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APPENDIX A - BASIC INFORMATION REQUIRED ON SITE PLAN

ARTICLE I. GENERAL PROVISIONS

§ 163-1. Authority.

This Chapter is enacted under the authority granted by the General Assembly of Maryland, as provided in the Land Use Article, Annotated Code of Maryland, as amended.

§ 163-2. Purpose and scope.

- A. The purpose of this chapter is to promote public health, safety and general welfare; to secure safety from fire, panic and other dangers; to lessen congestion in streets; to provide adequate light and air; to prevent the overcrowding of land; to conserve the value of property; and to facilitate adequate provision of schools, water, sewerage, circulation and other public requirements.
- B. This chapter shall apply to all incorporated territory of the Town of Princess Anne, Maryland.
- C. Except as otherwise specified the use of any property and the construction or alteration of any building or structure shall be in conformity with the provisions of this chapter.
- D. Nothing in this chapter shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by a proper authority.

FROM § 163-1. PURPOSE AND SCOPE.

§ 163-3. Interpretation of standards.

- A. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements. Wherever the requirements of this chapter are found to be in conflict with those imposed or required by other provisions of law or by other rules, regulations or ordinances or by private restrictions, the most restrictive or that imposing the highest standards shall govern.
- B. All rules of legal construction, definitions, severability and other provisions for interpretation of this Code enumerated in Chapter 1 of this Code shall apply in this chapter unless explicitly stated otherwise.
- C. Where it is not clear from the provisions of this chapter whether a proposed use is permitted or intended to be prohibited, unless the proposed use is permitted under the provisions of [§ 163-39](#).

§ 163-4. Conformity with chapter provisions.

The regulations set by this Chapter within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except and particularly as hereinafter provided:

- A. No building, structure or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed or reconstructed, moved or structurally altered

externally, unless in conformity with all the regulations herein specified for the zoning district in which it is located.

- B. No building or other structure shall hereafter be erected or altered to: exceed the height; accommodate or house a greater number of families; occupy a greater percentage of lot area; or have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required, or in any other manner contrary to the provisions of this Chapter.
- C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Chapter shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements established by this Chapter.

§ 163-5. Severability.

It is hereby declared to be the intention of the President and Town Commissioners of Princess Anne, Maryland that the sections, paragraphs, sentences, clauses, and phrases of this Zoning Chapter are severable, and if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Zoning Chapter since the same would have been enacted without the incorporation into this Zoning Chapter of such unconstitutional or invalid sections, paragraphs, sentences, clauses, or phrases.

§ 163-6. Reserved.

ARTICLE II. BASIC DEFINITIONS AND INTERPRETATIONS

§ 163-7. Basic definitions.

- A. Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this Chapter.
- B. To amplify and clarify all provisions of this Chapter, the following rules shall apply:
 - (1) Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number, and the plural number shall include the singular number, unless the obvious construction of the wording indicates otherwise.
 - (2) The word "shall" is mandatory and not discretionary.
 - (3) The word "may" is permissive.
 - (4) The word "lot" shall include the words "piece", "parcel" and "plots"; the word "building" includes all other structures of every kind regardless of similarity to buildings; and the phrase "used for" shall include the phrase "arranged for" and "occupied for".
 - (e) Words and terms not defined herein shall be interpreted in accord with their normal dictionary meaning and customary usage.

NEW

- C. As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY USE OR STRUCTURE - A use or structure on the same lot and of a nature customarily incidental and subordinate to the principal use or structure.

ADULT BOOK OR VIDEO STORE - An Adult Oriented Business, whether or not containing viewing booths, theatres, or other performance viewing space, that involves the sale, rental, transfer, loan, dissemination, distribution, provision or promotion of Adult Entertainment or Material in the form of books, magazines, newspapers, photographs, movies, videos, DVDs, CDs or other audio/video recordings, or other electronic recordings, or, in the form of merchandise, objects, items or devices.

ADULT ENTERTAINMENT OR MATERIAL - Any performance, depiction, or text that is intended to cause or provide, or reasonably may be expected to cause or provide, sexual stimulation, sexual excitement, or sexual gratification and:

- A. In which an individual or individuals appear in a state of Nudity or Partial Nudity; or
- B. That consists, in whole or in part, of action, activity, poses, portrayal, depiction, or description of:
 - (1) Human genitals in a discernable state of sexual stimulation or arousal; or

(2) Any act, whether real or simulated, of masturbation, sexual intercourse, anal intercourse, sodomy, fellatio, cunnilingus, fondling of the buttocks, anus, female breasts, pubic area, or genital area, Sadoomasochistic Abuse, physical contact or attempted contact with clothed or unclothed genitals, pubic areas, buttocks, anus, or female breasts; or

- C. That consists of sexual contact with animals or inanimate objects; or
- D. That consists of any merchandise, object, item, or device that is designed and/or marketed with the intention of causing, or that reasonably may be expected to cause, sexual stimulation, sexual excitement or sexual gratification.

ADULT ORIENTED BUSINESS - Any business, operation, or activity a Significant Amount of which consists of:

- A. The conduct, promotion, delivery, provision, or performance of adult entertainment or material; including, but not limited to, that occurring in, at, or in connection with a cabaret, lounge, night club, modeling studio, bar, restaurant, club, lodge, or similar establishment; or
- B. The sale, rental, transfer, loan, dissemination, distribution, provision or promotion of Adult Entertainment or Material, in any format, form, or medium, including, but not limited to, books, magazines, newspapers, photographs, movies, videos, DVDs, CDs or other audio/video recordings, other electronic recordings, and/or coin operated or pay-view-viewing devices, including, but not limited to, the operation of an Adult Book or Video Store or Viewing Booth.

ADULT NIGHTCLUB, BAR, RESTAURANT, OR SIMILAR ESTABLISHMENT - An entertainment establishment which features go-go dancers, topless service personnel, exotic dancers, strippers, male or female impersonators, or similar entertainers.

ADULT ORIENTED COMMERCIAL ENTERPRISES - Business activities such as adult bookstores, adult entertainment, escort services, massage parlors, tattoo studios, body piercing or branding studios, pawnbrokers, pawnshops, palm readers, fortune teller or soothsayer.

AGRICULTURAL - Use of land for agricultural purposes, including farming, dairying, pasturing, cultivating, horticulture, floriculture, viticulture, fish culture and animal and poultry husbandry and the necessary accessory uses, such as the packing, treating and storing of the produce raised on the premises, but excluding fur farms or the raising or keeping of such animals as rats, mice, monkeys, snakes and the like for use in display or in medical or other tests or experiments.

AGRICULTURE, ANIMAL PRODUCTION - The (principal or accessory) use of land for the keeping or raising of farm animals.

AGRICULTURE, CROP PRODUCTION - The use of land for growing, raising, or marketing of plants to produce food, feed, or fiber commodities or non-food crops. Examples of crop agriculture include cultivation and tillage of the soil and growing and harvesting of agricultural or horticultural commodities. Crop agriculture does not include the raising or keeping of farm animals.

ALLEY - A public or private right-of-way affording secondary means of access to abutting property and not intended for use by general vehicular traffic.

ANIMAL BOARDINGHOUSE - A kennel or any building used for the boarding, breeding or care of dogs, cats or other domestic animals for profit, but not to include pet shops or pet stores.

ANIMAL HOSPITAL - Facilities for the care and treatment of animals by a qualified veterinarian, including veterinary clinics completely enclosed within a building.

APARTMENT – A dwelling unit, as herein defined.

APARTMENT BUILDING – A single residential structure designed and constructed to contain three (3) of more separate dwelling units, regardless of the internal arrangement of such units or the ownership thereof.

ASSISTED LIVING FACILITY - A facility which provides residential and facility-based programs for housing and supportive services for persons over the age of 55 who can live independently but need assistance with activities of daily living (eating, bathing, grooming, dressing and undressing). The facility will provide support services for personal care, transportation, meals, housekeeping, laundry and outside activities and will be licensed and regulated by the State of Maryland.

AUTOMOBILE FILLING STATION - A building or lot containing pumps and storage tanks at which fuel, oils or other accessories for the use of motor vehicles are offered for sale at retail and where minor repair or service facilities may be included as accessory uses, not to include the storage of junk or inoperative vehicles.

AUTOMOBILE REPAIR SHOP - Any building or lot containing facilities for major automobile repairs and body work and automobile service and filling facilities which may be included as accessory uses, not to include the storage of junk or inoperative vehicles.

AUTOMOBILE SALES LOT - Any lot where a portion thereof is used for the storage and display for sale of any motor vehicle and where no major repair or body work is done, except minor incidental repair and service of automobiles displayed or sold on the premises, not to include the storage of junk or inoperative vehicles.

BED AND BREAKFAST - A residential use consisting of a single unit with no more than eight (8) rooms or suites that are rented to lodgers or guests for overnight or weekly accommodation for a fee.

BOARD - The Board of Appeals of the Town of Princess Anne.

BOARDING HOUSE , LODGING HOUSE - A residential use housed in a single dwelling or in part of a dwelling in which unrelated persons are let or sublet lodging in private rooms or quarters not constituting dwelling units for definite periods of time, and where there are no overnight stays by transient guests.

BUILDING - A structure, not including a tent or trailer, having a roof and supported by permanent columns or walls on the ground and used for the shelter or enclosure of persons, animals or property of any kind.

BUILDING, HEIGHT OF - The vertical distance from the average finished grade at the front building line to the highest point of its roof or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE - An imaginary line separating the required front, rear and side yards from the remainder of a lot, within which buildings and other structures shall be confined except as may be otherwise permitted in this Chapter.

CHILD-CARE CENTER- An agency, institution or establishment , as licensed by the Maryland Department of Human Resources Child Care Administration, that, for part or all of the day or on a twenty-four-hour basis on a regular schedule and at least twice a week, offers or provides child care to children who do not have the same parentage. "Child-care center" does not include a child-care home as herein defined.

CHILD-CARE HOME - A dwelling unit or accessory structure, as licensed by the Maryland Department of Human Resources Child Care Administration, in which child care to children who do not have the same parentage is provided for up to eight (8) children under the age of 16 and in which the care giver regularly resides. This use shall be considered a home occupation.

DISTRICT - A portion of the incorporated territory of the Town of Princess Anne within which certain zoning regulations and requirements or various combinations thereof shall apply under this chapter.

DWELLING or DWELLING UNIT – A single unit providing complete independent facilities for occupancy containing permanent provisions for living, sleeping, eating, cooking and sanitation. A dwelling unit includes, but is not limited to an apartment, accessory apartment, efficiency apartment, boardinghouse, rooming house, single-family dwelling and multifamily dwelling.

DWELLING, TWO FAMILY - A dwelling containing not more than two (2) dwelling units arranged one above the other or side by side.

DWELLING, TOWNHOUSE - An attached, privately owned single-family dwelling unit which is a part of and adjacent to other similarly owned single-family dwelling units that are connected to but separated from one another by a common party wall having no doors, windows, or other provisions for human passage or visibility.

DWELLING, MULTI-FAMILY - A dwelling containing three (3) or more multiple-family dwelling units which may or may not share a common entrance.

EXCEPTIONAL USE (also known as “SPECIAL EXCEPTION”) - A use which is basically incompatible with the nature of the permissible uses in a district but can be permitted with special exceptions or conditions in the district by authorization of the Board of Appeals.

ESSENTIAL SERVICES - The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, communication, supply or disposal systems; including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, towers, electric substations, telephone exchange buildings, gas regulator stations, and other similar equipment and accessories that are reasonably necessary to furnish utility services or for the public health, safety, or general welfare.

FAMILY - One or more persons occupying the premises and living as a single, nonprofit housekeeping unit.

FARM - A parcel of land or a portion thereof consisting of five (5) acres or more in size and at least 50% of which is used for agricultural purposes as defined in this section.

GARAGE - A building or portion thereof used for storage, including motor vehicles.

GREENHOUSE, COMMERCIAL - An establishment where flowers, shrubbery, vegetables, trees and other horticultural and floricultural products are grown both in the open and in an enclosed building for sale on a retail or wholesale basis.

GREENHOUSE, NON COMMERCIAL - An establishment where flowers, shrubbery, vegetables, trees and other horticultural and floricultural products are grown both in the open and in an enclosed building not for sale on a retail or wholesale basis.

GROUP DOMICILIARY CARE HOME - A facility that is licensed by the Maryland Department of Health and Mental Hygiene and provides a supervised living arrangement for not more than eight (8) adults not including support personnel, who are unable to live alone because of age-related impairments or physical, mental or visual disabilities. Such facilities may only be located in a detached single family dwelling.

GROUND AREA OF BUILDING - The square footage of the horizontal surface covered by a building and its attached structures, such as covered porches and carports.

HOME OCCUPATION - An accessory use of a dwelling for limited business activity, professional or semiprofessional offices, occupation or trade.

JUNK - Old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials, but does not include scrap tires.

JUNK YARD - An establishment or place of business that is maintained or operated for the purpose of storing, keeping, buying, or selling junk.

LOT - A parcel of land, with or without buildings, recorded on the tax map as one unit of land and having frontage on a road as defined in this section. Lots in single ownership separated by a road shall be considered separate lots.

LOT AREA - The gross area of a lot within all lot lines.

LOT, CORNER - A lot at the junction of and abutting two (2) or more intersecting public or private roads or a lot bounded on and abutting upon two (2) parts of the same public or private road forming an interior angle of less than one hundred thirty-five degrees (135°). A corner lot shall provide a front yard along all property lines abutting a public or private road.

LOT, DEPTH OF - The mean horizontal distance between the front and rear lot lines.[2]

LOT, FRONT or FRONTAGE - That boundary for a lot which is along an existing or dedicated, public or private road. In the case of a corner or through lot, both boundaries along the road shall be considered front lot lines.

LOT, INTERIOR - Any lot other than a corner lot.

LOT LINE - The lines bounding a lot as hereinafter described:

A. FRONT LOT LINE

That boundary for a lot which is along an existing or dedicated public or private road. In the case of a corner or through lot, both boundaries along the road shall be considered front lot lines.

B. REAR LOT LINE

The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, it is a line of at least ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front of lot line.

- (1) In a corner lot, the rear lot line shall be as established on the recorded subdivision plat describing the property. In the event that no rear lot line is denoted on the recorded subdivision plat, the rear lot line shall be established by the Code Enforcement Officer of the Town.
- (2) There shall be no rear lot line for through lots.

C. SIDE LOT LINE

Any boundary of a lot which is not a front lot line nor a rear lot line.

LOT, THROUGH - A lot, other than a corner lot, which fronts upon two (2) parallel public or private roads or which fronts upon two (2) public or private roads which do not intersect at the boundary of the lot and which has no rear lot line.

LOT WIDTH - The mean horizontal distance between opposite side lot lines of a lot.

MASSAGE PARLOR - An establishment that provides massage treatments (see also Adult Commercial Enterprises).

MOBILE HOME - A dwelling unit, factory built and factory assembled, designed for conveyance after fabrication on streets and highways on its own wheels or on a flatbed or other trailers and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor incidental unpacking and assembly operations, such as locating on jacks or other foundation or connection to utilities. A modular or manufactured home or structure shall not be included in this definition.

MODULAR OR MANUFACTURED HOME - A structure intended for residential use and manufactured off-site in accordance with the Building Code.

MOTEL, HOTEL or MOTOR HOTEL - Any building, other than a dwelling, where lodging, with or without meals, is provided for transient guests, and with parking facilities for guests for compensation.

OPEN AIR MARKET SITE - Any location within the corporate limits of Princess Anne on which an open air market vendor is conducting business, but shall not include yard or garage sales conducted by an individual on his or her own property

OPEN AIR MARKET VENDOR - Any person, business or legal entity conducting a temporary business for the purpose of selling goods, wares, commodities, foodstuffs, merchandise or products on property located within the corporate limits of Princess Anne, whether or not from a motor vehicle, and not located within a permanent structure, but shall not include charities and nonprofit organizations, including but not limited to Old Princess Anne Days.

NONCONFORMING LAND USE - An activity conducted on a property that was lawful prior to the effective date of the zoning chapter but fails to comply with the present requirements.

NONCONFORMING LOT - A validly recorded lot which at the time it was recorded fully complied with all applicable laws and ordinances but which does not fully comply with the lot requirements of the area and dimension requirements of the current zoning chapter.

NONCONFORMING STRUCTURE - Any structure or building which lawfully existed on the effective date of the zoning chapter but which does not comply with one or more of the development standards for the district in which it is located.

NONCONFORMING SITUATION - Any property, land use or building which was lawful prior to the effective date of the zoning chapter, but does not conform to the regulations and standards for the zoning district in which it is located.

NONPROFIT ORGANIZATION - Any nonprofit organization engaging primarily in civic or community services, including Lions, Kiwanis, Rotary, Optimists, Civitans or any other organization of a similar nature.

OCCUPANCY CERTIFICATE - A written statement issued by the President and Commissioners or its designated officer authorizing the occupancy of a property.

OPEN SPACE - Land and water areas retained in an essentially undeveloped state. Open space may include, but not be limited to, buffers, lawns, decorative planting, walkways, active and passive recreation areas, children's playgrounds, fountains, swimming pools, wooded areas, and watercourses. Open space shall not include driveways, parking lots or other vehicular surfaces, any area occupied by a building, nor areas so located or so small or so circumscribed by buildings, driveways, parking lots, or drainage areas, as to have no substantial value for the purpose stated in this definition.

PARKING LOT - A lot or portion thereof used for the parking of motor vehicles, but not including those lots used for the dismantling of or for the storage of wrecked or junked motor vehicles or those lots used for the sale of parts thereof.

PERMANENT BUILDING OR STRUCTURE - A building or structure which is erected on a concrete or otherwise permanently constructed foundation.

PERMITTED USE - A use, building or structure listed as a permitted use in these regulations for a particular district and authorized as a matter of right when conducted in accordance with the requirements of the Chapter.

PET SHOP or PET STORE - The retail use of a structure or building, other than a kennel or animal hospital, where household pets and normally associated goods are sold within an enclosed structure.

PLANNING AND ZONING COMMISSION - The body appointed by the President of the Commissioners and confirmed by the Town Commissioners under the provisions of Chapter 27, Code of Public Laws for Princess Anne, Maryland that has and possess the powers, duties, obligations and authority as are now or may in the future be conferred upon it by the provisions of Land Use Article of the Annotated Code of Maryland, as amended or as it may be amended, and/or the provisions of any and all other statutes, laws, ordinances, regulations and resolutions of the federal, state, county or other local government and/or any and all other administrative departments, divisions, commissions or bodies thereof. Also referred to as the "Commission" in the context of this chapter.

PRINCIPAL USE - The main or primary purpose for which a structure or lot is designed, arranged or intended, or for which it may be used, occupied or maintained under this chapter. Any other use within the main structure or the use of any other structure or land on the same lot and incidental or supplementary to the principal use and permitted under this Ordinance shall be considered an Accessory Use.

PROPERTY - A building, structure or a parcel of land or the combination of any of the above.

PUBLIC UTILITY - Businesses that provide the public with necessities, such as water, electricity, natural gas, and telephone and telegraph communication.

RECREATION CENTER - An indoor/outdoor area or other facility used for social or recreational purposes, generally open to the public, including active play fields, swimming pools, tennis or basketball courts, play apparatus, or picnic areas.

RECREATIONAL VEHICLE - A motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational occupancy.

RELIGIOUS ASSEMBLY FACILITIES – Structures for the conduct of religious services involving public assembly that customarily occur in churches, synagogues, temples, mosques and other facilities used for religious worship.

RIDING STABLE - Any building used for the boarding, breeding or care of horses used for recreational purposes, other than horses used for farming or agricultural purposes.

SITE PLAN (See § 163-14) - Drawings and/or plats which describes and locates required improvements of a development tract in accordance with the provisions of this chapter.

SIGN – See [ARTICLE XIV. SIGN REGULATIONS](#).

SPECIAL EXCEPTION - A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such a use can only be permitted as an exceptional use in a district by authorization of the Board of Appeals.

SPECIAL USE - Circus, carnival or similar transient enterprises when sponsored by an organization qualified under § 247 of Article 27 of the Annotated Code of Maryland and Section 13-201, Criminal Law Article, of the Annotated Code of Maryland.

STREET – A public or private thoroughfare, however designated, which affords the principal means of access to abutting property. A public street is maintained by the Town of Princess Anne, Somerset County, or the State of Maryland. A private street is a right-of-way or easement not owned or maintained by the Town of Princess Anne, Somerset County, or the State of Maryland, serving two (2) or more properties.

STREET YARD OR STREET SETBACK - The area behind the street right-of-way, and in front of any building on private property.

STRUCTURE - Any combination of materials, other than a fence or retaining wall, constructed, erected or attached on land.

STUDENT - A person who is registered to be enrolled or who is enrolled and matriculating at an accredited university or college as an undergraduate or graduate.

STUDENT HOUSING - A building occupied primarily by unrelated individuals enrolled in a program of study at an educational institution, college or university, trade school, training facility or similar entity providing students with sleeping quarters with or without communal kitchen facilities.

TOURIST HOME - A private home or condominium that is not occupied by an owner or manager and is rented, leased, or furnished in its entirety to transient guests on a daily or weekly basis. Transient guest is defined as a guest for only a brief stay, such as the traveling public.

TRAILER - Any vehicle or similar structure constructed in such a manner as to be used for living quarters or for the conduct of any business, trade or occupation or as a selling or advertising device and which may be mounted on wheels and moved upon highways and streets, propelled or drawn by its own or other motor power. The term "trailer" shall include all automobile trailers, truck trailers, trailer coaches, trailer homes, mobile homes and the bodies of junked buses, trucks or other vehicles.

USE - An activity for which a parcel of land or a building is utilized.

VARIANCE - A relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant or property owner, literal enforcement of this chapter would result in unnecessary and undue hardship. A variance is authorized only for the height, frontage, area or size of structure, or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

WAYSIDE STAND - A temporary structure used for display or sale of agricultural or other products grown or produced on the premises upon which such stand is located.

YARD - An open area between a lot line and the line within which no structures shall be located, except as provided in this chapter.

A. FRONT YARD

An open space, unoccupied and unobstructed, extending the full width of the lot between any part of any building line and the front lot line.

B. REAR YARD

An open space, unoccupied and unobstructed, extending the full width of the lot between any part of any building line and the rear lot line.

C. SIDE YARD

An open space, unoccupied and unobstructed, extending from the front lot line to the rear lot line between any part of any building line and the nearest side lot line.

ZONING CERTIFICATE - A written statement issued by the President and Commissioners or its designated officer authorizing zoning sufficiency prior to the construction or alteration of buildings or structures.

ZONING MAP - The Official Zoning Map of the Town of Princess Anne adopted by the President and Commissioners, together with all amendments thereto.

ZONING ORDINANCE - The Official Zoning Ordinance of Princess Anne adopted by the President and Commissioners, together with maps and all amendments thereto, as enumerated in this chapter.

§ 163-8. Official map and interpretation of district boundaries.

- A. Boundaries of the districts enumerated in this article are hereby established as shown on the Zoning Map, which map is hereby made a part of this chapter. The Official Zoning Maps shall be identified by the signatures of the President and Town Commissioners and attested to by the Code Enforcement Officer per the following words: "This is to certify that this is the Official Zoning Maps defined in Article II, Section 10 of the Zoning Chapter of the Town of Prince Anne, Maryland", together with the date of the adoption of this Chapter.
- B. Except where referenced on the Zoning Map to a designated line by dimensions shown on the map, the district boundary lines are intended to follow property lines, lot lines or the center lines of railways, roads or alleys as they existed as of September 8, 1987.
- C. Whenever any road, alley or other public way is abandoned by official action as provided by law, the zoning districts adjoining the side of such public way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way of the public way thus vacated, which shall henceforth be subject to all regulations of the extended district or districts.

§ 163-9. Replacement of official zoning maps.

- A. In the event that the Official Zoning Maps become damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the President and Town Commissioners may by resolution adopt new Official Zoning Maps which shall supersede the prior Official Zoning Maps.
- B. The new Official Zoning Maps may correct drafting or other errors or omissions in the prior Official Zoning Maps, but no such corrections shall have the effect of amending the original zoning Chapter or any subsequent amendment thereof. The Planning and Zoning Commission shall certify as to the accuracy of the new Official Zoning Maps and the maps shall be identified by the signature of the President and Town Commissioners and attested to by the Code Enforcement Officer under the following words: "This is to certify that these Official Zoning Maps supersedes and replaces the Official Zoning Maps adopted (date of adoption of maps being replaced) as part of the Zoning Chapter of "the Code of Princess Anne, Maryland."

ARTICLE III. ADMINISTRATION AND ENFORCEMENT

§ 163-10. Zoning certificates.

- A. It shall be unlawful to begin the excavation, erection, construction, reconstruction, extension, conversion or structural alteration of any building or use without first obtaining a zoning certificate therefor from the Code Enforcement Officer.
- B. The applicant for a zoning certificate shall file a written application with the Code Enforcement Officer and, in addition, shall submit a plan showing the actual shape and dimensions of the lot to be built upon or to be changed in its use, in whole or in part, and the exact location of any use, and dimensions of a building or structure to be erected or altered.

§ 163-11. Occupancy certificates.

It shall be unlawful for any property owner or owners to use or permit the use of their property without first obtaining an occupancy certificate from the Code Enforcement Officer. Such certificate shall show that the property and the proposed use thereof are in conformity with the provisions of this chapter.

§ 163-12. Revocation of certificates.

All zoning certificates and certificates of occupancy shall be revocable, subject to continued compliance with all requirements and conditions of this chapter.

§ 163-13. Fees.

- A. A filing fee shall accompany each application for a zoning certificate and, in cases where no zoning certificate is required a fee shall accompany each application for an occupancy certificate.
- B. The Town shall establish a schedule of fees, charges and expenses and a collection procedure for applications for zoning appeal cases, zoning and map amendments, permits, site plans, sign permits and other matters pertaining to this Zoning Chapter. Such schedule shall be available at the Town office. The President and Town Commissioners may amend the fee schedule by resolution.
- C. These fees may include the cost of the consulting services of an independent engineer, architect, attorney, landscape architect, land planner or similar service as may be used to assist the Town in the review of proposed development and improvement plans.
- D. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal pertaining to this Zoning Chapter.

§ 163-14. Site plan review and approval.

- A. Prior to issuing a zoning certificate or building permit for construction, expansion or change in use, a site plan and supporting documentation shall be submitted to the Planning and Zoning Commission for its review and approval.
- B. The purpose of site plans is to assure detailed compliance with applicable provisions of enacted regulations and to prescribe standards for the design and construction of site improvements. Development requiring site plan approval shall be permitted only in accordance with all specifications contained on an approved site plan, and shall not be undertaken until the site plan is approved and all required construction permits have been obtained subsequent to such approval.
- C. Applicability. All development or land use activities within the Town shall require site plan review before being undertaken except the following:
 - (1) Construction or expansion of a single family dwelling, two-family dwelling and ordinary accessory structures, and related land use activities.
 - (2) Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this chapter.
 - (3) Ordinary repair or maintenance or interior alterations to existing structures or uses.
 - (4) Exterior alterations or additions to existing structures that the Code Enforcement Officer determines do not require a site plan.
 - (5) Agricultural or gardening uses.
 - (6) All signs except in conjunction with new development as long as in accordance with the requirements of Article XIV.
- D. Site plan applications shall include the information listed in Appendix A for preliminary and final site plans. The Code Enforcement Officer may at his or her discretion waive any information or preliminary requirements which are not relevant to the proposed use and site.
- E. The Planning and Zoning Commission's review of the preliminary site plan shall include but is not limited to the following considerations:
 - (1) Adequacy and arrangement of vehicular traffic access and circulation, including emergency vehicle access.
 - (2) Location, arrangement, appearance and sufficiency of off-street parking and loading.
 - (3) Location, arrangement, size and design of buildings, lighting and signs.

- (4) Relationship of the various uses to one another and their scale.
 - (5) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and noise buffer between adjacent uses and adjoining lands.
 - (6) Adequacy of storm water and sanitary waste disposal.
 - (7) Adequacy of structures, roadways and landscaping in areas susceptible to flooding and ponding or erosion.
 - (8) Compatibility of development with natural features of the site and with surrounding land uses.
 - (9) Adequacy of flood proofing and flood prevention measures consistent with the flood hazard prevention regulations of the Federal Emergency Management Agency.
 - (10) Adequacy of open space for play areas, informal recreation and the retention of natural areas such as wildlife habitats, wetlands and wooded areas.
 - (11) Adequacy of pedestrian access.
- F. The Code Enforcement Officer may require additional information which appears necessary for a complete assessment of the project.
 - G. Site plans shall be prepared and certified by an engineer, architect, landscape architect, or land surveyor duly registered to practice in the State of Maryland.
 - H. Upon receipt the Planning and Zoning Commission shall review the site plan, soliciting comments from other departments, agencies, and officials as may appropriate.
 - I. When all required plans and data have been received, and if the Planning and Zoning Commission finds that a proposed final plan is in accordance with and represents detailed expansion of the preliminary plan heretofore approved; is in conformance with the provisions of this chapter, the Building Code, and Subdivision Regulations; and that it complies with all of the conditions which may have been imposed in the approval of the preliminary plan or in the review of the final plan by the Planning and Zoning Commission, the Planning and Zoning Commission shall approve such final plan within thirty (30) days from the date of the meeting.
 - J. Construction of required improvements.
 - (1) Upon approval of a site plan, the applicant shall then secure the necessary construction permits from appropriate agencies before commencing work. The applicant may construct only such improvements as have been approved by the Planning and Zoning Commission or appropriate Town review and approval agencies.
 - (2) The Town may require inspection of the resulting improvements after construction has been completed.

K. Expiration and extension.

- (1) Approval of site plans shall be for a one (1) year period and shall expire at the end of such period unless site work and foundation construction has started.

§ 163-15. Enforcement.

- A. It shall be the duty of the Code Enforcement Officer to administer and cause the enforcement of the provisions of this chapter in accordance with this article.
- B. A zoning or occupancy certificate shall not be issued for any use, building or purpose if the same would be in conflict with the provisions of this chapter.

§ 163-16. Violations and penalties.

- A. It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of any regulation or provision of this chapter or any amendment or supplement thereto or fail to comply with any reasonable requirement or condition imposed by the Town, Planning and Zoning Commission and or Board of Appeals.
- B. Any person, firm or corporation violating any regulation or provision of this chapter or any amendment or supplement thereto shall be deemed guilty of a municipal infraction and, upon conviction thereof, shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-8 of this Code.

ARTICLE IV. BOARD OF APPEALS

§ 163-17. Creation; statutory authority.

In compliance with the provisions of the Land Use Article, Subtitle 3 of the Annotated Code of Maryland, the Board of Appeals of the Town of Princess Anne is hereby created. The membership of said Board, their terms of office, succession, removal, filling of vacancies, compensation, if any, and their powers and duties shall be as provided in said Land Use Article, Title 4, Subtitle 3 of the Annotated Code of Maryland.

§ 163-18. Organization, meetings and records.

- A. The Board shall organize and adopt rules in accordance with the provisions of this chapter. Meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine.
- B. The Chair or, in his or her absence, the Acting Chair may administer oaths and compel the attendance of witnesses.
- C. All meetings of the Board shall be open to the public.
- D. The Board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.
- E. All actions of the Board shall be in accord with its Rules of Procedure.

§ 163-19. Powers and duties.

- A. The Board of Appeals shall have the following powers and duties:
 - (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Code Enforcement Officer under the provisions of this chapter.
 - (2) To hear and decide special exceptions to the terms of this chapter.
 - (3) To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public safety, health and welfare and will most nearly accomplish the purpose and intent of this chapter.
 - (4) To grant permissions or permits as required by this chapter.

- B. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this chapter in the district involved or any use expressly or by implication prohibited by the terms of this chapter in said district.

§ 163-20. Special exceptions (exceptional uses).

- A. Special exceptions permitted. It is the duty of the Board of Appeals to evaluate all such special exceptions herein authorized and to decide in each case, under the standards set forth below, whether or not each special exception does in fact meet the Town's presumed compatibility for the location and area in which it is located.
- B. Criteria for approval. A special exception may be granted when the Board of Appeals finds from a preponderance of the evidence produced at a public hearing, where applicable, that:
 - (1) The proposed use is consistent with the Comprehensive Plan or a specific area plan for the physical development of the Town or a portion thereof, as adopted by the Town.
 - (2) The proposed use will not adversely affect the health, safety and general welfare of the residents or workers in the area.
 - (3) The proposed use is compatible with and will not be detrimental to the use or development of adjacent properties or the general neighborhood.
 - (4) The proposed use meets all of the standards set forth for each particular use for which a special exception may be granted.
 - (5) The proposed use has been designed so as to minimize possible adverse effects on adjacent properties or on the immediately surrounding area.
 - (6) The proposed use will not adversely affect the transportation network or unduly burden water, sewer, school, park, stormwater management areas, including streams, or other public facilities.
 - (7) The proposed use will not adversely affect the environmental, archeological or historical assets of particular interest to the community as may be identified in any adopted plan of the Town.
- C. Failure to comply with such conditions or restrictions imposed shall be grounds to render the special exception null and void.
- D. No special exception may be altered, expanded, or modified without the approval of the Board of Appeals. At such time as an alteration, expansion, or modification is approved, the Board of Appeals may impose additional conditions or modify existing conditions and shall evaluate the expansion or modification of the special exception under the same criteria as the initial approval.
- E. Setback requirements. Wherever a special exception shall be granted within a district, the special exception shall conform to the permitted uses within the district in respect to front, side and rear setback requirements unless otherwise modified by the Board of Appeals.

- F. The right of the special exception shall remain with the property, regardless of ownership, provided the use is maintained in conformance with the conditions imposed by the Board and the special exception remains in continuous use. A special exception discontinued for more than 12 consecutive months, whether or not fixtures or equipment are removed, shall be considered null and void. Any request to re-establish the use on the property shall be treated as a new case before the Board.
- G. A decision of the Board of Appeals to grant a special exception shall be considered void two years from the date of approval unless the use is established or substantial construction has taken place in accordance with the terms of the Board's decision. The Board may extend the two year time limit if the applicant requests an extension, in writing, and prior to the expiration date of the special exception, detailing the steps that have been taken to establish the use or obtain a building permit. The applicant must certify that a copy of the extension request has been sent to all adjoining property owners and to the addresses given in the official record of the Board of Appeals case for persons who testified on the original application. The Board shall provide an opportunity for oral argument if requested by any person receiving notice of the request for extension. The Board may deny the request for extension if it finds that changes have taken place in the circumstances that led to the original decision to grant the special exception.

§ 163-21 Variances.

- A. Authorization. The Board of Appeals may authorize, upon application in conformance with § 163-21.B, a variation or modification from the quantitative numerical requirements of this chapter if such variation or modification would not be contrary to the public health, safety or welfare.
- B. Criteria. In order to vary or modify the noncritical area provisions of this chapter, the Board of Appeals must determine that the application meets all of the criteria set forth below.
 - (1) Certain unique physical characteristics exist, such as unusual size or shape of the property or extraordinary topographical conditions, such that a literal enforcement of the provisions of this chapter would result in practical difficulty in enabling the applicant to develop the property;
 - (2) The granting of the variance is not based upon circumstances which are self-created or self-imposed;
 - (3) The need must be substantial and urgent and not merely convenient;
 - (4) Applicant's grounds are not based on financial difficulty alone;
 - (5) The granting of the variance will not be contrary to the public interest and will not be a detriment to adjacent or neighboring properties;
 - (6) The variance will not exceed the minimum adjustment necessary to relieve the practical difficulty or unreasonable hardship; and

- (7) Greater profitability or lack of knowledge of the restrictions shall not be considered sufficient cause for a variance.

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ARTICLE V. APPLICATIONS AND APPEALS

§ 163-22. Applications for variances or exceptional use.

An application for variances or exceptional uses may be made by any property owner, including a tenant, or by a governmental officer, department, board or bureau. Such application shall be filed with the Code Enforcement Officer or other authorized official, who shall transmit the same to the Board.

§ 163-23. Appeals procedure.

- A. Any person or persons or any officer, department, board or bureau of the Town affected by any decision of the Code Enforcement Officer may file an appeal with the Board.
- B. Such appeal shall be taken within 20 days after the decision by filing with the Code Enforcement Officer and with the Board a notice of appeal specifying the grounds thereof.
- C. The Code Enforcement Officer shall forthwith transmit to the Board all documentation pertaining to the action being appealed.

§ 163-24. Fees for Board of Appeals proceedings.

- A. A filing fee shall accompany each application or an appeal to the Board. Such fee shall be waived if the applicant or appellant is tax supported.
- B. The amount of the filing fee shall be determined from time to time by resolution of the President and Commissioners of Princess Anne.

§ 163-25. Hearings.

The Board shall fix a reasonable time for the hearing of the application or appeal and shall give at least 10 days' notice in a newspaper of general circulation in the Town of the time and place of such hearing to the public and to the parties in interest and shall decide the same within a reasonable time after it is submitted. At the hearing, any party may appear in person or by agent or attorney.

§ 163-26. Stay of proceedings.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Code Enforcement Officer certifies to the Board, after notice of appeal shall have been filed, that, by reason of facts stated in the certificate, a stay would, in the Code Enforcement Officer's opinion, cause imminent peril to life or property. In such a case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by the Circuit Court of Somerset County on application after notice to the Code Enforcement Officer and on due cause shown.

§ 163-27. Decision by the Board of Appeals.

In exercising its powers, the Board may, in conformity with the provisions of statutes and of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and to that end shall have all powers of the officer from whom the appeal is taken.

§ 163-28. Disapproval of application or withdrawal of appeal.

- A. If the application is disapproved by the Board of Appeals, thereafter the Board shall take no further action on another application for substantially the same proposal on the same premises.
- B. If an appeal to the Board is perfected and the public hearing date set by the posting of the property and thereafter the applicant withdraws the appeal, the applicant shall be precluded from filing another application for substantially the same proposal on the same premises for six months.

§ 163-29. Appeals to Circuit Court.

Any party adversely affected by a decision of the Board may appeal to the Circuit Court of Somerset County in accordance with the Maryland Rules.

ARTICLE VI. CHANGES OR AMENDMENTS

§ 163-30. Authority and initiation.

Whenever the public necessity, convenience, general welfare or good zoning practice require, the President and Town Commissioners of Princess Anne may, by ordinance, after recommendation by the Planning and Zoning Commission and subject to the procedures set forth in this article, amend, supplement or change the regulations, district boundaries or classifications of property now or hereafter established by this chapter or amendments thereof. Such amendment, supplement or change may be initiated by resolution of the President and Commissioners, by motion of the Planning and Zoning Commission or by petition of any property owner addressed to the President and Commissioners.

§ 163-31. Procedure.

- A. Any proposed amendment, supplement or change originating with or received by the President and Commissioners, of Princess Anne shall first be referred to the Planning and Zoning Commission for investigation and recommendation. The Planning and Zoning Commission shall cause such investigation to be made as it deems necessary and for this purpose may require the submission of all pertinent data and information by any person concerned, may hold such public hearings as provided by its own rules and shall submit its report and recommendation to the President and Town Commissioners within 60 days, unless an extension of the time is granted.
- B. After receiving the recommendation of the Planning and Zoning Commission on any proposed amendment, supplement or change and before adopting such amendment, the President and Town Commissioners shall hold a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard.
 - (1) Notice of the time and place of the public hearing, together with a summary of the proposed zoning regulation or boundary shall be published in at least one newspaper of general circulation in the Town once each week for 2 successive weeks.
 - (2) The first notice of the hearing shall be published at least 14 days before the hearing.
 - (3) The zoning regulation or boundary amendment may not become effective until 10 days after the hearing or hearings.
- C. No change in or departure from the proposed amendment as recommended by the Planning and Zoning Commission shall be made unless such change or departure is resubmitted to said Commission for its further recommendations. No amendment, supplement or change shall be adopted contrary to the recommendations of the Planning and Zoning Commission except by a two-thirds vote of the President and Town Commissioners of Princess Anne.

§ 163-32. Classification of annexed property.

In the case of annexation of any property by the Town of Princess Anne, the annexed property shall immediately become a part of the R-1 Residential District upon the effective date of the annexation, unless a different classification has been recommended by the Planning and Zoning Commission and adopted by the President and Commissioners in concurrence with the annexation.

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ARTICLE VII. NONCONFORMING SITUATIONS

§ 163-33. Intent.

- A. Within the zones established by this chapter or amendments that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this chapter was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Chapter or future amendments.
- B. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this chapter and upon which actual building construction has been diligently carried on. 'Actual construction' is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

§ 163-34. Applicability.

- A. Uses, lots and structures existing, except nonconforming signs, lawfully prior to the effective date of this Chapter which, by reason of this Chapter are no longer conforming, shall be considered as legally nonconforming and shall be subject to provision of this Article.
- B. Uses, lots and structures existing unlawfully prior to the effective date of this Chapter and which remain unlawful, shall be considered illegal and - unless remedial action is taken (e.g., brought into conformance by an another acceptable zoning device permitted by this Chapter) - shall be prosecuted as a zoning violation in accordance with this Chapter.
- C. Uses, lots and structures existing lawfully or unlawfully prior to the effective date of this Chapter which are made lawful as a result of the provisions of this Chapter shall be considered as conforming.

§ 163-35. Standards.

- A. A nonconforming use which has been discontinued or abandoned for six consecutive months or for 18 months during any three-year period shall not again be used for a nonconforming use.
- B. In the event that 50% or less of the replacement value of a building used for a nonconforming use is damaged or destroyed or removed by fire, flood, explosion, war, riot or act of God, it may be reconstructed within six months after such happening and may be used for the original nonconforming use or a new conforming use.
- C. A nonconforming use may be changed to a conforming use. If no structural alterations are made, any nonconforming use of a structure or structure and premises may, as a special exception, be

changed to another nonconforming use, provided that the Board of Appeals finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.

- D. A nonconforming use occupying only a portion of a property as of September 8, 1987, shall not be permitted to make any expansion, except as follows:
 - (1) For an addition or alteration required by a court order or an official notification by the County Health Department, the County Roads Commission or the State Highway Administration.
 - (2) For an addition or alteration needed to convert the building or premises to a permitted conforming use in the district.
- E. A nonconforming lot which existed and was in use prior to September 8, 1987, shall be permitted to be occupied continuously for the same use or for a new conforming use.
- F. A nonconforming lot which was unimproved as of September 8, 1987, shall hereinafter only be used when permission is granted by the Board of Appeals except as follows:
 - (1) Nonconforming lots of record existing as of to September 8, 1987, shall be exempt, unless otherwise provided, from the minimum lot area and lot width requirements of each zoning district.
 - (2) Such lots may be developed with any use allowed by the regulations for the district provided the use or structure complies with all other zoning regulations set forth in this Chapter.
- G. No nonconforming use or nonconforming lot shall be renewed, changed or extended until a certificate of zoning compliance shall have been issued by the Code Enforcement Officer. The certificate of zoning compliance shall state specifically wherein the nonconforming use or lot differs from the provisions of this chapter.

ARTICLE VIII. ZONING DISTRICTS.

§ 163-36. Districts designated.

For the purpose of this chapter, the incorporated territory of the Town of Princess Anne is hereby divided into the following districts:

- R-1 Residential District
- R-2 Residential District
- C-1 Community Commercial District
- C-2 General Commercial District
- I-1 Industrial District
- I-P Industrial Park District

§ 163-37. Purpose of districts.

A. Residential Districts

(1) R-1 Residential

The purpose of the R-1 District is to provide spacious, attractive living environments. Single-family and two-family dwellings are permitted so as to provide and protect a quiet, hazard-free, uncongested residential environment.

(2) The R-2 Residential District

The R-2 Residential District is designed to provide attractive semi-urban living environments. Pleasant, hazard-free, uncongested residential neighborhoods are encouraged. A wide variety of dwelling unit types are permitted with higher density levels so as to provide more compact and efficient neighborhood arrangements.

B. Commercial Districts

(1) C-1 Community Commercial District

The intent of the C-1 Community Commercial District is to provide for a mix of uses in and around the central business district including retail stores, restaurants, offices, and institutional, cultural and service establishments as well as residential and lodging uses within a compact area that lends itself to easy access for autos, bicycles and pedestrians alike.

(2) C-2 General Commercial District

The C-2 General Commission District is designed to provide for establishments offering accommodations or services to motorists, and retail, wholesale, service and repair activities which do not contribute to the creation of unattractive, congested and unsafe highway conditions.

C. Industrial Districts

(1) I-1 Industrial District

The I-1 Industrial District is established to provide for industrial, manufacturing and commercial uses and to protect such uses from encroachment of uses adverse to their operation and expansion.

(2) I-P Industrial Park District

The purpose of the I-P District is to provide for park-like development of industries or offices that are relatively nuisance free. Uses permitted in this district are to provide a healthy operating environment, secure from the encroachment of commercial or residential uses and protected from adverse effects of incompatible industries.

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ARTICLE IX. PERMITTED USES

§ 163-38. Use of the designations P, PC, SE and SC in the table of permissible uses.

- A. When used in connection with a particular use in the Table of Permissible Uses included in this Article, the letter "P" means that the use is permissible in the indicated zone with a zoning certificate issued by the Code Enforcement Officer.
- B. When used in connection with a particular use in the Table of Permissible Uses, the letter "PC" means that the use is permissible in the indicated zone with a zoning certificate issued by the Code Enforcement Officer provided the conditions stipulated in Article XI are met.
- C. The letters "SC" mean the conditions of approval stipulated in Article XI for the proposed use must be met and a special exception permit must be obtained from the Board of Appeals.
- D. The letters "SE" means a special exception permit must be obtained from the Board of Appeals.
- E. Reference to applicable conditions of approval in Article XI is provided in the "Use Description" column.

§ 163-39. Unclassified uses.

In the event an applicant wishes to use property for a use which is not specifically identified as a permitted use or a special exception use and where such use is not specifically prohibited from the district, the following provisions shall apply:

- A. The Code Enforcement Officer shall submit to the Board of Appeals a written request for a determination of the unclassified use.
- B. The Board of Appeals shall review the request as submitted and determine if the proposed use is of a similar character to the uses in the district in which it is proposed.
- C. If the Board of Appeals determines that the use is of a similar character and meets the intent of the principal permitted uses within the district, then it shall instruct the Code Enforcement Officer to issue a zoning certificate.
- D. In the event that the Board of Appeals determines that the proposed use in the district is consistent with the character and intent of the uses permitted by special exception within the district, then the applicant shall apply for a special exception in the normal manner.
- E. In no event shall the provisions of this section be used to allow an incompatible use or a use specifically prohibited by this Chapter within a certain district.

- F. Once a use has been allowed or disallowed by the Code Enforcement Officer or the Planning Commission, it shall then be considered classified under the appropriate category in the district.

§ 163-40. Permissible uses and specific exclusions.

- A. The presumption established by this Zoning Chapter is that all legitimate uses of land in the Town are provided for within at least one zoning district in the Town's planning jurisdiction. Because the list of permissible uses set forth in the Table of Permissible Uses cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses per the process outlined in [§ 163-39](#).
- B. All uses that are not listed in the Table of Permissible Uses, and which are determined by the Board of Appeals per § 163-39 to not be of a similar character to another use in that district, are prohibited. Nor shall the Table of Permissible Uses be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is permissible in other zoning districts.
- C. No building or tract of land shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building or tract of land shall be located, with the exception of the following:
 - (1) Uses lawfully existing on the effective date of this Chapter.
 - (2) Special exceptions recommended by the Planning and Zoning Commission and approved by the Board of Appeals.
- D. Uses lawfully existing on the effective date of this Chapter and rendered non-conforming by the provisions thereof shall be subject to the regulations of [Article VIII](#) of this Zoning Chapter.
- E. The following uses are specifically prohibited in all districts:
 - (1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials.
 - (2) Stockyards, slaughterhouses, rendering plants.
 - (3) Use of a travel trailer or accessory building as a temporary or permanent residence.
 - (4) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted.
 - (5) Solid or hazardous waste collection or disposal facilities excluding approved waste water treatment facilities.
 - (6) Sanitary landfills.

- (7) Adult oriented businesses, establishments providing adult entertainment or material, adult oriented commercial enterprises adult nightclub, bar, restaurant, or similar establishment adult bookstore; or massage parlor. See definitions.

§ 163-41. No more than one principal structure on a lot.

- A. Every structure hereafter erected, reconstructed, converted, moved or structurally altered shall be located on a lot of record and in no case shall there be more than one (1) principal structure on a lot unless as provided in B below.
- B. More than one principal structure may be located upon a lot in the following instances subject to the lot, yard and density requirements and other provisions of this Chapter:
 - (1) Institutional buildings.
 - (2) Public or semi-public buildings.
 - (3) Multiple family dwellings.
 - (4) Commercial or industrial buildings.
 - (5) Additional principal structures in permitted mixed-use projects with the prior approval of the Planning and Zoning Commission.
 - (6) Condominiums.
 - (7) Student Housing.

§ 163-42. Permissible uses not requiring permits.

Notwithstanding any other provisions of this Zoning Chapter or the Town Code, no zoning permit or special-exception permit is necessary for the following uses:

- A. Streets.
- B. Access driveways to an individual detached single-family dwelling.
- C. Essential Services and Public Utilities.
- D. Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three days (whether consecutive or not) during any 90-day period.

§ 163-43. Permissible uses tables.

- A. Table of Permissible Uses (see following pages)]

The following table lists permissible use and special exception uses by Zoning District.

TABLE OF PERMISSIBLE USES USE DESCRIPTION	ZONING DISTRICT					
	R-1	R-2	C-1	C-2	I-1	I-P*
ARICULTURE						
Agriculture, crop production (See § 163-46)	PC	PC				PC
Noncommercial greenhouses and nurseries	P		P	P		
Commercial and noncommercial nurseries and greenhouses		P				
RESIDENTIAL						
Single-family dwellings	P	P	P	P		
Two-family dwellings	P	P	P	P		
Multifamily dwellings(See § 163-74)	SC	PC	SC			
Group domiciliary care facility(See § 163-61)	PC	PC				
Student Housing (See § 163-65)		SC				
INSTITUTIONAL				P		
Colleges and schools, public or private, and institutions of higher learning (See § 163-54)	PC	PC	PC	PC		
Assisted living facilities (See § 163-47)	SC	SC	SC			
Religious assembly facilities	P	P	P	P		
Cultural- and administrative-type public buildings and structures	P	P	P	P		
Social, Fraternal Clubs and Lodges, Philanthropic Institutions	P	P?	P	P		
Public offices and buildings, including but not limited to fire halls and police stations	P	P	P	P		
Public buildings and structures of the cultural and/or administrative type		P				
Hospitals (See § 163-60)		SC	SC	SC	PC	
Child-care centers (See § 163-52)	SC	SC	SC	PC		
RECREATION						
Public and private noncommercial parks and recreation areas, including clubs, parks, swimming pools and summer camps	P	P	P	P		
ACCOMODATIONS						
Lodging, boarding or rooming houses (See § 163-50)	SC	SC	SC			
Bed-and-breakfast inns (See § 163-50)	SC	SC	SC	PC		
Tourist Home	P					
Hotels, motels or motor hotels			P	P		

TABLE OF PERMISSIBLE USES USE DESCRIPTION	ZONING DISTRICT					
	R-1	R-2	C-1	C-2	I-1	I-P*
MARINE						
Marinas, wharves, piers and docks	SE			P		
MISC						
Home occupations (See § 163-59)	PC	PC	PC	PC		
Circus, carnival or similar transient enterprises (See § 163-53)	PC	PC	PC			
Cemeteries (See § 163-51)	SC	SC				
Open air market site (See § 163-63)			PC	PC		
Special uses (See § 163-53)	SC	SC	SC	SC	SC	SC
UTILITIES						P
Essential services and public utilities (See § 163-58)	PC	PC	PC	PC	PC	PC
COMMERCIAL						
Antique shops (See § 163-47)	SC					
Funeral homes	SE		P	P		
Grocery and drug stores			P	P		
Restaurants, cafes, soda fountains or similar uses			P	P		
Retail stores, including but not limited to clothing stores, book or stationery stores, shoe stores, jewelry stores, appliance stores, bakery or candy stores, antique and gift shops and auto accessory stores.			P	P		
General service establishments, including but not limited to barbershops, beauty salons, clothes-cleaning shops, electricians and television or radio services.			P	P		
Offices, banks and public buildings.			P	P		
Bus depots or other mass transit passenger depots			P	P		
Tattoo establishments (See § 163-67).				SC		
Sales of new automobiles and farm machinery			P	P		
Theaters or similar recreational or cultural establishments			P	P		
Newspaper offices and printing shops.			P	P		
Automobile filling and service stations and automobile repair and service shops (See § 163-48)			SC	PC		
Drive-in eating or refreshment establishments (See § 163-57)			SC	PC		

TABLE OF PERMISSIBLE USES USE DESCRIPTION	ZONING DISTRICT					
	R-1	R-2	C-1	C-2	I-1	I-P*
Bowling alleys, skating rinks, dance halls and other similar recreational establishments (See § 163-52)			SC	PC		
Bottling or distribution stations for beverages, wholesale and warehousing establishments and bakery, clothes-cleaning and rug-cleaning plants			SE			
Bottling or distribution stations for beverages.				P		
Wholesale and warehousing establishments.				P		
Bakery, clothes-cleaning and rug-cleaning plants.				P		
Plumbing, heating or air-conditioning services or contractors.				P		
Lumberyards.				P		
Sales and storage of paints, hardware and agricultural products.				P	P	
Veterinary clinic, animal boarding establishments	PC					
INDUSTRIAL						
Manufacturing, compounding, processing, packaging or treatment of foods and food products					P	
Manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials, including bone, cloth, cork, fiber, leather, paper, plastics, tobacco, wax, yarns or woods, except where sawmills or planing mills are employed.					P	
Laboratories, including chemical, physical and biological.					P	
Printing and publishing plants.					P	
Bottling plants.					P	
Automobile filling stations and automobile repair shops.					P	
Processing, packaging and sale of poultry, fish and farm products.					P	
Chicken hatcheries.					P	
Light assembly of products, including dress sewing plants, electronic parts, assembly plants and similar uses.					P	
Radio or television stations.					P	
Bus depots or other passenger terminals.					P	
Bakery, clothes-cleaning and rug-cleaning plants.					P	
Ice manufacturing or cold storage plants.					P	P
Foundries casting lightweight nonferrous metals or electric foundries.					P	P

TABLE OF PERMISSIBLE USES USE DESCRIPTION	ZONING DISTRICT					
	R-1	R-2	C-1	C-2	I-1	I-P*
Wholesaling and warehousing establishments.					P	P
Automobile assembly plants.					P	P
Biomedical laboratories.						P
Blueprinting, printing, duplicating or engraving services.						P
Carpet and rug cleaning in an enclosed structure.						P
Contractor's office and outdoor or indoor storage facility, including carpentry, cleaning, construction, electrical, excavation, exterminating, heating/air-conditioning, home improvement, landscaping, masonry, painting, paving or plumbing, roofing, snow removal, well drilling and other contractors						P
Laundry or dry-cleaning establishments or plants.						P
Manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials						P
Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries and biotechnical products.						P
Manufacture and assembly of the following: Apparel, brooms, brushes, ceramic products, decorations, firearms, furniture, household appliances, jewelry, leather goods (excluding tanning), musical instruments, optical equipment, paper products, photographic equipment and supplies, rubber and metal stamps, sporting goods, toys and wrought iron products and similar light manufacturing use						P
Manufacture and assembly of electronic, communications, computer, medical, scientific or technical instruments, equipment and components						P
Manufacture and assembly of machine components.						P
Manufacture of paint, not employing a boiling or rendering process.						P
Manufacture of pottery products using previously prepared clay.						P
Motor vehicle, construction equipment and farm equipment assembly, fabrication and repairs.						P
Motor vehicle inspections station.						P
Offices, professional and business.						P
Photographic processing plants.						P
Printing, lithography, bookbinding or publishing plants.						P
Processing and storage of agricultural products, including grain, fruit, vegetables, meat or animal						P

TABLE OF PERMISSIBLE USES USE DESCRIPTION	ZONING DISTRICT					
	R-1	R-2	C-1	C-2	I-1	I-P*
products						
Commercial communications stations or towers						P
Recycling collection facilities and material recovery facilities (completely enclosed).						P
Research and development laboratories.						P
Retail, limited						P
Schools, privately operated, including schools for business, trade, art and other commercially oriented activities						P
Sign-making shops						P
Welding shops						
ACCESSORY USES (See § 163-45)						
Private garages and off-street parking lots	P	P				
Wayside stands - This use is covered in the open air market with reference to Chapter 111	P					
Temporary buildings and structures incidental to construction work § 163-64. Temporary buildings	PC	PC	PC	PC	P	PC
Off-street parking lots or parking structures Needed?			P	P		
Keeping of animals (See § 163-62).	PC	PC	PC	PC	PC	PC
* In addition to any other applicable provisions in this Chapter, permitting of all uses and structures in the I-P Industrial District is subject to the conditions established in § 163-55. Development standards - I-P Industrial Park District .						

§ 163-44. Reserved.

ARTICLE X. SUPPLEMENTAL USE REGULATIONS

§ 163-45. Accessory uses.

The general regulations of this subsection apply to all accessory uses and structures unless otherwise expressly stated.

- A. Accessory uses and structures are permitted in connection with lawfully established principal uses.
- B. The Code Enforcement Officer is authorized to determine when a use or structure meets the criteria of an accessory use or accessory structure. In order to classify a use or structure as “accessory” the Code Enforcement Officer must determine that the use or structure:
 - (1) is subordinate and clearly incidental to the principal structure or principal use served in terms of area and function;
 - (2) provides a necessary function for or contributes to the comfort, safety or convenience of occupants of the principal use or structure; and
 - (3) is customarily found in association with the subject principal use or principal structure.
 - (4) The following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory to residential principal uses:
 - (a) Offices or studios within an enclosed building and used by an occupant of a residence located on the same lot as such building to carry on administrative or artistic activities, so long as such activities do not fall within the definition of a home occupation.
 - (b) Hobbies or recreational activities of a noncommercial nature.
 - (c) Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three days (whether consecutive or not) during any 90-day period.
- C. Time of Construction and Establishment
 - (1) Accessory uses and structures may be established in conjunction with or after the principal building. They may not be established before the principal use or structure is in place.
- D. Accessory uses and structures must be located on the same lot as the principal use or structure to which they are accessory.
- E. Accessory uses and structures are subject to the same regulations and standards that apply to principal uses and structures on the subject lot, unless otherwise expressly stated. Accessory use and structures attached to the principal building by a breezeway, passageway or similar means are subject to the building setback regulations that apply to the principal use or structure.
- F. Residential Accessory Use and Structures

The following additional regulations apply to buildings that are accessory to (principal) residential uses (See Figure 45-1: Accessory structures in R-1 and R-2 Districts):

- (1) Accessory uses and structures are prohibited in front or street setbacks.
- (2) No more than 3 detached accessory uses or structures are allowed on any lot.
- (3) The aggregate footprint or coverage of all accessory uses or structures on a lot may not exceed 1,000 square feet or the gross floor area of the principal building, whichever is less.
- (4) Residential accessory uses or structures in the R-1 and R-2 Districts are subject to minimum side and rear setbacks of 5 feet.
- (5) Residential accessory uses and structures may not occupy more than 40% of the rear or side yard area.
- (6) Residential accessory structures may not exceed the height of the principal structure or two stories, whichever is less.

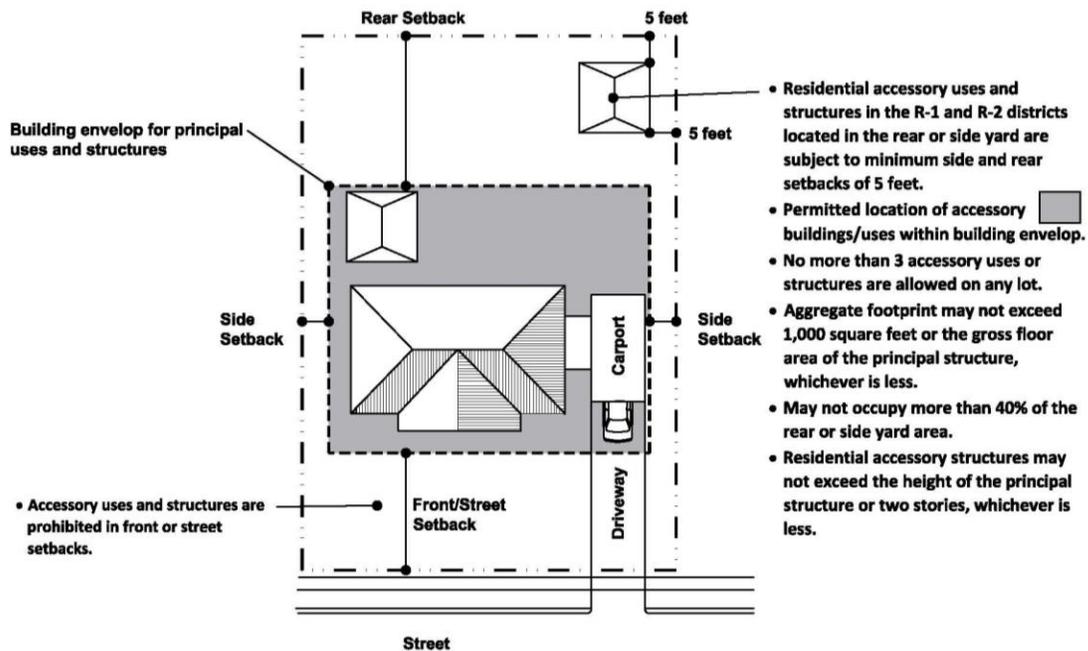


Figure 45-1: Accessory structures in R-1 and R-2 Districts

G. Accessory structures and uses shall be permitted in the R-1 and R-2 Districts as follows:

- (1) Accessory utility buildings.

- (2) Private garage.
 - (3) The keeping of small animals, insects, reptiles, fish or birds, but only for personal enjoyment or household use and not as a business (see [§ 163-64](#) for use standards).
 - (4) Home Occupation (see [§ 163-61](#) for use standards).
 - (5) Private swimming pools and game courts, lighted or unlighted, for use of occupants and their guests.
 - (6) Accessory off-street parking, open or enclosed space, for one (1) commercial vehicle of not more than 15,000 pounds gross vehicle weight and used by the occupant of a dwelling.
 - (7) Storage of recreational vehicles, detached caps, boats, and boat trailers not part of an approved commercial use subject to the following limitations:
 - (a) No more than one (1) recreational vehicle may be stored on a lot. No more than two (2) boats or other waterborne craft and/or boat trailers may be stored or constructed on a lot.
 - (b) The vehicle or boat shall not be used for living quarters nor shall any business be conducted therefrom.
 - (c) These vehicles may not be stored in front or street yards. They may be stored in rear or side yards provided that they are at least three (3) feet from the property line and in the case of side yard storage, provided that they are at least three (3) feet from the property line and are situated at least ten (10) feet to the rear of a lateral projection of the front foundation of the building. Such vehicle may be stored in any completely enclosed garage.
 - (d) Such vehicle may be stored on a specially marked parking area of a multi-family rental or condominium unit for residents only. Such areas must be screened from adjacent off-site uses as required by the Code Enforcement Officer.
 - (e) A recreational vehicle may be parked on any portion of a residential or non-residential property for a period not more than 24 hours during loading or unloading only.
 - (f) The Board of Appeals may allow storage or construction of additional recreational vehicles, boats or other waterborne craft and/or boat trailers on a lot as a special exception.
- H. Accessory structures and uses permitted in the C-1, C-2, I-1 and I-P Districts shall not be located in the front/street setbacks.

§ 163-46. Agriculture, crop production.

- A. Agriculture, crop production and the usual agriculture building offices and dwellings is permitted in the R-1, R-2 and I-P districts subject to the following conditions:
- (1) the land area is at least ten (10) acres; and

(2) building and structures for storage and processing of products grown on the site shall be located at least 200 feet from any dwelling, school, church or institution for human care not located on the premises.

B. Farms and farm offices, boardinghouses for domesticated household pets or veterinary clinics located on a farm shall be permitted in the R-1 District provided that the location of any building for the housing and care of animals shall be not less than 200 feet from any adjacent property or road line.

§ 163-47. Antique shops.

Antique shops may be permitted by the Board of Appeals as a special exception in the R-1 District provided that no article or commodity shall be placed on display or offered for sale on the outside of any building.

§ 163-48. Assisted living facilities.

Assisted living facilities may be permitted as a special exception by the Board of Appeals in the R-1 and R-2 Districts and shall be permitted in the C-1 and C-2 Districts subject to the following conditions:

- A. The development must be subject to management or other legal restrictions that require at least eighty (80%) of the units in the project to be occupied by households of persons aged 62 or over.
- B. One or more of the following ancillary, occasional services may be included to serve the residents and possibly nonresident elderly persons:
 - (1) Provision for on-site meal service, medical or therapy facilities;
 - (2) Space for mobile services, nursing care, personal care services;
 - (3) Day care for elderly; and
 - (4) On-site facilities for recreation, hobbies, or similar activities.
- C. The project shall be designed to provide a transition near the periphery of the site, either with open space areas and landscaping, or by designing the structures near the periphery to be harmonious in density and type with the surrounding neighborhood.
- D. Open space areas, recreational facilities, and other accessory facilities shall be developed in each phase of development to meet the needs of the residents. The developer shall provide a schedule for the installation of facilities at the time the project is submitted.

§ 163-49. Automobile filling and service stations.

Automobile filling and service stations and automobile repair and service shops, may be permitted as a special exception by the Board of Appeals in the C-1 and shall be permitted in the C-2 Districts provided that:

- A. They shall be located on a lot abutting on a highway.
- B. The entrance or exit of such establishments shall be at least 50 feet from any lot zoned residential.
- C. No fuel pump, oil drainage pit or other visible appliance for such purpose shall be located within 15 feet of the front lot line.
- D. No structure or building shall be erected within 30 feet of any dwelling.

§ 163-50. Bed and breakfast inns.

A bed and breakfast may be permitted by the Board of Appeals as a special exception in the R-1, R-2 and C-1 Districts and shall be permitted in the C-2 District subject to the following conditions:

- A. The bed and breakfast may be established in a one-family detached dwelling.
- B. Guest rooms shall be contained within the principal structure.
- C. The rented rooms do not contain cooking facilities and do not constitute separate dwelling units.
- D. There shall be no more than one (1) person employed by the bed and breakfast (e.g., as an innkeeper or proprietor) who is not a resident of the dwelling.
- E. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.
- F. No additional exterior entrances shall be added to the structure solely for the purpose of serving guest rooms.
- G. Only the breakfast meal may be prepared for the guests by the proprietor and no other meals are provided by the proprietor.
- H. No guest may rent a room in a bed and breakfast for more than 30 consecutive days.

§ 163-51. Boarding, rooming or lodging houses.

- A. Existing Boarding, Rooming and Lodging Houses
 - (1) A boarding, rooming or lodging house which existed and was in use prior to (date of adoption of these amendments) shall be permitted to continue provided a rental license is obtained within one year of the date of adoption of this Chapter. Boarding, rooming or lodging houses that fail

to obtain a rental license as prescribed herein shall be treated as illegal uses subject to the penalty provisions of § 163-16.

- (2) A boarding, rooming or lodging house that has been discontinued or abandoned for six (6) consecutive months shall cease use as a boarding, rooming or lodging house.
- (3) Upon a determination by the Code Enforcement Officer that the use has been discontinued or abandoned for six (6) consecutive months, the boarding, rooming or lodging house uses may resume only if in compliance with below.

B. The Board of Appeals may permit boarding, rooming, or lodging houses in the R-1, R-2 and C-1 Districts provided:

- (1) Meals may or may not be provided, but only one common kitchen facility shall exist and no meals shall be provided by the establishment to members of the general public not lodged in the establishment.
- (2) Lodging, rooming or boarding houses shall not include hotels, motels, inns, sorority, fraternity and cooperative residences, dormitories, or convalescent homes, nursing homes, rest homes, or group residences licensed or regulated by agencies of the State.
- (3) Lodging or boarding houses shall abide by all applicable state and local laws and regulations governing lodging houses, boarding houses, or rooming houses, including but not limited to the following:
 - (a) Chapters 91 Housing Standards;
 - (b) Chapter 120 Residential Rental Licenses, Princess Anne Code;
 - (c) Maryland Fire Code; and
 - (d) Minimum off-street parking requirements in Article XIII.

§ 163-52. Bowling alleys, skating rinks, dance halls and other similar recreational establishments.

Bowling alleys, skating rinks, dance halls and other similar recreational establishments may be permitted by the Board of Appeals as a special exception in the C-1 District and shall be permitted in the C-2 District provided the operator of any dance hall, bowling alley or poolroom first obtained a license therefor from the President and Commissioners in the manner provided in Chapter 46.

§ 163-53. Cemeteries.

A. Standalone cemeteries including accessory uses such as mausoleums and crematories may be permitted by the Board of Appeals as a special exception in the R-1 and R-2 Districts provided:

- (1) the site contains an area of at least forty (40) acre; and

- (2) all grave sites, structures and uses shall be located at least four hundred (400) feet from any adjacent properties and road lines.

B. Cemeteries may be permitted as part of a existing or new church property provided:

- (1) the cemetery is located on the same property as the church; and
- (2) no graves or burial site shall be located within any required front yard nor any closer than twenty-five (25) feet to any property line.

§ 163-54. Child-care centers.

Child-care centers may be permitted by the Board of Appeals as a special exception in the R-1, R-2 and C-1 Districts and are permitted in the C-2 District subject to the following condition

- A. Continuous compliance with all applicable requirements of County, State and/or Federal regulations.
- B. The applicant shall provide a minimum of 100 square feet of usable outdoor recreation area for each child that may use this space at any one time. Such usable outdoor recreation area shall be identified on the site plan and shall be sufficiently buffered from adjacent residential area. Usable outdoor recreation areas shall be limited to the side and rear yard of the property. Recreational areas shall not include the required front yard of the property or any off-street parking areas.
- C. All such uses shall be located so as to permit the safe pickup and delivery of all people on this site
- D. Such use shall not constitute a nuisance because of traffic, insufficient parking, number of individuals being cared for, noise, or type of physical activity.
- E. The area of the property shall contain no less than 1,000 square feet per client being cared for.
- F. The Board may prescribe specific conditions determined necessary to minimize effects of use on neighboring properties given identification of concerns specific to a particular site including hours of operation.
- G. The requirements of these sections shall not apply to child or elderly day care facilities or centers that are operated by a non-profit organization in buildings, structures, or on premises owned or leased by a religious organization and which premises are regularly used as a place of worship or are located on premises owned or leased by a religious organization adjacent to premises regularly used as a place of worship, or are used for private parochial educational purposes that are exempted under the provisions of this section for private educational institutions or are located in publicly owned school buildings.

§ 163-55. Circus, carnival or similar transient enterprises, special uses.

- A. Circus, carnival or similar transient enterprises when sponsored by an organization qualified under § 247 of Article 27 of the Annotated Code of Maryland shall be permitted in the R-1, R-2 and C-2 Districts provided that such use shall not exceed ten (10) days and does not include any permanent structures.
- B. Special uses, including circus, carnival or similar transient enterprises, may be permitted by the Board of Appeals as a special exception in any district for a limited time provided such activities are conducted on a lot of no less than three acres, and no structure or use of land shall be less than 100 feet from any adjacent lot on which a dwelling is located.
- C. Special uses, including circus, carnival or similar transient enterprises shall comply with the requirements of Chapter 64 of the Princess Anne code.

§ 163-56. Colleges and schools, public or private, and institutions of higher learning.

Colleges and schools, public or private and institutions of higher shall be permitted in the R-1, R-2, C-1 and C-2 Districts provided the facility has a curriculum **accredited by the State of Maryland.**

§ 163-57. Development standards - I-P Industrial Park District.

- A. Limited Retail. For any manufacturing plant or warehouse permitted in the I-P District, retail sales may be provided, provided that:
 - (1) The products sold are manufactured on the site, sold as parts or accessories to products manufactured on the site or stored or distributed on the site;
 - (2) Not more than 30% of the floor space of the first floor of the main structure may be devoted to the retail sales of articles made, stored or distributed on the premises; and
 - (3) Any service facilities are limited to the repair and/or service of products manufactured, stored or distributed by the owner or lessee of the site.
- B. Accessory Uses. The following shall be permitted in the I-P District as accessory uses:
 - (1) Any use normally and customarily incidental to any use permitted as a matter of right in this district.
 - (2) Satellite dish antennas and radio communication antennas and towers, subject to the following:
 - (a) No satellite dish antenna may be larger than 10 feet in diameter.
 - (b) No antenna shall exceed the maximum height restriction imposed upon uses in the zone.

- (c) All applications must comply with the provisions of the Town Building Code. All installations greater than six feet in height shall require a building permit.
 - (d) If the satellite is ground-mounted and adjoins any residentially zoned property, the satellite shall be screened either by landscaping or fencing in a manner satisfactory to the Code Enforcement Officer.
 - (e) In the event that the structure is roof-mounted, the antenna may not exceed 10 feet above the maximum height of the building as permitted in this chapter.
 - (f) All building permits for satellite dish or radio antennas shall include certification satisfactory to the Town that the proposed installation complies with the Town's Building Code requirement.
 - (g) The location of all ground-mounted satellite or radio antennas shall conform to the setback requirements established in this chapter.
- C. Development in the I-P Industrial Park District shall not be approved until the applicant demonstrated that all proposed improvements are consistent with existing park deed restrictions and covenants established by the President and Commissioners of Princess Anne.
- D. Off-street parking and loading.
- (1) Layout and location. Off-street parking and loading facilities required by these regulations shall be provided on the same lot with such structure or land use.
 - (2) Parking areas are not permitted between any building and the street right-of-way except parking areas may be located in the side yard between building and street right- of-way lines, provided that the spaces are adequately shielded by landscaping.
 - (3) The minimum requirements of this section shall be provided in addition to any area used for parking of vehicles owned by or used in a business. Required off-street parking facilities shall not be used for display or storage of vehicles which are for sale or rent or being stored while awaiting repair.
 - (4) Services vehicles, heavy trucks and equipment must be parked and stored in the screened area.
- E. Storage: No outdoor storage shall be permitted except in accordance with the following regulations:
- (1) Outdoor storage shall be permitted only between the rear building line and the rear property line.
 - (2) All outdoor storage must be set back a minimum of 40 feet from the adjacent property line.
 - (3) Outdoor storage shall not be permitted unless there is an approved landscape screening plan to obscure outdoor storage areas from adjacent properties.

(4) No item may be stored on the premises whose height exceeds the height of the landscape screening.

- G. Premises must at all times be kept in a safe, clean, wholesome condition and comply in all respects with government, health and policy regulations and requirements. All refuse or rubbish of any character whatsoever must be promptly removed or not allowed to accumulate on the premises.
- H. All dumpsters and outdoor mechanical equipment, including roof-mounted equipment, shall be enclosed within sight-tight fences in a manner satisfactory to the Code Enforcement Officer. The enclosure shall be designed to prevent visibility of the equipment from adjacent properties and public streets.

§ 163-58. Development standards - multi-family residential.

- A. Multi-family residential units shall be permitted by the Board of Appeals as a special exception in the R-1 District subject to the following:
 - (1) Buildings containing not more than four dwelling units and not more than three stories in height shall have a land area per building of not less than 15,000 square feet and a width of not less than 100 feet and yard depth of not less than the following:
 - (a) Front: 30 feet.
 - (b) Side: 15 feet.
 - (s) Rear: 50 feet.
 - (2) Buildings containing more than four dwelling units shall have a land area of not less than 2,000 square feet and a lot width of not less than ten (10) feet, and three (3) feet in side yard width for each additional dwelling unit shall be required in addition to the minimum described in Subsection A of this section.
 - (3) Lot areas not served by public water and sewer facilities shall be governed by County Health Department regulations regarding lot area, width and yard requirements.
- B. Multi-family residential units shall be permitted in the R-2 subject to the followings:
 - (1) For structures of three or more living units the lot shall have a minimum per-building area of 12,000 square feet for the first three units plus 2,000 square feet for each additional unit.
 - (2) Not more than 40% of the area of the lot may be covered by structures, including accessory structures.
 - (3) Each lot shall not be less than 80 feet in width and 100 feet in depth.
 - (4) Each lot shall have a front building setback line of not less than thirty (30) feet from and parallel to the front lot line or a street right-of-way. In the case of corner lots, a front yard of the

required depth shall be provided as determined by the Code Enforcement Officer subject to the following limitations:

- (a) At least one front yard shall be provided having the full depth required generally in the zone.
 - (b) No other front yard on such lot shall have less than half the full depth required generally.
 - (c) Consideration shall be given to any existing adjacent dwellings.
- (5) Each side yard shall have a width of not less than eight (8) feet, and the total width of side yards shall be not less than twenty (20) feet.
- (6) Each lot shall have a rear yard setback of not less than twenty-five (25) feet in depth.
- (7) In the case of through lots, both front yards shall have the required depth of 25 feet.
- (8) Each habitable structure on one lot shall be separated by a minimum of seventy-five (75) feet.
- (9) Height in the R-2
- (a) Building height shall be limited to 48 feet or four stories unless a variance is otherwise granted by the Board of Appeals.
 - (b) The Board of Appeals may grant a variance for multi-family building height in the R-2 District provided an additional land area of 5,000 square feet, plus an additional twenty (20) feet in lot width, plus five (5) feet in additional side yard width are provided for each additional story.
- C. Multifamily dwellings may be permitted by the Board of Appeals as a special exception in the C-1 District provided the lot area is a minimum of eight (8) acres.

§ 163-59. Drive-In eating, refreshment establishments.

Drive-in eating or refreshment establishments may be permitted by the Board of Appeals as a special exception in the C-1 and shall be permitted in the C-2 District provided:

- A. Buildings shall be located at least 100 feet from any lot zoned residential.
- B. Automobile parking areas shall be located at least 20 feet from any lot zoned residential.
- C. Entrances or exits for motor vehicles shall be located at least 50 feet from any adjacent lot line.

§ 163-60. Essential services and public utilities.

It is the intent of this section to provide for the establishment of essential services and public utilities without restrictions in all zoning districts while at the same time protecting residents by the application of fencing, safety and other requirements for utility buildings and structures.

- A. Essential services and public utilities shall be an inherently permitted use in any district. However, relay stations, storage stations, electric substations and buildings and land used or maintained for essential services and public utilities shall be subject to Planning and Zoning Commission review for compliance insofar as possible with basic safety and reasonable landscape and screening requirements.
- B. No area requirements for any use district shall be applicable to essential services.
- C. No setback requirements for any use district shall be applicable to essential services.
- D. The Planning and Zoning Commission may require such uses be appropriately screened to minimize any adverse impacts to adjacent residential uses.

§ 163-61. Home occupation.

Home occupations shall be permitted in the R-1 and R-2 districts subject the following conditions:

- A. The occupation or profession shall be clearly incidental and subordinate to the use of the residential dwelling unit and/or its accessory buildings and may only be conducted wholly within the dwelling unit and/or its accessory buildings.
- B. There shall be no more than two nonresident employees.
- C. The activity shall be conducted wholly within the dwelling unit and/or its accessory buildings and shall be for the economic gain or support of a resident of the dwelling. There shall be no adverse impacts such as traffic and parking demand, and the residential appearance of the dwelling and the character of the neighborhood shall be maintained.
- D. No mechanical, chemical, electrical equipment except that which is customarily used for domestic, hobby, or household purposes.
- E. There shall be no offensive noise, noxious fumes or unpleasant odor, smoke, heat, dust, glare, electrical interference, vibration, or other nuisance emanating from the structure in which the home occupation is located in excess of that normally associated with residential use.
- F. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restrictive materials shall be used or stored on the site in amounts greater than those normally associated with domestic use.

- G. The home occupation and any related activity shall not create any traffic hazards or nuisances in the public streets and other public rights-of-way, and all vehicle parking generated by such operations shall be located on the same lot as the residence, or accessory building, in which the home occupation is conducted, or on the abutting public streets.
- H. The area consumed by the home occupation is limited to 35% of the floor area of the residence, (exclusive of basement area) or is limited to a basement or garage.
- I. Home occupations that attract customers, clients, or students to the premises shall not be allowed in multifamily dwelling units.
- J. There shall be no visible outside display nor window display of stock-in-trade which is sold or serviced on the premises.
- K. There shall be no signs, displays, or activity that will indicate from the exterior that the structure is being used, in part, for any purpose other than that of a residence, except that one (1) identification sign that is non-illuminated and does not exceed two (2) square feet in aggregate gross surface area. The home occupation and all related activity, including storage, shall be conducted completely within the dwelling unit or permitted accessory structure.
- L. The home occupation shall not utilize exterior storage of material and equipment other than in an accessory building that is compatible with the residential character of the surrounding neighborhood.
- M. There shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or by U.S. mail, United Parcel Service, Federal Express, or similar carriers that typically deliver packages to residences.
- N. There shall be no special structural alterations, or construction features to the residence nor permitted accessory structures, nor the installation of special equipment that requires high-voltage electrical wiring above 220 VA attached to walls, floors, or ceilings.
- O. No home occupation shall provide service or instruction simultaneously to a group of more than four (4) persons while such persons are present in the dwelling unit. Customer/client visits to the unit are limited to the hours from 8:00 a.m. to 8:00 p.m.
- P. The maximum number of client, patron or business related visitor vehicles that can be present at any one time shall be limited to three.
- Q. Vehicles associated with the home occupation shall be limited to the following:
 - (1) No more than two vehicles shall be used for the purposes of the home occupation.
 - (2) Such vehicle shall not be any commercially licensed vehicle larger than a three-ton truck.

(3) Such vehicle shall not be parked in any required front yard or in front of any residential structure.

- R. Commercial car repair facilities, commercial pet grooming, and commercial kennels are prohibited as home-based businesses.

§ 163-62. Hospitals.

Hospitals may be permitted by the Board of Appeals in the R-2 District and shall be permitted in the I-1 District provided:

- A. that any new establishment shall have a minimum lot area of ten (10) acres, and
- B. any power house, storage or service building shall be a distance of not less than two hundred (200) feet from any other lot in any residential district.

§ 163-63. Group domiciliary care facility.

A group domiciliary care facility may be permitted in the R-1 and R-2 Districts subject to the following:

- A. Residents are provided service and supervision by licensed operators in accordance with the Maryland Department of Health and Mental Hygiene regulations and any other applicable federal, state and local laws, regulations and/or requirements.
- B. Treatment and counseling shall be limited to the residents of the dwelling.
- C. The residents of a group domiciliary care home shall not include any person who, during the term of residence at such facility, commits a violent act or causes substantial physical damage to the property of others, and any such person must be removed from such facility.

§ 163-64. Keeping of animal.

The keeping of small animals and domestic fowl is permitted in all zones subject to the provisions of Chapter 41 as an accessory use to any principal use permitted outright or to a permitted special exception, in each case subject to the following standards:

- A. Small Animals. Up to three small animals may be kept accessory to each business establishment or dwelling unit on a lot, except as follows:
 - (1) In no case is more than one miniature potbelly pig allowed per business establishment or dwelling unit,
 - (2) In single-family zones,
 - (a) up to four small animals are permitted on lots of at least 20,000 square feet; and

- (b) one additional small animal is permitted for each 5,000 square feet of lot area in excess of 20,000 square feet. Accessory structures, including kennels, for four or more animals must be at least 10 feet from any other lot in a residential zone.
- B. Miniature Potbelly Pigs. The type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly Pig (*Sus scrofa bittatus*) may be kept as a small animal, provided that no swine that is greater than 22 inches in height at the shoulder or more than 150 pounds in weight may be kept.
- C. Domestic Fowl. Up to eight domestic fowl may be kept on any lot in addition to the small animals.
 - (1) Roosters are not permitted.
 - (2) Structures housing domestic fowl must be located at least 10 feet away from any structure that includes a dwelling unit on an adjacent lot.
- D. Farm Animals/Livestock.
 - (1) Cows, horses, sheep and other similar farm animals are permitted only on permitted farms.
 - (2) The keeping of swine is prohibited.
 - (3) Farm animals and structures housing them must be kept at least 50 feet from any other lot in a residential zone.
- E. Miniature Goats. The types of goats commonly known as Pygmy, Dwarf and Miniature Goats may be kept as small animals, provided that male miniature goats are neutered and all miniature goats are dehorned.

§ 163-65. Open air markets.

- A. Open air market site where permitted are subject to the regulations in Chapter 111, Peddling and Soliciting, Article I, Open Air Markets, of the Code.

§ 163-66. Student housing.

The Board of Appeals may permit student housing project as a special exception in the R-2 Residential District subject to the following:

- A. The proposed development site is located in the University Boulevard corridor and takes access from University Boulevard;
- B. The minimum site area shall be eight (8) acres;
- B. The proposed development meets all applicable federal, state, county and municipal codes;
- C. The development plan concept is recommended for approval by the Planning and Zoning Commission; and

D. The development plan includes appropriate open space and recreation facilities for the residents.

§ 163-67. Tattoo establishments.

Tattoo establishments may be permitted by the Board of Appeals as a special exception in the C-2 District provided the Board of Appeals finds the proposed use and its operation are consistent with the requirements of Chapter 140 of the Princess Anne code.

§ 163-68. Temporary buildings.

- A. In any district, temporary buildings, including trailers not used as a permanent dwelling, may be used incidental to construction work complying with the requirements of the Somerset County Health Department, provided that such buildings shall be removed upon the completion or abandonment of the construction work or at the end of one year, whichever is sooner.
- B. A special extension of six months may be granted by the Planning and Zoning Commission on the condition that written consent by the County Health Department is furnished by the applicant.

§ 163-69. Veterinary clinic, animal boarding establishments.

Veterinary clinic and animal boarding establishments are permitted in the R-1 District subject to the following conditions:

- A. the proposed use is located on a farm; and
- B. offices, boardinghouses for domesticated household pets, any building for the housing and care of animals shall be located not less than 200 feet from any adjacent property or road line.

§ 163-70. Reserved.

§ 163-71. Reserved.

§ 163-72. Reserved.

§ 163-73. Reserved.

ARTICLE XI. HEIGHT AREA AND BULK STANDARDS

§ 163-74. Minimum lot size.

Subject to the exceptions listed herein all lots shall have at least the amount of square footage indicated for the appropriate zoning district.

§163-75. Residential density.

Subject to the exceptions listed herein every lot developed for residential purposes shall have the minimum number of square feet of land area per dwelling unit as set forth in the table of height, area and bulk requirements. In determining the number of dwelling units permitted on a tract of land, fractions shall be rounded to the nearest whole number.

§ 163-76. Minimum lot widths.

- A. No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that:
 - (1) Could be used for purposes that are permissible in that zoning district, and
 - (2) Could satisfy any applicable setback requirements for that district.
- B. The listing of zone regulations in table of height, area and bulk requirements indicates the required minimum lot widths and depths that are deemed presumptively to satisfy the standard set forth in Subsection A.
- C. No lot created after the effective date of this Chapter that is less than the required width shall be entitled to a variance from any building setback requirement.

§ 163-77. Building setback requirements.

- A. Subject to other provisions of this Article, no portion of any building or any freestanding sign may be located on any lot closer to any lot or property line than is authorized in the table set forth in [§ 163-85](#).
 - (1) If the lot or property line is not readily determinable (by reference to a recorded map, set irons, or other means), the setback shall be measured from the boundary line of any adjacent right-of-way. If the boundary line of the right-of-way is not readily determinable the setback shall be measured from the centerline of the right-of-way and half the width of the right-of-way shall be added to the minimum setback requirement.
 - (2) Whenever a lot abuts upon a public alley, the alley width may not be considered as a portion of the required yard.

- (3) Where these regulations refer to side streets, the Code Enforcement Officer shall be guided by the pattern of development in the vicinity of the lot in question in determining which of two (2) streets is the side street.
- (4) Every part of a required yard shall be open to the sky, except as may be authorized by this Chapter except ordinary projections of sills, belt courses, window air-conditioning units, chimneys, cornices and ornamental features which may project to a distance not to exceed twenty-four (24) inches into a required yard.

§ 163-78. Special standards for multi-family residential.

- A. Multi-family residential units permitted in the R-1 are subject to the followings standards:

Buildings containing more than four dwelling units shall have a land area of not less than 2,000 square feet and a lot width of not less than ten (10) feet, and three (3) feet in side yard width for each additional dwelling unit shall be required in addition to the minimum for less than four dwelling units.

- B. Multi-family residential units permitted in the R-2 are subject to the followings:

- (1) For structures of three or more living units the lot shall have a minimum per-building area of 12,000 square feet for the first three units plus 2,000 square feet for each additional unit.
- (2) Not more than 40% of the area of the lot may be covered by structures, including accessory structures.
- (3) Each lot shall not be less than 80 feet in width and 100 feet in depth.
- (4) Each lot shall have a front building setback line of not less than thirty (30) feet from and parallel to the front lot line or a street right-of-way. In the case of corner lots, a front yard of the required depth shall be provided as determined by the Code Enforcement Officer subject to the following limitations:
 - (a) At least one front yard shall be provided having the full depth required generally in the zone.
 - (b) No other front yard on such lot shall have less than half the full depth required generally.
 - (c) Consideration shall be given to any existing adjacent dwellings.
- (5) Each side yard shall have a width of not less than eight (8) feet, and the total width of side yards shall be not less than twenty (20) feet.
- (6) Each lot shall have a rear yard setback of not less than twenty-five (25) feet in depth.
- (7) In the case of through lots, both front yards shall have the required depth of 25 feet.

(8) Each habitable structure on one lot shall be separated by a minimum of seventy-five (75) feet.

(9) Height in the R-2

(a) Building height shall be limited to 48 feet or four stories unless permitted by special exception.

(b) The Board of Appeals may grant a special exception for multi-family building height in the R-2 District provided an additional land area of 5,000 square feet plus an additional twenty (20) feet in lot width plus five (5) feet in additional side yard width are provided for each additional story.

C. Multifamily dwellings may be permitted by the Board of Appeals in the C-1 District provided the lot area is a minimum of eight (8) acres.

§ 163-79. Special standards for nonresidential buildings in the R-2 District.

The following minimum requirements shall apply to all nonresidential buildings in the R-2 District unless otherwise specified:

A. Land area per principal building, not exceeding three stories in height shall be 15,000 square feet. For each additional story, 5,000 square feet shall be required.

B. Lot width for buildings not exceeding three stories in height shall be 100 feet. For each additional story, 20 feet shall be required.

C. Yard depth for buildings not exceeding three stories in height:

(1) Front: 30 feet.

(2) Side: 15 feet.

(3) Rear: 50 feet.

(4) For each additional story:

(a) Front: 10 feet.

(b) Side: 10 feet.

(c) Rear: 10 feet.

§ 163-80. Special standards for the C-1 Community Commercial District.

A. There shall be no front yard, side yard, rear yard and lot width requirements, except that no building or use shall be located within a distance of 20 feet from the nearest boundary line of any R-1 District.

- B. There shall be no lot coverage requirements in any C-1 District.
- C. No building in commercial or office use shall contain a first-floor dwelling unit which adjoins the front of the building on a public street.

§ 163-81. Special standards for the C-2 General Commercial District.

- A. There shall be no front yard, side yard, rear yard and lot width requirements, except that no building or use shall be located within a distance of 20 feet from the nearest boundary line of any R-1 District.
- B. There shall be no lot coverage requirements in any C-2 District.

§ 163-82. Special standards for the I-1 Industrial District.

- A. There shall be no front yard, side yard, rear yard and lot width requirements, except that no building or use shall be located within a distance of twenty (20) feet from the nearest boundary line of any R-1 District or R-2 District.
- B. On any lot where a principal building is less than three stories in height, the building shall not cover more than 40% of the total lot area.
- C. On any lot where a principal building is three stories in height, the building shall not cover more than 30% of the total lot area.

§ 163-83. Special standards for the I-P Industrial Park District.

- A. All I-P Districts shall be located on a site having a gross area of not less than twenty (20) acres.
- B. Each lot in an I-P District shall be at least one (1) acre.
- C. Height limitations:
 - (1) All buildings shall be limited to a height of 45 feet or three stories, whichever is greater, above the highest finished grade elevation, except that this height limitation may be exceeded with written approval of the Town Commissioners.
 - (2) Water towers, chimneys, aerials, tower antennas and similar structures may exceed this height upon prior written approval of the Town Commissioners.
- D. Setback requirements:
 - (1) Structure or use setback from residential districts: 50 feet.
 - (2) Structure or use setback from public street right-of-way: 40 feet.

- E. Lot coverage, including paved areas, shall be no more than 70% of the lot and no more than 50% of any lot on which a building may be located.
- F. Commercial communications stations or towers are permitted provided that towers are set back at least 50 feet from lot lines.

§ 163-84. Height, area and bulk requirements.

- A. Except as listed in Subsection B below and as may otherwise be provided in this Article, no building shall exceed 45 feet or three stories in height, whichever is greater, provided that a basement or a cellar shall not be considered as a story.
- B. The following shall be excluded from the height requirements:
 - (1) Penthouses or roof structures for housing stairways, tanks, ventilating fans or similar equipment required to operate and maintain the buildings, fire or parapet walls, towers, steeples, flagpoles, silos, smokestacks, masts, water tanks, monuments or other superstructures that project into the air.
 - (2) Bulkheads, elevator penthouses, water tanks, towers and monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other similar structures where the manufacturing process requires a greater height or essential services as defined in [§ 163-7](#) of this Chapter; provided, however, that all such structures shall not occupy more than 25% of the gross lot area and shall be located at least 50 feet in all parts from any adjacent lot line or street.
 - (3) Belfries, chimneys, church spires, conveyors, cooling towers, elevator bulkheads, fire towers, public monuments, commercial radio and television towers less than one hundred twenty-five (125) feet in height.
- C. Public, semipublic and public service buildings, hospitals, institutions and schools, when permitted either as a use by-right or special exception use in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by at least one (1) foot for each one (1) foot of additional building height above the height regulations for the district in which the building is located.
- D. Front yards.
 - (1) Where an official line has been established for the future widening or opening of a street or major thoroughfare upon which a lot abuts, the depth of a front or side yard shall be measured from such official line to the nearest line of the building.
 - (2) On through lots, the required front yard shall be provided on each street.

- (3) There shall be a front yard of at least fifteen (15) feet on the side street of a corner lot in any district: provided, however, that the buildable width of a lot of record at the time of passage of this Zoning Chapter shall not be reduced to less than twenty-eight (28) feet.
- (4) Open, unenclosed porches, platforms or paved terraces not covered by a roof or canopy and which do not extend above the level of the first floor of the building may extend or project into the required front or side yard not more than six (6) feet.
- (5) In the case of corner lots, a front yard of the required depth shall be provided as determined by the Code Enforcement Officer subject to the following limitations:
 - (a) At least one front yard shall be provided having the full depth generally required in the zone.
 - (b) No other front yard on such lot shall have less than half the full depth required generally.
 - (c) Consideration shall be given to any existing adjacent dwellings.
- (6) Where a residence is to be located between two existing dwellings which lack the required front yard and which are less than 100 feet apart, the front yard shall be no less than that of the deepest adjoining lot.

E. Side yards.

- (1) The minimum width of side yards for schools, libraries, churches, community houses and other public and semipublic buildings in residential districts shall be twenty-five (25) feet, except where a side yard is adjacent to a business or industrial district, in which case the width of that yard shall be as required in the [§ 163-84](#) for the district in which the building is located.

F. Corner visibility.

- (1) Visibility at intersections shall be maintained. Every person or persons owning property at street intersections in the Town of Princess Anne shall trim and maintain hedges and shrubbery at a height not to exceed 30 inches within a radius of 20 feet from the intersection of said streets in order to provide clear vision for motorists. (See Figure 84-1)
- (2) On a corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet above the center-line grade of the intersecting streets in an area bounded by the street [edge of pavement] line of such corner lots and a line joining points along said street [edge of pavement] line 50 feet from the point of intersection. (See Figure 84-1)

G. Accessory uses and structures.

- (1) An ornamental fence or wall not more than three (3) feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the

front yard. Ornamental fences or walls may project into or enclose other required yards, provided that such fences and walls do not exceed a height of six (6) feet. However, every person or persons owning property at street intersections in the Town of Princess Anne shall not erect a fence that stands less than 20 feet measured from the edge of pavement from the intersection of the paving of said streets in order to provide clear vision for motorists.

- (2) Accessory use and structures. (See [§ 163-45](#))
- (3) Filling station pumps and pump islands may occupy the required yards; provided, however, that they are not less than fifteen (15) feet from street lines.

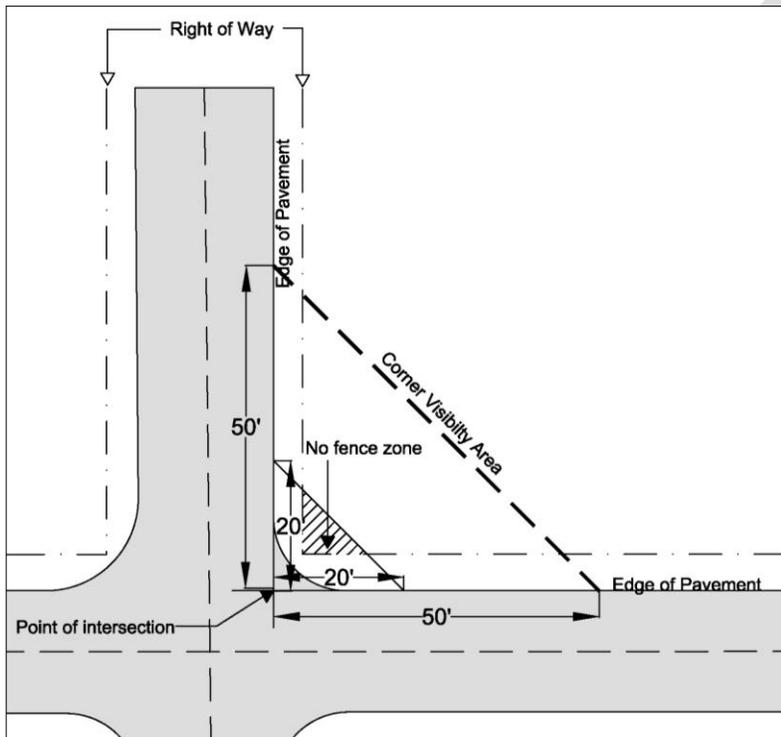


Figure 84-1. Corner Visibility

§ 163-85. Table of height, area and bulk requirements.

The following are the basic, minimum requirements, unless otherwise required elsewhere in this Chapter.

Zoning District	Minimum Lot Area ¹	Lot Dimensions		Yard Requirements				Building heights
		Width	Depth	Front	Side	Aggregate Sides	Rear	
R-1 Residential								
Detached Single Family Dwelling	7,500	50	100	25	5	10	25	35
Converted two-family structure	7,500	50	100	25	5	10	25	35
Two-family dwelling	10,000	80	100	25	10	20	25	35
Multi-family dwelling								
- Three and four units	15,000	100	150	30	15	30	50	35
- Four or more units § 163-78. Special standards for multi-family residential.	15,000	100	150	30	15	30	50	35
Nonresidential buildings	15,000	100	150	30	15	30	50	35?
R-2 Residential								
- Detached Single Family Dwelling	7,500	50	100	25	5	10	25	35
- Converted two-family structure	7,500	50	100	25	5	10	25	35
- Two-family dwelling	8,000	80	100	25	10	20	25	35
- Multi-family dwelling § 163-78. Special standards for multi-family residential.								
- Nonresidential buildings	§ 163-79. Special standards for nonresidential buildings in the R-2 District.							
C-1 Community Commercial	§ 163-80. Special standards for the C-1 Community Commercial District.							
C-2 General Commercial	§ 163-81. Special standards for the C-2 General Commercial District.							
I-1 Industrial	§ 163-82. Special standards for the I-1 Industrial District.							
I-P Industrial Park	§ 163-83. Special standards for the I-P Industrial Park District.							
¹ Lot areas for properties not served by public water and sewer facilities shall be governed by County Health Department regulations regarding lot area, width and yard requirements.								

ARTICLE XII. PARKING

§ 163-86. General.

A. Purpose

- (1) The regulations of this article are intended to help ensure provision of off-street motor vehicle parking facilities, bicycle parking and other motorized and non-motorized transportation circulation facilities in rough proportion to the generalized demands of different land uses. By requiring such facilities, it is the intent of this article to help avoid the negative impacts associated with spillover parking into adjacent areas, while at the same time avoiding the negative environmental and visual impacts that can result from unnecessarily large parking and vehicular use areas.
- (2) The provisions of this article are also intended to help protect the public health, safety and general welfare by providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the Town.

B. Applicability

(1) General

Unless otherwise expressly stated, the regulations of this article apply to all districts and uses.

(2) New Uses and Development

Unless otherwise expressly stated, the parking regulations of this article apply to all new buildings constructed and all new uses established in all zoning districts.

(3) Enlargements and Expansions

- a. Unless otherwise expressly stated, the parking regulations of this article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees or other units of measurement used for establishing off-street parking requirements.
- b. In the case of enlargements or expansions that trigger requirements for additional parking, additional spaces are required only to serve the enlarged or expanded area, not the entire building or use. In other words, there is no requirement to address a lawful, existing parking deficit.

(4) Change of Use

When the use or occupancy of property changes, additional off-street parking and loading facilities must be provided to serve the new use or occupancy only when the number of parking or loading spaces required for the new use or occupancy exceeds the number of spaces required

for the use that most recently occupied the building, based on the standards of this Zoning Chapter. In other words, “credit” is given to the most recent lawful use of the property for the number of parking spaces that would be required under this Zoning Chapter, regardless of whether such spaces are actually provided. A new use is not required to address a lawful, existing parking deficit.

(5) Existing

Existing off-street parking and loading areas may not be eliminated, reduced or modified below the minimum requirements of this article.

§ 163-87. Minimum required parking ratios.

Except as otherwise expressly stated, off-street motor vehicle parking spaces must be provided in accordance with Table 87-1.

Table 87-1. Minimum required parking ratios.

USE DESCRIPTION	MINIMUM PARKING SPACES	ADDITIONAL PARKING SPACES
ARICULTURE		
Agriculture, crop production	NA	
Commercial and noncommercial nurseries and greenhouses	1 space per 300 sq. ft.	plus 1 space per employee on maximum shift
Noncommercial greenhouses and nurseries	NA	
RESIDENTIAL		
Single-family dwellings	2 spaces per dwelling unit	
Two-family dwellings	2 spaces per dwelling unit	
Multifamily dwellings	2 spaces per dwelling unit	
Group domiciliary care home	1 space per 3 beds	
INSTITUTIONAL		
Assisted living facilities	1 space per 5 units	plus 1 space per every 300 sq. ft. of office/administrative space
Child-care centers	1 space per 375 sq. ft.	
Colleges and schools, public or private, and institutions of higher learning	1 space per three students	
Hospitals	2 spaces per 1,000 sq. ft.	
Public buildings and structures of the cultural and/or administrative type	1 space per 32 sq. ft. of assembly floor area	plus 1 space per 300 sq. ft. of office/administrative space
Public offices and buildings, including but not limited to fire halls and police stations	3 spaces per 1,000 sq. ft.	

USE DESCRIPTION	MINIMUM PARKING SPACES	ADDITIONAL PARKING SPACES
Churches and parish halls, temples, convents and monasteries	1 space per 4 occupants (maximum capacity)	
Social, Fraternal Clubs and Lodges, Philanthropic Institutions	4 spaces per 1,000 square feet	
Student Housing	2 spaces per dwelling unit	plus 2 guest parking spaces per building
RECREATION		
Public and private noncommercial parks and recreation areas, including clubs, parks, swimming pools and summer camps	5 spaces per acre	plus additional parking for court facilities and/or swimming pool
ACCOMODATIONS		
Bed-and-breakfast inns	1 space per bedroom	Plus one space for owner or resident manager
Hotels, motels or motor hotels	1 space per each guest unit	Plus 1 space per 32 sq. ft. assembly area, plus 1 space per 250 sq. ft. of office area
Lodging, boarding or rooming houses	1 space per bedroom	plus 1 space for owner/operator of the lodging house
Tourist Home	1 space per bedroom	plus 1 space for owner/operator
MARINE		
Marinas, wharves, piers and docks	0.5 spaces per slip	
MISC.		
Cemeteries, stand alone with crematories	Determined at site plan review	
Circus, carnival or similar transient enterprises	NA	
Home occupations	NA	
Open air market site	1 space per 400 sq. ft. of designated vendor area	
Circus, carnival or similar transient enterprises, special uses.	25 spaces per acre, temporary	
UTILITIES		
Essential services and public utilities	NA	
COMMERCIAL		
Antique shops	1 space per 300 sq. ft.	plus 1 space for owner/operator
Automobile filling and service stations and automobile repair and service shops	1 space per pump island	plus 1 space per service bay, plus 3.33 spaces per 1,000 sq. ft. of retail

USE DESCRIPTION	MINIMUM PARKING SPACES	ADDITIONAL PARKING SPACES
		sales area, plus stacking spaces
Bottling or distribution stations for beverages, wholesale and warehousing establishments and bakery, clothes-cleaning and rug-cleaning plants	1 space per 200 sq. ft. of sales/office area	
Bowling alleys, skating rinks, dance halls and other similar recreational establishments	1 space per 3 occupants based upon maximum capacity	plus 1 space per employee
Bus depots or other mass transit passenger depots	1 space per 100 sq. ft. of assembly area	plus 1 space per 300 sq. ft. of office/administrative space
Drive-in eating or refreshment establishments	1 space per 4 seats	plus 1 space per 2 employees based on maximum shift
Funeral homes	8 spaces per parlor or one space per 50 sq. ft. of floor area, whichever is greater	plus 1 space per 2 employees based on maximum shift
General service establishments, including but not limited to barbershops, beauty salons, clothes-cleaning shops, electricians and television or radio services.	2 spaces per every 1,000 sq. ft. floor area,	plus 1.0 space per every 300 sq. ft. of floor area over 1,000 sq. ft.
Grocery and drug stores	4.0 spaces per 1,000 sq. ft.	
Lumberyards.	1 space per every 250 sq. ft. floor area of administrative and sales facilities	
Mini-storage	4 spaces per 1,000 sq. ft.	plus 2 for manager's quarters, plus drive aisles between buildings shall maintain minimum distance of 24 feet
Newspaper offices and printing shops.	2 spaces per every 1,000 sq. ft. floor area	
Offices, banks and public buildings.	3.3 spaces per every 1,000 sq. ft. floor area	
Plumbing, heating or air-conditioning services or contractors.	2.0 spaces per every 1,000 sq. ft. floor area	plus 1.0 space per every 300 sq. ft. floor area over 1,000 sq. ft.
Restaurants, cafes, soda fountains or similar uses	1 space per 3 seats	plus 1 space per employee on the maximum shift
Retail stores	1 space per 200 sq. ft. of floor area	

USE DESCRIPTION	MINIMUM PARKING SPACES	ADDITIONAL PARKING SPACES
Sales and storage of paints, hardware and agricultural products.	1 space for each 1,500 sq. ft. of floor area	
Sales of new automobiles and farm machinery	2 spaces per 1,000 sq. ft. of showroom area	plus 0.4 spaces per 1,000 sq. ft. of outdoor display space, plus 2 per service bay
Tattoo establishments	1 space per 2 occupants base upon maximum capacity	plus 1 space per employee
Theaters or similar recreational or cultural establishments	1 space per 4 seats	plus 1 space per 250 sq. ft. of employee work area
Veterinary clinic, animal boarding establishments	4 spaces per 1,000 sq. ft.	
Wholesale and warehousing establishments.	1 space per 900 sq. ft.	
OFFICE		
Offices, professional and business.	3.3 space per 1,000 sq. ft. floor area	
Medical/dental offices and outpatient clinics	1 space per 200 sq. ft.	
INDUSTRIAL		
Automobile assembly plants.	1.17 spaces per 1,000 sq. ft.	
Bakery, clothes-cleaning and rug-cleaning plants.	1 space per employee on maximum shift	plus 1 space per 1,000 sq. ft. floor area
Biomedical laboratories.	1 space per employee on maximum shift	
Blueprinting, printing, duplicating or engraving services.	1 space per 300 sq. ft. floor area	
Bottling plants.	1.17 spaces per 1,000 sq. ft.	
Carpet and rug cleaning in an enclosed structure.	1 space per 300 sq. ft. floor area	
Chicken hatcheries.	1 space per employee on maximum shift	
Commercial communications stations or towers	1 space per 1,000 sq. ft. floor area	
Contractor's office and outdoor or indoor storage facility	One space per 2,000 square feet of site area exclusive of parking area; a minimum of four spaces is required	
Foundries casting lightweight nonferrous metals or electric foundries.	1.17 spaces per 1,000 sq. ft.	
Ice manufacturing or cold storage plants.	1.17 spaces per 1,000 sq. ft.	
Laboratories, including chemical, physical and biological.	1.17 spaces per 1,000 sq. ft.	

USE DESCRIPTION	MINIMUM PARKING SPACES	ADDITIONAL PARKING SPACES
Laundry or dry-cleaning establishments or plants.	1 space per employee on maximum shift	plus 1 space per 500 sq. ft. floor area
Light assembly of products, including dress sewing plants, electronic parts, assembly plants and similar uses.	1.17 spaces per 1,000 sq. ft.	
Manufacturing Uses	1.0 space per employee on the major shift or 2.0 spaces per 1,000 square feet, whichever is greater	
Motor vehicle inspections station.	1 space per 300 sq. ft. floor area	
Motor vehicle, construction equipment and farm equipment assembly, fabrication and repairs.	1.0 space per employee based on the major shift or 2.0 spaces per 1,000 square feet, whichever is greater	
Photographic processing plants.	1 space per 300 sq. ft. floor area	
Printing and publishing plants.	1 space per 300 sq. ft. floor area	
Printing, lithography, bookbinding or publishing plants.	1 space per 300 sq. ft. floor area	
Processing and storage of agricultural products, including grain, fruit, vegetables, meat or animal products	1 space per employee based on maximum shift	
Processing, packaging and sale of poultry, fish and farm products.	1 space per employee based on maximum shift	
Radio or television stations.	1 space per 1,000 sq. ft. floor area	
Recycling collection facilities and material recovery facilities (completely enclosed).	1 space per 500 sq. ft. of floor area	
Research and development laboratories.	2.5 spaces per 1,000 square feet	
Sign-making shops	1 space per 500 sq. ft. of floor area	
Welding shops	1 space per 500 sq. ft. of floor area	

§ 163-88. Calculation of required parking.

The following rules apply when calculating the required number of off-street parking spaces:

A. Multiple Uses

Unless otherwise expressly allowed in accordance with the shared parking regulations of Section 89.B, lots containing more than one use must provide parking in an amount equal to the total of the requirements for all uses on the lot.

B. Fractions

When measurements of the number of required spaces result in a fractional number, any fraction of less than one-half (0.5) is rounded down to the next lower whole number, and any fraction of one-half (0.5) or more is rounded up to the next higher whole number.

C. Area Measurements

Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed based on the sum of the gross horizontal areas of a building devoted to a use requiring off-street parking. The following areas are not counted as floor area for the purpose of calculating off-street parking and loading requirements: floor space devoted primarily to the housing of mechanical or electrical equipment, elevator shafts, stairwells, storage (except as otherwise noted), commercial kitchen areas, ramps, aisles, and maneuvering space devoted to off-street parking or loading facilities, or basement floor space unless the basement area is devoted to merchandising activities, the production or processing of goods, business or professional offices or dwelling uses.

D. Bench Seating

Each 20 inches of seating area in bleachers, pews or similar bench-seating arrangement counts as one seat for the purpose of calculating seating-based parking requirements. See Figure 88-1.

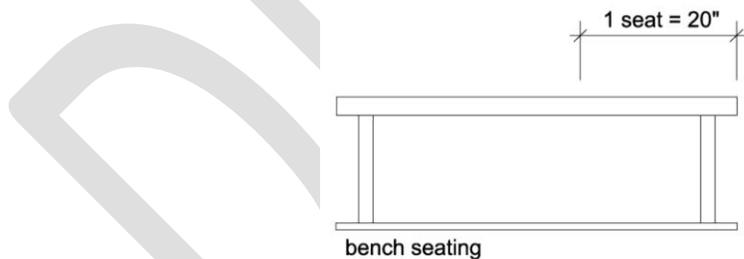


Figure 88-1 Bench Seating Measurement

E. Occupancy- or Capacity-based Standards

For the purpose of computing parking requirements based on employees, students, members, residents or occupants, calculations must be based on occupancy standards established by the building code.

F. Unlisted Uses

Reasonable and appropriate off-street parking requirements for structures and land uses which do not fall within the categories listed herein or parking requirements which are different from the requirements listed herein may be determined in each case by the Planning and Zoning Commission, which shall consider comments from other agencies and all factors entering into the parking needs of each such use. An applicant for a building permit or use not included in the categories listed or for a use for which the applicant proposes a parking standard different from the requirement listed above shall submit a parking needs study as part of the permit application. The parking needs study shall include:

- (1) An estimate of the parking needs for the use;
- (2) A thorough explanation of the basis of the estimate; and
- (3) Any data used in calculating the estimate, including parking generation studies, previous experience with similar uses or other information.

G. Flexibility in Administration Required

- (1) The Town of Princess Anne recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth herein may result in a development either with inadequate parking space or parking space far in excess of its needs. Alternative off-street parking standards may be accepted if the applicant can demonstrate that such standards better reflect local conditions and needs.
- (2) Without limiting the generality of the foregoing, the Planning and Zoning Commission may allow deviations from the parking requirements set forth herein when it finds that:
 - (a) A residential development is irrevocably oriented toward the elderly;
 - (b) A business is primarily oriented to walk-in trade.
- (3) Whenever the Planning and Zoning Commission allows or requires a deviation from the parking requirements set forth herein, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.
- (4) If the Planning and Zoning Commission concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by Section [§ 163-87](#) for a particular use classification is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements.

§ 163-89. Parking exemptions and reductions.

A. Fee-in-Lieu of Parking Provisions

- (1) Purpose - All new development, including a change of use, are required to provide adequate off-street parking as prescribed in [§ 163-87](#). The Fee-in-Lieu Program allows an applicant to pay a

fee for each parking space they are unable to provide on-site. The fund into which the fee is paid is reserved for future provision of publicly accessible parking spaces in the C-1 District.

- (2) Applicability - The provisions of this section apply to all infill, development and redevelopment required to construct parking spaces according to the provisions [§ 163-86](#).
- (3) Determination of Fee-in-Lieu Parking Program Fee - The fee associated with this Fee-in-Lieu Program shall be established by the President and Town Commissioners taking into account national averages as reported in such sources as the most recent Engineering News Record Construction Cost Index (ENR CCI) as well as local land and construction costs. This fee shall be updated yearly. The fee shall be for each parking space the construction of which a developer cannot construct or provide through long-term agreement for the use of available nearby spaces.
- (4) Collection - The Fee-in-Lieu Parking Program fee will be collected by the Town prior to the issuance of any construction authorization or final occupancy permits for the building or portion thereof associated with the fees.
- (5) Accounting - Fee-in-Lieu Parking Program fees and all the interest earnings on those fees will be placed in an account specific to the provision of publicly accessible parking in the C-1 District. The Town will maintain a record of all properties that have met their required parking space obligation by paying the appropriate fee for the spaces. Payment of this fee does not absolve the developer from any future obligation to participate in future construction of publicly accessible parking spaces through additional funding mechanisms (e.g., a local improvement district, tax increment financing, etc.). Payment of this fee also does not guarantee the developer that parking spaces will be constructed for the sole use of or in the immediate proximity of that development.
- (6) Project Implementation - Projects funded from the Fee-in-Lieu Parking Program may be implemented either by the construction of publicly accessible parking spaces through the Town's Capital Improvement Program or by disbursing funds to a developer constructing the improvements. Funds may also be used to convert existing private parking spaces to publicly accessible parking spaces through the purchase or lease of underutilized private parking spaces. Planning for parking capital improvement projects funded by Fee-in-Lieu Parking Program fees will be initiated at the discretion of the President and Town Commissioners. It should be recognized that to provide for a logical and cost effective construction of parking improvements, projects funded by Fee-in-Lieu Parking Program fees may be phased and may be constructed such that the parking spaces do not directly serve parcels from which the fee was collected.

B. Shared Parking

- (1) Purpose

Sharing parking among different users can result in overall reductions in the amount of motor vehicle parking required. Shared parking is encouraged as a means of conserving scarce land resources, reducing stormwater runoff, reducing the heat island effect caused by large paved areas and improving community appearance.

(2) Applicability

Shared parking facilities are allowed for mixed-use projects and for multiple uses with different periods of peak parking demand, subject to approval by the Code Enforcement Officer. Required residential parking and accessible parking spaces (for persons with disabilities) may not be shared and must be located on site.

(3) Methodology

The number of parking spaces required under a shared parking arrangement must be determined in accordance with the following:

- (a) Multiply the minimum parking required for each individual use, as set forth in [§ 163-87](#) by the percentage identified for each of the 6 designated time periods in Table 89.1.
- (b) Add the resulting sums for each of the 6 columns.
- (c) The minimum shared parking requirement is the highest sum among the 6 columns resulting from the above calculations.
- (d) Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

Table 89.1: Shared Parking Calculations

Land Use	Weekday			Weekend		
	Midnight– 7:00 a.m.	7:00 a.m. – 6:00 p.m.	6 p.m. – Mid-night	Midnight– 7:00 a.m.	7:00 a.m.– 6:00 p.m.	6 p.m. – Mid-night
Office and Industrial	5%	100%	10%	0%	60%	5%
Lodging	100%	60%	90%	100%	65%	80%
Eating and Drinking	50%	70%	100%	45%	70%	100%
Religious Assembly	0%	10%	30%	0%	100%	30%
Assembly & Entertain.	10%	50%	100%	5%	80%	100%
Retail & Comm. Service	5%	70%	90%	0%	100%	60%

(4) Other uses

If one or more of the land uses proposing to make use of a shared parking arrangement do not conform to the land use classifications in Table 88.1, as determined by the Codes Enforcement Officer, then the applicant must submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the Code Enforcement Officer is authorized to determine the appropriate shared parking requirement, if any, for such uses.

(5) Alternative Methodology

As an alternative to the shared parking methodology in Section B(3), the Code Enforcement Officer is authorized to approve shared parking calculations based on the latest edition of the Urban Land Institute's or the Institute of Transportation Engineer's shared parking model or based on studies prepared by professional transportation planner or traffic engineer. The shared parking analysis must demonstrate that the peak parking demands of the subject uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses.

(6) Location

Shared parking may be located on-site or off-site. Off-site parking is subject to the regulations of [§ 163-90](#).

(7) Responsibility for calculations

Applicants seeking approval of a shared parking arrangement shall be responsible for preparing and submitting all shared parking information and calculations to the Codes Enforcement Officer.

§ 163-90. Location of off-street parking.

A. General

Except as otherwise expressly stated, required off-street parking spaces must be located on the same lot and under the same control as the building or use they are required to serve.

B. Setbacks

Except as otherwise expressly stated, off-street parking areas are subject to the principal building setbacks of the subject zoning district.

- (1) Off-street parking spaces accessory to a detached house, attached house or two-unit house may be located in any driveway. The driveway must be improved with a hard, dustless material, generally asphalt or concrete, as approved by the Code Enforcement Officer.

- (2) Off-street parking spaces for uses in existence before September 8, 1987 may be located in a required street setback, provided they are set back at least five (5) feet from the right-of-way.

C. Off-Site Parking

- (1) When Allowed

All or a portion of required off-street parking for nonresidential uses may be provided off-site, in accordance with the regulations of this section. Required accessible parking spaces and parking required for residential uses may not be located off site.

- (2) Location

Off-site parking areas must be located within a 1,000-foot radius of the use served by such parking, measured between the entrance of the use to be served and the outer perimeter of the farthest parking space within the off-site parking lot. Off-site parking lots are allowed only in zoning districts that permit the principal use to be served by the off-site parking spaces, unless approved as a special exception.

- (3) Design

Off-site parking areas must comply with all applicable parking area design and parking lot landscape regulations of this Zoning Chapter.

- (4) Control of Off-Site Parking Area

The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided, in a form approved by the Town attorney, guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

§ 163-91. Use of off-street parking areas.

- A. Required off-street parking facilities may be used only for the temporary parking of licensed passenger motor vehicles by residents, tenants, patrons, employees, or guests of the principal or accessory use. Off-street parking spaces required by this Zoning Chapter must be maintained for the life of the principal use.
- B. Off-street parking spaces may not be leased to uses not on-site, including but not limited to schools and commuter parking, unless approved by a shared parking agreement. Property owned by the Town, state or federal government is exempt from this provision.

- C. Off-street parking facilities may not be used for the parking of vehicles for the purpose of displaying the same for sale unless the principal use of the property on which the parking facility is located is the business of selling or leasing used or new vehicles. This provision is not intended to prohibit an owner or occupant of R-zoned property from displaying vehicles for sale on the property's off-street parking facilities provided the vehicle is owned by the owner or occupant of the residential property. Except for flagrant or repeated violations, the Town will endeavor to obtain voluntary compliance with the restrictions on displaying cars for sale prior to initiation of enforcement proceedings.
- D. No vehicle repair or service of any kind shall be permitted in conjunction with off-street parking facilities in a residential or business zoning district, except for minor repairs or service on vehicles owned by an occupant or resident of the premises. The sale of gasoline and motor oil in conjunction with off-street parking facilities is not permitted in any residential zoning district.
- E. No vehicle with a gross weight in excess of 8,000 pounds may be stored overnight on a lot in a commercial zoning district unless the vehicle is being used in connection with a business currently operating on such lot, if the vehicle is serving a particular business on such lot or if the vehicle is providing a service to or activity upon such lot.
- F. No vehicle with a gross vehicle weight in excess of 8,000 pounds, except vehicles registered as recreational vehicles under the Maryland Motor Vehicle Code; and no contractor's equipment, materials, supplies and tools, including the trailers used to haul such items may be stored or parked on any lot in any residential zoning district, unless:
 - (1) the vehicle, equipment, supplies or tools are located within a completely enclosed building, or
 - (2) the vehicle, equipment, supplies or tools are being used in connection with a legitimate service actually being rendered for the benefit of the subject lot.

§ 163-92. Parking area design.

A. Tandem and Valet Parking Arrangements

Parking areas must be designed and constructed to allow unobstructed movement into and out of required parking spaces without interfering with fixed objects or vehicles except in the case of allowed tandem parking which may be used to satisfy residential parking requirements if the tandem spaces are assigned to the same dwelling unit.

B. Stall Sizes and Parking Lot Geometrics

- (1) Off-street parking areas must be designed and constructed in accordance with the regulations of Table 92.B(1). See also Figure 92-1.

Table 92.B(1) Parking Area Dimensions

	Angle of Parking
--	------------------

	0° (Parallel)	45°	60°	90°
Stall Width (feet)	7	9	9	9
Stall Length (feet)	33 (middle), 24 (ends)	18	19	18
Aisle Width (feet)	14 (one-way), 24 (two way)	14	15	24
Module Width (feet)		50	53	60

Note: Dimensions must be measured from the centerline of the strip delineating the space.

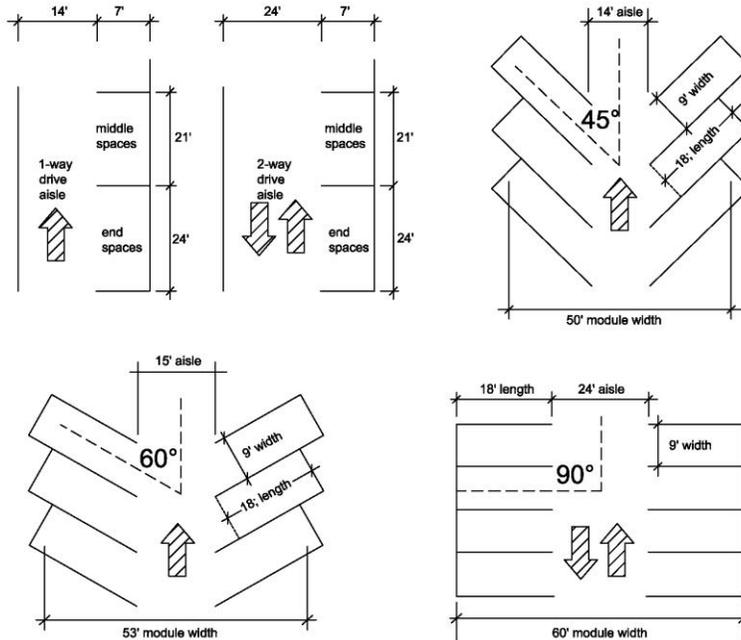


Figure 92-1: Parking Area Dimensions

C. Striping

In all parking lots containing 5 or more parking spaces, striping consisting of parallel lines, 4 inches in width must be provided for each parking space. Striping must be yellow or white. Accessible parking spaces must be painted with the standard ADA white symbol on blue background. See Figure 92-2.

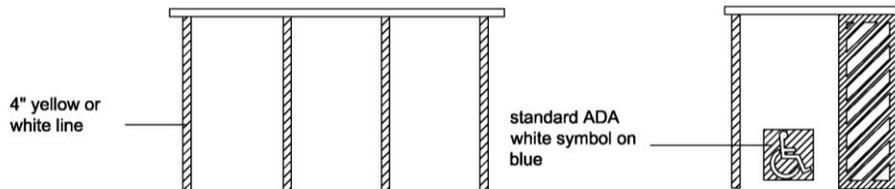


Figure 92-2: Parking Lot Markings

D. Surfacing

All outdoor parking spaces must be properly engineered and improved with a compacted stone base and surfaced with asphaltic concrete, or other comparable all-weather, dustless material.

E. Wheel Stops

In all parking lots containing 5 or more parking spaces, wheel stops must be installed where necessary to prohibit vehicle overhang onto adjacent pedestrian ways or landscape areas.

F. Curb and Gutter

Combination concrete curb and gutter or concrete barrier curbs are required around the perimeter of all parking lots containing 5 or more parking spaces and around all landscape islands and divider medians. Alternatives to curb and gutter that comply with the Town's best management practices for stormwater management may be approved at the sole discretion of the Code Enforcement Officer.

G. Landscaping

All off-street parking lots containing 5 or more spaces must be landscaped in accordance with [Article XIII](#).

I. Lighting

- (1) The purpose of this section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations are the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting.
- (2) Parking lot lighting shall be of low-intensity from a concealed source, shall be of a clear white light which does not distort colors and shall not spill over into adjoining properties, buffers, roadways, or in any way interfere with the vision of oncoming motorists.
- (3) An exterior lighting plan shall be submitted to the Town in order to determine whether the requirements of this section have been met and that adjoining property will not be adversely impacted by the proposed lighting.
- (4) Illumination levels shall not exceed 0.5 horizontal foot candle at the property line when adjacent to a residential zoning district.

J. Access

- (1) Each required off-street parking space must open directly upon an aisle or driveway with a width and design that provides safe and efficient means of vehicular access to the parking space.

- (2) All off-street parking must be designed with appropriate means of vehicular access to a street or alley in a manner that will least interfere with motorized and non-motorized traffic.
- (3) Driveways leading to detached garages or parking areas serving a detached house, attached house or two-unit house must be at least ten (10) feet in width. No driveway serving a detached house, attached house or two-unit house across public property or requiring a curb cut may exceed sixteen (16) feet in width, excluding any flared pavement portion, as measured at the lot line. See Figure 92-3.

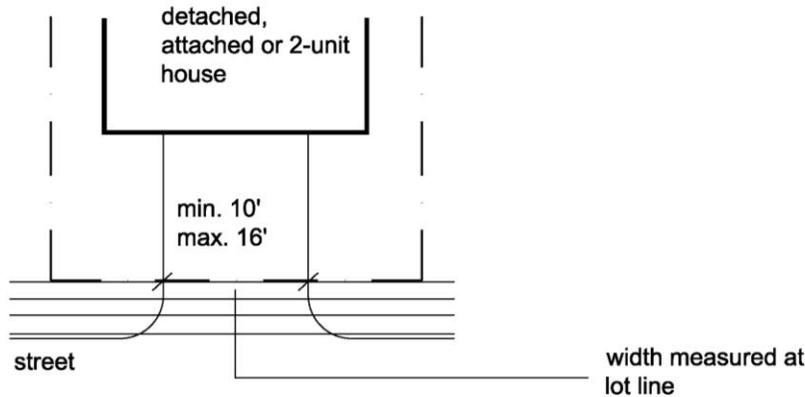


Figure 92-3: Driveway width

- (4) All other uses must be designed with appropriate means of vehicular access from the street, as approved by the Code Enforcement Officer.
- (5) All driveways must be improved with a compacted stone base and surfaced with asphalt, concrete or other comparable all-weather, dustless material.

§ 163-93. Accessible parking for people with disabilities.

- A. The number, location and design of accessible parking spaces for people with disabilities must be provided in accordance with this section and the Maryland Accessibility Code.
- B. Accessible spaces must be provided in accordance with Table 93-1.
- C. Accessible parking spaces count towards the total number of parking spaces required.
- D. Each accessible parking space, except on-street spaces, must be at least 16 feet in width, with either an 8-foot or 5-foot wide diagonally striped access aisle. The access aisle may be located on either side of the vehicle portion of the accessible space. Abutting accessible parking spaces may not share a common access aisle. See Figure 93-1.

Table 93-1: Minimum Accessible Parking Space Ratios

Total Off-Street Parking Spaces Provided	Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
over 1,000	20% of total
Medical facilities specializing in treatment of persons with mobility impairments	20% of total
Outpatient medical facilities	10% of total

- E. Accessible parking spaces must be signed in compliance with applicable state law and must identify the current fine amount for violations. The sign must be fabricated to be 2 separate panels; one for the disability symbol and one for the current fine amount as established by the

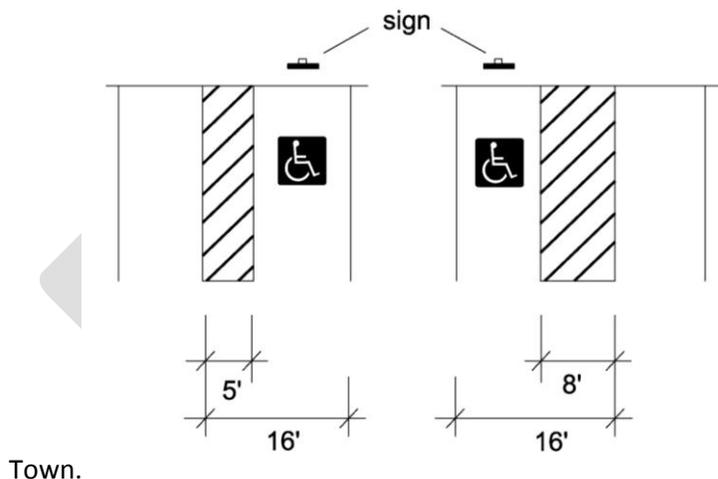


Figure 93-1: Accessible Parking Spaces

- F. Accessible parking spaces and accessible passenger loading zones that serve a particular building must be the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a particular building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.
- G. The regulations of this section apply to required spaces and to spaces that are voluntarily designated for accessible parking.

§ 163-94. Drive-through and drive-in facilities.**A. Purpose**

These regulations of this section are intended to help ensure that:

- (1) there is adequate on-site maneuvering and circulation area for vehicles and pedestrians;
- (2) vehicles awaiting service do not impede traffic on abutting streets; and
- (3) impacts on surrounding uses are minimized.

B. Applicability

The regulations apply to new developments, the addition of drive-through and drive-in facilities to existing developments and the relocation of existing drive-through facilities.

C. Stacking Spaces Required

Stacking lanes must be provided in accordance with the minimum requirements of Table 94.1

Table 94.1: Stacking Space Requirements

Use	Minimum Number of Stacking Spaces Required
Bank/financial institution	4 spaces per drive-through lane
Car wash	2 spaces per approach lane, plus 2 drying spaces at end of bay
Vehicle repair/maintenance	2 per service bay
Gasoline pump	2 spaces per pump per side
Restaurant	8 total spaces, with at least 3 spaces between the order and pick-up station
Other	3 spaces per lane, ordering station or machine

D. Stacking Lane Dimensions, Design and Layout

- (1) Stacking lanes must be designed so that they do not interfere with parking movements or safe pedestrian circulation. Stacking lanes must have a minimum width of 10 feet.
- (2) All stacking lanes must be clearly identified, through such means as striping, landscaping, pavement design, curbing and/or signs.

E. Setbacks

Stacking lanes must be set back at least 50 feet from any abutting residential zoning district and at least 25 feet from all other lot lines.

F. Noise

Sound attenuation walls, landscaping or other mitigation measures may be required to ensure that drive-through facilities will not have adverse noise-related impacts on nearby residential uses.

G. Site Plans

Site plans must show the location of drive-through windows and associated facilities (for example: communications systems and access aisles), as well as adjacent residential uses.

§ 163-95. Off-street loading.

A. Minimum Ratios

Off-street loading spaces in all districts except the I-P Industrial District must be provided in accordance with Table 95-1.

Table 95-1: Off-street Loading Space Requirements

Use Type	Minimum Loading Spaces Required
Multi-unit or Mixed-use residential	
Under 60 units	None
60+ units	1 space per 60 units
Nonresidential	
Under 20,000 square feet	None
20,000 to 99,999 square feet	1
100,000 plus square feet	1 space per 100,000 square feet

B. Design and Location

- (1) Off-street loading spaces must be at least 12 feet in width and 35 feet in length unless off-street loading will involve the use of semi-tractor trailer combinations or other vehicles in excess of 35 feet in length, in which case the minimum size of a loading space is 12 feet by 55 feet. All loading spaces must have a minimum vertical clearance of 14 feet.
- (2) All loading spaces must be located on the subject lot and include sufficient maneuvering space to prevent interference with pedestrian or vehicular circulation on the subject site and on public streets and sidewalks, as determined by the Code Enforcement Officer.
- (3) All loading spaces must be located on the subject lot, provided that the Code Enforcement Officer is authorized to approve central off-street loading spaces for a group of contiguous lots as a substitute for loading berths on individual lots if the following conditions are met:
 - (a) each lot served must have direct access to the central loading area without at-grade crossings of streets or alleys;
 - (b) no lot served may be more than 500 feet from the central loading area; and

- (c) the passageway connecting the central loading area with the lot served shall be at least 7 feet in width and have a vertical clearance of at least 7 feet.
- (4) All loading spaces for semi-tractor trailer combinations must be set back at least 25 feet from the nearest point of intersection of any 2 street rights-of-way and at least 50 feet from all residential zoning districts. Loading spaces may be located within 50 feet of a residential zoning district if completely enclosed by a building wall or fence at least 6 feet in height.
- (5) All off-street loading areas must be properly engineered and improved with a compacted stone base and an all-weather, dustless surface, generally asphalt or concrete.
- (6) Plans for the location, design and construction of all loading area are subject to approval by the Code Enforcement Officer.
- (7) Loading spaces may not be used to satisfy off-street parking requirements or for the conduct of vehicle repair or service work of any kind.

§ 163-96. Special off-street loading and parking standards in the I-P District.

Off-street loading and unloading facilities, as defined in this Chapter and located on the same site with the use to be served in the I-P District:

- A. Shall be separate from parking spaces and driveways serving parking spaces.
- B. Shall be located and designed so as not to impede vehicular or pedestrian circulation.
- C. Shall be located in compliance with the structure and use setback requirements for the applicable zoning district, unless a variance is granted.
- D. Shall not be permitted between the front building line and the street on which the building fronts.
- E. Other requirements.
 - (1) All parking lots must be set back a minimum of 40 feet from property lines.
 - (2) All parking areas shall be provided with a hard surface and proper drainage and, when located in front of buildings, shall be curbed.
 - (3) No truck dock shall be located so as to require backing from or to any public road or street. Maneuvering space to serve a truck dock must be totally within the building owner's property.
 - (4) Landscape screening must be provided between loading areas and adjacent property or the street right-of-way.
 - (5) Loading areas must be set back at least 15 feet from the nearest property line.

ARTICLE XIII. LANDSCAPE REQUIREMENTS

§ 163-97. Purpose.

The landscaping and screening regulations of this article establish minimum requirements for landscaping and screening. The regulations are intended to advance the general purposes of this Chapter and specifically to:

- A. enhance quality of life for residents and visitors;
- B. protect property values;
- C. enhance the quality and appearance of new development and redevelopment projects;
- D. mitigate possible adverse impacts of higher intensity land uses abutting lower intensity land uses;
- E. promote the preservation, expansion, protection and proper maintenance of existing trees and landscaping;
- F. help ensure wise use of water resources;
- G. improve air quality;
- H. protect water quality and reduce the negative impacts of stormwater runoff by reducing impervious surface area and providing vegetated areas that filter and retain greater amounts of stormwater on site;
- I. moderate heat by providing shade; and
- J. reduce the impacts of noise and glare.

§ 163-98. Parking lot perimeter landscaping.

A. Applicability

The parking lot perimeter landscaping requirements of this section apply to all of the following:

- (1) the construction or installation of any new surface (open) parking lots containing six (6) or more parking spaces; and
- (2) the expansion of any existing surface (open) parking lot if the expansion would result in six (6) or more total parking spaces, in which case the requirements of this section apply only to the expanded area.

B. Street Yards/Front Yards

- (1) When a parking lot is located across the street from a residential zoning district, parking lot perimeter landscaping must be provided along 100% of the street frontage opposite the residential zoning district. See Figure 98-1.

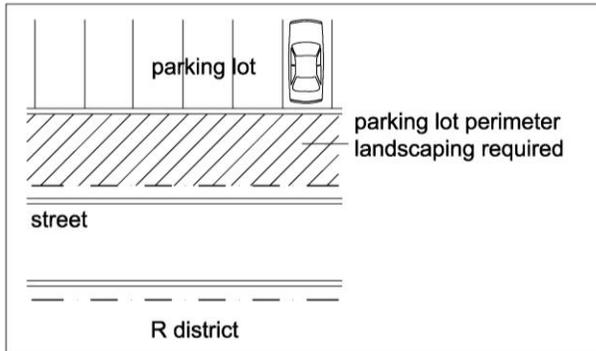


Figure 98-1: Street Yard Perimeter Landscaping Opposite R Zoning

- (2) When a parking lot is located across the street from a nonresidential zoning district, parking lot perimeter landscaping must be provided along at least 75% of the parking lot perimeter opposite the nonresidential zoning district. See Figure 98-2.

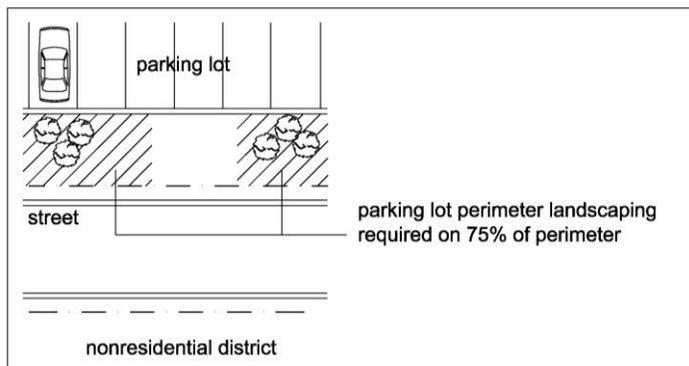


Figure 98-2: Street Yard Perimeter Landscaping Opposite Nonresidential Zoning

- (3) Parking lot perimeter landscaping may consist of shrubs, ornamental grasses, trees and perennial plants, all of which must reach a minimum height of thirty-six (36) inches at maturity. See Figure 98-3.

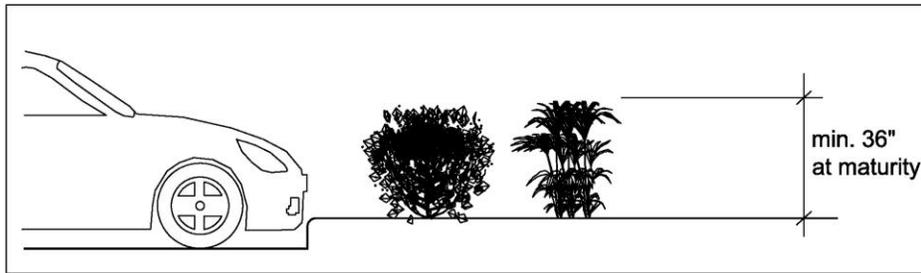


Figure 98-3: Perimeter Landscape Plant Height

- (4) Shade or ornamental trees must be provided within required parking lot perimeter landscape areas at a rate of at least one (1) tree per thirty (30) linear feet of street frontage, rounded to the nearest whole number. Existing trees may be counted toward satisfying parking lot perimeter tree planting requirements. See Figure 98-4.

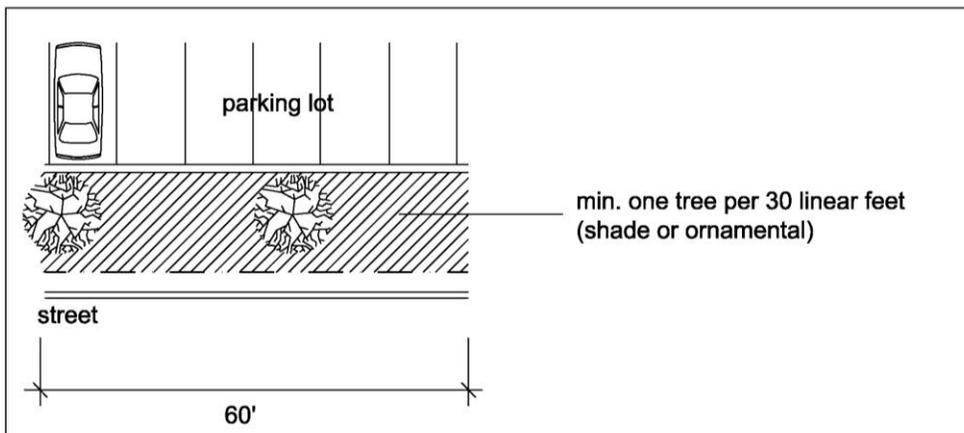


Figure 98-4: Trees within Street Yard Perimeter Landscape Areas

C. Interior Yards

- (1) When a parking lot is located in the interior side or rear yard of a lot abutting a nonresidential zoning district, parking lot perimeter landscaping must be provided as follows:
 - (a) Landscaping provided in plant groupings of no less than three (3) live plants must be provided along at least 50% of the parking lot perimeter along the abutting interior side and rear lot lines. See Figure 98-5.

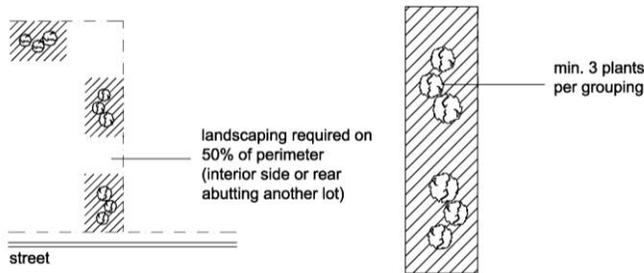


Figure 98-5: Perimeter Landscaping within Interior Yards

- (b) Parking lot perimeter landscaping may consist of shrubs, ornamental grasses, trees and perennials, all of which must reach a minimum height of thirty-six (36) inches at maturity. See 98-3.
- (2) When a parking lot is located in the interior side or rear yard of a lot abutting a residential zoning district, the parking lot perimeter landscaping required by [§163-98.C \(1\)](#) must be supplemented by installation of a solid wood fence, wall, or comparable visual barrier with a minimum height of 6 feet along 100% of the parking lot perimeter immediately abutting the R- zoned property. See Figure 98-6.

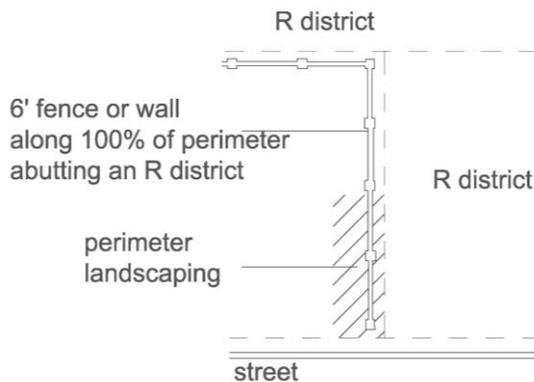


Figure 98-6: Supplemental Wall or Fence Abutting R-zoned Property

D. General

- (1) Landscape material used to satisfy the parking lot perimeter landscaping requirements of this section are subject to the landscape material and design regulations of [§ 163-102.](#)

§ 163-99. Parking lot interior landscaping.

A. Applicability

The parking lot interior landscaping requirements of this section apply to all of the following:

- (1) the construction or installation of any new surface (open) parking lots containing six (6) or more parking spaces; and
- (2) the expansion of any existing surface (open) parking lot if the expansion would result in six (6) or more total parking spaces, in which case the requirements of this section apply only to the expanded area.

B. Landscape Islands

- (1) Landscape islands must be located at the end of each parking row and within each parking row so that the distance between islands is no greater than twenty (20) parking spaces. See Figure 99-1.

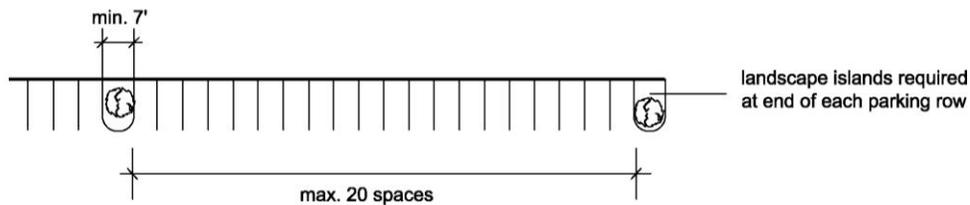


Figure 99-1: Parking Lot Landscape Islands

- (2) Landscape islands must be a minimum of 150 square feet in area when located in a single row of parking spaces and 300 square feet in area when located within a double row of (face-face) parking spaces. Islands must be at least seven (7) feet in width, as measured from the back of curb to back of curb.
- (3) At least one shade tree must be provided for each 150 square feet of landscape island, rounded to the nearest whole number.

C. Landscape Divider Medians

- (1) Landscape divider medians must be provided between at least every three (3) parking modules. Divider medians must be least six (6) feet in width. See Figure 99-2.

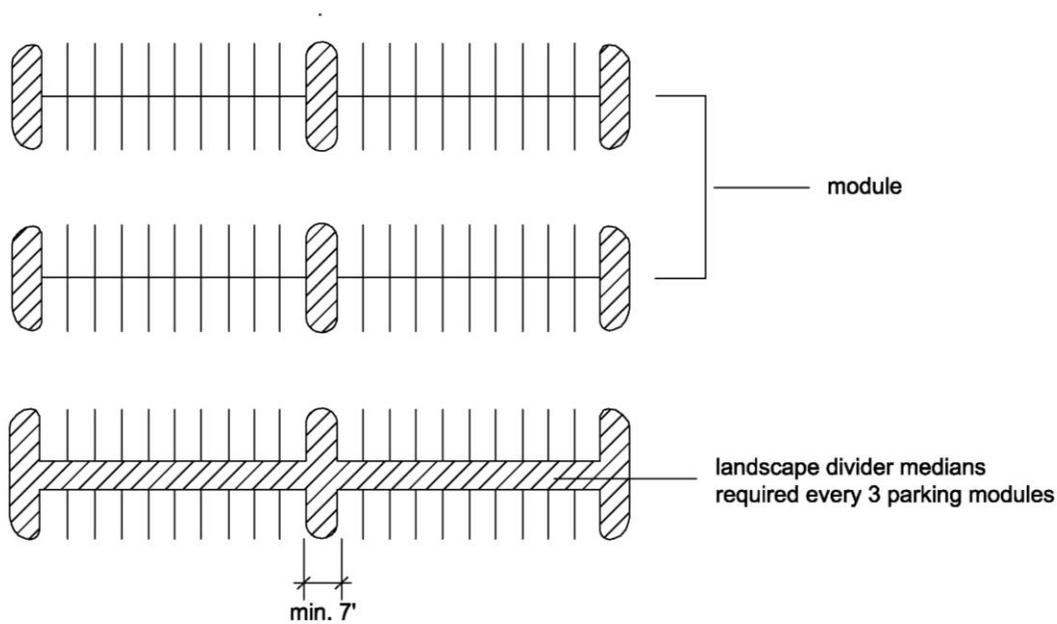


Figure 99-2: Parking Lot Landscape Divider Medians

- (2) At least one (1) shade tree must be provided for each 40 feet of median length, rounded to the nearest whole number. See Figure 99-3

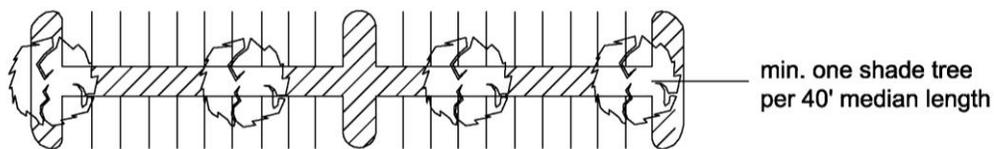


Figure 99-3: Tree Planting within Medians

D. General

- (1) Landscape material used to satisfy the parking lot interior landscaping requirements of this section are subject to the landscape material and design regulations of [§ 163-102](#).
- (2) All landscaped islands and divider medians must be crowned to provide positive drainage or designed to comply with the best management practices for stormwater.
- (3) At least 50% of every landscape island and landscape divider median must be planted with live plant material, such as perennials, ground cover, shrubs, or turf grass to a maximum height of thirty (30) inches at maturity.

§ 163-100. Screening.

A. Applicability: features to be screened

When located on lots occupied by multi-unit residential or nonresidential uses, the following features must be screened from view of public rights-of-way, public open spaces and from lots used or zoned for residential purposes, as specified in this section:

- (1) ground-mounted mechanical equipment;
- (2) roof-mounted mechanical equipment;
- (3) refuse/recycling/grease containers; and
- (4) outdoor storage of materials, supplies and equipment.

B. Ground-mounted Mechanical Equipment

All ground-mounted mechanical equipment over thirty (30) inches in height must be screened from view by a fence, wall, dense hedge, or combination of such features providing at least 80% direct view blocking. The hedge, fence or wall must be at least as tall as the tallest part of the equipment. The hedge must be this tall at the time of planting. See Figure 100-1.

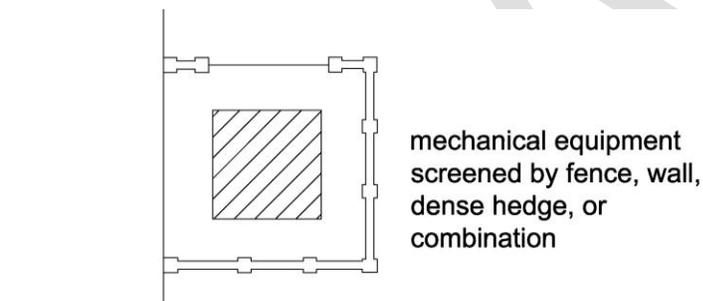


Figure 100-1: Screening of Ground-mounted Equipment

C. Roof-mounted Mechanical Equipment

Roof-mounted mechanical equipment (e.g., air conditioning, heating, cooling, ventilation, exhaust and similar equipment, but not solar panels, wind energy or similar renewable energy devices) must be screened from ground-level view in one of the following ways (and as illustrated in Figure 100-2):

- (1) a parapet that is as tall as the tallest part of the equipment;
- (2) a screen around the equipment that is at least as tall as the tallest part of the equipment, with the screen providing at least 80% direct view blocking and which is an integral part of the building's architectural design.

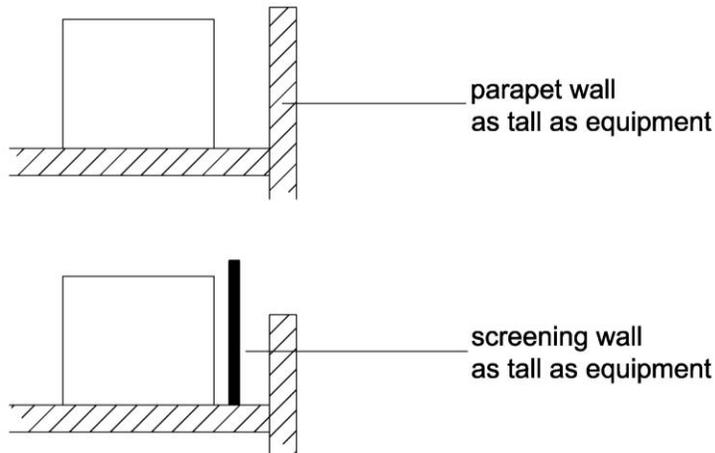


Figure: 100-2 Screening of Roof-mounted Equipment

D. Refuse/Recycling Containers

Refuse/recycling and similar containers must be located on an appropriately designed concrete or other paving material pad and apron and screened from view of streets and all abutting lots with a wall or other screening material providing at least 80% direct visual screening at least six (6) feet in height. Refuse/recycling containers may not be located in street yards. Enclosure doors must be located and designed so that, to the maximum extent possible, they do not face towards an abutting property, sidewalk, or street. Residential dwellings utilizing curbside pick-up service are exempt from these screening requirements. See Figure 100-3.

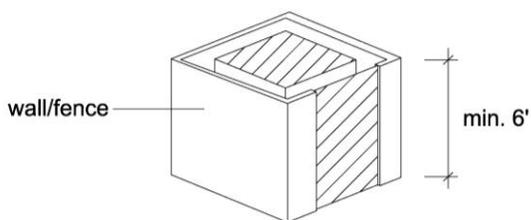


Figure 100-3: Screening of Refuse/Recycling Containers

E. Outdoor Storage of Materials, Supplies and Equipment

All stored materials, supplies, merchandise, vehicles, equipment, or other similar materials not on display for direct sale, rental or lease to the ultimate consumer or user must be screened by a fence, wall, dense hedge, or combination of such features with a minimum height of six (6) feet at the time of installation.

F. Landscape Materials and Design

Landscape material used to satisfy the screening requirements of this section must be ever-greens and are subject to the landscape material and design regulations of Section [§ 163-102](#).

§ 163-101. Landscape plans.

All applications for development and construction activities that are subject to the landscape and screening regulations of this article must be accompanied by a landscape plan. No building permit or similar authorization may be issued until the Code Enforcement Officer determines that the landscaping and screening regulations of this article have been met.

§ 163-102. Landscape material and design.

A. Landscaping with Required Landscape Areas

All required landscape areas must be sodded or seeded with turf grass or appropriate ground cover. Alternatives that comply with the best management practices for stormwater are also allowed. Areas not required to be covered with live plant material must be covered with organic, biodegradable mulch.

B. Existing Trees and Vegetation

Existing non-invasive trees may be counted toward satisfying the landscaping and screening regulations of this article if they are located within the subject area and they comply with the plant height and size requirements of this section.

C. Plant Selection

- (1) Trees and plants selected for required landscape areas must be well-suited to the microclimate and on-site soil conditions. Native plant species are preferred but other plant species may be approved by the Planning and Zoning Commission.
- (2) Trees and plant material must comply with the specifications found in American Standards for Nursery Stock (ASNS).
- (3) Invasive species may not be used to meet landscape requirements.
- (4) All plant materials are subject to the approval of the Planning and Zoning Commission.

D. Trees

1. Ornamental

Ornamental trees used to satisfy the requirements of this article must be at least four (4) feet in height at time of installation.

2. Shade

Shade trees used to satisfy the requirements of this article must be a minimum 2.5-inch caliper at time of installation.

E. Shrubs

Shrubs used to satisfy the requirements of this article must be at least eighteen (18) inches in height at time of installation.

F. Ornamental Grasses and Perennials

Ornamental grasses and perennials used to satisfy the requirements of this article must be at least twelve (12) inches in height at time of installation.

G. Curbs and Vehicle Barriers

- (1) Landscaped areas in or abutting parking lots must be protected by concrete curbing, anchored wheel stops, or other durable barriers. Alternative barrier designs that provide improved infiltration or storage of stormwater are encouraged.
- (2) Curbs protecting landscape areas may be perforated, have gaps or otherwise be designed to allow stormwater runoff to pass through them.

H. Installation

- (1) All landscaping must be installed in a sound manner and in accordance with accepted landscape planting practices.
- (2) Newly planted trees may not be staked or guyed unless they are unable to stand upright without support. Any staking and guying materials must be removed within one (1) year of installation.

I. Maintenance

The property owner, occupant, tenant and respective agent of each, if any, are jointly and severally responsible for the maintenance and protection of all required landscaping, in accordance with all of the following regulations:

- (1) Landscaping must be kept reasonably free of visible signs of insects and disease and appropriately irrigated to enable landscaping to exist in a healthy growing condition.
- (2) Landscaping must be mowed or trimmed in a manner and at a frequency appropriate to the use of the material and species on the site so as not to detract from the appearance of the general area. Growth of plant material at maturity must be considered where future conflicts such as view, signage, street lighting, utilities and circulation might arise.
- (3) All landscaping must be maintained to minimize property damage and public safety hazards, including removal of invasive species, dead or decaying plant material, and removal of low-hanging branches next to sidewalks and walkways obstructing street lighting.

(4) Failure to maintain landscaping is a violation of this Chapter.

§ 163-103. Alternative compliance.

In order to encourage creativity in landscape and screening design and to allow for flexibility in addressing atypical, site-specific development/redevelopment challenges, the Code Enforcement Officer is authorized to approve alternative compliance landscape plans when it is determined that one or more of the following conditions are present:

- A. the site has space limitations or an unusual shape that makes strict compliance impossible or impractical;
- B. conditions on or adjacent to the site such as topography, soils, vegetation or existing structures or utilities are such that strict compliance is impossible, impractical or of no value in terms of advancing the general purposes of this article;
- C. safety considerations such as intersection visibility, utility locations, etc., make alternative compliance necessary; or
- D. creative, alternative landscape plans will provide an equal or better means of meeting the intent of the landscaping and screening regulations of this article.

§ 163-104. Reserved.

ARTICLE XIV. SIGN REGULATIONS

§163-105. Purpose.

The purpose of this article is to establish standards for signage within the Town of Princess Anne that will balance the rights of property owners or commercial tenants to communicate their message with the public's right to be free of unreasonable distractions. The reasonable display of signs is necessary to the conduct of commerce and industry and necessary to further the cause of public safety and promote the overall quality of life, health and welfare of the citizens of the Town of Princess Anne, enhance the architectural and historical character of the Town and reflect the moral and social integrity of the community.

FROM § 163-77

§ 163-106. Definitions.

A. As used in this article, the following terms shall have the meanings indicated:

General definitions.

SIGN - Any structure, display or device that is arranged, intended, designed or used as an advertisement, announcement, identification, description, instruction or direction to attract the attention of persons not on the premises on which the sign is located, including interior signs legible from the exterior of a building constituting an element of the exterior appearance of a building.

SIGN AREA MEASURE. The area of a sign shall be computed as including the area within a regular geometric form or forms comprising all of the display area of the sign face. The structural elements of the sign shall not be included unless they are an integral part of the message.

SIGN FACE. The surface of a sign upon, against or through which the message is displayed or illustrated on the sign.

SIGN SETBACK MEASUREMENT. Setback for signs measured from the prevailing edge of any part of a sign, structural or otherwise.

STREET FRONTAGE. For the purpose of determining total sign area permitted on a lot, "street frontage" shall mean the length of a building measured at grade that faces on a public thoroughfare. In the case of a building that has more than one frontage, each frontage shall be addressed independently.

B. Location definitions.

CENTRAL BUSINESS DISTRICT. Properties fronting on both sides of Main Street (Somerset Avenue) from Broad Street to Antioch Avenue.

GROUND SIGN. A detached sign, which shall include any sign supported by uprights, pylons or braces, placed upon or in the ground, supported by the ground and not attached to any building.

MARQUEE OR SOFFIT SIGN. A sign affixed to, hung from or in a marquee or soffit, which may or may not have movable letters. A sign on or attached to any awning or canopy shall be considered a marquee sign.

PROJECTING SIGN. Any sign attached to and supported by a building and extending more than 15 inches beyond the prevailing edge of any component of a building, structural or nonstructural.

ROOF SIGN. Any sign erected and constructed wholly on or over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof. Any sign erected or constructed as an integral part of a roof structure of any design, whether projecting above the highest portion of the roof or not. Any sign which is erected, constructed or maintained above the lowest prevailing edge of any roof.

WALL SIGN. Any sign attached parallel to, painted upon, erected against or incorporated in the outside wall of any building supported by such wall and displaying only one sign surface.

C. Type definitions.

BULLETIN BOARD SIGN. A sign of permanent character with movable letters, words, numbers or figures, indicating persons, events, services or products associated with, conducted on or offered on the premises on which the sign is maintained.

BUSINESS SIGN. A sign attracting attention to a business, commodity, service or entertainment conducted, sold or offered on the same premises where the sign is located.

DIRECTIONAL SIGN. A sign not used for advertising but giving directions only for accommodations, services, traffic routing, industries, schools, churches, parks, historic buildings or features.

ELECTRONIC OR DIGITAL SIGN. Any sign, display or device that changes its message or copy by programmable electronic or digital processes and displays text by illumination elements in the sign face.

FLASHING SIGN. Any sign on which artificial or reflected light is not maintained stationary and constant in intensity and color. Any sign which revolves or moves.

IDENTIFICATION SIGN. A sign identifying a permanent development or subdivision, limited to two faces.

ILLUMINATED SIGN. Any sign designed to give forth artificial light from within the sign, including signs with exposed bulbs or fluorescent or neon tubes.

INDIRECTLY ILLUMINATED SIGN. A sign that is illuminated from an external source, which source is so arranged that no direct rays of light are projected into an adjoining property or a public way and the source of the indirect lighting is not visible.

INSTRUCTIONAL SIGN. A sign conveying instructions with respect to the premises on which the sign is located, such as "entrance," "exit," "no trespassing," "danger" and similar signs.

OUTDOOR ADVERTISING STRUCTURE SIGN. Any structure which contains a sign, poster, panel, billboard, painted bulletin or any other surface, device or display which advertises a business, profession, commodity, service, entertainment or event conducted, sold or offered elsewhere than the premises where the advertising structure is located.

POLITICAL SIGN. A sign which is designed to influence voters to promote candidates for office.

SUSPENDED SIGN. A sign that is suspended from the underside of a horizontal plane and is supported by that plane.

TEMPORARY SIGN. Any sign erected for a specific period of time and/or not permanently attached to the ground or a building.

WINDOW SIGN. Any sign, pictures, symbols, graphics or combination thereof placed, painted or etched inside a window or upon the window panes or glass and which is legible from the exterior of the building.

§ 163-107. General provisions.

- A. No sign may be erected, constructed, posted, altered or relocated unless a permit has been issued by the Town. Signs permitted by [§ 163-109](#) do not require a permit. Before any permit is issued, an application provided by the Town shall be filed with drawings and specifications as necessary to fully describe the location, construction, materials, color, type of illumination, number of signs applied for and the wording or advertisement to be carried on the sign. All permitted signs shall be erected within 90 days of the date of issuance of the permit or the permit shall become void. Fees for sign permits shall be in accordance with the fee schedule described in Chapter 52, Building Construction, § 52-9, of the Town Code.
- B. Illuminated signs in the Central Business District shall not exceed a maximum height of 18 inches and a maximum width of 18 inches when utilizing neon.
- C. Existing nonconforming signs in all districts advertising businesses, services or events that are no longer operating or being conducted or offered shall be removed within 60 days of the discontinuation of such activity.
- D. A nonconforming sign may not be changed, moved or replaced except for maintenance or repair or to bring such into compliance with this article. Movable letters or characters on signs so designed to accommodate periodic changes of messages are not subject to this requirement. For maintenance, repair or periodic message changes, no permit shall be required.
- E. Any sign used and located entirely within a building and not visible from the exterior of the building and not intended to be a component of the exterior appearance of the building is exempt from the standards of this article.

- F. Where setbacks are specified as measured from the curb line and no curb is present, then the setback shall be measured from the property line.
- G. Where separate letters or characters comprising part of a message are placed on a wall, the spaces between the characters shall be included in the area computation.
- H. Only one face of a sign shall be used to calculate area, provided that the faces are placed back to back, parallel, supported internally and are of the same dimensions.
- I. Any appeal of the requirements of this article or of a decision of the Code Enforcement Officer shall be made in accordance with [Article XII](#) of this Chapter.
- J. A violation of this article shall be declared a municipal infraction and shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-8, of the Town Code.
- K. Appearance
 - (1) Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings. Scale is the size of sign in relation to the other structures on the site and is assumed to be less than or equal to the maximum sign area allowed in the district depending on the particular context. Proportion refers to the size of parts of the sign in relationship to other parts of the sign.
 - (2) Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.
 - (3) The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.
 - (4) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the sign face.
 - (5) Each sign shall be compatible with the signs on adjoining premises and shall not compete for attention.
 - (6) All signs must be professionally constructed and maintained in good repair.
 - (7) Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

§ 163-108. Signs prohibited in all districts.

The following signs are prohibited in all districts:

- A. Any sign which obstructs motorists' vision of intersections, traffic control signals, traffic signs or traffic movement.

- B. Signs attached to trees or utility poles.
- C. Signs attached to any vehicle parked temporarily or permanently for the sole purpose of advertising.
- D. Flashing signs (except as provided in [§ 163-107.B](#)).
- E. Outdoor advertising structure signs.

§ 163-109. Signs permitted in all districts.

The following signs are permitted in all districts:

- A. Signs erected by, on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs and traffic, directional or regulatory or instructional signs. No permit shall be required.
- B. Political signs on existing outdoor advertising structures and on private property. No permit shall be required.
- C. Temporary signs, including banners, announcing or celebrating social or cultural events or holidays, with permission from the Town Manager and Code Enforcement Officer. The temporary sign must be removed within five (5) days after the event.
- D. One temporary sign per business announcing business events, such as special sales or offerings of goods or services on the premises where the sign is located. The temporary sign must be removed within five days (5) after the event. No permit shall be required.
- E. No trespassing or no hunting signs, without limitation on number or placement, limited in area to two (2) square feet. No permit shall be required.
- F. One name plate, limited in area to two (2) square feet, to identify the owner or occupant of a dwelling or building.

§ 163-110. Signs permitted in specific districts.

- A. Signs permitted in the R-1 Zoning District shall be as follows:
 - (1) One (1) bulletin board not exceeding 24 square feet in area for churches, schools or other public institutions. It may be indirectly illuminated or illuminated, a maximum of five (5) feet above grade and set back fifteen (15) feet from the curb line.
 - (2) Two (2) temporary real estate signs, not more than eight (8) square feet in area each, advertising for sale or rent the premises on which the signs are located.
 - (3) One (1) non-illuminated or indirectly illuminated sign identifying a home occupation, as specified in the definition of "home occupation."

- (4) One (1) identification sign for a development or subdivision at each entrance to the development, a maximum of five (5) feet above grade, not exceeding twenty (20) square feet in area per face, limited to two faces and set back fifteen (15) feet from the curb. It may be non-illuminated or indirectly illuminated.
 - (5) One name plate, limited in area to two (2) square feet, to identify the owner or occupant of a dwelling or building.
- B. Signs permitted in the R-2 Zoning District shall be as follows: all signs listed for the R-1 District.
- C. Signs permitted in the Central Business District shall be as follows:
- (1) Any sign permitted in the R-1 District, which shall be included in the total area measure for business signs.
 - (2) Business signs with a total maximum area of one (1) square foot for every two (2) linear feet of street frontage. Permitted locations are ground, wall and marquee, as follows:
 - (a) One (1) ground sign, non-illuminated, illuminated or indirectly illuminated, not exceeding twenty (20) feet in height, twenty (20) square feet in total sign surface area and set back ten (10) feet from the curb line.
 - (b) One (1) wall sign per building entrance, non-illuminated, illuminated or indirectly illuminated, not exceeding fifteen (15) square feet in area per building face for each business on the premises.
 - (c) One marquee sign per building face, non-illuminated or indirectly illuminated, not to exceed six (6) square feet in surface area, not projecting beyond the prevailing edge of any part of the building, awning or canopy.
- D. Signs permitted in the C-1 District shall be as follows:
- (1) All signs permitted in the R-1 District, which shall be included in the total area measure for business signs.
 - (2) Business signs permitted in the Central Business District, with the exception that total area shall not exceed one (1) square foot for each linear foot of street frontage.
 - (3) Electronic or digital signs are permitted for public service announcements by public or quasi-public entities, subject to the following limitations, standards and requirements:
 - (a) The sign shall be set back at least fourteen (14) feet from the curb line of a street.
 - (b) The top of the sign face shall be located at a maximum height of ten (10) feet six (6) inches.
 - (c) The sign face shall have a height no greater than four (4) feet and a width of no greater than eight (8) feet.

- (d) The sign shall be programmed so that a message or image on the sign changes no more than once every ten (10) seconds.
- (e) The sign image shall not show movement, blinking, animation, scrolling, flashing, or similar effects.
- (f) Changes of image shall occur within one (1) second and shall not use blinking, fading, rolling, shading or similar effects as part of the change.
- (g) Animation and sound shall be prohibited.
- (h) The signs shall use automatic light level controls at night and under cloudy and other darkened conditions, in accordance with the following:
 - [1] All electronic or digital displays shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.
 - [2] Maximum brightness levels for electronic or digital signs shall not exceed 5,000 nits when measured from the sign face at its maximum brightness during daylight hours.
 - [3] Maximum brightness levels for electronic or digital signs shall **[not]** exceed 500 nits when measured from the sign face at its maximum brightness between sunset and sunrise.
 - [4] Electronic or digital signs shall contain a default design which will freeze the message in one position with no more than a maximum illumination of 500 nits if a malfunction occurs.
 - [5] Electronic or digital signs shall be separated by a minimum of 1,000 feet.

E. Signs permitted in the C-2 District shall be as follows:

- (1) All signs listed for the R-1 District.
- (2) Business signs permitted in the Central Business District, with the exception that the total area **shall** not exceed two (2) square feet for each linear foot of street frontage.
- (3) Electronic or digital signs are permitted, subject to the following limitations, standards and requirements:
 - (a) The sign shall be set back at least ten (10) feet from the curb line of a street.
 - (b) A sign frame may extend to a maximum height of twenty (20) feet.
 - (c) The sign face shall have a height no greater than four (4) feet and a width of no greater than eight (8) feet.

- (d) The sign shall be programmed so that a message or image on the sign changes no more than once every ten (10) seconds.
- (e) The sign image shall not show movement, blinking, animation, scrolling, flashing, or similar effects.
- (f) Changes of image shall occur within one (1) second and shall not use blinking, fading, rolling, shading or similar effects as part of the change.
- (g) Animation and sound shall be prohibited.
- (h) The signs shall use automatic light level controls at night and under cloudy and other darkened conditions, in accordance with the following:
 - [1] All electronic or digital displays shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.
 - [2] Maximum brightness levels for electronic or digital signs shall not exceed 5,000 nits when measured from the sign face at its maximum brightness during daylight hours.
 - [3] Maximum brightness levels for electronic or digital signs shall not exceed 500 nits when measured from the sign face at its maximum brightness between sunset and sunrise.
 - [4] Electronic or digital signs shall contain a default design which will freeze the message in one position with no more than a maximum illumination of 500 nits if a malfunction occurs.
 - [5] Electronic or digital signs shall be separated by 250 feet from the nearest residential use property line.
- (i) Master Signage Plan
 - [1] The Planning and Zoning Commission may modify the standards for signs in the C-2 General Commercial District for a shopping center or other commercial, business, or institutional development that involves more than one use on a single property in accordance with a master signage plan upon a finding that the proposed sign plan represents a reasonable display of signs the context of surrounding properties and existing signs.
 - [2] Information Required. A Master Signage Plan shall contain the following information:
 - [a] An accurate plot plan of the proposed development site, at such scale as the Code Enforcement Officer may reasonably require;
 - [b] Location of buildings, parking lots, driveways, and landscaped areas;

- [c] Computation of the proposed maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs;
- [d] Sign plans and photo simulation of the signs in the proposed location; and
- [e] An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

[3] Proposed standards for consistency among all signs affected by the Master Signage Plan with regard to:

- [a] Color scheme;
- [b] Lettering or graphic style;
- [c] Lighting;
- [d] Location of each sign on the buildings;
- [e] Material; and
- [f] Sign proportions.

[4] No sign permit shall be issued for a sign included in a master signage plan that does not conform to the standards of the master signage plan. A master signage plan may be amended at any time.

F. Signs permitted in the I-1 District shall be as follows: all signs listed as permitted in the R-1, R-2, C-1 and C-2 Districts.

§ 163-111. Signs standards in the I-P district.

No sign shall be permitted in the I-P District which does not conform to the requirements of this section.

- A. No sign shall be permitted in the I-P District which does not conform to the requirements of this section. The area of a sign shall include the entire face of the sign and all work incidental to its decoration. The area shall include the space between letters, figures and designs, except where they are mounted directly on the architectural face of the building with no other decorative wall work. The actual faces of these letters, figures and designs on the wall shall constitute the sign, and the spaces between them shall not be considered part of the sign. To calculate the area of the faces of these letters, figures and designs, the square footage of the sign, as would be normally computed.
- B. The light from any illuminated sign shall be shaded, shielded or directed so that the light intensity does not adversely affect neighboring areas.

- C. Identification signs must identify the primary company name only and shall not be used as an advertising vehicle.
- D. No logos or other signs may be mounted so as to project above the roofline of any facility.
- E. Ground-mounted signs must be set back at least 20 feet from property lines and may not exceed a height of twelve (12) feet.
- F. The following signs are prohibited:
 - (1) Freestanding signs unless approved by the Planning and Zoning Commission.
 - (2) Pennants, pinwheels and similar circus- or carnival-type attractors which are visible from the street or from residential property.
 - (3) Signs which obstruct any opening intended to provide ingress or egress from any building or structure.
 - (4) Signs which obstruct the view of traffic control devices.
 - (5) Outdoor advertising signs and billboards.
- G. Design standards. Design of any sign shall be approved by the Planning and Zoning Commission. It shall generally conform to the following regulations:
 - (1) In the I-P District, if all of the permissible sign area is to be used on a building, the area of all of the signs on a building shall be not more than one (1) square foot for each two (2) linear feet of width along the front of a building (measured along the wall facing the front of the lot or the wall containing the principal entrance to the building, whichever is greater) to a maximum of one hundred (100) square feet. If the building is on a corner lot, a portion of the allowed sign area may be displayed on the side street; however, it shall be limited to fifty (50) square feet if the front lot line of any residentially zoned lot or lot land proposed to be used for residential purposes is located on either side of the street between the subject property and the next intersecting street.
 - (2) If all of the permissible sign area is to be used on a canopy which is located at least forty (40) feet behind the street line, the provisions of Subsection G(1) above shall apply, measured along the front wall of the building or the front edge of the canopy (whichever has the greater width).
 - (3) If the permissible sign area is to be divided between a building and a canopy, the provisions of Subsection G(1) and (2) above (as applicable to the particular building and canopy on the subject property) shall be used to determine the permissible sign area on each structure on a prorated basis. (For example, if the permissible sign area on a building is 100 square feet and the permissible sign area on a canopy is fifty (50) square feet and the applicant chooses to allocate 50% of the permissible sign area to each structure, the permissible sign area on the building would be fifty (50) square feet and the permissible sign area on the canopy would be twenty-

five (25) square feet. As the percentage of total permissible sign area allocated to each structure varies, the permissible sign area on each structure varies accordingly.)

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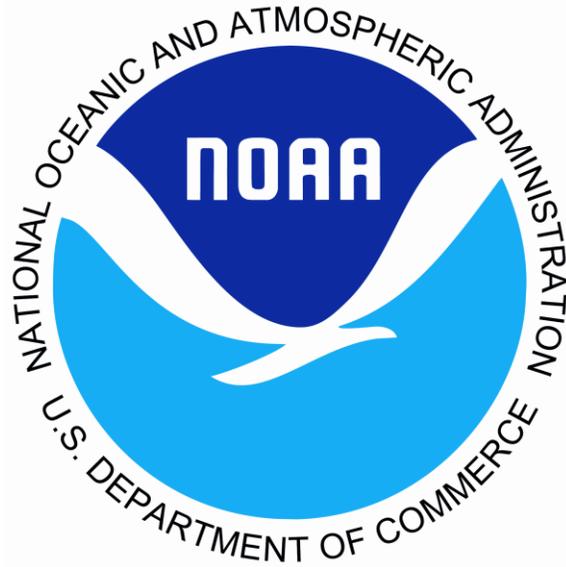
**APPENDIX A
BASIC INFORMATION REQUIRED ON SITE PLAN
PERMIT APPLICATIONS**

NOTE: All plats and plans must be clear and legible. Incomplete plats will be returned to the applicant for completion and re-submission

Item#	DESCRIPTION	Minor Site Plan	Development Stage	
			Prelim.	Final
			Major Site Plan	
I.	PROJECT-PLAT INFORMATION			
1	Name, address of owner, applicant, developer and lienholder, date of application.	X	X	X
2	Name and address of engineer, land surveyor architect, planner, and/or landscape architect, as applicable, involved in document preparation.	X	X	X
3	Date of survey.	X	X	X
4	Seal, signature and license number of engineer, land surveyor, architect, and/or landscape architect, as applicable involved in document preparation. Each sheet must have a surveyor's seal.	X	X	X
5	Title block denoting name and type of application, tax map sheet, block and lots, parcel, and street location.	X	X	X
6	A vicinity map at a specified scale (no smaller than 1"=200') showing location of the tract with reference to surrounding properties, streets, landmarks, streams, etc. Show all of the property owned according to the Tax Map(s) if only part of the property is to be developed.	X	X	X
7	Existing and proposed zoning of tract and adjacent property from Official Zoning Map.	X	X	X
8	Adjacent property owners, names, Liber and Folio.	X	X	X
9	Title, north arrow and scale (1"=100').	X	X	X
10	Appropriate signature block for planning and zoning commission chairman, and the health department.	X	X	X
11	Appropriate certification blocks.	X		X
12	Certification and dedication by the owner or owners to the effect that the subdivision as shown on the final plat is made with his or her consent and that it is desired to record same.	X		X
13	Monumentation, location and description.	X		X
14	Standardized sheets 18"x24" (final - black ink on mylar).	X	X	X
15	Metes and bounds survey showing dimensions, bearings, curve, data, length of tangents, radii, arc, chords, and central angles for all centerlines and rights-of-way, and centerline curves on streets, datum and benchmark, primary central points. (Boundary of proposed subdivision can be a deed plot).	X	X	X
16	Acreage of tract to the nearest thousandth of an acre.	X	X	X
17	Date of original and all revisions.	X	X	X
18	Size and location of any existing or proposed structures with all setbacks dimensioned. Include storm drains, culverts, retaining walls, fences, stormwater management facilities, sediment and erosion structures.	X	X	X
19	Number of dwelling units if applicable	X	X	X
20	Location, dimensions, bearings, names of any existing or proposed roads or streets. The location of pedestrian ways, driveways. Right of way widths.	X	X	X
21	All proposed lot lines (width and depth) and area of lots in square feet, number of lots, lot numbers.	X	X	X

Item#	DESCRIPTION	Minor Site Plan	Development Stage	
			Major Site Plan	
			Prelim.	Final
22	Location and type of utilities.	X	X	
23	Copy and/or delineation of any existing or proposed deed restrictions or covenants.	X	X	
24	References to protective covenants governing the maintenance of undedicated public spaces or reservations.	X		X
25	Location and size of proposed play grounds, and other public use areas.		X	X
26	Any existing or proposed easement (drainage and utility) or land reserved for or dedicated to public use. Location, dimensions of proposed reservations, right of ways, open space, buffers, forested areas along with means by which these areas will be permanently maintained.	X	X	X
27	Statement of owner dedicating streets, right-of-way, and any sites for public use.	X		X
28	Total number of off-street parking spaces including ratio and number of units per space.	X	X	
29	List of required regulatory approvals/permits.	X	X	X
30	List of variances required or requested.	X	X	X
31	Requested or obtained design waivers or exceptions.	X	X	X
32	Payment of application fees.	X	X	X
33	Total area of the site that will be temporarily and/or permanently disturbed.	X	X	
II.	SETTING-ENVIRONMENTAL INFORMATION			
34	All existing streets, water courses, flood plains wetlands, or other environmentally sensitive areas on or adjacent to the site.	X	X	
35	Existing rights-of-way and/or easements on or immediately adjacent to the tract.	X	X	X
36	Topographical features of subject property from USGS map or more accurate source at 2'-5' intervals, 50' beyond the boundary, with source stated on maps.		X	
37	Field delineated or survey topo.	X		X
38	Forest Stand Delineation (If required).	X	X	
39	Existing system of drainage of subject site and adjacent sites and of any larger tract or basin of which it is a part.	X	X	X
40	A 100 Year Flood Plain based on FEMA maps.	X	X	X
42	Tidal and non-tidal wetland delineation based on NWI maps and field review.	X	X	
43	Non-tidal wetlands identification based on field delineation/determination.			X
44	Soil types based on Soil Survey.	X	X	
45	Traffic Impact Study, as required.		X	
The following additional information items are required in the areas designated Critical Areas				
46	Location of the Critical Area District boundary and Critical Area designation.	X	X	X
47	Number of acres in the Critical Area.	X	X	
48	Mean high waterline and landward edge of tidal wetlands.	X	X	
49	Location of existing forested areas to be disturbed by construction. Planting plan approved by the Maryland Forest Service (if required).	X	X	
50	The known locations of HPA's, the habitat of any threatened or endangered species, and the habitat of any Species in Need of Conservation. Habitat Protection Plan reviewed by the Maryland Fish, Heritage and Wildlife	X	X	X

Item#	DESCRIPTION	Minor Site Plan	Development Stage	
			Major Site Plan	
			Prelim.	Final
	Administration.			
51	The location of the Critical Area Buffer and the expanded Buffer, as required.	X	X	X
52	Hydric and highly erodible soils based on the County Soil Survey.	X	X	
53	Buffer Management Plan, if applicable.			X
54	Shore erosion protection plan, if applicable.			X
55	Statement of consistency with the Critical Area Program.	X	X	
III.	PLATS, IMPROVEMENT PLANS, AND CONSTRUCTION INFORMATION			
56	Subdivision Plat meeting requirements of Subdivision Regulations if applicable.	X		X
57	Grading and drainage plans including roads, drainage ditches, sediment basins, and berms.	X	X	X
58	Existing and proposed contour intervals	X	X	X
59	Existing and proposed utility infrastructure plans and profiles including sanitary sewer, water, storm drainage and stormwater management.	X	X	X
60	Grades and sizes of sanitary sewers and waterlines.	X	X	X
61	Direction and distance to water and sewer if not available on or adjacent to the site with invert and elevation of sewer.	X	X	
62	Location of fire hydrants.		X	X
63	Construction details as required by ordinance.	X		X
64	Stormwater Management Plan.	X	X	X
65	Soil Erosion and Sediment Control Plan.	X	X	X
66	Lighting plan and details, as required.			X
67	Landscape plan and details.	X	X	X
68	Forest Conservation Plan		X	X
69	Preliminary architectural plans and elevations.		X	X
70	Required County, State, and/or Federal or approvals, e.g., State Highway Administration, County Public Works, Army CORPS of Engineers, DNR Wetlands Permit/License, MDOE Quality Certification, MDOE sanitary construction permit, local Health Department approvals.	X		X
71	Public works agreement and surety instruments.			X



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