

1 **Draft Talbot County Code Revisions 5/10/07**

2 **§ 190-8. Relationship to Comprehensive Plan.**

3 This chapter implements County’s Comprehensive Plan and Chesapeake Bay Critical Area
4 Plan. The Planning Commission and Planning Officer shall consider the Comprehensive Plan
5 and Chesapeake Bay Critical Area Plan in making land use decisions.

6 **§ 190-9. Territory not districted.**

7 Any land not classified within any zoning district by the Official Zoning Maps shall
8 automatically be classified in the Resource Conservation District if it is in the Critical Area
9 and in the Agricultural Conservation District for all other areas.

10 **§190-9.1 Agricultural Activities**

11 Neighboring property owners have no recourse against the inherent effects of agricultural
12 operations as permitted in this chapter and conducted in accordance with best management
13 practices. These effects may include, but are not limited to, noise, odor, vibration, fumes,
14 dust or glare. Chapter 128, Talbot County Code, “Right to Farm” protects agricultural
15 operations on all agricultural land in the County.

16 * * *

17 **ARTICLE II, Definitions and Word Usage**

18 * * *

19 **§ 190-14. Terms defined.**

20 In this chapter the following definitions apply:

21 * * *

22 DEVELOPMENT RIGHT – A right to create a buildable lot. The number of development
23 rights for a particular lot, parcel or tract is equal to the number of dwelling units permitted by
24 the applicable density requirements of this chapter.

25 * * *

26 PERIMETER SETBACK -- The minimum distance permitted from a structure in a new
27 subdivision to a property line outside the subdivision.

28 * * *

29 RESERVATION OF DEVELOPMENT RIGHTS AGREEMENT (“RDR”) – A grant to the
30 County, recorded among the land and plat records by valid instrument approved by the

Comment [JLH1]: These definitions omit terms from earlier drafts of the Phase I text that were related to TDRs, such as sending parcel and receiving parcel. Several definitions included in Council Bill 1050 but not in the earlier versions are also omitted, to be deferred to Phase II; these include definitions of comprehensive plan, Critical Area plan, developer and development.

Comment [JLH2]: Term was defined in CB 1050, but not in the version of Phase I reviewed by the Planning Commission. This definition is taken from the draft Phase II text and from Council Bill 1050.

Comment [JLH3]: Definition taken from CB 1050. Revised from the definition reviewed by the Planning Commission in earlier versions of Phase I. Differences are not substantive.

1 County, that restricts land development within a defined area.

2 * * *

3 RESERVED LAND – Permanently protected open space, identified in a Reservation of
4 Development Rights Agreement recorded among the land and plat records, that may not be
5 developed for residential, commercial or industrial use. .

Comment [JLH4]: Definition taken from CB 1050, which has minor differences from the definition previously reviewed by the Planning Commission.

6 * * *

7 SETBACK, PERIMETER – See definition of perimeter setback.

8 * * *

9 WORKING FARMER – A property owner engaged in a bona-fide agricultural activity for
10 which the owner pays social security tax on income received from that farm.

11 * * *

12 **ARTICLE III, Zoning Districts and Zoning District Maps**

13 **§ 190-15. Zoning districts established.**

14 A. General.

15 The following zoning districts are hereby established. The permitted uses, special
16 exceptions, and accessory uses for each zoning district are shown in § 190-19, General Table
17 of Use Regulations by Zoning District.

Comment [JLH5]: The purpose statements for the AC, CP, WRC, TC and TR Districts are taken from CB 1050. They are condensed from the text in earlier versions of Phase I.

18 (1) Agricultural Conservation District – AC (Non-Critical Area only).

19 (a) The AC district is characterized by low-density residential and rural
20 agricultural uses. This district provides a full range of agricultural
21 activities, agri-business uses and limited single-family residential
22 development. The density in the AC District is one dwelling unit per
23 20 acres plus a maximum of three additional dwelling units, as
24 specified in Section 190-56.1.C.

25 (b) Development in this district shall:

26 [1] Maintain, and wherever possible, improve the quality of runoff
27 that enters the Chesapeake Bay or its tributary streams;

28 [2] Conserve and protect agricultural lands and uses;

29 [3] Protect environmentally sensitive lands from nonagricultural
30 forms of development;

31 [4] Preserve the County's rural character through conservation of
32 open space and agricultural lands.

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- (2) Countryside Preservation District – CP (Non-Critical Area only).
 - (a) The CP district is characterized by rural agricultural and low-density residential uses. This District protects the rural character of land bordering the growth areas of incorporated towns; protects farmland, forests, and open spaces, prevents sprawl and provides physical and visual boundaries to growth areas. Land within this District should be targeted for permanent protection by creation of agricultural and conservation easements; agricultural activities shall be preserved, encouraged and protected. Density in the CP District is one dwelling unit per 20 acres plus a maximum of three additional dwelling units, as specified in Section 190-56.1.C.
 - (b) Development in this district shall:
 - [1] Maintain, and wherever possible, improve the quality of runoff that enters the Chesapeake Bay or its tributary streams;
 - [2] Conserve and protect agricultural lands;
 - [3] Protect environmentally sensitive lands from nonagricultural forms of development;
 - [4] Preserve the County's rural character through conservation of open space and agricultural lands.
- (3) Western Rural Conservation – WRC (Non-Critical Area only).
 - (a) The WRC district is characterized by rural agricultural and low density residential uses. This District protects the ecological, scenic and economic value of rural areas in the western part of the County. Because this district contains a high proportion of sensitive natural areas, development is limited to low-density residential uses with design guidelines to protect natural resources. Agricultural activities shall be preserved, encouraged and protected. The base density in the WRC District is one dwelling unit per 20 acres plus a maximum of three additional dwelling units, as specified in Section 190-56.1.C.
 - (b) Development in this district shall:
 - [1] Maintain, and wherever possible, improve the quality of runoff that enters the Chesapeake Bay or its tributary streams;
 - [2] Conserve and protect agricultural lands;
 - [3] Protect environmentally sensitive lands from nonagricultural forms of development;
 - [4] Preserve the County's rural character through conservation of open space and agricultural lands.

Comment [JLH6]: From CB 1050. Earlier versions stated that the growth areas are designated by the Comprehensive Plan. In Phase II, may add a definition of "growth area" to tie this to the Comprehensive Plan.

1 (4) Rural Conservation District - RC (Critical Area only).

2 * * *

3 (5) Rural Residential District - RR (Critical Area only).

4 * * *

5 (6) Village Center District - VC.

6 * * *

7 (7) Town Conservation District - TC (Non-Critical Area only)

8 (a) The TC district shall be characterized by agricultural and low-density
9 residential uses. This District protects the rural character of land within
10 designated growth areas around incorporated towns, prevents sprawl,
11 preserves the character and identity of towns, and preserves the
12 opportunity for orderly, well-planned, future growth of these areas
13 through re-subdivision and re-development after annexation into the
14 towns. The base density in the TC District is one dwelling unit per 20
15 acres plus three additional dwelling units.

Comment [JLH7]: TC retains the 3 up-front lots.

16 (b) Development in this district shall:

17 [1] Maintain, and wherever possible, improve the quality of runoff
18 that enters the Chesapeake Bay or its tributary streams;

19 [2] Conserve and protect agricultural lands;

20 [3] Protect environmentally sensitive lands from nonagricultural
21 forms of development;

22 [4] Preserve the County's rural character through conservation of
23 open space and agricultural lands.

24 (8) Town Residential District - TR.

Comment [JLH8]: Much of the land in the TR District would, under the Comprehensive Plan policies, be rezoned to the proposed TC District. The TR District will be retained for areas such as the Rio Vista neighborhood that are currently developed at suburban densities.

25 (a) The TR district is characterized by existing moderate-intensity
26 residential uses. This district recognizes existing residential
27 neighborhoods near incorporated towns, and allows compatible infill
28 development while preserving any existing natural habitat wherever
29 possible. Public water and sewer service should be provided. The base
30 density in the Town Residential District - TR is:

31 [1] One dwelling unit per acre without sewer service (with
32 approval from Health Department); and

33 [2] Four dwelling units per one acre with sewer service (with
34 approval from Public Works Department).

35 * * *

1 (9) Limited Commercial District - LC.

2 * * *

3 (10) General Commercial District - GC.

4 * * *

5 (11) Limited Industrial District - LI.

6 * * *

7 (12) Critical Area designations.

8 * * *

9 B. Floating and overlay zoning districts.

10 Floating and overlay zoning districts provide flexibility and application of special
11 regulations.

12 (1) Manufactured Home Development Floating Zone.

13 * * *

14 (c) Manufactured Home Development Floating Zones may be approved
15 only in areas presently zoned Agricultural Conservation (AC),
16 Countryside Preservation (CP) and Town Conservation (TC) districts.

17 * * *

Comment [JLH9]: CB 1050 changed this to "Manufactured Home Development Floating Zones are permitted only in AC, CP and TC Districts. The wording here, from earlier versions of Phase I, is more accurate for a rezoning.

18 **ARTICLE IV. Land Use Regulations by Zoning Districts**

19 * * *

20 **§ 190-20. Additional land use regulations.**

21 * * *

22 M. Wireless communications towers.

23 * * *

24 (4) The following requirements apply to towers less than 75 feet high:

25 * * *

26 (f) Permitted in all zones except Rural Residential (RR), Town
27 Conservation (TC) and Town Residential (TR) provided the
28 individual antennas meet the size criteria of the general requirements
29 and all at-grade mechanical equipment meets applicable zoning
30 requirements.

1 * * *

2 (5) The following requirements apply to towers that are 75 feet to less than 100
3 feet high.

4 * * *

5 (e) Permitted in all zones except Rural Residential (RR), Town
6 Conservation (TC) and Town Residential (TR) provided the individual
7 antennas meet the size criteria of the general requirements and all at-
8 grade mechanical equipment meets applicable zoning requirements.

9 * * *

10 (6) The following requirements apply to towers 100 feet high or higher:

11 * * *

12 (h) Permitted by special exception in all zones except Rural Residential
13 (RR), Town Conservation (TC), Town Residential (TR) and Village
14 Center (VC) provided the individual antennas meet the size criteria of
15 the general requirements and all at-grade mechanical equipment meets
16 applicable zoning requirements.

17 * * *

18 **ARTICLE VI. Manufactured Home Development Floating Zone**

19 **§ 190-27. Procedure for approval.**

20 * * *

21 B. Manufactured Home Development Floating Zones may be approved only in areas
22 presently zoned AC, CP and TC.

23 * * *

24 **§ 190-28. Site plan and design standards for manufactured home rental communities.**

25 * * *

26 D. The minimum setback of any structure within the manufactured home rental
27 community from adjacent County or State roads shall be 50 feet. Minimum setbacks
28 from adjoining property lines shall be 50 feet whenever the community abuts an AC,
29 WRC, CP, RC, or TC Zone and 25 feet when the community abuts an LI, GC, LC,
30 TR, VC, or RR Zone.

31 * * *

Comment [JLH10]: CB 1050 changed this to "Manufactured Home Development Floating Zones are permitted only in AC, CP and TC Districts. The wording here, from earlier versions of Phase I, is more accurate for a rezoning.

1 **ARTICLE X, Development Design Standards**

2 **§ 190-56.1 Standards for Rural Districts**

3 A. Density calculations

4 (1) In the AC, CP, WRC and TC Districts, the number of lots allowed to be
5 subdivided from a parcel, lot or tract shall be based on the size of the original
6 parcel, lot or tract as of June 22, 1991.

7 (2) For lots or parcels that have been, or are, subdivided from an original parcel,
8 or that are resubdivided:

9 (a) Further subdivision is permitted if additional development rights are
10 available based on the size of the original parcel and the density
11 standards of this chapter.

12 (b) Development rights specifically granted to a lot or parcel by plat
13 and/or deed are valid if the enumerated development rights do not
14 exceed current density standards. If development rights granted by plat
15 or deed exceed the available development rights, the Planning Officer
16 shall determine a proportionate distribution of development rights.

17 (c) If development rights are not enumerated on plats and/or deeds, the
18 Planning Officer shall approve a proportional distribution of available
19 development rights among lots and parcels 40 acres or larger.

Comment [JLH11]: (2)(a) through (2)(c) are new text clarifying the assignment of development rights among parcels and lots created since June 22, 1991.

20 2(a) through 2(c) above replace the following provision from Council Bill 1050, which does
21 not address all possible situations and will be too restrictive in some cases: "A lot that has
22 been, or is, subdivided from an original parcel, lot or tract, or that is resubdivided, may not be
23 further subdivided unless additional enumerated subdivision rights have been or are
24 specifically granted to that lot by deed and subdivision plat notation.

25 B. Design Standards

26 The following design standards apply to development in the AC, CP, WRC and TC Districts.

27 (1) Residential lots and structures shall be located in the fringe edges of
28 woodlands and fields to the fullest practical extent.

29 (2) Landscapes shall be preserved in their natural state to the fullest practical
30 extent. Tree and soil removal shall be minimized. Topography, drainageways,
31 tree cover and other natural features shall be given priority as fixed design
32 determinants rather than elements to be changed to follow a preferred
33 development plan.

34 (3) Areas with environmental constraints may be included to calculate density,
35 but development shall minimize disturbance of these areas to the fullest
36 practical extent.

1 (4) Subdivision plats shall contain plat notes to notify all lot owners that (a) they
2 have no recourse against the inherent effects of agricultural operations
3 conducted in accordance with best management practices; (b) these effects
4 may include, but are not limited to, noise, odor, vibration, fumes, dust or
5 glare; and (c) Chapter 128, Talbot County Code, "Right to Farm" protects
6 agricultural operations on all agricultural land in the County.

7 (5) Proposed subdivisions shall include a concept plan for the entire parcel or
8 project showing conceptual proposals for future development. The concept
9 plan is nonbinding.

Comment [JLH12]: Earlier versions used the term "master sketch plan" or "master plan." Drafts of the Phase II text use the term "concept plan."

10 (6) For any residential subdivision or re-subdivision of an original parcel in
11 existence as of June 22, 1991, not more than two lots shall have direct access
12 to an existing County or State road. Any additional lots shall have access only
13 by an internal subdivision road, unless:

14 (a) The Planning Commission finds that the unusual physical conditions
15 prevent internal access to all lots; or

16 (b) The additional access is from a lot that has a minimum size of 10 acres
17 and frontage of at least 600 feet on a County or State road.

18 (7) Street frontage for each lot shall be at least 50 feet; frontage may be reduced
19 to not less than 25 feet for adjacent lots with a common joint access.

20 C. Requirements for subdivision in the AC, CP and WRC Districts

21 (1) Subdivision in the AC, CP and WRC Districts shall use the cluster form of
22 development, in which most lots are clustered together on a portion(s) of the
23 site and remaining land is consolidated suitable for farming to the fullest
24 practical extent.

25 (2) Subdivisions in the AC, CP and WRC Districts shall include reserved land as
26 follows:

27 (a) Any non-cluster lot or parcel having no further development rights, not
28 including intra-family transfers, shall be designated as reserved land.

29 (b) Each non-cluster lot or parcel designated as reserved land shall include
30 land unencumbered by an Reservation of Development Rights
31 Agreement of at least the minimum lot size under applicable zoning to
32 permit one primary single-family dwelling.

33 (c) The Reservation of Development Rights Agreement for non-cluster
34 lots may allow additional subdivision only for creation of intra-family
35 lots as permitted by sub-paragraph (4) below.

36 (3) The density in the AC, CP and WRC Districts is one dwelling unit per 20
37 acres plus additional units as follows:

38 (a) Parcels at least 4 and less than 40 acres: two additional dwelling units;

Comment [JLH13]: This is new text, not included in earlier versions of Phase I, to require reserved land as part of a cluster subdivision. In the version first recommended by the Planning Commission, a standard cluster subdivision would not have required a Reservation of Development Rights on the land remaining after density is exhausted.

- 1 (b) Parcels at least 40 and less than 100 acres: one additional dwelling
 2 unit;
- 3 (c) Parcels 100 or more acres: no additional dwelling units.
- 4 (4) In addition to the density allowed by sub-paragraph (3) above, a working
 5 farmer may create intra-family lots on qualifying parcels as follows:
- 6 (a) Parcels at least 4 acres and less than 40 acres: one intra-family lot;
- 7 (b) Parcels at least 40 acres and less than 100 acres: two intra-family lots;
- 8 (c) Parcels 100 or more acres: three intra-family lots.
- 9 (5) Creation of intra-family lots pursuant to sub-paragraph (4) shall be subject to
 10 the following conditions:
- 11 (a) The working farmer desiring to create the intra-family lots must be the
 12 owner of record as of (date of adoption); and,
- 13 (b) Any intra-family lot shall be created pursuant to the requirements of
 14 §190-58 G.(2) and § 190-58 G.(3);
- 15 (6) The clustering requirements and number of development rights in the AC, CP
 16 and WRC district, excluding lots created for intra-family transfer, are:

Parcel Size (acres)	Maximum number of lots, including remainder of original parcel	Minimum number of clustered lots	Maximum acreage included in the cluster lots	Number of lots not required to cluster
Less than 4 acres	1	n/a	n/a	n/a
At least 4 and less than 20	2	n/a	n/a	n/a
At least 20 and less than 60	3	2	7	1
At least 60 and less than 80	4	2	7	2
At least 80 and less than 120	5	3	11	2
At least 120 and less than 140	6	3	11	3
At least 140 and less than 160	7	4	14	3
160 or more	One lot per 20 acres	All except 3 lots	Acreage equal to 3.5 acres times the number of cluster lots	3

17

1 D. Lot Size, Setbacks, Lot Width and Reserved Land

2 The following requirements apply in the AC, CP and WRC Districts:

Minimum lot size	1.0 acre
Minimum Setbacks:	
Perimeter setback from adjacent properties	50 ft.
Lots 2 acres or larger:	
Front	50 ft.
Side	50 ft.
Rear	50 ft.
Lots at least 1 but less than 2 acres:	
Front	50 ft.
Side	15 ft.
Rear	25 ft.
Minimum lot width:	
Lots 2 acres or larger:	200 ft.
Lots at least 1 but less than 2 acres:	100 ft.

Comment [JLH14]: In earlier versions, this section had minimum reserved land requirements for cluster subdivisions with TDR. There was no required reserved land for standard cluster subdivisions. In standard cluster, the amount of developed area is to be controlled by the cluster requirements and limits on the size of cluster lots (see D(6) above), rather than by a minimum reserved land requirement.

3 E. Agriculturally related commercial and industrial uses in the AC, CP and WRC
4 districts.

- 5 (1) The Board of Appeals shall reserve the right to impose additional conditions
6 on agriculturally related commercial and industrial uses which are allowed as
7 special exceptions. These conditions shall relate to requirements for access,
8 parking, signage, setbacks, landscaping, screening and buffering, and other
9 site design features.
- 10 (2) The Planning Commission shall make recommendations to the Board of
11 Appeals regarding additional conditions.
- 12 (3) When making these additional site design recommendations and conditions,
13 the Planning Commission and Board of Appeals shall consider the following:
- 14 (a) Impact of the use or activity on the neighborhood;
- 15 (b) Compatibility of the use or activity with surrounding land uses; and
- 16 (c) The preservation of the rural character.

17 ***§ 190-56.2 Reservation of Development Rights***

18 A. **Required**

19 Reservation of Development Rights Agreements (RDR's) are required for:

Comment [JLH15]: CB 1001 and earlier drafts required RDR's only for sending parcels and the reserved area of cluster subdivisions with TDR's. Council Bill 1050 revised this section to require RDR's for "Reserved land in cluster subdivisions, with or without TDRs." D(2) above adds a reserved land requirement for cluster subdivisions

- 1 (1) Reserved land in cluster subdivisions;
- 2 (2) Subdivisions created exclusively for non-developmental division of land or
- 3 for non-developmental purposes.

4 B. Dwelling Allowed

- 5 (1) A lot or parcel designated as reserved land may include land unencumbered
- 6 by an RDR, of at least the minimum lot size under applicable zoning to permit
- 7 one primary single-family dwelling. Each permitted dwelling shall be
- 8 deducted from the maximum number of dwelling units allowed for the
- 9 subdivision.
- 10 (2) An RDR may allow subdivision and release of a portion of the reserved land,
- 11 only for creation of intra-family lots as permitted by this Article.

Comment [JLH16]: New provision to provide an exception to RDR agreements to allow intra-family lots for working farmers.

12 C. Content

- 13 (1) RDR's shall:
 - 14 (a) Restrict future development of any residential, commercial or
 - 15 industrial structures and uses, except as permitted by this Article for
 - 16 the creation of intra-family lots;
 - 17 (b) Be granted to, inure to the benefit of, and be enforceable by the
 - 18 County; run with and bind the land, the grantor, and the grantor's
 - 19 successors; and,
 - 20 (c) Be recorded among the Land Records at the expense of the applicant
 - 21 before issuance of any permit or plat approval.
- 22 (2) RDR's shall not:
 - 23 (a) Restrict agricultural uses or structures; or,
 - 24 (b) Restrict future use of the property for public purposes.
- 25 (3) Release.

Comment [JLH17]: New phrase to provide for intra-family lots.

26 A grantor or his successors may petition the Council for partial or complete
27 release of an RDR if the parcel's zoning map classification changes. Such a
28 change permits, but does not require, release of the RDR.

29 § 190-57. Agricultural Conservation - AC.

30 Development in the AC District shall comply with §190-56.1 and the following design
31 standards:

- 32 A. Subdivisions shall be designed and the lots located in a way that preserves the
- 33 agricultural and open space integrity of the remainder of the property and is
- 34 compatible with farming operations in the area. This standard governs location and

Comment [JLH18]: CB 1050 revised this standard to shorten and condense the language. This text restores the current, more detailed text, which has been extensively used by the Planning Commission in its review of subdivision plans. The CP District has the same standard, and the WRC District has an almost identical standard.

1 design of all lots, whether clustered or not.

2 B. Development shall locate lots and subdivision roads to avoid conflicts with existing
3 farming operations through separation and preservation of existing natural buffers.

4 **§190-57.1. Countryside Preservation – CP**

5 Development in the CP District shall comply with §190-56.1 and the following design
6 standards:

7 A. Subdivisions shall be designed and the lots located in a way that preserves the
8 agricultural and open space integrity of the remainder of the property and is
9 compatible with farming operations in the area. This standard governs location and
10 design of all lots, whether clustered or not.

Comment [JLH19]: See comment above on this standard.

11 B. Development shall locate lots and subdivision roads to avoid conflicts with existing
12 farming operations through separation and preservation of existing natural buffers.

13 C. Developers shall use vegetated buffers, setbacks, and other techniques to preserve
14 rural landscape views from County or State roads to the fullest practical extent..

15 **§190-57.2. Western Rural Conservation– WRC**

16 Development in the WRC District shall comply with §190-56.1 and the following design
17 standards:

18 A. Subdivisions shall be designed and the lots located in a way that preserves the
19 agricultural and open space integrity of the remainder of the property and preserves
20 environmentally sensitive land. This standard governs location and design of all lots,
21 whether clustered or not.

Comment [JLH20]: This standard differs from those for the AC and CP Districts, to reflect the primary concern in the WRC District of environmental preservation.

22 B. Development shall locate lots and subdivision roads to avoid conflicts with existing
23 farming operations through separation and preservation of existing natural buffers.

24 C. Impervious Surface Coverage. Man-made impervious surfaces shall not exceed:

25 (1) For existing lots of record as of June 22, 1991 that are ½ acre or less, no more
26 than 25 percent of the lot area.

27 (2) For existing lots of record as of June 22, 1991 larger than ½ acre but less than
28 one acre, no more than 20 percent of the lot area.

29 (3) For all other lots or parcels, no more than 15 percent of the lot area.

30 * * *

1 § 190-59.1. *Town Conservation – TC*

2 A. Maximum density

3 (1) 6 acres or less: 1 dwelling unit per 2 acres

4 (2) Over 6 acres: 3 dwelling units plus 1 dwelling unit per 20 acres

Comment [JLH21]: The discussions of modification to the 3 up-front lots did not address the TC District. In previous drafts the TC District allowed three up-front lots but did not have the provisions for required clustering of lots or a TDR option.

5 B. Minimum lot size: 1.0 acre

6 C. Setbacks

7 (1) Lots 2 acres or larger:

8 Front 50 feet

9 Side 50 feet

10 Rear 50 feet

11 (2) Lots less than 2 acres:

12 Front 50 feet

13 Side 25 feet

14 Rear 25 feet

15 D. Minimum lot width

16 (1) Lots 2 acres or larger: 200 feet

17 (2) Lots less than 2 acres: 100 feet

18 (3) Street frontage for each lot shall be at least 50 feet; frontage may be reduced
19 to not less than 25 feet for adjacent lots with a common joint access.

20 E. Development standards

21 Development in the TC District shall comply with the standards of Section 190-56.1.B and
22 the following standards:

23 (1) All subdivision plans shall be sent to the Planning Commission of the nearest
24 town for review, comments and recommendations regarding impacts on town
25 plans for future growth and development including road or utility extensions if
26 the property is annexed.

27 (2) Final subdivision plats in the TC District shall include the following language:
28 “This subdivision is in the future growth area of an incorporated town. In the
29 event of annexation, the subdivision may be re-subdivided or redeveloped
30 consistent with the town’s plans.”

31 * * *

1 **§ 190-65. Special setbacks from state highway.**

2 All setbacks from major state highways (Routes 50, 404, 333, 322, 33, 328, and 331) shall be
3 increased to 150 feet in the AC, CP, WRC, RC, RR and TC Districts, and shall be increased
4 to 50 feet in the VC, TR and LI Districts. Setbacks from all other state highways shall be
5 increased to 100 feet in the AC, CP, WRC, RC, RR and TC Districts and shall be increased
6 to 50 feet in the VC, TR, and LI Districts.

7 **§ 190-66. Special front yard setbacks.**

8 In the AC, CP, WRC, RC, RR, TC, TR and VC Districts the front yard setback for a new
9 principal residential structure on an infill lot may be reduced to the average front yard
10 setback of all existing principal residential structures located on the same side of the street on
11 both sides of the lot for a distance of 100 feet.

12 **§ 190-67. Special side yard and rear yard setbacks.**

13 Side yard setbacks shall be doubled for structures on lots created after the effective date of
14 this chapter in the VC or TR Districts that are adjacent to parcels or lots in the AC, CP,
15 WRC, TC, RC, or RR Districts that are two acres or larger. In all zoning districts side and
16 rear yard setbacks may be reduced by half for accessory residential storage structures that are
17 300 square feet or smaller.

18 * * *

19 **§ 190-72. Lot access.**

20 Lots five acres or less in the RC, RR, TC, and TR Districts created through subdivisions of
21 more than two lots shall use only County or private roads for access to State highways. The
22 Planning Officer may waive this requirement if no other reasonable alternative is available.

23 * * *

24 **§ 190-76. Clear-vision area on corner lots.**

25 A clear-vision area shall be maintained on the corners of all property at the intersection of
26 two streets or a street and a railroad.

27 * * *

28 C. The following measurements shall establish clear-vision areas:

29 (1) In AC, CP, WRC, RC, RR, TC, TR, and VC Districts, the minimum distance
30 shall be 25 feet or, at intersections including an alley, 10 feet.

31 (2) In LC, GC and LI Districts where yards are required, the minimum distance
32 shall be 15 feet or, at intersections including an alley, 10 feet, except that
33 when the angle of intersection between streets, other than an alley, is less than
34 30°, the distance shall be 25 feet.

35 * * *

1 § 190-81. Signs.

2 * * *

3 B. Signs excluded from regulation. The following signs are exempt from regulation
4 under this chapter:

5 * * *

6 (10) Political signs in any zoning district, provided that they are in compliance
7 with the following standards:

8 * * *

9 (c) The size of political signs erected in the AC, CP, WRC, RC, RR, TC
10 and TR Districts shall not exceed six square feet in single side surface
11 area per sign.

12 * * *

13 F. Wall sign surface area.

14 * * *

15 (2) In the Village Center or Limited Commercial Zoning Districts, the maximum
16 wall sign surface area on any lot fronting on one street shall be 75 square feet
17 for lots with less than 200 lineal feet of street frontage; 100 square feet for lots
18 with at least 200 lineal feet of street frontage but less than 600 lineal feet, and
19 200 square feet for lots with 600 or more lineal feet of street frontage. For
20 commercial or industrial uses in the AC, CP and WRC Districts, the
21 maximum wall sign surface area shall not exceed 75 square feet for lots
22 fronting one street. The maximum wall sign surface area for nonconforming
23 commercial or industrial uses in the TR, TC, RR, RC, AC, CP and WRC
24 Zoning Districts shall not exceed 50 square feet for lots fronting one street.

25 * * *

26 G. Freestanding sign surface area.

27 * * *

28 (2) In a Village Center or Limited Commercial Zoning Districts or for
29 commercial and industrial uses in the AC, CP or WRC Zoning District, a
30 single side of a freestanding sign shall not exceed 50 square feet in surface
31 area if the lot on which the sign is located has less than 200 feet of frontage on
32 the street toward which that sign is primarily oriented and 75 square feet on
33 lots with 200 or more feet of frontage. For nonconforming commercial or
34 industrial uses in the TR, RR, RC, TC, AC, CP and WRC Zoning Districts, a
35 single side of a freestanding sign shall not exceed 50 square feet in surface
36 area.

1 * * *

2 H. Number of freestanding signs.

3 (1) In the Village Center and Limited Commercial Zoning Districts or for
4 commercial and industrial uses in the TR, RR, RC, TC, AC, CP and WRC
5 Zoning Districts, no development may have more than one freestanding sign.

6 * * *

7 J. Location and height requirements.

8 * * *

9 (5) Signs in the Village Center, Limited Commercial, General Commercial and
10 Limited Industrial Zoning Districts or for nonconforming commercial or
11 industrial uses in the AC, CP, WRC, and RC Zoning Districts may be located
12 in the required setback area for the affected yard in the zone in which the sign
13 is to be located.

14 * * *

15 § 190-82. Noise standards.

16 * * *

17 C. Noises shall not exceed the maximum sound levels prescribed in the following table
18 beyond the site boundary lines except that in LC, GC or LI Districts abutting an AC,
19 CP, WRC, RC, RR, TC, TR or VC District the 55-dba standard shall apply.

20 D. All uses shall conform to the following standards:

NOISE LEVEL RESTRICTIONS	
Zoning District	Maximum Permitted Sound Level
AC, CP, WRC, RC, RR, TC, TR, VC	55 dba
LC, GC and LI	65 dba

21

22 E. The levels prescribed above may be exceeded by 10 dba for a single period, not to
23 exceed 15 minutes in any one day, except in AC, CP, WRC, RC, RR, TC, TR or VC
24 Districts. For the purposes of this section, impact noises are those noises whose peak
25 values are more than six dba higher than the values indicated on the sound-level
26 meter, and are of short duration, such as the noise of a forging hammer or punch
27 press. For impact noises, the values prescribed in Subsection D, increased by 10 dba,
28 shall govern except in AC, CP, WRC, RC, RR, TC, TR or VC districts.

29 * * *

1 § 190-19 General Table of Land Use Regulations

2 **Key:**

P	=	Permitted	RC	=	Rural Conservation District
S	=	Special exception use	RR	=	Rural Residential District
A	=	Accessory use	TC	=	Town Conservation District
AC	=	Agricultural Conservation	TR	=	Town Residential District
CP	=	Countryside Preservation District	VC	=	Village Center District
WRC	=	Western Rural Preservation District	LC	=	Limited Commercial District
			GC	=	General Commercial District
			LI	=	Limited Industrial District

3

4

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
AGRICULTURE											
Accessory Agriculture Uses And Structures	A	<u>A</u>	<u>A</u>	A	A	<u>A</u>	A	A			
* Includes farm buildings, barns, cribs, sheds, tool rooms, workshops, tanks, and silos											
* Open or enclosed storage of farm materials, products, equipment or vehicles											
* Petroleum storage, not for resale, subject to County, state, and federal regulations											
* Grain flow and field blending and packaging including milling drying and storing											
* Structures for animal manure, composting and similar purposes, minimum 200-foot setback required except for poultry house waste storage structures associated with existing poultry operations											
* Poultry house waste storage structures for existing poultry operations may be located no closer to the nearest property line than the existing poultry house, provided the poultry house waste storage structure shall be located in an unobtrusive and environmentally sensitive manner as possible, and is located as far away from the nearest property line as practical. Affected adjoining property owners shall be afforded an opportunity to provide comments to the Planning Officer prior to issuance of a zoning permit.											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
Agricultural Migrant Employee Housing	S	<u>S</u>	<u>S</u>	S							
* 200-foot setback from property lines											
* 20-acre minimum lot size											
* Not more than 15 units with 6 persons per unit											
Agricultural Processing	S	<u>S</u>	<u>S</u>			<u>S</u>					P
* Includes raw product packaging, freezing and canning											
* 200-foot setback from property lines											
Agricultural Production	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* Includes growing field crops, grazing, livestock and supplemental feeding, hay production, orchards, vegetable growing, sod farming, vineyards and Christmas tree growing											
Agricultural Research Facilities (commercial)	S	<u>S</u>	<u>S</u>	S		<u>S</u>					
* See additional land use regulations §190-20A.											
Grain processing, drying and storage (wholesale commercial)	P	<u>P</u>	<u>P</u>	P		<u>S</u>		S	S	S	S
* In the RC Zone (wholesale only), limited to an accessory use to a farm operation existing as of the date of this ordinance											
* 200-foot setback from property lines											
Greenhouse and Plant Nursery (wholesale)	P	<u>P</u>	<u>P</u>	P		<u>S</u>	S	S	S	P	S
* In the RC Zone, limited to establishments for the growing and holding of trees, shrubs, plants and flowers (i.e., native, ornamental and hydrophytic species) for the purpose of sale											
Greenhouse and Plant Nursery (retail)	S	<u>S</u>	<u>S</u>	S		<u>S</u>	S	S	P	P	P
* In the RC Zone, limited to establishments for the growing and holding of trees, shrubs, plants and flowers (i.e., native, ornamental and hydrophytic species) and associated planting supplies, including fertilizer, peat moss, planting soil, etc. for the purpose of sale											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* In RAC <u>AC</u> , <u>CP</u> , <u>WRC</u> , and <u>RC</u> and <u>TC</u> Zones, areas devoted to growing of plants or trees shall be set back 20 feet from all property boundaries											
* In RAC <u>AC</u> , <u>CP</u> , <u>WRC</u> , and <u>RC</u> and <u>TC</u> Zones, parking and sales areas shall be set back 200 feet from rear and side property lines											
* In RAC <u>AC</u> , <u>CP</u> , <u>WRC</u> , and <u>RC</u> and <u>TC</u> Zones, parking and sales structures shall be set back 100 feet from the front property line											
Livestock Auction House	S	<u>S</u>	<u>S</u>								
* 10-acre minimum lot size											
* 200-foot setback for buildings and structures											
* 50-foot setback for parking areas											
Poultry and Hog Houses, Dairy Barns, Livestock Feeding Lots and Agricultural Lagoons	P	<u>P</u>	<u>P</u>	P							
* 200-foot setback from property lines											
* 20-acre minimum lot size for poultry and hog houses larger than 1,000 square feet											
Poultry and Hog Houses Larger Than 1,500 Square Feet on Parcels Smaller Than 20 Acres	S	<u>S</u>	<u>S</u>	S							
* 200-foot setback from property lines											
Poultry Houses of any size on any size parcel located outside of the Chesapeake Bay Critical Area								S			
Produce Stands	A	<u>A</u>	<u>A</u>	A		<u>A</u>		P	P	P	
* See supplemental regulations § 190-20B.											
Timber Harvesting (commercial)	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* Includes parcels 10 acres or larger in Critical Area RR, TR, VC, and LC											
Timber Harvesting (commercial)					S		S	S	S		
* Includes parcels smaller than 10 acres in Critical Area RR, TR, VC, and LC											
Aquaculture (retail)	S	<u>S</u>	<u>S</u>	S				S	P	P	S

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* See additional land use regulations § 190-20E.											
Aquaculture (wholesale)	P	<u>P</u>	<u>P</u>	P				S	P	P	P
*Seafood on-premises for wholesale sales											
* Excludes on-premises processing of aquaculture products											
* 200-foot setback for related ponds, in RAC <u>AC, CP, WRC, RC, and VC</u>											
Fish and Game Hatcheries	P	<u>P</u>	<u>P</u>	P							
RESIDENTIAL											
Accessory Residential Uses	A	<u>A</u>	<u>A</u>	A	A	<u>A</u>	A	A	A	A	A
* Includes structures not for human occupation											
* Includes detached carports and garages, game courts, greenhouses, satellite dishes, storage sheds, swimming pools and pool houses											
* Includes horse stables in RAC, RC, RR, TR and VC Zones with minimum lot size of 2 acres for 1 horse and 1 additional acre for each additional horse											
* The minimum setback from property lines for horse stables and related manure storage areas is 100 feet.											
* Includes an apartment in conjunction with a single-family detached dwelling unit in the VC Zone provided the single-family dwelling retains the appearance of a single-family home. When the apartment is located in the residence, the owner of the property must reside in either the principal residence or apartment. An apartment within or attached to the principal residence is limited to a minimum of 300 square feet and a maximum of no more than 35% of the gross floor area of the principal residence, and an apartment in a detached accessory residential structure is limited to 500 square feet and not more than 2 bedrooms.											
* A private satellite dish shall only be permitted in the rear or side yard, shall not have an antenna exceeding 12 feet in diameter or 15 feet in height above ground level, shall be permanently ground mounted, shall not be installed on a portable or movable structure, shall be totally screened along the nonreceptive window axis and shall have low level ornamental landscaping along the base of the receptive window axis (screening may											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
consist of fencing or plantings).											
* The home-based office shall not employ more than 1 nonresident employee. Equipment used in the home-based office shall be limited to computers, fax machines, telephones, adding machines, calculators, filing cabinets, desks, and other supplies typical of administrative or clerical functions. The home-based office shall comply with § 190-20C(3)(d) for home-based occupation.											
Employee Residence	A	<u>A</u>	<u>A</u>	A	A	<u>A</u>	A	A	A	A	A
* In all Zones, except RAC <u>AC</u> , <u>CP</u> , <u>WRC</u> , and <u>RC</u> and <u>TC</u> where parcels are 20 acres or larger, an employee residence shall not exceed 1,500 square feet.											
* At least one-half of the household income of the employee residence shall be obtained from the property owner.											
* An employee residence shall not be a manufactured home or mobile home unless it is an employee residence accessory to agriculture (See supplemental regulations § 190-23B.)											
Guest Residence (noncommercial)	A	<u>A</u>	<u>A</u>	A	A	<u>A</u>	A	A			
* 2-acre minimum parcel size											
* 1 guest residence per parcel											
* Excludes manufactured homes and mobile homes											
* Shall not be occupied by the same individual for longer than 6 months											
* An individual occupying a guest residence for more than 3 months shall not reoccupy the residence for 1 month after ceasing occupancy											
* May be indefinitely occupied by an individual related by blood or marriage to the property owner											
* In all Zones, except RAC and <u>AC</u> , <u>CP</u> , <u>WRC</u> , <u>RC</u> and <u>TC</u> where parcels are 20 acres or larger, no guest residence shall exceed 1,500 square feet.											
* No guesthouse shall be rented or sold separately from the principal residence.											
Single-Family Residence (detached)	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	A	A	A
* Includes modular homes and doublewide manufactured homes, subject to the provisions of § 190-20N											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* Excludes single-wide manufactured homes and mobile homes											
* Limited to one single-family primary residence per parcel or lot											
Single-Family Residence (duplex)	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	A	A	A
* Includes 2 attached single-family dwelling units constructed on site or modular dwelling units manufactured off site											
* Each unit of a duplex must be located on a separate lot, and the side yard setback where the units are attached is waived.											
* Excludes manufactured homes and mobile homes											
* Shall only be allowed on individual lots smaller than 2 acres											
Short-Term Rental	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P			
*Permitted, subject to registration and licensure, in all zoning districts except Limited Industrial, Limited Commercial, and General Commercial.											
RECREATION											
Conservation Areas (public or private)	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* Includes arboretums, bird sanctuaries, demonstration forests, hunting preserves, reforestation areas, wildlife reservations and regulated hunting areas											
Drive-In Theater										S	
* Display screen shall not be visible from a public road											
* Screen structures shall be at least 100 feet from public roads											
Exposition Center or Fairgrounds	S	<u>S</u>	<u>S</u>							S	S
General Outdoor Commercial Recreation Activities										S	S
* Includes miniature golf, driving ranges and commercial ballfields											
Golf Courses and Country Clubs (public or private)	P	<u>P</u>	<u>P</u>		S	<u>S</u>	S				

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* Courses shall not be lighted for night play.											
* Excludes miniature golf courses											
* Excludes driving ranges not primarily associated with the golf course											
Hunting Blinds	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P			
* See Maryland state law for regulations on hunting blinds.											
Indoor Recreation Facilities (commercial or noncommercial)								S	P	P	P
* Includes billiard/pool halls, bowling alleys, health clubs, indoor ball courts, skating rinks, theaters with fewer than 500 seats, and sports arenas with fewer than 500 seats											
* 100-foot setback from property lines											
* In the VC Zone, uses must be located within 1/4 mile of a state highway.											
Indoor Shooting Range	S	<u>S</u>	<u>S</u>						S	S	S
Off-Road Outdoor Recreation (Public or Private)	S	<u>S</u>									
Motorized and nonmotorized vehicle race and other recreation courses, excluding automobiles and trucks											
*Minimum of 50 acres											
*No areas for retail sales of merchandise exceeding 400 square feet											
*Facility shall post rules and regulations regarding the use of safety equipment											
*Trained first aid personnel shall be on site during operating hours											
*Adequate off-site parking shall be provided											
*Entire course must be laid out so that vehicles shall not be driven on the courses above natural prevailing grade of surrounding land											
*200-foot setback from property lines, of which 100 feet shall be vegetative buffer of at least 10 feet in height											
*1,000-foot setback from existing inhabited dwellings											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
*Activity must meet noise standards of this chapter											
*Course shall not be lit for nighttime operation											
*Hours of operation may not exceed 9:00 a.m. to 7:00 p.m.											
*No overnight camping or campgrounds											
*Recreation area to be fenced with at least a six-foot-high fence and locked during nonoperating hours											
*No paid spectator tickets shall be permitted											
*Access to site shall be by arterial or collector road											
Parks and Playgrounds (public or private)	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P			
* In the RC Zone, commercial and public pools are not permitted except where growth allocation is approved subject to § 190-109D(21)											
* Limited to passive recreation											
Riding Stables and Trails and Horse Boarding (commercial)	S	<u>S</u>	<u>S</u>	S		<u>S</u>	S				
* 200-foot setback for related structures											
* Minimum lot size shall be 10 acres or 1 acre per horse, whichever is greater											
*In the TR Zone, minimum lot size shall be 10 acres or one acre per horse, whichever is greater											
* Feeding and watering stations shall be set back 50 feet from any body of water, including tributary streams and tidal wetlands.											
RETAIL SALES											
Automobile, Truck and Recreational Vehicle Sales										P	P
Building Supply and Lumber Yards with Outside Storage								S	S	P	P
* No structure shall exceed 65,000 square feet in gross floor area. For the purposes of this subsection, the term “gross floor area” shall include indoor and outdoor space utilized for retail display and sale of goods. No											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
combination of structures, or structures and outside retail display and sales areas on the same or on contiguous lots or parcels, shall exceed 65,000 square feet in gross floor area for a single or commonly controlled retail business operation.											
* Includes home and garden supplies and equipment											
Farm Machinery and Supplies	S	<u>S</u>	<u>S</u>						S	P	P
* Includes agricultural vehicles and implements											
* Includes agricultural supplies											
* Includes home and garden supplies and equipment, except in the RAC Zone											
* In the RAC Zone <u>AC, CP, WRC and TC Districts</u> , 200-foot setback for structures used for milling of grain and feed, and chemical and fertilizer storage											
General Retail								S	P	P	
* Includes sales of antiques, books, baked goods, clothing, crafts, drugs, dry goods, furniture, gifts, groceries, hardware, household items, liquor, plants (flowers, shrubs, and trees), seafood, sports equipment, and items generally found in department stores, general stores or variety stores											
* No structure shall exceed 65,000 square feet in gross floor area. For the purposes of this subsection, the term "gross floor area" shall include indoor and outdoor space utilized for retail display and sale of goods. No combination of structures, or structures and outside retail display and sales areas on the same or on contiguous lots or parcels, shall exceed 65,000 square feet in gross floor area for a single or commonly controlled retail business operation.											
* In the VC Zone general retail uses shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter, shall not exceed 2,000 square feet of gross floor area.											
Monuments and Memorial Stones										P	P
* 100-foot setback for stone cutting activities											
SERVICES											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
Animal Hospital, Veterinary Clinic and Associated Boarding of Animals	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>		P	P	P	P
* 50-foot setback from all property lines											
* No outside animal pens and overnight boarding in the VC and TC Zones											
* In the RC Zone, must be accessory to a farm use and impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Automobile Service, Repair, Washing, and Fuel Sales								P	P	P	P
* Includes trucks and recreational vehicles											
* Access driveways shall be at least 50 feet from RAC, RC, RR, and TR Zones.											
* In the VC Zone the use shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter and shall not exceed 2,000 square feet of gross floor area											
Bed-and-Breakfast	A	<u>A</u>	<u>A</u>	A	S	<u>A</u>	A	A			
* See § 190-20K											
* In the RC Zone, rental of non-motorized water craft shall be accessory to bed-and-breakfast use											
* Limited to the rental of non-motorized water craft											
* Rental of non-motorized watercraft shall be limited to guest(s) of the bed-and-breakfast											
* No retail sales											
* Two-acre minimum lot size											
* Only structures existing on the date of this amendment (11-25-2003, effective 1-24-2004) shall be used for the rental and storage associated with the non-motorized water craft											
* One parking place per two non-motorized water craft											
* Shall have direct access from a state highway											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* Limited to a maximum number of 12 non-motorized water craft											
Boat and Marine Equipment Sales and Assembly									S	P	P
*Includes outdoor commercial storage and sales											
*In an LI Zone sale of boats limited to boats fully assembled on site											
Building and Landscape Contracting and Maintenance									P	P	P
* Includes contracting for air conditioning, excavation, floor covering, glass repair, heating, landscaping, plumbing, and tree trimming											
* No exterior storage in the LC Zone											
Funeral Home and Crematorium									P	P	P
Farm Equipment Service and Repairs	S	<u>S</u>	<u>S</u>					S	P	P	P
* 150-foot setback in the RC AC, CP, WRC and VC Zone											
General Services								S	P	P	P
* Includes beauty parlor, barbershop, blacksmith, dry cleaning, equipment rental, laundromats/laundry, locksmith, outdoor power equipment repair, photo processing, shoe repair, tailor shop, signs, sheet metal, printing/publishing, appliance repair, upholstery, taxidermy, woodworker/ carpenter and welding											
* In the VC Zone general service uses shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter, and shall not exceed 2,000 square feet of gross floor area.											
* In the LC Zone a general services use shall not exceed 2,500 square feet of gross floor area.											
Home-Based Occupation	A	<u>A</u>	<u>A</u>	A		<u>A</u>	A	A			
* See additional regulations											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
§ 190-20C											
Hotel/Motel									S	P	
Inn								S	P	P	
* In the VC Zone the inn shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter											
Kennel (commercial)	S	<u>S</u>	<u>S</u>						S	S	
* 200 foot setback in RAC Zone <u>AC, CP and WRC</u> Districts											
* Outside pens must be sight obscured											
Marine Equipment Service and Repairs								S	P	P	P
Mini Warehouse								S	P	P	P
* In the VC Zone minimum property size shall be 1 acre, shall have perimeter security fencing, perimeter landscaping, minimum 50 foot setback from all property lines, lighting internal to the site and building height one story and not to exceed 20 feet for new construction											
Professional Services								P	P	P	P
* Includes accounting, architecture, chiropractic medicine, medical clinics (medical or veterinary), dentistry, financial institutions, insurance, land planning, law, medicine, real estate, veterinary medicine											
* In the VC Zone uses shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter, shall not exceed 2,000 square feet of gross floor area, and shall not include drive-through facilities											
* In the LC Zone uses shall not exceed 2,500 sq. ft. of gross floor area, and shall not include drive-through facilities											
Restaurants, Bars and Night Clubs								S	P	P	
* Excludes drive-through facilities											
* In the VC Zone uses shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter, seating limited to 40											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
persons, excludes bars and night clubs except liquor sales associated with a restaurant.											
Restaurant with Drive-Through Facilities										S	
Temporary Office for On-Site Construction Personnel	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* After 6 months of operation, Planning Officer must authorize continued use for each subsequent 6-month period.											
Vehicle and Boat Parking and Storage (commercial)	P	<u>P</u>	<u>P</u>	P				P	P	P	P
* Excludes any vehicle repairs and maintenance in the RAC and <u>AC</u> , <u>CP</u> , <u>WRC</u> and <u>RC</u> Zones											
* Limited to indoor storage in structures existing as of August 13, 1989, in the RC Zone and June 22, 1991, for the RAC, <u>AC</u> , <u>CP</u> , <u>WRC</u> , <u>VC</u> , and <u>LC</u> Zones											
*Outside boat parking and storage allowed by special exception in the LC Zone (See "Boat and Marine Equipment Sales and Assembly")											
INSTITUTIONAL											
Cemeteries and Mausoleums/Columbarium, Non-Church-Related, for Humans and Animals and Family Cemeteries	P	<u>P</u>	<u>P</u>	P							
* 20-acre minimum lot size for cemeteries											
* 5-acre minimum lot size for pet cemeteries											
* 2-acre minimum lot size when limited to use of property owner and owner's family members and their pets											
* Non-church-related cemeteries are prohibited in the RC Zone, excepting family cemeteries, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Cemeteries Related to Churches or Temples	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	P	P	P	
* In the RC Zone, church-related cemeteries are allowed, provided church was in existence prior to August 13, 1989, and provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* In an RC Zone, includes columbarium associated with a church, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Community and Cultural Facilities	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	P	P	P	
* Includes public and quasi-public buildings and structures for recreation, conservation, cultural, museum, library and public service uses											
* In the VC Zone, uses shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter, and shall not exceed 2,000 square feet of gross floor area											
* In the RC Zone, uses that are non-governmental are allowed, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* Structures existing in the RC Zone prior to August 13, 1989, may be expanded, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Day-Care Facility; Family	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* 8 or fewer clients, including any relatives of the care provider											
* Includes children and adults											
* In the RC Zone, shall be located in a structure existing prior to August 13, 1989, expansion shall be allowed, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Day-Care Center; Small Group	S	<u>S</u>	<u>S</u>		S	<u>S</u>	S	S	P	P	P
* 9-12 clients including any relatives of the care provider											
* Includes children and adults											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
Day Care Center; Group	S	<u>S</u>	<u>S</u>		S	<u>S</u>	S	S	P	P	A
* More than 12 clients including any relatives of the care provider											
* Includes children and adults											
Educational Institutions, Public or Private, Boarding and Non-Boarding	S	<u>S</u>	<u>S</u>	S		<u>S</u>	S	S	S	S	S
* In RC and TR Zones, limited to nursery schools and schools with Grades K through 8											
* In the RC Zone, public allowed, in accordance with 27.02.02; private allowed subject to impervious limitation of 15% of the site or 20,000 square feet, whichever is less											
* Private institutions existing in the RC Zone prior to August 13, 1989, may be expanded, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Emergency Services	P	<u>P</u>	<u>P</u>	P		<u>P</u>	P	P	P	P	P
* Includes fire, police, rescue and ambulance uses											
* Shall be within 1/4 mile of a state highway in the RAC and AC, CP, WRC and RC zones											
* In the RC Zone, public and quasi-public allowed; private allowed, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* Existing privately owned and operated services in the RC Zone in operation prior to August 13, 1989, may be expanded, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Government Offices								P	P	P	P
* Limited to offices offering agricultural, technical, investigative, or community outreach and support services in the LI Zone											
Group Homes, Large	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* For more than 8 residents unable to live independently because of mental or physical disorders											
Group Homes, Small	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P			
* For not more than 8 residents unable to live independently because of mental or physical disorders											
Hospital										S	
* 200-foot setback for utility or service structures											
* 10-acre minimum lot size											
Meeting Halls and Facilities for Clubs, Lodges and Fraternal Societies	S	<u>S</u>	<u>S</u>	S		<u>S</u>		S	P	P	
* Excludes gun and firearm shooting clubs											
* In the RC Zone, limited to service organizations and non-profit charitable organizations and institutions											
* In the RC Zone, subject to impervious limitation of 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, structures existing prior to August 13, 1989, may be expanded, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
Nursing Home and Assisted Living Facility (existing structure)	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S			
* Shall be located in a structure existing at the effective date of this chapter											
* In Critical Area, shall be located in a structure existing prior to August 13, 1989											
* In the RC Zone, may be expanded, provided impervious surfaces are limited to 15% of the site or 20,000 square feet, whichever is less											
* In the RC Zone, where there is a 20,000 square foot limitation, impervious coverage may be increased through the use of growth allocation subject to § 190-109D(21)											
* In the RC Zone, limited to eight patients											
* See additional land use regulations (§ 190-20G).											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
Post Office								P	P	P	
Rehabilitation Residence	S	<u>S</u>	<u>S</u>	S		<u>S</u>		S			
* See additional regulations § 190-20D4.											
Studios For Instruction in Art, Music, Dance, Drama, Crafts or Physical Education						P	P	P	P	P	P
* In the VC Zone uses shall be within 300 feet of a general retail use or post office existing as of the effective date of this chapter, and shall not exceed 2,000 square feet of gross floor area.											
INDUSTRIAL											
Private Airports, Landing Strips, Heliports/Helistops	S	<u>S</u>	<u>S</u>								
* 40-acre minimum lot size for private landing strips and airports											
* 200-foot setback for private landing strips and airports											
* 20-acre minimum lot size for heliports/helistops											
* 1,000-foot setback from existing residences for heliports/helistops unless consent to reduce the setback is received from all residence owners within the 1,000-foot setback. Minimum setback 200 feet from property lines											
Compounding Industries (permanent)											S
* Includes concrete and asphalt plants											
* 1,000-foot setback from existing residences unless consent to reduce the setback is received from all residence owners within 1,000-foot setback											
* Shall not be allowed in the Chesapeake Bay Critical Area											
* Shall have direct access to an approved county or state road											
Compounding, Temporary Paving Material	S	<u>S</u>	<u>S</u>								P
* Includes any asphalt and concrete processing											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* 1,000-foot setback from any structure intended for human occupancy unless the owner of the structure consents to a lesser setback, no less than 200 feet											
* Shall be associated with a major public road or facility construction project											
* Shall not be operational for more than 1 year without the consent of the Planning Officer											
Cottage Industry	S	<u>S</u>	<u>S</u>	S		<u>S</u>		S			
*See additional regulations § 190-20C.											
Flammable Liquid Storage and Wholesale Distribution									S	S	S
* Setbacks subject to the BOCA National Fire Prevention Code/1993 as amended and Article X of this chapter, whichever is more restrictive											
Food Packing and Processing										P	P
Laboratories for Scientific Research and Experimentation											P
Manufacturing Operations								S	S	S	P
* Includes any uses involved in assembling, processing or packaging operations that do not create a public nuisance because of noise, vibration, dust, smoke, odor, glare, or environmental pollution											
* Not allowed in the Critical Area											
* In VC, LC and GC shall be located in a structure existing as of June 22, 1991, the effective date of this chapter											
* In the Village Center Zone uses shall be within 300 feet of a general retail use or post office existing as of June 22, 1991, the effective date of this chapter.											
Mineral Extraction Activities	S	<u>S</u>	<u>S</u>	S							
* Includes sand and gravel operations											
* See additional regulations § 19020H.											
Product Recycling	S	<u>S</u>	<u>S</u>	S							
* Masonry products (including concrete, asphalt, brick, block and stone) and material products (including trees, stumps, branches, leaves, grass trimmings and											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
soil)											
* See additional regulations § 190-20J.											
Recycling Processing Center											P
* Must be located in an opaque-fenced yard or enclosed structure											
* Shall not be used for a permanent storage or disposal site of recyclable materials											
Sawmills	P	<u>P</u>	<u>P</u>	P				S	S	P	P
* 200-foot setback in all zones except VC, LC, GC, and LI											
* Setback reduced to 50 feet for existing sawmills at the effective date of this chapter											
* In the RC Zone, temporary noncommercial sawmills are allowed when associated with on-site timber harvests											
Scrap Metal Processing											P
* Not allowed in Critical Area											
Storage of Flammable Liquids for Resale									S	S	S
*Does not affect storage of flammable liquids connected with nonessential utility services which have been approved by a special exception											
* Setbacks subject to the BOCA National Fire Prevention Code/1993, as amended, and Article X of this chapter, whichever is more restrictive											
Trucking and Freight Stations with Terminals and Storage Yards											P
* Not allowed in Critical Area											
WATER-DEPENDENT FACILITIES											
Community Piers and Related Boat Facilities				S	S		S	S			
* See Critical Area special provisions § 190-91.											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
Commercial Marinas and Piers				S				S	S	S	S
* See Critical Area special provisions § 190-91A(3).											
* Includes piers, wharves, berthing and boat docking facilities, launching ramps, wet and dry storage facilities for seaworthy craft in operable condition, yacht clubs, retail sale of maritime related items (fishing equipment, bait, ice, etc.) minor repair of watercraft, watercraft sales, rental and charter, marine equipment sales, watercraft fuel sales, fishing facilities (crab sheds, fish off-loading docks, shellfish culture operations, and fishery activities), guestroom rental (no more than 10 rooms)											
* In the RC Zone uses are limited to expansion of commercial marinas and piers.											
Ports and Related Industry											
* Not allowed in Critical Area											
Private Bridge Which Crosses Tidal Waters Useable By Marine Craft	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	S
* The private bridge shall be necessary to provide driveway access to a property for a residential or water-dependent use.											
* The private bridge shall be approved and a permit issued by County, state, and federal agencies having jurisdiction.											
* Setbacks for the private bridge shall be the same as for other structures unless the bridge directly abuts an existing public road; then setbacks are waived.											
Other Private Bridges	A	<u>A</u>	<u>A</u>	A	A	<u>A</u>	A	A	A	A	A
* The private bridge shall be approved and a permit issued by County, state, and federal agencies having jurisdiction											
Water-Oriented Public Recreation, Education, Research Areas				S			S	S	S	S	
* See Critical Area special provisions § 190-91A(4).											
In TR Zone, 2 acre minimum lot size, limited to public schools and organizations holding federal tax exempt status under 501(c)(3) of the Internal Revenue Code, and excluding use or rental of motorized watercraft (except boats used in connection with and during crewing or scolling.)											
Waterfront Structures				A	A		A	A	A	A	A

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* See Critical Area special provisions § 190-91A.											
* Includes private piers, bulkheads, riprap, docks and wharfs, which shall be approved and a permit issued by County, state and/or federal agencies having jurisdiction											
* Excludes boathouses											
UTILITIES											
Antenna Tower For Essential Communications	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	P	P	P
* Includes towers for essential telecommunications and emergency service radio communications antennas											
* New antenna towers shall not be located within a 3-mile radius of any existing antenna towers in the unincorporated area of the County.											
Antenna Tower for Radio and Television Transmissions and Other Nonessential Radio Communications	S	<u>S</u>	<u>S</u>	S					P	P	P
* Includes towers for public and commercial radio and television antennas, business band radio antennas and necessary transmission facilities											
* Includes associated broadcasting studios in the LC, GC, and LI Zones											
* New antenna towers shall not be located within a 3-mile radius of any existing antenna towers in the unincorporated area of the County.											
Pump Stations for Gas and Oil Pipelines	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	S
Recycling Collection Center	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* Sites must be approved by the Talbot County Recycling Committee.											
Treated Septage Land Application	P	<u>P</u>	<u>P</u>	P							
* Shall comply with all County and state regulations											
* Shall not include storage of septage											
* No land application shall take place within 200 feet from mean high water, the edge of tidal wetlands or tributary streams. This provision is not subject to a											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
variance.											
Septic Systems	A	<u>A</u>	<u>A</u>	A	A	<u>A</u>	A	A	A	A	A
* Limited to on-site systems serving a single residence or commercial/industrial establishment											
* 15-foot setback from all property lines except for contiguous sewage reserve area parcels											
* Shall meet all County and state regulations											
* No septic system shall be placed in the Critical Area 100-foot Shoreline Development Buffer											
* In the RC Zone, septic systems shall not serve development outside of the RC Zone or Critical Area											
* For BIPs see additional land use regulations (§ 190-20I)											
Community Sewage Treatment Plant	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	S
* Shall comply with all County, state and federal regulations											
* No treatment plant shall be placed within 200 feet from mean high water, the edge of tidal wetlands or tributary streams. This provision is not subject to a variance.											
Septage Treatment Facilities	S	<u>S</u>	<u>S</u>								S
* Shall comply with all state and federal regulations											
* Shall require issuance of license from the County											
* 300-foot setback for all treatment facilities											
* 1,000-foot setback from existing residences											
Shared Facilities for Sewage Collection, Treatment and Disposal	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P
* 50-foot setback for all aboveground facilities											
* Shall meet all County and state regulations											
* Shall not include treatment or disposal of septage											

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
* For BIPs see additional land use regulations § 190-20I.											
* Shared facilities for development outside the Critical Area may not be located within the Critical Area.											
Sludge Application for Agricultural and Horticultural Purposes	P	<u>P</u>	<u>P</u>	P		<u>P</u>	P	P			P
* Shall comply with all County and state regulations											
* No sludge application shall take place within 200 feet from mean high water, the edge of tidal wetlands or tributary streams. This provision is not subject to a variance.											
* See additional land use regulations (§ 190-20F)											
Sludge Storage Facility	S	<u>S</u>	<u>S</u>								
* Limited to storage of sludge generated at local (within Talbot County) sewage treatment plants											
* Shall comply with all state regulations											
* Storage of sludge for land application shall be limited to 5 days.											
* 200-foot setback for sludge storage areas and facilities											
Solid Waste Disposal Facility											
* Shall require approval from the County Council											
* Includes rubble fills											
Solid Waste Transfer Stations	S	<u>S</u>	<u>S</u>			<u>S</u>	S	S	S	S	S
* 100-foot setback from property lines											
* Shall be screened from view on all sides by plantings											
* Shall be fenced											
* Not permitted within the Critical Area											
Utility Services, Essential	P	<u>P</u>	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P

Land Use Classification	<u>AC</u>	<u>CP</u>	<u>WRC</u>	RC	RR	<u>TC</u>	TR	VC	LC	GC	LI
Utility Facilities, Nonessential	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	S
* Excludes essential utility services											
* In the RC Zone, excludes generation of electricity											
* Includes utility transmission facilities											
* In the RC Zone, must meet the definition of a local government agency action in accordance with COMAR 27.02											
Utility Structures and Services	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	S
* Excludes essential utility services											
Water Treatment and Storage Facilities	S	<u>S</u>	<u>S</u>	S	S	<u>S</u>	S	S	S	S	S
* Shall comply with all state and federal regulations											
Wireless Communication Towers Less Than 100 feet	P	<u>P</u>	<u>P</u>	P				P	P	P	P
*See additional land use regulations, Article IV, § 190-20M											
*Private ham radio towers less than 75 feet are exempt from the requirements of this section.											
Wireless Communication Towers 100 Feet or Higher	S	<u>S</u>	<u>S</u>	S					S	S	S
See additional land use regulations, Article IV, § 190-20M											

1
2

1 **Chapter 73: FOREST CONSERVATION**

2 * * *

3 **§ 73-2. Definitions**

4 * * *

5 The following definition is repealed: “AGRICULTURAL AND RESOURCE AREAS —
6 Undeveloped areas zoned for densities of less than one dwelling unit per five acres and
7 corresponding to Talbot County zoning classification, Rural Agricultural Conservation
8 District (RAC).”

9 * * *

10 **§ 73-10. Afforestation and retention.**

11 A. Afforestation requirement.

12 A person making application after the effective date of this chapter for site plan, subdivision
13 or project plan approval, a building permit, or a sediment and erosion control permit for an
14 area of land 40,000 square feet or greater, not exempt from this chapter, shall:

15 (1) Conduct afforestation in accordance with the following:

16 (a) Net tract areas having less than 20% forest cover shall be afforested up
17 to at least 20% in the following zoning districts:

18 [1] Agricultural Conservation (AC), Western Rural Conservation
19 (WRC), Countryside Preservation (CP), Town Conservation
20 (TC) ; and

21 [2] Town Residential District (TR) without sewerage service and
22 Village Center (VC) without sewerage service;

23 * * *

1 **§ 73-11. Forest conservation threshold.**

2 * * *

Zoning Classifications	Threshold Percentage
Agricultural Conservation (AC), Countryside Preservation (CP), Western Rural Conservation (WRC), Town Conservation (TC)	
Unclustered	50% of net tract area
Clustered	50% of proposed net tract area
Town Residential (TR)	
Without sewer	25%
With sewer	20%
Village Center (VC)	
Without sewer	25%
With sewer	20%
Manufactured Home Development (MHD)	20%
Affordable Housing (AH)	20%
Limited Industrial (LI)	15%
Limited Commercial (LC)	15%
General Commercial (GC)	15%
Institutional Uses (any zone)	15%

3

4 * * *

5 **Chapter 168, SUBDIVISION REGULATIONS**

6 * * *

7 **ARTICLE II, Definitions and Word Usage**

8 * * *

9 **§ 168-15. Words and terms defined**

10 * * *

11 RESERVED LAND - Permanently protected open space, identified in a Reservation of

1 Development Rights Agreement recorded among the land and plat records, that may not be
2 developed for residential, commercial or industrial use.

3 * * *

4 **ARTICLE V, Requirements for Improvements and Design**

5 * * *

6 **§ 168-27. Improvements**

7 * * *

8 G. Curbs and sidewalks. The applicant shall install all curbs and sidewalks as required
9 by the Planning Officer. Sidewalks may be required for higher density subdivisions
10 with smaller lot sizes as may be found in Village Center (VC) and Town Residential
11 (TR) zoning districts.

12 * * *

13 I. Streetlights. The applicant shall erect all streetlights as required by the Planning
14 Officer. Sidewalks may be required for high-density subdivisions with smaller lot
15 sizes such as may be found in Village Center (VC) and Town Residential (TR) zoning
16 districts.

17 * * *

18 **§ 168-28. Design.**

19 * * *

20 K. The following standards shall apply to the design of roads:

21 * * *

22 (11) Layout of roads shall minimize potential pedestrian/vehicle conflict points. In
23 subdivisions of 30 lots or greater such as may be found in Town Residential
24 (TR), and Village Center (VC) zoning districts, curbs, sidewalks and
25 streetlighting may be required by the Planning Officer whenever it is
26 determined that such improvements are necessary for reasons of public safety.

27 * * *