

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2017 Legislative Session

BILL NO. 2017-07

Introduced by: Charles County Commissioners

Hughesville Village Zone

Date introduced: 08 / 01 / 2017

Public Hearing: 09 / 19 / 2017 @ 6:00 p.m.

Commissioners Action: 11 / 28 / 2017

Commissioner Votes: PFM: Y, KR: Y, DD: Y, AS: N, BR: Y

Pass/Fail: Pass

Effective Date: 1 / 12 / 18

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

1 **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

2
3 **2017 Legislative Session**

4
5 Bill No. 2017-07

6 Chapter No. 297

7 Introduced by Charles County Board of County Commissioners

8 Date of Introduction August 1, 2017

9 _____

10
11 **HUGHESVILLE VILLAGE ZONE**

12 AN ACT concerning:

13
14 **THE INCORPORATION OF NEW ZONING DISTRICTS WITHIN THE ZONING**
15 **ORDINANCE OF CHARLES COUNTY, MARYLAND**

16
17 FOR the purpose of

18
19 Amending the Zoning Ordinance, to add a new Hughesville Village Zone (HV), consisting of
20 four Sub-Zones, with amendments. To establish permissible uses, residential densities, base
21 zone development regulations and conditional development criteria associated with the
22 Hughesville Village Zone (HV).

23
24 BY Amending:

25 Chapter 297 – ZONING ORDINANCE

26 Article III, Definitions and Interpretations

27 Section 297-49, Adding definitions for new uses.

28 *Code of Charles County, Maryland (2016 Edition)*

29
30 BY Amending:

31 Article 297 – ZONING ORDINANCE

32 Article V, Residential Density

1 Section 297-75, Figure V-I, Maximum Residential Densities (Dwelling Units per Acre)
2 adding density requirements for the four Hughesville Village (HV) Sub-Zones.

3 Figure V-II, Residential Density Ranges (Dwelling Units per Acre) adding the four
4 Hughesville Village (HV) Sub-Zones.

5 *Code of Charles County, Maryland (2016 Edition)*

6
7 BY Amending:

8 Chapter 297 – ZONING ORDINANCE

9 Article VI, Base Zone Regulations

10 Section 297-99, Adding a new section titled: Hughesville Village Zone (HV), §297-99;
11 and adding Figure VI-11, Vertical and Horizontal Articulation of Building Facades;

12 Figure VI-12, Appropriate Subdivision Layouts; Figure VI-13, Thresholds and

13 Applicability of Standards; Figure VI-14, Schedule of Zone Regulations: Hughesville
14 Village Zone; and Figure VI-15, Table of Permitted Uses for Hughesville Village Zone.

15 *Code of Charles County, Maryland (2016 Edition)*

16
17 BY Amending:

18 Chapter 297 – ZONING ORDINANCE

19 Article VII, Planned Development Zone Regulations

20 Section 297-102, Figure VII-1, Location of Planned Development Zones: Adding the
21 four Hughesville Village (HV) Sub-Zones.

22 *Code of Charles County, Maryland (2016 Edition)*

23
24 BY Amending:

25 Chapter 297 – ZONING ORDINANCE

26 Article X, Highway Corridor

27 Figure X-1, Road Corridor Bufferyard and Building Setback Requirements, Adding the
28 four Hughesville Village (HV) Sub-Zones.

29 *Code of Charles County, Maryland (2016 Edition)*

30
31 BY Amending:

32 Chapter 297 – ZONING ORDINANCE

1 Article XIII, Minimum Standards for Special Exceptions and Uses Permitted with
2 Conditions, Amending Sections 1.01.430 through 7.08.200 to designate the four new
3 Hughesville Village (HV) Sub-Zones within the list of permitted with conditions or
4 special exception uses for certain development uses.

5 *Code of Charles County, Maryland (2016 Edition)*

6
7 BY Amending:

8 Chapter 297 – ZONING ORDINANCE

9 Article XVIII, Site Design

10 Amending Section 297-298, General Site Design Standards, and 297-301, Road and
11 sidewalk requirements in subdivided and unsubdivided developments, to add the
12 Hughesville Village Zone.

13 *Code of Charles County, Maryland (2016 Edition)*

14
15 BY Amending:

16 Chapter 297 – ZONING ORDINANCE

17 Article XXII, Screening and Trees

18 Amending Figure XXII-1, Bufferyards Between Adjacent Zones: Residential Zones;
19 XXII-2, Bufferyards Between Adjacent Zones: Commercial and Industrial Zones; and
20 XXII-3, Bufferyards Between Adjacent Zones: Planned Development Zones, to add the
21 four new Hughesville Village (HV) Sub-Zones.

22 *Code of Charles County, Maryland (2016 Edition)*

23
24 BY Adding:

25 Chapter 297 – ZONING ORDINANCE

26 Appendix Q, Hughesville Streetscape Project Corridor.

27 *Code of Charles County, Maryland (2016 Edition)*

28
29 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**
30 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**
31 **follows:**

32 Chapter 297. ZONING ORDINANCE

1 Article III DEFINITIONS AND INTERPRETATIONS

2 Add definitions for new uses to § 297-49. Word usage; definitions.

3
4 § 297-49. Word usage; definitions.

5 E. Definitions.

6 * * * * *

7
8 AGRICULTURAL PROCESSING FACILITY, LOCAL, SLAUGHTERHOUSE: AN
9 ESTABLISHMENT FOR THE SLAUGHTER, SKINNING, DEHAIRING AND
10 EVISCERATING OF LIVESTOCK, POULTRY, WATERFOWL OR GAME, IN WHICH THE
11 OPERATION IS LIMITED TO LIVESTOCK OR GAME THAT IS LOCALLY PRODUCED
12 OR OBTAINED. THE USE IS LIMITED TO PROCESSING OF PRODUCTS FROM
13 MARYLAND AND ADJOINING STATES.

14
15 AGRICULTURAL PROCESSING FACILITY, LOCAL: AN ESTABLISHMENT IN WHICH
16 LOCALLY-GROWN AGRICULTURAL PRODUCTS ARE PROCESSED. THE USE IS
17 LIMITED TO PROCESSING OF PRODUCTS FROM MARYLAND AND ADJOINING
18 STATES. PROCESSING INCLUDES:

19 A. BASIC PROCESSING: PROCESSING NECESSARY TO STORE AND MARKET FARM
20 PRODUCTS. BASIC PROCESSING DOES NOT INCLUDE TREATMENT THAT CHANGES
21 THE FORM OF THE PRODUCT, BUT DOES INCLUDE TREATMENT SUCH AS
22 CUTTING, DRYING AND PACKAGING.

23 B. VALUE-ADDED PROCESSING: TREATMENT THAT CHANGES THE FORM OF A
24 FARM PRODUCT IN ORDER TO INCREASE ITS MARKET VALUE, INCLUDING SUCH
25 PROCESSES AS CANNING, MILLING, GRINDING, FREEZING, HEATING AND
26 FERMENTING. VALUE-ADDED PROCESSING MAY INCLUDE THE INCIDENTAL USE
27 OF INGREDIENTS NOT GROWN LOCALLY, SUCH AS THE ADDITION OF SUGAR OR
28 SEASONINGS.

29 C. MEAT PROCESSING. CUTTING, TRIMMING, GRINDING, SMOKING, CURING AND
30 FREEZING LOCALLY RAISED OR OBTAINED MEAT; DOES NOT INCLUDE
31 SLAUGHTERING, SKINNING, DEHAIRING AND EVISCERATING.

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33 FARM INCUBATOR: A FACILITY CONSISTING OF AGRICULTURAL LAND AND

1 STRUCTURES ESTABLISHED AND USED FOR AGRICULTURAL TRAINING AND
2 START-UP AGRICULTURAL OPERATIONS. THE USE INCLUDES OFFICE,
3 CLASSROOM AND TRAINING FACILITIES; BUILDINGS USED IN FARMING
4 OPERATIONS; AND LAND USED FOR GROWING CROPS AND RAISING LIVESTOCK.

5
6 PUB BREWERY: AN ESTABLISHMENT FOR THE PRODUCTION AND RETAIL SALE OF
7 NOT MORE THAN 2,000 BARRELS PER YEAR OF BEER THAT OPERATES IN
8 CONJUNCTION WITH AN ON-SITE RESTAURANT. A PUB BREWERY MUST OPERATE
9 UNDER A CLASS 6 LIQUOR LICENSE ISSUED PURSUANT TO THE MARYLAND
10 ANNOTATED CODE, ALCOHOLIC BEVERAGES ARTICLE, § 2-208.

11
12 SMALL-SCALE CRAFT WINERY: AN ESTABLISHMENT FOR THE PRODUCTION AND
13 SALE OF NOT MORE THAN 2,000 BARRELS PER YEAR OF WINE MADE FROM
14 PRODUCE GROWN OFF-SITE. THIS USE MAY PROVIDE WHOLESALE SALES AND
15 MUST INCLUDE ON-SITE RETAIL SALES AND AN ON-SITE TASTING ROOM OR
16 RESTAURANT. A SMALL-SCALE WINERY MUST OPERATE UNDER A CLASS 4
17 LIQUOR LICENSE ISSUED PURSUANT TO THE MARYLAND ANNOTATED CODE,
18 ALCOHOLIC BEVERAGES ARTICLE, § 2-205.

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Chapter 297. ZONING ORDINANCE

Article V, Residential Density

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Section 297-75, Figure V-1, Maximum Residential Densities (Dwelling Units Per Acre),
adding Hughesville Village Zone (HV).

Figure V-1: MAXIMUM RESIDENTIAL DENSITIES (DWELLING UNITS PER ACRE)

[Amended 3-1-1999 by Ord. No. 99-16; 12-11-2000 by Ord. No. 00-93; 6-16-2003 by Bill No. 03-03; 1-25-2005 by Bill No. 05-04; 7-25-05 by Bill. No. 05-01; 3-7-07 by Bill. No. 2006-15; 4-23-2010 by Bill No. 2010-

Residential Zones	Type of Development	Base Density	With Affordable Housing	With Maximum TDRs	Maximum TDRs Affordable Housing Density Bonus
Agricultural Conservation (AC)	Conventional	0.33	0.40	--	--
	Cluster	0.33	0.40	--	--
Rural Conservation (RC)	Conventional	0.33	0.40	--	--
	Cluster	0.33	0.40	--	--
Rural Conservation	Conventional	0.10			
Rural Residential (RR)	Conventional	1.00	1.22	--	--
	Cluster	1.00	1.22	--	--
Village Residential (RV)	Conventional	1.80	2.20	--	--
	Cluster	1.80	2.20	--	--
	W/ Central Water or Sewer	3.00	3.40		
	Application of a Planned Development - MX Zone	3.00	3.66	6.00	6.66
Low-Density Residential (RL)	Conventional	1.00	1.22	--	--
	Cluster	1.00	1.22	3.00	3.22
	Application of a Planned Development - PRD	1.75	1.97	4.59	4.81
Medium-Density Residential (RM)	Conventional	3.00	3.66	--	--
	Cluster	3.00	3.66	4.00	4.66
	Application of a Planned Development - PRD Zone	3.00	3.66	6.00	6.66
	Application of a Planned Development - MX and PMH Zones	3.00	3.66	8.00	8.66
	Application of a Planned Development - TOD Zone	4.00	4.66	10.00	10.66
High-Density Residential (RH)	Conventional	5.00	6.10	--	--
	Cluster	5.00	6.10	6.00	7.10
	Application of a Planned Development - PRD Zone	5.00	6.10	12.00	13.10
	Application of a Planned Development-MX Zone	5.00	6.10	19.00	20.10
	Application of a Planned Development -PMH Zone	5.00	6.10	10.00	11.10
	Application of a Planned Development -TOD Zone	15.00	16.10	27.50	28.60
Core Employment/Residential (CER)	Conventional	2.00	-	15.00 ¹	15.00 ¹
Core Retail/Residential (CRR)	Conventional	2.00	-	15.00 ¹	15.00 ¹
Core Mixed Residential (CMR)	Conventional	2.00	-	10.00 ¹	10.00 ¹
Central Business (CB), Community Commercial (CC), Business Park (BP)	Application of a Planned Development - MX Zone	5.00	6.10	19.00	20.10
	Application of a Planned Development - TOD Zone	15.00	16.10	27.50	28.60
Commercial Village (CV)	Application of a Planned Development - MX Zone	3.00	3.66	6.00	6.66
Light Industrial (IG), Heavy Industrial (IH)	Application of a Planned Development - MX Zone	5.00	6.10	19.00	20.10
	Application of a Planned Development - TOD Zone	15.00	16.10	27.50	28.60
HUGHESVILLE VILLAGE CORE (HVC), HUGHESVILLE VILLAGE GATEWAY (HVG)	RESIDENTIAL SUBDIVISION	5.00	-	-	-
	RESIDENTIAL MIXED USE BUILDING	8.00	-	-	-
HUGHESVILLE VILLAGE RESIDENTIAL (HVR)	CONVENTIONAL	1.80	-	-	-
	WITH CENTRAL WATER AND/OR SEWER	3.00	-	-	-

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NOTES

1. The County Commissioners may grant density bonuses as set forth in § 297-241. A minimum of 10% of units shall be affordable housing to qualify for density bonus.
2. Densities may be increased to 1DU per acre in the Neighborhood Conservation District established in the Comprehensive Plan as set forth in § 297-88.
3. Density calculations in the CER, CMR and CRR Zones. To achieve a density over the base density in these zones, the applicant must purchase one Transferable Development Right for each of the third, fifth, seventh and ninth lots/dwelling units per acre. Density is established by dividing the number of lots/dwelling units by the number of acres devoted to residential development. The resulting density, usually a mixed number, is used to determine the number of development rights required. Any fractional portion of a number resulting from a density calculation will automatically be rounded up to the next whole number. For instance, if the resulting density calculation yields 2.01 units per acre, this will be considered to be 3 units per acre, and one Transferable Development Right must be purchased for each of the lots/dwelling units. In no case may densities in these zones exceed 15 units per acre in the Core Retail Residential (CRR) and Core Employment Residential (CER) Zones or 10 units per acre in the Core Mixed Residential (CMR) Zone.

Chapter 297. ZONING ORDINANCE

Article V, Residential Density

Section 297-75 Figure V-2, Residential Density Ranges (Dwelling Units Per Acre), adding Hughesville Village Zone (HV).

Figure V-2 Residential Density Ranges (Dwelling Units Per Acre)

[Amended 4-23-2010 by Bill No. 2010-05]

NOTES:

	Density Range (Note A)	Density Range Achieved Through Application of PDR, MDC, or PMH (Note B)
Agricultural Conservation (AC)	0.33 to 0.40	N/A
Rural Conservation (RC) and RC(D)	0.10 to 0.40	N/A
Rural Residential (RR)	1.00 to 1.22	N/A
Village Residential (RV)	1.80 to 3.40	N/A
Low Density Residential (RL)	1.00 to 3.97	1.75 to 5.72
Medium Density Residential (RM)	3.00 to 6.56	4.00 to 10.86
High Density Residential (RH)	5.00 to 13.10	7.00 to 20.10
Residential Office (RO)	1.00 to 3.97	1.75 to 5.72
Core Employment/ Residential (CER)	2.00 (Note C)	N/A (Note D)
Core Retail/ Residential (CRR)	2.00 (Note C)	N/A (Note D)
Core Mixed Residential (CMR)	2.00 (Note C)	N/A (Note D)
HUGHESVILLE VILLAGE CORE (HVC)	5.00 TO 8.00 (NOTE E)	N/A (Note D)
HUGHESVILLE VILLAGE GATEWAY (HVG)	5.00 TO 8.00 (NOTE E)	N/A (Note D)
HUGHESVILLE VILLAGE RESIDENTIAL (HVR)	1.80 TO 3.00 (NOTE E)	N/A (Note D)

(A) Maximum densities allowed varies depending on the bonus densities achieved through housing and TDR's.

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- (B) Maximum densities allowed varies depending on the bonus densities achieved through housing and TDR's as well as the maximum allowed through performance identified in the Development Guidance System set forth in Article VIII.
- (C) Densities noted for the Core Mixed Use Zones are minimum densities.
- (D) Application of floating zones are not permitted.
- (E) DENSITY BONUSES ARE NOT ALLOWED WITHIN THE HUGHESVILLE VILLAGE CORE (HVC), HUGHESVILLE VILLAGE GATEWAY (HVG), AND HUGHESVILLE VILLAGE RESIDENTIAL (HVR).

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Chapter 297. ZONING ORDINANCE
Article VI, Base Zone Regulations

Adding Section 297-99, Hughesville Village Zone, as shown herein.

297-99. HUGHESVILLE VILLAGE ZONE (HV).

- A. OBJECTIVES. THE HUGHESVILLE VILLAGE ZONE IS ESTABLISHED TO:
 - (1) PROMOTE DEVELOPMENT THAT IMPLEMENTS LAND USE AND DESIGN POLICIES ESTABLISHED IN THE ADOPTED 2007 HUGHESVILLE VILLAGE REVITALIZATION PLAN.
 - (2) FOSTER INFILL DEVELOPMENT AND REDEVELOPMENT APPROPRIATE TO THE RURAL VILLAGE CHARACTER.
 - (3) PROMOTE VILLAGE-SCALED, WALKABLE, MIXED USE DEVELOPMENT THAT IS CLEARLY DISTINGUISHED FROM THE RURAL OR HIGHWAY-ORIENTED COMMERCIAL LAND USES OUTSIDE THE HUGHESVILLE VILLAGE ZONE.
 - (4) ESTABLISH A NETWORK OF WELL-CONNECTED STREETS, ALLEYS AND SIDEWALKS, AND OPEN SPACE AREAS THAT COMPLEMENT THE RURAL VILLAGE DEVELOPMENT.
 - (5) PROMOTE PRESERVATION AND ADAPTIVE RE-USE OF HISTORIC STRUCTURES.

- B. SUB-ZONES. FOUR HUGHESVILLE SUB-ZONES, LISTED BELOW, ARE ESTABLISHED THAT TOGETHER FORM THE ENTIRETY OF THE HUGHESVILLE VILLAGE DISTRICT:

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1 (1) HUGHESVILLE VILLAGE CORE (HVC). THE HUGHESVILLE VILLAGE
2 CORE SUB-ZONE IS ESTABLISHED TO:

- 3 a) MEET THE RETAIL AND COMMERCIAL SERVICE NEEDS OF
4 AREA RESIDENTS.
5 b) CREATE A SAFE AND WALKABLE ENVIRONMENT WITH
6 ATTRACTIVE STREETSCAPES AND STOREFRONTS THAT
7 CONTRIBUTE TO A LIVELY AND SAFE PUBLIC SPACE ALONG
8 OLD LEONARDTOWN ROAD.
9 c) PROMOTE BUILDING FORMS THAT ENHANCE THE VILLAGE'S
10 CHARACTER AND ARE ORIENTED TO THE PUBLIC STREETS
11 AND/OR PUBLIC OPEN SPACES.
12 d) PROMOTE COMMERCIAL ARCHITECTURE WHOSE DESIGN
13 ENSURES THAT ALL SIDES ARE VISUALLY INTERESTING.
14 e) PROVIDE FOR VILLAGE-SCALED, SINGLE-FAMILY
15 DEVELOPMENT ALONG NEW NEIGHBORHOOD STREETS WITH
16 PEDESTRIAN AND VEHICULAR CONNECTIONS TO OLD
17 LEONARDTOWN ROAD.

18 (2) HUGHESVILLE VILLAGE GATEWAY SUB-ZONE (HVG). THE HUGHESVILLE
19 VILLAGE GATEWAY SUB-ZONE SHARES THE SAME GOALS AS THE
20 HUGHESVILLE VILLAGE CORE SUB-ZONE, WHILE HAVING THE
21 FOLLOWING DISTINCT GOALS:

- 22 a) CREATE ATTRACTIVE ENTRANCES TO HUGHESVILLE ON OLD
23 LEONARDTOWN ROAD AND MD 231 THROUGH THOUGHTFUL
24 DESIGN AND LANDSCAPING OF PROPERTY FRONTAGES.
25 b) ALLOW USES OF A LARGER SCALE AND WITH DEEPER FRONT
26 SETBACKS THAN IN THE CORE SUB-ZONE, TO COMPLEMENT
27 EXISTING CONDITIONS ALONG MD ROUTE 231 AND THE
28 NORTHERN PORTION OF OLD LEONARDTOWN ROAD.

29 (3) HUGHESVILLE VILLAGE RESIDENTIAL SUB-ZONE (HVR). THE
30 HUGHESVILLE VILLAGE RESIDENTIAL SUB-ZONE IS ESTABLISHED TO:

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- a) ALLOW COMPATIBLE INFILL DEVELOPMENT TO PRESERVE THE CHARACTER OF EXISTING NEIGHBORHOODS.
- b) FOSTER DEVELOPMENT OF NEW LOW-DENSITY RESIDENTIAL NEIGHBORHOODS WITH CONVENIENT PEDESTRIAN AND VEHICULAR CONNECTIONS.
- c) CREATE NEW PUBLIC OPEN SPACES THAT MEET THE NEEDS OF LOCAL RESIDENTS AND SERVE AS A QUALITY FOCAL POINT FOR NEW RESIDENTIAL DEVELOPMENT.

(4) HUGHESVILLE VILLAGE EMPLOYMENT SUB-ZONE (HVE). THE HUGHESVILLE VILLAGE EMPLOYMENT SUB-ZONE IS ESTABLISHED TO:

- a) ALLOW COMPATIBLE NEW LIGHT INDUSTRIAL AND UTILITY USES IN AREAS WHERE EMPLOYMENT USES ARE ESTABLISHED.
- b) PROVIDE LANDSCAPING AND BUFFER TREATMENTS TO ENSURE COMPATIBILITY WITH THE RURAL VILLAGE CHARACTER.

(5) WITHIN THIS SECTION 297-99, THE SUB-ZONES MAY BE REFERRED TO AS THE CORE, GATEWAY, RESIDENTIAL AND EMPLOYMENT SUB-ZONES.

C. GENERAL REGULATIONS AND PERMITTED USES.

- (1) THE STANDARDS OF THE HUGHESVILLE VILLAGE SCHEDULE OF ZONE REGULATIONS (FIGURE VI-14) SHALL APPLY TO ALL DEVELOPMENT IN THE HUGHESVILLE VILLAGE ZONE, EXCEPT AS NOTED WITHIN THIS SECTION.
- (2) LAND USES WITHIN THE HUGHESVILLE VILLAGE SUB-ZONES SHALL BE IN CONFORMANCE WITH THE TABLE OF PERMISSIBLE USES FOR THE HUGHESVILLE VILLAGE ZONE, AS SHOWN IN FIGURE VI-15.
- (3) NO NEW STRUCTURES OR BUILDINGS WITH DRIVE-THROUGH FACILITIES SHALL BE PERMITTED IN THE HUGHESVILLE VILLAGE ZONE. EXISTING STRUCTURES OR BUILDINGS WITH DRIVE-THROUGH FACILITIES SHALL BE ALLOWED TO CONTINUE USE OF THEIR EXISTING

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1 DRIVE-THROUGH FACILITIES AS PERMITTED USES. THE ADDITION OF
2 NEW DRIVE-THROUGH FACILITIES ONTO EXISTING BUILDINGS SHALL
3 NOT BE PERMITTED.
4

5 D. ROADS AND INFRASTRUCTURE.

6 (1) SUBDIVISION PROPOSALS IN THE HUGHESVILLE VILLAGE ZONE SHALL
7 CONTRIBUTE TO AN INTERCONNECTED STREET NETWORK
8 CONFORMING CONCEPTUALLY BUT NOT IN EXACT DETAIL TO THE
9 STREET NETWORK ILLUSTRATED BY MAP 11, "FUTURE LAND USE AND
10 CIRCULATION PLAN," OF THE HUGHESVILLE VILLAGE REVITALIZATION
11 PLAN.

12 (2) ROAD IMPROVEMENTS THAT ARE REQUIRED THROUGH THE SITE PLAN
13 OR SUBDIVISION PROCESS SHALL CONFORM TO THE CRITERIA OF
14 TABLE 2.01.02 OF THE CHARLES COUNTY ROAD ORDINANCE,
15 "SUMMARY OF DESIGN CRITERIA: DESIGNATED URBAN AREAS." NEW
16 STREETS MUST FORM A NETWORK THAT PROVIDES CHOICES IN TRAVEL
17 AND DISTRIBUTION OF TRAFFIC AND ADHERES TO THE FOLLOWING
18 STANDARDS:

19 a) PROPOSED NEW STREETS MUST CONNECT TO EXISTING
20 STREETS AND PROVIDE POTENTIAL CONNECTIONS TO FUTURE
21 DEVELOPMENTS.

22 b) WHEN A NON-THROUGH STREET IS NECESSARY, USE OF A
23 LOOP STREET OR AN "EYEBROW" AS DEFINED IN THE
24 CHARLES COUNTY *STANDARD DETAIL MANUAL: ROADS* IS
25 PREFERRED.

26 c) NEW STREETS SHOULD DEFINE BLOCKS WITH LENGTHS
27 BETWEEN 400 AND 800 FEET AS MEASURED FROM RIGHT-OF-
28 WAY TO RIGHT-OF-WAY OF THE INTERSECTING STREETS.
29 LONGER BLOCKS, WHERE NECESSARY, SHOULD HAVE MID-
30 BLOCK PATHWAYS BETWEEN LOTS TO PROVIDE PEDESTRIAN
31 ACCESS THROUGH THE BLOCK. BLOCKS OVER 800 FEET IN
32 LENGTH MAY BE APPROVED EAST OF MD ROUTE 5.

33 (3) THE CONSTRUCTION OF ALLEYS IS PREFERRED TO PROVIDE ACCESS

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1 ROUTES TO PARKING AND SERVICE AREAS LOCATED BEHIND
2 BUILDINGS.

3 (4) SUBDIVISION PLANS AND SITE PLANS FOR NEW PRINCIPAL
4 STRUCTURES SHALL INCLUDE THE INSTALLATION OF PEDESTRIAN-
5 SCALED, COUNTY-APPROVED STREETLIGHTS.

6 (5) STREETLIGHT REQUIREMENTS:

7 a) STREETLIGHTS SHALL BE REQUIRED FOR SUBDIVISIONS AND
8 NEW PRINCIPAL STRUCTURES:

9 i. ON LOTS ABUTTING OLD LEONARDTOWN ROAD;

10 ii. ON LOTS ABUTTING ALL STREETS WITHIN THE CORE SUB-
11 ZONE; AND

12 iii. ON LOTS ABUTTING STREETS WITHIN THE GATEWAY,
13 EMPLOYMENT AND RESIDENTIAL SUB-ZONES THAT ARE
14 CONNECTED BY SIDEWALKS TO THE CORE SUB-ZONE.

15 b) STREETLIGHTS SHALL BE INSTALLED AT NO MORE THAN 60 FOOT
16 INTERVALS MEASURED PARALLEL TO THE STREET.

17 c) THE DEVELOPER IS RESPONSIBLE FOR THE INSTALLATION OF
18 STREETLIGHTS ONLY ON THE SIDE OF THE STREET BEING
19 DEVELOPED.

20 d) THE STREETLIGHT REQUIREMENTS MAY BE WAIVED ONLY BY
21 THE ZONING OFFICER BASED UPON FINDINGS THAT
22 STREETLIGHTS AT THE PARTICULAR LOCATION ARE
23 IMPRACTICAL OR NOT DESIRABLE FOR PUBLIC CONVENIENCE OR
24 SAFETY.

25 e) STREETLIGHTS SHALL MEET THE FULL CUT-OFF OR FULLY
26 SHIELDED CRITERIA OF THE ILLUMINATING ENGINEERING
27 SOCIETY OF NORTH AMERICA.

28 (6) IF THE PROPERTY SHOWN ON A PROPOSED SITE PLAN IS CONTAINED
29 WITHIN OR ABUTS A PLANNED PUBLIC INFRASTRUCTURE
30 IMPROVEMENT, SITE IMPROVEMENTS SHALL BE LOCATED TO
31 RESERVE THE AREA OF THE FULL RIGHT-OF-WAY NEEDED FOR
32 FUTURE CONSTRUCTION OF SAID PUBLIC INFRASTRUCTURE
33 IMPROVEMENT. THE AREA TO BE RESERVED SHALL BE SHOWN ON

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1 THE SITE PLAN FOR FUTURE CONSTRUCTION. SAID PLANNED
2 PUBLIC INFRASTRUCTURE IMPROVEMENTS MAY INCLUDE BUT ARE
3 NOT LIMITED TO THE FOLLOWING:

4 a) IMPROVEMENTS SHOWN ON THE FUTURE LAND USE AND
5 CIRCULATION PLAN IN THE HUGHESVILLE VILLAGE
6 REVITALIZATION PLAN;

7 b) THE HUGHESVILLE STREETScape PROJECT. THE NORTHERN AND
8 SOUTHERN LIMITS OF THE PROJECT CORRIDOR ARE IDENTIFIED IN
9 APPENDIX Q; HUGHESVILLE STREETScape PROJECT CORRIDOR.

10 c) IMPROVEMENTS INCLUDED IN THE COUNTY'S ADOPTED CAPITAL
11 IMPROVEMENT PROGRAM (CIP); AND

12 d) ANY PLANNED STATE OR COUNTY STREET AND STREETScape
13 FACILITIES.

14
15 E. ARCHITECTURAL STANDARDS.

16 (1) DEVELOPMENT IN THE HV ZONE IS SUBJECT TO SITE DESIGN AND
17 ARCHITECTURAL REVIEW (SDAR). APPROVAL OF SUBDIVISION PLANS,
18 SITE PLANS AND BUILDING PERMITS SHALL BE SUBJECT TO
19 DETERMINATION THAT THE PLANS COMPLY WITH THE COUNTY
20 ARCHITECTURAL AND SITE DESIGN GUIDELINES AND STANDARDS.
21 GUIDELINES AND STANDARDS SHALL BE APPLIED IN A MANNER
22 CONSISTENT WITH THE OBJECTIVES FOR THE HV ZONE AND SUBZONES.
23 IF THE SDAR REQUIREMENTS CONFLICT WITH THE STANDARDS IN
24 PARAGRAPHS (2), (3), AND (4) BELOW, THE MORE STRINGENT
25 REQUIREMENT SHALL PREVAIL.

26 (2) IN ADDITION TO THE SDAR REQUIREMENTS, NEW BUILDINGS AND
27 ADDITIONS TO EXISTING BUILDINGS SHOULD BE GENERALLY
28 COMPATIBLE WITH THE MASSING, SCALE, AND PROPORTION OF
29 EXISTING HISTORIC STRUCTURES LOCATED IN THE SAME SUB-ZONE
30 AND WITHIN 500 FEET OF THE DEVELOPMENT SITE. IN PARTICULAR,
31 NEW CONSTRUCTION SHOULD BE GENERALLY COMPATIBLE WITH
32 EITHER OF THE FOLLOWING:

33 a) COMMERCIAL BUILDINGS: EARLY 20TH CENTURY

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1 COMMERCIAL BUILDINGS, ONE- TO TWO-STORIES IN HEIGHT
2 AND LOCATED CLOSE TO THE STREET RIGHT-OF-WAY, NEAR
3 THE INTERSECTION OF OLD LEONARDTOWN ROAD AND MD
4 231.

5 b) RESIDENTIAL BUILDINGS: LATE 19TH/EARLY 20TH CENTURY
6 VERNACULAR VICTORIAN DWELLINGS, WITHIN THE
7 RESIDENTIAL SUB-ZONE ALONG OLD LEONARDTOWN ROAD.
8 HOWEVER, IT WOULD ALSO BE APPROPRIATE FOR THESE
9 DWELLINGS TO BE ADAPTIVELY REUSED FOR CERTAIN
10 COMMERCIAL USES, SUCH AS BED AND BREAKFAST AND
11 TOURIST HOMES, SUBJECT TO THE REQUIREMENTS OF THIS
12 SECTION.

13 (3) PRESERVATION AND RE-USE OF HISTORIC OR ARCHITECTURALLY
14 SIGNIFICANT STRUCTURES LISTED ON THE MARYLAND INVENTORY OF
15 HISTORIC PROPERTIES IS PREFERRED. EXTERIOR ALTERATIONS SHOULD
16 PROTECT THE HISTORIC CHARACTER OF THE STRUCTURE.
17 FURTHERMORE, PROPERTIES THAT HAVE BEEN DESIGNATED IN
18 ACCORANCE WITH 297-513 ARE ELIGIBLE FOR REDUCED
19 REQUIREMENTS AS OUTLINED IN (H)(6)(c) AND (H)(7)(a) OF THIS
20 SECTION.

21 (4) ARCHITECTURAL STANDARDS FOR NON-RESIDENTIAL AND MIXED USE
22 STRUCTURES.

23 THE FOLLOWING STANDARDS SHALL APPLY WHICH EXCEED OR
24 SUPPLEMENT THE ARCHITECTURAL AND SITE DESIGN GUIDELINES AND
25 STANDARDS.

26 a) NEW BUILDINGS MAY BE DETACHED OR SEMI-DETACHED. (A
27 SEMI-DETACHED BUILDING WOULD SHARE A SIDE WALL WITH
28 ONE OTHER BUILDING ON AN ADJACENT LOT.)

29 b) ANY WALL SURFACE THAT EXCEEDS 30 FEET IN LENGTH
30 SHALL INCLUDE AN INTERRUPTION IN THE HORIZONTAL
31 PLANE OF THE WALL OF AT LEAST 4 FEET HIGH AND AT LEAST
32 15 FEET LONG. (SEE ILLUSTRATION VI-11.) THE ONLY
33 EXCEPTION TO THIS IS INDUSTRIAL BUILDINGS, WHICH SHALL

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COMPLY WITH THE FAÇADE ARTICULATION STANDARDS IN THE ARCHITECTURAL AND SITE DESIGN GUIDELINES AND STANDARDS. THE SDAR REVIEWER OR DESIGNEE MAY APPROVE AN ALTERNATE DESIGN THAT USES OTHER DESIGN FEATURES TO DIVIDE THE FAÇADE INTO SMALLER INCREMENTS TO CREATE VISUAL INTEREST AND A HUMAN SCALE.

- c) THE WINDOW AREA ON COMMERCIAL OR MIXED USE BUILDINGS SHALL PROVIDE NO LESS THAN 70% TRANSPARENCY ON THE GROUND FLOOR FAÇADE FACING OLD LEONARDTOWN ROAD OR MD 231 WEST OF THE MD 5 BYPASS.
- d) WINDOWS SHALL BE VERTICAL IN PROPORTION, WITH THE EXCEPTION OF STOREFRONT WINDOWS. MIRRORED, REFLECTIVE, OR DARKLY TINTED GLASS SHALL NOT BE USED FOR WINDOWS VISIBLE FROM PUBLIC STREETS OR PUBLIC AREAS.
- e) THE PRIMARY CUSTOMER ENTRANCE TO A COMMERCIAL OR OFFICE BUILDING SHALL FACE THE STREET PROVIDING THE PRIMARY PEDESTRIAN ACCESS TO THE BUILDING.
- f) TRADITIONAL CANVAS-LIKE AWNINGS WITHOUT INTERIOR ILLUMINATION ARE PREFERRED ALONG THE PRIMARY FAÇADE FACING THE STREET.
- g) FRONT YARD FENCES AND WALLS SHALL NOT EXCEED THREE FEET IN HEIGHT. SIDE AND REAR YARD FENCES SHALL NOT EXCEED SIX FEET IN HEIGHT. FENCES AND WALLS VISIBLE FROM THE STREET SHALL BE MADE OF HIGH QUALITY, ATTRACTIVE MATERIALS SUCH AS BRICK, STONE, FINISHED DECORATIVE CONCRETE, AND WROUGHT IRON OR OTHER DECORATIVE METALS.

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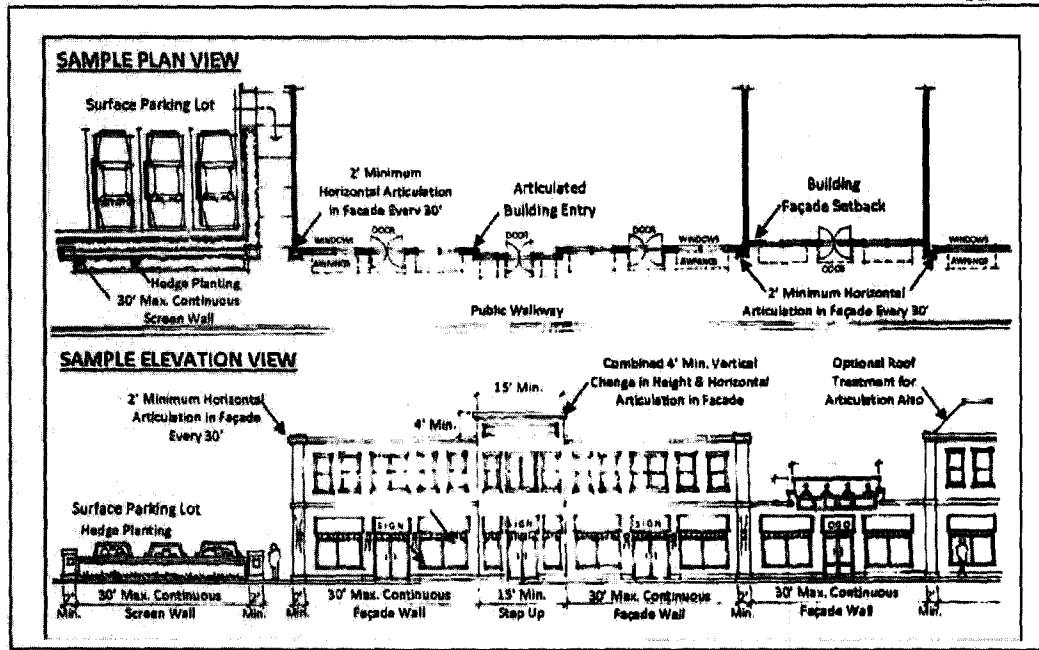


FIGURE VI-11: VERTICAL AND HORIZONTAL ARTICULATION OF BUILDING FACADES

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F. SIGNAGE AND LIGHTING.

THE FOLLOWING REQUIREMENTS APPLY WITHIN THE HUGHESVILLE VILLAGE ZONE IN ADDITION TO THE REQUIREMENTS OF ARTICLE XIX, SIGNS, SECTION 297-305, LIGHTING REQUIREMENTS, AND SECTION 297-306, LIGHTING STANDARDS. IF THE REQUIREMENTS ARE IN CONFLICT, THE MORE STRINGENT REQUIREMENT SHALL PREVAIL. THE FOLLOWING REQUIREMENTS SHALL NOT APPLY TO VILLAGE CENTER SIGNS, WHICH ARE REGULATED PURSUANT TO SECTION 322(C) OF THIS ARTICLE.

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- 1 (1) SIGNS SHALL BE CONSTRUCTED OF HIGH-QUALITY, DURABLE
2 MATERIALS SUCH AS BRICK, CUT STONE, CAST STONE, CAST METALS,
3 STAINLESS STEEL, ALUMINUM, CARVED WOOD, OR OTHER SIMILAR
4 MATERIALS.
- 5 (2) SIGNS SHALL NOT BE CONSTRUCTED OF PAINTED PLYWOOD, PLASTIC
6 PANELS, PLASTIC BANNERS COVERING OLD SIGNS, OR OTHER
7 TEMPORARY OR NON-DURABLE MATERIALS.
- 8 (3) ANY SIGN THAT IS ILLUMINATED SHALL BE LIT BY EXTERNAL
9 LIGHTING FIXTURES ONLY. EXTERNAL LIGHTING FIXTURES USED TO
10 ILLUMINATE SIGNAGE SHALL BE FULL CUT-OFF FIXTURES TO REDUCE
11 SKY GLOW AND GLARE. THE ONLY EXCEPTION IS LED SIGNS, WHICH
12 SHALL COMPLY WITH THE GENERAL SIGN REGULATIONS CONTAINED
13 IN ARTICLE XIX.
- 14 (4) POLE-MOUNTED COMMERCIAL SIGNS ARE NOT PERMITTED. A NON-
15 RESIDENTIAL USE MAY HAVE ONE SINGLE, DOUBLE-SIDED MONUMENT
16 SIGN PER STREET FRONTAGE, NOT TO EXCEED 25 SQUARE FEET IN
17 AREA AND FIVE FEET IN HEIGHT. MONUMENT SIGNS SHALL HAVE
18 ATTRACTIVE LANDSCAPING AT THE BASE OF THE SIGN. LANDSCAPING
19 SHALL USE NATIVE PLANT SPECIES AND SHALL NOT BLOCK SIGHT
20 DISTANCE.
- 21 (5) IN ADDITION TO THE LIGHTING STANDARDS OF SECTION 297-306,
22 FREESTANDING LIGHTING FIXTURES SHALL BE A MAXIMUM OF 16 FEET
23 IN HEIGHT TO THE TOP OF THE LIGHT FIXTURE AND POLE COMBINED.

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25 G. RESIDENTIAL SUBDIVISION. RESIDENTIAL SUBDIVISIONS ARE PERMITTED
26 WITHIN THE CORE, GATEWAY AND RESIDENTIAL SUB-ZONES. THE LOT
27 SIZE, SETBACK AND OTHER REQUIREMENTS FOR EACH SUB-ZONE ARE
28 ESTABLISHED IN FIGURE VI-12. IN ADDITION, THE FOLLOWING DESIGN
29 STANDARDS APPLY:

- 30 (1) IF A PROPERTY IS SUBDIVIDED THAT HAS A STRUCTURE LISTED ON
31 THE MARYLAND INVENTORY OF HISTORIC PROPERTIES, THE LOT
32 CREATED FOR THE HISTORIC STRUCTURE SHOULD ENCOMPASS AN

1 ADEQUATE YARD AREA TO PRESERVE THE HISTORIC SETTING OF THE
2 STRUCTURE.

3 (2) THE FRONT FAÇADE OF EACH NEW DWELLING SHALL FACE THE
4 STREET PROVIDING ACCESS TO THE DWELLING.

5 (3) GARAGES.

6 a) DETACHED GARAGES ARE PREFERRED. DETACHED GARAGES
7 SHALL BE LOCATED IN THE REAR YARD.

8 b) ATTACHED GARAGES ARE PERMITTED PROVIDED THE
9 GARAGE ENTRANCE FACES TO THE SIDE OR REAR, OR IF
10 FRONT FACING, IS RECESSED AT LEAST FIVE FEET FROM THE
11 PRIMARY FRONT FAÇADE OF THE DWELLING. WITHIN
12 EXISTING SUBDIVISIONS, NEW GARAGES MAY VARY FROM
13 THIS STANDARD TO CONFORM TO THE PATTERN OF EXISTING
14 GARAGES WITHIN THE SUBDIVISION.

15 (4) OPEN SPACE.

16 a) OPEN SPACE REQUIREMENT. OPEN SPACE REQUIRED BY THE
17 SCHEDULE OF ZONE REGULATIONS SHALL BE PROVIDED IN
18 ACCORDANCE WITH ARTICLE VI OF THE CHARLES COUNTY
19 SUBDIVISION REGULATIONS. REQUIRED OPEN SPACE SHALL
20 BE PROVIDED AS FOLLOWS:

21 i. ON-SITE: REQUIRED OPEN SPACE SHALL BE PROVIDED
22 WITHIN THE SUBDIVISION THAT RESULTS IN THE OPEN
23 SPACE REQUIREMENT; OR

24 ii. OFF-SITE: THE PLANNING DIRECTOR MAY APPROVE THE
25 OFF-SITE LOCATION OF OPEN SPACE WITHIN THE
26 HUGHESVILLE VILLAGE ZONE TO SATISFY THE OPEN
27 SPACE REQUIREMENT.

28 b) OPEN SPACE DESIGN. AT LEAST 50 PERCENT OF REQUIRED
29 OPEN SPACE SHALL BE USEABLE OPEN SPACE IN ONE OR
30 MORE OF THE FOLLOWING FORMS, AS APPROPRIATE FOR THE
31 PARTICULAR AREA OF HUGHESVILLE:

32 i. PARK: LARGE OPEN SPACES USED FOR RECREATION
33 AND INCLUDING SUCH FEATURES AS TRAILS AND PATHS,

1 PAVILIONS, PICNIC AREAS, OPEN LAWNS, PLAYING FIELDS,
2 AND TREES.

3 ii. SQUARE: FORMALLY ARRANGED OPEN SPACE AREA
4 AVAILABLE UNSTRUCTURED RECREATION AND CIVIC
5 PURPOSES. ITS EDGES ARE DEFINED BY BUILDING OR
6 STREET EDGES, AND IT SERVES AS A CENTRAL FOCUS FOR
7 SURROUNDING PROPERTIES. ITS LANDSCAPE CONSISTS OF
8 PATHS, LAWNS, AND TREES. A SQUARE MAY BE FROM ONE
9 FOURTH OF AN ACRE TO TWO ACRES IN SIZE.

10 iii. PLAYGROUND: A GREEN SPACE DESIGNED AND
11 EQUIPPED FOR CHILDREN'S RECREATION, OCCUPYING AT
12 LEAST 2,500 SQUARE FEET ON AN OPEN SPACE SITE OF AT
13 LEAST ONE EIGHTH OF AN ACRE.

14 iv. GREEN: AN INFORMAL OPEN SPACE AVAILABLE FOR
15 UNSTRUCTURED RECREATION, BETWEEN ONE-QUARTER
16 OF AN ACRE AND SIX ACRES. ITS LANDSCAPING CONSISTS
17 OF LAWN AND TREES.

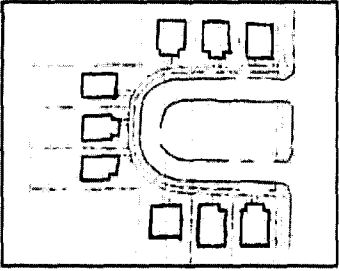
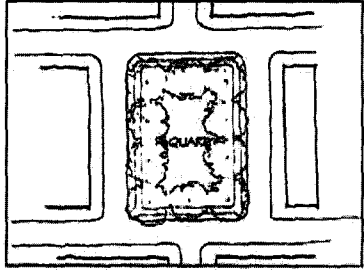
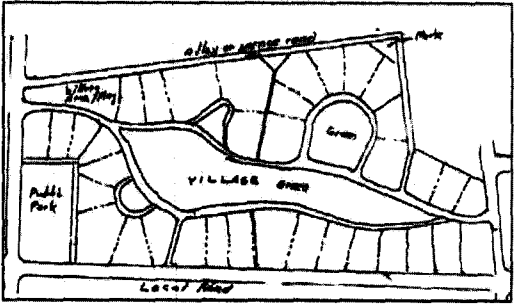
18 v. GREENWAYS WITH PATHS: CORRIDORS OF PROTECTED
19 OPEN SPACE MANAGED FOR CONSERVATION AND
20 RECREATION, OFTEN FOLLOWING NATURAL LAND OR
21 WATER FEATURES. THEY SEPARATE THE WALKING AND
22 CYCLING PUBLIC FROM VEHICULAR TRAFFIC PATTERNS.

23 vi. ENVIRONMENTALLY SENSITIVE DESIGN/STORMWATER
24 MANAGEMENT FACILITIES (AS DEFINED IN THE
25 STORMWATER MANAGEMENT ORDINANCE) AND
26 ASSOCIATED ACCESS DRIVEWAYS SHALL NOT BE
27 INCLUDED WITHIN THE USEABLE OPEN SPACE.

28 (5) EXAMPLES OF SUBDIVISION LAYOUT. THE ELEMENTS OF
29 SUBDIVISION LAYOUT SHOWN IN FIGURE VI-12 ARE APPROPRIATE
30 TO THE HUGHESVILLE VILLAGE ZONE AND, ALTHOUGH NOT
31 REQUIRED, ARE PREFERRED.

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TYPE OF SUBDIVISION LAYOUT	ILLUSTRATION OF SUBDIVISION LAYOUT
<p>a. EYEBROW: A LAYOUT IN WHICH A NARROW STREET THAT PROVIDES ACCESS TO SEVERAL LOTS CURVES AROUND A SMALL COMMON AREA, THUS PERFORMING THE SAME FUNCTION AS A CUL-DE-SAC.</p>	
<p>b. SQUARE: LOTS FRONT ON OR FACE A SYMMETRICAL PUBLIC OPEN SPACE THAT IS FRAMED BY THE SURROUNDING STREETS AND BUILDING FAÇADES AND ACCESSIBLE BY MORE THAN ONE STREET.</p>	
<p>c. GREEN: CURVING PUBLIC STREETS FRAME AN INFORMAL PUBLIC OPEN SPACE AREA.</p>	

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FIGURE VI-12: APPROPRIATE SUBDIVISION LAYOUTS

H. STANDARDS SPECIFIC TO CORE AND GATEWAY SUB-ZONES.

(1) PERMITTED USES BASED UPON STREET FRONTAGE. THE CATEGORY OF LAND USE PERMITTED ON LOTS WITHIN THE CORE AND GATEWAY SUB-ZONES DEPENDS UPON THE PROPERTY'S STREET FRONTAGE.

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- 1 a) LOTS HAVING FRONTAGE ON OLD LEONARDTOWN ROAD OR MD
2 ROUTE 231 SHALL BE DEVELOPED AND USED ONLY FOR NON-
3 RESIDENTIAL USE OR MIXED USE BUILDINGS. EXISTING SINGLE-
4 FAMILY DETACHED DWELLINGS MAY REMAIN AS PROVIDED IN 297-
5 465.E AND FURTHERMORE MAY BE EXPANDED WITHOUT
6 COMPLIANCE WITH THE MAXIMUM FRONT YARD REQUIREMENT
7 ESTABLISHED IN FIGURE VI-14, SCHEDULE OF ZONE REGULATIONS.
- 8 b) PROPOSED SUBDIVISIONS SHALL INDICATE THE INTENDED USE OF
9 LOTS ALONG PROPOSED NEW STREETS WITHIN THE CORE AND
10 GATEWAY SUB-ZONES: EITHER RESIDENTIAL OR NON-
11 RESIDENTIAL/MIXED USE. LOTS SHALL BE RESTRICTED TO THE
12 CATEGORY OF LAND USE INDICATED ON THE APPROVED
13 SUBDIVISION PLAT.

14 (2) BUILDING SETBACKS.

- 15 a) FRONT BUILDING FAÇADES SHALL BE LOCATED BETWEEN THE
16 REQUIRED MINIMUM AND MAXIMUM FRONT SETBACKS
17 ESTABLISHED IN FIGURE VI-14, SCHEDULE OF ZONE REGULATIONS.
- 18 b) EXISTING STRUCTURES WITH LARGER FRONT SETBACKS THAN THE
19 REQUIRED MAXIMUM FRONT SETBACK MAY BE EXPANDED
20 WITHOUT BRINGING THE BUILDING INTO COMPLIANCE WITH THE
21 SETBACK. THE STRUCTURE MAY BE EXPANDED TO REDUCE THE
22 NONCONFORMITY AS PROVIDED IN §297-465.F. IN ADDITION, IF AN
23 EXPANSION WOULD REASONABLY BE PLACED TO THE SIDE OR
24 REAR OF THE EXISTING STRUCTURE DUE TO ITS FUNCTION (SUCH
25 AS STORAGE OR UTILITY AREA), IT DOES NOT NEED TO REDUCE THE
26 NONCONFORMITY. BUILDING ADDITIONS FOR CUSTOMER OR
27 PUBLIC ACCESS SHALL INCLUDE IMPROVEMENTS TO PEDESTRIAN
28 ACCESS FROM THE PUBLIC STREET.

29 (3) STRUCTURES ON CORNER LOTS ARE REQUIRED TO COMPLY WITH THE
30 MAXIMUM FRONT SETBACK ONLY FROM ONE STREET FRONTAGE.

31 (4) HEIGHT.

- 32 a) MAXIMUM FLOOR-TO-CEILING HEIGHT FOR THE GROUND FLOOR: 16
33 FEET.

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1 b) MAXIMUM FLOOR-TO-CEILING HEIGHT FOR EACH STORY ABOVE
2 THE GROUND FLOOR: 12 FEET.

3 c) IN THE HUGHESVILLE VILLAGE GATEWAY ZONE, BUILDINGS MAY
4 BE DIVIDED INTO A FRONT AND REAR PORTION. THE PORTION
5 CLOSEST TO THE PUBLIC STREET RIGHT-OF-WAY SHALL BE AT
6 AT LEAST 40 FEET DEEP FROM THE PRIMARY BUILDING FAÇADE AND
7 MEET THE HEIGHT STANDARDS IN (a) AND (b) ABOVE. THE REAR
8 PORTION MAY INCLUDE A HIGHER ONE-STORY SECTION, WITH
9 MAXIMUM HEIGHT OF 30 FEET.

10 (5) FRONT YARD AREAS: THE FRONT YARD BETWEEN THE STREET RIGHT-OF-
11 WAY AND THE BUILDING FAÇADE SHALL BE USED FOR SIDEWALKS,
12 LANDSCAPING, PUBLIC SEATING, OUTDOOR DINING, OR OTHER
13 PEDESTRIAN-ORIENTED FEATURES THAT ENHANCE AND CONTRIBUTE TO
14 THE STREETScape. THE FRONT YARD MAY INCLUDE ENVIRONMENTALLY
15 SENSITIVE DESIGN/STORMWATER MANAGEMENT FACILITIES (AS DEFINED
16 IN THE STORMWATER MANAGEMENT ORDINANCE) IF THE LOCATION AND
17 PLANTING ENHANCE AND CONTRIBUTE TO THE STREETScape.

18 (6) FLOOR AREA OF BUSINESSES.

19 a) NO INDIVIDUAL BUSINESS IN THE CORE SUB-ZONE SHALL OCCUPY
20 MORE THAN 15,000 SQUARE FEET OF FLOOR AREA PER LEVEL
21 (FLOOR) OF A BUILDING.

22 b) NO INDIVIDUAL BUSINESS IN THE GATEWAY SUB-ZONE SHALL
23 OCCUPY MORE THAN 40,000 SQUARE FEET OF FLOOR AREA PER
24 LEVEL (FLOOR) OF A BUILDING.

25 c) THESE LIMITS SHALL NOT APPLY TO BUSINESSES WITHIN HISTORIC
26 STRUCTURES OR SITES THAT ARE LISTED ON THE MARYLAND
27 INVENTORY OF HISTORIC PROPERTIES AND THAT ARE HISTORIC
28 SITES DESIGNATED IN ACCORDANCE WITH SECTION 297-513.

29 (7) PARKING REQUIREMENTS.

30 a) THE MINIMUM PARKING SPACES REQUIRED BY ARTICLE XX MAY BE
31 REDUCED BY UP TO 50 PERCENT FOR NON-RESIDENTIAL USES IF THE
32 PLANNING DIRECTOR FINDS, BASED ON INFORMATION SUBMITTED
33 WITH A SITE PLAN APPLICATION, THAT THERE IS AN ADEQUATE

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1 SUPPLY OF SHARED AND ON-STREET PARKING SPACES IN THE
2 VICINITY OF THE USE. THE PLANNING DIRECTOR MAY APPROVE
3 ADDITIONAL PARKING REDUCTIONS FOR HISTORIC SITES
4 DESIGNATED IN ACCORDANCE WITH SECTION 297-513.

5 b) ON-STREET PARKING ALONG THE SITE FRONTAGE ON THE SAME
6 SIDE OF THE STREET SHALL BE CREDITED TOWARDS PARKING
7 REQUIREMENTS FOR NONRESIDENTIAL USES.

8 c) OFF-STREET PARKING SHALL BE LOCATED TO THE REAR OR SIDE OF
9 BUILDINGS. FOR PARKING LOCATED IN A SIDE YARD, THE PARKING
10 SPACES AND DRIVE AISLES SHALL BE AT LEAST FIVE FEET TO THE
11 REAR OF THE FRONT BUILDING FAÇADE.

12 d) OFF-SITE PARKING IS SUBJECT TO THE PROVISIONS OF SECTION 297-
13 341 FOR SATELLITE PARKING, EXCEPT AS MODIFIED BELOW:

14 i. OFF-SITE PARKING WITHIN ¼ MILE OF THE SITE AND LINKED TO
15 THE SITE BY SIDEWALKS OR PATHWAYS MAY BE CREDITED
16 TOWARDS THE REQUIRED PARKING.

17 ii. THE OFF-SITE PARKING MUST BE IN THE CORE, GATEWAY OR
18 EMPLOYMENT SUB-ZONE.

19 e) SHARED PARKING, SHARED ENTRANCES AND CROSS-ACCESS TO
20 ADJACENT PARCELS ARE ENCOURAGED.

21 (8) LANDSCAPING ALONG STREET FRONTAGE. LANDSCAPING SHALL COMPLY
22 WITH ARTICLES XXI AND XXII, EXCEPT AS MODIFIED BELOW.

23 a) IN THE GATEWAY SUB-ZONE, IF THE BUILDING IS SETBACK 10 OR
24 MORE FEET FROM THE PUBLIC STREET RIGHT-OF-WAY,
25 LANDSCAPING SHALL BE PROVIDED BETWEEN THE BUILDING AND
26 THE STREET CONSISTING OF AT LEAST TWO CANOPY TREES, FOUR
27 UNDERSTORY TREES, AND 20 SHRUBS PER 100 FEET OF STREET
28 FRONTAGE.

29 b) WHERE PARKING AREAS ARE LOCATED TO THE SIDE OF A
30 BUILDING, A LANDSCAPE AREA SHALL BE PROVIDED BETWEEN THE
31 STREET RIGHT-OF-WAY AND THE PARKING AREA. IN LIEU OF THE
32 PARKING AREA PERIMETER LANDSCAPING REQUIREMENTS OF §297-
33 358, THE FOLLOWING SHALL BE REQUIRED:

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- i. IN THE CORE SUB-ZONE, A LANDSCAPE AREA AT LEAST SIX FEET IN WIDTH, WITH A MINIMUM OF ONE CANOPY TREE AND SIX SHRUBS PER 35 LINEAR FEET OF PARKING LOT FRONTAGE ON A PUBLIC STREET, EXCLUDING DRIVEWAY OPENINGS.
 - ii. IN THE GATEWAY SUB-ZONE, A LANDSCAPE AREA AT LEAST 12 FEET IN WIDTH, WITH A MINIMUM OF ONE CANOPY TREES, TWO UNDERSTORY TREES, AND 10 SHRUBS PER 35 FEET OF PARKING LOT FRONTAGE ON A PUBLIC STREET, EXCLUDING DRIVEWAY OPENINGS.
 - c) LOTS USED SOLELY FOR PARKING SHALL PROVIDE A 12-FOOT WIDE LANDSCAPE AREA ALONG THE STREET RIGHT-OF-WAY IN BOTH THE CORE AND GATEWAY SUB-ZONES, WITH LANDSCAPING AS REQUIRED ABOVE FOR THE GATEWAY SUB-ZONE.
 - d) THE LANDSCAPED AREA MAY INCLUDE ENVIRONMENTALLY SENSITIVE DESIGN/STORMWATER MANAGEMENT FACILITIES (AS DEFINED IN THE STORMWATER MANAGEMENT ORDINANCE) IF COMPATIBLE WITH THE OVERALL LANDSCAPE PLAN.
- 9) CORE AND GATEWAY RESIDENTIAL SUBDIVISION: SEE STANDARDS IN SECTION 297-99(G).

I. STANDARDS SPECIFIC TO RESIDENTIAL SUB-ZONE.

- (1) SEE STANDARDS FOR NEW SUBDIVISION IN SECTION 297.99.G.
- (2) INFILL. TO ENSURE THAT NEW DWELLINGS ARE COMPATIBLE WITH THE CHARACTER OF ESTABLISHED NEIGHBORHOODS, THE FOLLOWING REQUIREMENTS APPLY TO NEW DWELLINGS ON SUBDIVISION STREETS DEVELOPED PRIOR TO THE ADOPTION OF THE HUGHESVILLE VILLAGE ZONE:
 - a) THE FRONT SETBACK OF NEW DWELLINGS SHALL BE CONSISTENT WITH THE ESTABLISHED SETBACK LINE, WHERE ONE EXISTS, GENERALLY NOT VARYING BY MORE THAN 25 PERCENT FROM THE AVERAGE FRONT SETBACK OF EXISTING DWELLINGS ON THE SAME SIDE OF THE STREET AND WITHIN THE SAME BLOCK.

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1 b) NEW DWELLINGS SHALL BE PROPORTIONAL IN SCALE WITH
2 EXISTING DWELLINGS, GENERALLY NOT VARYING BY MORE THAN
3 25 PERCENT FROM THE AVERAGE FRONT FAÇADE WIDTH OF
4 DWELLINGS ON THE SAME SIDE OF THE STREET AND WITHIN THE
5 SAME BLOCK.

6 c) WHERE A NEW SUBDIVISION EXTENDS OR ADDS NEW LOTS ALONG
7 AN EXISTING PUBLIC STREET, THE NEW LOTS SHALL BE DESIGNED
8 AS COMPATIBLE EXTENSIONS OF THE LOT PATTERN ALONG THE
9 EXISTING STREET.

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11 J. STANDARDS SPECIFIC TO EMPLOYMENT SUB-ZONE.

12 THE FOLLOWING STANDARDS APPLY TO PROPERTIES IN THE
13 EMPLOYMENT SUB-ZONE THAT HAVE FRONTAGE ON OLD LEONARDTOWN
14 ROAD OR MD ROUTE 231, IN ADDITION TO THE APPLICABLE PROVISIONS
15 OF THE ARCHITECTURAL AND SITE DESIGN GUIDELINES AND STANDARDS:

16 (1) A LANDSCAPED BUFFER SHALL BE PROVIDED ALONG THE STREET
17 FRONTAGE AS REQUIRED FOR THE GATEWAY SUB-ZONE (SEE
18 SECTION 297-99.H.8).

19 (2) GARAGE BAY ENTRANCES SHALL NOT FACE OLD LEONARDTOWN
20 ROAD OR MD ROUTE 231. BAY ENTRANCES ON A SIDE WALL SHALL
21 BE SET BACK AT LEAST 15 FEET FROM THE FRONT FAÇADE.

22 (3) FENCES AND WALLS VISIBLE FROM THE STREET SHALL BE MADE OF
23 HIGH QUALITY, ATTRACTIVE MATERIALS SUCH AS BRICK, STONE,
24 FINISHED DECORATIVE CONCRETE, AND WROUGHT IRON OR OTHER
25 DECORATIVE METALS.

26 (4) FLEET PARKING, OUTDOOR STORAGE, LOADING, MECHANICAL
27 EQUIPMENT AND OUTDOOR OPERATIONS AREAS SHALL BE
28 LOCATED IN A REAR YARD AND SCREENED FROM THE STREET BY
29 BUILDINGS WHENEVER POSSIBLE. WHEN NOT SCREENED BY A
30 BUILDING, SUCH USES SHALL BE SCREENED BY A TYPE D
31 BUFFERYARD.

32
33 K. EXISTING STRUCTURES AND USES.

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THE HUGHESVILLE VILLAGE ZONE IS INTENDED TO ALLOW FOR THE CONTINUANCE OF EXISTING USES, WHILE THE OBJECTIVES OF THE ZONE ARE GRADUALLY REALIZED THROUGH ADAPTIVE REUSE, INFILL, REDEVELOPMENT AND EXPANSION. FIGURE VI-13 ESTABLISHES THRESHOLDS AT WHICH THE REQUIREMENTS OF THIS SECTION SHALL BE APPLIED TO PROPOSED DEVELOPMENT. ANY REQUEST FOR EXPANSION OR EXTENSION OF A NONCONFORMING USE SHALL FIRST COMPLY WITH THE PROVISIONS AND PROCESSES ESTABLISHED IN ARTICLE XXVIII (NONCONFORMING USES) OF THIS CHAPTER. EXPANSIONS OR RENOVATIONS SHALL COMPLY WITH THE STANDARDS OF THIS SECTION EXCEPT AS ESTABLISHED BY FIGURE VI-13.

Chapter 297. ZONING ORDINANCE

Article VI, Base Zone Regulations

Section 297-99, Hughesville Village (HV) Zones, Adding a new Figure VI-13 as shown herein.

Asterisks *** mean intervening code language remaining unchanged
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[Brackets] indicate language deleted from existing law.

FIGURE VI-13: THRESHOLDS AND APPLICABILITY OF STANDARDS.

TYPE OF DEVELOPMENT	APPLICABLE STANDARDS						
	ROADS	ARCHITECTURAL STANDARDS	SIGNAGE AND LIGHTING	RESIDENTIAL SUBDIVISION	CORE, GATEWAY AND EMPLOYMENT SUB-ZONE STANDARDS	RESIDENTIAL SUB-ZONE STANDARDS	
NEW SUBDIVISION	✓			✓	✓	✓	
SINGLE-FAMILY RESIDENTIAL DWELLINGS:							
NEW DWELLING		✓	✓			✓	
ADDITIONS TO SINGLE-FAMILY DETACHED DWELLINGS			✓			✓	
NON-RESIDENTIAL AND MIXED USE:							
NEW PRINCIPAL STRUCTURE	✓	✓	✓		✓		
ADDITIONS THAT DO NOT ADD MORE THAN 2,000 SQUARE FEET OF GROSS FLOOR AREA OR ALTER MORE THAN 25% OF THE BUILDING OR SITE AREA: APPLY STANDARDS ONLY TO NEW CONSTRUCTION AND AREAS AFFECTED BY NEW SITE IMPROVEMENTS			✓		✓		
ADDITIONS THAT ADD MORE THAN 2,000 SQUARE FEET OF GROSS FLOOR AREA OR THAT ALTER MORE THAN 25% OF THE BUILDING OR SITE AREA: APPLY STANDARDS ONLY TO NEW CONSTRUCTION AND AREAS AFFECTED BY NEW SITE IMPROVEMENTS		✓	✓		✓		

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Chapter 297. ZONING ORDINANCE

Article VI, Base Zone Regulations

Section 297-99, Hughesville Village (HV) Zone, Adding a new Figure VI-14 as shown herein.

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FIGURE VI-14: SCHEDULE OF ZONE REGULATIONS: HUGHESVILLE VILLAGE ZONE

ABBREVIATIONS
 DU: DWELLING UNIT.
 FAR: FLOOR AREA RATIO. AN INTENSITY MEASURED AS A RATIO DERIVED BY DIVIDING THE TOTAL FLOOR AREA OF A BUILDING BY THE BASE SITE AREA.
 ISR: IMPERVIOUS SURFACE RATIO. THE RATIO DERIVED BY DIVIDING THE AREA OF IMPERVIOUS SURFACE BY THE BASE SITE AREA. IMPERVIOUS SURFACES ARE THOSE WHICH DO NOT ABSORB WATER. THEY CONSIST OF ALL BUILDINGS, PARKING AREAS, DRIVEWAYS, STREETS AND SIDEWALKS.

Uses	Minimum Lot Dimensions				Front Yard Requirements (feet)		Minimum Yard Requirements (feet)			Minimum Height		Lot Coverage ⁴	Minimum Open Space	Maximum ISR
	Front	Side	Rear	Front	Rear	Minimum	Maximum ³	Side	Total of side setbacks	Front	Rear			
Hughesville Village Core Sub-Zone														
Agricultural: 1.00,000	150	200	75	40	80	50	36	3						
Single-family detached 3.01,100	50	80	10	6	12	20	36	2			50%	25%		
Inst./Util./Rec: 4.00,000	50	80	0	10	20	10	36	2					0.80	
Services-oriented commercial, commercial, industrial and mixed use building: 5.00,000, 6.00,000, 7.00,000 and 8.01,00 and 8.02,00	50	80	0	15	5	10	36	2					0.80	
Hughesville Village Gateway Sub-Zone														
Agricultural: 1.00,000	150	200	75	40	80	50	36	3						
Single-family detached 3.01,100	50	80	10	6	12	20	36	2			50%	25%		
Inst./Util./Rec: 4.00,000	50	80	0	10	20	50	36	2					0.80	
Services-oriented commercial, commercial, industrial and mixed use building: 5.00,000, 6.00,000, 7.00,000 and 8.01,00 and 8.02,00	50	80	0	40	5	50	36	2					0.80	
Hughesville Village Residential Sub-Zone														
Agricultural: 1.00,000	150	200	75	40	80	50	36	3						
Single-family detached 3.01,100	70	100	25	8	20	25	36	2			35%	20%		
Inst./Util./Rec.: 4.00,000	100	150	25	20	40	40	36	3			30%		0.50	
Hughesville Village Employment Sub-Zone														
Agricultural: 1.00,000	150	200	75	40	80	50	36	3						
Inst./Util./Rec.: 4.00,000	100	100	10	20	40	50	36	2					0.75	
Services-oriented commercial, commercial and industrial 5.00,000, 6.00,000 and 7.00,000	100	100	10	20	40	50	36	2					0.75	

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NOTES:

1. ~~FOR DEVELOPMENT WITHOUT PUBLIC WATER AND SEWER, THE MINIMUM LOT AREA SHALL BE THAT WHICH IS PERMITTED BY THE COUNTY HEALTH DEPARTMENT.~~
2. WIDTH MEASURED AT MINIMUM BUILDING RESTRICTION LINE.
3. IN THE HUGHESVILLE VILLAGE CORE AND GATEWAY ZONES, FOR REAR LOTS WITHOUT STREET FRONTAGE, THE REQUIRED MAXIMUM SETBACK FROM A PUBLIC STREET SHALL NOT APPLY. ALSO SEE ADDITIONAL REQUIREMENTS IN SECTION 297-99.H.
4. LOT COVERAGE INCLUDES THE SQUARE FOOTAGE ON THE GROUND OF ALL BUILDINGS LOCATED ON THE LOT.

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L. PERMITTED USES

FIGURE VI-15 ESTABLISHES PERMITTED USES IN THE HUGHESVILLE VILLAGE SUB-ZONES. IF A USE IS PERMITTED SUBJECT TO CONDITIONS OR PERMITTED BY SPECIAL EXCEPTION, THEN THE CONDITIONS ESTABLISHED IN SECTION 297-212 SHALL APPLY TO THE USE.

Chapter 297. ZONING ORDINANCE

Article VI, Base Zone Regulations

Section 297-99, Hughesville Village (HV) Zone, Adding a new Figure VI-15 as shown herein.

Asterisks *** mean intervening code language remaining unchanged
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FIGURE VI-15: TABLE OF PERMITTED USES FOR HUGHESVILLE VILLAGE ZONE

KEY:

P = PERMITTED

PC = PERMITTED WITH CONDITIONS

SE = SPECIAL EXCEPTION

BLANK = NOT PERMITTED

	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
1.00 AGRICULTURAL				
1.01.000 AGRICULTURAL OPERATIONS, FARMING				
1.01.100 EXCLUDING LIVESTOCK - HORTICULTURAL, HYDROponic, CHEMICAL, OR GENERAL FARMING TRUCK GARDENS, CULTIVATION OF FIELD CROPS, ORCHARDS, GROVES, OR NURSERIES FOR GROWING OR PROPAGATION OF PLANTS, TREES AND SHRUBS	P	P	P	P
1.01.200 INCLUDING LIVESTOCK ON A PARCEL GREATER THAN 5 ACRES - DAIRY FARMING KEEPING OR RAISING FOR SALE LARGE OR SMALL ANIMALS, REPTILES, FISH, BIRDS, POULTRY OR AQUACULTURE	PC	PC	PC	PC
1.01.300 KEEPING OF LIVESTOCK ON LESS THAN OR EQUAL TO 5 ACRES				
1.01.310 HORSES, LIVESTOCK MAINTAINED AS PETS, AND 4-H OR SCHOOL PROJECTS	PC	PC	PC	
1.01.320 CATTLE, SWINE, GOATS AND SHEEP, RABBITS, POULTRY OR FOWL RAISED FOR SALE				
1.01.400 USES LOCATED GREATER THAN 200 FEET FROM THE NEAREST BOUNDARY LINE OF THE LAND ON WHICH LOCATED				
1.01.410 GRAIN DRYERS AND RELATED STRUCTURES				
1.01.420 FERTILIZER STORAGE IN BAGS OR BULK STORAGE OF LIQUID OR DRY FERTILIZER IN TANKS OR IN A COMPLETELY ENCLOSED BUILDING				
1.01.430 COMMERCIAL ASSEMBLY AND REPAIR OF ALL EQUIPMENT NORMALLY USED IN AGRICULTURE		PC	PC	PC
1.01.440 ACCESSORY PETROLEUM STORAGE, NOT TO EXCEED 20,000 GALLONS AND SUBJECT TO APPLICABLE SAFETY CODES, ORDINANCES, AND STATUTES				
1.01.450 POULTRY HOUSES, HOG OPERATIONS WITH 6 OR MORE HOGS				
1.01.460 SLAUGHTERHOUSES				
1.01.470 PROCESSING AND SELLING PRODUCTS RAISED ON-SITE				
1.01.500 COMMERCIAL STABLES				
1.01.600 FARRIER SERVICES				
1.01.700 USE OF HEAVY CULTIVATING MACHINERY, SPRAY PLANES, OR IRRIGATING MACHINERY				
1.01.800 FARM INCUBATOR			PC	PC
1.02.000 FORESTRY	P	P	P	P
1.03.000 OPEN-AIR MARKETS AND HORTICULTURAL SALES				
1.03.100 OPEN-AIR MARKETS				
1.03.110 FARM AND CRAFT MARKETS, FLEA MARKETS		P	P	

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
1.03.120 OPEN-AIR PRODUCE MARKETS		P	P	
1.03.200 HORTICULTURAL SALES WITH OUTDOOR DISPLAY		P	P	
1.03.300 LIVESTOCK MARKETS				
1.04.000 HUNTING AND FISHING CABINS				
1.05.000 COMMERCIAL GREENHOUSE OPERATION				
1.05.100 NO ON-PREMISE SALE				
1.05.200 ON-PREMISE SALES PERMITTED		P	P	
1.06.000 KENNEL, COMMERCIAL				
1.07.000 CAT BOARDING FACILITY				
2.00.000 MARINE				
2.01.000 MARINA, INCLUDING BOAT SALES AND REPAIR AND BOAT RENTAL INCLUDING SAILBOARDS AND JET SKIS		PC	PC	PC
2.02.000 SEAFOOD PROCESSING				
2.02.100 SEAFOOD PROCESSING AND SEAFOOD OPERATIONS WITH PRODUCTS RAISED OR HARVESTED OFF-SITE			PC	PC
2.02.200 SEAFOOD PROCESSING AND SEAFOOD OPERATIONS WITH PRODUCTS RAISED ON THE PREMISES			PC	PC
2.03.000 MARINE TERMINAL				
2.04.000 COMMERCIAL FISHING				
3.00.000 RESIDENTIAL				
3.01.00 SINGLE-FAMILY DETACHED				
3.01.100 SINGLE-FAMILY DETACHED	P	P	P	
3.01.200 LOT LINE				
3.01.300 PATIO/COURT/ATRIUM				
3.01.400 CLASS A MANUFACTURED HOME				
3.01.500 CLASS B MANUFACTURED HOME				
3.01.600 TENANT HOUSE				
3.01.700 PRIMARY RESIDENCE WITH ACCESSORY APARTMENT	PC	PC	PC	
3.01.800 SINGLE ROOM OCCUPANCY UNITS		P	P	
3.02.000 SINGLE-FAMILY ATTACHED				
3.02.100 DUPLEX				
3.02.200 TOWNHOUSE				
3.02.300 MULTIPLEX				
3.03.000 MULTI-FAMILY				
3.03.100 GARDEN APARTMENT				
3.03.200 MID-RISE				
3.03.300 HI-RISE				
3.03.400 COMMERCIAL APARTMENT		P	P	
3.04.000 HOMES EMPHASIZING SPECIAL SERVICES, TREATMENT, OR SUPERVISION, AND RESIDENTIAL ELDERLY CARE HOMES				
3.04.100 GROUP HOMES				
3.04.110 NOT MORE THAN 8 PEOPLE	PC	PC	PC	
3.04.120 WITH BETWEEN 9 AND 16 PEOPLE	SE	SE	SE	
3.04.200 DAY CARE				
3.04.210 DAY-CARE HOME (HAVING FEWER THAN 9 RECIPIENTS)	P	P	P	

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
3.04.220 DAY-CARE CENTER, DAY NURSERY (BETWEEN 9 AND 30 CARE RECIPIENTS)	SE	P	P	
3.04.300 HALF WAY HOUSE	SE	SE	SE	
3.04.400 ELDERLY CARE HOMES				
3.04.410 ELDERLY CARE HOMES (1 - 8 PEOPLE)	P	P	P	
3.04.420 ELDERLY CARE HOMES (9 - 16 PEOPLE)	SE	SE	SE	
3.04.500 RETIREMENT HOUSING COMPLEX				
3.05.000 MISCELLANEOUS ROOMS FOR RENT SITUATIONS				
3.05.100 ROOMING HOUSES, BOARDING HOUSES RENTED BY THE MONTH				
3.05.200 BED AND BREAKFAST, TOURIST HOMES	PC	PC	PC	
3.05.300 HOTELS, MOTELS, CONVENTION CENTERS, CONFERENCE CENTERS, AND SIMILAR BUSINESS OR INSTITUTIONS PROVIDING OVERNIGHT ACCOMMODATIONS		P	P	P
3.05.400 COUNTRY INN				
3.06.000 SHELTERS, PERMANENT		SE	SE	
3.07.000 MIGRANT WORKERS HOUSING				
4.00.000 INSTITUTIONAL/UTILITIES/RECREATION				
4.01.000 EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL AND FRATERNAL USES				
4.01.100 SCHOOLS				
4.01.110 PRIVATE ELEMENTARY AND SECONDARY (INCLUDED PRE-SCHOOL, KINDERGARTEN, ASSOCIATED GROUNDS, ATHLETIC, AND OTHER FACILITIES)	SE	SE	SE	
4.01.120 TRADE OR VOCATIONAL SCHOOLS		P	P	P
4.01.130 PRIVATE COLLEGES, UNIVERSITIES, COMMUNITY COLLEGES (INCLUDING ASSOCIATED FACILITIES SUCH AS DORMITORIES, OFFICE BUILDINGS, ATHLETIC FIELDS, ETC.)				
4.01.131 PRIVATE COLLEGES, UNIVERSITIES AND COMMUNITY COLLEGES, LIMITED TO CLASSROOMS AND OFFICES		P	P	P
4.01.200 CHURCHES, SYNAGOGUES, AND TEMPLES (INCLUDING ASSOCIATED CEMETERIES, ASSOCIATED RESIDENTIAL STRUCTURES FOR RELIGIOUS PERSONNEL AND ASSOCIATED BUILDINGS WITH RELIGIOUS CLASSES NOT INCLUDING ELEMENTARY OR SECONDARY SCHOOL BUILDINGS)	P	P	P	P
4.01.300 PRIVATE LIBRARIES, MUSEUMS, ART CENTERS, AND SIMILAR USES (INCLUDING THOSE ASSOCIATED EDUCATION AND INSTRUCTIONAL ACTIVITIES)				
4.01.310 LOCATED WITHIN A BUILDING DESIGNED AND PREVIOUSLY OCCUPIED AS A RESIDENCE OR INSTITUTIONAL USE	PC	P	P	
4.01.320 LOCATED WITHIN ANY OTHER STRUCTURE		P	P	
4.01.400 SOCIAL, FRATERNAL CLUBS AND LODGES, UNION HALLS, MEETING HALLS, AND SIMILAR USES		P	P	
4.02.000 RECREATION, AMUSEMENT AND ENTERTAINMENT				
4.02.100 ACTIVITY CONDUCTED ENTIRELY WITHIN BUILDING OR SUBSTANTIAL STRUCTURE				
4.02.110 INDOOR RECREATION, FOR EXAMPLE, BOWLING ALLEYS, SKATING RINKS, INDOOR TENNIS AND SQUASH COURTS, BILLIARD AND POOL HALLS, INDOOR ATHLETIC		SE	SE	
4.02.120 MOVIE THEATRES, THEATRES, COLISEUMS AND STADIUMS				

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
4.02.121 SEATING CAPACITY OF NOT MORE THAN 300		P	P	
4.02.122 SEATING CAPACITY UP TO 1000			SE	
4.02.123 COLISEUMS AND STADIUMS WITH SEATING CAPACITY MORE THAN 1000				
4.02.130 INDOOR RIFLE AND PISTOL RANGES				
4.02.140 OFF-TRACK BETTING FACILITIES				
4.02.200 ACTIVITY CONDUCTED PRIMARILY OUTSIDE ENCLOSED BUILDINGS OR STRUCTURES				
4.02.210 PRIVATELY OWNED OUTDOOR RECREATIONAL FACILITIES SUCH AS GOLF AND COUNTRY CLUBS, SWIMMING OR TENNIS CLUBS, NOT CONSTRUCTED PURSUANT TO A PERMIT AUTHORIZING THE CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT				
4.02.220 PRIVATELY OWNED OUTDOOR RECREATIONAL FACILITIES SUCH AS GOLF AND COUNTRY CLUBS, SWIMMING OR TENNIS CLUBS, APPROVED AS PART OF A RESIDENTIAL DEVELOPMENT	P		P	
4.02.230 RECREATION VEHICLE PARKS				
4.02.240 CAMPGROUNDS AND CAMPS				
4.02.250 AUTOMOBILE AND MOTORCYCLE RACING TRACKS				
4.02.260 DRIVE-IN MOVIE THEATRES, OPEN-AIR THEATRES, AND AMPHITHEATRES				
4.02.270 AMUSEMENT AND THEME PARKS				
4.02.280 GOLF DRIVING RANGES NOT ACCESSORY TO GOLF COURSES, PAR 3 GOLF COURSES, MINIATURE GOLF COURSES, SKATEBOARD PARKS, WATER SLIDES, BATTING CAGES, AND SIMILAR USES				
4.02.290 RIFLE AND PISTOL RANGES, WAR GAMES, ARCHERY RANGES, OR OTHER RECREATIONAL ACTIVITIES USING WEAPONS				
4.03.000 INSTITUTIONAL RESIDENCE OR CARE OR CONFINEMENT FACILITIES				
4.03.100 HOSPITAL AND OTHER IN-PATIENT MEDICAL (INCLUDING MENTAL HEALTH TREATMENT) FACILITIES IN EXCESS OF 10,000 SQUARE FEET OF FLOOR AREA				
4.03.200 NURSING CARE, INTERMEDIATE CARE, HANDICAPPED, INFIRM, AND CHILD CARE INSTITUTIONS	SE	P	P	
4.04.000 EMERGENCY SERVICES				
4.04.100 FIRE STATIONS	P	P	P	P
4.04.200 RESCUE SQUADS, AMBULANCE SERVICES	P	P	P	P
4.05.000 MISCELLANEOUS PUBLIC AND SEMI-PUBLIC FACILITIES				
4.05.100 POST OFFICE				
4.05.110 LOCAL		P	P	P
4.05.120 REGIONAL				
4.05.200 AIRPORT				
4.05.210 PRIVATE USE				
4.05.220 GENERAL AVIATION AIRPORT				
4.05.300 HELICOPTER FACILITIES				
4.05.310 HELIPORTS				
4.05.320 HELISTOPS				

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
4.06.000 PUBLIC UTILITIES (INCLUDING TOWERS AND RELATED STRUCTURES)				
4.06.100 NEIGHBORHOOD ESSENTIAL SERVICE	P	P	P	P
4.06.200 ELECTRIC POWER, GAS TRANSMISSION, AND TELECOMMUNICATIONS BUILDINGS AND STRUCTURES NOT ASSOCIATED WITH A TOWER				P
4.06.300 TOWERS MORE THAN 50 FEET TALL	SE	SE	SE	SE
4.06.400 TOWERS AND ANTENNAS 50 FEET TALL OR LESS	P	P	P	P
4.06.500 WIRELESS COMMUNICATION ANTENNAE	PC	PC	PC	PC
4.07.000 SATELLITE DISHES AND EARTH STATIONS				
4.07.100 EARTH STATIONS	SE	SE	SE	PC
4.07.200 SATELLITE DISHES	PC	PC	PC	PC
4.08.000 CEMETERIES AND CREMATORIALS				
4.08.100 CEMETERIES				
4.08.110 FAMILY BURIAL SITES	PC	PC	PC	PC
4.08.120 OTHER CEMETERIES				
4.08.200 CREMATORIALS				
4.09.000 TRANSPORTATION				
4.09.100 BUS STATIONS, TRAIN STATIONS				
4.09.200 PARK AND RIDE FACILITIES				
5.00.000 SERVICE-ORIENTED COMMERCIAL				
5.01.000 ALL OPERATIONS CONDUCTED ENTIRELY WITHIN FULLY ENCLOSED BUILDING				
5.01.100 OPERATIONS DESIGNED TO ATTRACT AND SERVE CUSTOMERS OR CLIENTS ON THE PREMISES				
5.01.111 PROFESSIONAL OFFICES (EXAMPLES ARE ATTORNEYS, ARCHITECTS, ENGINEERS, INSURANCE AND STOCK BROKERS, TRAVEL AGENTS, GOVERNMENT OFFICE BUILDINGS, ETC.)		P	P	P
5.01.112 PERSONAL SERVICES (SEE DEFINITION)		P	P	
5.01.113 DRY CLEANING/LAUNDRY AND LAUNDROMATS		P	P	
5.01.114 BANKS AND FINANCIAL INSTITUTIONS		P	P	P
5.01.115 BUSINESS SERVICES		P	P	P
5.01.116 OFFICE OR CLINICS OF PHYSICIANS, DENTIST, AND CHIROPRACTORS		P	P	
5.02.000 OPERATIONS CONDUCTED WITHIN AND/OR OUTSIDE FULLY ENCLOSED BUILDING				
5.02.100 CONSTRUCTION SERVICES AND SUPPLIES				P
5.02.200 RETAIL CONCRETE MIXING				
5.02.300 FUNERAL HOMES		PC	PC	
5.02.400 VETERINARIANS AND VETERINARY HOSPITALS		PC	PC	
5.02.500 NURSERY SCHOOLS AND DAY CARE CENTERS WITH MORE THAN 30 CHILDREN	SE	P	P	
6.00.000 COMMERCIAL				
6.01.000 COMMERCIAL SALES AND RENTAL OF GOODS, MERCHANDISE AND EQUIPMENT				
6.01.100 RETAIL SALES				
6.01.110 BUILDING FLOOR SPACE <15,000 SQ. FT./PARCEL				
6.01.111 SHOPPERS MERCHANDISE STORES (SEE DEFINITION)		P	P	
6.01.112 SPECIALTY SHOPS (SEE DEFINITION)		P	P	
6.01.113 ANTIQUE SHOPS, ART GALLERIES		P	P	
6.01.120 BUILDING FLOOR AREA > 15,000 SQ. FT.				

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
6.01.121 SHOPPERS MERCHANDISE STORES (SEE DEFINITION)		P	P	
6.01.122 SPECIALTY SHOPS (SEE DEFINITION)		P	P	
6.01.123 ANTIQUE SHOPS, ART GALLERIES		P	P	
6.01.130 GENERAL MERCHANDISE (SEE DEFINITION)		P	P	
6.01.140 CONVENIENCE STORES		P	P	
6.01.150 RETAIL SALES OVER 100,000 SQ. FT. ON ONE FLOOR (SEE DEFINITION)				
6.01.200 WHOLESALE SALES (SEE DEFINITION)				
6.02.000 RESTAURANTS				
6.02.100 RESTAURANT, STANDARD, FAST FOOD, BARS, NIGHTCLUBS, DINNER THEATERS		P	P	
6.02.200 RESTAURANT, FAST FOOD CARRY-OUT AND DELIVERY		PC	PC	
6.02.300 RESTAURANT, FAST FOOD DRIVE-IN AND DRIVE-THRU				
6.02.310 WITH DIRECT HIGHWAY ACCESS TO A PUBLIC STREET				
6.02.320 PART OF A SHOPPING CENTER WITH NO DIRECT ACCESS TO A PUBLIC STREET				
6.02.400 PUB BREWERY		PC	PC	
6.02.500 SMALL-SCALE CRAFT WINERY		PC	PC	
6.03.000 MOTOR VEHICLE RELATED AND SERVICE OPERATIONS				
6.03.100 MOTOR VEHICLE SALES OR RENTAL; MOBILE HOME SALES				
6.03.110 MOTOR VEHICLE SALE OR RENTAL IN THE CB ZONE ON >3 ACRES				
6.03.120 ALL OTHER MOTOR VEHICLE SALE OR RENTAL; MOBILE HOME SALES		PC	PC	
6.03.200 SALES AND INSTALLATION OF MOTOR VEHICLE PARTS OR ACCESSORIES SUCH AS TIRES AND MUFFLERS.		PC	PC	
6.03.300 MOTOR VEHICLE REPAIR AND MAINTENANCE, FUEL SALES, CAR WASH (NOT INCLUDING AUTO BODY WORK)				
6.03.310 MOTOR VEHICLE REPAIR AND MAINTENANCE		PC	PC	PC
6.03.320 MOTOR VEHICLE FUELS SALES				
6.03.321 ASSOCIATED WITH COMMERCIAL USES >3,500 SQ. FT.				
6.03.322 ALL OTHER				
6.03.330 CAR WASH				
6.03.400 MOTOR VEHICLE PAINTING AND BODY WORK				PC
6.03.500 AUTOMOTIVE PARKS				
6.04.000 MEDICAL CANNABIS				
6.04.100 PROCESSING OPERATION				
6.04.200 DISPENSARY OPERATION				
7.00.000 INDUSTRIAL				
7.01.000 MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, AND ASSEMBLING OF GOODS, MERCHANDISE, AND EQUIPMENT				
7.01.100 ALL OPERATIONS CONDUCTED ENTIRELY WITHIN FULLY ENCLOSED BUILDING				
7.01.110 BUILDINGS <10,000 SQ. FT. PER PARCEL				P
7.01.120 BUILDINGS >10,000 SQ. FT. PER PARCEL				P
7.01.200 OPERATIONS CONDUCTED WITHIN OR OUTSIDE FULLY ENCLOSED BUILDING				
7.01.210 BLACKSMITH SHOPS, WELDING SHOPS, ORNAMENTAL IRON WORKS, MACHINE SHOPS (EXCLUDING DROP HAMMERS AND PUNCH PRESSES OVER 20 TONS RATED CAPACITY), AND				P

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
SHEET METAL SHOPS				
7.01.220 BOTTLING, CONFECTIONARY, FOOD PRODUCTS EXCEPT FISH AND MEAT, SAUERKRAUT, VINEGAR, YEAST, OR THE RENDERING FATS AND OILS				P
7.01.230 SAW MILLS				
7.01.240 ALCOHOLIC BEVERAGE MANUFACTURING				
7.01.241 BREWERY PRODUCING 100 K OR > BARRELS ANNUALLY (STATE CLASS 5A), DISTILLERY				
7.01.242 BREWERY PRODUCING <100 K BARRELS ANNUALLY (STATE CLASS B)				
7.01.250 WINERY				
7.01.260 FERTILIZER MIXING PLANTS				
7.01.270 BRICK OR BLOCK MANUFACTURING				
7.01.280 ASPHALT PLANTS/CONCRETE PLANTS, SAND AND GRAVEL WASHING, CRUSHING, AND SCREENING				
7.01.290 WOOD/STUMP GRINDING				
7.02.000 STORAGE AND PARKING				
7.02.100 AUTOMOBILE PARKING GARAGES OR PARKING LOTS NOT LOCATED ON A LOT WHERE THERE IS ANOTHER PRINCIPAL USE TO WHICH THE PARKING IS RELATED				
7.02.110 AUTOMOBILE PARKING GARAGE		PC	PC	PC
7.02.120 AUTOMOBILE PARKING LOT		PC	PC	PC
7.02.200 STORAGE OF GOODS NOT RELATED TO SALE OR USE OF THOSE GOODS ON THE SAME LOT WHERE THEY ARE STORED (WAREHOUSING)				
7.02.210 ALL STORAGE WITHIN COMPLETELY ENCLOSED STRUCTURES				P
7.02.220 WAREHOUSE STORAGE INSIDE OR OUTSIDE COMPLETELY ENCLOSED STRUCTURES				
7.02.230 MINI-WAREHOUSES				
7.02.240 STORAGE OF PETROLEUM PRODUCTS				
7.02.300 PARKING OF VEHICLES OR STORAGE OF EQUIPMENT OUTSIDE ENCLOSED STRUCTURES WHERE: (I) VEHICLES OR EQUIPMENT ARE OWNED AND USED BY THE PERSON MAKING USE OF THE LOT AND (II) PARKING OR STORAGE OCCUPIES MORE THAN 75 PERCENT OF THE DEVELOPED AREA (CONTRACTOR'S YARD)				
7.02.400 PARKING OF MOTOR VEHICLES (TRUCKS)				
7.02.410 PARKING OF ONE MOTOR VEHICLE > 15,000 POUNDS GROSS VEHICLE WEIGHT				P
7.02.420 PARKING OF MORE THAN ONE MOTOR VEHICLE > 15,000 POUNDS GROSS VEHICLE WEIGHT				P
7.03.000 SCRAP MATERIALS, SALVAGE YARDS, JUNKYARDS, AND AUTOMOBILE GRAVEYARDS				
7.04.000 RESEARCH FACILITIES AND LABORATORIES				
7.04.100 WITHOUT PROCESSING OF MATERIALS				P
7.04.200 WITH PROCESSING OR MANUFACTURING OF MATERIALS				P
7.05.000 MINERAL EXTRACTION				
7.05.100 SURFACE MINING				

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	HV ZONE			
	HVR RESIDENTIAL	HVC CORE	HVG GATEWAY	HVE EMPLOYMENT
7.05.110 OF < 10 ACRES				
7.05.120 OF > 10 ACRES				
7.05.200 WELLS FOR OIL, NATURAL GAS, OR PETROLEUM				
7.06.000 POZZOLAN MANAGEMENT FACILITY				
7.07.000 ALTERNATIVE ENERGY SYSTEMS				
7.07.100 SOLAR ENERGY SYSTEM, SMALL	PC	PC	PC	PC
7.07.200 SOLAR ENERGY SYSTEM, LARGE	SE	SE	SE	SE
7.07.300 WIND ENERGY SYSTEM, SMALL	PC	PC	PC	PC
7.07.400 WIND ENERGY SYSTEM, LARGE	SE	SE	SE	SE
7.08.000 PROCESSING AND DISTRIBUTION OF LOCAL AGRICULTURAL PRODUCTS				
7.08.100 PROCESSING FACILITIES				
7.08.110 AGRICULTURAL PROCESSING FACILITY, LOCAL			PC	PC
7.08.120 AGRICULTURAL PROCESSING FACILITY, LOCAL, SLAUGHTERHOUSE			SE	SE
7.08.200 STORAGE, DISTRIBUTION AND WHOLESALE SALES OF LOCAL AGRICULTURAL PRODUCTS			PC	PC

* * * * *

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Chapter 297, ZONING ORDINANCE
Article VII, Planned Development Zone Regulations

Add the Hughesville Village Sub-Zones to Figure VII-1.

Figure VII-1 Location of Planned Development Zones
[Amended 3-1-1999 by Ord. No. 99-16; Amended 7-25-2005 by Bill No. 05-01;
Amended 3-17-2007 by Bill No. 2006-15; Amended 4-23-2010 by Bill No. 2010-02; 4-
23-2010 by Bill No. 2010-06]

Base Zone	Planned Development Zones				
	PRD	MX	PEP	PMH	TOD
AC			P		
RC			P		
RR			P		
RV		P	P		
RL	P		P		
RM	P	P	P	P	P
RH	P	P	P	P	P
RO					
CN			P		
CC		P	P		P
CB		P	P		P
CV		P	P		
BP		P	P		P
IG		P	P		P
IH		P	P		P
CER					
CRR					
CMR					
WC					
AUC					
HVC					
HVG					
HVR					
HVE					

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NOTES:
A blank indicates that Planned Development is not allowed in the base zone.
P=Permitted
* * * * *

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Chapter 297, ZONING ORDINANCE
Article X, Highway Corridor (Overlay Zone)

Add the Hughesville Village Sub-Zones to Figure X-1.

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**Figure X-1. Road Corridor Bufferyard and Building Setback Requirements
(Bufferyard by type & Setback in feet)**

(Amended 8-30-2004 by Bill No. 2004-06; 7-25-2005 by Bill No. 2005-01; 4-23-10 by Bill No. 2010-02)

	AC RR	RV, HV R	RM RL	RH	RO CN	CC	CB	CV, HV E	BP	IG	IH	PM H PRD	PEP	MX	CR R CER	CM R	WC	AU C
Principal Arterial	D 100	B 50	D 75	C 50	C 50	C 40	B 30	B 30	C 100	B 100	E 125	D 125	C 100*	D 75	D 40	C 50	B 30	B 30
Parkway			D 50	C 50	B 40	B 40	B 25	B 40	C 75	B 75	E 75	C 75	C 75*	C 50	B 40	C 50		
Other arterial	C 75	B 50	D 50	B 40	B 50	C 40	B 25	B 30	C 75	B 75	E 80	C 100	C 75*	D 60	C 20	B 50		
Collector	B 50	A 40	C 40	B 40	A 30	A 30	A 25	A 30	B 50	A 50	B 50	B 75	B 50*	C 40	B 25	B 40		

NOTES:

1. 'A' through 'E' designates type of Buffer required as illustrated in Article XVII, Part II.
2. Numbers given are the building setback requirements in feet.
3. Single-family residential lots and minor subdivision will be exempt from the buffer requirements above.
4. Setbacks may be reduced to 30 feet if located in Community Mixed use Areas, Business Corridor Mixed Use Areas, Opportunity Mixed Use Areas or Employment Areas as defined by adopted Sub-Area Plans.

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Chapter 297. ZONING ORDINANCE

Article XIII, Minimum Standards for Special Exceptions and Uses Permitted with Conditions

Amending Sections, 1.01.430, 1.01.800, 2.01.000, 2.02.100, 2.02.200, 3.01.700, 3.04.110, 3.04.120, 3.04.220, 3.04.300, 3.04.420, 3.05.200, 3.06.000, 4.01.110, 4.01.310, 4.02.110, 4.02.122, 4.03.200, 4.07.100, 4.07.200, 4.08.110, 5.02.300, 5.02.400, 5.02.500, 6.02.200, 6.02.310, 6.02.400, 6.02.500, 6.03.120, 6.03.200, 6.03.310, 6.03.400, 7.02.110, 7.02.120, 7.08.110, 7.08.120, 7.08.200 to include the applicable Hughesville Village (HV) Sub-Zones.

* * * * *

1.01.430 COMMERCIAL ASSEMBLY AND REPAIR OF ALL EQUIPMENT NORMALLY USED IN AGRICULTURE.

THIS USE IS PERMITTED WITH CONDITIONS IN THE HVC, HVG, AND HVE SUB-ZONES, SUBJECT TO THE FOLLOWING STANDARDS:

- (1) MINIMUM LOT AREA: 20,000 SQUARE FEET.
- (2) ALL ACTIVITY AND STORAGE OF PARTS SHALL OCCUR ENTIRELY WITHIN A COMPLETELY ENCLOSED BUILDING.
- (3) ANY EQUIPMENT STORAGE SHALL BE TEMPORARY, IN SIDE OR REAR YARDS, AND SCREENED FROM ADJACENT PROPERTIES.
- (4) BAY ENTRANCES AND GARAGES MAY NOT FACE THE STREET. BAY ENTRANCES ON A SIDE WALL MUST BE SET BACK AT LEAST 15 FEET FROM THE FRONT FAÇADE. ANY WALL OPENING MUST BE IN A WALL DIRECTLY FACING AN EXISTING COMMERCIAL OR INDUSTRIAL ZONE. WALL OPENINGS NECESSARY FOR VENTILATION, FIRE EXITS AND LIGHT, PURSUANT TO THE STANDARDS OF THE CHARLES COUNTY BUILDING CODE AND THE FIRE SAFETY CODE, SHALL BE PERMITTED.
- (5) THE BUILDING SHALL PROVIDE A FINISHED FRONT FAÇADE WITH A PRIMARY ENTRANCE FACING THE PUBLIC STREET FRONTAGE.
- (6) NO BUILDING OR STRUCTURE SHALL BE LOCATED IN ANY REQUIRED YARD OR SETBACK.
- (7) A MINIMUM TEN-FOOT-WIDE LANDSCAPE STRIP SHALL BE PROVIDED ADJACENT TO AND COMPLETELY ACROSS ALL PROPERTY LINES. CURB CUTS SHALL BE MINIMIZED.

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(8) NO OUTDOOR DISPLAY OF MERCHANDISE SOLD, SERVICED OR RENTED IS PERMITTED.

(9) ANY OUTDOOR STORAGE OR REFUSE AREA SHALL BE FENCED OR SCREENED FROM VIEW AND MUST BE APPROVED AS TO LOCATION AND DESIGN. THE SITE PLAN SHALL INDICATE THE DISPOSAL METHODS TO BE USED FOR ALL WASTE MATERIAL, INCLUDING RECYCLING OF WASTE OIL GENERATED BY THE OPERATION.

* * * * *

1.01.800 FARM INCUBATOR.

THIS USE IS PERMITTED WITH CONDITIONS IN THE HVG AND HVE SUB-ZONES, SUBJECT TO THE FOLLOWING STANDARDS:

- A. MINIMUM LOT AREA: FIVE ACRES.
- B. STRUCTURES SHALL BE COMPATIBLE IN SCALE, PROPORTION AND MASSING WITH OTHER STRUCTURES IN THE VICINITY.
- C. FARM EQUIPMENT SHALL BE STORED WITHIN BUILDINGS OR SCREENED FROM RESIDENTIAL PROPERTIES.
- D. MINIMUM SETBACKS FOR STRUCTURES USED FOR AGRICULTURAL OPERATIONS OR STORAGE (SUCH AS BARN, EQUIPMENT STORAGE AND MAINTENANCE SHOPS, AND SIMILAR STRUCTURES):
 - (1) 100 FEET FROM A PUBLIC STREET;
 - (2) 200 FEET FROM A LOT LINE WHERE THE ADJACENT PROPERTY IS IN THE RESIDENTIAL OR CORE SUB-ZONE;
 - (3) 100 FEET FROM ANY OTHER LOT LINE.
- E. MINIMUM SETBACKS FOR BUILDINGS HOUSING ANIMALS, AREAS OF ANIMAL CONFINEMENT LESS THAN ONE ACRE AND MANURE STORAGE:
 - (1) 100 FEET FROM ANY PUBLIC STREET; AND
 - (2) 250 FEET FROM ANY LOT LINE

* * * * *

2.01.000 Marina, including boat sales and repair and boat rental, including sailboards and jet skis.

This use is permitted with conditions in the CC, CV, PEP and MX Zones, subject to the

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1 following:

2 A. The minimum lot area shall be one acre above the mean high water line.

3 B. Off-street parking or loading areas shall be separated from any residential zone by a
4 Bufferyard D.

5 C. In no case shall the length of piers or boat houses' length exceed ½ of the distance from
6 mean high water line to the center line of the body of water or cove.

7 D. Each lot shall have side and/or rear yards measuring not less than 25 feet in width. No
8 structures shall be permitted within these required yards.

9 E. Each lot shall have a minimum width at the waterfront of 100 feet. Lot width at the
10 waterfront shall be measured along a straight line drawn between the points at which the wide
11 property lines intersect the- mean high water line. In cases where a lot is bounded on more than
12 one side by water, separate waterfront widths for each side may be calculated, and their totals
13 shall measure not less than 100 feet.

14 F. The project must comply with all provisions of the Charles County Chesapeake Bay
15 Critical Area Program, Article IX, Critical Area Zones (Overlay Zones), other county regulations
16 and all applicable state and federal regulations.

17 G. The site plan shall contain the following information:

18 (1) Water depth contours shown at two-foot intervals at mean low water taken by sounding.

19 (2) The description, method and location of water supply and sewerage disposal facilities.

20 (3) The location, design and type of lighting facilities.

21 (4) Mean high and mean low water lines.

22 (5) All existing and proposed piers, buoys, launching ramps, shore protection structures and
23 any and all existing deterrents or aids to navigation.

24 (6) The location and dimensions of all areas to be dredged, including present and proposed
25 depths.

26 (7) The volume of dredge spoil to be removed, type of material, location and dimensions of
27 disposal area(s), including dikes.

28 (8) Locations and dimensions of all outdoor, dry storage, maintenance and repair facilities.

29 (9) The location and capacity of all travel lifts, railways, hoists or other devices for launching
30 or removal of watercraft.

31 (10) The location and dimensions of all boat launching ramps.

32 (11) The location and dimensions of all boat slips and mooring buoys.

33 (12) The location of fuel dock and gasoline storage tanks.

34 H. THIS USE IS ALSO PERMITTED WITH CONDITIONS IN THE HVC, HVG AND
35 HVE SUB-ZONES, SUBJECT TO THE FOLLOWING STANDARDS:

36 (1) ONLY BOAT SALES AND REPAIR ARE ALLOWED, NOT MARINAS OR BOAT
37 RENTALS.

38 (2) MINIMUM LOT AREA: 20,000 SQUARE FEET.

39 (3) ALL ACTIVITY AND STORAGE OF PARTS SHALL OCCUR ENTIRELY WITHIN A
40 COMPLETELY ENCLOSED BUILDING.

41 (4) ANY EQUIPMENT STORAGE SHALL BE TEMPORARY, IN SIDE OR REAR
42 YARDS, AND SCREENED FROM ADJACENT PROPERTIES.

43 (5) BAY ENTRANCES AND GARAGES MAY NOT FACE THE STREET. BAY
44 ENTRANCES ON A SIDE WALL MUST BE SET BACK AT LEAST 15 FEET FROM THE

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1 FRONT FAÇADE. ANY WALL OPENING MUST BE IN A WALL DIRECTLY FACING
2 AN EXISTING COMMERCIAL OR INDUSTRIAL ZONE. WALL OPENINGS
3 NECESSARY FOR VENTILATION, FIRE EXITS AND LIGHT, PURSUANT TO THE
4 STANDARDS OF THE CHARLES COUNTY BUILDING CODE AND THE FIRE
5 SAFETY CODE, SHALL BE PERMITTED.

6 (6) THE BUILDING SHALL PROVIDE A FINISHED FRONT FAÇADE WITH A
7 PRIMARY ENTRANCE FACING THE PUBLIC STREET FRONTAGE.

8 (7) NO BUILDING OR STRUCTURE SHALL BE LOCATED IN ANY REQUIRED YARD
9 OR SETBACK.

10 (8) A MINIMUM TEN-FOOT-WIDE LANDSCAPE STRIP SHALL BE PROVIDED
11 ADJACENT TO AND COMPLETELY ACROSS ALL PROPERTY LINES. CURB CUTS
12 SHALL BE MINIMIZED.

13 (9) NO OUTDOOR DISPLAY OF MERCHANDISE SOLD, SERVICED OR RENTED IS
14 PERMITTED.

15 (10) ANY OUTDOOR STORAGE OR REFUSE AREA SHALL BE FENCED OR
16 SCREENED FROM VIEW AND MUST BE APPROVED AS TO LOCATION AND
17 DESIGN. THE SITE PLAN SHALL INDICATE THE DISPOSAL METHODS TO BE
18 USED FOR ALL WASTE MATERIAL, INCLUDING RECYCLING OF WASTE OIL
19 GENERATED BY THE OPERATION.

20
21 **2.02.100 Seafood processing and seafood operations with products raised or harvested off-**
22 **site.**

23 This use is permitted by special exception in the PEP Zone and is permitted with conditions in
24 the CC and MX Zones, subject to the following:

25 A. The minimum area shall be two acres.

26 B. Setback. There shall be a minimum setback of 100 feet from side, front and rear lot lines.

27 C. Adequate measures will be taken for the abatement of offensive and obnoxious odors,
28 dust, smoke, noise, vibration or similar nuisances.

29 D. Design, construction and operation of the facility will meet the requirements of
30 appropriate state and federal regulatory agencies.

31 E. Retail sales of processed food are permitted only as an accessory use.

32 F. THIS USE IS ALSO PERMITTED WITH CONDITIONS IN THE HVG AND HVE
33 SUB-ZONES, SUBJECT TO THE FOLLOWING STANDARDS:

34 (1) THE USE SHALL BE CONDUCTED ENTIRELY WITHIN A BUILDING,
35 INCLUDING ALL PROCESSING AND STORAGE OF WASTE.

36 (2) THE USE DOES NOT OCCUPY MORE THAN 15,000 SQUARE FEET OF AREA.

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- 1 (3) ADEQUATE MEASURES ARE IMPLEMENTED SO THAT ALL ODORS, DUST,
 2 SMOKE OR NUISANCES ARE CONFINED WITHIN THE BOUNDARIES OF THE
 3 SITE.
- 4 (4) DESIGN, CONSTRUCTION AND OPERATION OF THE FACILITY WILL MEET
 5 THE REQUIREMENTS OF APPROPRIATE STATE AND FEDERAL REGULATORY
 6 AGENCIES.
- 7 (5) A WASTE MANAGEMENT PLAN FOR STORING, HANDLING AND DISPOSING
 8 OF WASTE AND BY-PRODUCTS IS REQUIRED.
- 9 (6) RETAIL SALES ARE PERMITTED IN THE GATEWAY SUB-ZONE BUT NOT IN
 10 THE EMPLOYMENT SUB-ZONE.

11
 12 **2.02.200 Seafood processing and seafood operations with products raised on the premises.**

13 This use is permitted with conditions in the HVG, HVE, AC and RC Zones, subject to the
 14 following requirements:

- 15 A. The use will be located a minimum of 100 feet from all property lines.
 16 B. Seventy-five percent of the products must be raised on site.
 17 C. The minimum area shall be 50 acres.
 18

19 * * * * *

20 **3.01.700 Single-family detached residential: primary residence with accessory apartment.**
 21 [Amended 12-7-1993 by Ord. No. 93-100; 1 1-21-1994 by Ord. No. 94-100; 10-25-1999 by
 22 Ord. No. 99-92; 7-25-2005 by Ord. No. 05-01; Amended 11-13-2009 by Ord. No. 2009-12]

23 This use is permitted with conditions in the HVC, HVG, HVR, AC, RC, RR, RV, RL, RM, RH,
 24 RO, MX, TOD, CER, CMR and CRR Zones, subject to the following requirements:

- 25
 26 A. An accessory apartment may be located either in the principal dwelling unit or in an
 27 accessory building.
 28
 29 B. Apartment size. The minimum floor area for an accessory apartment within a principal
 30 dwelling shall be 300 square feet, but in no case shall it exceed 50% of the gross floor area of the
 31 dwelling in which it is located. For accessory apartments located in accessory buildings, the
 32 minimum floor area shall also be 300 square feet, there shall be no more than two bedrooms in
 33 the apartment, and the apartment shall not occupy more than 50% of the accessory structure.
 34
 35 C. There shall be no more than one accessory apartment permitted per existing single-family
 36 dwelling.
 37
 38 D. Exterior appearance. If an accessory apartment is located in the principal dwelling
 39 building, the entry to such unit and its design shall, to the degree reasonably feasible, reflect the
 40 appearance of the single-family residential structure. No external entrance that faces a road or
 41 street shall be added to either the principal dwelling or an accessory building.
 42
 43 E. Water and sewerage service. Prior to the issuance of a zoning permit for the establishment
 44 of an accessory apartment in an existing residential structure or the conversion of an existing
 45 accessory building to an accessory apartment use, approval of the proposed method of water
 46 supply and sewage disposal shall be obtained from the County Department of Health.

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2 F. Off-street parking. Off-street parking shall be provided in accordance with the standards
3 and requirements of Article XX, Parking Facilities.
4

5 * * * * *

6 **3.04.110 Group homes with not more than eight people. [Amended 10-25-1999 by Ord.**
7 **No. 99-92; 7-25-2005 by Bill No. 05-01; 4-23-2010 by Bill No. 2010-02]**

8 This use is permitted with conditions in the HVC, HVG, HVR, AC, RC, RR, RV, RL, RM,
9 RH, RO, PRD, MX, PMH, TOD, CER, CMR, CRR, WC and AUC Zones, subject to the
10 submittal to the Zoning Officer of an affidavit certifying compliance with all applicable state
11 and federal laws, ordinances and regulations.
12

13 **3.04.120 Group homes with between nine and 16 people. [Amended 10-25-1999 by Ord.**
14 **No. 99-92; 7-25-2005 by Bill No. 2005-01; 4-23-2010 by Bill No. 2010-02]**

15 A group home for nine to 16 individuals is permitted by special exception in the HVC, HVG,
16 HVR, AC, RC, RR, RV, RL, RM, RH, PRD, MX, PMH, TOD, CER, CMR, CRR, WC and
17 AUC Zones, subject to the following standards:
18

19 A. The facility is in accordance with all applicable county, state and federal rules and
20 regulations.
21

22 B. An applicant must submit an affidavit of compliance, on the form provided by the
23 Zoning Officer, to the effect that all of the requirements of the state's licensing
24 procedure will be satisfied.
25

26 C. That such use will not, when considered in combination with other existing group
27 homes in the neighborhood, result in an excessive concentration of similar uses in the
28 same general neighborhood.
29

30 D. That any site to be used as a group residential facility for children provide ample
31 outdoor play space, free from hazards and appropriately equipped for the age and
32 number of children.
33

34 **3.04.220 Day-care center, day nursery, between nine and 30 care recipients. [Amended 7-**
35 **25-2005 by Ord. No. 05-01; 8-29-2005 by Ord. No. 05-13]**
36

37 A day-care center for nine to 30 individuals is permitted by special exception in the
38 HVR, AC, RC, RR, RV, RL, RM, RH, IG, PMH and CMR Zones, subject to the
39 following:
40

41 A. The facility will be in accordance with all applicable county, state and federal rules
42 and regulations.
43

44 B. An applicant must submit an affidavit of compliance, on the form provided by the
45 Zoning Officer, to the effect that all of the requirements of the state's licensing
46 procedure will be satisfied.
47

48 C. The building and play area facilities shall be at least 50 feet from any adjacent

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1 residential lot or use.

2
3 D. The proposed site will have road access adequate for the traffic expected to be
4 generated by the proposed development.

5
6 E. Any such use will not have a detrimental impact in terms of traffic, noise, etc., on
7 the surrounding properties.

8
9 F. The hours of operation will be established by the Board of Appeals.

10
11 G. New facilities constructed for this purpose shall be architecturally compatible with
12 the surrounding area.

13
14 **3.04.300 Halfway house. [Amended 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No.**
15 **2005-01; 4-23-2010 by Bill No. 2010-02]**

16 This use is permitted by special exception in the HVC, HVG, HVR, AC, RC, RR, RV, RM,
17 RL, RH, PRD, MX, PMH, TOD, CMR, WC and AUC Zones, subject to the following:

18
19 A. The facility shall be in accordance with all applicable county, state and federal
20 rules and regulations.

21
22 B. That such use will not, when considered in combination with other existing group
23 homes in the neighborhood, result in an excessive concentration of similar uses in the
24 same general neighborhood.

25
26 C. That any property to be used for a halfway house is of sufficient size to
27 accommodate the proposed number of residents and staff; however, no more than nine
28 unrelated individuals may reside in one dwelling.

29
30 D. The exterior appearance of the structure will remain as a single-family detached
31 residential structure, and no external entrance that faces a road or street will be added.
32 A maximum of three external entrances will be allowed for the facility.

33
34 E. The proposed project shall comply with parking requirements as specified under
35 Article XX of this chapter.

36
37
38 **3.04.420 Elderly care homes for nine to 16 people. [Amended 10-25-1999 by Ord. No. 99-**
39 **92; 7-25-2005 by Ord. No. 05-01; 4-23-2010 by Bill No. 2010-02]**

40 A residential elderly care home for nine to 16 residents is permitted by special exception in the
41 HVC, HVG, HVR, AC, RC, RR, RV, RL, RM, RH, RO, PRD, MX, PMH, TOD, CER, CMR,
42 CRR, WC, and AUC Zones, subject to the following:

43
44 A. Any such facility shall be certified, permitted or licensed by the State of Maryland.

45
46 B. An applicant must submit an affidavit of compliance, on the form provided by the
47 Zoning Officer, to the effect that all of the requirements of the state's licensing
48 procedure will be satisfied.

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- C. Such a facility shall be owner-occupied.
- D. Care shall be given to residents over the age of 62.
- E. Care shall be given in an existing single-family detached residential structure, providing family-style care in a residential environment.
- F. Care shall consist of supervised personal services for persons who have temporary or periodic difficulties with one or more essential activities of daily living.
- A. Any building modifications or alterations must be in accordance with all provisions of the Charles County Building Code.
- B. Any such use will not have a detrimental impact on the surrounding properties.

* * * * *

3.05.200 Bed-and-breakfast, tourist homes. [Amended 10-25-1999 by Ord. No. 99-92; 7-25- 2005 by Bill No. 2005-01; Amended 11-13-2009 by Ord. No. 2009-13; 4-23-2010 by Bill No. 2010-02]

This use is permitted with conditions in the HVC, HVG, HVR, AC, RC, RR, RV, RO, CN, CC, CB, CV, MX, TOD, WC and AUC Zones and is permitted by special exception in the RL, RM, RH, PRD and CMR Zones, subject to the following:

- A. The proposed use shall preserve the natural and historic features of the property.
- B. The exterior appearance of the building will remain as a single-family residential structure, and no external entrance that faces a road or street will be added.
- C. There will be a maximum of eight guests at any time. [Amended 11-13-2009 by Ord. No. 2009-13]
- D. Bed-and-breakfast or tourist homes shall only be located in an existing dwelling unit and may include an existing accessory apartment. [Amended 11-13-2009 by Ord. No. 2009-13]
- E. The facility shall have no more than one freestanding sign and not more than 25 square feet in area and five feet in height. The sign shall be permitted along the road frontage for identification purposes only.
- F. The applicant shall comply with the parking requirements in Article XX.
- G. The applicant shall comply with regulations set forth in COMAR 10.15.03 pertaining to food service facilities. [Added 11-13-2009 by Ord. No. 2009-13]
- H. IN ADDITION TO THE STANDARDS LISTED ABOVE, WITHIN THE HVR SUB-ZONE, THIS USE IS PERMITTED ONLY WITHIN A STRUCTURE

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DESIGNATED AS A CHARLES COUNTY HISTORIC LANDMARK.

* * * * *

3.06.000 Shelters, permanent.

This use is permitted by special exception in the HVC, HVG, AC, RC, RR, RV, RL, RM, RH, RO and CN Zones, subject to the following:

- A. The shelter is operated by a public or nonprofit organization.
- B. The maximum stay of an individual or a family shall not exceed one year.
- C. When the shelter is located in a new structure, not an existing single-family dwelling, then the structure must meet the intensity and dimensional requirement set forth in the Schedule of Zone Regulations.

* * * * *

4.01.110 Private elementary and secondary schools, including preschool, kindergarten, associated grounds, athletic and other facilities. [Amended 7-25-2005 by Ord. No. 05-01; Amended 3-24-07 by Ord. No. 2007-05]

This use is permitted by special exception in the HVC, HVG, HVR, AC, RC, RR, RV, RL, RM, RH, RO, CN, CC, BP, CV, CER, CMR and CRR Zones, subject to the following:

A. Generally. A lot, tract or parcel of land may be allowed to be used for a private educational institution upon the following findings:

- (1) That, except for buildings and additions thereto completed or for which building permits have been obtained prior to the time of adoption of this chapter, such use will be located in buildings architecturally compatible with other buildings in the surrounding neighborhood, and, in the event that such building is to be located on a lot, tract or parcel of land of two acres or less, in either an undeveloped area or an area substantially developed with single-family homes, that the exterior architecture of such building will be of a residential home design that is at least comparable to existing residential homes, if any, in the immediate neighborhood.
- (2) The applicant must, as part of the application, submit architectural plans that satisfy the above standards, which will be a condition of a granted special exception.
- (3) That such use will not, in and of itself or in combination with other existing uses, adversely affect or change the present character or future development of the residential community in which it is located.

B. That such use can and will be developed in conformity with the following requirements:

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(1) Area, frontage, setback and building coverage: as shall be reflected in a site plan of development approved by the Board, provided that in no event shall such standards be less than the area and dimensional regulations for the zone in which the private educational institution is proposed to be located.

(2) Access and screening: as shall be specified in a site plan of development approved by the Board, provided that such plan meets or exceeds the standards for the zone.

(3) Intensity.

(a) Intensity is the allowable number of pupils per acre permitted to occupy the premises at any one time, which will be specified by the Board based on the following factors:

[1] Traffic patterns, including:

[a] Impact of increased traffic on residential streets.

[b] Existence of arterial highways; access shall be from a major collector or arterial highway at a minimum.

[2] Noise or type of physical activity.

[3] Character, percentage and density of existing development and zoning within the surrounding community.

[4] Topography of the land.

(b) In no event shall a special exception be granted for a density in excess of 87 pupils per acre.

C. [Added 3-24-07 by Ord. No. 2007-05] In the BP zone, the use is also subject to the following:

(1) The use is allowed in support of one or more existing office, manufacturing or institutional uses within the BP zone.

* * * * *

4.01.310 Private libraries, museums, art centers and similar uses, including associated educational and instructional activities, located within a building designed and previously occupied as a residence or institutional use.

This use is permitted WITH CONDITIONS IN THE HVR SUB-ZONE AND by special exception in the AC, RC, RR, RV, RL, RM and RH Zones, subject to the following:

A. This use is allowed upon a finding by the Board of Appeals that the proposed use will not adversely affect neighboring, vicinal or adjoining properties.

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B. That the proposed use is operated by a nonprofit organization not organized or operated for the purpose of carrying on a trade or business, no part of the net earnings of which inures to the benefit of any member of such organization or individual.

C. This may consist of one or more buildings or structures which the Board shall find will be devoted entirely to the furtherance of the arts or culture, including but not limited to a theater, museum, classrooms or any combination thereof, and may provide for a restaurant or snack bar designed solely for service of food or refreshments to people using the facilities of the proposed center.

D. The lot, parcel or tract of land upon which the proposed center is to be located shall have a minimum area of one acre.

E. The requirements for institutional uses as to setbacks, area and lot coverage, landscaping, site plan approval and other requirements shall be met.

F. IN ADDITION TO THE STANDARDS LISTED ABOVE, WITHIN THE HVR SUB-ZONE, THIS USE IS PERMITTED ONLY WITHIN A STRUCTURE DESIGNATED AS A CHARLES COUNTY HISTORIC LANDMARK.

* * * * *

4.02.110 Indoor recreation activities conducted entirely within a building or substantial structure.

A. This use is permitted with conditions in the IG Zone if the structure or building is not less than 20,000 square feet in size.

B. This use is permitted by special exception in the CN Zone if the structure or building is not greater than 15,000 square feet in size.

C. This use is permitted with conditions in the CRR Zone if the structure or building is not greater than 15,000 square feet in size. [Added 7-25-2005 by Ord. No. 05-01]

D. THIS USE IS PERMITTED BY SPECIAL EXCEPTION IN THE HVC AND HVG SUB-ZONES, PROVIDED THAT THE USE IS LOCATED ENTIRELY WITHIN A BUILDING AND OCCUPIES NO MORE THAN 10,000 SQUARE FEET OF FLOOR AREA.

4.02.122 MOVIE THEATRES, THEATRES, COLISEUMS AND STADIUMS WITH SEATING CAPACITY OF UP TO 1,000.

THIS USE IS PERMITTED BY SPECIAL EXCEPTION IN THE HVG SUB-ZONE, SUBJECT TO THE FOLLOWING:

A. ONLY FULLY ENCLOSED THEATRES WITH INDOOR SEATING ARE PERMITTED.

B. THE PRINCIPAL VEHICULAR ACCESS FOR THE USE IS LOCATED ON AN

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- 1 ARTERIAL STREET OR COLLECTOR STREET AND NOT ON A LOCAL STREET.
- 2 C. THE USE DOES NOT DRAW VEHICULAR TRAFFIC TO OR THROUGH LOCAL
- 3 STREETS IN ADJACENT RESIDENTIAL AREAS.
- 4 D. THE USE IS LOCATED AT LEAST 200 FEET FROM ANY RESIDENTIAL ZONE
- 5 E. ADEQUATE SPACE FOR STACKING OF VEHICLES IS LOCATED AT THE
- 6 VEHICULAR ENTRANCE, AND SUFFICIENT VEHICULAR ENTRANCES AND
- 7 EXITS ARE PROVIDED TO PREVENT TRAFFIC CONGESTION.
- 8 F. SEPARATE VEHICULAR ENTRANCES AND EXITS ARE PROVIDED AT LEAST
- 9 100 FEET APART AND AT LEAST 50 FEET FROM ANY STREET INTERSECTION.

10 * * * * *

12 **4.03.200 Nursing care, intermediate care, handicapped, infirm and child care institutions.**

13 A nursing home is permitted by special exception in the HVR, AC, RC, RR, RV, RL, RM, RH
14 and RO Zones, subject to the following standards:

- 15
- 16 A. That such use will not cause negative impacts to the adjacent neighborhoods because of
- 17 traffic, noise or number of patients or people being cared for.
- 18
- 19 B. That such use will be housed in buildings architecturally compatible with other buildings
- 20 in the surrounding neighborhood.
- 21
- 22 C. That such use will not adversely affect the present character or future development of the
- 23 surrounding residential community; and that such use can and will be developed in conformity
- 24 with the following minimum area, density, coverage, frontage, setback, access and screening
- 25 requirements, where specified.

26

27 D. All such facilities and all additions to existing facilities where 10 or more people are
28 cared for shall comply with the following:

- 29
- 30 (1) The minimum area shall be 20,000 square feet.
- 31
- 32 (2) Minimum setbacks.
- 33
- 34 (a) Front yards: as specified for the applicable zone.
- 35
- 36 (b) Side yards.

37

38 [1] The following minimums are in addition to those otherwise required in the various zones:

- 39
- 40 [a] One and one-half feet for each bed in the AC, RC, RL and RR Zones.
- 41
- 42 [b] One foot for each bed in the HVR, RM and RV Zones.
- 43
- 44 [c] One-half foot for each bed in the RH and RO Zones.

45

46 [2] In no case shall any minimum side yard be required to be greater than 50 feet more than
47 would otherwise be required in the applicable zone.

48

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1 (c) Rear yards. One-half of the total of both side yards as required in Subsection D(2)(b)
2 above, but not less than the minimum required in the applicable zone.

3
4 (3) Minimum screening, as determined by the Board with special emphasis given to
5 off-street parking and loading areas in accordance with Articles XX through XXIII.

6
7 (4) The Board shall increase the number of off-street parking spaces required for
8 nursing or care homes under Article XX where the operation or method of operation or type of
9 care to be provided indicates the need for such an increase.

10
11 * * * * *

12 **4.07.100 Earth stations. [Amended 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Ord. No.**
13 **05-01]**

14 This use is permitted with conditions in the HVE, IG, IH and PEP Zones and is permitted by
15 special exception in the HVC, HVG, HVR, AC, RC, RR, RV, RL, RM, RH, RO, CN, CC, CB,
16 CV, BP, PRD, MX, PMH, TOD, CER, CMR and CRR Zones, provided that:

17
18 A. This use and/or all associated facilities shall be located in the rear yard.

19
20 B. This use and/or all associated facilities are sufficiently screened to avoid visual
21 impacts from public rights-of-way or adjoining properties.

22
23 **4.07.200 Satellite dishes. [Amended 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No.**
24 **05-01; 4-23-2010 by Bill No. 2010-02]**

25 This use is permitted with conditions in the HVC, HVG, HVR, HVE, AC, RC, RR, RV, RL,
26 RM, RH, RO, CV, PRD, MX, PMH, TOD, CER, CMR, CRR, WC and AUC Zones, provided
27 that the following are met:

28
29 A. The conditions set forth in Subsections B through F below do not apply to
30 residential lots greater than three acres in the RR, RC and AC Zones.

31
32 B. On any lot, only one satellite dish antenna may be permitted, provided that it is
33 located in a rear or side yard at least two feet from any rear or side lot line.

34
35 C. The location of a satellite dish antenna shall be dependent on the reception of
36 usable satellite signal. Where usable signals can be obtained, the antenna shall be
37 ground-mounted and located in the rear yard. If usable signals cannot be obtained from
38 such rear yard location, the antenna shall be ground-mounted and located in either side
39 yard. If usable signals cannot be obtained from such side yard location, the antenna
40 may be mounted on a pole or any other structure. In no event shall a satellite dish
41 antenna be located in the front yard. On through lots and on corner lots where the
42 designated front of the main building faces a side street, the rear, side and front yards,
43 as used herein, shall mean the yards at the rear, side and front of the building.

44
45 D. Usable satellite signals shall be those signals from the major communication
46 satellites which, when viewed on a conventional television set, are at least equal in
47 picture quality to that received from local commercial television stations or by way of
48 cable television.

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- E. Screening shall be provided along the rear and sides of any ground-mounted satellite dish antenna, when such antenna is visible from the street or surrounding property as viewed from ground level.
- F. Satellite dish antennas may be located within any required open space area or in any required landscaped area, except along a street.

4.08.110 Family burial sites.

This use is permitted with conditions in the HVC, HVG, HVR, HVE, AC, RC, RR, RV, RL, RM, RO, CN, CC, CB, CV, BP, PRD, PEP and MX Zones, provided that:

- A. The minimum area shall be two acres.
- B. A family burial site is limited to members of the family of the owner of the property.
- C. In the event that the property is in an area not served by public water and sewer, water table tests shall be conducted to assure that there is adequate filtration of drainage between burial depth and the level of high water table.
- D. Such use is only as an accessory use on a residentially developed property.
- E. The site shall be set back at least 100 feet from any adjoining residential property and at least 50 feet from an existing street or from a proposed street.
- F. The use of any property for a private cemetery or family burial site must be recorded in the county land records.

* * * * *

5.02.300 Funeral homes. [Amended 12-7-1993 by Ord. No. 93-100; 11-21-1994 by Ord. No. 94-100; 10-25-1999 by Ord. No. 99-92; 7-25 -2005 by Bill No. 05-01; 4-23-2010 by Bill No. 2010-02.

This use is permitted with conditions in the HVC, HVG, RO, CN, CC, CB, CV, BP, PEP, MX, TOD, CER, WC and AUC Zones and is permitted by special exception in the AC, RC, RR and RV Zones, subject to the following:

- A. The use will not adversely affect vicinal or neighboring properties and will not cause a negative impact on adjacent neighborhoods because of noise, traffic or type of physical activity. In any residential zone, the premises shall, and, in any commercial zone, may, maintain, either as a separate building or a portion of the main building, one dwelling unit, which may only be occupied by the owner or an employee of the establishment.
- B. Ingress and egress shall be located so as to minimize traffic conflict on the receiving street during a funeral procession. The design should not permit or encourage the stacking of cars on a public road or street.

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1 C. Minimum lot size in the AC, RC and RR Zones shall be 35 acres and shall be part
2 of a cemetery.

3
4 D. When a special exception is required, the funeral home shall be architecturally
5 compatible with the neighborhood.
6

7 **5.02.400 Veterinarians and veterinary hospitals. [Amended 12-11-2000 by Ord. No. 00-93;
8 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Ord. No. 05-01; 4-23-2010 by Bill No. 2010-
9 02]**

10 This use is permitted with conditions in the **HVC, HVG, CN, CC, CV, BP, PEP, MX, TOD,**
11 **CER, WC, and AUC** Zones and is permitted by special exception in the **RR, RC(D), RV** and
12 **RL** Zones, subject to the following standards:

13
14 A. The minimum area of the lot shall be one-half (½) acre.

15
16 B. It must be housed in a fully enclosed, soundproof building.

17
18 C. Except in the **HVC, HVG, WC** and **AUC** Zones, it shall be located a minimum of
19 75 feet from any road or street and no less than 125 feet from the nearest dwelling. **IN**
20 **THE HVC AND HVG ZONES, THE USE SHALL BE LOCATED AT LEAST 125**
21 **FEET FROM THE NEAREST DWELLING, AND SHALL COMPLY WITH THE**
22 **APPLICABLE SETBACK REQUIREMENTS FOR THE HVC AND HVG ZONES,**
23 **CODIFIED IN 297-99 OF THIS CHAPTER.**

24
25 D. It must conform to standards of the County Animal Regulations (See Chapter 230)
26 and applicable state and local laws.
27

28 **5.02.500 Nursery schools and day-care centers with more than 30 children. [Amended 7-
29 25- 2005 by Ord. No. 05-01]**

30 This use is permitted by special exception in the **HVR, AC, RC, RR, RV, RL, RM, RH, IG,**
31 **PRD, PMH** and **CMR** Zones, subject to the following standards:

32
33 A. The facility shall be in accordance with all applicable county, state and federal
34 rules and regulations.

35
36 B. An applicant must submit an affidavit of compliance, on the form provided by the
37 Zoning Officer, to the effect that all of the requirements of the state's licensing
38 procedure will be satisfied.

39
40 C. Building and play area facilities shall be at least 100 feet from any residential zone
41 or use;

42
43 D. The proposed site will have road access adequate for the traffic expected to be
44 generated by the proposed development.

45
46 E. Any such use shall not have a detrimental impact on the surrounding properties.

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48 F. The hours of operation may be established by the Board of Appeals.
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- G. New facilities constructed for this purpose shall be architecturally compatible with the surrounding neighborhood.
- H. Adequate areas shall be provided for classrooms and play areas.

* * * * *

6.02.200 Restaurant, fast-food, carry-out and delivery.

This use is permitted with conditions in the HVC, HVG, AND BP Zones and by special exception in the CN and CV Zones, subject to the following:

A. In the BP Zone, the use must be oriented and have access internally so that it is incorporated as part of the business park.

A. In the CN and CV Zones, this use is subject to the following:

(1) The use at the proposed location will not create a traffic hazard or safety problem because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads and intersections or its location in relation to other buildings or proposed buildings.

(2) Materials, textures, colors and design of fences, walls and screening shall be compatible with on-site development, the adjacent property and the neighborhood. When solid walls are required, a planting strip five feet wide shall also be provided. Such planting shall include trees or shrubs at least two feet tall at time of planting, which may be expected to form a year-round dense screen within three years.

(3) Lighting, including permitted illuminated signs, shall be arranged so as not to reflect or cause glare into any residential zone.

(4) The Board may regulate hours of operation so as to prevent adverse impact on adjoining properties.

B. IN THE HVC AND HVG SUB-ZONES, THIS USE IS SUBJECT TO THE FOLLOWING:

(1) THE USE AT THE PROPOSED LOCATION WILL NOT CREATE A TRAFFIC HAZARD OR SAFETY PROBLEM BECAUSE OF ITS LOCATION IN RELATION TO SIMILAR USES, NECESSITY OF TURNING MOVEMENTS IN RELATION TO PUBLIC STREETS AND INTERSECTIONS OR ITS LOCATION IN RELATION TO OTHER BUILDINGS OR PROPOSED BUILDINGS.

(2) THE USE IS LOCATED WITHIN A BUILDING THAT HAS A FRONT FACADE AND PRIMARY CUSTOMER ENTRANCE ORIENTED TOWARD THE PUBLIC STREET FRONTAGE AND DESIGNED FOR CONVENIENT AND ATTRACTIVE PEDESTRIAN ACCESS.

* * * * *

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1 **6.02.400 Brewery with standard restaurant, pub-brewery and microbrewery. [Added 8-21-**
2 **2000 by Ord. No. 00-64]**

3 This use is permitted with conditions in the HVC, HVG, AND RO Zones and is permitted by
4 special exception in the CN and BP Zones, subject to the following:
5

6 A. In the RO Zone, the use is limited to 3,000 square feet of floor space.
7

8 B. In the BP Zone, the use must be internally oriented and include internal access
9 incorporated into and as part of the business park.
10

11 C. In the CN Zone, the use is subject to the following:
12

13 (1) The use at the proposed location will not create a traffic hazard or safety problem
14 resulting from proximity to similar uses, necessity of turning movements in relation to its access
15 to public roads and intersections or proximity to other buildings or proposed buildings.
16

17 (2) Materials, textures, colors and design of fences, walls and screening shall be compatible
18 with on-site development, the adjacent property and the neighborhood. When solid walls are
19 required, a planting strip of at least five feet in width shall also be provided. Such planting shall
20 include trees at least six feet in height at the time of planting, and/or shrubs at least two feet in
21 height, with a high degree of potential to form a year-round dense screen within three years.
22

23 (3) Lighting, including permitted illuminated signs, shall be arranged and directed so as not
24 to reflect or cause glare into any residential zone.
25

26 (4) The Board of Appeals will regulate hours of operation so as to diminish adverse impact
27 on adjoining properties.
28

29 C. IN THE HVC AND HVG ZONES, THE USE IS SUBJECT TO THE FOLLOWING:
30

31 (1) THE USE COMPRISES NO MORE THAN 15,000 SQUARE FEET OF FLOOR AREA,
32 INCLUDING RESTAURANT AREA, PRODUCTION, STORAGE AND RETAIL SALES
33 AREAS.

34 (2) ALL OPERATIONS AND STORAGE SHALL BE WITHIN AN ENCLOSED
35 BUILDING. NO OUTSIDE STORAGE OF EQUIPMENT, MATERIALS, INVENTORY OR
36 WASTE IS PERMITTED.

37 (3) THE USE SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL
38 REGULATIONS, AND SHALL OBTAIN NECESSARY LICENSES AND APPROVALS.

39 (4) A PUB BREWERY SHALL OPERATE UNDER A CLASS 6 LIQUOR LICENSE
40 ISSUED PURSUANT TO THE MARYLAND ANNOTATED CODE, ALCOHOLIC
41 BEVERAGES ARTICLE, § 2-208.
42

43 **6.02.500 SMALL-SCALE CRAFT WINERY.**

44 THIS USE IS PERMITTED WITH CONDITIONS IN THE HVC AND HVG SUB-ZONES,
45 PROVIDED THAT:

46 A. THE USE COMPRISES NO MORE THAN 15,000 SQUARE FEET OF FLOOR AREA,

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INCLUDING RESTAURANT AREA, PRODUCTION, STORAGE, AND RETAIL SALES AREAS.

- B. ALL OPERATIONS AND STORAGE SHALL BE WITHIN AN ENCLOSED BUILDING. NO OUTSIDE STORAGE OF EQUIPMENT, MATERIALS, INVENTORY OR WASTE IS PERMITTED.
- C. THE USE SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS AND SHALL OBTAIN NECESSARY LICENSES AND APPROVALS.
- D. A SMALL-SCALE WINERY SHALL OPERATE UNDER A CLASS 4 LIQUOR LICENSE ISSUED PURSUANT TO THE MARYLAND ANNOTATED CODE, ALCOHOLIC BEVERAGES ARTICLE, § 2-205.

* * * * *

6.03.120 Motor vehicle and manufactured home sales or rental. [Amended 12-7-1993 by Ord. No. 93-101; 10-25-1999 by Ord. No. 99-92; 7-25-2005 by Bill No. 05-01]

A. This use is permitted with conditions in the CC, CB, CV, BP, PEP, MX and TOD Zones, and permitted by special exception in the CER Zone, subject to the following regulations:

- (1) A lot may be used for the storage, sale and rental of only the following vehicles: automobiles, light trailers of such limited size and capacity so as to be capable of being safely towed by a passenger motor vehicle designed for carrying fewer than 10 passengers, manufactured homes (Classes A and B) and light- and medium-duty trucks.
- (2) Gasoline pumps, other service appliances, major repairs, spray paint operation or body or fender repair shall only be permitted as accessory uses.
- (3) Vehicles shall be stored or parked only within a hard-surfaced area constructed of material that will assure a surface resistant to erosion and adequately treated to prevent dust emission, surrounded by a raised curb. The curb shall be located so that no vehicle can be parked or stored within 25 feet of any street line, nor within 25 feet of any property line adjoining land in a residential zone, nor within three feet of any property line.
- (4) Signs, product displays, parked vehicles and other obstructions that would adversely affect visibility at intersections or to driveways shall be prohibited.
- (5) Lighting shall be low-level and so arranged as not to reflect or to cause glare into any residential zone.

B. This use is also permitted with conditions in the CB Zone, and permitted by special exception in the CER Zone, subject to Subsection A above and the following regulations:

- (1) A lot may be used for the storage, sale and rental of all the vehicles listed in Subsection A(1) above, except manufactured homes. A lot may also be used for the storage, sale and rental of boats on light trailers of such limited size and capacity so as to be capable of being safely towed by a passenger motor vehicle designed for carrying fewer than 10 passengers.
- (2) Such storage, sale and rental are permitted only on the same lot with and ancillary

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1 to a sales room and/or rental office, which shall be an enclosed structure.

2
3 (3) The Zoning Officer, upon determination that site constraints such as preexisting
4 conditions prevent full compliance with the provisions of this section, may allow reasonable
5 adjustments to the standards set forth in this section.

6 (4) Accessory uses not in an enclosed structure shall be screened from any adjoining
7 residential uses.

8
9 (5) Motor vehicle repairs and maintenance shall only be permitted as accessory uses
10 and shall occur only in enclosed structures, and no large work area doors or open bays shall be
11 open toward or face the street.

12
13 (6) Buildings shall be located no more than 55 feet from the front property line.

14
15 (7) A sidewalk shall be constructed along the street line with a pedestrian entrance to
16 principal buildings.

17
18 (8) All accessory buildings shall be located in the rear of the primary building.

19
20 (9) Parked vehicles and other obstructions that would adversely affect visibility at
21 intersections or to driveways shall be prohibited.

22
23 C. THIS USE IS ALSO PERMITTED WITH CONDITIONS IN THE HVC AND HVG
24 SUB-ZONES SUBJECT TO THE FOLLOWING REGULATIONS:

25
26 (1) ALL VEHICLE SALES, DISPLAY, REPAIR, AND SERVICE SHALL BE
27 CONDUCTED WITHIN A FULLY ENCLOSED BUILDING.

28
29 (2) BAY ENTRANCES AND GARAGES MAY NOT FACE THE STREET. BAY
30 ENTRANCES ON A SIDE WALL MUST BE SET BACK AT LEAST 15 FEET FROM
31 THE FRONT FAÇADE.

32
33 (3) THE USE SHALL BE LIMITED TO THE STORAGE, SALE, AND RENTAL OF THE
34 FOLLOWING VEHICLES: AUTOMOBILES, LIGHT- AND MEDIUM-DUTY TRUCKS,
35 MOTORCYCLES, AND BOATS OR LIGHT TRAILERS OF SUCH LIMITED SIZE AND
36 CAPACITY SO AS TO BE CAPABLE OF BEING SAFELY TOWED BY A PASSENGER
37 MOTOR VEHICLE DESIGNED FOR CARRYING FEWER THAN 10 PASSENGERS.

38
39 (4) MOTOR VEHICLE REPAIRS AND MAINTENANCE SHALL ONLY BE
40 PERMITTED AS ACCESSORY USES.

41
42 (5) ALL ACCESSORY BUILDINGS SHALL BE LOCATED IN THE REAR OF THE
43 PRIMARY BUILDING.

44
45 **6.03.200 Motor vehicle parts sales with installation of motor vehicle parts or accessories**
46 **such as tires and mufflers. [Amended 10-25-1999 by Ord. No. 99-92]**

47 This use is permitted with conditions in the CN, CC, CV, BP, IG, PEP, MX and TOD Zones,
48 provided that the following requirements are met:
49

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[Brackets] indicate language deleted from existing law.

- 1 A. This use is limited to the sale, replacement, installation or repair of tires, mufflers,
2 batteries, brakes and master cylinders, shock absorbers, instruments, such as speedometers and
3 tachometers, radios and sound systems or upholstery for passenger cars, motorcycles, vans and
4 light trucks only. [Amended 12-7-1993 by Ord. No. 93 -100; 11-21-1994 by Ord. No. 94-100]
5
- 6 B. No use authorized herein shall permit any private or commercial activity which involves
7 the painting, repair or alteration of the auto body, nor shall any repair, replacement, modification,
8 adjustment or servicing of the power plant or drive train be permitted, except minor tune-up
9 involving the changing of spark plugs, points, coolant or condenser, including engine block oil
10 changes.
11
- 12 C. All activity and storage associated with the permitted use shall occur entirely within a
13 completely enclosed building.
14
- 15 D. No building or structure shall be located in any required yard or setback.
16
- 17 E. Wall openings in structures are permitted in those walls directly facing an existing
18 commercial or industrial zone. Wall openings necessary for ventilation, fire exits and light,
19 pursuant to the standards of the Charles County Building Code and the Fire Safety Code, shall be
20 permitted.
21
- 22 F. The maximum permitted total floor area ratio shall not exceed 0.40. [Amended 12-7-1993 by
23 Ord. No. 93-100; 11-21-1994 by Ord. No. 94-100]
24
- 25 G. A minimum ten-foot-wide landscape strip shall be provided adjacent to and completely
26 across all property lines. Curb cuts shall be minimized.
27
- 28 H. No outdoor display of merchandise sold, serviced or rented is permitted.
29
- 30 I. THIS USE IS ALSO PERMITTED WITH CONDITIONS IN THE HVC AND HVG
31 SUB-ZONES, SUBJECT TO THE FOLLOWING REGULATIONS:
32
- 33 (1) ALL DISPLAY OR STORAGE MUST BE WITHIN A FULLY ENCLOSED
34 BUILDING. NO OUTDOOR DISPLAY OF MERCHANDISE IS PERMITTED.
- 35 (2) THIS USE IS LIMITED TO THE SALE, REPLACEMENT, INSTALLATION OR
36 REPAIR OF TIRES, MUFFLERS, BATTERIES, BRAKES, AND MASTER CYLINDERS,
37 SHOCK ABSORBERS, INSTRUMENTS, SUCH AS SPEEDOMETERS AND
38 TACHOMETERS, RADIOS, AND SOUND SYSTEMS OR UPHOLSTERY FOR
39 PASSENGER CARS, MOTORCYCLES, VANS, LIGHT TRUCKS, AND BOATS ONLY.
- 40 (3) NO VEHICLE PAINTING, REPAIR OR ALTERATION OF THE AUTO BODY IS
41 PERMITTED, OR REPAIR, REPLACEMENT, OR SERVICING OF THE POWER
42 PLANT OR DRIVE TRAIN, EXCEPT MINOR TUNE-UP INVOLVING THE CHANGING
43 OF SPARK PLUGS, POINTS, COOLANT OR CONDENSER, INCLUDING ENGINE
44 BLOCK OIL CHANGES.

1 (4) IF ANY INSTALLATION OR SERVICING IS INCLUDED, THE USE SHALL
2 COMPLY WITH THE CONDITIONS FOR MOTOR VEHICLE REPAIR AND
3 MAINTENANCE GIVEN BELOW FOR USE 6.03.310.

4 * * * * *

5
6 **6.03.310 Motor vehicle repair and maintenance. [Amended 12-7-1993 by Ord. No. 93-100;
7 11-21-1994 by Ord. No. 94-100; 10-23-2000 by Ord. No. 00-84]**

8 This use is permitted with conditions in the CN, CC, CB, CV, IG, PEP and MX Zones subject to
9 the following:

10
11 A. A motor vehicle repair and maintenance shop is limited to the sale, installation, repair,
12 replacement, modification, adjustment or servicing of the power plant or drive-train of a vehicle
13 subject to the following standards:

14
15 (1) Minimum area: 20,000 square feet.

16
17 (2) All activity and storage of parts shall occur entirely within a completely enclosed
18 building. Any vehicle storage shall be temporary, in side or rear yards, and screened from
19 adjacent properties.

20
21 (3) No building or structure shall be located in any required yard or setback.

22
23 (4) Wall openings in structures are permitted in those walls directly facing an existing
24 commercial or industrial zone. Wall openings necessary for ventilation, fire exits and light,
25 pursuant to the standards of the Charles County Building Code and the Fire Safety Code, shall
26 be permitted.

27
28 (5) The maximum permitted total floor area ratio shall not exceed 0.40.

29
30 (6) A minimum ten-foot-wide landscape strip shall be provided adjacent to and
31 completely across all property lines. Curb cuts shall be minimized.

32
33 (7) No outdoor display of merchandise sold, serviced or rented is permitted.

34
35 (8) Lubrication equipment and outdoor storage and refuse areas. Hydraulic racks and
36 service pits shall be located within the main structure. Any outdoor storage or refuse area shall
37 be fenced or screened from view and must be approved as to location and design. The site plan
38 shall indicate the disposal methods to be used for all waste material, including recycling of
39 waste oil generated by the operation.

40
41 B. THIS USE IS ALSO PERMITTED WITH CONDITIONS IN THE HVC, HVG,
42 AND HVE SUB-ZONES, SUBJECT TO THE FOLLOWING REGULATIONS:

43
44 (1) A MOTOR VEHICLE REPAIR AND MAINTENANCE SHOP IS LIMITED TO THE
45 SALE, INSTALLATION, REPAIR, REPLACEMENT, MODIFICATION,
46 ADJUSTMENT OR SERVICING OF THE POWER PLANT OR DRIVETRAIN OF A
47 VEHICLE.

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NOTE: CAPITALS indicate language added to existing law.
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- (2) MINIMUM LOT AREA: 20,000 SQUARE FEET.
- (3) ALL ACTIVITY AND STORAGE OF PARTS SHALL OCCUR ENTIRELY WITHIN A COMPLETELY ENCLOSED BUILDING.
- (4) ANY VEHICLE STORAGE SHALL BE TEMPORARY, IN SIDE OR REAR YARDS, AND SCREENED FROM ADJACENT PROPERTIES.
- (5) BAY ENTRANCES AND GARAGES MAY NOT FACE THE STREET. BAY ENTRANCES ON A SIDE WALL MUST BE SET BACK AT LEAST 15 FEET FROM THE FRONT FAÇADE. ANY WALL OPENING MUST BE IN A WALL DIRECTLY FACING AN EXISTING COMMERCIAL OR INDUSTRIAL ZONE. WALL OPENINGS NECESSARY FOR VENTILATION, FIRE EXITS AND LIGHT, PURSUANT TO THE STANDARDS OF THE CHARLES COUNTY BUILDING CODE AND THE FIRE SAFETY CODE, SHALL BE PERMITTED.
- (6) THE BUILDING SHALL PROVIDE A FINISHED FRONT FAÇADE WITH A PRIMARY ENTRANCE FACING THE PUBLIC STREET FRONTAGE.
- (7) NO BUILDING OR STRUCTURE SHALL BE LOCATED IN ANY REQUIRED YARD OR SETBACK.
- (8) A MINIMUM TEN-FOOT-WIDE LANDSCAPE STRIP SHALL BE PROVIDED ADJACENT TO AND COMPLETELY ACROSS ALL PROPERTY LINES. CURB CUTS SHALL BE MINIMIZED.
- (9) NO OUTDOOR DISPLAY OF MERCHANDISE SOLD, SERVICED OR RENTED IS PERMITTED.
- (10) ANY OUTDOOR STORAGE OR REFUSE AREA SHALL BE FENCED OR SCREENED FROM VIEW AND MUST BE APPROVED AS TO LOCATION AND DESIGN. THE SITE PLAN SHALL INDICATE THE DISPOSAL METHODS TO BE USED FOR ALL WASTE MATERIAL, INCLUDING RECYCLING OF WASTE OIL GENERATED BY THE OPERATION.

* * * * *

6.03.400 Motor vehicle painting and body work. [Amended 10-25-1999 by Ord. No. 99-92]

This use is permitted with conditions in the HVE, CC, CV, BP, IG and PEP Zones and is permitted by special exception in the MX and TOD Zones, subject to the following:

- A) The minimum area shall be 20,000 square feet.
- B) All activity and storage of materials associated with the permitted use shall occur entirely within a completely enclosed building. Vehicles may be temporarily stored in side or rear yards if completely screened from adjacent properties.
- C) Wall openings in structures are permitted when walls are directly facing an existing commercial or industrial zone. Wall openings are permitted when necessary for ventilation, fire exits and light, pursuant to the standards of the Charles County Building Codes and the Fire Safety Code.
- D) The maximum permitted total floor area ratio shall not exceed 0.40. [Amended 12-7-

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1993 by Ord. No. 93-100; 11-21-1994 by Ord. No. 94-100]

E) The minimum ten-foot-wide landscape strip shall be provided adjacent to and completely across all property lines.

F) No outdoor display of merchandise sold, serviced or rented is permitted.

G) Bufferyards shall be required to adequately separate this use from adjacent uses or properties in order to eliminate or minimize negative impacts from dirt, litter, noise, glare of lights, signs and unsightly buildings or parking areas or to provide spacing to reduce impacts of noise, fumes, odor or danger from fires or explosions.

H) A traffic and road condition study must be submitted with the application by the applicant to determine the adequacy of the road network serving the site and the traffic to be generated by the use.

* * * * *

7.02.100 Automobile parking garages or parking lots not located on a lot where there is another principal use to which the parking is related. [Amended 4-23-2010 by Bill No. 2010-02]

This use is permitted WITH CONDITIONS IN THE HVC, HVG, AND HVE SUB-ZONES AND by special exception in the CV, WC, and AUC Zones, provided that the following standards are satisfied:

A. Any structure will be compatible with the surrounding neighborhood or community in terms of architecture, height, size, massing and setbacks.

B. Any parking lot shall occupy no more than one acre of the parcel or prepared surface area.

C. In the CV Zone: [Added 4-23-2010 by Bill No. 2010-02]

(1) Ingress and egress shall be from a collector or arterial roadway.

(2) The site plan shall show how this use will be satisfactorily screened from all neighboring uses.

D. In the WC and AUC Zones: [Added 4-23-2010 by Bill No. 2010-02]

(1) This special exception use is limited to structured parking facilities. Parking lots are permitted only on a lot associated with a principal use to which the parking is related.

(2) Ingress and egress shall be from a Waldorf Urban Major Collector, Waldorf Urban Minor Collector or Waldorf Urban Local Road.

(3) The structure shall comply with the siting and design standards of the Downtown Waldorf Vision Plan and Design Guidelines.

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[Brackets] indicate language deleted from existing law.

1
2 G. IN THE HVC, HVG, AND HVE SUB-ZONES:

3 (1) THE SITE PLAN SHALL SHOW HOW THIS USE WILL BE
4 SATISFACTORILY SCREENED FROM NEIGHBORING PROPERTIES
5 AND PUBLIC STREETS.

6 (2) A PARKING GARAGE SHALL BE LOCATED ON A LOT THAT DOES
7 NOT HAVE FRONTAGE ALONG OLD LEONARDTOWN ROAD OR MD
8 ROUTE 231, UNLESS COMMERCIAL USES LINE THE GROUND
9 FLOOR FRONT FAÇADE OF THE GARAGE.

10
11 * * * * *

12
13 **7.08.110 AGRICULTURAL PROCESSING FACILITY, LOCAL.**

14 THIS USE IS PERMITTED WITH CONDITIONS IN THE HVG AND HVE SUB-ZONES
15 SUBJECT TO THE FOLLOWING STANDARDS:

- 16 1. THE USE SHALL BE LIMITED TO PROCESSING OF AGRICULTURAL
17 PRODUCTS FROM MARYLAND AND ADJOINING STATES.
18 2. THE USE ALLOWS PROCESSING OF LOCAL MEATS, HOWEVER THE USE
19 SHALL NOT ALLOW SLAUGHTERING, EVISCERATING, DEHAIRING, OR
20 SKINNING.
21 3. PROCESSING MAY INCLUDE THE INCIDENTAL USE OF INGREDIENTS NOT
22 GROWN LOCALLY, SUCH AS THE ADDITION OF SUGAR OR SEASONINGS.
23 4. ALL OPERATIONS AND STORAGE SHALL BE WITHIN AN ENCLOSED
24 BUILDING. ALL OUTSIDE STORAGE OF EQUIPMENT, MATERIALS,
25 INVENTORY, AND WASTE SHALL BE ADEQUATELY SCREENED FROM
26 NEIGHBORING PROPERTIES AND PUBLIC STREETS.
27 5. ADEQUATE MEASURES SHALL BE IMPLEMENTED SO THAT ALL ODORS,
28 DUST, SMOKE OR NUISANCES ARE CONFINED WITHIN THE BOUNDARIES
29 OF THE SITE.
30 6. A WASTE MANAGEMENT PLAN FOR STORING, HANDLING AND DISPOSING
31 OF WASTE AND BY-PRODUCTS IS REQUIRED.
32 7. THE USE SHALL PROVIDE ADEQUATE PARKING. PARKING FOR THE USE
33 SHALL COMPLY WITH THE APPLICABLE PARKING PROVISIONS IN 297-99,
34 HUGHESVILLE VILLAGE ZONE (HV).
35 8. THE USE SHALL PROVIDE AN ADEQUATE OFF-STREET LOADING AND
36 UNLOADING AREA THAT IS SCREENED FROM PUBLIC STREETS AND
37 NEIGHBORING PROPERTIES.

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[Brackets] indicate language deleted from existing law.

- 1 9. THE USE SHALL COMPLY WITH ALL FEDERAL, STATE AND LOCAL
2 REGULATIONS APPLICABLE TO THE TYPE OF PROCESSING FACILITY AND
3 OBTAIN NECESSARY APPROVALS.
4 10. RETAIL SALES ARE PERMITTED IN THE GATEWAY SUB-ZONE BUT NOT IN
5 THE EMPLOYMENT SUB-ZONE.
6

7 **7.08.120 AGRICULTURAL PROCESSING FACILITY, LOCAL, SLAUGHTERHOUSE.**

8 THIS USE IS PERMITTED AS A SPECIAL EXCEPTION IN THE HVG AND HVE SUB-
9 ZONES, SUBJECT TO THE FOLLOWING STANDARDS:

- 10 1. THE USE IS LIMITED TO PROCESSING OF PRODUCTS FROM MARYLAND
11 AND ADJOINING STATES.
12 2. PROCESSING MAY INCLUDE THE INCIDENTAL USE OF INGREDIENTS NOT
13 GROWN LOCALLY, SUCH AS THE ADDITION OF SUGAR OR SEASONINGS.
14 3. THE USE SHALL BE CONDUCTED ENTIRELY WITHIN A BUILDING,
15 INCLUDING HOLDING AREAS OR PENS FOR ANIMALS AS WELL AS
16 PROCESSING AND STORAGE OF WASTE.
17 4. ADEQUATE MEASURES SHALL BE IMPLEMENTED SO THAT ALL ODORS,
18 DUST, SMOKE OR NUISANCES ARE CONFINED WITHIN THE BOUNDARIES
19 OF THE SITE.
20 5. THE OPERATION SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL
21 REGULATIONS APPLICABLE TO THE TYPE OF PROCESSING FACILITY AND
22 OBTAIN NECESSARY APPROVALS.
23 6. A WASTE MANAGEMENT PLAN FOR STORING, HANDLING AND DISPOSING
24 OF WASTE AND BY-PRODUCTS IS REQUIRED.
25 7. THE USE SHALL PROVIDE ADEQUATE PARKING. PARKING FOR THE USE
26 SHALL COMPLY WITH THE APPLICABLE PARKING PROVISIONS IN 297-99,
27 HUGHESVILLE VILLAGE ZONE (HV).
28 8. THE USE SHALL PROVIDE AN ADEQUATE OFF-STREET LOADING AND
29 UNLOADING AREA THAT IS SCREENED FROM PUBLIC STREETS AND
30 NEIGHBORING PROPERTIES.

31 **7.08.200 STORAGE AND DISTRIBUTION OF LOCAL AGRICULTURAL PRODUCTS.**

32 THIS USE IS PERMITTED WITH CONDITIONS IN THE HVG AND HVE SUB-ZONES,
33 SUBJECT TO THE FOLLOWING STANDARDS:

- 34 1. THE USE SHALL BE LIMITED TO THE STORAGE AND WHOLESALE SALE OF
35 AGRICULTURAL PRODUCTS FROM MARYLAND AND ADJOINING STATES.
36 2. ALL OPERATIONS AND STORAGE SHALL BE WITHIN AN ENCLOSED
37 BUILDING. NO OUTSIDE STORAGE OF EQUIPMENT, MATERIALS, OR
38 INVENTORY IS PERMITTED.

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- 3. THE USE SHALL PROVIDE ADEQUATE PARKING. PARKING FOR THE USE SHALL COMPLY WITH THE APPLICABLE PARKING PROVISIONS IN 297-99, HUGHESVILLE VILLAGE ZONE (HV).
- 4. THE USE SHALL PROVIDE AN ADEQUATE OFF-STREET LOADING AND UNLOADING AREA THAT IS SCREENED FROM PUBLIC STREETS AND NEIGHBORING PROPERTIES.
- 5. THE OPERATION SHALL COMPLY WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS APPLICABLE TO THE TYPE OF STORAGE AND SALES AND OBTAIN NECESSARY APPROVALS.

* * * * *

Chapter 297. ZONING ORDINANCE

ARTICLE XVIII: Site Design

* * * * *

§ 297-298. General site design standards.

B. The Charles County Site Design and Architectural Review (SDAR) single-family dwelling and commercial and industrial guide lines and standards shall guide: **[Added 5-2-2005 by Ord. No. 05-081] [Amended 11-01-2008 by Bill No. 08-13]**

- 1) The approval of preliminary plans and architectural elevations for all single-family subdivisions in the RL, RM, RH, RO, RR, PRD, MX, PUD, WPC, TOD, PEP, PMH, CER, CRR, [and] CRM, HVC, HVG, AND HVR Zones that are greater than 10 lots and within sewer service areas S-1, S-3, S-5.
- 2) The approval of site plans and buildings for all commercial construction in the CV, CN, CC, CB, BP, IG, IH, CER, CRR, [and] CRM, HVC, HVG, AND HVE Zones. All new construction, renovation and expansion projects shall comply with all applicable sections of the commercial and industrial guidelines and standards. Projects that do not add more than 2,000 square feet of gross floor area or alter more than 25% of the building facade or site area are exempt. The guidelines and standards shall conform to appropriate planning principles and to the purposes stated for the specific zone.

* * * * *

§ 297-301. Road and sidewalk requirements in subdivided and unsubdivided developments. [Amended 4-23-2010 by Bill No. 2010-02 and Bill No. 2010-05]

Asterisks *** mean intervening code language remaining unchanged
 NOTE: CAPITALS indicate language added to existing law.
 [Brackets] indicate language deleted from existing law.

1 E. An applicant for site plan approval shall install sidewalks and related improvements
2 along public or private streets, or reserve easements for sidewalks, as specified below. [Added 4-
3 23-2010 by Bill No. 2010-02; Amended 4-23-2010 by Bill No. 2010-05]

- 4 1) For any site within an Activity Center Zone or Core Mixed Use Zone, sidewalks, street
5 trees and street lights shall be installed along the side of a public or private street abutting
6 the development, or along both sides of a public or private street within the development,
7 if the development meets the thresholds for streetscape improvements established by the
8 Activity Center Zone requirements, §297-96.N for the Activity Center Zones. For
9 expansion of existing uses, these improvements shall be installed if required by the
10 Zoning Officer in the Core Mixed Use Zones. [Added 4-23-2010 by Bill No. 2010-02;
11 Amended 4-23-2010 by Bill No. 2010-05]
- 12 2) For commercial, industrial or mixed use developments in other zones, sidewalks and
13 street trees shall be installed along the side of public or private streets abutting the
14 development unless the Zoning Officer determines that these improvements are not
15 desirable for pedestrian safety and convenience, and are inconsistent with County plans
16 for the area. A landscape strip shall be provided between the sidewalks and the streets,
17 for pedestrian comfort and security. Where a service street is required, the sidewalks may
18 be provided along the service streets. [Added 4-23-2010 by Bill No. 2010-05]
- 19 3) In other Zones, whenever the Zoning Officer finds that pedestrian access is necessary
20 from an unsubdivided development to schools, parks, playgrounds or other roads or
21 facilities and that such access is not conveniently provided by sidewalks adjacent to the
22 roads, the applicant may be required to reserve an unobstructed easement of at least 10
23 feet to provide such access. [Amended 12-7-1993 by Ord. No. 93-100; 11- 21-1994 by
24 Ord. No. 94-100; 4-23-2010 by Bill No. 2010-02].
- 25 4) Sidewalks along public streets shall meet the standards of the Road Ordinance and
26 adopted Design Guidelines. [Added 4-23-2010 by Bill No. 2010-02]
- 27 5) IN THE HUGHESVILLE VILLAGE ZONE, IN ADDITION TO SIDEWALKS AND
28 STREET TREES, STREETLIGHTS SHALL BE INSTALLED AS REQUIRED BY
29 §297-99.

30 * * * * *

31
32
33 Chapter 297, ZONING ORDINANCE

34 ARTICLE XXII: Screening and Trees

35 * * * * *

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Asterisks *** mean intervening code language remaining unchanged
NOTE: CAPITALS indicate language added to existing law.
[Brackets] indicate language deleted from existing law.

1 Amend Figure XXII-1 to include the Hughesville Village (HV) Sub-Zones as follows:
 2

3 Figure XXII-1. Bufferyards Between Adjacent Zones: Residential Zones
 4

Zone	AC	RC	RR	RV	RL	RM	RH	CRR	CER	CMR	WC	AUC	HVR
AC	--	B	B	C	C	C	C	--	--	--	--	--	C
RC	--	--	--	--	A	A	B	C	C	B	C	C	--
RR	--	--	--	B	--	A	B	C	C	B	C	C	B
RV	A	A	B	--	--	--	B	B	B	B	--	--	--
RL	A	A	--	--	--	--	B	C	C	B	C	C	--
RM	A	A	A	--	--	--	B	C	C	B	C	C	--
RH	A	B	B	B	B	B	--	C	C	B	C	C	B
RO	B	B	B	B	--	--	--	A	A	B	A	A	B
CN	C	C	C	C	C	C	B	--	--	--	A	A	C
CC	C	C	C	C	C	C	B	B	B	C	B	B	C
CB	C	C	C	C	C	C	B	A	A	B	A	A	C
CV	C	C	C	B	C	C	B	A	A	B	--	--	B
BP	C	C	C	C	C	C	B	A	A	B	A	A	C
IG	E	E	E	E	E	E	D	D	D	D	D	D	E
IH	E	E	E	E	E	E	E	E	E	E	E	E	E
PMH	D	D	D	C	C	C	A	C	C	C	C	C	C
PRD	C	C	C	B	B	B	A	--	--	--	--	--	B
PEP	--	E	E	E	E	E	D	A	A	--	A	A	E
MX	D	D	D	D	D	D	C	A	A	A	--	--	D
TOD	D	D	D	D	D	D	C	--	A	A	A	A	D
CRR	--	C	C	B	C	C	C	--	B	C	--	--	B
CER	--	C	C	B	C	C	C	B	--	B	--	--	B
CMR	--	B	B	B	B	B	B	C	C	--	C	C	B
WC	--	C	C	--	C	C	C	--	--	C	--	--	--
AUC	--	C	C	--	C	C	C	--	--	C	--	--	--
HVR	A	A	B	--	--	--	B	B	B	B	--	--	--
HVC	C	C	C	B	C	C	B	--	--	B	--	--	B
HVG	C	C	C	B	C	C	B	--	--	B	--	--	B
HVE	E	E	E	E	E	E	D	D	D	D	D	D	E

- 5
 6 NOTES:
 7 1. -- indicates that either Bufferyards are not required or not applicable.
 8 2. "A" through "E" designates type of buffer required as illustrated in Part II of this article.
 9 3. For the CV and CN Zones: If the adjacent single-family vacant residential lot is greater than five acres in size, or the closest
 10 residence is greater than 200 feet from the property line, no Bufferyard will be required.
 11

Asterisks *** mean intervening code language remaining unchanged
 NOTE: CAPITALS indicate language added to existing law.
 [Brackets] indicate language deleted from existing law.

Amend Figure XXII-2 to include the Hughesville Village (HV) Sub-Zones as follows:

Figure XXII-2

Bufferyards Between Adjacent Zones: Commercial and Industrial Zones

Zone	CRR	CER	CMR	WC	AUC	CN	CC	CB	BP	CV	HVC	HVG	HVE	RO	IG	IH
AC	-	-	-	-	-	B	B	B	C	B	B	B	B	B	B	B
RC	C	C	B	C	C	B	C	C	C	B	B	B	E	B	E	E
RR	C	C	B	C	C	B	C	C	C	B	B	B	E	B	E	E
RV	B	B	B	-	-	B	C	C	C	A	B	B	E	B	E	E
RL	C	C	B	C	C	B	C	C	C	B	B	B	E	B	E	E
RM	C	C	B	C	C	B	C	C	C	B	B	B	E	B	E	E
RH	C	C	B	C	C	A	B	B	B	A	A	A	D	A	D	E
RO	A	A	B	A	A	-	A	A	-	-	-	-	B	-	B	C
CN	-	-	-	A	A	-	-	-	-	-	-	-	B	-	B	A
CC	B	B	C	B	B	-	-	-	-	-	-	-	A	-	A	A
CB	A	A	B	A	A	-	-	-	-	-	-	-	A	-	A	A
CV	A	A	B	-	-	-	-	-	-	-	-	-	B	-	B	A
BP	A	A	B	A	A	-	-	-	-	-	-	-	-	-	-	A
IG	D	D	D	D	D	B	-	B	-	B	E	E	-	B	-	-
IH	E	E	E	E	E	B	-	B	-	-	E	E	-	A	-	-
PMH	C	C	C	C	C	A	B	B	C	B	B	B	D	B	C	D
PRD	C	C	C	C	C	B	C	C	D	B	B	B	D	B	D	D
PEP	-	-	-	A	A	B	A	A	-	A	-	-	-	B	-	-
MX	A	A	-	-	-	B	B	B	D	A	-	-	D	A	D	D
CRR	-	B	C	-	-	A	B	A	A	A	-	-	D	A	D	E
CER	B	-	B	-	-	A	B	A	A	A	-	-	D	A	D	E
CMR	C	C	-	C	C	B	C	B	B	B	B	B	D	B	D	E
WC	-	-	C	-	-	A	B	A	A	-	-	-	D	A	D	E
AUC	-	-	C	-	-	A	B	A	A	-	-	-	D	A	D	E
HVR	A	A	B	-	-	-	-	-	-	-	B	B	E	-	B	A
HVC	-	-	B	-	-	-	-	-	-	-	-	-	B	-	B	D
HVG	-	-	B	-	-	-	-	-	-	-	-	-	B	-	B	D

Asterisks *** mean intervening code language remaining unchanged
 NOTE: CAPITALS indicate language added to existing law.
 [Brackets] indicate language deleted from existing law.

HVE D D D D D D B B B B B B B - - -

NOTES:

- 1. - indicates that either Bufferyards are not required or not applicable.
- 2. *A through *I designates type of buffer required as illustrated in Part H of this article.
- 3. For the CV and CN Zones: If the adjacent single-family vacant residential lot is greater than five acres in size, or the closest residence is greater than 200 feet from the property line, no Bufferyard will be required.

Asterisks *** mean intervening code language remaining unchanged
 NOTE: CAPITALS indicate language added to existing law.
 [Brackets] indicate language deleted from existing law.

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Amend Figure XXII-3 to include the Hughesville Village (HV) Sub-Zones as follows:

Figure XXII-3
Bufferyards Between Adjacent Zones: Planned Development Zones

Zone	PMH	PRD	PEP	MX	TOD
AC	B	C	--	C	C
RC	D	C	E	D	D
RR	D	C	E	D	D
RV	C	B	E	D	D
RL	C	B	E	D	D
RM	C	B	E	D	D
RH	A	A	D	C	C
RO	B	B	B	A	A
CN	A	B	B	B	B
CC	B	C	A	B	B
CB	B	C	A	B	B
CV	B	B	A	--	--
BP	B	C	A	B	B
IC	C	D	--	D	D
IH	D	D	--	D	D
WC	C	C	A	--	--
AUC	C	C	A	--	--
FMH	--	--	C	--	--
PRD	--	--	D	--	--
PEP	C	D	--	D	D
MX	--	--	D	--	--
TOD	--	--	D	--	--
HVR	A	A	B	B	B
HVC	B	B	--	--	--
HVG	B	B	--	--	--
HVE	D	D	--	D	D

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NOTES:

1. -- indicates that either Bufferyards are not required or not applicable.
2. „A” through „E” designates type of buffer required as illustrated in Article XXIII.

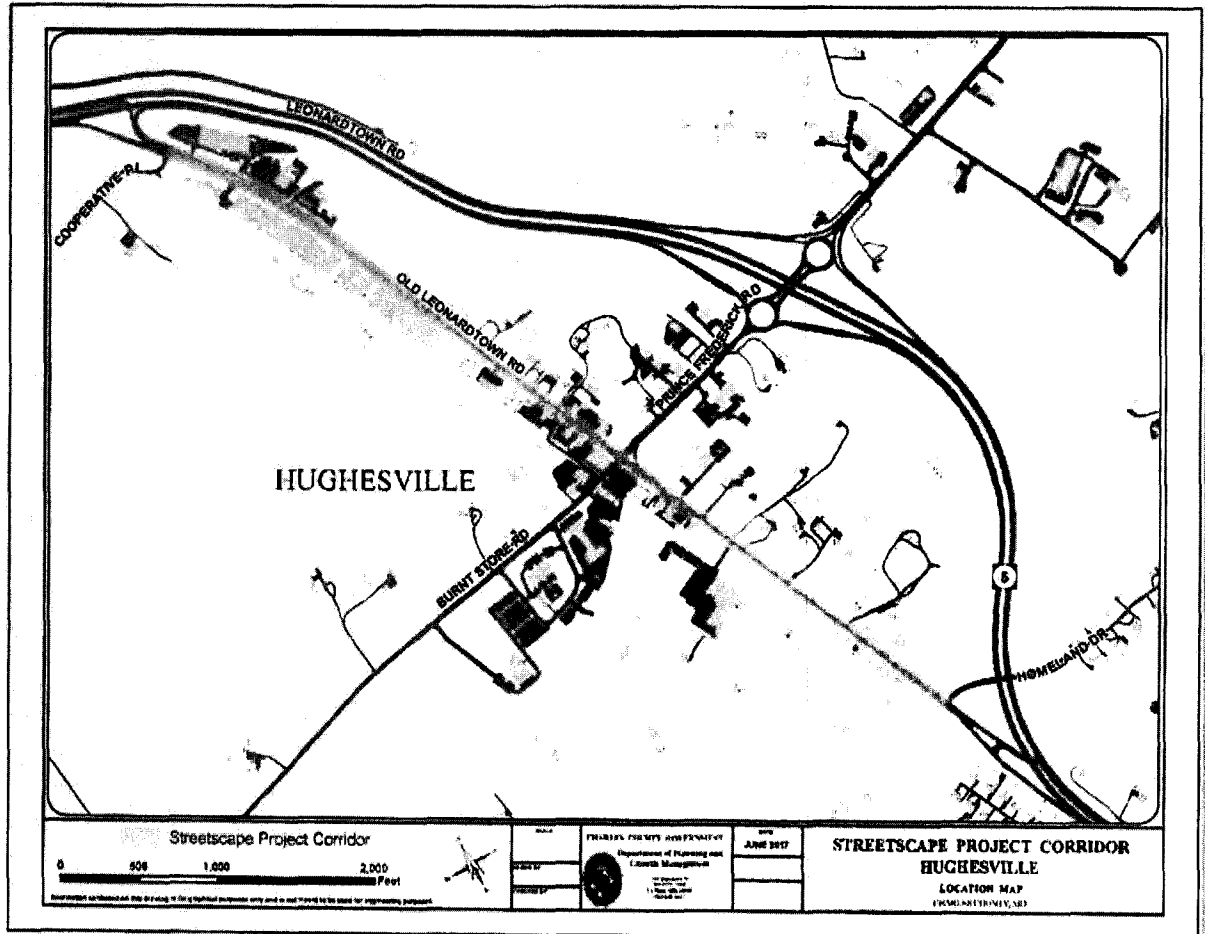
Asterisks *** mean intervening code language remaining unchanged
NOTE: CAPITALS indicate language added to existing law.
[Brackets] indicate language deleted from existing law.

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Add new Appendix Q, as follows:

APPENDIX Q: HUGHESVILLE STREETScape PROJECT CORRIDOR



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* * * * *

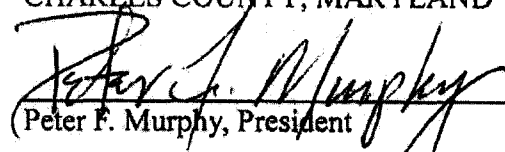
Asterisks *** mean intervening code language remaining unchanged
NOTE: CAPITALS indicate language added to existing law.
[Brackets] indicate language deleted from existing law.


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SECTION 2. BE IT FURTHER ENACTED, that this act shall take effect forty-five (45) Calendar days after it becomes law.


ADOPTED this 28th day of November, 2017.

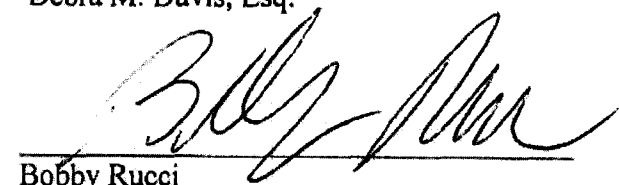
COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

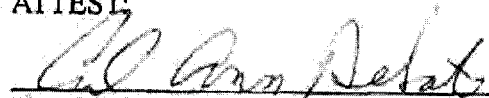

Peter F. Murphy, President


Amanda M. Stewart, M.Ed., Vice President


Ken Robinson


Debra M. Davis, Esq.


Bobby Rucci

ATTEST:

Carol DeSoto, Acting Clerk to the Commissioners

Asterisks *** mean intervening code language remaining unchanged
NOTE: CAPITALS indicate language added to existing law.
[Brackets] indicate language deleted from existing law.