

Chesapeake Bay Critical Area Commission
Department of Housing and Community Development
Crownsville, Maryland 21401
Conference Room 1100A

January 6, 1999

AGENDA

1:00 p.m. - 1:05 p.m. Approval of Minutes
of December 2, 1998
2 John C. North, II, Chair

PROGRAM AMENDMENTS and REFINEMENTS

1:05 p.m. - 1:15 p.m. Refinement/ Queen Anne's County
Zoning Ordinance Susan McConville, Planner

1:15 p.m. - 1:25 p.m. Refinement/ Harford County
Flying Point Marina BEA Dawnn McCleary, Planner

1:25 p.m. - 1:35 p.m. Refinement/ Dorchester County
Hooper's Island BEA Mary Owens, Chief Pgm.
Implementation

1:35 p.m. - 1:55 p.m. Refinement/ Kent County
Growth Allocation & Resort Refinements Tracy Batchelder, Planner

1:55 p.m. - 2:10 p.m. Refinement/ Dorchester County
Comp. Zoning Ordinance Revision Mary Owens, Chief, Pgm.
Implementation

2:10 p.m. - 2:30 p.m. OLD BUSINESS John C. North, II, Chairman

NEW BUSINESS

DHED Thru April
mtgs

SUBCOMMITTEES

9:30 a.m. - 11:30 a.m. Program Implementation Subcommittee

Members: Whitson, Evans, Moxley, Robinson, Myers, Barker, Williams, Wynkoop, Foor, Pinto, Johnson, Lawrence, Taylor-Rogers, Duket

Queen Anne's County Zoning Ordinance
Harford County/Flying Point Marina BEA
Dorchester County/BEA

Susan McConville, Planner
Dawnn McCleary, Planner
Mary Owens, Chief, Pgm.
Implementation

Kent Co/Growth Allocation & Resort Refinements
Dorchester Co/Comp. Zoning Ordinance Revision

Tracy Batchelder, Planner
Mary Owens, Chief, Pgm.

Anne Arundel County/RCA Uses

Implementation
Ren Serey, Executive Director

11:00 a.m. - 12:00 p.m. Project Subcommittee

Members: Langner, Bourdon, Giese, Goodman, Corkran, Foor, Jackson, Cooksey, Hearn, Van Luven

INFO SHA/ Woodrow Wilson Bridge Repl.
Discussion of Project & Mitigation Issues

Lisa Hoerger, Enviro. Specialist

Chesapeake Bay Critical Area Commission
 Eastport Yacht Club
 First Street
 Annapolis, Maryland 21401
 December 2, 1998

Approved

2

The Chesapeake Bay Critical Area Commission met at the Eastport Yacht Club, Annapolis, Maryland. The meeting was called to order by Chairman John C. North, II with the following Members in attendance:

Rogers, Dr. Sarah Taylor-DNR	Myers, Andrew, Caroline Co.
Goodman, Robert, DHCD	Graves, Charles, Baltimore City
Wilde, Jinhee K., Western Shore MAL	Jackson, Joseph A., Worcester County
Duket, Larry, Md. Office Of Plng.	Pinto, Robert, Somerset County
Evans, Diane, A.A. County	Wynkoop, Samuel, Prince George's Co.
Lawrence, Louise, Md. Dept of Agri.	Dr. Foor, James C., Queen Anne's Co.
Johnson, Samuel Q., Wicomico Co.	Williams, Roger, Kent County
Langner, Kathryn, Cecil Co.	Setzer, Gary for Hearn, J.L., Md. Dept. of Environ.
Bourdon, Dave, Calvert Co.	

The Minutes of November 4, 1998 were approved as read.

Mary Owens, Chief Program Implementation, CBCAC, presented for concurrence with the Chairman's determination of Refinement, a correction of a mapping mistake at James Dickson Marina in Dorchester County. The commercial marina was originally and erroneously designated by the County as a Resource Conservation Area. This is believed to be an oversight as most of these properties are designated as Limited Development Areas. The County Commissioners have approved the change subsequent to a public hearing. The Commission supported the Chairman's determination of Refinement.

Susan McConville, Planner, CBCAC presented for Information the Habitat Restoration Plan for the Hart Miller Island in Baltimore County. This is to convert the South Cell at Hart Miller Island, where the deposit of dredge material ceased in 1990, to an environment that would support a variety of animal, aquatic, and avian habitats. She introduced John Wilson of DNR, who lead an interagency team effort to this end. He described in detail the option of the Wetland/Shorebird Alternative which incorporates the existing canals and borrow pits in the restoration design. The restoration involves 20 acres of ponding area, 200 acres of mudflats/wetlands, and 80 acres of upland habitat.

Lee Anne Chandler, Planner, CBCAC presented for VOTE the proposal to extend Maryland Route 765 in Calvert County by the Maryland Department of Transportation, State Highway Administration. Ms. Chandler described the technical details of the proposed 0.5 mile extension to connect two discontinuous segments of existing road and to provide access to a new shopping center. Approximately 80% of the project lies within the Critical Area in an area of intense development. There will be impacts to the 100-foot Buffer due to the presence of a tributary stream in the project area, however, mitigation for all disturbance will be provided. The 10% rule for areas of Intense Development will be met through the construction of two sand filter stormwater management devices and filters have been designed in accordance with MDE's Stormwater Management Guidelines. She said that the Commission staff has recommended approval of the project with conditions. Dave Bourdon moved to approve the project with the following conditions: 1) final approval of all permits by MDE, 2) mitigation in the form of native plantings at a 3:1 ratio for all disturbance within the 100-foot Buffer and approved by Commission Staff. The motion was seconded by Sam Wynkoop and carried unanimously.

Susan McConville, Planner, CBCAC, presented for VOTE the proposal by the Department of Natural Resources to construct a picnic pavilion with restrooms at the Wye Island Natural Resources Management Area in Queen Anne's County. This site is completely within the Critical Area and considered non-intensely developed. No habitat protection areas are affected, including the 100-foot Buffer. Dave Bourdon moved for approval of the project with the following conditions: 1) any trees that are removed during any phase of construction for this project must be replaced on site at 1:1 ratio. 2) the applicant must obtain final MDE waiver for stormwater management, or an approved plan prior to construction and approval for the sediment and erosion control plan prior to construction. The motion was seconded by Bob Goodman and carried unanimously.

Ms. McConville presented for VOTE the Department of Natural Resources' proposal to remove an existing timber boat ramp with pre-cast, concrete beam ram and installation of timber retaining walls to stabilize adjacent banks at the Deal Island Wildlife Management Area in Somerset County. The purpose of this project is for erosion control. This is a non-tidal area considered non-intensely developed. The total disturbance in the Critical Area is less than which would require an Erosion and Sediment Control Plan approval from MDE. There are no impacts to vegetation, no new impervious surface is proposed and no forest clearing is proposed. An MDE tidal wetlands permit has been received. Dave Bourdon moved to approve this project as presented. The motion was seconded by Andrew Myers and carried unanimously.

Ms. McConville presented for VOTE the proposed improvements to Matapeake State Park in Queen Anne's County by the Department of Natural Resources. Under the Park Master Plan the proposed improvements will be to expand the parking area adjacent to a picnic area and boat ramp; the construction of two picnic pavilions; adding hiking trails; adding a new road to access parking at the historic Ferry Depot building and to renovate the building; to construct a new equipment bunker for the existing tower and to remove 5-6 trees which are dead or dying in the 100-foot Buffer. Wes Johnson, Queen Anne's County Parks and Recreation described the details of the proposed project. Dave Bourdon moved for approval of proposed improvements to the Matapeake State Park Master Plan. The motion was seconded by Sam Wynkoop and carried unanimously.

OLD BUSINESS

Ren Serey, Executive Director, CBCAC gave an update on the Wicomico County Critical Area Program. He reminded the Commission that last May the Commission took action regarding the Wicomico County Program which involved a provision entitled "special buffer provisions." Kris Hughes, Planning Director for Wicomico County, talked at that meeting about the consistency of those provisions with the Criteria and Critical Area Law. The Commission determined that this "special Buffer provision" was inconsistent with the Criteria because it allowed, by variance, certain development within the Critical Area Buffer without addressing the Criteria Buffer Variance provisions, substituting other provisions for that. The Commission took action and Chairman North notified the County that it had 90 days to make the necessary corrections to its Program and to submit them to the Commission. That 90 day period expired on September 17th About 5 weeks ago a letter was sent to the County Administrator, Mr. Matt Creamer, notifying the County that no response had been received and that a status was being requested. Mr. Creamer responded that he had turned everything over to the County Planning Director. Mr. Serey said that to date, nothing has been received from the County. Mr. Serey says that that lack of response needs to be addressed.

Marianne Mason, Commission Counsel, advised that a letter should be written stating that their failure to submit an appropriate program amendment will be deemed by the Commission as the County's acquiescence to remove the offending provision of their Program.

Q. Johnson, Wicomico County's representative to the Commission, commented that he believes that

the lack of response is due to the recent election and to the turnover in the County. He also stated that there will be a response now that election business has been settled. Chairman North asked Ms. Mason to prepare a draft letter notifying the County of this decision.

Ren Serey updated the Commission on the City of Annapolis Critical Area Program. He said that changes to the City's Program are now being made bringing the Program into conformance. All the outstanding issues are being worked out and the City is being cooperative.

Ms. Mason updated the Commission on legal matters. She said that the Kelly case at the Board of Appeals in Wicomico County is on remand from the Circuit Court. This case involves a variance for a swimming pool in the Buffer. Last summer, after Chairman North's letter was sent to Wicomico County regarding their Program, the Board of Appeals issued a variance. The Commission appealed this to the Circuit Court and that action had been determined to be null and void since that they had no authority to issue the variance.

The issues in the White case, now in the Court of Appeals in Anne Arundel County, are whether the variance for a swimming pool was properly overturned by the lower Court. The Statute is being challenged as unconstitutional taking.

The Belvoir Farms case from the Board of Appeals in Anne Arundel County is now pending in the Court of Special Appeals. This case involved a variance for more boat slips at a community marina than the Criteria allow. The Belvoir Farms Association has asked the Court of Appeals to take the case before the Court of Special Appeals hears it.

In Talbot County an appeal was refiled with the Board of Appeals for a brick walkway in the Buffer. This is the Mastandrea case which had been remanded back to the Board for lack of a complete record due to faulty recording equipment.

In the City of Annapolis, new houses on new lots in the Buffer are the subject of a hearing before the Board of appeals. We opposed a variance for the new lots. A decision is pending.

NEW BUSINESS

Chairman North announced that he will be hosting a Holiday celebration on December 17th at the Tidewater Colony Clubhouse in Annapolis.

There being no further business, the meeting adjourned.

Representative (?)

Concurrence

Chesapeake Bay Critical Area Commission

STAFF REPORT

January 6, 1999

APPLICANT: Queen Anne's County

PROPOSAL: Pre-mapped Growth Allocation Areas -
Map 1 - Grasonville Community Plan
Map 2 - Stevensville Community Plan

COMMISSION ACTION: Concurrence

STAFF RECOMMENDATION: Approval

STAFF: Susan McConville

**APPLICABLE LAW/
REGULATIONS:**

- Growth Allocation: Natural Resource Law §8-1808.1 and
Critical Area Commission's Growth Allocation Policy
- Refinement: Natural Resource Law §8-1809

DISCUSSION

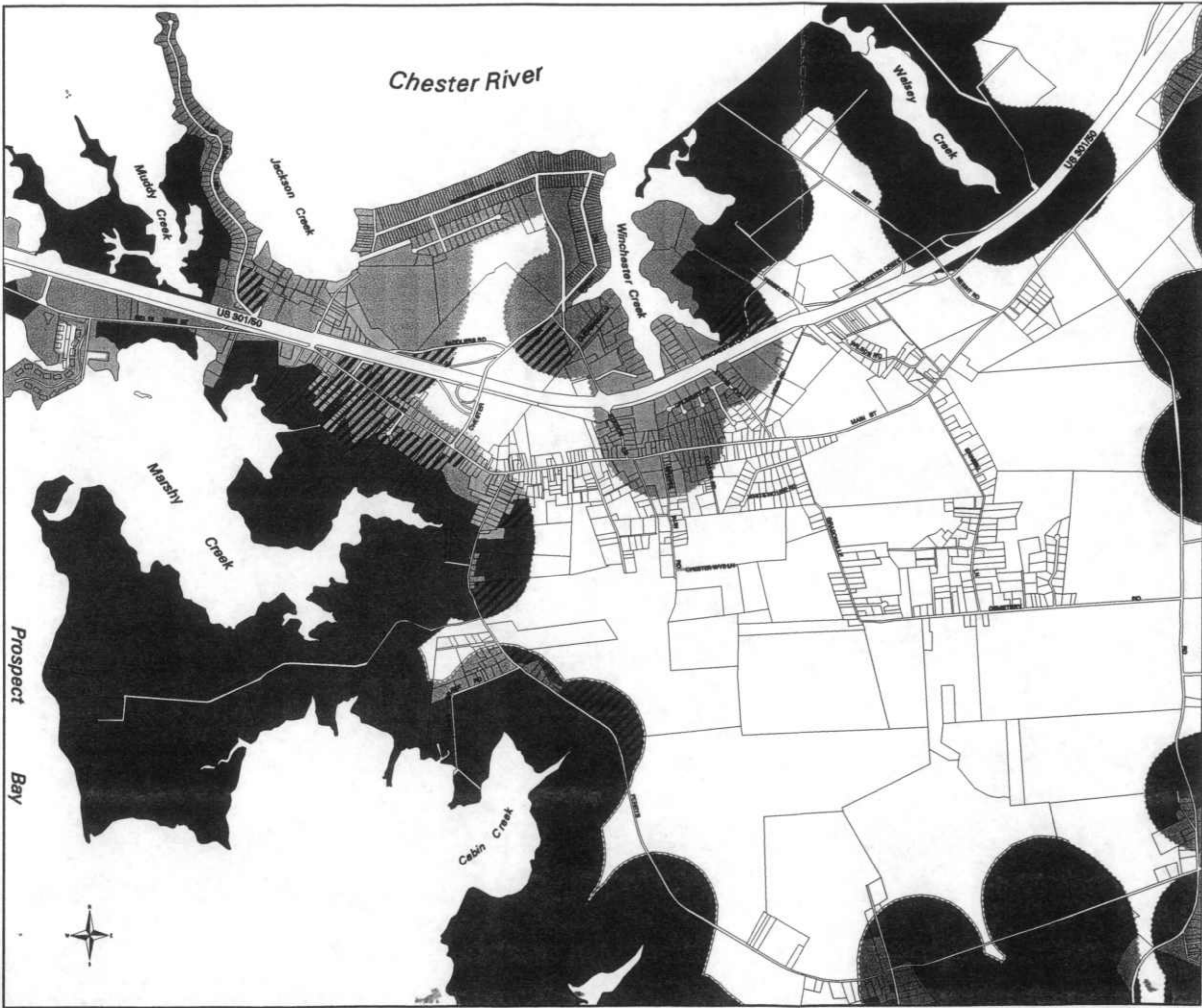
The Queen Anne's County Board of Commissioners has completed its review of growth allocation pre-mapping for the Grasonville and Stevensville community planning areas. At the November 24, 1998 meeting the County Commissioners granted conceptual approval to the growth allocation pre-mapping as shown on the attached maps. (See Map 1 & Map 2) This pre-mapping initiative serves to implement parts of the recently adopted Grasonville and Stevensville Growth Area Plans. The maps are slated for inclusion in Section 1 of the county's Critical Area Program. A similar project which pre-mapped growth allocation target areas in the Chester community was approved by the Critical Area Commission in October 1997.

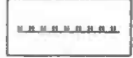




The County has requested that the changes to the program be considered a program refinement. The Chairman has determined that this set of mapping and text changes constitute a refinement to the Critical Area Program and is seeking concurrence with that determination.

The pre-mapped growth allocation areas are part of the County's objectives to "concentrate growth in suitable areas, direct development to existing population centers, and streamline development review procedures". Pre-mapping does not guarantee the actual award of growth allocation for any pre-mapped site. Growth allocation requests will still be reviewed based on their compliance with the County's growth allocation requirements and the extent to which the area requiring County growth allocation is minimized. The Commission will continue to be responsible for reviewing growth allocation in these areas as amendments or refinements to the County Critical Area Program.

Grasonville Community Plan

Chesapeake Bay Critical Area Growth Allocation Pre-Mapping



-  CHESAPEAKE BAY CRITICAL AREA
-  RESOURCE CONSERVATION AREA
-  LIMITED DEVELOPMENT AREA
-  INTENSELY DEVELOPED AREA
-  Proposed "Pre-Mapped Areas For Potential Growth Allocation" (Partial 6 Use)
(Acres 133.9)

0 1
1in. = 1600ft.

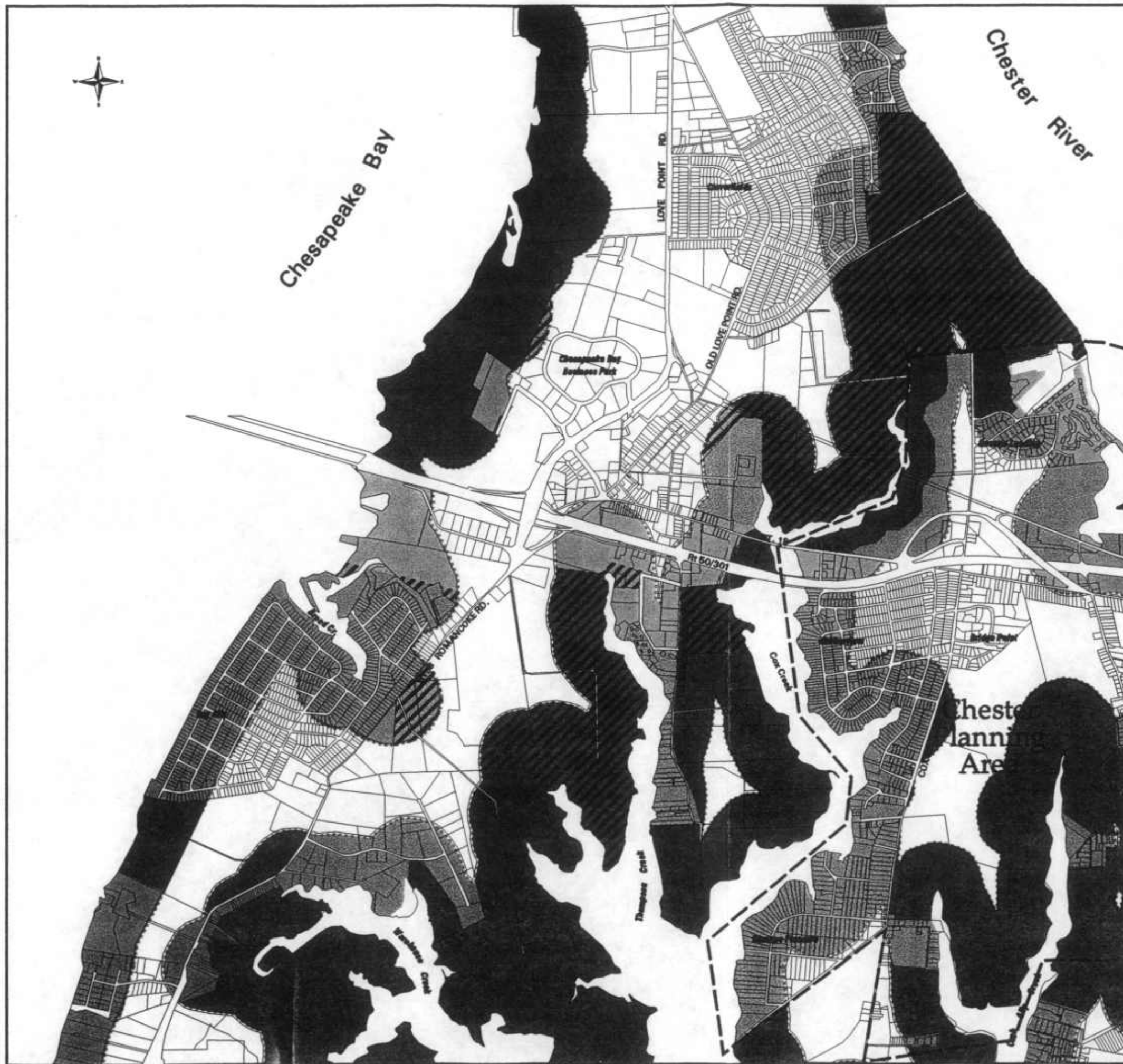


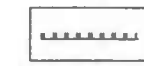

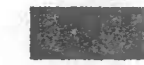
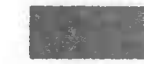


Planning Commission Draft
October 1998



Stevensville Community Plan

Chesapeake Bay Critical Area Growth Allocation Pre-Mapping



-  CHESAPEAKE BAY CRITICAL AREA
-  RESOURCE CONSERVATION AREA
-  LIMITED DEVELOPMENT AREA
-  INTENSELY DEVELOPED AREA
-  NON-CRITICAL AREA
-  General Areas Eligible for Potential Award of Growth Allocation, Partial Sites (868.13 Acres)

0 1
lin. = 2200ft.

Planning Commission Draft
October 1998



Chesapeake Bay Critical Area Commission

Concurrence

STAFF REPORT January 6, 1999

APPLICANT: Queen Anne's County

PROPOSAL: TA-98-13 Change in notice requirement for publication of advertisement of public hearings
TA-98-15 Move language within the County Critical Area Program

COMMISSION ACTION: Concurrence

STAFF RECOMMENDATION: Approval

STAFF: Susan McConville

**APPLICABLE LAW/
REGULATIONS:** Refinement: Natural Resource Law §8-1809

DISCUSSION

At its November 24, 1998 meeting the County Commissioners granted conceptual approval to proposed amendments to the text of the County's Critical Area Act. These proposed amendments are described below.

TA-98-13 This amendment proposes to amend County Code 14-177, *Amendment procedures (b) Planning Commission referral, investigation and recommendation*, to change the notice requirement for publication of the time and place of a public hearing in a newspaper of general circulation in the County from 15 days prior to the date of the public hearing to 14 days prior to the date of the public hearing.

TA-98-15 This amendment proposes to amend County Code Section 14-171, *Amendment to this Subtitle*, and Section 14-177, *Amendment Procedures (b) Planning Commission referral, investigation and recommendation*, to move language which appears under Subpart 3, *Growth Allocation* to Subpart 2, *Special Provisions Relating to Development Area Classification and other Amendments to the Critical Area District*.

The Chairman of the Critical Area Commission has determined that these changes constitute refinements to the Critical Area Program and is seeking concurrence with that determination.

Concurrence

CHESAPEAKE BAY CRITICAL AREA COMMISSION

STAFF REPORT
January 6, 1999

Pat Pabekovich presented details of the

APPLICANT: Harford County Planning and Zoning

PROPOSAL:
1) Island at Flying Point Marina Mapping Mistake From RCA to IDA
2) Buffer Exemption

Pat Pabekovich asked if Charles Taylor - F.P. Marina stated that gas sales at the marina

JURISDICTION: Harford County

COMMISSION ACTION: Review for Concurrence

STAFF RECOMMENDATION: *Mapping Mistake:* Concurrence with Chairman's determination

Buffer Exemption: Concurrence with Chairman's determination

STAFF: Dawnn McCleary

APPLICABLE LAW/REGULATIONS: Natural Resources Article 8-1802

DISCUSSION:

On October 20, 1998, the Harford County Council passed Bill No. 98-39 which amends Harford County's Critical Area Program by correcting a map mistake at Flying Point Marina, Inc. and by designating a portion of the island as Buffer Exempt. Flying Point Marina is located on Bush River at the end of Flying Point Road near Edgewood, Maryland. The property includes 38.8 acres of which 18.2 acres are forest, wetland, and island area designated Resource Conservation Area (RCA). The remaining commercial area of 20.6 acres is designated Intensely Developed Area (IDA). The offshore island is approximately 0.4 acres.

Part of Bill 98-39 changes the designation of the island from RCA to IDA by reason of mistake in mapping. According to the County, this island was designated IDA in the originally adopted Critical Area Program in 1988. During the County's Comprehensive Program Review in 1996, the island was mistakenly remapped as RCA. Bill 98-39 changes the island back to its original designation.

Continued, Page Two
Harford County Map Mistake
Buffer Exemption Refinement
January 6, 1997

Bill 98-39 also designates the island as Buffer Exempt. According to the County, the marina portion of the property was designated Buffer Exempt in 1994, except for the island. The island area of Flying Point Marina was used as a dredged spoil disposal site for the marina operation between 1968 and 1977. Currently, approximately seventy-five percent of the island's shoreline is bulkheaded and has a 40-foot long pier. As of December 1, 1985, the island had begun to revegetate in scrub vegetation and has a marginally functioning Buffer. The County believes that the site qualifies as a Buffer Exemption Area because it is a relatively small, undeveloped parcel surrounded by intense development, most of the surrounding area is Buffer Exempt, the site has historically been used for the placement of dredge material, and the existing pattern of commercial, residential, and water dependent development on the marina property generally prevents the Buffer from fulfilling its water quality and habitat functions.

After a site visit to Flying Point Marina by staff, this office supports the County's designation of the property as a Buffer Exemption Area and believes this designation is consistent with the Commission's policies and with the designation of other Buffer Exemption Areas in Harford County.

Concurrence

CHESAPEAKE BAY CRITICAL AREA COMMISSION

Karen Gutman

STAFF REPORT
January 6, 1998

APPLICANT: Dorchester County

PROPOSAL: Additional Hooper's Island Buffer Exemption Area Mapping

JURISDICTION: Dorchester County

COMMISSION ACTION: Concurrence with Chairman's Determination

RECOMMENDATION: Approval

STAFF: Mary Owens

**APPLICABLE LAW/
REGULATIONS:** COMAR 27.01.09.01C(8) (Buffer Exemption Areas)

DISCUSSION:

In March 1997, following Critical Area Commission approval, Dorchester County implemented a Buffer Exemption Area Program and mapped several Buffer Exemption Areas. In August 1997, the County requested approval of Buffer Exemption Area designation of several additional properties and areas. Several properties on Hooper's Island were identified and mapped. The County recently completed a comprehensive rezoning of the entire County and an additional potential Buffer Exemption Area on Hooper's Island, adjacent to one approved in August, was identified during this process.

The Critical Area Criteria and the Commission's policy on Buffer Exemption Areas state that local jurisdictions may request an exemption of certain portions of the Critical Area from the Buffer requirements where it can be sufficiently demonstrated that the existing pattern of residential, industrial, commercial, or recreational development prevent the Buffer from fulfilling its water quality and habitat functions. The proposed Buffer Exemption Area consists of six lots (Parcels 107, 109, 110, 112, 113, and 114 on Tax Map 93) which are all developed with residential structures. These properties are significantly constrained by the Buffer because of the Chesapeake Bay to the west and an extensive area of tidal wetlands to the east. The Buffer on these properties is characterized by a grassed lawn with some trees and shrubs. The mapping of these parcels as a Buffer Exemption Area is consistent with the Critical Area Criteria and the Commission's Buffer Exemption Area Policy.

The County has requested the designation of this area as a Buffer Exemption Area in anticipation

of future improvements to the existing lots and structures. The Dorchester County Commissioners approved the designation of these parcels as a Buffer Exemption Area at a public hearing held on December 15, 1998.

BAY

FRANCES P. SIMMONS, ET AL.
22 / 309
61.25 A.
P. 29

UPPER HOOPER ISLAND

LONG

FISHING CREEK

DOCS PT.

DAVID A. EWING
242 / 601
51.50 A.
P. 12

*Additional
BEA'S* →

FLOWERS COVE

TOM PT.

BACK

CREEK

OLD HOUSE

CHESAPEAKE

HORSE PT.

RECEIVED

MAP BE - R1 SAND PT.

OCT 30 1998

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

PONS PT.

P. 147

RECING

P. 155

13261



Concurrence

CHESAPEAKE BAY CRITICAL AREA COMMISSION

STAFF REPORT
January 6, 1999

*(?)
gale*

APPLICANT: Kent County

PROPOSAL: Program Refinement

COMMISSION ACTION: Concurrence with Chairman's Determination

STAFF RECOMMENDATION: Approval

STAFF: Tracy Batchelder

**APPLICABLE LAW/
REGULATIONS:** NRA Section 8-1808.1 (growth allocation in Resource Conservation Areas) and COMAR 27.01.02.06 (growth allocation).

DISCUSSION:

Kent County is requesting approval of amendments to the County's Critical Area Program. The proposed amendments to the Kent County Zoning Ordinance add new provisions relating to conference centers, resorts, retreats and golf courses. These new provisions detail requirements for using growth allocation to support these types of land uses in Resource Conservation Areas. The amendments also allow for parks and recreational facilities in the Limited Development Area of the Critical Area which are owned and operated by the County and have received growth allocation.

The Critical Area Act provided local jurisdictions with growth allocation calculated as five percent of the total Resource Conservation Area in a local jurisdiction at the time of approval of the local jurisdiction's Critical Area program by the Commission. The Criteria provide guidelines as to where new Intensely Developed or Limited Development Areas should be located when utilizing growth allocation.

Prior to the proposed amendment to Kent County's Zoning Ordinance, the County had only allowed growth allocation to be utilized in the incorporated towns located in the Critical Area. The County is proposing an amendment to their Zoning Ordinance which will allow for growth allocation to be granted to areas outside the incorporated towns to special projects necessary to fulfill the goals and objectives as identified in the Kent County Comprehensive Plan. The amendment specifies how growth allocation will be granted in the County.

The changes to the Kent County Zoning Ordinance (Local Bill #6-98) add golf courses, conference centers, resorts and retreats as conditional uses in the Resource Conservation Area. The Act specifies that these types of projects will be evaluated as conditional uses and will require growth allocation if proposed in a Resource Conservation Area before the conditional use will be approved. The Act is also specific as to the size and location of these types of developments in Resource Conservation Areas. For example, conference centers must be built to preserve "significant view corridors" and golf courses must have "buffers, no-mow and no-spray zones adjacent to existing or created wetlands, water bodies, and habitat areas."

Amendments to the zoning ordinance also allow for parks and recreational facilities which are owned and operated by the County and have received growth allocation to be located in the Limited Development Area. The County realizes that this is a stricter interpretation of the Critical Area Criteria and will use their discretion on a case by case basis to determine which projects need growth allocation.

The County is in the process of amending its Growth Allocation Policy which will help guide the County in its use of growth allocation. The policy will provide applicants with specific guidelines, such as site design and habitat protection, which must be met in order to be granted growth allocation for a project.

The proposed amendments to Kent County's Critical Area Program are consistent with the Critical Area Criteria and the Commission's policy on growth allocation.

THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

October 6, 1998
Legislative Session Day

Legislative Session Day
October 6, 1998

BILL No. 6 - 98

INTRODUCED BY: Clarence A. Hawkins, President of the Board of County Commissioners for Kent County, Maryland, at the request of the Planning Commission.

AN ACT TO AMEND THE KENT COUNTY ZONING ORDINANCE BY ADDING NEW PROVISIONS TO SECTION 1, ARTICLE III, "ESTABLISHMENT OF DISTRICTS", OF THE KENT COUNTY ZONING ORDINANCE ESTABLISHING PROVISIONS FOR COUNTY OWNED PARKS AND RECREATION FACILITIES IN THE LIMITED DEVELOPMENT AREA OF THE CRITICAL AREA AND CONFERENCE CENTERS, RESORTS, RETREATS AND OTHER USES IN THE INTENSE DEVELOPMENT AREA OF THE CRITICAL AREA, ADDING GOLF COURSES, CONFERENCE CENTERS, RESORTS, AND RETREATS AS CONDITIONAL USES IN AZD, RCD, RR, CAR DISTRICTS IN ARTICLE V AND CONFERENCE CENTERS, RETREATS AND RESORTS AS CONDITIONAL USES IN THE V DISTRICT, ARTICLE V, PERMITTING EXPANSION OF EXISTING FACILITIES IN THE LM DISTRICT, ARTICLE V; AMENDING APPROPRIATE SECTIONS OF ARTICLE VII, "CONDITIONAL USES" DETAILING THE REQUIREMENTS TO OBTAIN THE AFORESAID USES, ADDING DEFINITIONS OF CONFERENCE CENTER, RESORT AND RETREAT TO ARTICLE X "DEFINITIONS", AND DELETING SECTIONS IN CONFLICT WITH THE AMENDMENTS (Amendments are shown in italics.)

THE COUNTY COMMISSIONERS
OF KENT COUNTY

By: Clarence A. Hawkins
Clarence A. Hawkins, President

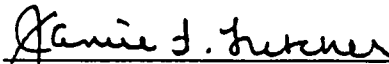
INTRODUCED, read first time, October 6, 1998, 1998, ordered posted and public hearing scheduled on the 27th day of October, 1998, at 7:00 p.m. in the Circuit Court Room, Courthouse, Chestertown, Maryland.

By Order of

Janice F. Fletcher
Janice F. Fletcher
Executive Assistant

PUBLIC HEARING

HAVING been posted and notice of time and place of hearing and copies having been made available to the public and the press, a public hearing was held on 10/27/98, and concluded on 10/27/98. Reported favorably [with] ~~[without]~~ amendments, read second time and ordered to be considered on December 1, 1998, a legislative session day.



Janice F. Fletcher
Executive Assistant

A BILL ENTITLED

AN ACT TO AMEND THE KENT COUNTY ZONING ORDINANCE BY ADDING NEW PROVISIONS TO SECTION 1, ARTICLE III, "ESTABLISHMENT OF DISTRICTS", OF THE KENT COUNTY ZONING ORDINANCE ESTABLISHING PROVISIONS FOR COUNTY OWNED PARKS AND RECREATION FACILITIES IN THE LIMITED DEVELOPMENT AREA OF THE CRITICAL AREA AND CONFERENCE CENTERS, RESORTS, RETREATS AND OTHER USES IN THE INTENSE DEVELOPMENT AREA OF THE CRITICAL AREA, ADDING GOLF COURSES, CONFERENCE CENTERS, RESORTS, AND RETREATS AS CONDITIONAL USES IN AZD, RCD, RR, CAR DISTRICTS IN ARTICLE V AND CONFERENCE CENTERS, RETREATS AND RESORTS AS CONDITIONAL USES IN THE V DISTRICT, ARTICLE V, PERMITTING EXPANSION OF EXISTING FACILITIES IN THE LM DISTRICT, ARTICLE V; AMENDING APPROPRIATE SECTIONS OF ARTICLE VII, "CONDITIONAL USES" DETAILING THE REQUIREMENTS TO OBTAIN THE AFORESAID USES, ADDING DEFINITIONS OF CONFERENCE CENTER, RESORT AND RETREAT TO ARTICLE X "DEFINITIONS", AND DELETING SECTIONS IN CONFLICT WITH THE AMENDMENTS (Amendments are shown in italics.)

SECTION 1. BE IT ENACTED by the Board of County Commissioners of Kent County, Maryland, that an act to amend The Kent County Zoning Ordinance by adding new provisions to Section 1, Article III, "Establishment Of Districts" of the Kent County Zoning Ordinance Establishing Provisions for County Owned Parks and Recreation Facilities in the Limited Development Area of the Critical Area and Conference Centers, Resorts, Retreats and other uses in the Intense Development Area of the Critical Area, adding Golf Courses, Conference Centers, Resorts, and Retreats as Conditional Uses in AZD, RCD, RR, CAR Districts in Article V and Conference Centers, Retreats and Resorts as Conditional Uses in the V District, Article V, Permitting Expansion of Existing Facilities in the LM District, Article V; amending appropriate sections of Article VII, "Conditional Uses" detailing the requirements to obtain the aforesaid uses, adding definitions of Conference Center, Resort and Retreat to Article X "Definitions" and deleting sections in conflict with the amendments (amendments are shown in italics.), to read as follows:

ARTICLE III. DISTRICTS AND DISTRICT MAPS

Section 1. Establishment of Districts

In order to regulate and restrict the location, height, and the size of structures for trade, industry, residence, and for other purposes; to regulate and restrict the location, height, and the size of structures hereafter erected or structurally altered, the size of yards and other open space, and the density of population, the zoning districts are hereby established.

Agriculture
Rural Residential
Village
Crossroads Commercial
Industrial
Planned Industrial
Affordable Housing

Within the Resource Conservation Area of the Critical Area

Resource Conservation

Within the Limited Development Area of the Critical Area

Critical Area Residential
Limited Marine
Crossroads Commercial! Critical Area
Industrial Critical Area
Parks and recreational facilities owned and operated by the County government that have received growth allocation

Within the Intense Development Area of the Critical Area

Intense Marine
Conference centers, resorts, retreats and other uses that have received growth allocation

ARTICLE V. DISTRICT REGULATIONS

Section 1. Agricultural Zoning District

1.2. Permitted Principal Uses and Structures

7. ~~Golf Courses~~

1.3. Conditional Uses.

26. *Golf courses*
27. *Conference Center on properties zoned both AZD and RCD*
28. *Retreats*
29. *Resorts on properties zoned both AZD and RCD*

Section 2. Resource Conservation District

2.3. Conditional Uses.

12. *Golf Courses*
13. *Conference Centers*
14. *Resorts*
15. *Retreats*

Section 3. Rural Residential.

21. *Recreational facilities, privately or commercially operated.*

23. *Golf Courses*
24. *Conference Centers*
25. *Resorts*
26. *Retreats*

Section 4. Critical Area Residential

4.3. Conditional Uses.

13. *Golf Courses*
14. *Conference Centers*
15. *Resorts*
16. *Retreats*

Section 5. Village District

5.3. Conditional Uses.

15. *Conference Center*
16. *Resort*
17. *Retreat*

Section 6. Limited Marine District.

6.2. Permitted Principal Use and Structure.

9. *Existing conference centers, resorts, retreats, HOTELS AND MOTELS in the LM District - It is the intent of this section to provide for the continued existence and operation as well as the expansions of conference centers, resorts, retreats in the Limited Marine District. It is not the intent to allow the creation of new conference centers, resorts or retreats, but rather to protect those enterprises which existed in the in LM on August 1, 1989. An expansion shall require site plan review by the Planning Commission and shall require a net improvement in water quality at or leaving the site. An expansion may require growth allocation.*

ARTICLE VII. CONDITIONAL USES

Section 3. Conditional Uses.

8 ½. *Conference Center in CAR, LM, RCD, RR, V and on properties zoned both RCD and AZD (i.e. a part of which is in each zone) when at least 25% of the property is zoned RCD provided:*

- a. *In V and LM, the project shall collectively consist of at least 15 acres.*

In CAR, RCD, RR, and on properties zoned both AZD and RCD, the project shall collectively consist of at least 50 acres but not more than 750 acres.
- b. *The conference center is not totally in AZD.*
- c. *On properties zoned RCD or both RCD and AZD, the project shall not be on lands designated as lands critical or of special concern for the continuance of agriculture in Kent County, Maryland on the Agricultural Priority Map prepared by the Kent County Agricultural Advisory Commission.*
- d. *The conference center shall consist of 100 but not more than 225 guest rooms.*
- e. *At least 100 square feet of meeting space shall be provided per guest room.*
- f. *Permanent theme parks, amusement parks, and/or stadiums are prohibited.*
- g. *Where applicable, the applicant has applied for growth allocation from the County. Conditional use approval will not be valid without the granting of growth allocation.*
- h. *The Board shall make specific findings on the availability of public and governmental services. Proposed improvements shall be appropriate to the character of the area.*
- i. *Where they exist, historic structures shall be incorporated into the overall project.*
- j. *Significant view corridors, both from the site and onto the site shall be preserved in so much as possible.*
- k. *The height of any structures shall not exceed 38 feet.*
- l. *The design of the conference center and accessory uses, shall reflect and complement the rural character of the area.*

- m. *Where housing is proposed in conjunction with a conference center, the number of dwelling units shall not exceed that which is permitted in the applicable zoning district.*
- n. *Parking lots shall be landscaped as required for commercial developments in Article V Section 8.7 of this Ordinance.*
- o. *Permitted accessory uses, subject to the approval of the Board of Appeals, including restaurants, recreational facilities such as tennis courts and swimming pools; spas; retail use provided the establishments are in the main building with the entrance to the retail use from the inside the building or proximate to the uses and facilities to which they relate (for example, a tack shop should be proximate to an equestrian facility or a pro shop should be proximate to a golf course); stables but not an equestrian center, other recreation amenities but not including trap, skeet, clay birds, paint ball or other similar firearm activities; piers; and other accessory uses that are customarily associated with a conference center. The applicant shall describe all proposed accessory uses in the application for a conditional use. The Board of Appeals may deny or limit the size and extent of accessory uses.*
- p. *The number of slips on the accessory pier shall not exceed 20% of the number of guest rooms and the use of the slips shall be limited to use by those using the conference facilities. Accessory piers must meet all requirements applicable to marinas such as pumpouts, restrooms, and showers.*
- q. *All structures shall comply with the minimum 100 foot buffer and shall be 200 feet from all side and rear property lines whichever is greater.*
- r. *A golf course shall meet all the requirements found in Article VII, Section 3.25 1/2*
- s. *In CAR, RR, RCD, and properties zoned both RCD and AZD, at least 60% of the property shall be in open space.*
- t. *The Board of Appeals may place additional restrictions on the following:*
 - i. *Additional yard requirements for all structures, including patios, and places of public assembly.*
 - ii. *Lighting*
 - iii. *Landscaping and screening*
 - iv. *Outdoor activities and outdoor music and their hours of operation*
 - v. *Access*

- u. Application for a conference center shall include a sketch plan and renderings of all primary and each type of accessory structure.

25 1/2. Golf courses, ~~public or private~~, in AZD, CAR, RCD, RR, provided:

- a. The golf course is at least a regulation par 72 eighteen-hole golf course.
- b. The course is managed according to a water conservation plan that addresses water use, including irrigation, and the recapture and reuse of water sources. Irrigation shall be the minimum necessary for the operation and maintenance of the course and associated facilities.
- c. The course is managed according to integrated pest management and nutrient management plans approved by the University of Maryland Extension Service and the Natural Resources Conservation Service.
- d. The site must have access to a public road that can support the traffic generated by the operation and emergency vehicles. The Board may require improvements to existing access roads. Should improvements be required, a bond, IRREVOCABLE letter of credit or other surety shall be posted running to the County Commissioners as required under Article VIII, of the Subdivision Ordinance.
- e. The course, including the layout and routing of holes, shall be designed to preserve and maintain, to the extent possible, natural topography, significant trees and landmarks, vegetation, and cover. Wildlife corridors shall be preserved and enhanced.
- * f. Buffers, no-mow, and no-spray zones shall be adjacent to existing or created wetlands, water bodies, and habitat areas. Native grasses and vegetation shall be used within these zones.
- g. A 100-foot landscaped area from tees, greens and fairways shall be provided along adjacent property lines. Landscaping shall be designed to complement other landscaping occurring naturally on the site. Whenever possible, existing vegetation shall be incorporated into the landscape plan.
- h. The golf course and driving range shall not include lighting. Lighting of the club house, parking and other areas shall be that necessary for the safety and security of the operation, its employees and its customers. Lighting shall not exceed 18 feet in height unless mounted on a building and shall be designed to avoid glare onto adjacent properties and roadways and shall not interfere with traffic or create a traffic hazard. Lighting shall be color corrected.
- i. Parking lots shall comply with the landscaping and screening standards in Article V Section 8.7 of this Ordinance, Commercial District.
- j. Whenever possible, historic buildings should be restored and used as a part of the operation.
- k. To assure continued compatibility with the surrounding area, the Board may place additional restrictions on the following:
 - proposed irrigation
 - the location of the driving range, holes, cart ways, tees fairways, roughs, water hazards, maintenance facilities, irrigation, and pumping station
 - Accessory uses such as clubhouses, restaurants, bars, day care, pro shops, pools, tennis courts, comfort facilities, maintenance facilities, golf cart storage, driving range, sod farm for golf course, practice holes, practice putting green, and parking.

43. *Recreational facilities, privately or commercially operated in RR, CC, CCA Districts*
- 43 1/4. *Resort in CAR, IM, RCD, RR, V and on properties zoned both RCD and AZD (i.e. a part of which is in each zone) when at least 25% of the property is zoned RCD provided:*
- a. *The parcel(s) on which the resort is proposed shall be at least 250 acres.*
 - b. *The resort shall not exceed 750 acres.*
 - c. *The resort is not totally in AZD.*
 - d. *On properties zoned RCD or both RCD and AZD, the project shall not be on lands designated as lands critical or of special concern for the continuance of agriculture in Kent County, Maryland on the Agricultural Priority Map prepared by the Kent County Agricultural Advisory Commission.*
 - e. *The resort has at least 40 but not more than 225 guest rooms.*
 - f. *The project includes a regulation par 72, eighteen-hole golf course. A GOLF COURSE SHALL BE CONSIDERED OPEN SPACE. HOWEVER, ADDITIONAL OPEN SPACE BEYOND THAT PROVIDED BY THE GOLF COURSE IS REQUIRED.*
 - g. *Permanent theme parks, amusement parks, and/or stadiums are prohibited.*
 - h. *Where applicable, the applicant has applied for growth allocation from the County. Conditional use approval shall not be valid without the granting of growth allocation.*
 - i. *The Board shall make specific findings on the availability of public and governmental services.*
 - j. *Where they exist, historic structures shall be incorporated into the overall project.*
 - k. *Significant view corridors, both from the site and onto the site shall be preserved in so much as possible.*
 - l. *The height of any structures shall not exceed 38 feet.*
 - m. *The design of the resort and accessory uses, shall reflect and complement the rural character of the area.*
 - n. *Where housing is proposed in conjunction with a resort, the number of dwelling units may not exceed that which is permitted in the applicable zoning district.*
 - o. *Parking lots shall be landscaped as required for commercial developments in Article V Section 8.7 of this Ordinance.*
 - p. *Permitted accessory uses include restaurants, recreational facilities such as tennis courts and swimming pools; spas; retail use provided the*

establishments are in the main building with the entrance to the retail use from the inside the building or proximate to the other uses and facilities to which they relate (for example, a tack store should be located proximate to an equestrian facility or a pro shop shall be proximate to a golf course.) ; stables, equestrian center, other recreation amenities but not including trap; skeet, clay birds, paint ball or other similar firearm activities; piers; and other accessory uses that are customarily associated with a resort. The applicant shall describe all proposed accessory uses in the application for a conditional use. The Board of Appeals may deny or limit the size and extent of accessory uses.

- q. The number of slips on the accessory pier is limited to 25% of the number of guest rooms and is limited to use by those using the resort facilities. Accessory piers must meet all requirements applicable to marinas such as pumpouts, restrooms, and showers.
 - r. All structures shall comply with the minimum 100 foot buffer from mean high tide and 500 feet from all side and rear property lines whichever is greater.
 - s. A golf course shall meet all the requirements found in Article VII, Section 3.25 1/2
 - t. In CAR, RR, RCD, and properties zoned both RCD and AZD, at least 60% of the property shall be in open space. Additional open space, beyond that provided by the golf course is required.
 - u. The Board of appeals may place additional restrictions on the following
 - i. Additional yard requirements for all structures, including patios, and places of public assembly.
 - ii. Lighting
 - in. Landscaping and screening
 - iv. Outdoor activities and outdoor music and their hours of operation
 - v. Access
 - v. Application for a resort shall include a sketch plan and renderings of all primary and each type of accessory structure.
- 43 1/2. Retreat in AZD, CAR, RCD, RR, V and on properties zoned both RCD and AZD when at least 25% of the property is zoned RCD provided:
- a. The project shall collectively consist of at least 15 acres.
 - b. In AZD, the retreat uses structures which existed prior to August 1, 1989. Structures are limited to a 50% expansion of the gross floor area of each individual building above that which existed as of August 1, 1989.
 - c. The retreat has at least 10 but not more than 40 guest rooms.
 - d. Permanent theme parks, amusement parks, and/or stadiums are prohibited
 - e. Where applicable, the applicant has applied for growth allocation from

the County. Conditional use approval will not be effective without the granting of growth allocation.

- f. The Board shall make specific findings on the availability of public and governmental services.
- g. Where they exist, historic structures shall be incorporated into the overall project.
- h. Significant view corridors, both from the site and onto the site shall be preserved in so much as possible.
- i. The height of any structures shall not exceed 38 feet.
- j. The design of the retreat and accessory uses, shall reflect and complement the rural character of the area.



- k. One residential unit for use by an employee of the retreat may be provided
- l. Permitted accessory uses include kitchen and dining facilities for guest only, recreational facilities such as tennis courts and swimming pools; spas; other recreation amenities but not including trap, skeet, clay birds, paint ball or other similar firearm activities; pier; and other accessory uses that are customarily associated with a retreat. The applicant shall describe all proposed accessory uses in the application for a conditional use. The Board of Appeals may deny or limit the size and extent of accessory uses.
- m. The number of slips on an accessory pier may not exceed 5.
- n. The retreat shall be limited to 10 structures. IN AZD, THE RETREAT IS LIMITED TO EXISTING BUILDINGS.
- o. All structures shall comply with the minimum 100 foot buffer. Primary structures shall be 100 feet from all property lines or comply with the minimum 100 foot buffer, whichever is greater. Accessory structures may be 5 feet from the rear or side property line.
- p. At least 60% of the property shall be in open space.
- q. Parking lots shall be landscaped as required for commercial developments in Article V Section 8.7 of this Ordinance.
- r. The Board of Appeals may place additional restrictions on the following:
 - i. Additional yard requirements for all structures, including patios, and places of public assembly
 - ii. Lighting
 - iii. Landscaping and screening
 - iv. Outdoor activities and outdoor music their hours of operation
 - v. Access
- s. Application for a retreat shall include a sketch plan and renderings of all primary and each type of accessory structure.

ARTICLE X. DEFINITIONS.

Section 2. Definitions.

45½. Conference Center: A year-round facility with staff equipment, and support services dedicated to providing an environment that will support and facilitate meetings. A minimum of 100 square feet of meeting space is provided per guest room. Dedicated meeting rooms are separate from living and leisure areas.

146½. Resort: A self-contained facility that serves as a primary attraction for visitors which provides recreational and/or therapeutic facilities. A resort may also include meeting facilities.

147½. Retreat: A small meeting facility in a private, natural area, free from distractions thus allowing meeting participants to focus on the goals and objectives of the meeting.

SECTION 2. BE IT FURTHER ENACTED, that this Act be adopted on the 1st day of December, 1998, however, the provisions of this Act shall take effect on the 15th day of January, 1999.

Read Third time December 1, 1998

PASSED this 1st day of December, 1998.

Failed of passage _____

ORDERED a fair summary thereof or the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four week period.

By Order of:

Janice F. Fletcher
Janice F. Fletcher
Executive Assistant

Approved:
Date: 12/1/98

THE COUNTY COMMISSIONERS
OF KENT COUNTY

Clarence A. Hawkins
Clarence A. Hawkins, President
Larry B. Beck
Larry B. Beck, Member
Ronald H. Fithian
Ronald H. Fithian, Member

Concurrence

*Karen
Wentman*

CHESAPEAKE BAY CRITICAL AREA COMMISSION

**STAFF REPORT
January 6, 1998**

APPLICANT: Dorchester County

PROPOSAL: Comprehensive Zoning Map, Zoning Ordinance, and Subdivision Regulations Amendments

JURISDICTION: Dorchester County

COMMISSION ACTION: Concurrence with Chairman's Determination

RECOMMENDATION: Approval

STAFF: Mary Owens

**APPLICABLE LAW/
REGULATIONS:** Annotated Code of Maryland, §8-1809, Approval and Adoption of Program

DISCUSSION:

The staff of Dorchester County have recently completed a comprehensive revision of the County's Zoning Ordinance, Zoning Maps, and Subdivision Regulations. Changes to the County's zoning regulations had been contemplated for several years because the regulations had not been significantly amended since their adoption in 1976. The County recognized that the current regulations were out of date, and the County's 1996 Comprehensive Plan included major changes in the land uses in Dorchester County. The new zoning regulations, zoning maps, and subdivision regulations are necessary in order to effectively implement the Comprehensive Plan. Significant changes to these documents that affect the Critical Area Program are summarized below:

1. Changes to Definitions

All Critical Area definitions have been moved to the "Definitions" section of the zoning ordinance. These definitions are identified by a "CA" label to highlight their significance to the Critical Area Program.

2. Zoning District Regulations

The Critical Area designations will continue to function as an overlay district; however, in those areas designated as Resource Conservation Areas (RCA), new zoning designations are used to more clearly identify allowable uses. The following zoning districts have been identified and mapped within RCA areas of the County:

AC-RCA	Agricultural Conservation - Resource Conservation Area
RC	Resource Conservation
RR-RCA	Rural Residential - Resource Conservation Area
SR-RCA	Suburban Residential - Resource Conservation Area

The County has developed a "Table of Permitted Uses by Zoning District" which identifies approximately 150 land uses and specifies whether the use is a permitted principal use, a use permitted by special exception, a permitted accessory use, or a use that is not permitted. The table also includes details on specific uses and special requirements for certain uses in certain zoning districts. The table includes provisions requiring the use of growth allocation for commercial and private institutional uses within the four RCA zoning districts. See Attachment A.

3. Supplementary Use Regulations

This section contains regulations that apply to specific uses, some of which are permitted within the Critical Area. Bed and Breakfast Homes are permitted more widely, and a site plan is required if the proposed project involves six or more guest rooms. Kennels have been more specifically defined and require a special exception in the four RCA zoning districts. Solid waste disposal and similar uses have been more clearly defined and are not permitted within the Critical Area. The regulations pertaining to home occupations have been completely revised to permit low intensity uses, and they are permitted as a special exception or an accessory use throughout the Critical Area. This section includes regulations for commercial (crab) shedding operations which are identified as "fisheries activities" and are permitted in three of the four RCA zoning districts. It is also specified that they may be permitted within the Buffer.

4. Growth Allocation

The language in this section has been completely revised to clarify how growth allocation is awarded, describe the "development envelope" concept as it pertains to the calculation of growth allocation to be used, and to consolidate submission and review procedures that were formerly in the subdivision regulations. The section now includes much of the language from the Critical Area Commission's Policy on Growth Allocation including land uses to be included within a "development envelope", special regulations relating to the provision of a 300 foot setback, and the use of land outside of the development envelope for residential development at a density not to exceed one dwelling unit per 20 acres.

5. **Afforestation**

The County proposes to remove language pertaining to establishing forest or developed woodland cover on a parcel that is being developed and transferring modified language to the subdivision regulations. The modified language in the subdivision regulations only applies to parcels that are being subdivided, whereas the Critical Area Criteria state that, "If no forest is established on **proposed development sites**, these sites shall be planted to provide a forest or developed woodland cover of at least 15 percent." This change to the County's ordinance is not consistent with the Critical Area Criteria and should not be removed.

In conclusion, the revisions to the County's Zoning Ordinance, Zoning Maps, and Subdivision Regulations are consistent with the Critical Area Act and Criteria except for the afforestation provisions. Staff recommends approval of the new County Zoning Ordinance, Zoning Maps, and Subdivision Regulations with the exception of the changes to the afforestation language.

Point:
IDA + RCA
Will continue to function
as an overlay

Table of Permitted Use by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	BR	BR-RCA	V	B-1	B-2	I-1	I-2	
Agriculture	Accessory agricultural uses and structures	Includes: 1. Farm buildings, barns, cribs, sheds, toolrooms, workshops, tanks and silos; 2. Open or enclosed storage of farm materials, products, equipment or vehicles; 3. Petroleum storage not for resale, subject to county, state, and federal regulations	See supplementary use regulations for agricultural equipment storage.	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Agriculture	Accessory agricultural uses and structures, cont.	4. Grain flow, field blending, and packaging including milling, drying, and storing. 5. The use of trailers for storage.															
Agriculture	Agricultural fertilizer, livestock feed and grain mixing, storage and sale		Buildings must be set back 200' from any property line or public way.			S		S				S	P	P	P	P	
Agriculture	Agricultural processing	Includes raw product packaging, freezing and canning.		P	S	S	S	P	P			S	P	P	P	P	
Agriculture	Agricultural production	Includes: Growing field crops, grazing, livestock grazing and supplemental feeding not including feeding lots, hay production, orchards, vegetable growing, sod farming, vineyards and Christmas tree growing.		P	P	P	P	P	P	P	P	P	P	P	P	P	
Agriculture	Grain processing, drying and storage (wholesale commercial)	Grain dryers.	Buildings must be set back 200' from any property line or public way.	P	S	S	S	P	P			S	P	P	P		
Agriculture	Greenhouse and plant nursery (as accessory to agricultural production on a farm)			A	A	A	A	A	A	A	A	A	A	A	A	A	
Agriculture	Greenhouse and plant nursery, retail			S	S	S	S	S	S	S	S	P	P	P	P	P	
Agriculture	Greenhouse and plant nursery, wholesale	Includes retail sales only of products grown on the premises.		P	P	S	S	P	P	S	S	P	P	P	P	P	

Attachment A

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts														
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2		
Agriculture	Livestock auction house and sales yards			S					S	S							P	P
Agriculture	Poultry and hog houses, horse and dairy barns, and manure storage and composting structures	Includes feeding lots, accessory agricultural lagoons, and other uses involving the concentrated handling or containment of animals and their waste.	See supplementary use regulations under Poultry and hog houses etc.	P	S				P	P								
Agriculture	Produce stands	Includes: Offering fresh agricultural products, in season, for sale	Stands shall provide safe and adequate access and off-street parking. Stands shall be completely removed or closed as appropriate at the end of the season.	P	P	P	P	P	P	P			P	P	P	P	P	P
Agriculture	Timber growing	Includes: Chipping and cutting.	All permanently installed power-driven sawmill equipment shall be at least 200 feet from any property line or public way.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Aquaculture	Aquaculture	Includes: The raising, harvesting, packing and wholesale sales of aquacultural products raised on the premises, but excludes the rendering or processing of a seafood product.	See supplementary use regulations for aquaculture	P	P	S	S	P	P			S	S	P	P	P	P	
Aquaculture	Hatcheries		Concentrated handling or containment of animals shall be located at least 200 feet from any property line or public way.	P	P	S	S	P	P			S	S	P	P	P	P	
Commercial Business and Personal Services	Adult cabaret	See definition of adult cabaret under terms defined.	See supplementary use regulations for adult cabaret.													S		
Commercial Business and Personal Services	Animal hospitals and veterinary clinics		All buildings and runways shall be at least 200 feet from any property line or public way.									S	P	P	P	P		

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts												
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2
Commercial Business and Personal Services	Automobile service, repair, washing and fuel sales	Includes: 1. Auto body work, boat, truck and recreational vehicle repair. 2. Where body work and repair is permitted, an accessory salvage yard of no more than 25 vehicles is permitted.	1. In the B-1 district fuel sales are permitted by right; a special exception is required for other uses. 2. In the I-2 district only fuel sales are permitted; no auto body work, service or repair.									S	P, S	P	P	P
Commercial Business and Personal Services	Automobile service, repair, washing and fuel sales, cont.		3. Any salvage yard shall be screened from public view. 4. Fuel pumps must meet the setbacks for principal structures.													
Commercial Business and Personal Services	Banks and other financial institutions											S	P	P	P	
Commercial Business and Personal Services	Bars, cocktail lounges, nightclubs	Includes: Dancing and entertainment. Adult cabaret requires a special exception.												P		
Commercial Business and Personal Services	Building and landscape contracting and maintenance	Includes: 1. Contracting for air conditioning, electricians, excavation, floor covering, glass repair, heating, plumbing, tree trimming, and well and septic installation.										S	P	P	P	P
Commercial Business and Personal Services	Building and landscape contracting and maintenance, cont.	2. Storage and minor repair of heavy construction equipment such as dump trucks, bulldozers, cranes and the like.														
Commercial Business and Personal Services	Clothing, bag, carpet, and rug cleaning		Effective precipitation or recovery of dust shall be provided									S	P	P	P	P
Commercial Business and Personal Services	Commercial, trade or business schools											S	P	P	P	
Commercial Business and Personal Services	Dispatching Services	Includes: Ambulance and taxi dispatching services.											S	P	P	P

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Commercial Business and Personal Services	Funeral homes and crematoriums												S	P	P	P	
Commercial Business and Personal Services	Hotels, motels														P	S	
Commercial Business and Personal Services	Inns	May include the following related accessory uses: antique, gift, food or similar specialty shops; restaurant, banquet facility and catering service; and any other uses similar to the foregoing or normally and customarily incidental to an inn.	See supplementary use regulations for inns.			S		S					S				
Commercial Business and Personal Services	Kennels			S	S	S	S	S	S	S	S	S	S	P	P		
Commercial Business and Personal Services	Marine equipment service and repairs												S	P	P		
Commercial Business and Personal Services	Massage Parlors	See definition under terms defined.	See supplementary use regulations for massage parlors.												S		
Commercial Business and Personal Services	Material storage yards in connection with commercial business, personal services, contractors, offices, clinics, studios		Outside storage of materials and equipment must be screened or buffered from public view.										S	P	P	P	

Table of Permitted Uses by Zoning District

Use Category	Use	Include/Exclude	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Commercial Business and Personal Services	Office buildings												S	S	P	P	P
Commercial Business and Personal Services	Personal services	Includes: Shoe repair, appliance repair, hair salons, massage, gun repair, taxidermy, Includes self-service laundries and dry-cleaning stores, which are pickup stations only.											S	P	P		
Commercial Business and Personal Services	Professional services	Includes: Accounting, architecture, chiropractic medicine, medical clinics, dentistry, financial, insurance, land planning, law, medicine, real estate surveying, travel agent, and similar uses.											P	P	P		
Commercial Business and Personal Services	Restaurants												S	P	P		
Commercial Business and Personal Services	Restaurants, drive-in														S		
Commercial Business and Personal Services	Theaters/movie houses		Drive-in theater screen may not face a public way.										S	P	P	P	
Commercial Retail	Adult entertainment center	See definition under terms defined.													S		
Commercial Retail	Agricultural machinery or equipment sales and incidental repairs								S					P	P	P	P
Commercial Retail	Automobiles, trucks, recreational vehicles, boats, and manufactured home parking, sales and storage	Includes: Incidental repairs.											S	S	P		

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts														
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2		
Commercial Retail	Lumber and other building materials dealers													P	P	P	P	
Commercial Retail	Material storage yards in connection with retail sales												S	P	P	P	P	
Commercial Retail	Retail stores	Includes: 1. Hardware, grocery, appliance, furniture, clothing, book, florist, drug, liquor, variety, food, bakery, antique, craft and gift stores, video and similar uses. 2. Shopping centers. 3. Large highway-oriented retail stores.	See supplementary use regulations for retail stores and shopping centers.												P			
Commercial Retail	Retail stores, small	Includes: Hardware, grocery, drug, liquor, variety, bakery goods, antique, craft and gift stores.	Gross floor area of all structures not to exceed 3,000 square feet.										S	P				
Commercial Retail	Sale and storage of goods produced or processed by a permitted use on the site		Retail sales area limited to 1,000 square feet.											A		A	A	A
Commercial Retail	Shopping center, neighborhood		Total gross floor area of all structures shall not exceed 7,000 square feet and no single store shall exceed 3,000 square feet.										S	S				
Commercial Retail	Stone monument sales and works		Stone cutting activities must be set back 100 feet or more from all property lines.												P	P	P	
Industrial	Airfields		See supplementary use regulations.													S	S	
Industrial	Airstrips and heliports	In RCA districts only private airstrips for the land owner's personal use and which are clearly incidental and accessory to an existing residential use are permitted.	See supplementary use regulations for airstrips and heliports.	S	S	S	S	S	S				S					
Industrial	Asphalt and concrete mixing plants		See supplementary use regulations for industrial uses.													P	P	

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts														
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2		
Industrial	Bottling and distribution of beverages		See supplementary use regulations for industrial uses.													P	P	P
Industrial	Brewing or distilling		See supplementary use regulations for industrial uses.													S	P	P
Industrial	Brick, pottery, tile and terra cotta manufacturing		See supplementary use regulations for industrial uses.														P	P
Industrial	Chemical, physical and biological laboratories	Includes: Laboratories for scientific research and experimentation.	See supplementary use regulations for industrial uses.													P	P	P
Industrial	Explosive materials storage		1. Not exceeding 500 pounds; 2. State and federal permits and licenses must be obtained; 3. All setbacks must be measured from property lines and not from dwellings.														S	S
Industrial	Flammable liquid storage and wholesale distribution		1. Storage areas and structures must be set back 200' from property lines and public ways. 2. Use must meet all fire prevention regulations. 3. See supplementary use regulations for industrial uses.													S	P	P
Industrial	Ice manufacturing/cold storage		See supplementary use regulations for industrial uses.													P	P	P
Industrial	Junk and salvage yards		See supplementary use regulations.															S
Industrial	Land clearing debris landfills and rubble landfills, commercial		1. This use may only be established in the Solid Waste Overlay District. 2. See supplementary use regulations for rubble landfills and land clearing debris landfills.						P								P	P
Industrial	Land clearing debris landfills and rubble landfills, private								S								S	S

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts															
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2			
Industrial	Manufacturing and repair of sheet metal products	Includes: Heating and ventilation equipment	See supplementary use regulations for industrial uses.														P	P	P
Industrial	Manufacturing, general	Includes: The compounding, processing, packaging storage and treatment of: 1. cosmetics, pharmaceuticals and food products, but excludes rendering or refining; 2. Articles of merchandise from previously prepared materials.	See supplementary use regulations for industrial uses.														P	P	P
Industrial	Manufacturing, general cont.	3. Instruments, novelties, electrical appliances and devices. Also includes assembly of parts into a final product.																	
Industrial	Mineral extraction activities	Includes 1. Sand and gravel pits, commercial borrow pits, clay pits and other mineral extractions. 2. Processing or compounding of products. Excludes concrete mixing and asphalt plants.	See supplementary use regulations.	S	S	S	S	S	S			S						P	P
Industrial	Paper and Pulp Manufacturing		See supplementary use regulations for industrial uses.														P	P	P
Industrial	Planned Industrial Parks		See supplementary use regulations for industrial uses.															P	P
Industrial	Printing/publishing plants		See supplementary use regulations for industrial uses.														P	P	P
Industrial	Sawmills, commercial	Includes: 1. Materials not raised on site. 2. Manufacturing of lumber and wood fiber products.	See supplementary use regulations for industrial uses.															S	P
Industrial	Sewage sludge storage facilities commercial, enclosed and indoor	Includes 1. Indoor facilities such as fully enclosed buildings. 2. Enclosed facilities such as tanks and bunkers. In industrial districts indoor facilities are permitted by right. Enclosed facilities may be permitted by special exception.	Odors or other deleterious effects of the use on nearby properties shall be minimized through controls or treatment, setbacks, buffers or other means.						S									P/S	P/S

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts														
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2		
Industrial	Sewage sludge storage facilities commercial, outdoor	Includes lagoons.	This use may only be established in a Solid Waste overlay district.						P									
Industrial	Solid waste processing facilities, indoor and outdoor. Indoor solid waste processing facilities are permitted by right. Outdoor components of the principal use may be permitted by special exception.	See definition under terms defined. Includes material recovery facilities and waste transfer stations.	Odors, noise or other deleterious effects of the use on nearby properties shall be minimized through controls or treatment, setbacks, buffers or other means.													P/S	P/S	
Industrial	Slaughtering and processing of animals	Includes rendering and refining of by-products.	See supplementary use regulations for industrial uses.															S
Industrial	Warehouses, mini		See supplementary use regulations for industrial uses.									S	P	P	P	P	P	
Industrial	Warehousing and distribution centers	Includes: Trucking and freight stations with terminals and storage yards	See supplementary use regulations for industrial uses.											S	P	P		
Industrial	Waste composting facility	Excludes agricultural composting facilities associated with and incidental to normal and customary agricultural operations.	1. Minimum 200 foot setback from any residential zone. 2. Odors or other deleterious effects of the use on nearby properties shall be minimized through controls or treatment, setbacks, buffers or other means.						S							S	P	
Institutional	Cemeteries, church or temple-related.		Grave sites shall be located a minimum 25 feet from public ways and property lines. Only permitted as accessory to existing churches in RCA districts.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Institutional	Cemeteries, commercial human or animal.	Includes: Chapels, mausoleums and crematoriums.	Minimum lot size 10 acres. Grave sites shall be located a minimum 200 feet from public ways and property lines. However, the setback may be reduced to 100 feet if screening is provided such that grave sites are not visible from public ways.	S	S	S		S		S		S	S	S	S	S	
Institutional	Cemeteries: family, non-commercial	Limited to property owner and owners' family members.	Two acre minimum lot size.	P	P	P	P	P	P	P	P	P	P	P	P	P	
Institutional	Churches and temples	A rectory is a permitted accessory use. In districts where a special exception is required, a fellowship hall may be approved as part of the use. In B and I districts a fellowship hall is permitted as a matter-of-right.	In RR-RCA District requires growth allocation.			S	S	S		S		S	P	P	P	P	
Institutional	Cultural institutions, private.	Private museums, zoos and similar uses.	In RC District new institutions require growth allocation.	S	S	S		S		S		S	S	S			
Institutional	Day care centers	Serving more than 9 clients, child or adult, including any relatives of the care provider.				S		S		S		S	P	P	P	P	
Institutional	Educational institutions, public or private, boarding and nonboarding					S		S		S		S	P	P	P	P	
Institutional	Emergency services	Includes fire, police, rescue and ambulance uses.		S	S	S	S	S	S	S	S	P	P	P	P	P	
Institutional	Government buildings, structures, facilities and uses	Includes municipal (sanitary) landfills; and convenience centers and private drop-off centers at county-approved locations.	Must be reviewed and approved by Critical Area Commission if in Critical Area.	P	P	P	P	P	P	P	P	P	P	P	P	P	
Institutional	Group homes					S		S		S	S	S					

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Institutional	Hospitals and medical clinics		For hospitals building, parking or storage areas shall be a minimum 50 feet from any property lines or public way.								S		S	S	S	S	S
Institutional	Meeting halls and facilities for clubs, lodges and fraternal societies	Excludes guns and firearms, and shooting clubs.	Must be reviewed and approved by Critical Area Commission if in Critical Area.	S	S	S		S		S		P	P	P			
Institutional	Nursing or convalescent homes					S		S		S		S	P	P			
Institutional	Public and quasi-public buildings and structures	Includes recreation, conservation, cultural, museums, libraries, zoos, and public service uses. Excludes public camp sites.	Must be reviewed and approved by Critical Area Commission if in Critical Area.	S	S	S		S		S		S	S	S			
Institutional	Rehabilitation residential			S	S	S	S	S	S	S	S	S					
Institutional	Studios for instruction in art, music, dance, drama, crafts or physical education					S		S		S		P	P	P			
Institutional	Water dependent research facility		Must be operated by state, federal, or local agencies, educational institutions, or nonprofit organizations. Non-water dependent facilities or structures shall be, to the extent possible, located outside of the tidewater buffer.	S	S	S	S	S	S	S	S	S	P	P	P	P	P
Maritime	Commercial boat building				S	S		S				S	P	P	P	P	P
Maritime	Commercial marinas and piers		See supplementary use regulations for waterfront structures.		S	S		S		S		S	P	P	P	P	P
Maritime	Commercial shedding operations	Includes: incidental storage and on premise sales.	See supplementary use regulations for commercial shedding operations.	P	S	S	S	P	P	S	S	P	P	P	P	P	P
Maritime	Community piers, and related boat facilities	Includes: Non-commercial boat docking and storage.	See supplementary use regulations for waterfront structures.	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Maritime	Boat ramps, docks, slips, piers: personal (private)		See supplementary use regulations for accessory uses and for waterfront structures.	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Maritime	Seafood processing	Includes: Docks for off-loading seafood.	See supplementary use regulations for waterfront structures. New structures in the RCA or RC district will require growth allocation.		S			S				S					
Maritime	Shore erosion protection devices	Includes bulkheads, rip-rap, jetties, groins, and marsh creation or other nonstructural shore protection devices.	See supplementary use regulations for accessory uses and for waterfront structures.	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Maritime	Water-dependent fisheries facility, commercial	Includes but is not limited to, structures for crab shedding, fish off-loading docks, shellfish culture operations, and shore-based facilities necessary for aquaculture operations and fisheries activities	These uses may be permitted in the tidewater buffer.				P		P		P						
Maritime	Yacht clubs		See supplementary use regulations for waterfront structures.									S	P	P	P	P	
Recreational	Amusements, commercial indoor	Includes billiards, bowling, health clubs, banquet halls, skating rinks, tennis or racquetball clubs, indoor ball courts, batting cages, game arcades and theaters.										S	P	P	P		
Recreational	Amusements, commercial outdoor	Includes: Golf driving ranges, miniature golf, batting cages and similar uses	All activities shall be at least 200 feet from any property line or public way, unless the Board of Appeals finds that a lesser setback is appropriate.		S	S				S		S	S	S	S	S	S
Recreational	Boat rentals, commercial	Limited to small, car-top boats such as canoes and kayaks. Includes small accessory structures such as boat racks, and storage buildings.	Accessory structures limited to 1,000 square feet.	S	S	S	S	S	S	S	S	S					
Recreational	Campground, Primitive	Not to include facilities or permanent structures other than rudimentary facilities.	See supplementary use regulations.	S	S	S		S	S								

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts														
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	BR	BR-RCA	V	B-1	B-2	I-1	I-2		
Recreational	Campground, Commercial	Including recreational trailer and recreational vehicle parks, tents and cabins for seasonal recreation by transients.	See supplementary use regulations.		S	S		S										
Recreational	Conservation areas (public or private)	Includes arboretums, bird sanctuaries, demonstration forests, hunting preserves, reforestation areas, wildlife reservations and regulated hunting areas.		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational	Golf courses and country clubs		1. Greens shall be at least 100 feet from any property line or public way. 2. Main buildings and/or structures, e.g., club house, pro-shop, etc. are not permitted in the RC or AC-RCA districts.	S	S	S	S	S	S	S	S							
Recreational	Hunting and fishing clubs	Excludes shooting ranges. Accessory temporary overnight lodging for hunters and campers may be permitted by special exception in the specified districts.	See supplementary use regulations for hunting and fishing clubs. Must comply with Critical Area standards.	P, S	P, S	P	P	P, S	P, S			P						
Recreational	Hunting, fishing and trapping	Includes: hunting blinds.		P	P	P	P	P	P	P	P	P						
Recreational	Large recreational facilities	Includes racetracks and courses for racing horses, dogs, motorcycles, etc.	1. This use may only be established in an EE District floating zone. 2. Racetracks must provide a minimum 1,000-foot use setback from any property line or public way.															

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Recreational	Public or nonprofit park and recreation areas	Includes public beaches or other public water-oriented recreation or education use or activity, tennis courts, swimming pools, athletic fields and similar uses. Park and recreation areas in RC, RR-RCA, AC-RCA, and SR-RCA must be reviewed by the Critical Area	Public water-oriented uses may be permitted in the tidewater buffer.	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational	Riding stables, commercial	Includes boarding.	10 acre minimum site size or one animal per acre, whichever is greater; Stables must not less than 200 feet from any property line or public way.	S	S			S									
Recreational	Shooting ranges, commercial	Includes gun clubs, trap, skeet, rifle, archery, paint ball and sporting clays.	1. Main buildings and/or structures, e.g., club house, pro-shop, etc. are not permitted in the Critical Area. 2. See supplementary use regulations for shooting ranges.	S	S		S										
Recreational	Swimming pools, commercial		Minimum 200-foot use setback from any property line or public way.			S		S		S		S	P	P			
Residential	Accessory apartments	(See definition under Dwelling, Accessory Apartment)	1. Minimum lot area must be at least 150 percent of the minimum lot area specified for the zoning district in which the lot is located. 2. Except for an exterior entrance and necessary parking area there shall be no external evidence of the apartment.	A	A	A	A	A	A	A	A	A	A	A			

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts															
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2			
Residential	Accessory Apartments, cont'd.		3. Must meet Critical Area density requirements.																
Residential	Apartments		See supplementary use regulations for apartments.							S		S							
Residential	Bed and breakfast homes		An approved site plan is required for a bed and breakfast home with six or more guest rooms.	P	P	P	P	P	P	P	P	P	P						
Residential	Boarding and lodging house		See supplementary use regulations.	P	P	P	P	P	P	P	P	P	P	P					
Residential	Business dwelling; one dwelling unit for the owner, manager or employee of a permitted commercial, business or industrial use on the same site.		Dwelling must meet principal structure setbacks for the district.										A	A	A	A	A		
Residential	Customary residential outbuildings.	Includes non-regulated dog kennels, private garages, parking areas and swimming pools. Excludes the use of manufactured homes, mobile homes, recreational vehicles, trailers, and similar vehicles for storage.	1. Use must be accessory to a permitted principal use. 2. Certain uses and structures may be subject to accessory or supplementary use regulations.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts														
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2		
	Customary residential outbuildings, cont.		3. In any RCA district any buildings and runways associated with a dog kennel shall be located outside of the tidewater buffer and at least two hundred feet from any property line or public way.															
Residential	Farm labor housing for occupancy during the harvest season.		1. Permitted only on a farm as defined in this chapter. 2. 200 foot setback from all property lines. 3. Must meet all requirements of the Department of Health and Mental Hygiene.	S	S	S	S	S	S	S	S							
Residential	Home occupations and home-based contractors	See list of inclusions and exclusions in supplementary use regulations.	See supplementary use regulations.	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S	A, S
Residential	Home satellite dishes	See definition of home satellite dish.		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Residential	Housing for elderly persons	See definition of elderly persons	Permitted as a special use category in Planned Unit Developments (PUDs), see supplementary use regulations for PUDs.			S				S								
Residential	Manufactured homes	See definitions of manufactured home and mobile home. A mobile home is a type of manufactured home.	See supplementary use regulations for manufactured homes specifying where and under what circumstances manufactured homes are permitted.	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S	A, P, S
Residential	Manufactured home parks		See supplementary use regulations for manufactured home parks.			S				S		S						
Residential	Mobile homes		See manufactured homes.															
Residential	Planned unit developments	See supplementary use regulations for the list of permitted uses within Planned Unit Developments.	See supplementary use regulations for Planned Unit Developments.			S				S								

Table of Permitted Jobs by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Residential	Recreational trailer or vehicle for temporary occupancy.	Limited to no more than one trailer or vehicle on a lot, and limited to no more than 45 days in a year.	1. The vehicle or trailer shall be located in the rear yard only and at least six feet from all property lines and public ways. 2. No recreational vehicle or trailer shall be used for lodging on any public way.	A	A	A	A	A	A								
Residential	Resort development	Includes a compatible mix of uses such as a country club, hotel, entertainment and residential development.	This use may only be established in an EE District floating zone.														
Residential	Single-family dwellings, attached	See definition under Dwelling, single-family attached.	See supplementary regulations for apartments and single-family attached units.								S		S				
Residential	Single-family dwellings, detached	Includes modular homes, and manufactured homes meeting standards set forth under the supplementary use regulations.		P	P	P	P	P	P	P	P	P	P	S			
Residential	Townhouses	See definition under Dwelling, townhouse	See supplementary regulations for apartments and single-family attached units.								S		S				
Residential	Two-family dwellings		Must meet density requirements for two dwellings.	S	S	S	S	S	S	S	S	S	S				
Unclassified	Accessory structures and uses	Includes permitted accessory uses by zoning district per this permitted use table. New accessory structures and uses shall not be placed in the tidewater buffer, except as consistent with BEA provisions.	See supplementary use regulations.	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Unclassified	Non-commercial raising of animals	Excludes kennels	1. Three (3) acre minimum lot size required. 2. Minimum 200 foot setback from an existing dwelling on a different lot for: i. a building housing animals other than household pets, ii. storage of manure.	A	A	A	A	A	A	A	A	A	A				

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-RCA	AC	AC-RCA	SR	SR-RCA	V	B-1	B-2	I-1	I-2	
Unclassified	Outside storage of 2,500 cubic feet or more of tires		1. Tire storage must be incidental to a use being legally conducted on the property 2. The operation must comply with the county's property maintenance ordinance.	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Unclassified	Signs		See Article XII	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Unclassified	Temporary on-site buildings and structures	Includes: Emergency housing, and temporary office for on-site construction personnel.	See supplementary use regulations for temporary uses, buildings and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Unclassified	Temporary off-site construction structures and uses		See supplementary use regulations for temporary uses, buildings and structures	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Unclassified	Temporary uses		See supplementary use regulations for temporary uses, buildings and structures. Certain temporary uses require a special exception.	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S	P, S
Utilities	Communication antennas attached to existing buildings and structures.		See supplementary use regulations for communication antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities	Communication equipment buildings.		See supplementary use regulations for communication equipment buildings. Must comply with Critical Area requirements.	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities	Communication towers as follows: i) located on government property; ii) for FCC licensed amateur radio operators; or iii) home television towers serving single-family dwelling units.	Includes antennas and equipment buildings.	1. Towers are not permitted on school sites without the approval of the Board of Education. 2. See supplementary use regulations for communication towers and equipment buildings.	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Table of Permitted Uses by Zoning District

Use Category	Use	Includes/Excludes	Requirements	Zoning Districts													
				RC	RR-C	RR	RR-ACA	AC	AC-PCA	ER	RR-PCA	V	B-1	B-2	E-1	I-2	
Utilities	Communication towers, other.	Includes antennas and equipment buildings	See supplementary use regulations for communication towers and equipment buildings.	S	S			S							P	P	P
Utilities	Electrical power plants	Includes: Nuclear and fossil fuel														S	S
Utilities	Essential services		Must comply with Critical Area requirements.	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities	Gas generating for illuminating or heating																S
Utilities	Utility structures and services, excluding essential services.			S	S	S	S	S	S	S	S	S	S	S	S	S	S
Utilities	Wastewater treatment plants	Includes spray irrigation by a municipal corporation. Sewage sludge storage facilities are permitted as necessary to the wastewater treatment plant principal use.	See supplementary use regulations.	S	S	S		S		S		S	S	S	P	P	
Notes																	
See Section 155-34 for a table of permitted uses in open space areas of cluster development.																	