throughout the community.
 - (c) To ensure that all new *development* and redevelopment will have architectural design sensitive to the character of Kent Narrows through establishing architectural design standards.
 - (d) To establish *County* incentives for *developers* and *property owners* to create *public improvements* on or off their *sites* that will enhance pedestrian access by creating public access boardwalks along the water and creating public plaza areas with pedestrian features such as ornamental lighting, illuminated bollards, benches, trash receptacles, *information kiosks, wayfinding signage* and other pedestrian furniture.
 - (e) To allow flexibility in *development* standards in order to encourage innovation and creativity in *development* and redevelopment and to discourage underutilization of valuable parcels of land.

B. Permitted *uses*.

- (1) *Live-work units* and *home occupations*.
- (2) *Mixed-use*: Commercial combined with residential components.
- (3) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18:1.
- (4) Aquariums.

- (5) Community or recreational centers.
- (6) *Conference/convention centers, banquet facilities and resort hotels.*
- (7) Dredge disposal that disturbs less than 10 *acres* of land.
- (8) Gymnasiums, spas and health clubs.
- (9) Libraries.
- (10) *Multifamily* permitted to continue if *development plans* are approved prior to July 1, 2008.
- (11) Museums.
- (12) *Public services.*
- (13) *Retail kiosk.*
- (14) Visitors and heritage centers.
- (15) The following *commercial uses*: theaters, business and professional *offices*, medical *offices* and clinics, *offices*, barbershops, ice cream stores and stands, light mechanical repair, liquor stores, retail sales, specialty retail sales, photo shops, tailor shops, boat repair and sales, furniture sales, banks and other financial institutions, service business, travel agencies, restaurants excluding drive-in facilities, bars, *nightclubs*, taverns, *maritime stores*, *convenience stores* provided that the *convenience stores* are part of a larger *development*, *hotels*, *motels*, *bed-and-breakfast/country inns*, *fraternal organizations*, *commercial apartments*, arts and craft studios and *shopping centers*.
- (16) The following for-profit indoor recreational *uses*: swimming pools, skating rinks (both ice and roller), tennis courts, miniature golf, soccer, lacrosse, racquetball courts, handball courts, bowling alleys, and other similar indoor athletic facilities.
- (17) The following *light industrial uses*: boat building, repair, maintenance and ground level boat storage, seafood processing and packing plants, furniture refinishing shops, monument works, scientific research and testing facilities related to marine activities, and trade shops.
- (18) The following *outdoor recreation uses*: jogging, cycling, tot-lots, playfields, outdoor swimming pools, tennis courts, putt-putt golf and all passive *recreational uses*, such as nature areas, picnic areas and wildlife sanctuaries.
- (19) The following marine-related *uses*: *marinas*, boat docks, slips, piers, yacht clubs, wharves, anchorages and moorings for yachts and pleasure boats or for boats for hire carrying passengers on excursions, sightseeing, pleasure or fishing trips.
- (20) Commercial waterman-related facilities including dockage, storage and sales.
- (21) Public *parking* lots, private *parking* lots and *parking* facilities.
- (22) Public parks, landings, *open space*, plazas, *amphitheaters* and public space and

recreational facilities.

- (23) Facilities for marine police, harbor master and other marine enforcement and service agencies.

C. Conditional *uses*.

- (1) *Minor extraction and dredge disposal uses*.
- (2) *Telecommunications facilities*.
- (3) Public or private *parking structures* or garages.
- (4) *High dry storage facilities or rackominiums*.

D. *Accessory uses*.

- (1) *Satellite simulcast facilities*. *Satellite simulcast facilities* are allowed as an *accessory use* in the WVC District, provided that there shall be principal dining areas separate from those areas dedicated to the joint use of dining and *satellite simulcast facilities*.
- (2) *Retail kiosk*. *Retail kiosks* are allowed as an *accessory use* in the WVC District, provided retail sales are restricted to non-food items. A *retail kiosk* is a temporary *structure* that is stored indoors when not in use and considered a *temporary use* in accordance with requirements as outlined in § 18:1-53 of this Chapter 18:1. **[Amended 4-12-2016 by Ord. No. 16-01]**
- (3) Permanent display of public art and heritage exhibits in public accessways.
- (4) Outside storage and display in accordance with requirements outlined in § 18:1-49.
- (5) Recreational vehicle overnight *parking*. **[Added 9-27-2022 by Ord. No. 22-02]**
 - (a) Shall be accessory to and permitted only on land owned by a bona fide *fraternal organization* operating as of July 1, 2022. This *temporary use* is permitted in accordance with requirements as outlined in § 18:1-53 of this Chapter 18:1.
 - (b) Overnight *parking* shall not exceed more than 15 recreational vehicles.
 - (c) No recreational vehicle may be parked overnight for more than four consecutive days.
 - (d) Occupants of the recreational vehicle may stay overnight in the recreational vehicle if they are members or guests of the organization.
 - (e) No waste disposal facilities are to be located on-site. All waste shall be disposed of at a legal and licensed waste disposal facility off the premises or by a legal waste pump and hauling vehicle.
 - (f) Shall comply with all other applicable laws and regulations.

E. Prohibited *uses*.

- (1) Abandoned or sunken craft.
- (2) Covered piers or roofed *structures* over piers built before July 1, 2008. All existing and replacement of existing covered piers or existing roofed *structures* over piers are permitted to continue and/or be replaced in accordance with applicable state regulations.
- (3) Outside rack storage for boats.

F. *Development standards.*

- (1) Residential *densities*. *Mixed-use development* shall be allowed at a *density* of 10 *dwellings per acre*. [Amended 6-11-2013 by Ord. No. 13-09]
- (2) Bulk standards for all *uses*.
 - (a) *Development* in the WVC Zoning District must comply with the following bulk and dimensional standards.
 - [1] No principal residential *structure* may be located less than 100 feet from any *tidal* waters or *wetland* unless it meets the provisions and criteria of § 14:1-53 of the *County Code*.
 - [2] The maximum *floor area ratio (FAR)* shall be 0.30 calculated on an individual *lot area* basis or cumulative for one or more contiguous *lots* or noncontiguous *lots* separated by a public or private *road* where *lots* are under common ownership or part of a unified *development* proposal, provided *development* is in compliance with *parking* requirements and front, side yard and rear yard setbacks. With respect to contiguous *lots*, side and rear yard setbacks may be waived to allow *development* across *lot lines*. For one or more contiguous parcels or noncontiguous parcels in common ownership or part of a unified *development* proposal in which *FAR* is calculated cumulatively, future *development* or redevelopment of said *lots* shall be restricted to not exceed maximum *FAR* cumulatively. Definitions of *lot*, *floor area ratio* and *base site area* are applicable with respect to further *subdivision* or *use of lots*.
 - [3] All *structures* shall comply with the following minimum setback requirements.

Waterfront Village Center	
Feature	Setback (feet)
U.S. Routes 50/301 <i>graded road</i>	50
U.S. Routes 50/301 (elevated bridge)	25
MD Route 18	25
All <i>other public roads</i>	25
<i>Nontidal wetland</i>	25

Waterfront Village Center	
Feature	Setback (feet)
<i>Tidal wetland</i>	15
Between all <i>structures</i>	6
Rear yard	10
Side yard	10*

NOTES:

* *Buildings* on two adjacent *lots* or parcels may have less than a ten-foot setback from the property line, provided that the spacing between *buildings* is at least 20 feet.

- [4] Height standards. The maximum height of any *building* may not exceed 45 feet, as measured from the flood control elevation. *Telecommunications facilities* may not exceed 55 feet in *building height*.
- [5] Residential units including *commercial apartments* shall comply with § 18-1:108, Moderately priced dwelling units, of this chapter. **[Added 10-24-2017 by Ord. No. 17-12]**
- (3) *Open space* for *mixed use development*. The *open space ratio (OSR)* for all *mixed use development* shall be a minimum of 0.30. The following uses are permitted in *open spaces*:
- (a) Private recreation facilities and *open space*.
 - (b) Stormwater management facilities using *best management practices* that are aesthetically pleasing and consistent with *waterfront development*.
 - (c) Public pedestrian accessways with improvements in the form of boardwalks, paths, *amphitheaters*, landscaped plazas and any combination thereof. Improvements shall be appropriately located to complete connections between the existing portions of boardwalk, sidewalks, paths and the Cross Island Trail and future connections with an emphasis of providing *public* access and *recreation* along the waterfront.
 - [1] *Developers/land owners* shall be responsible for the perpetual maintenance of *public open space* and *improvements*.
 - [2] *Developers/land owners* shall dedicate public access easement(s) for boardwalks, paths, *amphitheaters*, landscaped plazas and any combination thereof for perpetual use of, and access to the public.
 - [3] Public art, heritage displays and interpretive signage can be placed within required *open space* with public access.

- (4) *Commercial apartments.* *Commercial apartments* are not required to be included in the *floor area ratio* calculation of a *building*, nor shall it be considered residential *density*, except that the percentage of *commercial apartments* as part of *mixed-use* shall not exceed that otherwise provided for in the table of *Mixed Use Options* for which *commercial apartments* shall be considered residential.

G. Limitations on specific *uses*.

- (1) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:
 - (a) Aquariums.
 - (b) *Commercial apartments*.
 - (c) Community or recreational centers.
 - (d) *Conference/convention centers* and *resort hotels*.
 - (e) *High dry storage facilities or rackominiums* with *mixed use development*, where approved by conditional *use* granted from the Board of Appeals.
 - (f) *Hotels*.
 - (g) *Mixed-use developments*.
 - (h) *Multifamily* commercial condominiums.
 - (i) Museums and exhibits.
 - (j) *Offices*: business or professional; medical *offices* and clinics; *veterinary offices*; and all other *offices*.
 - (k) Yacht clubs.
 - (l) *Marinas*, where approved by conditional *use* granted from the Board of Appeals.

H. *Parking* requirements.

- (1) Spaces shall be a minimum of 8 1/2 feet by 18 feet, except as provided below.
 - (a) Except as provided in this subsection, the *parking* requirements for all *development* shall be those required under Chapter 18:1, Part 4, Article XIII, of this Chapter 18:1.
 - (b) *Parking* required under this section or Chapter 18:1, Part 4, Article XIII, of this Chapter 18:1 may be provided completely or partially off site, provided that the *parking* area is in the WVC District; and the applicant enters into a written agreement with the *County* ensuring access for the *development* and the general public. Such written agreement shall be recorded among the land records of the *County*.
 - (c) The proposed *development* shall be generally consistent with the circulation plan

for both vehicular and nonvehicular modes of travel as described in the *Comprehensive Plan* and the Kent Narrows Community Plan.

- (d) The *Planning Commission* may off-set required on-site *parking* when an applicant provides for the equivalent construction of new *parking* spaces on public property, or property to be deeded to the *County* as public land, within the WVC District.
- (e) When *hotels* are located in concert or adjacent to *banquet* or conference *facilities* the *Planning Commission* may grant a reduction in the required on-site *parking* when an applicant has provided pedestrian links and can demonstrate a partnership between the *banquet/conference facility* and *hotel*.

I. Signage.

(1) Purpose and findings.

- (a) Signage associated with various land *uses* can have a significant effect on the health, safety, and welfare of the citizens of the *County*. It is desirable to minimize *signs* that distract a driver's attention from the *road*. It is also recognized, however, that signage is a necessity for business areas to thrive.
- (b) The Kent Narrows Waterfront Village Center District is intended to be an economic and commerce center in the *County*. The Kent Narrows Community Plan is aimed at creating a destination place for tourism and recreational activities. The new high-level Kent Narrows Bridge and *road* improvements move traffic through the area at a much faster speed, thereby making it more difficult for individual businesses to attract visitors.
- (c) All signage for single or multiple *uses* must be consistent with the architecture of the principal *structure* and be submitted for review as part of a *site plan* review.
- (d) The regulations set forth in this subsection are intended to allow reasonable visibility to area businesses while not detracting from the character of the Kent Narrows.

(2) Measurement of signage area. The signage area shall be measured in the manner prescribed in § 18:1-79 of this Chapter 18:1.

(3) *Sign* lighting. *Sign* lighting shall be allowed and defined in the manner prescribed in § 18:1-80 of this Chapter 18:1.

(4) Applicable standards.

- (a) Except as provided in the table below, the general signage regulations for all *development* shall be those prescribed in § 18:1-81 of this Chapter 18:1.

WVC Signage Standards			
Sign Type			Dimension
Parcels with <i>Live-work units</i>			
	Wall or projecting sign per business		6 square feet
Parcels with <i>Mixed-uses</i>			
	Wall or projecting sign per business		6 square feet
	One <i>freestanding sign</i> for parcel		60 square feet
	Maximum height for <i>freestanding sign</i>		15 feet
Parcels with one <i>use</i> or business			
	Wall or projecting sign		
		Individual sign	90 square feet
	One <i>freestanding sign</i>		60 square feet
	Maximum height for <i>freestanding sign</i>		15 feet
Parcels with more than one <i>use</i> or business			
	Wall or projecting sign per business		60 square feet
	<i>Freestanding sign</i> for parcel		60 square feet
	Wall or projecting sign to identify overall <i>development</i>		
		Individual sign	90 square feet
		Cumulative	180 square feet
	Maximum height for <i>freestanding sign</i>		15 feet
Parcels with <i>shopping centers</i> or convention centers			
	Wall or projecting sign per business		60 square feet
	One <i>freestanding sign</i> for entire parcel		150 square feet
	Maximum height for <i>freestanding sign</i>		25 feet

- (b) As prescribed in the table in Subsection I(4)(a) of this section, a parcel with more than one business is allowed:

- [1] A *freestanding sign* for the overall *site*;
- [2] A *wall or projecting sign* for each business; and
- [3] A *wall or projecting sign* to identify the overall *site*.

- (5) Specific types of *signs*.

- (a) *Use signs*.

- [1] Where a *use* takes direct vehicular access from more than one street or *road*, one additional *freestanding sign* shall be allowed for each *road* to which the *use* takes access.
 - [2] Where a *use* adjoins more than one street or *road* each frontage shall be allowed a *freestanding sign*, provided that the total square footage of freestanding signage on the *site* does not exceed what is otherwise permitted for freestanding signage.
 - [3] In addition to what is otherwise permitted by this Chapter 18:1, where a nonresidential *use* adjoins a navigable waterway, one *freestanding sign* shall be allowed, provided that the *sign* does not exceed 10 feet in height and 35 square feet in area.
 - [4] Public access *signs*, as specified by the *County*, to identify areas that are open to the public.
 - [a] *Developers* are responsible for the cost associated with the fabrication, posting and maintenance of public access *signs*.
 - [b] Public access *signs* will be prepared by the *County*, and the location of public access *signs* will be specified by the *County*.
- (b) *Development signs*.
- [1] Residential *development signs* shall provide only the name of the *subdivision* and/or a logo for the *development*, and may not exceed six feet in height and 36 square feet in area.
 - [2] All *development signs* shall be freestanding.
 - [3] Lighting of a *development sign* may be by the general lighting of the area, shielded spotlighting, internal backlighting, or backlighting.
- (c) *Miscellaneous signs*.
- [1] Marquees for theaters and museums shall be allowed one *sign* provided that the *sign* has an area that does not exceed the lesser of 15% of the area of the *facade* on which it is located; or 250 square feet in area whichever is less.
 - [2] *Heritage signs* shall be allowed within public accessways and on public lands of size, material, design, content and location approved by the *County*.
- (d) *On-premise directional signs*.
- [1] *On-premise directional signs* for the purpose of directing on-site circulation, *parking*, and loading may be allowed, provided that the *signs* may not exceed four square feet in area and six feet in height.
- (e) *Wayfinding signs*.
- [1] In order to facilitate reasonable advertising of *commercial, industrial, and*

institutional uses within the Kent Narrows Waterfront Village Center, off-premises *wayfinding signs* with common logo shall be allowed in accordance with this subsection.

- [2] One off-premises *directional sign* shall be allowed at each of the following intersections:

- [a] Main Street/MD Route 18 and access *road* (east of Narrows);
- [b] Kent Narrows Road and Kent Narrows Way;
- [c] Main Street/MD Route 18 and access *road* (west of Narrows);
- [d] Piney Narrows Swan Cove Road and Piney Narrows Road;
- [e] Main Street/MD Route 18 and Kent Narrows Way; and
- [f] Any other locations deemed appropriate by the *Planning Commission*.

- [3] Each *sign* shall contain:

- [a] General directions (arrows pointing north, south, east, and west);
- [b] The names and directions of relevant streets and *roads*; and
- [c] The names of businesses advertised.

- [4] A *sign* may not exceed 20 feet in height or 100 square feet in *sign* face area.

- [5] *Signs* and *sign* supports shall be constructed of natural material and consist of earth-tone colors (i.e., brown, tan, gray); and shall be uniform in materials and colors.

- [6] *Sign* script may not exceed one foot in height for each business name.

- [7] Each off-premises *directional sign* shall advertise no more than 12 businesses.

- [8] The construction, design, location, and placement of off-premises *directional signs* shall be administered by the Kent Narrows Development Foundation, which shall have discretion to establish reasonable fees and all *signs* shall be subject to the approval of the *Planning Commission*.

- (f) *Information kiosks*. *Information kiosks* may be no higher than seven feet and no larger than 12 square feet.

- (g) *Temporary signs*. *Temporary signs* shall be allowed in the manner prescribed in § 18:1-82G of this Chapter 18:1.

- J. *Accessory docking* facilities. Subject to the limitations of §§ 18:1-41 through 18:1-44 of this Chapter 18:1, *accessory docking* facilities are allowed in the Waterfront Village Center (WVC) District, provided no overnight occupancy is allowed at any *accessory docking* facility; and only docks and piers are allowed.

K. WVC District design guidelines:

- (1) The architectural style, design and scale of *buildings* as well as their materials and colors must bear a strong relationship to a waterfront setting. The architectural relationship of the *development* to the waterfront as viewed from the water and adjacent public streets is important with respect to the following:
 - (a) Vehicular and pedestrian linkages. Linkages between architectural and *site* design of proposed *development*/redevelopment to all points or paths of public access.
 - (b) *Buildings* placement. *Buildings* should be placed along the waterfront oriented to maximize water views and to allow for public access *easements* to the water. The following diagrams depict the design concepts for placement of various *amenities*.

Figure 1: Design Concept for Waterfront Access

- (2) All new *development* and redevelopment in the WVC District is strongly encouraged to incorporate the following design guidelines. The *Planning Director* and/or *Planning Commission* shall consider these guidelines and the applicable design objectives of the Kent Narrows Community Plan when reviewing and approving *development* and redevelopment within the WVC District, though some flexibility in application may be necessary to accommodate existing conditions of a *site* or when balancing implementation of these design guidelines with other regulatory requirements.
 - (a) Boardwalks: Public access boardwalks as indicated in the Future Circulation Plan, wherever possible, shall be located at the shoreline unless an applicant proposing a secured facility not open to the public can sufficiently demonstrate that a shoreline boardwalk will compromise on-site security in the area where watercraft are moored, berthed or docked at the waterfront then an alternate pedestrian access to provide the connections proposed in the Future Circulation Plan and public waterfront access may be considered. The *Planning Commission* or *Planning Director* may not approve an alternate boardwalk location unless it finds that the alternative is consistent with the goals and objectives of the Future Circulation Plan and the Kent Narrows Community Plan. The following boardwalk design standards shall apply:
 - [1] The minimum width at any location along the boardwalk shall be 12 feet.
 - [2] Top of deck shall be a minimum of four feet above mean water level (MWL) or match the existing adjacent grade elevation, whichever is greater.
 - [3] The boardwalk and any other pedestrian ways shall be handicapped accessible.

- [4] In situations where any part of the boardwalk is laid directly on grade, the surface below the construction shall be treated to prevent the growth of vegetation.
- (3) Exterior lighting: Exterior lighting should be of a design and size compatible with the *building* and adjacent *uses*. Lighting should be restrained in design, and excessive brightness or glare should be avoided. Lighting for pedestrian areas, boardwalks and walkways should be aesthetically pleasing and adequate for public safety, as well as in keeping with the working waterfront design theme.
- (a) Pedestrian scale ornamental lighting shall be provided along the waterfront on boardwalks and pedestrian walkways using illuminated bollards along the waterfront and/or with pedestrian scale ornamental lighting either along the edge of the boardwalk furthest from the waterfront or placed behind the boardwalk between the boardwalk and *building facades*. Figure 2 provides details of acceptable styles with the ability to have a similar style approved.

Figure 2 — Ornamental Lighting



- (b) Along walkways and on boardwalks an illumination level of 0.6 lumens per horizontal square foot shall be provided with mounting height not in excess of 10 feet if ornamental lighting is used. Sodium vapor light source is unacceptable for pedestrian lighting.
- (c) *Parking* lots shall be lighted to an illumination level of 1.0 lumens per horizontal square foot with mounting height not in excess of 25 feet. Sodium vapor light source will be allowed.
- (4) Streetscapes, boardwalk, pathways and *open space* furniture: Outdoor furniture for streetscapes and public spaces shall be in keeping with working waterfront design theme. The following standards shall apply:
- (a) Benches shall be provided consistent with the diagram. Benches shall be placed no further than 100 feet apart along the boardwalk in groupings. Public plazas shall

contain, at a minimum, one linear foot of seating for every 100 square foot of plaza. Figure 3 provides details of an acceptable style.

Figure 3 — Benches



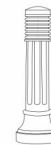
- (b) Trash receptacles shall be provided consistent with Figure 4 and shall be spaced in proximity to benches, outdoor dining areas and entrances to business establishments.

Figure 4 — Trash Receptacles



- (c) Bollards shall be provided consistent with Figure 5. Depending upon the location and need for illumination, the bollards may or may not provide illumination for safety purposes. Illumination requirements are to be determined by the *County*. Bollard styles should be provided similar to diagramed design concept.

Figure 5 — Illuminated Bollard



- (d) All public and private streetscapes, boardwalks, pathways and *open space* shall be built and improved to meet the requirements for pedestrian access and to the specifications for *public improvements*.
- (5) Landscaping: *Parking* areas and sidewalk areas shall be enhanced with landscaping. Attractive landscape transition to adjoining properties should be provided and existing mature landscaping/trees on *sites* should be preserved. Landscape and screening treatments between potentially incompatible *uses* should be enhanced when necessary to lessen any negative impacts. Landscaping shall not be used to block waterfront view or vistas. Street trees should be planted to help enclose and shade the street and pedestrianways.

- (a) Emphasis should be placed on native vegetation. Shrubbery requiring high maintenance should be avoided. Seasonal flowering plants should be encouraged for accent areas.
 - (b) Ground cover such as ivy should be used instead of higher maintenance planting such as grass.
 - (c) Evergreen plantings should be considered for use as screening instead of fencing or walls.
 - (d) All plant material should carry a guarantee of at least one growing season and should generally average the median size ranges indicated by the requirements of the "U.S.A. Standard Nursery Stock" as published by the American Association of Nurserymen.
- (6) *Parking areas:* *Parking* areas should be to the side and rear of *buildings* with allowances for shared *parking* to the rear of *buildings* or in public *parking* lots or facilities. Connecting rear *parking* lots should be encouraged to allow customers and residents to drive to establishments along corridors without entering public *roads* and interrupting traffic and pedestrian flows. Individual curb cuts should be reduced. *Parking* should not be placed directly in front of the portion of the *building facade* containing the primary entrance to the *structure*.
- (7) *Walkways/pathways:* Public viewing and access walkways/pathways identified on the Future Circulation Plan can be constructed in one of two ways. In both cases, walkways/pathways will be a minimum of five feet in width and ADA compliant.
- (8) *Roadside sidewalks:* Roadside sidewalks should be provided when *sites* are developed or redeveloped. Sidewalks linking *structures* to roadside sidewalks and pathways should be provided where practical. Sidewalks shall be ADA compliant.
- (9) *Building design characteristics:* New construction, redevelopment and rehabilitation of existing *structures* should be designed and built to blend with existing *structures* in Kent Narrows encouraging innovative and creative solutions in terms of formal characteristics, such as shape, height, massing, roof shapes and door and window proportions. The following guidelines are based on these existing conditions:
- (a) All materials will be subject to review by the KNDF Board of Directors.
 - (b) The predominant roof form of the Kent Narrows is sloped, not flat. It is highly recommended that where possible, the use of sloped roof be incorporated into *buildings* form.
 - (c) All mechanical equipment and service areas must be screened from view of adjacent *roads* and *structures* with a parapet or other screening device which is an integral part of the screening *building* design.
 - (d) Signage should be in compliance with WVC Zoning requirements with regard to size, location, number, lighting and other requirements. The signage should be consistent with *building* design and color scheme and be located so as not to detract

from the overall project architecture.

- (e) Fencing should be treated as part of the overall building design in its material and color. Fences should be limited to screening service area and mechanical equipment so as not to block possible water views and vistas. Where they are used for property definition, they should be designed to be as open as possible.
- (10) *Site* design criteria for *buildings* and public space: The following general requirements should be taken into consideration when designing *buildings* and preparing *site plans*.
- (a) Wherever possible, retail, outdoor *restaurants*, public plaza areas, or some other type of activity space should be planned adjacent to the public boardwalk to enhance pedestrian movement. "Dead" activity areas should be avoided at all costs.
 - (b) *Retail kiosks* may be placed within or adjacent to pedestrian walkways and boardwalks in compliance with ADA standards and acceptable design standards. A permit must be obtained from the *County* to establish a *retail kiosk* at an approved location.
 - (c) Wherever possible, arcades or covered areas should be planned along the boardwalk to provide protection from the weather.
 - (d) *Buildings* and *structures* with waterfront access, view or vista should be oriented toward the water with *building* and *structure* design to be double-fronted (one facing the water and the other facing the adjacent street). *Buildings* should be appropriately scaled and in harmonious conformance with neighboring *development*.
 - (e) Full *facade* treatment, foundation landscaping and lighting should be required on all *building* elevations that are visible from the public way and water.
- (11) Access: In order to minimize the number of vehicular access points on public *roads* in the Kent Narrows area for reasons of pedestrian and vehicular safety and to promote adequate circulation by reducing congestion caused by turning movements, *development* requiring *site plan* or *subdivision* approval should comply with the following standards:
- (a) All *uses* should be discouraged from taking more than one point of access. In instances where more than one access point is needed, the number should be minimized by combining access points for adjacent parcels.
 - (b) *Uses* having at least 100 feet of *road* frontage may have a single access per 100 feet of frontage. Access points should not be located within 75 feet of each other measured from center line of each accessway.
 - (c) Parcels having less than 100 feet of *road* frontage will be encouraged to have a system of shared access points with linked *parking* areas for internal circulation.
 - (d) At intersections of access and public *roads*, an area of clear vision should be maintained at least 100 feet in approaching directions. All plant material within this area should be kept lower than three feet.

- L. Minimum *public improvements* required. All new *developments* and redevelopment of lands with water frontage shall be required to provide basic boardwalk improvements in accordance with Subsection K(1) for public access in accordance with the following:
- (1) *Developers*/land owners shall be responsible for the perpetual maintenance of public accessways, paths and boardwalk improvements.
 - (2) *Developers*/land owners shall dedicate public access easement(s) for boardwalks and paths for perpetual *use* and access to the public.
- M. *Site plan* review; approval of *site plan*. In addition to the requirements of Part 7, Article XXV, the *Planning Commission* or *Planning Director* may not approve a *site plan* for *development* of a parcel in the Kent Narrows area unless it has fully considered the recommendations of the Board of Directors of the Kent Narrows Development Foundation and makes the following findings:
- (1) That the *development* is consistent with the goals, objectives, and policies of the Kent Narrows Area Plan component of the *County's Comprehensive Plan* until such point as it is updated.
- N. Bonus.
- (1) In general.
 - (a) When approving a *site plan* within the WVC District, the *Planning Commission* at the time of *site plan* review may consider a modification to Subsection F(2)(a)[2] and (4) to permit a maximum nonresidential *floor area ratio* of 0.40 and height of 55 feet (for any nonresidential or *multifamily* residential *building* with no other bonus provision requirements specified in Subsection N(2) below, provided at least 50% of the first floor area is elevated to allow for *parking* under the *building*.
[Amended 7-10-2012 by Ord. No. 12-03]
 - (b) When approving a *site plan* within the WVC District, the *Planning Commission* at the time of *site plan* review, may grant a bonus to the normally allowed *floor area* and *building height* standards as provided in Subsection F above.
 - (c) Subject to Subsection N(2) below, the *Planning Commission* may grant a specified bonus:
 - [1] Up to 0.50 *FAR*; and
 - [2] Up to 60 feet in allowable *building height*.
 - (d) The resulting bonus may not exceed the maximum bonus allowed by the bonus schedule.
 - (2) Determination of bonus.
 - (a) Basis.
 - [1] The allowable bonus shall be determined based upon a monetary contribution or value of the *amenity* to be provided by the *developer* for the public benefit

for the amount of improvements proposed that exceed those permitted under the ordinance. Public *amenities* include, but are not limited to:

- [a] All *amenities* identified in Subsection K.
 - [b] In addition to the required 30% *open space* improvements, an additional 10% public *open space* improvements or monetary contribution for improvement of existing public lands, public art and heritage signage using the following formula:
 - [i] Commercial: 2% of construction costs.
 - [ii] *Mixed-use*: 2% of construction costs.
 - [c] Ten percent of proposed slips dedicated for public access.
 - [d] Mixed residential-commercial *uses* that provide 10% moderately priced *dwelling units* in accordance with § 18:1-108.
 - [e] Improvements to the Cross Island Trail. Monetary contribution for the purpose of expanding the Cross Island Trail using the following formula:
 - [i] Commercial: 4% of construction costs.
 - [ii] *Mixed-use*: 2% of construction costs.
 - [f] Monetary contributions may be paid over three years accruing at 1% over prime rate annually.
- [2] A list of *amenities* and associated costs shall be kept by the Director.
- (b) In addition to consideration of the value of the amenity as provided in Subsection N of this section, the *Planning Commission*, when approving a bonus at the time of concept plan, shall consider:
- [1] The intent of this section;
 - [2] Provisions for public *open space* and *amenities* as described in the Kent Narrows Community Plan;
 - [3] Compatibility with adjacent existing and permitted *uses* and *developments*;
 - [4] The particular dimensions, grade, and orientation of the *site*; and
 - [5] How the *amenities* provided or the contribution and increase in *floor area* will help achieve the goals, objectives, and policies for *development* in the Kent Narrows.
- (c) The *Planning Commission* shall grant a bonus only if the *Planning Commission* finds that the proposed *development*:
- [1] Is consistent with the overall *development* scheme in the Kent Narrows Community Plan;

- [2] Will not overburden existing *public services*, including *parking*, water, sanitary sewer, public *roads*, storm drainage, and other *public improvements*;
- [3] Will not create a threat to the public health, safety, or welfare.

§ 18:1-27. Chester Master-Planned Development (CMPD) District. [Amended 9-7-2004 by Ord. No. 04-17; 7-8-2008 by Ord. No. 08-12]

A. Purpose.

- (1) This district is intended to provide for master-planned residential or mixed-use *development* on *sites* at appropriate locations as identified in the Chester/Stevensville Community Plan. The district provides for a flexible *development* concept, good *site* design, architectural integration in the configuration and style of *buildings*, functional *open space* and required public facilities as part of a unified and coherent plan of *development*. Permitted *uses* generally include a variety of housing types, *institutional uses* and nonresidential *uses* that can be compatibly integrated within the *development*.
- (2) The CMPD District is created where *public utilities* (water and sewer) and infrastructure (*roads*, walkways, and hike/bike trails) may be extended and interconnected with existing and/or planned *public utilities* and infrastructure. New *development* of parcels should be accomplished in a way to integrate approved *residential uses* with *commercial* and *institutional uses* of a size and scale designed to provide needed and appropriate services to the Chester community. Infrastructure improvements relating to *roads* and trails are important and should follow the recommendations made in the transportation element of the Chester/Stevensville Community Plan.

B. Location. The CMPD District is intended to have specific application to the Chester/Stevensville Community Planning Area. As such, the CMPD District may only be applied to lands as designated by the Chester/Stevensville Community Plan.

C. Permitted *uses*. The following *uses* are permitted within the CMPD District:

- (1) All *accessory uses* as permitted in Part 3, Article V, of this Chapter 18:1.
- (2) All *institutional uses*, including golf courses.
- (3) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18:1.
- (4) *Commercial uses* are permitted only in association with a residential and/or institutional mixed-use *development*. The *Planning Commission* shall approve the type and size of any *commercial use(s)* proposed as a component of an overall mixed-use *development plan*. In order to approve any specific *commercial use* and its appropriate size, the *Planning Commission* must find that the proposed *commercial uses*:
 - (a) Are compatible with surrounding and anticipated *development* in the area;
 - (b) Are consistent with the intent of the Chester/Stevensville Community Plan; and
 - (c) Will not create undue traffic congestion in the area.

- (5) The following *commercial uses* are permitted as a component of a mixed-use *development* pending approval by the *Planning Commission*:
 - (a) Small-scale retail and service businesses sized to accommodate the convenience and commercial needs of the Chester community;
 - (b) *Restaurants*;
 - (c) Business or professional *offices*;
 - (d) Medical *offices* or clinics;
 - (e) Banks or financial institutions;
 - (f) *Hotels, country inns, bed-and-breakfasts* and associated ancillary resort *uses* such as conference facilities, aquatic facilities, health spas, athletic courts, etc.;
 - (g) *Marinas*; and
 - (h) Other *commercial uses* with similar impacts as determined by the *Planning Commission*.
- (6) *Effluent disposal uses*.
- (7) *Home occupations*.
- (8) *Multifamily*.
- (9) *Resort country club*.
- (10) Resort health and fitness clubs.
- (11) Single-family.

D. Conditional *uses*.

- (1) *Manufactured home community*.
- (2) *Telecommunications facilities*.

E. *Development standards*.

- (1) In general. Applications for *development* in the CMPD District shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended, and meet the following standards in addition to all other applicable requirements of this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards within this Chapter 18 may be found to conflict with the standards contained in this section or the Design Standards for New Neighborhoods, only the standards contained in this section shall apply.
- (2) *Use mix*. In a mixed-use *development* that includes *commercial uses*, no more than 50%

of the developed portion (total *site area* less the required 25% *open space* area) of the *site* may be utilized for *commercial use*.

- (3) Maximum *density*. Maximum residential *density* for a CMPD District *development* shall be six *dwelling units per acre* for that portion of the *development* used for residential purposes and eight *dwelling units per acre* if TDRs are used, unless *apartment development* is proposed which may allow up to 20 units per *acre* limited to a maximum of five *acres* of the proposed master planned development subject to the following conditions: **[Amended 7-10-2012 by Ord. No. 12-02]**

- (a) Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and represents design, bulk, height and *building* materials that are compatible with surrounding *development* in the area.
- (b) The *apartment development* is providing workforce housing, *age-restricted housing*, or moderately priced housing.
- (c) Landscape screening is provided for the *structure* and *parking areas* for adjacent single-family *residential uses*.
- (d) The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.

If the unified *development plan* consists of more than one parcel or *lot*, the acreage of the parcels or *lots* may be combined to compute the allowable residential *density*. If the *development plan* combines parcels or *lots* to compute allowable residential *density*, the *lots* or parcels may not thereafter be considered separately in any *subdivision*, *site plan* or *zoning certificate* approvals.

- (4) Maximum *floor area ratio*. Maximum *floor area ratio* for the nonresidential portion of a CMPD District *development* is 0.25. The maximum permitted amount of nonresidential *floor area* may be increased by 25% if TDRs are utilized.
- (5) *Planning Commission* final determination on *density* and *floor area ratio*.
- (a) The *Planning Commission* may require a lower residential *density* and/or *floor area ratio* if it finds that the maximum permitted *density* or *floor area ratio* would result in:
 - [1] *Development* that is not be compatible with existing or anticipated *development* in the surrounding area;
 - [2] *Development* that creates a detrimental impact on the environment; or
 - [3] *Development* that will render existing or planned public facilities including, but not limited to, *roads*, water, sewer and schools inadequate.

- (b) The *Planning Commission* may also find that a proposed residential *density* and/or *floor area ratio* is not consistent with the Community Plan and is too low and would not be an efficient use of limited lands zoned for master-planned *development*, in which case the *Planning Commission* may make recommendations to the applicant to revise the plan in a way to be consistent with the Community Plan. In no case may the residential *densities* and *floor area ratio* be greater than permitted by this section.
- (6) *Open space*. Common or public *open space* shall comprise at least 25% of the total *site area*. At least 10% of the required common or public *open space* shall be utilized for outdoor *recreational uses* as defined in § 18:1-12 of this Chapter 18:1. If the *open space* is to be commonly owned, instead of being dedicated to the *County*, legal documentation ensuring its continuance and maintenance must be submitted to and approved by the *Planning Commission*. The physical distribution of *open space* shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended.
- (7) Design standards. *Building* setbacks, *lot* sizes, impervious coverage, height, landscaping, *buffer yard*, and lighting shall be determined by the *Planning Commission* for each individual *development* in the CMPD District and shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended; except that no *telecommunications facility* shall exceed 55 feet in *building height*. In determining these standards, the *Planning Commission* shall consider such factors as the proposed intensity of the *development*, *use* mix, the layout of *buildings*, *roads*, and walkways, environmental protection considerations, the architectural and landscaping features incorporated into the *development*, *buffer yards* between *uses* and along property lines and compatibility with existing or anticipated *development* on surrounding lands. The purpose of this standard is to provide design flexibility, consistent with public health and safety, to the *developer* who subdivides property and constructs *buildings* in accordance with a unified and coherent plan of *development*.
- (8) Traffic circulation and pedestrian linkages shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended, and:
 - (a) On-site and off-site streets, traffic circulation patterns and pedestrian linkages shall be adequate to accommodate the demands generated by the proposed *development*. Where practical, streets and pedestrian linkages shall be designed to connect with adjacent parcels where future *development* is anticipated.
 - (b) Private internal streets/*roads* are permitted if the Department of Public Works and *Planning Commission* find that such streets/*roads* will be adequate to carry projected traffic, will be properly maintained, and are more appropriate to the overall *development* design than public streets.

- (c) Existing *County roads* that may be extended and utilized as either minor or major *collector streets* shall be appropriately utilized and extended as minor or major *collector streets*.
 - (d) The layout of a proposed *subdivision*, when possible, shall seek to develop minor and/or major *collector streets*, with bike lanes, to carry traffic generated by the local streets in the *development* to destinations within or outside of the *development*.
 - (e) All *roads* and streets shall be closed sections with sidewalks and adequate drainage/stormwater management and shall be generally consistent with current *roads* standards.
 - (f) Streets shall generally loop or interconnect; dead-end streets (except where a street is closed pending *development* of an adjoining parcel) and culs-de-sac shall be avoided unless there is no other *development* alternative.
 - (g) Transportation improvements must be determined to be consistent with the transportation element of the Community Plan and any *County* corridor management plan or transportation plan adopted by the *County*.
- (9) *Development* phasing. *Development* phasing for *development* for the CPMD District shall comply with § 18:1-38 of this Chapter 18:1 and with the following:
- (a) Construction on the commercial component of a mixed-use project involving *residential development* shall not commence until at least 50% of the required sewer and water allocation for the *residential development* has been purchased and on-site sewer, water, and *road* improvements and recreational *amenities* necessary to service 50% of the residential component have been completed, as provided for in the *developer's* agreement and approved by the *Planning Commission*.
- (10) *Sign* standards. *Sign* standards for commercial *development* in the CMPD District shall be the same as those applying to the Suburban Commercial (SC) Zoning District, including the design standards adopted by resolution of the *County Commissioners* No. 08-06, Town Center (TC) District, Urban Commercial (UC) District, and Suburban Commercial (SC) District Design Standards: Commercial and Mixed-Use Development Design Standards, as amended. *Sign* standards for all other types of *development* in the CMPD District shall be the same as those applying to the Suburban Residential (SR) Zoning District. The *Planning Commission* may approve *residential development* identification *signs* in the CMPD Zoning District which vary in height, size and type from those otherwise allowed under this section, if the proposed *residential development* identification *sign(s)* is: **[Amended 8-24-2010 by Ord. No. 10-03]**
- (a) Part of an architectural entry feature for the *development*.
 - (b) Consistent with the common architectural theme for the *development*; and
 - (c) Consistent with the design guidelines applicable to the Chester planning area.
- (11) Nonapplicability of certain sections of this Chapter 18:1. None of the provisions of

§ 18:1-36 of this Chapter 18:1 shall apply to *development* in the CMPD District.

- F. Forest conservation standards. Forest conservation standards for *development* in the CMPD District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.
- G. *Development* review process.
- (1) Procedures in general. In reviewing *development* proposals in the CMPD District, the procedures prescribed in Chapter 18:1, Part 7, of this Chapter 18 shall generally apply.
 - (2) Specific procedures for the CMPD District. Notwithstanding Subsection G(1) above, the following items shall apply to the *development* review process for CMPD projects:
 - (a) A preapplication conference between the applicant and Department of Planning and Zoning staff is required for all CMPD District *development*;
 - (b) A comprehensive array of supporting information and analysis regarding the impacts of the proposed *development* on the community is required to be submitted by the applicant as part of the sketch and/or concept plan application. Required information and studies shall include an adequate public facilities study, historic features and cultural resources inventory, and an environmental impact assessment. These studies shall be approved by the appropriate *Countyagencies*. Each study should clearly identify any significant adverse impacts resulting from the proposed *development*, as well as means employed to minimize and mitigate such impacts; and
 - (c) The applicant shall submit any additional information, plans, specifications, documents, drawings, etc., necessary to determine compliance with the CMPD *development* standards contained in the *Planning Commission* findings contained below in this section.
 - (3) *Planning Commission* findings. The *Planning Commission* shall make the following findings with regard to *development* approvals in the CMPD District. The proposed *development* conforms with all applicable requirements of this section including:
 - (a) *Roads* and streets loop and connect internally, and to the extent practicable are configured to interconnect and be extended into the *road* and street network that may be developed on adjacent undeveloped land;
 - (b) Hike and bike lanes/walkways are provided for nonvehicular public access to the *development* that connect with existing hike and/or bike lanes/walkways and are able to connect with hike/bike lanes/walkways that may be developed on adjacent undeveloped land;
 - (c) A minimum of 25% of the land in the proposed *development* is devoted to commonly or publicly owned *open space* and meets the requirements for mandatory parkland *dedication*.
 - (d) The proposed *development* conforms to all applicable regulations contained in this Chapter 18 and Chapter 14, Chapter 14:1, Chesapeake Bay Critical Area Act;

- (e) The proposed *development* conforms to the Chester/Stevensville Community Plan;
- (f) The proposed *development*, in conjunction with reasonably anticipated *development* in the surrounding neighborhood, will not adversely impact the adequate and orderly provision of *public services* and facilities for the area;
- (g) The proposed *development*, in conjunction with existing and reasonably anticipated *development* in the surrounding neighborhood, will meet the adequate public facilities standards with regard to traffic;
- (h) The proposed *development* is planned in such a manner as to protect environmentally sensitive areas and important historic or cultural features on the *site*; and
- (i) The proposed *development* is designed to be compatible with existing *development* in the surrounding neighborhood, and/or the proposed *development* contains adequate *screening*, landscaping and *buffer yards* to protect the surrounding neighborhood and conforms to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended.

§ 18:1-27.1. Neighborhood and Village Center (NVC) District. [Added 10-27-2009 by Ord. No. 09-11]

A. Purpose.

- (1) This district is intended to guide the creation of neighborhoods, villages and protected countryside on lands designated as Chester Village Expansion Area in the Chester/Stevensville Community Plan and conform to the design standards for New Neighborhoods for the CMPD and SMPD Districts, adopted by resolution of the *County Commissioners* No. 08-06. The NVC District is intended to create a relatively self-contained community with a compact mix of *residential*, *commercial*, employment/office, and civic land *uses*. The NVC District provides for a range of housing choices, with design elements that foster pedestrian and bicycle activity, public safety, environmental protection, long-term investment, efficient use of infrastructure, and efficient provision of *public services*. *Development* utilizing the NVC District must exhibit all of the following characteristics:
 - (a) Integrated mix of *uses*, including *residential*, *commercial*, employment/office, civic, and *open space* based upon a neighborhood and village center-to-countryside transect that defines the zoning district;
 - (b) Range of housing types, and density; and cost;
 - (c) Provides low and medium *commercial uses* in NVC District neighborhoods. [Amended 6-11-2013 by Ord. No. 13-07]
 - (d) Compact design with architectural harmony, including compatibility in styles, materials, colors, and *building* size, build-to lines and/or setbacks;

- (e) Interconnected network of public streets, sidewalks, substantial on-street *parking* and paths designed to balance the needs of all users, including distinct separation between pedestrians, bicyclists and motor vehicles based on a modified grid system;
 - (f) A hierarchy of streets provided in the neighborhood so that larger streets and sidewalks accommodate larger *buildings* with higher commercial intensities and higher residential *densities* while smaller streets have smaller *buildings* and sidewalks with lower commercial intensities and residential *densities* with traffic calming and shorter turning radii than suburban streets, and medians, circles and related features along prominent streets;
 - (g) Streets and *buildings* shall be designed so the *building height* facing the street is proportional to the width of the street in a regular pattern unbroken by *parking lots*;
 - (h) *Alleys* provided in *mixed use* areas of the NVC District neighborhood to facilitate rear-loaded *parking*, municipal services, and loading and unloading of goods;
 - (i) Lighting which is designed for safe walking and signage which has pedestrian orientation;
 - (j) Parks, squares and other common *open spaces* integral to the community to promote recreational opportunities, and to provide a setting for the architecture of the *development*; and
 - (k) Location adjacent to existing *development* with a system of land *subdivision* and *development* which links one neighborhood to another and can be logically extended.
- (2) These standards are established to foster the *development* of comprehensively planned mix of land *uses*, housing types, and *density*, requiring skillful architectural and landscape design standards. This NVC District is also created to avoid the negative impacts of suburban sprawl by minimizing infrastructure costs, traffic congestion, and environmental degradation.
- B. Transect. Neighborhoods and villages have physical forms that vary in character and intensity. A neighborhood village center-to-countryside transect that describes these characteristics in existing communities is used as the organizing principle for a new neighborhood and village. A new neighborhood and village on land designated NVC is to be planned using the "transect zones" shown on Figure 1.¹⁴ These transect zones must be delineated on a regulating plan prepared by an applicant and submitted with all *subdivision* or *site plan* applications.
- C. Minimum size. A new neighborhood and village shall not have a minimum size; however each neighborhood within an NVC District generally would be scaled upon a five-minute walk radius (approximately 1/4 mile, 1,320 feet) and range from about 40 to 160 *acres* not including land set aside for *open spaces*, greenbelts and *Chesapeake Bay Critical Area* components. The shape and form of the neighborhood is flexible and responds to physical or

14. Editor's Note: Figure 1 is included at the end of this Chapter18:1.

geological conditions, provided that the maximum one-fourth-mile radius benchmark for scale is generally maintained. The neighborhood is further divided into a series of blocks interconnected with a network and hierarchy of public streets, sidewalks, bicycle paths, trails and *alleys*. Parcels significantly larger than 160 *acres* should be developed as multiple neighborhoods, with each neighborhood designed to be integrated into an overall plan to create a larger village made up of two or more neighborhoods and the total *site* subject to all the provisions. Applications for *sites* significantly less than 40 *acres* shall be considered when adjacent to or integrated with an existing developed area, *subdivision*, neighborhood or *development* in designated *growth areas*.

D. Approval process. The approval process for a new neighborhood and village in the NVC District shall be as provided elsewhere in Chapter 18 except as follows:

- (1) Regulating plan. In addition to other information required in this Chapter 18, the applicant must submit to the *Planning Commission* for approval a proposed regulating plan that complies with the following standards:
 - (a) The entire area within the proposed plan and all adjoining *roads*, water resources, and other rights-of-way or *easements* must be shown on the regulating plan.
 - (b) The precise assignment of a transect zone to all land, including proposed streets within the neighborhood or village. All land shall be assigned one of the six transect zones listed in Subsection F and meet the minimum area allocations shown in Table 1.¹⁵ **[Amended 6-11-2013 by Ord. No. 13-07]**
 - (c) The precise location of proposed streets throughout the neighborhood or village, indicating the specific type of each street. Streets types must comply with the transect zone through which they pass and must provide right-of-way in accordance with the standards in Subsection P. See also Table 3 and Figures 5 through 16.¹⁶
 - (d) Proposed *lot lines* do not need to be shown on the regulating plan, but all land to be subdivided into *lots* must indicate the proposed *lot* types, which must comply with the transect zones where the *lots* are to be located and be able to meet the *development* standards for each *lot* type.
 - (e) The approximate location of the surface water management system, including its outfall and all connections with existing drainage features.
 - (f) The location of civic spaces including those required by Subsection I, and whether the civic spaces qualify as *open space* components.
 - (g) The location of civic *uses*.
 - (h) The location of moderately priced *dwelling units*.
 - (i) The proposed regulating plan must be accompanied by tabular data demonstrating

15. Editor's Note: Table 1 is included following Subsection F.

16. Editor's Note: Table 3 is included following Subsection P. Figures 5 through 16 are included at the end of this Chapter 18:1.

compliance with all requirements of the NVC District.

- E. Phasing of a neighborhood and village. Preliminary approval must be obtained for the entire neighborhood or village, including its Open Space (OS) or Countryside/Greenbelt (T1) component, even if subsequent *development* may occur in phases. If final approval is sought in phases, the first phase must include the entire Open Space (OS) or Countryside/Greenbelt (T1) component including recorded *easements* indicating that residential *density* has been transferred into Low Residential (T4), Medium Residential (T5) and Mixed/Neighborhood Village Centers (T6). Each phase must indicate how the remaining phases are planned to be integrated with the earlier phases. Tabular data must be provided for existing phases and for all future phases to ensure that all requirements of the NVC District will be met. *Commercial uses* shall be developed generally commensurate with *residential uses* within the neighborhood or village. All of the above shall be depicted on a phasing plan to be approved by the *Planning Commission*. **[Amended 6-11-2013 by Ord. No. 13-07]**
- F. Standards and requirements for transect zones.
- (1) All land within a new neighborhood or village must be allocated to one of the six transect zones described below; however, the use of all six transect zones in a new neighborhood or village is not required. Special Districts (SD) may be considered by the *Planning Commission* for public middle or high schools or other community facilities. Lands considered for meeting the required 20% minimum *open space*, active or passive recreation areas, recreational facilities, parks, plazas, greens, commons or squares must be identified as Open Space (OS), Lands considered for meeting the 5% minimum active recreation area must be identified as Active Recreation (AR). Each transect zone controls land *use*, *lot* types, street types, and the placement and intensity of *buildings* and other *uses* of land:
 - (a) Countryside/Greenbelt (T1).
 - (b) Estate (T2).
 - (c) Edge (T3).
 - (d) Low Residential (T4).
 - (e) Medium Residential (T5).
 - (f) Mixed/Neighborhood Village Center (T6).
 - (2) Allocation of land within each new neighborhood or village shall be as shown in Table 1.

Table 1
Allocation of Transect Zones
[Amended 6-11-2013 by Ord. No. 13-17]

Transect Zone	Allocation
Countryside/Greenbelt (T1)	300-foot minimum average width/no maximum acreage
Estate (T2)*	1,320-foot minimum width/no minimum percentage/maximum 15% of total acreage
Edge (T3)*	200-foot minimum width/no minimum percentage/maximum 15% of total acreage
Low Residential (T4)**	Minimum 30%/maximum 80% of acreage
Medium Residential (T5)**	Minimum 5%/maximum 20% of acreage
Mixed/Neighborhood Village Center (T6)**	Minimum 5%/maximum 40% of acreage
Special District (SD)	Maximum 40 <i>acres</i>
Open Space (OS)	Minimum 20% of acreage/no maximum acreage
Active recreation (AR)	Minimum 5% of acreage/no maximum acreage

NOTES:

No *development* within a NVC District shall be located within 300 feet from tidal waters in the *Chesapeake Bay Critical Area*. A minimum of 20% of the total acreage must be allocated to common areas, *open space*, or required landscaping with an additional 5% of the total acreage allocated to Active Recreation (AR) with dedicated public access to water. Countryside/Greenbelt (T1) designated areas must maintain a minimum average width of 300 feet. Active Recreation may include but is not limited to: walkways and sidewalks sized to accommodate bicycling, jogging and other activities; pavilions; playing fields, playgrounds, village greens and pocket parks; and similar spaces in which public recreational activities regularly occur.

* Residential *density* in the NVC District is intended to be directed into the Low Residential (T4), Medium Residential (T5) and Mixed/Neighborhood Village Center (T6) zones. *Lots* in the Estate and Edge zones must be supported by *development* rights transferred from an off-site eligible sending *site*. (See Chapter 18:1, Part 6, Article XX.)

NOTES:

** The minimum and maximum percentage of allocation of Low Residential (T4), Medium Residential (T5) and Mixed/Neighborhood Village Center (T6) transect zones do not include land allocated to Countryside/Greenbelt (T1), Estate (T2) or Edge (T3) transect zones or required *open space* allocations. Additionally, NVC properties that also contain or abut Countryside (CS) zoned land may utilize the CS land to meet part of its *open space* requirements as determined by the *Planning Commission* as part of the Regulating Plan. The appropriate legal instruments shall be approved by the *County* restricting the *uses* on the CS property to *open space* only. Those *uses* may include but are not limited to passive recreation, stormwater management facilities, other resource protection *uses*.

- G. Transect assignment concepts. A proposed regulating plan must clearly indicate the allocation of transect zones within the entire NVC District to define the character of various portions of the project. The following general guidelines shall be followed when proposing transect zones:
- (1) A neighborhood or village should generally have less intensity where it adjoins existing or planned *development* with less intensity. Where adjacent to a major or minor *arterial*, major or minor *collector highway*, or adjacent to an established urban area, the transect zones with greater intensity may adjoin that highway or urban area.
 - (2) Similar *uses* should face across streets; changes in transect zones should generally occur along rear or side *lot lines* rather than along streets.
 - (3) Where a neighborhood or village adjoins an existing or approved neighborhood, the neighborhood or village should establish similar transect conditions (such as Low Residential aligning with Low Residential, and Countryside/Greenbelt aligning with Countryside/Greenbelt). Transect juxtapositions may be approved by the *Planning Commission* where natural conditions warrant them or where alignment of similar transect conditions would be inappropriate due to existing or proposed *uses* on adjacent properties.
- H. *Lot* types. The neighborhood or village must contain a mixture of *lot* types to provide a variety of *uses* and diverse housing options. Differing *lot* types may be placed back-to-back on a single block to provide harmonious transitions between *lot* types. *Lot* types should be selected to provide *buildings* of like scale and massing on opposite sides of streets.
- (1) The neighborhood must contain at least one *mixed-use* or retail *building lot* and at least three civic *building lots*; one civic *building* must be constructed within two years after *development* commences.
 - (2) The following *lot* types may be assigned within the corresponding transect zones as provided in Table 2. An applicant may propose additional *lot* types, provided the *lot* types comply with the intent of the NVC District; the *Planning Commission* shall decide whether to accept, modify, or reject such additional *lot* types during the approval process.

Table 2 Transect Zone Lot Types						
	Countryside/ Greenbelt (T1)	Estate* (T2)	Edge* Residential (T3)	Low Residential (T4)	Medium Residential (T5)	Mixed/ Neighborhood Village Center (T6)
Mixed-use building lot					X	X
Retail building lot					X	X
Apartment building lot					X	X
Live/work lot building					X	X
Apartment houses lot					X	X
Townhouse lot building					X	
Cottage house lot				X	X	
Sideyard house lot				X	X	
House lot		X	X	X	X	
Manor lot	X	X	X			
Edge tract		X	X			
Civic building lot	X	X	X	X	X	X

NOTES:

* Lots in Estate and Edge transect zones are limited to a maximum of 15% of the land area.

I. Permitted uses.

(1) The following *uses* are permitted within the NVC District.

- (a) All *accessory uses* as permitted in Part 3, Article VI, of this Chapter 18:1.
- (b) All *institutional uses*, including golf courses.
- (c) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18:1.
- (d) *Commercial uses* are permitted only in association with a *residential* and/or *institutional mixed-use development*. The *Planning Commission* shall approve the type and size of any *commercial use(s)* proposed as a component of an overall *mixed-use development plan*. In order to approve any specific *commercial use* and its approximate size, the *Planning Commission* must find that the proposed *commercial uses*:
 - [1] Are compatible with surrounding and anticipated *development* in the area;
 - [2] Are consistent with the intent of any applicable community plan; and
 - [3] Will not create undo traffic congestion in the area.
- (e) The following *commercial uses* are permitted as a component of a *mixed-use development* pending approval by the *Planning Commission*:
 - [1] Retail and service business sized to accommodate the convenience and commercial needs of the community; [Amended 6-11-2013 by Ord. No.

13-07]

- [2] Restaurants, *fast-food restaurants (without drive through)*, taverns and bars; **[Amended 6-11-2013 by Ord. No. 13-07]**
- [3] Business or professional *offices*;
- [4] Medical or *veterinary offices* or clinics; **[Amended 6-11-2013 by Ord. No. 13-07]**
- [5] Banks or financial institutions;
- [6] *Hotels, country inns, bed-and-breakfasts* and associated ancillary resort *uses* such as conference facilities, aquatic facilities, health spas, athletic courts, etc.;
- [7] *Marinas*;
- [8] Barbershops and hairdresser; **[Added 6-11-2013 by Ord. No. 13-07]**
- [9] Deli, *coffee shops*, ice cream stores and stands; **[Added 6-11-2013 by Ord. No. 13-07]**
- [10] Dry cleaners and laundries; **[Added 6-11-2013 by Ord. No. 13-07]**
- [11] Light mechanical repairs (e.g. watch, camera, computer, bicycle, television); **[Added 6-11-2013 by Ord. No. 13-07]**
- [12] Photography, tailoring, copy shop, travel agencies, real estate offices and other service business; **[Added 6-11-2013 by Ord. No. 13-07]**
- [13] Grocery stores and *convenience stores* (without gas pumps); **[Added 6-11-2013 by Ord. No. 13-07]**
- [14] Studios for dance, exercise or martial arts; **[Added 6-11-2013 by Ord. No. 13-07]**
- [15] Bowling alleys; **[Added 6-11-2013 by Ord. No. 13-07]**
- [16] Stores selling liquor, beer or soft drinks (in sealed containers not for on-premises consumption); **[Added 6-11-2013 by Ord. No. 13-07]**
- [17] Theatres, movie and live performances, both indoor and outdoors; **[Added 6-11-2013 by Ord. No. 13-07]**
- [18] *Day-care centers*; **[Added 6-11-2013 by Ord. No. 13-07]**
- [19] *Commercial apartments*; and **[Added 6-11-2013 by Ord. No. 13-07]**
- [20] Other *commercial uses* with similar impacts and not inconsistent with the purpose of the NVC District as determined by the *Planning Commission*. **[Amended 6-11-2013 by Ord. No. 13-07]**

- (f) *Effluent disposal uses.*
- (g) *Home occupations.*
- (h) *Multifamily.*
- (i) *Resort country club.*
- (j) *Resort health and fitness clubs.*
- (k) *Single-family.*
- (l) *Commuter parking areas.*
- (2) *Conditional uses.*
 - (a) *Manufactured home community.*
 - (b) *Telecommunications facilities.*
 - (c) *Country inns.*
 - (d) *Nursing homes and assisted living facilities.*
- (3) *Residential uses* including single-family detached *dwellings*, single-family attached *dwellings* and multiple-family *dwellings*. A maximum of 20% of the land area of the NVC District neighborhood may be allocated to *multifamily* housing.
- (4) *Commercial uses* in a NVC District neighborhood shall be part of an overall redevelopment or *development plan*. The *floor area ratio* for nonresidential *uses* is 0.150 of the *base site area*. No individual *commercial use* shall exceed 65,000 gross square feet. **[Amended 6-11-2013 by Ord. No. 13-07]**
- (5) The following *open space uses* shall be permitted in conjunction with *residential development*: neighborhood parks; recreational facilities and playgrounds; bicycle paths; greens; commons; plazas and squares; or linkages to regional recreation and *open space* systems.
- (6) *Civic building areas*. *Civic building areas* are usually sited to adjoin civic spaces or to provide visual landmarks by being placed at the termination of streets, at the corner of a green, or within a green, Figure 2.¹⁷ *Civic building areas* shall be a maximum of 10 *acres*, but no more than 25% of the gross land area.
 - (a) In order to provide greater flexibility in *building* types and to allow more distinctive architectural expression, *civic building areas* do not include *building* frontage or front yard standards.
 - (b) Oversized *civic building areas*, greater than 10 *acres*, such as those sometimes required for public middle schools, high schools or for churches with regional congregations should be located at the periphery of neighborhoods so as not to impede the walkability of the remainder of the neighborhood.

17. Editor's Note: Figure 2 is included at the end of this Chapter18:1.

- (7) Civic spaces. Civic spaces must be designed and configured to be clearly recognizable as public *open space*. Civic spaces should be located so that *building* walls having at least 15% of their area in transparent windows face the public *open space*. Each neighborhood must have at least three separate civic spaces, which may include neighborhood parks, greens, commons, squares, plazas, and playgrounds, provided they are publically accessible in perpetuity.
 - (a) Each civic space should be consistent with the character of the transect zone in which it is located. For example, a plaza located in the Mixed/Neighborhood Village Center (T6) transect zone would be detailed with hardscaping and a formal planting pattern of a single species, Figure 3,¹⁸ while a neighborhood park in the Edge (T3) transect zone may be green with paths through an informal planting pattern of multiple species, Figure 4.¹⁹
 - (b) Each civic space must have at least 25% of its perimeter and at least two sides directly adjoining a street.
 - (c) Except for civic spaces located along the periphery of a neighborhood or village, the combined size of all civic spaces located within a neighborhood or village must be at least 2.5% but no more than 7.5% of the total acreage assigned to the Mixed/Neighborhood Village Center (T6), Medium Residential (T5), Low Residential (T4), and Edge (T3) transect zones.
 - (d) Each civic space must provide shaded seating, trash receptacle, dog waste bags, and either a water fountain, a gazebo, or heritage/historic/wildlife statue.
 - (e) Civic spaces placed in Countryside/Greenbelt (T1) transect zones are not counted toward these civic space requirements.

J. *Development standards.*

- (1) A range of residential unit types and *lot* sizes is required and shall be mixed throughout the neighborhood or village, with small *lot* units located closer to the commercial center or mixed/neighborhood village center of the neighborhood. *Density* shall decrease from the center to the periphery of the neighborhood. *Lot* sizes and frontage shall comply with one of the types identified in Table 3.²⁰
- (2) Residential *development* standards.
 - (a) *Density*/Intensity requirements.

[1] Maximum residential *density*. *Density* shall not exceed 4.0 units per *acre* for the entire *site* proposed for *development* unless *apartment development* is proposed which may allow up to 20 units per *acre* limited to the T5 and T6 transect to a maximum of five *acres* of the entire *site* proposed for *development* subject to the following conditions: **[Amended 7-10-2012 by**

18. Editor's Note: Figure 3 is included at the end of this Chapter18:1.

19. Editor's Note: Figure 4 is included at the end of this Chapter18:1.

20. Editor's Note: Table 3 is included following Subsection P.

Ord. No. 12-02]

- [a] Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and represents design, bulk, height and *building* materials that are compatible with surrounding *development* in the area.
 - [b] The *apartment development* is providing workforce housing, *age-restricted housing*, or moderately priced housing.
 - [c] Landscape screening is provided for the *structure* and *parking* areas for adjacent single-family *residential uses*.
 - [d] The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.
- (b) Dimensional and bulk requirements.
- [1] Minimum open space ratio.
 - [a] Within the proposed neighborhood a minimum of 20% of the gross land area shall be permanently dedicated to Open Space (OS). Such *open space* shall be made of greens, parks, squares, ponds, active recreation areas or buffer areas that are open to the public. An additional 5% of the gross land area shall be devoted to Active Recreation (AR).
 - [b] Outside the proposed neighborhood, *open space* shall be provided to establish an edge or greenbelt separating the neighborhood from adjacent properties. Such *open space* shall represent no less than 20% of the land area constituting the neighborhood. The design and location of *open space* shall protect important natural assets, features and sensitive environmental features. These areas shall be designated as Open Space (OS) or Countryside/Greenbelt (T1) on the proposed regulating plan transect map.
 - [c] Such *open space* shall establish a natural edge which may include wilderness preserves for wildlife and marine habitats, parks protecting the natural vegetation, greenbelts, hybrid parks, and undisturbed shoreline areas.
 - [2] *Lot area*: See Table 4.²¹
 - [3] Minimum setbacks: See Table 4.
 - [4] Maximum *building height*: See Table 4.

21. Editor's Note: Table 4 is included at the end of this Chapter 18:1.

[5] Minimum *lot width*: See Table 4.

[6] Minimum *lot frontage*: See Table 4.

(3) Nonresidential *development* standards.

(a) *Density/Intensity* requirements.

[1] Maximum nonresidential *floor area ratio*: See Subsection I(4) above.
[Amended 6-11-2013 by Ord. No. 13-07]

[2] *Floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

[3] No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*.

(b) Dimensional and bulk requirements.

[1] Maximum *impervious surface ratio* of 75% for nonresidential *uses*. See Table 4 for all other *impervious surface ratios*.

[2] *Impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

[3] Minimum *lot frontage*: See Table 4.

[4] Minimum setbacks:

[a] Front: See Table 4.

[b] Side: See Table 4.

[c] Rear: See Table 4.

[5] Maximum *building height*: See Table 4.

(4) Design standards.

(a) Architectural compatibility.

[1] A *building* must incorporate architectural styles, *building* materials, and colors used in surrounding *buildings* with exterior finish materials on all *facades* limited to brick, clapboard siding, and/or stucco.

[2] Commercial and residential design styles should reflect vernacular architecture or Eastern Shore architectural forms.

[3] A *building* greater than one story should clearly delineate the boundary between each floor of the *structure* through belt courses, cornice lines, or similar architectural detailing.

[4] Attached *buildings* within the same block must not maintain consistent cornice lines in *buildings* of the same height within *multifamily*, townhome,

nonresidential, or *mixed-use structures*.

- [5] Rooflines must be pitched or gabled. Overhanging eaves must be provided to the greatest extent possible.
- [6] Small groups of townhouses (four or less) may be designed to appear as large single-family *structures*.
- [7] *Signs* shall be limited to *wall*, awning, or hanging *signs*.
- [8] Significant departures from "off-the-shelf" standardized franchise *building* design may be required to meet these standards.

(b) Human scale design.

- [1] Doorways, windows, and other openings in the *facade* of a *building* should be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
- [2] A *building* shall avoid long, monotonous, uninterrupted walls or roof planes. The *facade* of a *building* should be divided into distinct modules no longer than 100 feet.
- [3] A *building* that is located along a Mainstreet (MS) within the Mixed/Neighborhood Village Center (T6) transect zone shall be at least two stories in height. See Illustrations 1 and 2.²²
- [4] Awnings, covered walkways, open colonnades, or similar weather protection must be provided by commercial *structures*.
- [5] A *commercial use* must provide a minimum 70% of the front *facade* on the ground floor as clear or lightly tinted windows, doors, or other treatments sufficiently transparent to provide views into the interior of *buildings*.
- [6] A residential *structure* with a front setback of five to 15 feet must provide a front porch or stoop on the front *facade* of the *structure*. Minimum width of a porch is four feet.
- [7] Rear access from an *alley* is required unless otherwise approved by the *Planning Commission*. If driveway access is provided from the street, the garage or carport may not face the street, unless it is located a minimum 20 feet behind the front *facade* of the principal *structure*.

(c) *Buildings* that relate to and are oriented toward the street and surrounding *buildings*.

- [1] The *structure* must be located at the required build-to line.
- [2] The main entrance of a *structure* must face a street, neighborhood park, green, common, plaza or square and be clearly articulated through the use of

22. Editor's Note: Illustrations 1 and 2 are included at the end of this Chapter18:1.

architectural detailing.

- [3] Windows and doors on the front *facade* of a *building* should create lines of sight between the *building* and the street.
- [4] A *building* at an intersection of a Mainstreet (MS) or other significant intersection should use special architectural features to emphasize the importance of the location. Special architectural features include corner towers, cupolas, clock towers, spires, or other similar architectural features.
- [5] *Structures* with primary frontages on a neighborhood square shall be a minimum of two stories.

(d) Encouragement of pedestrian activity.

- [1] The neighborhood must be scaled into walkable blocks in transect zones designated as Low Residential (T4), Medium Residential (T5) and Mixed/Neighborhood Village Center (T6). Typical block dimensions that encourage pedestrian activity range between 300 feet and 500 feet on a block face and do not exceed 500 feet on any single block face. Single blocks shall not exceed a total perimeter distance of 1,600 feet.
- [2] A *parking lot* must be located to the rear or side of the *structure*. If located at the side of the *structure*, the *parking* must be screened through the use of solid streetwalls or landscaping. Streetwalls should not exceed four feet in height.

K. Off-street *parking* regulations.

- (1) A neighborhood and village must provide extensive on-street *parking*, a mix of compatible land *uses*, sidewalks and trails, and rear *alleys* or lanes.
 - (a) Wherever possible, *parking lots* shall be located behind *buildings* so that *buildings* can screen *parking* areas from sidewalks and streets.
 - (b) In no case may *parking lots* be located in front of a *building*.
 - (c) Small *parking lots* in side yards may be permitted, provided the *buildings* they serve can meet the *lot width* and *building* frontage requirements of Table 4²³ and provided these *lots* are set back a minimum of 20 feet from *lot lines* adjoining rights-of-way, excluding *alleys* or lanes.
- (2) Access to off-street *parking*.
 - (a) In the Mixed/Neighborhood Village Center (T6) and Medium Residential (T5) transect zones, *alleys* or lanes shall be the primary source of access to off-street *parking*. In the Low Residential (T4), Edge (T3) and Estate (T2) transect zones, *alleys* or lanes are the desirable source of access to off-street *parking*. *Parking* along *alleys* or lanes may be head-in, diagonal, or parallel.

23. Editor's Note: Table 4 is included at the end of this Chapter 18:1.

- (b) *Alleys* or lanes may be incorporated into *parking lots* as if they were standard *parking* access aisles. Access to all properties adjacent to the *alley* must be maintained.
 - (c) Access between rear *parking lots* across property lines is strongly encouraged.
 - (d) *Alleys* are required for townhouse *development*. Where *alleys* are used to provide rear access, *buildings* shall have secondary entrances facing the *alley*.
 - (e) Residential *buildings* on Individual *lots* must meet the garage standards in Subsection Q.
- (3) *Parking structures* are permitted only in the Mixed/Neighborhood Village Center (T6) transect zone and must be no taller than four stories and must be separated from adjacent streets by liner *buildings* at least two stories in height and no less than 20 feet in depth.
- (4) Landscaping for off-street *parking* and loading areas shall, as a minimum, meet the requirements of Subsection O.

L. Open Space (OS) and Countryside/Greenbelt (T1) standards.

- (1) Land in the Countryside/Greenbelt (T1) transect zone is an integral component of each neighborhood and village for the following purposes:
- (a) Preserving and enhancing rural character between neighborhoods;
 - (b) Preserving and restoring native habitats;
 - (c) Providing opportunities for sustained *agriculture*;
 - (d) Mitigating the biological and ecological impacts of new *development*; and
 - (e) Accommodating resource conservation areas within the *Chesapeake Bay Critical Area*.
- (2) To maximize both the aesthetics of the rural landscape and the biological and ecological systems intended by the Countryside/Greenbelt (T1) zone, projects must link to the greatest extent possible the areas set aside for these purposes both within the *site* as well as to any existing neighboring Countryside/Greenbelt (T1) areas, existing or planned passive parks, existing *uses* of an agricultural character, or environmental preserves.
- (3) For purposes of this section, three transect zones are used to designate the appropriate locations for most Countryside/Greenbelt (T1) components: the Estate (T2) and Edge (T3) zones which adjoin neighborhoods or other public spaces, and Countryside/Greenbelt (T1) zone which does not adjoin neighborhoods.
- (4) To ensure that the rural landscape is preserved, large areas of neighborhoods and villages must be reserved for Open Space (OS) or Countryside/Greenbelt (T1). Specific percentage standards for Open Space (OS) and Countryside/Greenbelt (T1) are established for each new neighborhood or village in Subsection F. The required Open Space (OS) or Countryside/Greenbelt (T1) percentage may be fulfilled by land that is restricted to a combination of the following components:

- (a) Agricultural *uses* and facilities, including *farmers markets* and *agriculture*-based industry;
 - (b) Restored or preserved native habitat and environmentally significant or sensitive land;
 - (c) Resource conservation areas or *Chesapeake Bay Critical Areas* including adjoining water management facilities and wastewater reuse facilities;
 - (d) Greenbelts or passive recreation areas;
 - (e) Community recreation areas such as community or regional parks, recreational fields, picnic areas, primitive campgrounds, greenways, and trails, provided they:
 - [1] Link with trails to neighborhoods and adjacent countryside areas;
 - [2] Provide opportunities for shaded seating;
 - [3] Provide facilities such as public restrooms and water fountains; and
 - [4] Dedicate public access to waterfronts.
- (5) The location of Open Space (OS) or Countryside/Greenbelt (T1) components shall be located and arranged within the NVC District as described in this subsection.
- (a) Within the NVC District, any resource conservation area is to be designated as an Open Space (OS) or Countryside/Greenbelt (T1) transect zone.
 - (b) The continuation of viable agricultural *uses* in the Open Space (OS) or Countryside/Greenbelt (T1) and on neighboring properties is a primary design goal for the Open Space (OS) or Countryside/Greenbelt (T1) zone. Such uses constitute unique and irreplaceable resources and are major contributors to the economy.
- M. Location of *open space* in Edge (T3), Low Residential (T4), Medium Residential (T5) and Mixed/Neighborhood Village Center (T6) transects.
- (1) The neighborhood shall contain as its central focus at least one commercial Mixed/Neighborhood Village Center (T6) area containing a square, common or park no smaller than 1/4 *acre*, and no greater than one *acre* with a length-to-width ratio of no greater than three to one. This square shall be within 600 feet of the geographic center of the Mixed/Neighborhood Village Center (T6) area.
 - (2) The remaining public *use* in Edge (T3), Low Residential (T4) and Medium Residential (T5) areas, parks and greens shall be located and distributed such that no portion of the neighborhood is further than two blocks or 1,000 feet from a park, common, green, playground, plaza or square.
 - (3) Design and location of *open space* shall reinforce the built environment, and make an explicit connection between *buildings* and *open spaces*.
- N. Forest conservation standards. Forest conservation standards for development in the NVC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this

chapter.

O. Landscaping requirements.

- (1) Street trees of a minimum three-inch *caliper* shall be planted at thirty-foot intervals along sidewalks in the Low Residential (T4), Medium Residential (T5), and Mixed/Neighborhood Village Center (T6).
- (2) Trees shall not be required when an arcade is provided in the Mixed/Neighborhood Village Center (T6).
- (3) Uniformity of tree types shall be used as a design element to provide visual identity to the neighborhood and reinforce the hierarchy of streets.
- (4) On any neighborhood boulevard (NB), median trees and landscaping are required. Median trees should be a minimum one-and-one-half-inch *caliper*, spaced 20 feet on center. Medians may also contain shrubs and plant groundcover.
- (5) Plantings in immediate proximity to *buildings* in front and side yards shall respect architectural lines (should be seen as extension of architectural walls).
- (6) Landscaping shall be used to improve the quality of the natural environment and to improve the quality of groundwater recharge.
- (7) Islands and other landscaping alternatives shall be incorporated into *parking* areas to add visual interest. The use of islands and perimeter gardens designed and landscaped to serve as bioretention facilities is encouraged.
- (8) For all *parking lots* with more than six spaces, the landscaped area shall be comprised of a minimum of 20% of the total *parking* area. One native shade tree which grows to a minimum height of 40 feet at maturity shall be required for each 300 square feet of the above required *open space*. Native shade trees shall have a minimum *caliper* of 2 1/2 inches at time of planting.
- (9) Landscaping shall be provided to screen facilities for refuse disposal. Facilities for refuse disposal shall be enclosed by solid fence or walls, and landscaping shall be installed around the perimeter.

P. Street and pedestrian way standards.

- (1) All public streets shall be designed to accommodate a mix of travel modes including vehicles, bicycles and pedestrians. Pedestrianways and/or sidewalks shall be continuous, direct, and convenient with grade separation where necessary. The transportation system shall be designed so the multiple streets, bicycle paths, sidewalks and pedestrian paths continue into adjacent neighborhoods and *development*. Dead-end streets are prohibited, except street stubs are allowed, where necessary, at the edge of *development* to provide future connections to adjacent undeveloped properties if the adjacent land is not within a designated preserve or critical area.
- (2) Pedestrianways shall be secure, well lighted, and have good visibility.

- (3) Pedestrian pathways include a planting or buffer strip to separate pedestrians from the street and provide room for streetlight poles, pedestrian *amenities*, street trees, etc.
- (4) Sidewalks at least five feet in width, except for the Mixed/Neighborhood Village Center (T6), shall be provided and constructed of similar materials consistent with adjacent *sites*.
- (5) Pedestrian-scale streetlights (12 feet high) shall be provided at no greater than eighty-foot intervals along sidewalks and *parking* areas.
- (6) Sidewalks at least 10 feet in width shall be provided the entire length of property fronting the Mixed/Neighborhood Village Center (T6) main street core commercial areas. Connections to existing sidewalks adjacent to the property shall be provided when appropriate.
- (7) All nonresidential *buildings* shall include an area for *parking* bicycles. This area may be designated *parking* space within the *parking lot* near the *building* or an area outside the *parking lot* adjacent to the *building*. The bike *parking* area must include a bike rack and shall not impair sidewalks, pedestrianways and access to less than four feet of clearance or width.
- (8) Neighborhood design shall provide a streetscape interesting to pedestrians that encourages more people to walk.
- (9) *Restaurants* shall be permitted to operate outdoor cafes on sidewalks, including areas within the public right-of-way and in courtyards, provided that pedestrian circulation and access to store entrances shall not be impaired to less than four feet of clearance or width.
- (10) *Buildings* shall be oriented to directly face the street, a square, a common, a park, a plaza, or green, with front entrances and display windows oriented to directly face a street, a park, a plaza, or green at the street level.
- (11) The location and design of garages, carports and parked vehicles shall not dominate the view of the *dwelling* from the street, such that to the extent possible, on-street *parking* or access to garages and carports are to be provided from a rear alleyway or access.
- (12) Interconnected streets shall be designed in a predictable block pattern to encourage people to walk and provide a variety of route options.
- (13) All streets and *alleys* shall terminate at other streets within the neighborhood and where appropriate connect to existing and projected through streets outside the *development*.
- (14) The average perimeter of all blocks within the neighborhood shall not exceed 1,600 feet. No block face shall have a length greater than 500 feet without a dedicated *alley* or vehicular pathway providing through access.
- (15) Street design shall balance the needs of drivers, pedestrians, and bicyclists as permitted in Table 3.²⁴

24. Editor's Note: Table 3 is included at the end of this Subsection P.

- (16) The long axis of neighborhood streets shall have appropriate termination with either a public monument, specifically designed *building facade*, or a gateway to the ensuing space.
- (17) There shall be a continuous network of service lanes or *alleys* to the rear of land *uses* occupied by shop fronts and attached houses.
- (a) Shared driveways and *parking* arrangements are encouraged.
- (b) Commercial intensity is based upon a hierarchy of streets, locational criteria and a neighborhood village center-to-countryside transect that defines the zoning district. High commercial *uses* may be feasible in neighborhoods and villages within close proximity to major and minor *arterial roads*.

Table 3 Allowable Street Types By Transect Zone						
Street Types	Countryside/ Greenbelt (T1)	Estate (T2)	Edge (T3)	Low Residential (T4)	Medium Residential (T5)	Mixed/ Neighborhood Village Center (T6)
Mainstreet (MS)					X	X
Neighborhood Boulevard (NB)	X		X	X	X	X
Avenue (AV)				X	X	X
Low Neighborhood Street (LS)			X	X	X	
Neighborhood Street (NS)			X	X	X	
Edge Drive (ED)			X			
Estate Drive (ES)		X	X			
Parkway (PK)	X	X	X			
Rural Road (RD)	X					
Alley (AL)				X	X	X
Lane (LN)	X		X	X	X	
Trail (TR)	X		X	X	X	X

Q. *Lot development* standards.

- (1) *Lot widths* within Low Residential (T4), Medium Residential (T5) areas shall range between 20 and 80 feet in width and should be varied by *lot* type as indicated in Table 4.²⁵ Estate, Edge, Manor, *mixed-use* and apartment *building lots* shall not have a maximum width.
- (2) *Lot widths* shall be designed to ensure that garages do not dominate the front *facade* of residential *structures*
- (3) Build-to lines for commercial *buildings* create a continuous streetscape and interesting environment for pedestrians.
- (4) *Buildings* on shopfront *lots* shall have the *facade* built directly on the build-to line along

25. Editor's Note: Table 4 is included at the end of this Chapter 18:1.

at least 70% of its length. The unbuilt portion of the build-to line shall have a street wall directly upon it.

- (5) *Lot* sizes shall be designed to keep houses close to each other and to the street.
- (6) *Lot widths* within commercial or *mixed-use* areas shall have a minimum width of 24 feet.

§ 18:1-28. Town Center (TC) District. [Amended 9-7-2004 by Ord. No. 04-12; 9-7-2004 by Ord. No. 04-13; 9-7-2004 by Ord. No. 04-18; 9-7-2004 by Ord. No. 04-19; 8-19-2008 by Ord. No. 08-11;²⁶8-9-2011 by Ord. No. 11-11; 10-9-2018 by Ord. No. 18-02; 7-13-2021 by Ord. No. 21-03; 6-10-2025 by Ord. No. 25-01]

- A. Purpose. This district is intended to provide higher-density, mixed-use *development* and redevelopment along the Chester Main Street corridor as identified in the Chester/Stevensville Community Plan (MD Route 18, Main Street, Postal Road and Piney Creek Service Road). Design standards and guidelines are incorporated within this district to foster an attractive, pedestrian-oriented pattern of mixed-use *residential* and *nonresidential development* that focuses on the local roads as opposed to U.S. 50/301.
- B. Location. The TC District is intended to have specific application to the planning area identified by the Chester/Stevensville Community Plan.
- C. *Uses*.
 - (1) Permitted *uses*.²⁷
 - (a) *Agricultural support*.
 - (b) *Apartment development*.
 - (c) *Bed-and-breakfasts*.
 - (d) *Cannabis licensed dispensary*.
 - (e) *Carry-out food service*.
 - (f) *Coffee shop*.
 - (g) *Commercial apartments*.
 - (h) *Convenience stores*, with or without gas pumps.
 - (i) *Country inn*.
 - (j) *Country store*.
 - (k) *Deli*.
 - (l) *Drive-through beverage stand*.

26. Editor's Note: This ordinance also provided that it shall apply only to development applications filed on or after 7-10 2008.

27. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (m) *Effluent disposal.*
- (n) *Family day-care center.*
- (o) *Farmers market.*
- (p) *First-floor commercial apartments.*
- (q) *Fraternal organizations.*
- (r) *Funeral homes.*
- (s) *Group day-care center.*
- (t) *High commercial.*
- (u) *Home occupations.*
- (v) *Hotels.*
- (w) *Institutional residential.*
- (x) *Institutional residential use for five or fewer residents.*
- (y) *Large-lot subdivision.*
- (z) *Low commercial uses.*
- (aa) *Major multifamily.*
- (bb) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- (cc) *Marinas.*
- (dd) *Medium commercial.*
- (ee) *Minor multifamily.*
- (ff) *Nonprofit and for-profit institutional.*
- (gg) *Nurseries.*
- (hh) *Outdoor recreation.*
- (ii) *Parking.*
- (jj) *Private stables.*
- (kk) *Public services.*
- (ll) *Public utilities.*
- (mm) *Regional shopping centers.*

(nn) *Shopping centers.*

(oo) *Single-family residential.*

(pp) *Veterinary offices.*

(qq) All *light industrial uses* except:

[1] Bulk materials or machinery;

[2] Food processing and packing;

[3] Fuel oil storage and sales;

[4] Materials sales or storage yards; and

[5] *Miniwarehouses.*

(rr) Mixed-use *development* incorporating permitted *uses* on the same *site* or within the same *structure* are permitted.

(ss) *Self-storage facility (interior access only).*

(2) *Conditional uses.*

(a) Manufacturing with fewer than 500 employees.

(b) *Telecommunications facilities.*

(c) *Truck terminal.*

(d) Expansion of *miniwarehouse* that existed on or before September 7, 2004.

D. *Development standards.*

(1) In general. Applications for *development* in the TC District shall meet the following standards in addition to all other applicable requirements of this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards within this Chapter 18 may be found to conflict with the standards contained in this section, only the standards contained in this section shall apply. The *Planning Commission* may establish modified *building* restriction lines, *parking*, landscaping and *buffer yard* requirements on a case-by-case basis in order to ensure consistency with the TC District design guidelines and the purpose of this section.

(2) *Residential development standards.*

(a) *Density/intensity requirements.*

[1] Maximum residential *density*.

[a] *Single-family cluster*: 3.2.

[b] *Multifamily*: 10.00.

- [c] *Apartment development*: 10.00.
 - [d] *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area.
 - [e] In the *growth areas*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - [f] In the planning area, the *Planning Commission* may increase the *density* for *apartment development* to 20 units per *acre* provided:
 - [i] The *site area* does not exceed five *acres* for the *apartment development*.
 - [ii] Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and represents design, bulk, height and *building* materials that are compatible with surrounding *development* in the area.
 - [iii] The *apartment development* is providing workforce housing, *age-restricted housing* or other moderately priced housing.
 - [iv] Landscape screening is provided for the *structure* and *parking* areas for adjacent single-family *residential uses*.
 - [v] The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.
- (b) Dimensional and bulk requirements.
- [1] Minimum *open space ratio*.
 - [a] *Single-family cluster*: .20.
 - [b] *Multifamily*: .10.
 - [c] *Apartment development*: not applicable.
 - [2] Minimum *lot area*.
 - [a] *Single-family cluster*: 8,000 square feet.
 - [b] *Large-lot subdivision*: 10,000 square feet.
 - [c] *Apartment development*: not applicable.
 - [3] Minimum setbacks.
 - [a] *Single- and multifamily cluster*.

- [i] Front: 25 feet.
 - [ii] Side: 5/10 feet.
 - [iii] Rear: 25 feet.
 - [b] *Large-lot subdivision.*
 - [i] Front: 35 feet.
 - [ii] Side: 8 feet.
 - [iii] Rear: 40 feet.
 - [c] *Apartment development.*
 - [i] Front: 15 feet.
 - [ii] Side: 15 feet.
 - [iii] Rear: 30 feet.
 - [iv] Spacing between *buildings*: 20 feet.
 - [4] Maximum *building height*.
 - [a] *Single- and multifamily cluster*: 40 feet.
 - [b] *Apartment development*: 45 feet.
 - [5] Minimum *lot width*.
 - [a] *Single-family cluster*: 50 feet.
 - [b] *Multifamily*: 50 feet.
 - [c] *Large-lot subdivision*: 60 feet.
 - [d] *Apartment development*: not applicable.
 - [6] Minimum *lot frontage*.
 - [a] *Single- and multifamily cluster*: 35 feet.
 - [b] *Apartment development*: 35 feet.
- (3) *Nonresidential development standards.*
- (a) *Density/intensity requirements.*
 - [1] Maximum nonresidential *floor area ratio*: .40.
 - [a] In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - [2] No individual *use* and/or tenant space in a *structure* shall occupy more than

65,000 square feet of gross *floor area*, except for the following *uses*:

- [a] *Agricultural support*;
- [b] *Apartment development*;
- [c] Auto repair with repair areas;
- [d] Banks and other financial facilities;
- [e] Boat sales and repairs;
- [f] Bowling alleys;
- [g] *Commercial apartments*;
- [h] Commercial or trade schools;
- [i] *Country inn*;
- [j] *Hotels*;
- [k] *Nonprofit and for-profit institutional*;
- [l] *Light industrial* as permitted in § 18:1-28C(1)(oo) where incidental retail stores do not exceed 25,000 square feet of gross *floor area*;
- [m] *Marinas*;
- [n] Major *multifamily*;
- [o] New and used vehicle sales/service and repair with *exterior storage* and/or repair areas;
- [p] *Offices*: business or professional; medical *offices* and clinics; *veterinary offices*; and all other *offices*;
- [q] Recreational vehicle sales;
- [r] Public *uses*; and
- [s] Theaters and auditoriums (indoor).

(b) Dimensional and bulk requirements.

- [1] Maximum *impervious surface ratio*: .80.
 - [a] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- [2] Minimum *lot frontage*: 35 feet.
- [3] Minimum setbacks.

- [a] Front: 35 feet.
- [b] U.S. Routes 50/301: 50 feet.
- [c] Arterial: 20 feet.
- [d] Side and rear: 10 feet.
- [4] Maximum *building height*.
 - [a] *Telecommunications facilities*: 90 feet.
 - [b] All other: 45 feet.
- (4) Access. All *development* and redevelopment in the TC District shall be required to limit and consolidate entrances and curb cuts, to the extent practical, through the use of shared entrances, off-site *parking*, internal circulation systems that connect *parking* areas and other means. All *development* and redevelopment shall be in accordance with the Vehicular and Pedestrian Access and Circulation Standards of the Design Standards adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) and Urban Commercial (UC) Design Standards: Commercial and Mixed-Use Development Guidelines, as amended.
- (5) Design guidelines. All new *development*, infill, redevelopment and renovations in the TC District are strongly encouraged to incorporate the design guidelines adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) District and Urban Commercial (UC) District Design Standards: Commercial and Mixed-Use Development Standards, as amended. The *Planning Commission* shall consider these guidelines and the community design objectives of the Chester/Stevensville Community Plan in its review of all new *development*, infill, redevelopment and renovations within the TC District. The *Planning Commission* may not approve *development* applications that have not made a practical and good faith effort to comply with the adopted Town Center (TC) District and Urban Commercial (UC) District Design Standards, as amended, and community design objectives of the Chester/Stevensville Community Plan, and the following provisions of this section.
 - (a) Front setbacks should be reduced to bring *buildings* and *structures* closer to the street and sidewalks in order to foster town-scale streetscape and encourage pedestrian activity.
 - (b) Side setbacks and yards between *buildings* should be reduced to foster a town-scale streetscape and encourage pedestrian activities.
 - (c) Roadside sidewalks are required to be provided when *sites* are developed or redeveloped. Sidewalks linking *structures* to roadside sidewalks are to be provided in accordance with the Town Center (TC) and Urban Commercial (UC) Design Standards on Pedestrian Access and Circulation.
 - (d) *Parking* location and layout shall be in accordance with the Town Center (TC) and Urban Commercial (UC) Design Standards.

- (e) Newly installed utility and service connections are to be placed underground wherever possible.
 - (f) Exterior lighting shall be designed in accordance with the Town Center (TC) and Urban Commercial (UC) Design Standards.
 - (g) *Building* design, location, style, architectural details, materials and colors shall adhere to the Town Center (TC) and Urban Commercial (UC) Design Standards.
 - (h) Mechanical equipment or other utility equipment and hardware shall be screened in accordance with the Town Center (TC) and Urban Commercial (UC) Design Standards. *Screening* of outside storage areas and service equipment shall also be accomplished in accordance with the Town Center (TC) and Urban Commercial (UC) Design Standards.
 - (i) Pedestrian-oriented *open spaces* shall be created in accordance with the Town Center (TC) and Urban Commercial (UC) Design Standards.
 - (j) Multiple-story *buildings* with *commercial uses* on the ground floor and mixed *office or residential uses* on upper floors are encouraged.
- E. *Development* review process. Notwithstanding the provisions of Chapter 18:1, Part 7, the following items shall apply to the *development* review process for TC projects.
- (1) A preapplication conference between the applicant and Department of Planning and Zoning staff is required for all TC District *development*.
 - (2) The applicant shall submit any additional information plans, specifications, documents, drawings, etc., as necessary to determine compliance with the requirements of this Chapter 18:1 and the Town Center (TC) and Urban Commercial (UC) Design Standards: Commercial and Mixed-Use Development Standards, as amended.
- F. Forest conservation standards. Forest conservation standards for *development* in the TC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.
- G. Landscaping requirements.
- (1) The number of plantings required in the TC District shall be consistent with the number of plantings required in the UC District.
 - (2) The location of required plantings can be adjusted to accomplish the Town Center (TC) and Urban Commercial (UC) Design Standards adopted by Resolution of the County Commissioners No. 08-05, Town Center (TC) and Urban Commercial (UC) Design Standards: Commercial and Mixed-Use Development Guidelines, as amended.
 - (3) To accomplish the Town Center (TC) and Urban Commercial (UC) Design Standards: Commercial and Mixed-Use Development Standards, as amended, additional landscaping may be necessary.

§ 18:1-29. Stevensville Master-Planned Development (SMPD) District. [Amended 7-8-2008]

by Ord. No. 08-12]**A. Purpose.**

- (1) This district is intended to provide for master-planned residential or mixed-use *development* on *sites* at appropriate locations as identified in the Chester/Stevensville Community Plan. The district provides for a flexible *development* concept, good *site* design, architectural integration in the configuration and style of *buildings*, functional *open space* and required public facilities as part of a unified and coherent plan of *development*. Permitted *uses* generally include a variety of housing types, *institutional uses* and nonresidential *uses* that can be compatibly integrated within the *development*.
- (2) The SMPD District is created where *public utilities* (water and sewer) and infrastructure (*roads*, walkways, and hike/bike trails) may be extended and interconnected with existing and/or planned *public utilities* and infrastructure. New *development* of parcels should be accomplished in a way to integrate approved *residential uses* with *commercial* and *institutional uses* of a size and scale designed to provide needed and appropriate services to the Stevensville community.

B. Location. The SMPD District is intended to have specific application to the Chester/Stevensville Community Planning Area. As such, the SMPD District may only be applied to lands as designated by the Chester/Stevensville Community Plan.**C. Permitted uses.** The following *uses* are permitted within the SMPD District:

- (1) All *institutional uses*.
- (2) All *accessory uses* as permitted in Chapter 18:1, Part 3, Article VI, of this Chapter 18.
- (3) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18:1.
- (4) *Commercial uses* are permitted only in association with a residential and/or institutional mixed-use *development*. The *Planning Commission* shall approve the type and size of any *commercial use(s)* proposed as a component of an overall mixed-use *development plan*. In order to approve any specific *commercial use* and its appropriate size, the *Planning Commission* must find that the proposed *commercial use*:
 - (a) Is compatible with surrounding and anticipated *development* in the area;
 - (b) Is consistent with the intent of the Chester/Stevensville Community Plan; and
 - (c) Will not create undue traffic congestion in the area.
- (5) The following *commercial uses* are permitted as a component of a mixed-use *development* pending approval by the *Planning Commission*:
 - (a) Small-scale retail and service businesses sized to accommodate the convenience and commercial needs of the Stevensville community; and
 - (b) *Restaurants*;
 - (c) Businesses or professional *offices*;

- (d) Medical *offices* or clinics;
 - (e) Banks or financial institutions;
 - (f) *Hotels, country inns, bed-and-breakfasts* and associated ancillary resort *uses*, such as conference facilities, aquatic facilities, health spas, athletic courts, etc.;
 - (g) *Marinas*; and
 - (h) Other *commercial uses* with similar impacts as determined by the *Planning Commission*.
- (6) *Effluent disposal uses*.
 - (7) *Home occupations*.
 - (8) *Multifamily*.
 - (9) *Resort country club*.
 - (10) Resort health and fitness clubs.
 - (11) Single-family.
- D. Conditional *uses*.
- (1) *Manufactured home community*.
 - (2) *Telecommunications facilities*.
- E. *Development standards*.
- (1) In general. Applications for *development* in the SMPD District shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended, and meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards within the Chapter 18 may conflict with standards contained in this section or the Design Standards for New Neighborhoods, only the standards in this section shall apply.
 - (2) *Use mix*. In a mixed-use *development* that includes *commercial uses*, no more than 50% of the developed portion (total *site area* less the required 25% of *open space area*) of the *site* may be utilized for *commercial use*.
 - (3) *Maximum density*. Maximum *density* for a SMPD District *development* shall be 3.5 *dwelling units per acre* for that portion of the *development* used for residential purposes and 4.375 *dwelling units per acre* if TDRs are used unless apartment development is proposed which may allow up to 20 units per *acre* limited to a maximum of five *acres* of the proposed master planned *development* subject to the following conditions:
[Amended 7-10-2012 by Ord. No. 12-02]
 - (a) Architectural renderings are provided demonstrating that the *apartment*

development is compliant with the district standards and represents design, bulk, height and *building* materials that are compatible with surrounding *development* in the area.

- (b) The *apartment development* is providing workforce housing, *age-restricted housing*, or other moderately priced housing.
- (c) Landscape screening is provided for the *structure* and *parking* areas for adjacent single-family *residential uses*.
- (d) The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.

If the unified *development plan* consists of more than one parcel or *lot*, the acreage of the parcels or *lots* may be combined to compute the allowable residential *density*. If the *development plan* combines parcels or *lots* to compute allowable residential *density*, the *lots* or parcels may not thereafter be considered separately in any *subdivision*, *site plan*, or *zoning certificate* approvals.

- (4) Maximum *floor area ratio*. Maximum *floor area ratio* for the nonresidential portion of a SMPD District *development* is 25%. The maximum *floor area ratio* may be increased up to 25% if *transferable development rights* are utilized.
- (5) *Planning Commission* final determination on maximum *density* and *floor area ratio*. The *Planning Commission* may require a lower residential *density* and/or *floor area ratio* if it finds that the maximum permitted *density* or *floor area ratio* would result in:
 - (a) *Development* that is not compatible with existing or anticipated *development* in the surrounding area;
 - (b) *Development* that creates a detrimental impact on the environment; or
 - (c) *Development* that will render existing or planned public facilities, including, but not limited to, *roads*, water, sewer, and schools inadequate.
 - (d) The *Planning Commission* may also find that a proposed residential *density* and/or *floor area ratio* is not consistent with the Community Plan and is too low and would not be an efficient *use* of limited lands zoned for master-planned *development*, in which case the *Planning Commission* may make recommendations to the applicant to revise the plan in a way to be consistent with the Community Plan. In no case may the residential *densities* and *floor area* be greater than permitted by this section.
- (6) *Open space*.
 - (a) Common or public *open space* shall comprise at least 25% of the total *site area*. A

minimum of 10% of the required common or public *open space* shall be utilized and developed for active recreational activities as defined in § 18:1-12 of this Chapter 18:1. If the *open space* is to be commonly owned, instead of being dedicated to the *County*, legal documentation ensuring its continuance and maintenance must be submitted to and approved by the *Planning Commission*.

- (b) The physical distribution of *open space* shall conform to the Design Standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended.
- (7) Design standards.
- (a) *Building* setbacks, *lot* sizes, impervious coverage, height, landscaping, *buffer yard*, and lighting shall be determined by the *Planning Commission* for each individual *development* in the SMPD District shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended; except that no *telecommunications facility* shall exceed 55 feet in *building* height. In determining these standards, the *Planning Commission* shall consider the unique factors of each *development*, such as the proposed *density/intensity* of the *development*, *use* mix, the layout of *buildings*, *roads*, and walkways, environmental protection considerations, the architectural and landscaping features incorporated into the *development*, *buffer yards* between *uses* and along property lines and compatibility of the proposed *development* with existing or anticipated *development* on surrounding lands. The purpose of these standards is to provide design flexibility, consistent with public health and safety, to the *developer* who subdivides property and constructs *buildings* in accordance with a unified and coherent plan of *development*.
 - (b) All lighting proposed on properties near the Airport District must be directed away or shielded from the airport and designated flight path.
 - (c) Properties developing near the existing airport should provide fencing, berming and a landscaping buffer to minimize impacts of noise and *glare* from the existing airport on the proposed *development*. Proposed *developments* should also provide berming, landscaping and fencing to minimize any adverse impacts to the airport property.
 - (d) Potential safety conflicts between the existing airport and new *development* shall be minimized. *Site* design, including *building height*, *building* location, and landscaping, should consider the on-site and off-site impacts of the existing airport. All new *buildings* should be constructed at a height that does not encroach into the transitional and approach surfaces established by the Federal Aviation Administration as of the adoption date of this Chapter 18.
- (8) Traffic circulation and pedestrian linkages shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD &

SMPD Zoning Districts, as amended, and:

- (a) On-site and off-site streets, traffic circulation patterns and pedestrian linkages shall be adequate to accommodate the demands generated by the proposed *development*. Where practical, streets and pedestrian linkages shall be designed to connect with adjacent parcels where future *development* is anticipated.
 - (b) Private internal streets/*roads* are permitted if the Department of Public Works and *Planning Commission* find that such streets/*roads* will be adequate to carry projected traffic, will be properly maintained, and are more appropriate to the overall *development* design than public streets.
 - (c) Existing *County roads* that may be extended and utilized as either minor or major *collector streets* shall be appropriately utilized and extended as minor or major *collector streets*.
 - (d) The layout of a proposed *subdivision*, when possible, shall seek to develop minor and/or major *collector streets*, with bike lanes, to carry traffic generated by the local streets in the *development* to destinations within or outside of the *development*.
 - (e) All *roads* and streets shall be closed sections with sidewalks and adequate drainage/stormwater management and shall be generally consistent with current *roads* standards.
 - (f) Streets shall generally loop or interconnect; dead-end streets (except where a street is closed pending *development* of an adjoining parcel) and culs-de-sac shall be avoided unless there is no other *development* alternative.
 - (g) Transportation improvements must be determined to be consistent with the transportation element of the Community Plan and any *County* corridor management plan or transportation plan adopted by the *County*.
- (9) *Development* phasing.
- (a) In addition to the provisions of Subsection E(9)(b) below, *development* phasing for *development* in the SMPD District shall comply with § 18:1-38.
 - (b) Construction on the commercial component of a mixed-use project involving *residential development* shall not commence until at least 50% of the required sewer and water allocation for the *residential development* has been purchased and on-site sewer, water, and *road* improvements and recreational *amenities* necessary to service 50% of the residential component have been completed, as provided for in the *developer's* agreement and approved by the *Planning Commission*.
- (10) *Sign* standards. *Sign* standards for commercial *development* in the SMPD District shall be the same as those applying to the SC District, including the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended. *Sign* standards for all other types of *development* in the

SMPD District shall be the same as those applying to the SR District.

(11) Nonapplicability of certain sections of this Chapter 18. None of the provisions of § 18:1-36 of this Chapter 18 shall apply to *development* in the CMPD District.

F. *Development* review process. Notwithstanding the provisions of Chapter 18:1, Part 7, the following items shall apply to the *development* review process for SMPD projects:

- (1) A preapplication conference between the applicant, Department of Planning and Zoning staff and staff from other *County* departments (as applicable) is required for all SMPD District *development*.
- (2) A comprehensive array of supporting information and analysis regarding the impacts of the proposed *development* on the community is required to be submitted by the applicant as part of the sketch and/or concept plan application. Required information and studies shall include an adequate public facilities study, historic features and cultural resources inventory, and an environmental impact assessment. These studies shall be approved by the appropriate *County* agencies. Each study should clearly identify any significant adverse impacts resulting from the proposed *development*, as well as means employed to minimize and mitigate such impacts.
- (3) The applicant shall submit any additional information, plans, specifications, documents, architectural renderings, etc., necessary to determine compliance with the SMPD District standards contained in the *Planning Commission* findings contained in Subsection F(4) below.
- (4) *Planning Commission* findings. The *Planning Commission* must make the following findings in order to grant approval to *development* proposals in the SMPD District. The proposed *development* conforms with all applicable requirements of this section including:
 - (a) *Roads* and streets loop and connect internally and, to the extent practicable, are configured to interconnect and be extended into the *road* and street network that may be developed on adjacent undeveloped land;
 - (b) Hike and bike lanes/walkways are provided for nonvehicular public access to the *development* that connect with existing hike and/or bike lanes/walkways and are able to connect with hike/bike lanes/walkways that may be developed on adjacent undeveloped land;
 - (c) A minimum of 25% of the land in the proposed *development* is devoted to commonly or publicly owned *open space* and meets the requirements for mandatory parkland *dedication*.
 - (d) The proposed *development* conforms to all applicable regulations contained in this Chapter 18 and, if applicable, Chapter 14:1, Chesapeake Bay Critical Area Act;
 - (e) The proposed *development* conforms to the Stevensville Community Plan;
 - (f) The proposed *development* will not adversely impact the adequate and orderly provision of *public services* and facilities for the area;

- (g) The proposed *development*, in conjunction with existing and reasonably anticipated *development* in the surrounding neighborhood, will meet the adequate public facilities standards with regard to traffic;
 - (h) The proposed *development* will minimize negative environmental impacts and reasonably protect environmentally sensitive areas and any important historical or cultural features of the *site*;
 - (i) The proposed *development* is designed to be compatible with existing *development* in the surrounding neighborhood and/or will incorporate adequate *screening*, landscaping and *buffer yards* to minimize impacts on the surrounding neighborhood; and
 - (j) The proposed *development* contains *open space* and recreation facilities designed to serve the needs of the *development* and, where appropriate, the needs of the surrounding community and conforms to the design standards adopted by resolution of the *County Commissioners* No. 08-06, Design Standards for New Neighborhoods: A guide to creation of Smart Neighborhoods in the CMPD & SMPD Zoning Districts, as amended.
- G. Forest conservation standards. Forest conservation standards for *development* in the SMPD District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-30. Grasonville Planned Residential Neighborhood (GPRN) District.

- A. Purpose. This district is intended to provide for *planned residential developments* on *sites* as identified in the Grasonville Community Plan. The district provides for a flexible *development* concept, good *site* design, architectural integration in the configuration and style of *buildings*, functional *open space*, adequate public facilities, and the protection of sensitive natural, cultural and historic resources as part of a unified and coherent plan of *development*. Permitted *uses* generally include a variety of housing types, *institutional uses* and certain nonresidential *uses* which can be compatibly integrated within the *development*.
[Amended 7-10-2012 by Ord. No. 12-02]
- B. Location. The GPRN District is intended to have specific application to the Grasonville Growth Area. As such, the GPRN District may only be applied to lands designated as "Planned Neighborhood Development" by the Grasonville Community Plan.
- C. *Uses*.
- (1) Permitted *uses*. The following *uses* are permitted within the GPRN District:
 - (a) All *accessory uses* as permitted in Chapter 18:1, Part 3, Article VI, of this Chapter 18.
 - (b) All *institutional uses*.
 - (c) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18:1.
 - (d) *Bed-and-breakfast*.

- (e) *Effluent disposal.*
 - (f) *Home occupation.*
 - (g) *Multifamily.*
 - (h) *Single-family.*
 - (i) The following agricultural *uses* on properties that meet the definition of a "farm": cultivation of crops, *nurseries*, forestry and *commercial or private stables*.
- (2) Conditional *uses*.
- (a) *Manufactured home community.*
 - (b) *Telecommunications facilities.*

D. *Development standards.*

- (1) In general. Applications for *development* in the GPRN District shall meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards within the Chapter 18 may conflict with standards contained in this section, only the standards in this section shall apply.
- (2) *Use mix*. In a GPRN District *development*, a minimum of 75% of the total residential units shall be single-family, fully detached homes. A maximum of 25% of the total residential units may be attached housing units.
- (3) *Density*. Maximum *density* for the residential portion of the GPRN District *development* shall be 3.5 *dwelling units per acre* unless *transferable development rights* are utilized. If *transferable development rights* are utilized, the maximum gross *density* for the residential portion of the *site* may be increased to a maximum of 4.375 *dwelling units per acre* unless *apartment development* is proposed which may allow up to 20 units per acre limited to a maximum of five acres of the proposed planned residential neighborhood *development* subject to the following conditions: **[Amended 7-10-2012 by Ord. No. 12-02]**
- (a) Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and represents design, bulk, height and *building materials* that are compatible with surrounding *development* in the area.
 - (b) The *apartment development* is providing workforce housing, *age-restricted housing*, or other moderately priced housing.
 - (c) Landscape screening is provided for the *structure* and *parking* areas for adjacent single-family *residential uses*.
 - (d) The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application

to the Department of Planning and Zoning to obtain citizen input.

- (4) Maximum *floor area ratio*. Maximum *floor area ratio* for the nonresidential portion of a GPRN District *development* is 25%. The maximum *floor area ratio* may be increased up to 25% if *transferable development rights* are utilized.
- (5) *Planning Commission* final determination on maximum *density* and *floor area ratio*. The *Planning Commission* may require a lower residential *density* and/or *floor area ratio* if it finds that the maximum permitted would result in *development* that would:
 - (a) Not be compatible with existing or anticipated *development* in the surrounding area;
 - (b) Create a detrimental impact on the environment; or
 - (c) Create a situation where existing or planned public facilities, including, but not limited to, *roads* and schools, would not be adequate to serve the demands created by the *development*.
- (6) The *Planning Commission* may allow *apartment development* at a *density* of 20 units per *acre*, provided: **[Added 7-10-2012 by Ord. No. 12-02²⁸]**
 - (a) The *site area* does not exceed five *acres* for the *apartment development*.
 - (b) Architectural renderings are provided demonstrating that the *apartment development* is compliant with the district standards and represents design, bulk, height and *building* materials that are compatible with surrounding *development* in the area.
 - (c) The *apartment development* is providing workforce housing, *age-restricted housing*, or other moderately priced housing.
 - (d) Landscape screening is provided for the *structure* and *parking*, areas for adjacent single-family *residential uses*.
 - (e) The applicant conducts a public meeting in the community where the *apartment development* is proposed and provides notice of the meeting to *property owners* adjacent to the proposed *apartment development* prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.
- (7) *Open space*. Common or public *open space* shall comprise at least 25% of the total *site area*. A minimum of 10% of the required common or public *open space* shall be utilized and developed for active recreational activities as defined in § 18:1-12 of this Chapter 18:1. If the *open space* is to be commonly owned, legal documentation ensuring its continuance and maintenance must be submitted to and approved by the *Planning Commission*.
- (8) Design standards. *Building* setbacks, *lot* sizes, impervious coverage, height, landscaping, *buffer yard*, lighting and *road* standards shall be determined by the

28. Editor's Note: This ordinance also renumbered former Subsection D(6) through (11) as Subsection D(7) through (12), respectively.

Planning Commission for each individual *development* in the GPRN District; except that no *telecommunications facility* shall exceed 55 feet in *building height*. In determining these standards the *Planning Commission* shall consider the unique factors of each *development*, such as the proposed *density/intensity* of the *development*, *use mix*, the layout of *buildings* and *roads*, environmental protection considerations and the compatibility of the proposed *development* with existing or anticipated *development* on surrounding lands. The purpose of these standards is to provide design flexibility, consistent with public health and safety objectives, for a unified and coherent plan of *development* that is best suited for each individual *development site*.

- (9) Traffic circulation and pedestrian linkages. On-site and off-site streets, traffic circulation patterns and pedestrian linkages shall be adequate to accommodate the demands generated by the proposed *development*. Where practical, streets and pedestrian linkages shall be designed to connect with adjacent parcels where future *development* is anticipated. The scale of local access *roads* shall be minimized to slow traffic, provide for safe pedestrian movement and minimize grading and clearing. All *roads* and streets shall be closed sections with sidewalks and adequate drainage/stormwater management. Streets shall generally loop or interconnect; dead ends and culs-de-sac shall be discouraged unless other preferred street design options are not practical.
 - (10) *Development phasing*. *Development phasing* for *development* for the GPRN District shall comply with § 18:1-38 of this Chapter 18:1.
 - (11) *Sign standards*. *Sign standards* for residential and *nonresidential development* in the GPRN District shall be the same as those applicable to the SR District.
 - (12) Nonapplicability of certain sections of this Chapter 18. None of the provisions of § 18:1-36 of this Chapter 18 shall apply to *development* in the GPRN District.
- E. *Development review process*. Notwithstanding the provisions of Chapter 18:1, Part 7, the following items shall apply to the *development* review process for GPRN projects:
- (1) A preapplication conference between the applicant, Department of Planning and Zoning staff and staff from other *County* departments (as applicable) is required for all GPRN District *development*.
 - (2) A comprehensive array of supporting information and analysis regarding the impacts of the proposed *development* on the community is required to be submitted by the applicant as part of the sketch and/or concept plan application. Required information and studies shall include an adequate public facilities study, historic features and cultural resources inventory, and an environmental impact assessment. These studies shall be approved by the appropriate *County agencies*. Each study should clearly identify any significant adverse impacts resulting from the proposed *development*, as well as means employed to minimize and mitigate such impacts.
 - (3) The applicant shall submit any additional information, plans, specifications, documents, architectural renderings, etc., necessary to determine compliance with the GPRN District standards contained in the *Planning Commission* findings in Subsection E(4).

- (4) *Planning Commission* findings. The *Planning Commission* must make the following findings in order to grant approval to *development* proposals in the GPRN District:
- (a) The proposed *development* conforms to all applicable regulations contained in this Chapter 18 and, if applicable, Chapter 14:1, Chesapeake Bay Critical Area Act;
 - (b) The proposed *development* conforms to the Grasonville Community Plan;
 - (c) The proposed *development* will not adversely impact the adequate and orderly provision of *public services* and facilities for the area;
 - (d) The proposed *development*, in conjunction with existing and reasonably anticipated *development* in the surrounding neighborhood, will meet the adequate public facilities standards with regard to traffic;
 - (e) The proposed *development* will minimize negative environmental impacts and reasonably protect environmentally sensitive areas and any important historical or cultural features of the *site*;
 - (f) The proposed *development* is designed to be compatible with existing *development* in the surrounding neighborhood and/or will incorporate adequate *screening*, landscaping and *buffer yards* to minimize impacts on the surrounding neighborhood; and
 - (g) The proposed *development* contains *open space* and recreation facilities designed to serve the needs of the *development* and, where appropriate, the needs of the surrounding community.

- F. Forest conservation standards. Forest conservation standards for *development* in the GPRN District for areas not within the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-31. Stevensville Historic Village Center (SHVC) District.

- A. Purpose. This district is intended to preserve and reinforce the small town, historic and pedestrian-scale character of the mixed-use village center of Stevensville and provide for *development* of similar character in certain areas adjacent to the existing center.
- B. Location. The SHVC District is intended to have specific application to the Stevensville Growth Area. As such the SHVC District may only be applied to lands in the Stevensville Growth Area.
- C. *Uses*.
- (1) Permitted *uses*. The following *uses* are permitted within the SHVC District:²⁹
 - (a) All *accessory uses* as permitted in Chapter 18:1, Part 3, Article VI, of this Chapter 18.

29. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (b) All other *officeuses*.
- (c) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18.
- (d) Antique, craft and art studios and shops.
- (e) Banks and other financial facilities.
- (f) Barbershops and hairdressers.
- (g) *Bed-and-breakfast*.
- (h) Business or professional *offices*.
- (i) *Commercial apartments*.
- (j) *Country inn*.
- (k) *Day care, family*.
- (l) Dry cleaners.
- (m) First-floor *commercial apartments*.
- (n) *Funeral home*.
- (o) *Garden center*, garden supplies and *greenhouses*.
- (p) General/*convenience store*, no gas sales.
- (q) *Home occupations*.
- (r) *Hotel*.
- (s) Ice cream stores and stands.
- (t) *Institutional, nonprofit*.
- (u) Institutional, *outdoor recreation*.
- (v) *Institutional, residential* serving five or fewer residents.
- (w) *Large-lot subdivision*. [Added 9-7-2004 by Ord. No. 04-13]
- (x) Light mechanical repair store (watches, cameras, bikes, electronics).
- (y) Medical *offices* and clinics.
- (z) Minor *multifamilydevelopment*.
- (aa) Minor *single-family cluster subdivision*.
- (bb) *Noncommercial forestry*.
- (cc) Photography.

- (dd) Print/copy shop.
 - (ee) *Private stables.*
 - (ff) *Public service.*
 - (gg) *Restaurants, no drive-through.*
 - (hh) Retail sales or stores.
 - (ii) Service businesses.
 - (jj) Single-family residential.
 - (kk) Tailoring.
 - (ll) Travel agencies.
 - (mm) Upholstering and upholstery store.
 - (nn) *Veterinary offices.*
- (2) Conditional *uses*. The following *uses* are allowed as conditional *uses*:
- (a) Auto repair with no *exterior storage* or repair areas.
 - (b) Boat sales and repairs.
 - (c) *Commercial forestry.*
 - (d) Commercial or trade schools.
 - (e) *Commercial stables.*
 - (f) *Day care, group.*
 - (g) *Fraternal organizations.*
 - (h) Furniture sales.
 - (i) Grocery stores and *supermarkets.*
 - (j) *Institutional, for-profit.*
 - (k) *Institutional, residential* serving six or more residents.
 - (l) Lawn mower and garden equipment sales.
 - (m) Major *multifamily development.*
 - (n) Major *single-family cluster subdivision.*
 - (o) *Nurseries.*
 - (p) Package stores (sealed containers not for consumption on-premises).

- (q) *Public utilities.*
- (r) *Taverns and bars.*
- (s) *Theaters and auditoriums.*
- (t) *Warehouses with no exterior storage.*

D. *Development standards.*

(1) *In general.*

- (a) Applications for *development* in the SHVC District shall meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards in this Chapter 18 may conflict with standards contained in this section, only the standards in this section shall apply.
- (b) The *Planning Commission* may establish modified *building* restriction lines, *parking*, landscaping and *buffer yard* requirements on a case-by-case basis to ensure consistency with the SHVC District design guidelines.
- (c) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for *institutional* and public *uses*.

(2) *Residential development standards.*

(a) *Density/intensity requirements.*

[1] *Maximum residential density.*

[a] *Single-family cluster*: 3.2.

[b] *Multifamily*: 4.5.

[c] *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area. **[Amended 9-7-2004 by Ord. No. 04-12]**

[d] In the *growth areas*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(b) *Dimensional and bulk requirements.*

[1] *Minimum open space ratio.*

[a] *Single-family cluster*: .20.

[b] *Multifamily*: .30.

[2] *Minimum lot area.*

[a] *Single-family cluster*: 8,000 square feet.

[b] *Large-lot subdivision*: 10,000 square feet.

- [3] Minimum setbacks.
 - [a] *Single- and multifamily cluster.*
 - [i] Front: 25 feet.
 - [ii] Side: 5/10 feet.
 - [iii] Rear: 25 feet.
 - [b] *Large-lot subdivision.*
 - [i] Front: 35 feet.
 - [ii] Side: eight feet.
 - [iii] Rear: 40 feet.
 - [4] Maximum *building height*: 40 feet.
 - [5] Minimum *lot width*.
 - [a] *Single-family cluster*: 50 feet.
 - [b] *Multifamily*: 50 feet.
 - [c] *Large-lot subdivision*: 60 feet.
 - [6] Minimum *lot frontage*: 35 feet.
- (3) *Nonresidential development standards.*
- (a) Maximum *impervious surface ratio*: .80.
 - [1] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (b) Maximum *floor area ratio*: .40.
 - [1] In the *growth area*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (c) Minimum *lot frontage*: 35 feet.
 - (d) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 20 feet.
 - [4] Side and rear: 10 feet.
 - (e) Maximum *building height*: 45 feet.

- (4) SHVC District design guidelines. All new *development* and redevelopment in the SHVC District is strongly encouraged to incorporate the following design guidelines intended to preserve and enhance the historic village character of the area. The *Planning Director* and/or *Planning Commission* shall consider these guidelines and the applicable design objectives of the Stevensville Community Plan when reviewing and approving *development* and redevelopment within the SHVC District. The *Planning Director* and/or *Planning Commission* may not approve applications that have not made a practical and good faith effort to comply with the following design guidelines.
- (a) Demolition of historic *buildings* should be avoided whenever possible. Existing architectural and historic character should be reinforced. Renovations of existing historic *buildings* should generally follow the Secretary of the Interior's Standards for Rehabilitating Historic Buildings.
 - (b) New construction should be compatible with nearby *buildings* in terms of *building height*, width proportion, bulk, setbacks, roof forms, window and door forms and spacings, etc. *Use* of common design motifs found in the area, such as cupolas, should be encouraged.
 - (c) Mechanical equipment and storage/service areas should be screened from public view.
 - (d) On-premises signage should be complementary to the architecture of *buildings* on the *site*. Signage should be designed at a size and scale oriented towards pedestrian traffic versus automobile traffic.
 - (e) Front setbacks should be reduced to bring *buildings* and *structures* closer to this street and sidewalks in order to encourage pedestrian activity.
 - (f) To the extent practical, *parking* should be to the side and rear of *buildings* with allowances for shared and satellite *parking*. Connecting rear and side *parking* areas should be encouraged. Individual curb cuts should be reduced.
 - (g) Roadside curbs and sidewalks should be provided along with sidewalks linking to *buildings*.
 - (h) Attractive landscape transition to adjoining properties should be provided, and existing mature landscaping and trees should be preserved. Landscape and *screening* treatments between potentially incompatible *uses* (i.e., commercial adjacent to residential) should be provided.
 - (i) *Parking* areas and streetscape sidewalks should be enhanced with landscaping.
 - (j) Exterior lighting should be restrained and compatible with the historic character of the area. Excessive brightness and *glare* to surrounding properties should be avoided.
 - (k) Hedges, decorative fences and other forms of landscaping should be used to close gaps between *buildings* and better define the streetscape.
 - (l) Pedestrian-oriented *open spaces* should be created by groupings of *buildings* in

relation to the street.

- (m) Multiple-story *buildings* with *commercial uses* on ground floors and *office or residential uses* on upper floors should be encouraged.
- (n) Full architectural treatment should be provided on all *facade* elevations visible from a public way.
- (5) *Development* phasing. *Development* phasing for *development* for the SHVC District shall comply with § 18:1-38 of this Chapter 18:1.

E. *Development* review process.

- (1) General procedures. In reviewing *development* proposals in the SHVC District, the procedures prescribed in Chapter 18:1, Part 7, of this Chapter 18 shall apply except as modified by Subsection E(2) below.
- (2) Specific procedures for the SHVC District.
 - (a) A preapplication conference between the applicant and the Department of Planning and Zoning is required for SHVC District *development* requiring *site plan* and *subdivision* approval.
 - (b) The applicant shall submit any additional information, plans, specifications, documents, drawings, etc., as necessary to determine compliance with the requirements of this Chapter 18:1.

F. Forest conservation standards. Forest conservation standards for *development* in the SHVC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-32. Grasonville Neighborhood Commercial (GNC) District.

- A. Purpose. This district is intended to foster residential and certain types of small-scale, neighborhood-compatible commercial *development* along sections of Main Street in Grasonville. *Nonresidential development* in this district is intended to maintain the character and appearance of single-family *residential development*.
- B. Location. The GNC District is intended to have specific application to the Grasonville Growth Area. As such the GNC District may only be applied to lands in the Grasonville Growth Area.
- C. *Uses*.
 - (1) Permitted *uses*. The following *uses* are permitted within the GNC District:³⁰
 - (a) All *accessory uses* as permitted in Chapter 18:1, Part 3, Article VI, of this Chapter 18.
 - (b) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18.

30. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (c) Antique, craft and art studios and shops.
 - (d) *Bed-and-breakfast*.
 - (e) *Commercial apartments*.
 - (f) *Day care, family*.
 - (g) *Home occupations*.
 - (h) *Institutional, nonprofit*.
 - (i) *Institutional, outdoor recreation*.
 - (j) *Institutional, residential* serving five or fewer residents.
 - (k) *Large-lot subdivision*. [Added 9-7-2004 by Ord. No. 04-13]
 - (l) *Minor multifamily development*.
 - (m) *Minor single-family cluster subdivision*.
 - (n) *Noncommercial forestry*.
 - (o) *Nurseries*.
 - (p) *Private stables*.
 - (q) *Public service*.
 - (r) *Single-family residential*.
- (2) *Conditional uses*. The following *uses* are allowed as *conditional uses*.
- (a) All other *office use*.
 - (b) Banks and other financial facilities.
 - (c) Barbershops and hairdressers.
 - (d) Business or professional *offices*.
 - (e) *Commercial forestry*.
 - (f) Commercial or trade schools.
 - (g) *Commercial stables*.
 - (h) *Day care, group*.
 - (i) *Funeral homes*.
 - (j) *Garden centers*, garden supplies and *greenhouses*.
 - (k) Ice cream stores and stands.

- (l) *Institutional, residential* serving six or more residents.
- (m) *Institutional, for-profit*.
- (n) Light mechanical repair stores (watches, cameras, bikes, and electronics).
- (o) Major *multifamily development*.
- (p) Major *single-family cluster subdivision*.
- (q) Medical *offices* and clinics.
- (r) Photography.
- (s) Print/copy shop.
- (t) *Public utilities*.
- (u) Service businesses.
- (v) Tailoring.
- (w) *Telecommunications facilities*.
- (x) Travel agencies.
- (y) Upholstering and upholstery store.
- (z) *Veterinary offices*.

D. *Development standards*.

(1) In general.

- (a) Applications for *development* in the GNC District shall meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards in this Chapter 18 may conflict with standards contained in this section, only the standards in this section shall apply.
- (b) The *Planning Commission* may establish modified *building* restriction lines, *parking*, landscaping and *buffer yard* requirements for *planned residential development* on a case-by-case basis to ensure consistency with GNC District design guidelines.
- (c) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for *institutional* and public *uses*.

(2) *Residential development standards*.

- (a) *Density/intensity* requirements.

[1] Maximum residential *density*.

- [a] *Single-family cluster*: 3.2.
- [b] *Multifamily*: 4.5.
- [c] *Large-lot subdivision*: equal to total *site area* divided by minimum large-lot area.
- [d] In the *growth area*, *density* can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(b) Dimensional and bulk requirements.

- [1] Minimum *open space ratio*.
 - [a] *Single-family cluster*: .20.
 - [b] *Multifamily*: .30.
- [2] Minimum *lot area*.
 - [a] *Single-family cluster*: 8,000 square feet.
 - [b] *Large-lot subdivision*: 10,000 square feet.
- [3] Minimum setbacks.
 - [a] *Single- and multifamily cluster*.
 - [i] Front: 25 feet.
 - [ii] Side: 5/10 feet.
 - [iii] Rear: 25 feet.
 - [b] *Large-lot subdivision*.
 - [i] Front: 35 feet.
 - [ii] Side: eight feet.
 - [iii] Rear: 40 feet.
- [4] Maximum *building height*: 40 feet.
- [5] Minimum *lot width*.
 - [a] *Single-family cluster*: 50 feet.
 - [b] *Multifamily*: See § 18:1-36. **[Amended 7-14-2020 by Ord. No. 20-05]**
 - [c] *Large-lot subdivision*: 60 feet.
- [6] Minimum *lot frontage*: 35 feet.

(3) *Nonresidential development standards*.

- (a) Maximum *floor area ratio*: .50.
 - [1] In the *growth area*, *floor area ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (b) Maximum *impervious surface ratio*: .70.
 - [1] In the *growth area*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
- (c) Minimum *lot frontage*: 35 feet.
- (d) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 25 feet.
 - [4] Side and rear: 10 feet.
- (e) Maximum *building height*.
 - [1] *Telecommunications facilities*: 55 feet.
 - [2] All other: 45 feet.
- (4) GNC District design guidelines. The *Planning Director* and *Planning Commission* shall consider the following guidelines and the applicable design objectives of the Grasonville Community Plan when reviewing and approving *development* and redevelopment in the GNC District. The *Planning Director* and/or *Planning Commission* may not approve applications that have not made a practical and good faith effort to comply with the following design guidelines:
 - (a) All new and *nonresidential planned residential development* and redevelopment in the GNC District is strongly encouraged to be designed to have the general appearance of a single-family detached home with customary *residential accessory structures*.
 - (b) A nonresidential or planned *residential use* that is located adjacent to a single-family *residential use* shall provide adequate landscape *buffer yards* and/or *screening* to minimize impacts on the adjacent single-family *residential uses*.
- (5) *Development phasing*. *Development* phasing for *development* for the GNC District shall comply with § 18:1-38 of this Chapter 18:1.
- (6) *Development* review process.
 - (a) General procedures. In reviewing *development* proposals in the GNC District, the procedures prescribed in Chapter 18:1, Part 7, of this Chapter 18 shall apply, except as modified by Subsection D(6)(b) below.

(b) Specific procedures for the GNC District.

- [1] A preapplication conference between the applicant and the Department of Planning and Zoning is required for all GNC District *development* requiring *site plan* and *subdivision* approval.
- [2] The applicant shall submit any additional information, plans, specifications, documents, drawings, etc., as necessary to determine compliance with the requirements of this Chapter 18:1.

E. Forest conservation standards. Forest conservation standards for *development* in the GNC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.**§ 18:1-33. Grasonville Village Commercial (GVC) District. [Amended 9-7-2004 by Ord. No. 04-12; 9-7-2004 by Ord. No. 04-13; 1-24-2012 by Ord. No 11-18]**

- A. Purpose. This district is intended to foster *development* of a *mixed-use* village core along the Main Street corridor in Grasonville. Most types of *residential development* are allowed along with *institutional uses* and certain low- to medium-scale *commercial uses*. *Development* within the district should be pedestrian-oriented and should build upon the existing character of the community.
- B. Location. The GVC District is intended to have specific application to the Grasonville Planning Area. As such, the GVC District may only be applied to lands in the Grasonville Planning Area.
- C. *Uses*.

(1) Permitted *uses*. The following uses are permitted within the GVC District:³¹

- (a) All *accessory uses* as permitted in Chapter 18:1, Part 3, Article VI, of this Chapter 18.
- (b) All other *office uses*.
- (c) All *temporary uses* as permitted in § 18:1-53 of this Chapter 18.
- (d) Antique, craft and art studios and shops.
- (e) Banks and other financial facilities.
- (f) Barbershops and hairdressers.
- (g) *Bed-and-breakfast*.
- (h) Business or professional *offices*.
- (i) *Commercial apartments*.
- (j) *Country inn*.

31. Editor's Note: As uses are added to or deleted from this subsection, subsequent uses are redesignated as appropriate.

- (k) *Day-care, family.*
- (l) *Dry cleaners.*
- (m) *First-floor commercial apartments.*
- (n) *Funeral home.*
- (o) *Garden center, garden supplies and greenhouses.*
- (p) *General/convenience store, no gas sales.*
- (q) *Home occupations.*
- (r) *Hotel.*
- (s) *Ice cream stores and stands.*
- (t) *Institutional, residential serving five or fewer residents.*
- (u) *Institutional, nonprofit.*
- (v) *Institutional, outdoor recreation.*
- (w) *Large-lot subdivision.*
- (x) *Light mechanical repair store (watches, cameras, bikes, electronics).*
- (y) *Medical offices and clinics.*
- (z) *Minor multifamily development.*
- (aa) *Minor single-family cluster subdivision.*
- (bb) *Noncommercial forestry.*
- (cc) *Nurseries.*
- (dd) *Photography.*
- (ee) *Print/copy shop.*
- (ff) *Private stables.*
- (gg) *Public service.*
- (hh) *Restaurants, no drive-through.*
- (ii) *Retail sales or stores.*
- (jj) *Service businesses.*
- (kk) *Single-family residential.*
- (ll) *Tailoring.*

- (mm) Travel agencies.
- (nn) Upholstering and upholstery store.
- (oo) *Veterinary offices.*
- (2) Conditional *uses*. The following *uses* are allowed as conditional *uses*:
 - (a) *Apartment development.* [Added 7-10-2012 by Ord. No. 12-02³²]
 - (b) Auto accessory stores.
 - (c) Auto repair with no *exterior storage* or repair areas.
 - (d) Boat sales and repairs.
 - (e) *Commercial forestry.*
 - (f) Commercial or trade schools.
 - (g) *Commercial stables.*
 - (h) *Day-care, group.*
 - (i) *Fraternal organizations.*
 - (j) Furniture sales.
 - (k) Grocery stores and *supermarkets.*
 - (l) *Institutional, residential* serving six or more residents.
 - (m) *Institutional, for-profit.*
 - (n) Laundries.
 - (o) Lawn mower and garden equipment sales.
 - (p) Light industry.
 - (q) Major *multifamily development.*
 - (r) Major *single-family cluster subdivision.*
 - (s) Package stores (sealed containers not for consumption on-premises).
 - (t) *Public utilities.*
 - (u) Taverns and bars.
 - (v) *Telecommunications facilities.*
 - (w) Theaters and auditoriums.

32. Editor's Note: This ordinance also redesignated former Subsection C(2)(a) through (w) as Subsection C(2)(b) through (x), respectively.

(x) *Warehouses* with no exterior storage.

D. *Development* standards.

(1) In general.

- (a) Applications for *development* in the GVC District shall meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards in this Chapter 18:1 may conflict with standards contained in this section, only the standards in this section shall apply.
- (b) The *Planning Commission* may establish modified *building* restriction lines, *parking*, landscaping and *buffer yard* requirements on a case-by-case basis to ensure consistency with GVC District design guidelines.
- (c) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:
 - [1] Banks and other financial facilities;
 - [2] *Commercial apartments*;
 - [3] Medical *offices* and clinics;
 - [4] *Hotel*;
 - [5] *Institutional; nonprofit*;
 - [6] *Offices*: business or professional; medical *offices* and clinics; *veterinary offices*; and all other *offices*;
 - [7] Public *uses*; and
 - [8] Where approved by conditional *use* granted from the Board of Appeals:
 - [a] *Apartment development*. [Added 7-10-2012 by Ord. No. 12-02³³]
 - [b] Boat sales and repairs;
 - [c] Commercial or trade schools;
 - [d] *Institutional, for-profit*;
 - [e] Light industry, where incidental retail stores do not exceed 25,000 square feet of gross *floor area*;
 - [f] Major *multifamily development*;
 - [g] Theaters and auditoriums; and

33. Editor's Note: This ordinance also redesignated former Subsection D(1)(c)[8][a] through [g] as Subsection D(1)(c)[8][b] through [h], respectively.

[h] *Warehouses with no exterior storage.*

(2) *Residential development standards.*

(a) *Density/intensity requirements.*

[1] *Maximum residential density.*

[a] *Single-family cluster: 3.2.*

[b] *Multifamily: 10.*

[c] *Large-lot subdivision: equal to total site area divided by minimum large-lot area.*

[d] *In the growth areas, density can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.*

[e] *The Planning Commission may allow apartment development at a density of 20 units per acre with the following conditions: [Added 7-10-2012 by Ord. No. 12-02]*

[i] *The site area does not exceed five acres for the apartment development.*

[ii] *Architectural renderings are provided demonstrating that the apartment development is compliant with the district standards and represents design, bulk, height and building materials that are compatible with surrounding development in the area.*

[iii] *The apartment development is providing workforce housing, age-restricted housing, or other moderately priced housing.*

[iv] *Landscape screening is provided for the structure and parking areas for adjacent single-family residential uses.*

[v] *The applicant conducts a public meeting in the community where the apartment development is proposed and provides notice of the meeting to property owners, adjacent to the proposed apartment development prior to submitting an application to the Department of Planning and Zoning to obtain citizen input.*

(b) *Dimensional and bulk requirements.*

[1] *Minimum open space ratio.*

[a] *Single-family cluster: .20.*

[b] *Multifamily: .30.*

[2] *Minimum lot area.*

[a] *Single-family cluster: 8,000 square feet.*

- [b] *Large-lot subdivision*: 10,000 square feet.
 - [3] Minimum setbacks.
 - [a] *Single- and multifamily cluster*.
 - [i] Front: 25 feet
 - [ii] Side: 5/10 feet
 - [iii] Rear: 25 feet.
 - [b] *Large-lot subdivision*.
 - [i] Front: 35 feet.
 - [ii] Side: eight feet.
 - [iii] Rear: 40 feet.
 - [4] Maximum *building height*: 40 feet.
 - [5] Minimum *lot width*.
 - [a] *Single-family cluster*: 50 feet.
 - [b] *Multifamily*: See § 18:1-36. **[Amended 7-14-2020 by Ord. No. 20-05]**
 - [c] *Large-lot subdivision*: 60 feet.
 - [6] Minimum *lot frontage*: 35 feet.
- (3) Nonresidential development standards.
- (a) Maximum *impervious surface ratio*: .80.
 - [1] In the planning areas, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (b) Maximum *floor area ratio*: .50.
 - [1] In the planning areas, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (c) Minimum *lot frontage*: 35 feet.
 - (d) Minimum setbacks.
 - [1] Front: 15 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 25 feet.
 - [4] Side and rear: 10 feet.

- (e) Maximum *building height*.
 - [1] *Telecommunications facilities*: 55 feet.
 - [2] All other: 45 feet.
- (4) GVC District design guidelines. All new *development* and redevelopment in the GVC District is strongly encouraged to incorporate the following design guidelines. The *Planning Director* and/or *Planning Commission* shall consider these guidelines and the applicable design objectives of the Grasonville Community Plan when reviewing and approving *development* and redevelopment within the GVC District. The *Planning Director* and/or *Planning Commission* may not approve applications that have not made a practical and good faith effort to comply with the following design guidelines:
 - (a) *Buildings* and *structures* should be oriented towards Main Street as opposed to U.S. 50/301 whenever practical;
 - (b) Front setbacks should be reduced to bring *buildings* and *structures* closer to the street and sidewalks in order to foster town-scale streetscape and encourage pedestrian activity;
 - (c) Side setbacks and yards between *buildings* should be reduced to foster a village-scale streetscape and encourage pedestrian activities;
 - (d) Roadside sidewalks should be provided when *sites* are developed or redeveloped. Sidewalks linking *structures* to roadside sidewalks should be provided wherever practical;
 - (e) *Parking* should be to the side and rear of *buildings* with allowances for shared and off-site parking to the rear of *buildings*. Connecting rear *parking* lots should be encouraged to allow customers and residents to drive to shops within the corridor without entering public *roads* and interrupting traffic and pedestrian flows. Individual curb cuts should be reduced. To the extent possible, *parking* should be screened from public ways and should not be placed directly in front of the *building facade* containing the primary entrance to the *structure*;
 - (f) Newly installed utility and service connections should be placed underground wherever possible;
 - (g) An attractive landscape transition to adjoining properties should be provided, and existing mature landscaping/trees on *sites* should be preserved. Landscape and *screening* treatments between potentially incompatible uses should be enhanced when necessary to lessen any negative impacts;
 - (h) *Parking* areas and sidewalk areas should be enhanced with landscaping;
 - (i) Exterior lighting should be of a design and size compatible with the *building* and adjacent areas. Lighting should be restrained in design, and excessive brightness or *glare* should be avoided. Lighting for pedestrian areas and walkways should be aesthetically pleasing and adequate for public safety;

- (j) *Buildings* should be in good scale and harmonious conformance with neighboring *development*;
 - (k) Mechanical equipment or other utility hardware on roof, ground or *buildings* should be screened from public view with materials harmonious with the *building*, or they should be located so as not to be visible from public ways. Outside storage areas and service equipment should also be screened from public view with materials harmonious to the *building*;
 - (l) Hedges, decorative fences and other forms of landscaping should be used to close gaps between *buildings* and define the streetscape;
 - (m) Street trees should be planted to help enclose and shade the street and pedestrianways;
 - (n) Flat roofs and false mansard roofs should be discouraged and gabled roofs should be encouraged;
 - (o) Pedestrian-oriented *open spaces* should be created by groupings of small-scale *buildings* in clusters and utilizing spaces between the *buildings*;
 - (p) Multiple-story *buildings* with *commercial uses* on the ground floor and mixed *office* or *residential uses* on upper floors should be encouraged;
 - (q) Full *facade* treatment, foundation landscaping and lighting should be required on all *building* elevations that are visible from the public way; and
 - (r) New construction should be designed and built to blend with historical Eastern Shore architectural forms (interpretations of colonial and Victorian) in terms of formal characteristics, such as shape, height, massing, roof shapes and door and window proportions.
- (5) *Development* phasing.
- (a) *Development* phasing for *development* for the GVC District shall comply with § 18:1-38 of this Chapter 18:1.
 - (b) *Development* review process.
 - [1] General procedures. In reviewing *development* proposals in the GVC District the procedures prescribed in Chapter 18:1, Part 7, of this Chapter 18:1 shall apply, except as modified by Subsection D(5)(b)[2] below.
 - [2] Specific procedures for the GVC District.
 - [a] A preapplication conference between the applicant and the Department of Planning and Zoning is required for all GVC District *development* requiring *site plan* and *subdivision* approval.
 - [b] The applicant shall submit any additional information, plans, specifications, documents, drawings, etc., as necessary to determine compliance with the requirements of this Chapter 18:1.

- E. Forest conservation standards. Forest conservation standards for *development* in the GVC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-34. Airport Protection and Kent Island Gateway (APKIG) District. [Amended 8-24-2010 by Ord. No. 10-10; 12-12-2017 by Ord. No. 17-07; 9-12-2023 by Ord. No. 23-05; 11-12-2024 by Ord. No. 24-13; 6-24-2025 by Ord. No. 25-04]

A. Purpose.

- (1) The Airport Protection and Kent Island Gateway District is intended to prevent the creation or establishment of airport hazards.
- (2) This district will also create a sense of entry to Kent Island and Queen Anne's County while providing for business, commercial and certain mixed-use opportunities in the airport environs that will not be detrimental to the efficiency and safety of the airport. *Structure* designs in this district should reflect traditional Eastern Shore character.

B. Permitted *uses*.

	Use	Permitted Use (P)/ Conditional Use (C)
1.	<i>Airport/airport-related uses</i>	P
2.	<i>Banquet facility</i>	P
3.	Boat building	P
4.	Boat sales and repair	P
5.	Bowling alley	P
6.	<i>Commercial apartments</i> finally approved by July 1, 2023	P
7.	<i>Conference center</i>	P
8.	<i>Day-care center</i>	P
9.	<i>Duplex</i> with accessory slip	P
10.	<i>Marina</i>	P
11.	<i>Maritime convenience store</i>	P
12.	<i>Offices</i>	P
13.	<i>Outdoor recreation</i>	P
14.	Passive recreation	P
15.	<i>Residential accessory structures</i>	P
16.	<i>Retail sales/service establishment</i>	P

	Use	Permitted Use (P)/ Conditional Use (C)
17.	<i>Shooting range, indoor</i> ; shall be located a minimum of 100 feet from any <i>residential use</i>	P

C. *Use restrictions.*

(1) No *use* within the Airport Protection and Kent Island Gateway District shall:

- (a) Create electrical interference with radio communications between the airport and aircraft, navigation systems and automatic weather observing systems. The prohibited *uses* shall include, but not be limited to, non-airport related radio and television transmitting *towers* or studios, wireless *telecommunication towers* and antennas and large radiation or X-ray equipment.
- (b) Store non-airport-related petroleum or any other explosive material above ground.
- (c) Emit smoke or otherwise impair the visibility in the vicinity of the airport.
- (d) Contain lights or signals which may be confused with airport navigational lights.
- (e) Result in glare to pilots approaching, leaving or circling the airport.
- (f) Create bird-strike hazards; or
- (g) Otherwise endanger the landing, taking off or maneuvering of aircraft.

D. *Density/intensity requirements.*

(1) Maximum residential *density*:

- (a) *Duplex* with accessory slips: 15% of the number of slips in an adjacent *marina*.
- (b) The use of a slip at the adjacent *marina* shall be a permanent appurtenance to the ownership or tenancy of each *duplex*.

(2) Maximum nonresidential *floor area ratio*.

- (a) All *uses*: 0.40.
- (b) *Floor area* allowed can be increased by a maximum of 25% using *TDRs* in accordance with Chapter 18:1, Part 6, Article XX.

(3) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:

- (a) *Airport-related facility*;
- (b) *Banquet facility*;
- (c) *Conference center*;
- (d) *Hotel*; and

(e) *Offices.*

E. Dimensional and bulk requirements.

(1) Residential *uses*:

- (a) Minimum *lot area*: 2,400 square feet per *dwelling*.
- (b) Minimum *lot width*: 24 feet as measured from the party wall.
- (c) Minimum setbacks:
 - [1] Front: 20 feet.
 - [2] Rear: 15 feet.
- (d) Off-street *parking* spaces: two per unit.
- (e) Maximum *building height*: 40 feet.

(2) Nonresidential *uses*.

- (a) Maximum *impervious surface ratio*.
 - [1] All *uses*: 0.80.
- (b) Minimum *lot frontage*: 35 feet.
- (c) Minimum setbacks.
 - [1] Front: 25 feet.
 - [2] U.S. Routes 50/301: 50 feet.
 - [3] Arterial: 20 feet.
 - [4] Side and rear: 10 feet.
- (d) Maximum *building height*:
 - [1] 45 feet.
 - [2] No *structure, tower*, or tree shall be constructed, altered, allowed to grow or maintained in violation of the above height restriction.
- (e) *Airport-related use buildings* are exempt from the above bulk standards.

F. Off-site *directional signs*.

- (1) Notwithstanding the provisions of § 18:1-82D(2) of this Chapter 18:1, a permanent off-site *directional sign* stating the name of a business or business area in the Airport Protection and Kent Island Gateway District may be located on an arterial roadway with *Planning Commission* approval.
- (2) Any off-site directional signage shall conform to Title 14 of the Code of Federal

Regulations (14 CFR) Part 77.

- G. Design standards. *Development* in the Airport Protection and Kent Island Gateway District shall conform to the design standards adopted by resolution of the *County Commissioners* No. 08-05, Town Center (TC) District and Urban Commercial (UC) District Design Standards: Commercial and Mixed-Use Development Standards, as amended, unless otherwise noted and the following design guidelines:
- (1) All lighting proposed on properties in the Airport Protection and Kent Island Gateway District must be directed away or shielded from the airport and designated flight paths;
 - (a) Any proposed lighting in the district shall conform to Title 14 of the Code of Federal Regulations (14 CFR) Part 77.
 - (2) Unless otherwise recommended by the Airport Manager, *development* with *structures* adjacent to the airport in this district shall provide fencing, berming or a landscaping buffer to minimize impacts of noise and glare from the airport to the proposed *development* and from the proposed *development* to the airport; and
 - (3) Potential safety conflicts between the airport and off-site *development* shall be minimized. *Building, structure*, and equipment (permanent or temporary) height and location shall consider the impacts to the existing airport.
 - (a) An airspace determination must be received from the Maryland Department of Transportation Maryland Aviation Administration and the Federal Aviation Administration for compliance with Code of Maryland Regulations 11.03.05 and Title 14 of the Code of Federal Regulations (14 CFR) Part 77, respectively, through completion of Federal Aviation Administration Form 7460-1 with copy sent to Maryland Department of Transportation Maryland Aviation Administration.
 - (b) All *development* shall minimize or eliminate any man-made effects that would impact the existing automatic weather observing systems or affect the siting criteria for automatic weather observing systems established in Federal Aviation Administration Order JO6560.20, current edition.
 - (c) Prior to approval, the *developer* must obtain written confirmation from the Airport Manager documenting that all required state and federal standards have been addressed.
 - (d) Landscaping and stormwater management facilities shall comply with Federal Aviation Administration Advisory Circular 150/5200-33, current edition.
 - (4) *Development* in this district should be sensitive and create a sense of entry to Kent Island and Queen Anne's County while reflecting traditional Eastern Shore vernacular by using architectural elements which are indigenous to the region.
 - (5) A portion of the district should be dedicated to public *uses* that promote visitation by both Queen Anne's County residents as well as other visitors. Such uses may include things such as but not limited to a park, information center, cultural heritage or Eastern Shore discovery center, museum, garden and/or facilities to support special events.

- (6) Except for the requirements for *residential use*, the *Planning Commission* shall have the flexibility to alter the requirements of this district. In determining any alterations, the *Planning Commission* shall consider such factors as the proposed intensity of the *development*, the layout of *buildings*, *roads*, and walkways, environmental protection considerations, the architectural and landscaping features incorporated into the *development* and compatibility with the existing or anticipated *development* on surrounding lands.

H. Forest Conservation standards. Forest conservation standards for *development* in this district outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-35. Suburban Industrial Business Employment (SIBE) District. [Amended 4-11-2017 by Ord. No. 17-06; 3-12-2024 by Ord. No. 24-04; 11-12-2024 by Ord. No. 24-13; 6-10-2025 by Ord. No. 25-01]

A. Purpose. The Suburban Industrial Business/Employment (SIBE) District is to provide for the *development* of moderate-intensity *office*, regional commercial, *warehouse*, and *light industrial uses* to generate employment and business opportunities creating a major employment center in the *County*. New *development* within the SIBE District should provide for quality design and architecture.

B. Permitted *uses*.

- (1) Business and professional *office* complexes.
- (2) *Group day-care center*.
- (3) Light industry *uses* including:
 - (a) Blacksmith shops;
 - (b) Boat building;
 - (c) Bulk materials or machinery storage (fully enclosed);
 - (d) Business cluster facilities (an incubator facility offering space and support services for early stage companies engaged in the development of products or services with commercial potential);
 - (e) *Cannabis licensed processor*.
 - (f) Contractors' *offices* and equipment storage yards;
 - (g) Dry-cleaning and laundry plants serving more than one outlet;
 - (h) Food processing and packing plants;
 - (i) Fuel oil (storage and sales);
 - (j) Furniture refinishing shops;

- (k) Incidental retail stores, not to exceed 25,000 square feet of gross *floor area*, associated with building and plumbing supply distribution operations;
 - (l) Manufacturing/warehousing (including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products) in plants with fewer than 500 employees on a single shift;
 - (m) Materials sales;
 - (n) Ornamental iron workshops;
 - (o) Printing plants;
 - (p) Scientific (e.g., research, testing or experimental) laboratories;
 - (q) Showrooms;
 - (r) Trade shops (including cabinet, carpentry, planing, plumbing, refinishing and paneling);
 - (s) *Truck terminals*; and
 - (t) Wholesale business and storage.
- (4) Limited low *commercial uses* and service with the primary purpose of supporting the existing business/employees in the SIBE District. The proposed *uses* are to be of a size and scale to not draw people into the park but support existing businesses including:
- (a) Banks;
 - (b) Barbershop/hair dresser;
 - (c) *Coffee shop*;
 - (d) Dry cleaner (outlet);
 - (e) Fitness center;
 - (f) *Medical office*;
 - (g) Non-fast-food *restaurants* such as cafeterias or deli;
 - (h) Retail sales that do not exceed 25,000 square feet of gross *floor area*;
 - (i) *Nonprofit and for-profit institutional*;
 - (j) *Public serviceuses*;
 - (k) *Satellite parking*; and
 - (l) Trade schools with only indoor activities.
- (5) *Shooting range, indoor*; shall be located a minimum of 100 feet from any *residential use*.

C. Conditional *uses*.

- (1) *Outdoor recreation*.
- (2) *Public utilities*.
- (3) *Telecommunications facilities*.

D. *Density/intensity* requirements.

- (1) Maximum residential *density*: not applicable.
- (2) Maximum nonresidential *floor area ratio*.
 - (a) *Office*: .27.
 - (b) *Industrial*: .40.
 - (c) All other: .27.
- (3) In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

E. Dimensional and bulk requirements.

- (1) *Residential uses*: not applicable.
- (2) Nonresidential *uses*.
 - (a) Maximum *impervious surface ratio*.
 - [1] All *uses*: .65.
 - [2] In the *growth areas*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.
 - (b) Minimum *lot frontage*: 35 feet.
 - (c) Minimum setbacks.
 - [1] Front: 35 feet.
 - [2] U.S. Routes 50/301: 75 feet.
 - [3] Arterial: 50 feet.
 - [4] Side and rear: 35 feet.
 - (d) Maximum *building height*.
 - [1] *Telecommunications facilities*: 200 feet.
 - [2] All other: 45 feet.

F. Forest conservation standards. Forest conservation standards for *development* in the SIBE

District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-35.1. Grasonville Gateway and Medical Center (GGMC) District. [Added 1-24-2012 by Ord. No. 11-17; amended 4-11-2017 by Ord. No. 17-06; 3-12-2024 by Ord. No. 24-04; 6-10-2025 by Ord. No. 25-01]

- A. Purpose. This district will create a sense of place as the entry in the community of Grasonville and provide for the development of *mixed uses* including medical-related *uses*, retail and limited residential and to supply health-care-related services, employment and business opportunities in the *County*. New *development* within the Grasonville Gateway and Medical Center District should provide for quality design and architecture consistent with the existing *buildings* in the zoning district dedicated to medical services.
- B. Permitted *uses*.
- (1) Assisted living facilities.
 - (2) Banks and other financial institutions.
 - (3) Barbershop/hair dresser.
 - (4) Business and professional offices.
 - (5) *Cannabis licensed dispensary*.
 - (6) *Carry-out food service*.
 - (7) *Coffee shop*.
 - (8) *Commercial apartments*.
 - (9) Diagnostic centers.
 - (10) Domiciliary care facilities.
 - (11) Dry cleaner.
 - (12) *Emergency center*.
 - (13) Fitness center.
 - (14) *Funeral home*.
 - (15) *Group day-care center*.
 - (16) Hospital.
 - (17) *Hotels*.
 - (18) *Institutional, residential* serving five or fewer residents.
 - (19) *Institutional, nonprofit*.

- (20) *Institutional, for-profit.*
- (21) Medical *offices* and clinics.
- (22) Medical training facilities.
- (23) Medical specialties and medical support services.
- (24) Minor *multifamily development.*
- (25) Non-fast-food *restaurants.*
- (26) *Nursing homes.*
- (27) Professional *offices.*
- (28) Pharmacy or formulary associated with medical *offices.*
- (29) *Public service uses.*
- (30) Rehabilitation centers.
- (31) Retail pharmacy.
- (32) Scientific (e.g., medical, research, testing or experimental) laboratories.
- (33) Veterinary offices.

C. Conditional *uses.*

- (1) Institutional, residential serving six or more residents.
- (2) Major *multifamily development.*
- (3) *Public utilities.*

D. *Development* standards.

- (1) In general. Applications for *development* in the GGMC District shall meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards in this Chapter 18:1 may conflict with standards contained in this section, only the standards in this section shall apply.
 - (a) The *Planning Commission* may establish modified *building* restriction lines, *parking*, landscaping and *buffer yard* requirements on a case-by-case basis to insure consistency with the Grasonville Community Plan.
 - (b) Compatibility with surrounding *development.* New *development*, infill and redevelopment projects in this zone shall reflect the existing architecture represented in the emergency center and professional office building and shall be compatible with or complement the established proportions and *building* mass of these *buildings*. This includes *building* materials in the *facade* and roof, placement, type and size of window, roofs should be pitched or gabled, mechanical equipment

hidden and utilities placed underground. The *Planning Commission* may require additional design criteria to insure the Grasonville Gateway is consistent with established *buildings* in the zone.

- (c) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:

- [1] Banks and other financial facilities;
- [2] *Commercial apartments*;
- [3] Medical *offices* and clinics;
- [4] Hospital;
- [5] *Hotel*;
- [6] *Institutional, nonprofit*;
- [7] *Offices*: business or professional; medical *offices* and clinics; veterinary *offices*; and all other *offices*;
- [8] Public *uses*; and
- [9] Where approved by conditional *use* granted from the Board of Appeals:
 - [a] Major *multifamily development*;

- (2) *Residential development* standards.

- (a) *Density/intensity* requirements.

- [1] Maximum residential *density*.
 - [a] *Multifamily*: 10.
 - [b] In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

- (b) Dimensional and bulk requirements.

- [1] Minimum *open space ratio*.
 - [a] *Multifamily*: .10.
- [2] Minimum *lot area*.
 - [a] One acre.
- [3] Minimum setbacks: see § 18:1-36.
- [4] Maximum *building height*: see § 18:1-36.
- [5] Minimum *lot width*: see § 18:1-36.

[6] Minimum *lot frontage*: § 18:1-36.

(3) *Nonresidential development* standards.

(a) *Density/intensity* requirements.

[1] Maximum nonresidential *floor area ratio*.

[a] 0.50.

[b] In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(b) Dimensional and bulk requirements.

[1] Maximum *impervious surface ratio*.

[a] All *uses*: .65.

[b] In the *growth areas*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(c) Minimum *lot frontage*: 35 feet.

(d) Minimum setbacks.

[1] Front: 15 feet.

[2] U.S. Routes 50/301: 75 feet.

[3] Arterial: 50 feet.

[4] Side and rear: 10 feet.

(e) Maximum *building height*.

[1] All: 45 feet.

E. Forest conservation standards. Forest conservation standards for *development* in the GGMC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-36. Planned residential development standards.

A. In general. All *residential lots* in a *single-family cluster subdivision*, or a *planned residential development* shall comply with the following standards for each *dwelling type*. [Amended 6-12-2007 by Ord. No. 07-09]

B. *Single-family cluster subdivision*. The *single-family cluster subdivision* consists of fully detached, single-family residences located on individual *lots*. Different *lot* standards apply depending upon the district where the cluster *lot* is located. All *single-family cluster subdivisions* must contain *open space*. The following table specifies the minimum standards

for *lots* created within a *single-family cluster subdivision*. [Amended 6-12-2007 by Ord. No. 07-09]

Zoning District	Lot Area ¹ (square feet)	Front (feet) ²	Side (feet)	Rear (feet)	Width (feet)	Frontage (feet)	Off-Street Parking (number of spaces)	Building Height (feet)
AG and CS	20,000	40	20	50	130	35	2	40
E	30,000	40	15/35	50	120	35	2	35
SE	15,000	30	10/25	30	90	35	2	35
SR	10,000	30	10/22	30	80	35	2	35
UR	8,000	30	10/22	30	70	35	2	40
VC	8,000	25	5/10	25	50	35	2	40
NC-5	2 acres	40	20	50	150	35	2	40
NC-2	1 acre	40	20	50	130	35	2	40
NC-1	20,000	40	20	50	120	35 ³	2	40
NC-20	10,000	15	5	25	60	35 ³	2	40
NC-15	7,500	15	5	25	60	35 ³	2	40
NC-8	6,000	15	5	25	60	35 ³	2	40

NOTES:

¹Lot areas are per dwelling unit.²See 18:1-7F.

****Where an unusual lot configuration exists, and a shared entrance is proposed, lot frontage may be reduced to 20 feet for up to three lots. All said lots shall share a single point of ingress and egress and a joint use easement and maintenance agreement must be recorded in the Land Records.**

C. *Duplex planned residential development.* The *duplex planned residential development* technique proposes semidetached *dwelling units* for single-family *residential use*. It has only one *dwelling unit* from ground to roof and only one wall in common with another *dwelling unit*. The following table specifies the minimum standards for a *duplex planned residential development*. [Amended 6-12-2007 by Ord. No. 07-10]

- (1) Minimum *site/lot area*: 4,000 square feet per *dwelling*.
- (2) Minimum *lot width*: 30 feet as measured from the party wall.
- (3) Minimum front yard: 20 feet.
- (4) Minimum side yard: 12 feet.
- (5) Minimum rear yard: 15 feet.
- (6) Off-street *parking* spaces: two spaces per unit.
- (7) *Building height*: 35 feet.

D. *Townhouse planned residential development.* The *townhouse planned residential development* technique proposes a single-family attached unit, with a single unit going from ground to roof, and with individual outside access. Rows of attached townhouses shall average no more than 10 *dwelling units*. The following table specifies the minimum standards for a *townhouse planned residential development*.

Standards	Fee Simple Lots	Full
Minimum <i>lot area</i> (square feet)	2,400	N/A
Minimum <i>lot width</i> (feet)	15	15
Minimum front yard (feet)	15	15
Minimum rear yard (feet)	15	N/A
Maximum <i>building height</i> (feet)	28	
Off-street <i>parking</i> (spaces)	2	
Minimum LSA required/unit (square feet)	N/A	450

- E. *Apartment planned residential development.* The *apartment planned residential development* technique proposes multidwelling-unit *buildings* that share common access to units and yards. Apartments shall contain three or more units in a *building*. The following table specifies the minimum standards for apartment *buildings*. [Amended 9-7-2004 by Ord. No. 04-20]

- (1) Minimum *landscape surface area/dwelling unit*: 1,800 square feet.
- (2) Minimum front yard: 25 feet.
- (3) Minimum side yard: 25 feet.
- (4) Minimum rear yard: 15 feet.
- (5) Minimum spacing between *buildings*: 30 feet.
- (6) Off-street *parking* spaces: 1.5 spaces for one-*bedroom* unit.
- (7) Off-street *parking* spaces: two spaces for two-or-more-*bedroom* units.
- (8) Maximum *building height*: 45 feet.

- F. *Manufactured home communityplanned residential development.* The *manufactured home communityplanned residential development* technique proposes *manufactured homes* within a *subdivision* or as a rental community. The following table specifies the minimum standards for a *manufactured home community*.

Standards	Fee Simple Lots	Rental Community
Minimum <i>lot area</i> (square feet)	4,000	3,000
Minimum yards/ <i>building</i> spacing:		
Front (feet)	20	20
Side/ <i>building</i> spacing (feet)	5	10
Rear/ <i>building</i> spacing (feet)	20	40
Off-street <i>parking</i> spaces (per unit)	2	2

Standards	Fee Simple <i>Lots</i>	Rental Community
Minimum <i>lot width</i> (feet)	40 feet.	N/A

G. *Multiplex planned residential development.* The *multiplex planned residential development* technique proposes multiple-family units in a condominium regime. Each unit may take direct access to a private yard or access point, or units may share yards and access. The units may be arranged in a variety of configurations, including back-to-back, side-to-side, or vertically; however, no more than eight units shall be attached in any single *building*. The following table specifies the minimum standards for a *multiplex planned residential development*. **[Amended 9-7-2004 by Ord. No. 04-20]**

- (1) Minimum landscape area per *building*: 1,800 square feet.
- (2) Minimum front yard: 25 feet.
- (3) Minimum side yard: 25 feet.
- (4) Minimum rear yard: 15 feet.
- (5) Maximum *building height*: 45 feet.
- (6) Off-street *parking* spaces: 1.5 spaces for one-bedroom unit.
- (7) Off-street *parking* spaces: two spaces for two-or-more-*bedroom* units.
- (8) Minimum spacing between *buildings*: 30 feet.

H. *Cottage home planned residential development.* The *cottage home planned residential development* technique proposes fully detached single-family *dwelling*s in a condominium regime for *residential use*. The following table specifies the minimum standards for a *cottage home planned residential development*. **[Added 2-9-2021 by Ord. No. 20-13]**

- (1) Minimum *landscape surface area* per cottage unit: 450 square feet.
- (2) Residential *density*:
 - (a) Maximum residential *density* shall be calculated at the *multifamily* rate established by the zoning district standards in which the *development* is proposed.
 - (b) In no case shall there fewer than four or more than 10 units permitted on a single *site*.
- (3) *Floor area*:
 - (a) Minimum of 800 square feet.
 - (b) Maximum of 1,200 square feet.
- (4) Setbacks:
 - (a) Front: 25 feet.

- (b) Side: 5/10 feet.
- (c) Rear: 25 feet.
- (5) Spacing between units:
 - (a) Minimum of 10 feet.
 - (b) Maximum of 15 feet.
- (6) Off-street *parking* requirements:
 - (a) One and five-tenths spaces for one-bedroom units.
 - (b) Two spaces for two-or-more-bedroom units.
 - (c) Units shall front a central *parking* area or courtyard.
 - [1] Minimum distance from the paved *parking* area: five feet.
 - [2] Maximum distance from the paved *parking* area: 15 feet.
 - (d) Paved *parking* areas shall provide landscape *screening* from adjacent roadways and residential properties.
- (7) Maximum *building height*: 28 feet.

§ 18:1-37. Design guidelines for the LIHS, VC, and SC Districts. [Amended 8-19-2008 by Ord. No. 08-11³⁴]

All new *development* and redevelopment in the UC, LIHS, VC and SC Districts is strongly encouraged to incorporate the following design guidelines, which are intended to protect property values of adjacent properties and to promote new *development* that harmonizes with existing land use patterns in the County. The *Planning Director* and/or *Planning Commission* shall consider these guidelines in their review of all new *development* and redevelopment within the LIHS, VC and SC Districts. The *Planning Director* and/or *Planning Commission* may not approve *development* applications that have not made a practical and good faith effort to comply with the following design guidelines.

A. The following guidelines apply to *development* in the LIHS District.

- (1) The appearance of typical, monolithic strip commercial and big-box retail centers should be strongly discouraged. Instead, more modestly scaled commercial *structures* grouped in clustered settings with pedestrian-oriented *open spaces* and plazas should be encouraged. Where the physical separation of *structures* is not practical or is cost prohibitive, variable *facades* and storefront setbacks can achieve a similar appearance.
- (2) Pitched roofs and gables are encouraged. Where pitched roofs are not practical from an engineering basis or are not cost effective, false gables and mansards can achieve a similar appearance. Flat roofs with exposed mechanical fixtures should be avoided. For

34. Editor's Note: This ordinance also provided that it shall apply only to development applications filed on or after 7-10 2008.

larger *structures*, variations in rooflines should be required to reduce scale and add visual interest. Roofs for larger *structures* should have at least two of the following features: overhanging eaves, sloped roofs and three or more roof planes.

- (3) *Structures* should have finished architectural *facade* treatment and detail on all elevations that are visible from public ways or adjoining properties. *Facades* greater than 100 feet in length should incorporate recesses and projections along at least 20% of the length of the *facade*. For larger *buildings*, windows, awnings and *arcades* should total at least 60% of the *facade* length visible from a public street. Greater architectural interest should be encouraged for larger *structures* by directing the use of a repeating pattern of change in color, texture and material modules at intervals of no more than 30 feet.
- (4) *Developments* should have primary access to major roadways or service *roads* and streets with immediate access to major roadways. Wherever practical, businesses should have customer entrances facing local streets and service *roads* rather than U.S. 50/301. Where commercial *development* may be patronized by community residents, secondary traffic access and pedestrian connections to a local street, may be desirable. *Structures* should have clearly defined and highly visible customer entrances with features such as canopies, porticos, *arcades*, arches, wingwalls and architecturally integrated planters.
- (5) *Parking* areas should be located to the rear and sides of *structures* and should contain perimeter landscaping and landscape islands.
- (6) Foundation landscaping and shade trees shall be used to soften the appearance of *buildings* and add visual appeal to pedestrian plazas and sidewalks.
- (7) Stormwater management areas should be incorporated into the landscaping of the *site* and should have the appearance of a landscape *amenity* rather than a fenced utility area.
- (8) Adequate landscape buffering and *screening* along *site* perimeters shall be used to protect adjacent residential neighborhoods and residential and mixed-use zoned properties. Landscape buffers between incompatible *uses* should be wide and dense enough to completely screen proposed *development* from adjoining properties. Landscape buffers should also be planted along the frontage of the U.S. 50/301 corridor.
- (9) Exterior lighting shall be restrained in design in order to avoid excessive brightness and *glare* onto adjacent properties.
- (10) Commercial signage shall comply with current *County* regulations. Specifically, any existing billboards shall be removed as a condition of *development* approval, and all *freestanding signs* shall have an architectural and/or landscaped base.
- (11) Exterior mechanical, storage or service areas shall be completely screened from view of any public way or adjoining property.
- (12) Predominant exterior building materials should be of high quality. These include brick, wood or vinyl siding, stone and tinted/textured concrete masonry units. Smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels may not exceed 50% of the entire *structure*.

- (13) *Facade* colors should be of low reflectance, subtle or neutral earth tone colors. The *use* of high-intensity colors, metallic colors, black or fluorescent colors should be prohibited. *Building* trim may feature brighter colors, but neon tubing should not be permitted.
- (14) Roadside sidewalks should be provided when *sites* are developed or redeveloped. Sidewalks linking *structures* to roadside sidewalks should be provided wherever practical.

B. The following guidelines apply to *development* in the SC and VC Districts.

- (1) Pitched roofs and gables are encouraged. Where pitched roofs are not practical from an engineering basis or are not cost effective, false gables and mansards can achieve a similar appearance. Flat roofs with exposed mechanical fixtures should be avoided. For larger *structures*, variations in rooflines should be required to reduce scale and add visual interest. Roofs for larger *structures* should have at least two of the following features: overhanging eaves, sloped roofs and three or more roof planes.
- (2) *Structures* should have finished architectural *facade* treatment and detail on all elevations that are visible from public ways or adjoining properties. *Facades* greater than 100 feet in length should incorporate recesses and projections along at least 20% of the length of the *facade*. For larger *buildings*, windows, awnings and *arcades* should total at least 60% of the *facade* length visible from a public street. Greater architectural interest should be encouraged for larger *structures* by directing the *use* of a repeating pattern of change in color, texture and material modules at intervals of no more than 30 feet.
- (3) Foundation landscaping and shade trees should be used to soften the appearance of *buildings* and add visual appeal to pedestrian plazas and sidewalks.
- (4) Adequate landscape buffering and *screening* along *site* perimeters should be used to protect adjacent residential neighborhoods and residential and mixed-use zoned properties. Landscape buffers between incompatible *uses* should be wide and dense enough to completely screen proposed *development* from adjoining properties. Landscape buffers should also be planted along the frontage of the U.S. 50/301 corridor.
- (5) Exterior lighting shall be restrained in design in order to avoid excessive brightness and *glare* onto adjacent properties.
- (6) Commercial signage shall comply with current *County* regulations. Specifically, any existing billboards shall be removed as a condition of *development* approval, and all *freestanding signs* should have an architectural and/or landscaped base.
- (7) Exterior mechanical, storage or service areas should be completely screened from view of any public way or adjoining property.
- (8) Predominant exterior building materials should be of high quality. These include brick, wood or vinyl siding, stone and tinted/textured concrete masonry units. Smooth faced concrete block, tilt-up concrete panels or prefabricated steel panels may not exceed 50% of the entire *structure*.

- (9) *Facade* colors should be of low reflectance, subtle or neutral earth tone colors. The *use* of high-intensity colors, metallic colors, black or fluorescent colors should be prohibited. *Building* trim may feature brighter colors, but neon tubing should not be permitted.

§ 18:1-38. Development phasing for the CMPD, SMPD, GPRN, SHVC, GNC, GVC,, and VC Districts.

All *development* in residential zoning districts for the CMPD, SMPD, GPRN, SHVC, VC, GNC, and GVC Districts shall be master-planned as an integrated project with well-designed and coordinated transitions between various land *uses* and adjacent existing land *uses*. A phasing plan for various components of the *development* must be approved by the *Planning Commission* as a component of initial sketch and/or concept plan approval. All *development* infrastructure and *amenities* must be phased and constructed at a rate commensurate with housing unit or *floor area* construction unless otherwise specified in this Chapter 18:1.

§ 18:1-38.1. (Reserved)³⁵

35. Editor's Note: Former § 18:1-38.1, Utility Scale Solar Array (USSA) District, added 12-12-2017 by Ord. No. 17-16 (originally adopted as § 18:1-39, but renumbered as § 18:1-38.1 to accommodate the existing § 18:1-39), as amended 6-14-2022 by Ord. No. 21-04, was repealed 8-26-2025 by Ord. No. 25-10.