

# Part 5: Use Regulations

CB-013-2019 (DR-2) has not yet taken effect and is subject to revisions via further legislative action of the Council.



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1 **Part 27-5 USE REGULATIONS**

2 **Sec. 27-5100 Principal Uses**

3 **27-5101. Principal Use Tables**

4 **(a) Structure of Principal Use Tables**

5 **(1) Designation of Principal Uses as Permitted**

6 The Principal Use Tables in this Section use the following  
7 abbreviations to designate whether and how a principal use  
8 is allowed in a particular zone:

p A "P" under a base zone column indicates that the use is permitted as a principal use in the zone, subject to applicable regulations of this Ordinance.

SE An "SE" under a base zone column indicates that the use is permitted as a principal use in the zone only on approval of a special exception in accordance with Section 27-3604, Special Exception, and subject to all special exception requirements and all other applicable regulations of this Ordinance.

A An "A" designation within the Planned Development (PD) zone column indicates that the use is permitted as a principal use in the PD Zone, subject to applicable regulations of this Ordinance—unless the PD Basic Plan/Conditions of Approval approved for the zone expressly identifies the use as prohibited.

X An "X" under a base or Planned Development (PD) zone column indicates that the use is prohibited as a principal use in the zone.

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X An "X" under an overlay zone column indicates that the use is prohibited as a principal use in the overlay zone, irrespective of whether it is allowed in the underlying base zone. This designation applies only to overlay zones.

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SE\* An SE\* under an overlay zone column indicates that, irrespective of whether it is a permitted use in the underlying base zone, the use is permitted as a principal use in the overlay zone only on approval of a special exception in accordance with Section 27-3604, Special Exception, and subject to all Special Exception requirements and all other applicable regulations of this Ordinance.

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p\* A P\* under an overlay zone column indicates that, irrespective of whether it is prohibited in the underlying base zone, the use is permitted as a permitted principal use in the overlay zone, subject to applicable regulations of this Ordinance.

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A blank cell under an overlay zone column indicates the use is permitted as a principal use in the overlay zone if it is permitted in the underlying base zone.

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All uses not listed are prohibited.

**(2) Reference to Use-Specific Standards**

A particular use category or use type permitted as a principal use in a zone may be subject to additional standards that are specific to the particular use. The applicability of use-specific standards is noted in the last column of the Principal Use Tables ("Use-Specific Standards") through a reference to standards in Section 27-5102, Requirements for Permitted Principal Uses.

**(3) Reference to Special Exception Standards**

A particular use category or use type permitted as a principal use in a zone may be subject to special exception

1 standards when such use category or use type is indicated 32  
2 as requiring approval of a special exception. The 33  
3 applicability of special exception standards is noted in the 34  
4 last column of the Principal Use Tables (“Use-Specific 35  
5 Standards”) through a reference to standards in Section 36  
6 Sec. 27-5400, Special Exception Standards. In the event the 37  
7 last column of the Principal Use Tables references both use- 38  
8 specific standards and special exception standards for a 39  
9 particular use category or use type, the use-specific 40  
10 standards shall only apply to uses listed as P, P\*, or A in the 41  
11 use tables, while the special exception standards shall only 42  
12 apply to uses listed as SE or SE\* in the use tables. 43  
13 **(b) Multiple Principal Uses** 44  
14 **(1) A development may include:** 45  
15 **(A)** A single principal use with one or more accessory 46  
16 uses that are customarily incidental and 47  
17 subordinate to the principal use (e.g., home 48  
18 occupation as accessory to a dwelling, or 49  
19 administrative offices as accessory to a school,  
20 retail sales, or manufacturing use) or which are  
21 identified as accessory uses in Tables 27-5201(b),  
22 27-5201(c), 27-5201(d), or 27-5201(e); or  
23 **(B)** Multiple different principal uses; or  
24 **(C)** Multiple different residential uses (such as  
25 dwelling, townhouse and dwelling, multifamily)  
26 on the same lot or parcel in the RMF-12 Zone or  
27 any zone of higher intensity as identified in  
28 Section 27-4102(b)(1). More than one dwelling  
29 unit of the same type, such as in a multifamily  
30 residential building, does not constitute multiple  
31 principal uses.

**(2)** Notwithstanding Subsection (1), above, multiple principal uses shall not be permitted on any lot in the R-PD Zone or any zone of lesser intensity as identified in Section 27-4102(b)(1) if that lot contains a single-family residential dwelling.

**(3)** A development with multiple principal uses shall include only those principal uses designated in the Principal Use Tables as allowed in the applicable zone. Each principal use shall be subject to any use-specific standards applicable to the use, provided, a building that contains nonresidential uses on the ground floor and residential uses above the ground floor that are subject to different setback requirements (see Part 27-4, Zones and Zone Regulations), shall be subject to the least restrictive of the applicable setback requirements. Where dimensional standards that apply to the lot as a whole, such as lot width or minimum lot area, are different for each use, the most restrictive apply.

1 (c) Principal Use Table for Rural and Agricultural, and Residential Base Zones

**Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
<b>Rural and Agricultural Uses</b>													
Agriculture/ Forestry Uses	Agriculture	P	P	P	P	P	X	X	X	X	X	X	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(A)
	Forestry	P	P	P	P	P	X	X	X	X	X	X	
	Keeping of horses or ponies	P	P	P	P	P	X	X	X	X	X	X	
	Medical cannabis grower and/or processor	X	P	P	X	X	X	X	X	X	X	X	27-5102(b)(1)(B)
	Urban agriculture	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(C)
	All similar uses												
Agriculture/ Forestry Related Uses	Agriculture research facility	P	SE	SE	X	X	X	X	X	X	X	X	Refer to special exception standards
	Equestrian center	P	P	P	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Farm-based alcohol production	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(2)(A)
	Farm market	P	P	P	P	P	P	P	P	P	P	P	
	Farm supply sales or farm machinery/implement sales, rental, or repair	P	P	P	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Food hub	P	P	P	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Riding stable	P	P	P	P	P	X	X	X	X	X	X	
	Sawmill	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(b)(2)(B) and See Section 27-5402(iii)
	All similar uses												
Open Space Uses	Arboretum or botanical garden, park or greenway, or public beach and public water-oriented recreational and educational area	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(3)(A)
	All similar uses												
<b>Residential Uses</b>													
Household Living Uses	Artists' residential studios	X	X	X	X	X	X	P	P	P	P	P	27-5102(c)(1)(A)
	Conversion of a single-family detached dwelling	X	X	X	SE	SE	SE	SE	SE	X	X	X	See Section 27-5402(v)
	Dwelling, live-work	X	X	X	X	X	X	X	P	P	P	P	27-5102(c)(1)(B)

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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Group Living Uses	Dwelling, multifamily	X	X	X	X	X	X	X	X	P	P	P	27-5102(c)(1)(D)
	Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	X	X	
	Dwelling, three-family	X	X	X	X	X	X	X	P	P	P	X	
	Dwelling, townhouse	X	X	X	X	X	X	X	P	P	P	X	
	Dwelling, two-family	X	X	X	X	X	X	X	P	P	P	X	
	Elderly housing (single-family attached dwellings)	X	X	X	X	SE	X	X	X	X	X	X	See Section 27-5402(y)
	Elderly housing (single-family detached dwellings)	X	X	X	SE	X	X	X	X	X	X	X	See Section 27-5402(z)
	Manufactured home park	X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(1)(E)
	Mobile home	SE	SE	SE	SE	X	X	X	X	X	X	X	27-5102(c)(1)(C) and See Section 27-5402(gg)
	All similar uses												
Group Living Uses	Apartment housing for elderly or physically handicapped families	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(h)
	Assisted living facility	≤ 8 elderly or handicapped residents	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(A) and refer to special exception standards
		> 8 elderly or handicapped residents	SE	SE	SE	SE	SE	SE	SE	SE	P	P	
	Boarding or rooming house	SE	SE	SE	X	SE	X	X	X	X	X	X	27-5102(c)(2)(D) and See Section 27-5402(j)
	Congregate living facility	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	X	See Section 27-5402(t)
	Convent or monastery	P	P	P	P	P	P	P	P	P	P	P	
	Fraternity or sorority house	X	X	X	X	X	X	X	X	X	SE	P	See Section 27-5402(aa)
	Group residential facility	P	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(B)
	Planned retirement community	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(yy)
	Private dormitory	X	X	X	X	X	X	X	X	P	P	P	27-5102(c)(2)(C)
All similar uses													
<b>Public, Civic, and Institutional Uses</b>													
Communication Uses	Broadcasting studio and newspaper/periodical publishing	P	P	P	P	P	P	P	P	P	P	P	



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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
Community Service Uses	Tower, pole, monopole, or antenna	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	All similar uses													
	Adaptive use of a Historic Site	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(e)
	Adult day care center	X	SE	SE	SE	SE	SE	SE	SE	P	P	P		27-5102(d)(2)(D) and refer to special exception standards
	Cultural facility	SE	SE	P	P	P	P	P	P	P	P	P	P	Refer to special exception standards
	Day care center for children	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(d)(2)(A) and See Section 27-5402(x)
	Eleemosynary or philanthropic institution	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Emergency services facility	P	P	P	P	P	P	P	P	P	P	P	P	
	Family child care home, large	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(d)(2)(B)
	Family child care home, small	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(d)(2)(B)
	Place of worship, all others	SE	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship located on a lot less than 1 acre in size	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	SE	
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(d)(2)(B) and refer to special exception standards
	Place of worship located on a lot between 1 and 2 acres in size	X	X	X	P	P	P	P	P	P	P	P	P	
Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size	X	X	X	P	P	P	P	P	P	P	P	P		
All similar uses														
Educational Uses	Adaptive reuse of a surplus public school	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(c)
	College or university	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(d)(3)(A) and refer to special

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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
													exception standards
	Private school	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(zz)
	Vocational or trade school	X	X	X	X	X	X	X	X	X	X	X	
	Water-dependent research facility or activity operated by a government or educational institution	SE	X	X	X	X	X	X	X	X	X	X	27-5102(d)(3)(C) and refer to special exception standards
	All similar uses												
Health Care Uses	Hospital	X	X	X	X	SE	X	X	X	SE	SE	SE	Refer to special exception standards
	Health campus	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(ff)
	Medical or dental office or lab	X	X	X	X	X	X	X	X	P	P	P	
	Medical/residential campus	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(oo)
	Methadone treatment center	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Nursing or care home	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402 (gg)
	All similar uses												
Transportation Uses	Airfield, Airpark, Airport, Airstrip, heliport, or helistop	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	refer to special exception standards
	Park and ride facility	X	X	X	X	X	X	X	X	SE	SE	SE	Refer to special exception standards
	Parking facility	X	X	X	X	X	X	X	X	SE	P	P	27-5102(d)(5)(A) and refer to special exception standards
	Parking of commercial vehicles	SE	SE	SE	X	X	X	X	X	X	X	X	See Section 27-5402(vv)

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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Utility Uses	Transit station or terminal	X	X	X	X	X	X	X	X	SE	SE	SE	Refer to special exception standards
	All similar uses												
	Solar energy systems, large-scale	X	P	P	SE	SE	X	X	X	X	X	X	27-5102(d)(6)(A)
	Public utility uses or structures, major	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(d)(6)(B) and See Section 27-5402(aaa)
	Public utility uses or structures, minor	P	P	P	P	P	P	P	P	P	P	P	See Section 27-5402(aaa)
	Wind energy conversion system, large-scale	X	SE	SE	X	X	X	X	X	X	X	X	27-5102(d)(6)(C) and refer to special exception standards
All similar uses													
<b>Commercial Uses</b>													
Adult Uses	All adult uses	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(2)
Animal Care Uses	Animal shelter	X	SE	SE	X	X	X	X	X	X	P	P	27-5102(e)(3)(A) and refer to special exception standards
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X	SE	SE	SE	SE	X	X	X	X	X	X	See Section 27-5402(jj)
	Kennel on a lot having a net area of more than 20,000 sq. ft.	SE	P	P	P	SE	X	X	X	X	X	X	See Section 27-5402(jj)
	Pet grooming establishment	X	P	P	P	P	X	X	X	X	X	X	27-5102(e)(3)(B)
	Veterinary hospital or clinic	X	P	P	SE	SE	X	X	X	X	SE	SE	27-5102(e)(3)(C) and refer to special exception standards
	All similar uses												
Arts and Artisanal Production Uses	Art gallery	X	X	P	P	P	P	P	P	P	P	P	Refer to special exception standards
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	X	X	X	X	X	X	X	SE	X	P	P	Refer to special exception standards
	Manufacturing, artisan or maker	X	X	X	X	X	X	X	SE	X	P	P	Refer to special exception standards

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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Tattoo or body piercing establishment	X	X	X	X	X	X	X	X	X	X	X	
	All similar uses												
<b>Business Support Service Uses</b>	All business support services	X	X	X	X	X	X	X	X	X	P	P	27-5102(e)(4)
<b>Eating or Drinking Establishment Uses</b>	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	X	X	X	X	X	X	X	X	X	P	P	27-5102(e)(5)
	Catering or food processing for off-site consumption	P	P	P	P	P	P	P	P	P	P	P	
	Restaurant, quick-service (with or without drive-through)	X	X	X	X	X	X	X	X	X	P	P	27-5102(e)(5)
	All similar uses												
<b>Funeral and Mortuary Service Uses</b>	Cemetery or crematory	SE	SE	SE	SE	SE	SE	SE	X	SE	X	X	See Section 27-5402(l)
	Funeral parlor or undertaking establishment	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(bb)
	All similar uses	X	X	X	X	X	X	X	X	X	SE	SE	Refer to special exception standards
<b>Office Uses</b>	Contractor's office	X	X	X	X	X	X	X	X	X	P	P	
	Office, general business and professional	X	X	X	X	X	X	X	X	P	P	P	
	Office park	X	X	X	X	X	X	X	X	X	X	X	
	All similar uses												
<b>Personal Service Uses</b>	Massage establishment	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(mm)
	Model studio	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(6)(B)
	All similar uses	X	X	X	X	X	X	X	X	P	P	P	27-5102(e)(6)
<b>Recreation/ Entertainment Uses</b>	Amusement park	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Arena, stadium, or amphitheater	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(7)(A)
	Cinema	X	X	X	X	X	X	X	X	X	X	P	
	Club or lodge, private	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(dd)
	Commercial recreation attraction	SE	X	SE	X	X	X	X	X	X	X	X	See Section 27-5402(p)
	Commercial recreational facilities (privately owned) on land leased from a public agency	SE	SE	SE	SE	X	X	X	X	X	X	X	See Section 27-5402(q)

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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
	Country club	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Entertainment establishment	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(7)(B)
	Golf course	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(dd)
	Golf driving range	X	SE	SE	SE	SE	X	X	X	X	X	X	X	Refer to special exception standards
	Nightclub	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(7)(B)
	Nonprofit recreational use	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Performance arts center	X	X	X	X	X	X	P	P	P	P	P	P	
	Racetrack, pari-mutuel	SE	SE	SE	X	SE	X	X	X	X	X	X	X	See Section 27-5402(bbb)
	Recreation facility, indoor	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(7)
	Recreation facility, outdoor	X	SE	SE	SE	SE	SE	SE	P	P	P	P	P	27-5102(e)(7) and refer to special exception standards
	Recreational or entertainment establishment of a commercial nature	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(7)(D)
	Rifle, pistol, or skeet shooting range: indoor	X	X	SE	X	SE	X	X	X	X	X	X	X	27-5102(e)(7)(E) and See Section 27-5402
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X	SE	SE	X	SE	X	X	X	X	X	X	X	27-5102(e)(7)(E) and See Section 27-5402(fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	SE	SE	SE	X	SE	X	X	X	X	X	X	X	See Section 27-5402(fff)
	Skating facility	SE	SE	SE	X	SE	X	X	X	X	X	X	X	27-5102(e)(7)(F) and See Section 27-5402(jjj)
	Waterfront entertainment/retail complex	X	X	X	X	X	X	X	X	X	X	X	X	
	All similar uses													
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	X	X	X	X	X	X	X	X	X	X	X	X	See 27-5102
	Bank or other financial institution	X	X	X	X	X	X	X	X	X	P	P	P	27-5102(e)(8)(A)

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
	Check cashing business	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(m)	
	Combination retail	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(o)	
	Consumer goods establishment	X	X	X	X	X	X	X	X	X	P	P		
	Convenience store	X	X	X	X	X	X	X	X	X	P	P		
	Drug store or pharmacy	X	X	X	X	X	X	X	X	P	P	P	27-5102(e)(8)(D)	
	Farmers' market	P	P	P	P	P	X	X	X	P	P	P	27-5102(e)(8)(E)	
	Grocery store or food market	X	X	X	X	X	X	X	X	P	P	P		
	Manufactured or modular home sales	X	X	X	X	X	X	X	X	X	X	X		
	Medical cannabis dispensary	X	X	X	X	X	X	X	X	X	X	X	<b>Error! Reference source not found.</b>	
	Pawnshop	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ww)	
	Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(eee)	
	All similar uses													
Vehicle Sales and Service Uses	Commercial fuel depot	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(A)	
	Commercial vehicle repair and maintenance	X	X	X	X	X	X	X	X	X	X	X		
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(D)	
	Gas station	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(B) and See Section 27-5402(cc)	
	Personal vehicle repair and maintenance	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(C)	
	Taxi or limousine service facility	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(E)	
	Vehicle and trailer rental display	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(nnn)	
	Vehicle parts or tire store	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(F)	
	Vehicle paint finishing shop and vehicle or trailer storage yard	X	X	X	X	X	X	X	X	X	X	X		
	Vehicle towing and wrecker service	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(G)	
	All similar uses													
	Visitor Accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)	P	P	P	P	P	P	P	P	P	X	X	27-5102(e)(10)(A)
		Country inn	SE	SE	SE	SE	SE	SE	SE	SE	X	X	X	See Section 27-5402(w)
Hotel or motel		X	X	X	X	SE	X	X	X	X	X	X	27-5102(e)(10)(B) and See Section 27-5402(hh)	

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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Water-Related Uses	Recreational campground	X	SE	SE	X	SE	X	X	X	X	X	X	See Section 27-5402(ccc)
	All similar uses												
	Boat sales, rental, service, or repair	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(11)(A)
	Boat storage yard	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(11)(B)
	Marinas and marina expansions	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(II)
	Waterfront boat fuel sales	X	X	X	X	X	X	X	X	X	X	X	
All similar uses													
<b>Industrial Uses</b>													
Extraction Uses	Sand and gravel wet processing	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(f)(2)(A) and See Section 27-5402(ggg)
	Surface mining	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(kkk)
	All similar uses												
Industrial Service Uses	Bulk storage of gasoline	X	X	X	X	X	X	X	X	X	X	X	See Section 27-3605
	Contractor's yard, photographic processing plant	X	X	X	X	X	X	X	X	X	X	X	
	Fuel oil or bottled gas distribution	X	X	X	X	X	X	X	X	X	X	X	
	Landscaping contractor's business	SE	SE	SE	SE	SE	X	X	X	X	X	X	See Section 27-5402(kk)
	Printing or similar reproduction facility, small engine repair shop	X	X	X	X	X	X	X	X	X	X	X	
	Petroleum, gas, and related products: liquid gas storage	X	X	X	X	X	X	X	X	X	X	X	See Section 27-3605
	Research and development	X	X	X	X	X	X	X	X	X	X	X	
	Slaughterhouse	X	X	X	X	X	X	X	X	X	X	X	
All similar uses													
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Alcohol production facility, large-scale	X	X	X	X	X	X	X	X	X	X	X	
	Asphalt mixing plant	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(i)
	Beverage bottling	X	X	X	X	X	X	X	X	X	X	X	
	Cement manufacturing	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(k)
	Concrete batching plant	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(r)

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Concrete or brick products manufacturing	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(A)
	Food processing	X	SE	X	X	X	X	X	X	X	X	X	
	Heavy armament fabrication	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ee)
	Manufacturing, assembly, or fabrication, light	X	X	X	X	X	X	X	X	X	X	X	
	Manufacturing, assembly, or fabrication, heavy	X	X	X	X	X	X	X	X	X	X	X	Sec. Section 27-5203(f)
	Paper and paperboard products	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(tt)
	All similar uses												
<b>Warehouse and Freight Movement Uses</b>	Cold storage plant or distribution warehouse	X	X	X	X	X	X	X	X	X	X	X	
	Consolidated storage	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(5)(A) and refer to special exception standards
	Motor freight facility	X	X	X	X	X	X	X	X	X	X	X	
	Outdoor storage (as a principal use)	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(5)(B)
	Storage warehouse	X	X	X	X	X	X	X	X	X	X	X	
	Warehouse showroom	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(5)(C)
	All similar uses												
<b>Resource Recovery and Waste Management Uses</b>	Class 3 fill	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(n)
	Composting facility	P	P	P	X	X	X	X	X	X	X	X	
	Concrete recycling facility	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(s)
	Electronic recycling facility	X	X	X	X	X	X	X	X	X	X	X	
	Junkyard	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(i)
	Paper recycling collection center	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(uu)
	Recycling collection center	X	P	P	P	P	P	P	P	P	P	P	27-5102(f)(6)(A)
	Recycling of non-ferrous metals	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ddd)
	Recycling plant	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(6)(B) and See Section 27-5402(ddd)
Sanitary landfill; rubble fill	SE	SE	SE	SE	SE	X	X	X	X	X	X	See Section 27-5402(hhh)	



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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Solid waste processing facility	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Transfer station	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(III)
	Temporary rubble (construction and demolition debris) landfill	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Vehicle salvage yard	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ooo)
	All similar uses												
<b>Wholesale Uses</b>	Food and beverage distribution at wholesale	X	X	X	X	X	X	X	X	X	X	X	
	All similar uses	X	X	X	X	X	X	X	X	X	X	X	

- 1
- 2
- 3
- 4

1 (d) Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
<b>Rural and Agricultural Uses</b>																		
Agriculture/Forestry Uses	Agriculture	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(A)
	Forestry	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Keeping of horses or ponies	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Medical cannabis grower and/or processor	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(b)(1)(B)
	Urban agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(C)
All similar uses																		
Agriculture/ Forestry Related Uses	Agriculture research facility	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Equestrian center	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	
	Farm-based alcohol production	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(b)(2)(A)
	Farm market	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	P	
	Farm supply sales or farm machinery/implement sales, rental, or repair	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Food hub	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Riding stable	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Sawmill	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(b)(2)(B) and See Section 27-5402(iii)
All similar uses																		
Open Space Uses	Arboretum or botanical garden, park or greenway, or public beach and public water-oriented recreational and educational area	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(3)(A)
	All similar uses																	
<b>Residential Uses</b>																		
Household Living Uses	Artists' residential studios	P	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(c)(1)(A)
	Conversion of a single-family detached dwelling	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(v)
	Dwelling, live-work	P	P	P	P	SE	P	P	P	P	P	X	P	X	P	X	X	27-5102(c)(1)(B) and refer to special exception standards

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards	
							NAC	TAC		LTO		RTO-L		RTO-H					
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	Core			Edge
	Dwelling, multifamily	P	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(c)(1)(D) and refer to special exception standards
	Dwelling, single-family detached	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Dwelling, three-family	P	X	X	X	X	P	P	P	P	P	X	P	X	P	X	X		
	Dwelling, townhouse	P	X	P	X	X	P	P	P	P	P	X	P	X	P	X	X		
	Dwelling, two-family	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Elderly housing (single-family attached dwellings)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Section 27-5402(y)	
	Elderly housing (single-family detached dwellings)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Section 27-5402(z)	
	Manufactured home park	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(1)(E)	
	Mobile home	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	27-5102(c)(1)(C) and See Section 27-5402(gg)	
	All similar uses																		
Group Living Uses	Apartment housing for elderly or physically handicapped families	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(h)s	
	Assisted living facility	≤ 8 elderly or handicapped residents	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(A)
		> 8 elderly or handicapped residents	X	P	P	P	X	P	P	P	P	P	P	P	P	P	X	X	
	Boarding or rooming house	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(j)
	Congregate living facility	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(t)
	Convent or monastery	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
	Fraternity or sorority house	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(aa)
	Group residential facility	X	X	X	X	X	P	X	P	X	P	X	P	X	P	X	P	X	27-5102(c)(2)(B)
	Planned retirement community	X	SE	P	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(yy)
	Private Dormitory	X	X	P	X	X	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(C)
All similar uses																			

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
<b>Public, Civic, and Institutional Uses</b>																		
Communication Uses	Broadcasting studio and Newspaper/periodical publishing establishment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Tower, pole, monopole, or antenna	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	All similar uses																	
Community Service Uses	Adaptive use of a Historic Site	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(d)
	Adult day care center	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(2)(D) and refer to special exception standards
	Cultural facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Day care center for children	SE	SE	SE	SE	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(d)(2)(A) and See Section 27-5402(x)
	Eleemosynary or philanthropic institution	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	Refer to special exception standards
	Emergency services facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Family child care home, large	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(2)(B)
	Family child care home, small	P	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(d)(2)(B)
	Place of worship, all others	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship located on a lot less than 1 acre in size	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(d)(2)(B)
	Place of worship located on a lot between 1 and 2 acres in size	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
All similar uses																		

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Educational Uses	Adaptive reuse of a surplus public school	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(c)
	College or university	X	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(d)(3)(A) and refer to special exception standards
	Private school	X	P	P	SE	SE	P	P	P	P	P	P	P	P	P	P	X	See Section 27-5402(zz)
	Vocational or trade school	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Water dependent research facility or activity operated by government or educational institution	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(3)(C)
	All similar uses																	
Health Care Uses	Hospital	X	P	P	P	X	X	P	P	P	P	P	P	P	P	X	Refer to special exception standards	
	Health campus	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ff)	
	Medical or dental office or lab	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X		
	Medical/residential campus	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(oo)	
	Methadone treatment center	X	SE	SE	SE	SE	X	X	SE	X	SE	X	SE	X	SE	X	Refer to special exception standards	
	Nursing or care home	X	P	P	P	X	X	P	P	P	P	P	P	P	P	X	See Section 27-5402(gg)	
	All similar uses																	
Transportation Uses	Airfield, Airpark, Airport, Airstrip, heliport, or helistop	X	SE	SE	SE	SE	X	SE	SE	SE	SE	SE	SE	SE	SE	X	refer to special exception standards	
	Park and ride facility	X	P	P	P	P	P	P	P	P	P	P	P	P	P	X		
	Parking facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(d)(5)(A)	
	Parking of commercial vehicles	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(vv)	
	Transit station or terminal	X	P	P	P	P	P	P	P	P	P	P	P	P	P	X		

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Utility Uses	All similar uses																	
	Solar energy systems, large-scale	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(6)(A)
	Public utility uses or structures, major	X	P	SE	SE	P	X	X	SE	X	SE	X	SE	X	SE	X	X	27-5102(d)(6)(B) and See Section 27-5402(aaa)
	Public utility uses or structures, minor	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Section 27-5402(aaa)
	Wind energy conversion system, large-scale	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(6)(C)
	All similar uses																	
<b>Commercial Uses</b>																		
Adult Uses	Adult Entertainment	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(2)
	Adult Book or Video Store	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	
Animal Care Uses	Animal shelter	X	P	P	P	P	P	P	P	P	P	X	X	X	X	X	X	27-5102(e)(3)(A)
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X	SE	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(jj)
	Kennel on a lot having a net area of more than 20,000 sq. ft.	X	SE	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(jj)
	Pet grooming establishment	X	P	P	P	P	P	P	P	P	P	X	P	X	P	X	X	27-5102(e)(3)(B)
	Veterinary hospital or clinic	X	P	P	P	P	P	P	P	P	P	X	P	X	P	X	X	27-5102(e)(3)(C)
	All similar uses																	
Arts and Artisanal Production Uses	Art gallery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Manufacturing, artisan or maker	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Tattoo or body piercing establishment	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X	
	All similar uses																	
Business Support Service Uses	All business support service uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(4)	
Eating or Drinking Establishment Uses	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(5)	
	Catering or food processing for off-site consumption	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(5)(C)	
	Restaurant, quick-service (with or without drive-through)	X	P	P	P	X	X	X	P	X	X	X	X	X	X	X	X	27-5102(e)(5)
	All similar uses																	

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Funeral and Mortuary Services Uses	Cemetery or crematory	X	SE	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(l)
	Funeral parlor or undertaking establishment	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(bb)
	All other funeral and mortuary uses	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Office Uses	Contractor's office	X	P	P	P	P	X	X	P	X	X	X	X	X	X	X	X	
	Office, general business and professional	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Office park	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	
	All similar uses																	
Personal Service Uses	Massage establishment	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(mm)
	Model studio	X	SE	X	X	SE	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	27-5102(e)(6)(B) and refer to special exception standards
	All similar uses	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(6)
Recreation/Entertainment Uses	Amusement park	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Arena, stadium, or amphitheater	X	SE	SE	SE	X	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	27-5102(e)(7)(A) and refer to special exception standards
	Cinema	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	X	
	Club or lodge, private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	See Section 27-5402(dd)
	Commercial recreation attraction	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(p)
	Commercial recreational facilities (privately owned) on land leased from a public agency	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(q)

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Country club	X	P	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Entertainment establishment	X	X	P	X	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(7)(B)
	Golf course	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Golf driving range	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(dd)
	Nightclub	X	SE	SE	X	P	SE	P	P	P	P	P	P	P	P	P	P	27-5102(e)(7)(B) and refer to special exception standards
	Nonprofit recreational use	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Performance arts center	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	P	
	Racetrack, pari-mutuel	X	P	SE	X	X	X	X	X	X	X	X	X	X	X	X	SE	See Section 27-5402(bbb)
	Recreation facility, indoor	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(7)
	Recreation facility, outdoor	X	P	P	P	X	X	X	P	X	P	X	P	X	X	P		27-5102(e)(7)
	Recreational or entertainment establishment of a commercial nature	X	P	P	X	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(7)(D)
	Rifle, pistol, or skeet shooting range: indoor	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(7)(E) and See Section 27-5402(fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X	SE	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	X	SE	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(fff)
	Skating facility	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(7)(F) and See Section 27-5402(jjj)
	Waterfront entertainment/retail complex	X	X	X	X	X	X	X	X	X	X	P	P	P	P	P	X	
	All similar uses																	



**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	Core		
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See 27-5102
	Bank or other financial institution	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(8)(A)
	Check cashing business	X	SE	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	X	See Section 27-5402(m)
	Combination retail	X	X	SE	X	X	X	P	P	SE	SE	SE	SE	SE	SE	SE	X	See Section 27-5402(o)
	Consumer goods establishment	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X	
	Convenience store	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Drug store or pharmacy	P	X	P	X	X	P	P	P	P	P	P	P	P	P	X	27-5102(e)(8)(D)	
	Farmers' market	P	P	P	P	P	P	X	P	P	P	P	P	P	P	X	27-5102(e)(8)(E)	
	Grocery store or food market	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X	
	Manufactured or modular home sales	X	P	P	X	P	X	X	P	X	X	X	X	X	X	X	X	
	Medical cannabis dispensary	X	X	SE	X	X	X	X	X	X	SE	X	SE	X	SE	X	Refer to special exception standards	
	Pawnshop	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ww)
Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business	X	SE	SE	X	X	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	See Section 27-5402(eee)	
All similar uses																		
Vehicle Sales and Service Uses	Commercial fuel depot	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(A) and refer to special exception standards	
	Commercial vehicle repair and maintenance	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(D) and refer to special exception standards	
	Gas station	X	P	SE	SE	SE	SE	X	P	X	P	X	P	X	P	X	27-5102(e)(9)(B) and See Section 27-5402(cc)	

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards	
							NAC	TAC		LTO		RTO-L		RTO-H		RMH			
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge				
	Personal vehicle repair and maintenance	X	P	P	P	P	SE	X	P	X	X	X	X	X	X	X	X	27-5102(e)(9)(C) and refer to special exception standards	
	Taxi or limousine service facility	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(9)(E)	
	Vehicle and trailer rental display	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(nnn)	
	Vehicle parts or tire store	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(F) and refer to special exception standards	
	finishing shop and vehicle or trailer storage yard	X	X	X	X	P	X	X	P	X	X	X	X	X	X	X	X	27-5102(e)(9)(C)	
	Vehicle towing and wrecker service	X	P	SE	SE	P	X	X	SE	X	SE	X	SE	X	SE	X	SE	27-5102(e)(9)(G) and refer to special exception standards	
	All similar uses																		
<b>Visitor Accommodation Uses</b>	Bed and breakfast (as accessory to single-family dwelling)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(A)	
	Country inn	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(w)	
	Hotel or motel	X	P	P	SE	SE	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(10)(B) and See Section 27-5402(hh)	
	Recreational campground	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	See Section 27-5402(ccc)
	All similar uses																		
<b>Water-Related Uses</b>	Boat sales, rental, service, or repair	X	P	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(11)(A) and refer to special exception standards	
	Boat storage yard	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(11)(B)	

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Marinas and marina expansions	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ll)
	Waterfront boat fuel sales	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	All similar uses																	
<b>Industrial Uses</b>																		
<b>Extraction Uses</b>	Sand and gravel wet processing	X	SE	SE	SE	P	X	X	X	X	X	X	X	X	X	X	SE	27-5102(f)(2)(A) and See Section 27-5402(ggg)
	Surface mining	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(kkk)
	All similar uses																	
<b>Industrial Service Uses</b>	Bulk storage of gasoline	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-3605
	Contractor's yard, photographic processing plant	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Fuel oil or bottled gas distribution	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Landscaping contractor's business	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(kk)
	Printing or similar reproduction facility, small engine repair shop	X	P	SE	P	P	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards
	Petroleum, gas, and related products: liquid gas storage	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-3605
	Research and development	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Slaughterhouse	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	
All similar uses																		
<b>Manufacturing Uses</b>	Abrasives and asbestos products manufacturing	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Alcohol production facility, large-scale	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Asphalt mixing plant	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(i)

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Beverage bottling	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Cement manufacturing	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(k)
	Concrete batching plant	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(r)
	Concrete or brick products manufacturing	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(A)
	Food processing	X	X	X	X	SE	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards
	Heavy armament fabrication	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ee)
	Manufacturing, assembly or fabrication, light	X	SE	P	P	P	P	P	P	X	P	X	X	X	X	X	X	
	Manufacturing, assembly, or fabrication, heavy	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402
	Paper and paperboard products	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(tt)
	All similar uses																	
<b>Warehouse and Freight Movement Uses</b>	Cold storage plant or distribution warehouse	X	X	X	SE	P	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards
	Consolidated storage	X	SE	P	P	P	SE	X	SE	X	SE	X	X	X	X	X	X	27-5102(f)(5)(A) and refer to special exception standards
	Motor freight facility	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Outdoor storage (as a principal use)	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(5)(B) and refer to special exception standards
	Storage warehouse	X	SE	X	P	P	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Resource Recovery and Waste Management Uses	Warehouse showroom	X	SE	X	P	P	X	X	P	X	X	X	X	X	X	X	X	27-5102(f)(5)(C) and refer to special exception standards
	All similar uses																	
	Class 3 fill	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(n)s
	Composting facility	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	
	Concrete recycling facility	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(s)
	Electronic recycling facility	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Junkyard	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ii)
	Paper recycling collection center	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(uu)
	Recycling collection center	X	SE	SE	P	P	X	X	P	X	P	X	P	X	P	P	P	27-5102(f)(6)(A) and refer to special exception standards
	Recycling of non-ferrous metals	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ddd)
	Recycling plant	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(6)(B) and See Section 27-5402(ddd)
	Sanitary landfill; rubble fill	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(hhh)
	Solid waste processing facility	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Transfer station	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Temporary rubble (construction and demolition debris) landfill	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Vehicle salvage yard	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	See Section 27-5402(ooo)
	All similar uses																	
Wholesale Uses	Food and beverage distribution at wholesale	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	All similar uses	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	

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**(e) Principal Use Table for Planned Development Zones**

Table 27-5101(e): Principal Use Table for Planned Development Zones									
A = Permitted, unless the District Council prohibits the use in the PD Basic Plan									
SE = Allowed only with the approval of a Special Exception X = Prohibited									
Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
<b>Rural and Agricultural Uses</b>									
<b>Agriculture/Forestry Uses</b>	Agriculture	X	X	X	X	X	X	X	
	Community garden	A	A	A	A	A	A	A	27-5102(b)(1)(A)
	Forestry	A	X	X	X	X	X	X	
	Keeping of horses or ponies	X	X	X	X	X	X	X	
	Medical cannabis grower and/or processor	X	X	X	X	X	X	X	
	Urban agriculture	A	X	X	X	X	A	A	
	All similar uses								
<b>Agriculture/Forestry Related Uses</b>	Agriculture research facility	A	X	X	X	X	X	X	
	Equestrian center	A	X	X	X	X	X	X	
	Farm-based alcohol production	X	X	X	X	X	X	X	27-5102(b)(2)(A)
	Farm market	A	X	X	X	X	A	A	
	Farm supply sales or farm machinery/implement sales, rental, or repair	X	X	X	X	X	X	X	
	Food hub	X	X	X	X	X	X	X	
	Riding stable	A	X	X	X	X	X	X	
	Sawmill	SE	X	X	X	X	X	X	27-5102(b)(2)(B) and See Section 27-5402(iii)
	All similar uses								
<b>Open Space Uses</b>	Arboretum or botanical garden, park of greenway, or public beach and public water-oriented recreational and educational area	A	A	A	A	A	A	A	27-5102(b)(3)(A)
	All similar uses								
<b>Residential Uses</b>									
<b>Household Living Uses</b>	Artists' residential studios	X	A	A	A	A	A	X	27-5102(c)(1)(A)
	Conversion of a single-family detached dwelling	SE	X	X	X	X	X	X	See Section 27-5402(v)
	Dwelling, live-work	A	A	A	A	A	A	A	27-5102(c)(1)(B)
	Dwelling, multifamily	A	A	A	A	A	A	A	
	Dwelling, single-family detached	A	A	A	X	X	A	X	
	Dwelling, three-family	A	A	A	A	A	A	A	

Table 27-5101(e): Principal Use Table for Planned Development Zones										
A = Permitted, unless the District Council prohibits the use in the PD Basic Plan										
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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards	
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD		
	Dwelling, townhouse	A	A	A	A	A	A	A		
	Dwelling, two-family	A	A	A	A	A	A	X		
	Elderly housing (single-family attached dwellings)	SE	X	X	X	X	X	X	See Section 27-5402(y)	
	Elderly housing (single-family detached dwellings)	SE	X	X	X	X	X	X	See Section 27-5402(z)	
	Manufactured home park	X	X	X	X	X	X	X	27-5102(c)(1)(E)	
	Mobile home	X	X	X	X	X	X	X	27-5102(c)(1)(C) and See Section 27-5402(gg)	
	All similar uses									
Group Living Uses	Apartment housing for elderly or physically handicapped families	SE	X	X	SE	SE	X	X	See Section 27-5402(h)	
	Assisted living facility	≤ 8 elderly or handicapped residents	X	X	X	X	X	X	X	27-5102(c)(2)(A)
		> 8 elderly or handicapped residents	X	X	A	A	A	X	X	
	Boarding or rooming house	SE	X	X	X	X	X	X	See Section 27-5402(j)	
	Congregate living facility	SE	X	X	X	X	X	X	See Section 27-5402(t)	
	Convent or monastery	X	X	X	X	X	X	X		
	Fraternity or sorority house	X	X	X	X	X	X	X	See Section 27-5402(aa)	
	Group residential facility	A	X	X	X	X	X	X	27-5102(c)(2)(B)	
	Planned retirement community	SE	X	X	X	X	SE	SE	See Section 27-5402(yy)	
	Private Dormitory	X	X	X	X	X	X	X	27-5102(c)(2)(C)	
All similar uses										
<b>Public, Civic, and Institutional Uses</b>										
Communication Uses	Broadcasting studio and newspaper/periodical publishing establishment	A	A	A	A	A	A	A		
	Tower, pole, monopole, or antenna	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards	



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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards	
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD		
	All similar uses									
Community Service Uses	Adaptive use of a Historic Site	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(d)	
	Adult day care center	A	A	A	A	A	A	X	27-5102(d)(2)(D) and refer to special exception standards	
	Cultural facility	A	A	A	A	A	A	X		
	Day care center for children	SE	A	A	A	A	A	SE	See Section 27-5402(x)	
	Eleemosynary or philanthropic institution	X	X	X	X	X	X	X	X	Refer to special exception standards
	Emergency services facility	A	A	A	A	A	A	A		
	Family child care home, large	X	X	X	X	X	X	X	X	
	Family child care home, small	A	X	X	X	X	A	X		
	Place of worship, all others	A	A	A	A	A	A	A		
	Place of worship located on a lot less than 1 acre in size	A	A	A	A	A	A	A		
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.	A	A	A	A	A	A	A		
	Place of worship located on a lot between 1 and 2 acres in size	A	A	A	A	A	A	A	27-5102(d)(2)(B)	
	Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size	A	A	A	A	A	A	A		
All similar uses										
Educational Uses	Adaptive reuse of a surplus public school	SE	SE	SE	SE	SE	SE	SE	See Section 27-5402(c)	
	College or university	A	A	A	A	A	A	A	27-5102(d)(3)(A)	
	Private school	A	A	A	A	A	A	X		
	Vocational or trade school	X	A	A	A	A	A	A		
	Water dependent research facility or activity operated by a government or educational institution	X	X	X	X	X	A	X	27-5102(d)(3)(C)	
	All similar uses									

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Health Care Uses	Hospital	X	X	A	A	A	A	X	Refer to special exception standards
	Health campus	SE	X	X	X	X	X	X	See Section 27-5402(ff)
	Medical or dental office or lab	X	X	A	A	A	A	A	
	Medical/residential campus	SE	X	X	X	X	X	X	See Section 27-5402(oo)
	Methadone treatment center	X	X	X	X	X	X	X	Refer to special exception standards
	Nursing or care home	A	A	A	A	A	A	X	See Section 27-5402(gg)
	All similar uses								
Transportation Uses	Airfield, Airpark, Airport, Airstrip, heliport, or helistop	X	X	X	X	X	X	X	refer to special exception standards
	Park and ride facility	X	X	A	A	A	A	A	
	Parking facility	X	A	A	A	A	A	A	27-5102(d)(5)(A)
	Parking of commercial vehicles	X	X	X	X	X	X	X	See Section 27-5402(vv)
	Transit station or terminal	X	A	A	A	A	A	A	
	All similar uses								
Utility Uses	Solar energy systems, large-scale	X	X	X	X	X	X	A	27-5102(d)(6)(A)
	Public utility uses or structures, major	SE	X	X	X	X	X	SE	27-5102(d)(6)(B) and See Section 27-5402(aaa)
	Public utility uses or structures, minor	A	A	A	A	A	A	A	See Section 27-5402(aaa)
	Wind energy conversion system, large-scale	X	X	X	X	X	X	A	27-5102(d)(6)(C)
	All similar uses								
<b>Commercial Uses</b>									
Adult Uses	All adult uses	X	X	X	X	X	X	X	27-5102(e)(2)
Animal Care Uses	Animal shelter	A	A	A	A	A	A	X	27-5102(e)(3)(A)
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X	X	X	X	X	SE	P	<b>Error! Reference source not found.</b> and See Section 27-5402(jj)

Table 27-5101(e): Principal Use Table for Planned Development Zones									
A = Permitted, unless the District Council prohibits the use in the PD Basic Plan									
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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Kennel on a lot having a net area of more than 20,000 sq. ft.	X	X	X	X	X	SE	P	<b>Error! Reference source not found.</b> and See Section 27-5402(jj)
	Pet grooming establishment	A	A	A	A	A	A	X	27-5102(e)(3)(B)
	Veterinary hospital or clinic	A	A	A	A	A	A	X	27-5102(e)(3)(C)
	All similar uses								
<b>Arts and Artisanal Production Uses</b>	Art gallery	X	X	X	X	X	X	X	
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	A	A	A	A	A	A	A	
	Manufacturing, artisan or maker	X	A	A	A	A	A	A	
	Tattoo or body piercing establishment	X	X	X	X	X	X	X	
	All similar uses								
<b>Business Support Service Uses</b>	All business support services	X	X	A	A	A	A	A	27-5102(e)(4)
<b>Eating or Drinking Establishment Uses</b>	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	A	A	A	A	A	A	A	27-5102(e)(5)
	Catering or food processing for off-site consumption	A	A	A	A	A	A	A	27-5102(e)(5)(C)
	Restaurant, quick-service (with or without drive-through)	A	X	X	X	X	X	A	27-5102(e)(5)
	All similar uses								
<b>Funeral and Mortuary Service Uses</b>	Cemetery or crematory	SE	X	X	X	X	X	SE	See Section 27-5402(l)
	Funeral parlor or undertaking establishment	SE	X	X	X	X	SE	X	See Section 27-5402(bb)
	All similar uses	X	X	A	A	A	A	X	
<b>Office Uses</b>	Contractor's office	X	A	A	A	A	A	A	
	Office, general business and professional	A	A	A	A	A	A	A	
	Office park	X	A	A	A	A	A	A	
	All similar uses								
<b>Personal Service Uses</b>	Massage establishment	X	X	X	X	X	SE	X	See Section 27-5402(mm)
	Model studio	X	X	X	X	X	X	X	27-5102(e)(6)(B)
	All similar uses	A	A	A	A	A	A	X	27-5102(e)(6)
<b>Recreation/ Entertainment Uses</b>	Amusement park	X	X	X	X	X	X	X	Refer to special exception standards
	Arena, stadium, or amphitheater	X	X	A	A	A	X	X	27-5102(e)(7)(A)
	Cinema	A	A	A	A	A	A	X	

<b>Table 27-5101(e): Principal Use Table for Planned Development Zones</b>									
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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Club or lodge, private	X	X	X	X	X	X	X	See Section 27-5402(dd)
	Commercial recreation attraction	X	X	X	X	X	X	X	See Section 27-5402(p)
	Commercial recreational facilities (privately owned) on land leased from a public agency	X	X	X	X	X	X	X	See Section 27-5402(q)
	Country club	X	X	X	X	X	X	X	
	Entertainment establishment	X	A	A	A	A	A	X	27-5102(e)(7)(B)
	Golf course	A	X	X	X	X	SE	X	See Section 27-5402(dd)
	Golf driving range	A	X	X	X	X	X	X	
	Nightclub	X	X	A	A	A	A	A	27-5102(e)(7)(B)
	Nonprofit recreational use	SE	X	X	X	X	X	X	Refer to special exception standards
	Performance arts center	X	A	A	A	A	A	X	
	Racetrack, pari-mutuel	X	X	X	X	X	SE	X	See Section 27-5402(bbb)
	Recreation facility, indoor	A	A	A	A	A	A	X	27-5102(e)(7)
	Recreation facility, outdoor	A	X	A	A	A	A	A	27-5102(e)(7)
	Recreational or entertainment establishment of a commercial nature	X	A	A	A	A	A	X	27-5102(e)(7)(D)
	Rifle, pistol, or skeet shooting range: indoor	X	X	X	X	X	X	A	27-5102(e)(7)(E) and See Section 27-5402(fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X	X	X	X	X	X	SE	See Section 27-5402(fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	X	X	X	X	X	X	X	See Section 27-5402(fff)
	Skating facility	X	X	X	X	X	A	A	27-5102(e)(7)(F) and See Section 27-5402(jjj)
	Waterfront entertainment/retail complex	X	X	A	A	A	A	X	
	All similar uses								

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	X	A	A	A	A	A	A	See 27-5102
	Bank or other financial institution	X	X	X	X	X	X	X	27-5102(e)(8)(A)
	Check cashing business	X	SE	SE	X	X	SE	SE	See Section 27-5402(m)
	Combination retail	X	X	A	A	A	A	X	See Section 27-5402(o)
	Consumer goods establishment	A	A	A	A	A	A	A	
	Convenience store	A	A	A	A	A	A	A	
	Drug store or pharmacy	X	A	A	A	A	A	X	27-5102(e)(8)(D)
	Farmers' market	A	A	A	A	A	A	A	27-5102(e)(8)(E)
	Grocery store or food market	A	A	A	A	A	A	A	
	Manufactured or modular home sales	X	X	X	X	X	X	X	
	Medical cannabis dispensary	X	X	X	X	SE	SE	X	Refer to special exception standards
	Pawnshop	X	X	X	X	X	SE	X	See Section 27-5402(ww)
	Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business	X	X	SE	SE	SE	X	X	See Section 27-5402(eee)
	All similar uses								
Vehicle Sales and Service Uses	Commercial fuel depot	X	X	X	X	X	X	X	27-5102(e)(9)(A)
	Commercial vehicle repair and maintenance	X	X	X	X	X	X	X	
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X	X	X	X	X	X	X	27-5102(e)(9)(D)
	Gas station	X	X	A	X	X	SE	SE	27-5102(e)(9)(B) and See Section 27-5402(cc)
	Personal vehicle repair and maintenance	X	X	A	X	X	A	X	27-5102(e)(9)(C)
	Taxi or limousine service facility	X	X	A	A	A	A	A	27-5102(e)(9)(E)
	Vehicle and trailer rental display	X	X	X	X	X	SE	SE	See Section 27-5402(nnn)
	Vehicle parts or tire store	X	X	X	X	X	X	X	27-5102(e)(9)(F)
	Vehicle paint finishing shop and vehicle or trailer storage yard	X	X	X	X	X	X	X	
	Vehicle towing and wrecker service	X	X	X	X	X	X	X	27-5102(e)(9)(G)

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	All similar uses								
Visitor Accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)	A	X	X	X	X	X	X	27-5102(e)(10)(A)
	Country inn	SE	X	X	X	X	SE	X	See Section 27-5402(w)
	Hotel or motel	X	A	A	A	A	A	A	27-5102(e)(10)(B) and See Section 27-5402(hh)
	Recreational campground	X	X	X	X	X	X	X	See Section 27-5402(ccc)
	All similar uses								
Water-Related Uses	Boat sales, rental, service, or repair	X	X	X	X	X	X	X	27-5102(e)(11)(A)
	Boat storage yard	X	X	X	X	X	X	X	27-5102(e)(11)(B)
	Marinas and marina expansions	X	X	X	X	X	X	X	See Section 27-5402(ll)
	Waterfront boat fuel sales	X	X	X	X	X	X	X	
	All similar uses								
<b>Industrial Uses</b>									
Extraction Uses	Sand and gravel wet processing	SE	X	X	X	X	SE	SE	27-5102(f)(2)(A) and See Section 27-5402(ggg)
	Surface mining	X	X	X	X	X	X	X	See Section 27-5402(kkk)
	All similar uses								
Industrial Service Uses	Bulk storage of gasoline	X	X	X	X	X	X	SE	See Section 27-3605
	Contractor's yard, photographic processing plant	X	X	X	X	X	X	X	
	Fuel oil or bottled gas distribution	X	X	X	X	X	X	X	
	Landscaping contractor's business	X	X	X	X	X	X	X	See Section 27-5402(kk)
	Printing or similar reproduction facility, small engine repair shop	X	X	X	X	X	X	X	
	Petroleum, gas, and related products: liquid gas storage	X	X	X	X	X	X	SE	See Section 27-3605
	Research and development	X	A	A	A	A	A	A	
	Slaughterhouse	X	X	X	X	X	X	X	
All similar uses									
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X	X	X	X	X	X	Refer to special exception standards
	Alcohol production facility, large-scale	X	X	A	A	A	A	A	

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Asphalt mixing plant	X	X	X	X	X	X	X	See Section 27-5402(i)s
	Beverage bottling	X	X	A	A	A	A	A	
	Cement manufacturing	X	X	X	X	X	X	X	See Section 27-5402(k)
	Concrete batching plant	X	X	X	X	X	X	X	See Section 27-5402(r)
	Concrete or brick products manufacturing	X	X	A	A	A	A	A	27-5102(f)(4)(A)
	Food processing	X	X	X	X	X	X	X	
	Heavy armament fabrication	X	X	X	X	X	X	SE	See Section 27-5402(ee)
	Manufacturing, assembly, or fabrication, light	X	X	A	A	A	A	A	
	Manufacturing, assembly, or fabrication, heavy	X	X	X	X	X	X	A	
	Paper and paperboard products	X	X	X	X	X	X	SE	See Section 27-5402(tt)
All similar uses									
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X	X	X	X	X	A	
	Consolidated storage	X	X	X	X	X	X	A	27-5102(f)(5)(A) and refer to special exception standards
	Motor freight facility	X	X	X	X	X	X	A	
	Outdoor storage (as a principal use)	X	X	X	X	X	X	X	27-5102(f)(5)(B)
	Storage warehouse	X	X	X	X	X	X	A	
	Warehouse showroom	X	X	X	X	X	X	A	27-5102(f)(5)(C)
	All similar uses								
Resource Recovery and Waste Management Uses	Class 3 fill	SE	X	X	X	X	SE	SE	See Section 27-5402(n)
	Composting facility	X	X	X	X	X	X	X	
	Concrete recycling facility	X	X	X	X	X	X	SE	See Section 27-5402(s)
	Electronic recycling facility	X	X	X	X	X	X	SE	
	Junkyard	X	X	X	X	X	X	SE	See Section 27-5402(ii)
	Paper recycling collection center	X	X	X	X	X	X	SE	See Section 27-5402(uu)
	Recycling collection center	A	A	A	A	A	X	A	27-5102(f)(6)(A)

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Recycling of non-ferrous metals	X	X	X	X	X	X	SE	See Section 27-5402(ddd)
	Recycling plant	X	X	X	X	X	X	X	27-5102(f)(6)(B) and See Section 27-5402(ddd)
	Sanitary landfill; rubble fill	X	X	X	X	X	X	SE	See Section 27-5402(hhh)
	Solid waste processing facility	X	X	X	X	X	X	X	Refer to special exception standards
	Transfer station	X	X	X	X	X	X	X	See Section 27-5402(III)
	Temporary rubble (construction and demolition debris) landfill	X	X	X	X	X	X	X	
	Vehicle salvage yard	X	X	X	X	X	X	SE	See Section 27-5402(ooo)
	All similar uses								
<b>Wholesale Uses</b>	Food and beverage distribution at wholesale	X	X	X	X	X	X	X	
	All similar uses	X	X	X	X	X	X	X	

1  
2  
3



1 (f) Principal Use Table for Overlay Zones

Table 27-5101(f): Principal Use Table for Overlay Zones A blank cell means the use is allowed only if allowed in underlying base zone X = Prohibited, irrespective of treatment by underlying base zone SE* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone P* = Permitted by right, irrespective of treatment by underlying base zone															
Principal Use Category	Principal Use Type	CBCAO Zones [1]			APAO Zones						MIO Zones [2]			Use Specific Standards	
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
<b>Rural and Agricultural Uses</b>															
Agriculture/Forestry Uses	Agriculture														
	Community garden														27-5102(b)(1)(A)
	Forestry														
	Keeping of horses or ponies														
	Medical cannabis grower and/or processor														27-5102(b)(1)(B)
	Urban agriculture														27-5102(b)(1)(C)
	All similar uses														
Agriculture/Forestry Related Uses	Agriculture research facility														
	Equestrian center											X	X		
	Farm-based alcohol production														27-5102(b)(2)(A)
	Farm market														
	Farm supply sales or farm machinery/implement sales, rental, or repair														
	Food hub														
	Riding stable														
	Sawmill														27-5102(b)(2)(B) and See Section 27-5402(iii)
	All similar uses														
Open Space Uses	Arboretum or botanical garden, park or greenway, or public beach and public water-oriented recreational and educational area														27-5102(b)(3)(A)
	All similar uses														

Table 27-5101(f): Principal Use Table for Overlay Zones														
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Principal Use Category	Principal Use Type	CBCAO Zones [1]			APAO Zones						MIO Zones [2]			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	
<b>Residential Uses</b>														
<b>Household Living Uses</b>	Artists' residential studios				X	X				X				27-5102(c)(1)(A)
	Conversion of a single-family detached dwelling													See Section 27-5402(v)
	Dwelling, live-work				X	X				X				27-5102(c)(1)(B)
	Dwelling, multifamily				X	X				X		X	X	
	Dwelling, single-family detached				X	X				X				
	Dwelling, three-family				X	X				X				
	Dwelling, townhouse				X					X				
	Dwelling, two-family				X	X				X				
	Elderly housing (single-family attached dwellings)													See Section 27-5402(y)
	Elderly housing (single-family detached dwellings)													See Section 27-5402(z)
	Manufactured home park				X	X				X				27-5102(c)(1)(E)
	Mobile home				X	X				X				27-5102(c)(1)(C) and See Section 27-5402(gg)
All similar uses														
<b>Group Living Uses</b>	Apartment housing for elderly or physically handicapped families												See Section 27-5402(h)	
	Assisted living facility	≤ 8 elderly or handicapped residents				X	X	X	X		X	X		27-5102(c)(2)(A)
		> 8 elderly or handicapped residents				X	X	X	X		X	X		
	Boarding or rooming house				X	X				X		X	X	See Section 27-5402(j)
	Continuing care retirement community				X	X				X		X	X	
	Congregate living facility													See Section 27-5402(t)
	Convent or monastery				X	X				X		X	X	
	Fraternity or sorority house				X	X				X		X	X	See Section 27-5402(aa)
Group residential facility				X	X				X				27-5102(c)(2)(B)	

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Principal Use Category	Principal Use Type	CBCAO Zones [1]			APAO Zones						MIO Zones [2]			Use Specific Standards		
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA	
	Planned retirement community														See Section 27-5402(yy)	
	Private dormitory				X	X				X		X	X		27-5102(c)(2)(C)	
	All similar uses															
<b>Public, Civic, and Institutional Uses</b>																
<b>Communication Uses</b>	Broadcasting studio and Newspaper/periodical publishing establishment															
	Tower, pole, monopole, or antenna														Refer to special exception standards	
	All similar uses															
<b>Community Service Uses</b>	Adaptive use of a Historic Site														See Section 27-5402(d)	
	Adult day care center				X	X	X	X		X		X	X		27-5102(d)(2)(D) and refer to special exception standards	
	Cultural facility											X	X			
	Day care center for children				X	X	X	X		X		X	X	X	27-5102(d)(2)(A) and See Section 27-5402(x)	
	Eleemosynary or philanthropic institution											X	X		Refer to special exception standards	
	Emergency services facility											X	X			
	Place of worship, all others													X		
	Place of worship located on a lot less than 1 acre in size													X		
																27-5102(d)(2)(B)

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.												X		
	Place of worship located on a lot between 1 and 2 acres in size												X		
	Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size												X		
	All similar uses														
Educational Uses	Adaptive reuse of a surplus public school														See Section 27-5402(c)
	College or university				X	X	X	X		X		X	X		27-5102(d)(3)(A)
	Private school				X	X	X	X		X		X	X	X	See Section 27-5402(zz)
	Vocational or trade school				X	X	X	X		X		X	X		
	Water-dependent research facility or activity operated by a government or educational institution	P*	P*	P*								X	X		27-5102(d)(3)(C)
	All similar uses														
Health Care Uses	Hospital				X	X	X	X		X		X	X		Refer to special exception standards
	Health campus														See Section 27-5402(ff)
	Medical or dental office or lab														
	Medical/residential campus														See Section 27-5402(oo)
	Methadone treatment center											X	X		Refer to special exception standards
	Nursing or care home											X	X		See Section 27-5402(gg)
	All similar uses														
Transportation Uses	Airfield, Airpark, Airport, Airstrip, heliport, or helistop														refer to special exception standards

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Park and ride facility														
	Parking of commercial vehicles														See Section 27-5402(vv)
	Parking facility														27-5102(d)(5)(A)
	Transit station or terminal											X	X		
	All similar uses														
<b>Utility Uses</b>	Solar energy systems, large-scale														
	Public utility uses or structures, major														27-5102(d)(6)(B) and See Section 27-5402(aaa)
	Public utility uses or structures, minor														See Section 27-5402(aaa)
	Wind energy conversion system, large-scale				X	X	X	X	X	X	X	X	X	X	
	All similar uses														
<b>Commercial Uses</b>															
<b>Adult Uses</b>	All adult uses	X													27-5102(e)(2)
<b>Animal Care Uses</b>	Animal shelter	X													27-5102(e)(3)(A)
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X													See Section 27-5402(jj)
	Kennel on a lot having a net area of more than 20,000 sq. ft.	X													See Section 27-5402(jj)
	Pet grooming establishment	X													27-5102(e)(3)(B)
	Veterinary hospital or clinic	X													27-5102(e)(3)(C)
	All similar uses														
<b>Arts and Artisanal Production Uses</b>	Art gallery														
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools														

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Manufacturing, artisan or maker														
	Tattoo or body piercing establishment														
	All similar use														
<b>Business Support Service Uses</b>	All business support services	X													27-5102(e)(4)
<b>Eating or Drinking Establishment Uses</b>	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	X											X		27-5102(e)(5)
	Catering or food processing for off-site consumption														27-5102(e)(5)(C)
	Restaurant, quick-service (with or without drive-through)	X											X		27-5102(e)(5)
	All similar uses														
<b>Funeral and Mortuary Service Uses</b>	Cemetery or crematory														See Section 27-5402(l)
	Funeral parlor or undertaking establishment														See Section 27-5402(bb)
	All similar uses	X										X	X		
<b>Office Uses</b>	Contractor's office	X													
	Office, general business and professional	X													
	Office park	X													
	All similar uses														
<b>Personal Service Uses</b>	Massage establishment	X													See Section 27-5402(mm)
	Model Studio	X													
	All similar uses	X													27-5102(e)(6)
<b>Recreation/ Entertainment Uses</b>	Amusement park	X													Refer to special exception standards
	Arena, stadium, or amphitheater	X										X	X		27-5102(e)(7)(A)

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Cinema	X										X	X		
	Club or lodge, private											X	X		See Section 27-5402(dd)
	Commercial recreation attraction														See Section 27-5402(p)
	Commercial recreational facilities (privately owned) on land leased from a public agency														See Section 27-5402(q)
	Country club	X										X	X		
	Entertainment establishment	X													27-5102(e)(7)(B)
	Golf course	X													See Section 27-5402(dd)
	Golf driving range	X													
	Nightclub	X										X	X		27-5102(e)(7)(B)
	Nonprofit recreational use														Refer to special exception standards
	Performance arts center	X										X	X		
	Racetrack, pari-mutuel														See Section 27-5402(bbb)
	Recreation facility, indoor	X										X	X		27-5102(e)(7)
	Recreation facility, outdoor	X										X	X	X	27-5102(e)(7)
	Recreational or entertainment establishment of a commercial nature	X										X	X		27-5102(e)(7)(D)
	Rifle, pistol, or skeet shooting range: indoor	X													27-5102(e)(7)(E) and (fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X													See Section 27-5402(fff)
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	X													See Section 27-5402(fff)

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Skating facility	X													27-5102(e)(7)(F) and See Section 27-5402(jjj)
	Waterfront entertainment/retail complex	X										X	X		
	All similar uses														
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	X													See 27-5102
	Bank or other financial institution	X											X		27-5102(e)(8)(A)
	Check cashing business	X													See Section 27-5402(m)
	Combination retail	X											X		See Section 27-5402(o)
	Consumer goods establishment	X											X		
	Convenience store	X													
	Drug store or pharmacy	X													27-5102(e)(8)(D)
	Farmers' market	X												X	27-5102(e)(8)(E)
	Grocery store or food market	X												X	
	Manufactured or modular home sales	X													
	Medical cannabis dispensary	X													
	Pawnshop	X													See Section 27-5402(m)
	Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business	X													See Section 27-5402(eee)
	All similar uses														
Vehicle Sales and Service Uses	Commercial fuel depot	X													27-5102(e)(9)(A)
	Commercial vehicle and repair	X													
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X													27-5102(e)(9)(D)
	Gas station	X													27-5102(e)(9)(B) and See Section 27-5402(cc)
	Personal vehicle repair and maintenance	X													27-5102(e)(9)(C)



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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Taxi or limousine service facility	X													27-5102(e)(9)(E)
	Vehicle and trailer rental display	X													See Section 27-5402€
	Vehicle parts or tire store	X													27-5102(e)(9)(F)
	Vehicle paint finishing shop and vehicle or trailer storage yard	X													
	Vehicle towing and wrecker service	X													
	All similar uses														
<b>Visitor accommodation Uses</b>	Bed and breakfast (as accessory to single-family dwelling)														27-5102(e)(10)(A)
	Country Inn	X													<b>Error! Reference source not found.</b> See Section 27-5402(w)
	Hotel or motel	X									X	X			27-5102(e)(10)(B) and See Section 27-5402(hh)
	Recreational campground	X													See Section 27-5402
	All similar uses														
<b>Water-Related Uses</b>	Boat sales, rental, service, or repair	X													27-5102(e)(11)(A)
	Boat storage yard	X	SE*	SE*											27-5102(e)(11)(B) and refer to special exception standards
	Marinas and marina expansions	SE*	SE*	SE*											Refer to special exception standards
	Waterfront boat fuel sales	X									X	X			
	All similar uses														
<b>Industrial Uses</b>															
<b>Extraction Uses</b>	Sand and gravel wet-processing	X	SE*	SE*									X	X	27-5102(f)(2) and See Section 27-5402(ggg)

<p align="center"><b>Table 27-5101(f):                      Principal Use Table for Overlay Zones</b></p> <p align="center">A blank cell means the use is allowed only if allowed in underlying base zone                      X = Prohibited, irrespective of treatment by underlying base zone                      SE* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone                      P* = Permitted by right, irrespective of treatment by underlying base zone</p>															
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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Surface mining	X	SE*	SE*								X	X		See Section 27-5402(kkk)
	All similar uses														
Industrial Service Uses	Bulk storage of gasoline	X	X												See Section 27-3605
	Contractor's yard, photographic processing plant	X	X												
	Fuel oil or bottled gas distribution	X	X									X	X		
	Landscaping contractor's business	X	X												See Section 27-5402(kk)
	Printing or similar reproduction facility, small engine repair shop	X	X												
	Petroleum, gas, and related products: liquid gas storage	X	X												See Section 27-3605
	Research and development	X	X												
	Slaughterhouse	X	X												
	All similar uses														
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X												Refer to special exception standards
	Alcohol production facility, large-scale	X	X												
	Asphalt mixing plant	X	X												See Section 27-5402(i)
	Beverage bottling	X	X												
	Cement manufacturing	X	X												See Section 27-5402(k)
	Concrete batching plant	X	X									X	X		See Section 27-5402(r)
	Concrete or brick products manufacturing	X	X									X	X		27-5102(f)(4)(A)
	Food processing	X	X												
	Heavy armament fabrication	X	X												See Section 27-5402(ee)
	Manufacturing, assembly, or fabrication, light	X	X												
Manufacturing, assembly, or fabrication, heavy	X	X												See Section 27-5402	

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	Paper and paperboard products	X	X												See Section 27-5402(tt)
	All similar uses														
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X												
	Consolidated storage	X	X												27-5102(f)(5)(A) and refer to special exception standards
	Motor freight facility	X	X												
	Outdoor storage (as a principal use)	X	X												27-5102(f)(5)(B)
	Storage warehouse	X	X												
	Warehouse showroom	X	X												27-5102(f)(5)(C)
	All similar uses														
Resource Recovery and Waste Management Uses	Class 3 fill	X	X									X	X		See Section 27-5402(n)
	Composting facility	X	X									X	X		
	Concrete recycling facility	X	X									X	X		See Section 27-5402(s)
	Electronic recycling facility	X	X												
	Junkyard	X	X												See Section 27-5402(ii)
	Paper recycling collection center	X	X												See Section 27-5402(uu)
	Recycling collection center	X	X									X	X		27-5102(f)(6)(A)
	Recycling of non-ferrous metals	X	X												See Section 27-5402(ddd)
	Recycling plant	X	X												27-5102(f)(6)(B) and See Section 27-5402(ddd)
	Sanitary landfill; rubble fill	X	X	X								X	X		See Section 27-5402(hhh)
Solid waste processing facility	X	X									X	X		Refer to special exception standards	

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
	Transfer station	X	X									X	X		See Section 27-5402(III)
	Temporary rubble (construction and demolition debris) landfill	X	X									X	X		
	Vehicle salvage yard	X	X												See Section 27-5402(ooo)
	All similar uses														
<b>Wholesale Uses</b>	Food and beverage distribution at wholesale	X	X												
	All similar uses	X	X												

NOTES:  
 [1] Section 27-5102(e)(1), General CBAO Zone Use Standard Modifications, contains additional standards for uses in the CBCAO Zone.  
 [2] Section 27-4402(c)(4), Modified Use Standards for MIO Zone, contains additional standards for uses in the MIO Zone.

1	<b>27-5102. Requirements for Permitted Principal</b>	28	
2	<b>Uses</b>	29	
3	<b>(a) General</b>	30	
4	<b>(1)</b> Standards for a specific principal use shall apply to the	31	
5	particular individual principal use regardless of the zone	32	
6	in which it is located or the review procedure by which	33	
7	it is approved, unless otherwise specified in this	34	
8	Ordinance. This Subsection sets forth and consolidates	35	
9	the standards for all principal uses for which a reference	36	
10	to this Section is provided in the "Use-Specific	37	
11	Standards" column of the principal use tables in Section	38	
12	27-5101, Principal Use Tables and in the same order as	39	
13	they are listed in the tables. These standards may be	40	
14	modified by other applicable standards or requirements	41	
15	in this Ordinance.	42	
16	<b>(b) Agricultural Uses</b>	43	
17	<b>(1) Agriculture/Forestry Uses</b>	44	
18	<b>(A) Community Garden</b>	45	
19	<b>(i)</b> Accessory structures shall be limited to sheds for	46	
20	the storage of tools, greenhouses, and similar	47	
21	structures.	48	
22	<b>(ii)</b> Areas used for communal composting shall be	49	
23	limited to ten percent of the area of the parcel.	50	
24	<b>(iii)</b> Perimeter fences, including trellises, are allowed	51	
25	in community gardens, up to eight feet in height,	52	
26	subject to the standards in Section Sec. 27-6600,	53	
27	Fences and Walls.	54	
		55	
			<b>(iv)</b> Before issuance of a permit for a community garden, the applicant shall establish and file with the DPIE Director a set of operating rules addressing the governance structure of the garden, hours of operation, assignment of garden plots, and maintenance and security requirements and responsibilities.
			<b>(B) Medical Cannabis Grower and/or Processor</b>
			<b>(i)</b> The boundaries of property used for medical cannabis grower and/or processor uses shall be located a minimum of 300 feet from:
			<b>(aa)</b> Any of the following zones: AR, RE, RR, RSF-95, RSF-65, and R-PD;
			<b>(bb)</b> Any land owned by The Maryland-National Capital Park and Planning Commission; and
			<b>(cc)</b> Any use in the Educational Uses category.
			<b>(ii)</b> Buildings, structures, and parking shall be located the following minimum distance from property lines:
			<b>(aa)</b> In the AG zone: 200 feet; and
			<b>(bb)</b> In the IE zone: 50 feet.
			<b>(iii)</b> In the AG zone, the minimum net lot area is 10 acres.
			<b>(iv)</b> Except for outdoor cultivation in the AG Zone pursuant to State licensing regulations, all aspects of the use shall be conducted within a fully enclosed building, in accordance with all applicable laws, rules, and regulations.

1	<b>(v)</b>	In the AG Zone, outdoor cultivation areas shall	31	irrigation, pest control, and removal of dead
2		be located a minimum of 100 feet from any	32	or diseased plant materials. All garbage
3		street or property line and shall be fenced in	33	shall be removed from the site weekly;
4		accordance with applicable State licensing	34	<b>(dd)</b> Garbage and compost receptacles at an
5		regulations. A planted bufferyard between the	35	urban agriculture use, including buried
6		fence line and cultivation area shall be installed.	36	compost receptacles shall be screened from
7	<b>(vi)</b>	Outdoor signage shall be limited to building-	37	the street and adjacent properties by
8		mounted signs. Advertisement for cannabis or	38	utilizing landscaping, fencing, or storage
9		cannabis products is prohibited.	39	within structures;
10	<b>(vii)</b>	Medical cannabis grower and/or processor is not	40	<b>(ee)</b> An urban agriculture use shall obtain all
11		permitted as an accessory use.	41	necessary permits as applicable, including
12	<b>(C) Urban Agriculture</b>		42	for accessory structures and signage,
13	<b>(i)</b>	A Health Department permit is required if fruits	43	<b>(ff)</b> Crop plantings shall be located a minimum
14		and vegetables are cut up or prepared foods are	44	of ten feet from the front street line.
15		sold to the public.	45	<b>(iv)</b> In the RMF-20 Zone, urban agriculture shall
16	<b>(ii)</b>	Landscape Manual regulations do not apply to	46	comply with the following additional standards:
17		urban agriculture.	47	<b>(aa)</b> An urban agriculture use shall not exceed
18	<b>(iii)</b>	In the RSF-95, RSF-65, and NAC zones, an urban	48	five acres in size; and
19		agriculture shall comply with the following	49	<b>(bb)</b> No signage other than wayfinding and
20		additional standards:	50	directional signs shall be posted.
21	<b>(aa)</b>	Urban agriculture shall not cause noxious	51	<b>(2) Agriculture/Forestry-Related Uses</b>
22		odors or dust to drift off the premises;	52	<b>(A) Farm-based Alcohol Production</b>
23	<b>(bb)</b>	Onsite signage shall be limited to one	53	<b>(i)</b> This use shall be located on land at least two (2)
24		identification sign not exceeding six square	54	acres in area.
25		feet in area, and interpretative signs	55	<b>(ii)</b> Farm-based alcohol production shall not be
26		educating attendees about urban	56	permitted on a lot or open space parcel within a
27		agriculture, in accordance with Section Sec.	57	subdivision that is subject to a governance
28		27-61500, Signage;	58	structure and regulations (i.e., a homeowners'
29	<b>(cc)</b>	Urban agriculture shall be maintained in an	59	association and recorded covenants).
30		orderly manner, including litter removal,		

1	<b>(iii)</b> Sampling and sale for on- and off-site	33	workshops, fund-raising or charitable functions,
2	consumption of products produced on the	34	weddings, receptions, social events, or cultural
3	premises is allowed as an accessory use, subject	35	exhibits—where the number of persons in
4	to the following:	36	attendance at any given time exceeds 200
5	<b>(aa)</b> Such activity shall comply with State and	37	persons shall be restricted to 12 events per
6	County alcohol laws and regulations; and	38	calendar year. Smaller functions with less
7	<b>(bb)</b> Areas designated for wine tasting (tasting	39	attendance—such as, but not limited to, alcohol
8	rooms) shall not occupy more than 60	40	tastings, private parties, production facility
9	percent of the total gross floor area of the	41	tours, meetings, or picnics—are permitted
10	principal building used for the processing of	42	without limitation on the number of events.
11	alcohol.	43	<b>(vii)</b> The farm-based alcohol production use shall be
12	<b>(iv)</b> Snack foods or prepackaged foods like	44	compatible with the rural character of the farm
13	sandwiches, soups, or salads, and nonalcoholic	45	and the surrounding area.
14	beverages that are consumed on the premises	46	<b>(B) Sawmill</b>
15	are allowed; however, the farm-based alcohol	47	<b>(i)</b> No machinery or sawdust or woodchip piles shall
16	production facility may not include a grocery	48	be located less than 100 feet from each lot line,
17	store or food market.	49	and all machinery shall be secured against
18	<b>(v)</b> A restaurant may be permitted as a special	50	unauthorized use.
19	exception approved in accordance with Section	51	<b>(ii)</b> Sawdust or woodchip piles shall not exceed a
20	27-3604, Special Exception, provided it is found	52	height of 50 feet.
21	to be compatible with the rural character of the	53	<b>(3) Open Space Uses</b>
22	farm and the surrounding area.		<b>(A) Public Beach and Public Water-Oriented</b>
23	<b>(vi)</b> Retail sales of merchandise or items other than	54	<b>Recreational and Educational Area</b>
24	alcohol are permitted if the items sold are	55	<b>(i)</b> Within a Chesapeake Bay Critical Area Overlay
25	primarily associated with the farm-based alcohol	56	Zone, the following standards shall apply:
26	production use (e.g., glassware and souvenirs) or	57	<b>(aa)</b> The area shall meet a recognized public or
27	are locally produced goods that would be	58	private need.
28	permitted to be sold at an artisans' and crafters'	59	<b>(bb)</b> The area and any associated structure or
29	market or farmers' market. Promotional or	60	activities shall be water-dependent in
30	special events related to the farm-based alcohol	61	accordance with the definition of "water-
31	production facility—such as, but not limited to,	62	
32	wine festivals, publicly advertised functions,		

1	dependent facilities" in COMAR 27.01.03.01	32
2	and meet the general criteria in COMAR	33
3	27.01.03.04(B). Any area or associated	
4	structure or activity that is not a "water-	34
5	dependent facility" shall be located outside	
6	the buffer insofar as possible.	35
7		36
8	<b>(cc)</b> Adverse effects on water quality and on	37
9	fish, plant, and wildlife habitat shall be	38
10	avoided, and if avoidance is not possible,	39
11	minimized.	40
12		
13	<b>(dd)</b> The use is consistent with the approved	41
14	Area Master Plan or Sector Plan for the	42
15	area.	43
16		
17	<b>(ii)</b> Within a Resource Conservation Overlay (RCO)	44
18	Zone or Limited Development Overlay (LDO)	45
19	Zone, the area and any associated structure or	
20	activity may be located within the buffer subject	46
21	to the following standards:	47
22		
23	<b>(aa)</b> There shall be adequate sanitary facilities.	48
24		
25	<b>(bb)</b> Within a Resource Conservation Zone,	49
26	Service facilities for areas for passive	50
27	recreation (e.g., nature study, hunting,	51
28	trapping) or education shall be located	52
29	outside the buffer. Otherwise, service	53
30	facilities shall be located outside the buffer	54
31	to the maximum extent possible.	
		55
	<b>(cc)</b> Permeable surfaces shall be maximized to	56
	the extent possible, if no degradation of	
	groundwater would result.	
	<b>(dd)</b> Disturbance to natural vegetation shall be	
	minimized.	

## **(c) Residential Uses**

### **(1) Household Living Uses**

#### **(A) Artists' Residential Studios**

- (i)** Each artists' residential studio unit shall combine individual studio and residential space to create an integrated living and working environment. Artists' residential studios may also provide areas for artists' use as common workspace or performance, office, or storage space.
- (ii)** Each artist residential studio unit shall have at least 550 square feet of gross floor area.
- (iii)** Nonresidential uses shall be located on the ground floor and may not occupy more than 50 percent of the total gross floor area.

#### **(B) Dwelling, Live-Work**

- (i)** The residential portion of the use shall occupy at least 50 percent of the total gross floor area.
- (ii)** The nonresidential portion of the building shall be located on the ground floor.
- (iii)** Employees shall be limited to occupants of the residential portion of the building plus up to three persons not residing in the residential portion.
- (iv)** Drive-through service is prohibited as an accessory use.



1	<b>(C) Mobile Home</b>	30	<b>(ii)</b> Front building façades of more than 60 feet in length shall be articulated into a series of evenly-spaced storefronts to increase visual interest and pedestrian orientation. Such buildings shall incorporate two or more of the following design elements on each façade visible from a street:
2	<b>(i)</b> The mobile home (and all of its enclosed extensions) shall be situated on, and securely anchored to, a mobile home stand.	31	<b>(aa)</b> Changes in wall plane (such as projections or recesses) with an offset or depth of at least one foot, and a width of at least ten feet, located a minimum of every 30 feet;
3		32	<b>(bb)</b> Distinct changes in texture and color of wall surfaces;
4		33	<b>(cc)</b> Variations in roof form and parapet heights;
5	<b>(ii)</b> The mobile home (and all of its extensions) shall be skirted and/or have a foundation so that the undercarriage is hidden from view.	34	<b>(dd)</b> Vertical accents or focal points; or
6		35	<b>(ee)</b> Features such as arcades, display windows, entry areas, or awnings.
7		36	<b>(iii)</b> New buildings shall use a pitched roof or a sloped parapet. A flat roof may only be permitted for new buildings located between two existing buildings with flat roofs.
8	<b>(iii)</b> The wheels of the mobile home shall be removed.	37	<b>(iv)</b> Drive-through service is prohibited as an accessory use.
9		38	
10	<b>(iv)</b> The roof shall have a minimum pitch of 2.2 feet of rise to 12 feet of horizontal run, and shall be finished with a type of shingle or other roofing material commonly used in the construction of site-built single-family detached dwellings.	39	
11		40	
12		41	
13		42	
14		43	
15	<b>(v)</b> Exterior siding shall consist predominantly of vinyl or aluminum horizontal lap siding (with reflectivity no greater than gloss white paint), wood, or hardboard that is comparable in composition, appearance, and durability to the exterior siding commonly used in the construction of site-built single-family detached dwellings.	44	
16		45	
17		46	
18		47	
19		48	
20		49	
21		50	
22		51	
23	<b>(D) Dwelling, Multifamily in the CN Zone</b>	52	
24	A building that contains a ground floor retail sales and service use and one or more multifamily dwellings located on or above the second floor shall comply with the following standards:	53	<b>(E) Manufactured Home Park</b>
25		54	<b>(i)</b> The minimum net lot area for the park as a whole shall be 10 acres.
26		55	<b>(ii)</b> The maximum density for the park shall be seven manufactured home lots per acre.
27		56	<b>(iii)</b> Maximum lot coverage for the park as a whole shall be 50 percent of the park's net lot area.
28	<b>(i)</b> All required off-street parking shall be provided on the side or rear of the building.	57	
29		58	

1	<b>(iv)</b> Minimum green area for the park as a whole	31	<b>(xi)</b> No manufactured home shall be located more
2	shall be 30 percent of the park’s net lot area, and	32	than 100 feet from an approved emergency
3	shall include active recreational facilities on a	33	vehicle access.
4	part of green area equal to at least five percent	34	<b>(xii)</b> Streets to be dedicated to public use shall
5	of the park’s net lot area.	35	comply with the appropriate provisions of the
6	<b>(v)</b> Minimum net lot area for individual	36	road code (Subtitle 23).
7	manufactured home lots shall be 4,000 square	37	<b>(xiii)</b> Internal access roadways not to be dedicated to
8	feet.	38	public use shall comply with the following:
9	<b>(vi)</b> Each manufactured home lot shall have a	39	<b>(aa)</b> Each internal access roadway shall form a
10	minimum width of 20 feet at the front lot line.	40	loop to provide for continuous forward
11	<b>(vii)</b> Manufactured home dwellings and other	41	movement and shall connect with each
12	buildings in the park shall be located a minimum	42	manufactured home lot within the park.
13	of:	43	<b>(bb)</b> The park shall be connected to a public
14	<b>(aa)</b> 20 feet from other principal buildings;	44	street by a right-of-way having a minimum
15	<b>(bb)</b> 25 feet from public street or other public	45	width of 40 feet. The right-of-way shall
16	rights-of-way;	46	accommodate an internal access roadway.
17	<b>(cc)</b> 20 feet from internal roadways and park	47	<b>(cc)</b> All internal access roadways on which
18	boundaries; and	48	automobile parking is permitted on one
19	<b>(dd)</b> 8 feet from common driveways, pedestrian	49	side shall have a minimum pavement width
20	or bicycle ways, parking areas, green areas,	50	of 24 feet.
21	or other park common area.	51	<b>(dd)</b> All internal access roadways on which
22	<b>(viii)</b> The park shall not be located in or adjacent to	52	automobile parking is permitted on both
23	swamps, marshes, or areas not capable of	53	sides shall have a minimum pavement
24	adequate drainage.	54	width of 36 feet.
25	<b>(ix)</b> The park shall provide adequate access for	55	<b>(ee)</b> All internal access roadways on which
26	emergency vehicles, with fire lanes where	56	automobile parking is not permitted shall
27	deemed necessary by the Fire Department.	57	have a minimum pavement width of 22
28	<b>(x)</b> The park shall be located on property with at	58	feet.
29	least 100 feet of frontage on a public street	59	<b>(xiv)</b> Pedestrian ways shall be provided to connect all
30	having a pavement width of at least 36 feet.	60	manufactured home lots to a paved street (or to
		61	a paved driveway or parking space connected to

1	a paved street), and to the commercial and	29	<b>(xxii)</b> No use and occupancy permit for a
2	recreational facilities within the manufactured	30	manufactured home park shall be issued until a
3	home park.	31	license for the community has been issued by
4	<b>(xv)</b> The pedestrian ways shall be:	32	the County Health Officer.
5	<b>(aa)</b> Not less than four feet wide;	33	<b>(xxiii)</b> Arrangements shall be made for the perpetual
6	<b>(bb)</b> Hard-surfaced and even, in order to prevent	34	maintenance of all common areas and
7	hazards; and	35	recreational facilities.
8	<b>(cc)</b> Well marked for daytime use and well	36	<b>(xxiv)</b> Accessory buildings shall be located only in the
9	lighted for nighttime use (if found	37	rear yard of a manufactured home lot.
10	necessary).	38	<b>(2) Group Living Uses</b>
11	<b>(dd)</b> Located either adjacent to (but separate	39	<b>(A) Assisted Living Facility</b>
12	from) paved streets or within green areas.	40	<b>(i)</b> Facility buildings shall be no more than four
13	<b>(xvi)</b> All utility lines serving the park shall be placed	41	stories high.
14	underground.	42	<b>(ii)</b> If more than one building is proposed, residential
15	<b>(xvii)</b> Each manufactured home, and all of its	43	units shall be clustered together in small to
16	structural additions, shall be installed on a	44	medium size groups to give a more residential
17	mobile home stand.	45	character to the site.
18	<b>(xviii)</b> Each manufactured home shall be securely	46	<b>(iii)</b> There shall be sufficient space on the site to
19	anchored to the stand in a manner which	47	accommodate the facility and all associated
20	prevents the home from shifting or overturning.	48	resident, visitor, and employee parking on-site.
21	<b>(xix)</b> Each manufactured home shall be suitably	49	<b>(iv)</b> Parking and loading areas should be located to
22	treated so as to hide the undercarriage.	50	the rear of the facility or interior to the site when
23	<b>(xx)</b> A hard-surfaced patio with a minimum area of	51	more than one building is proposed, to the
24	200 square feet shall be provided next to each	52	maximum extent possible.
25	mobile home stand.	53	<b>(v)</b> The entry to the facility site shall provide easy
26	<b>(xxi)</b> The manufactured home park shall meet all	54	recognition of the facility and a safe and
27	applicable regulations of the Maryland State	55	unambiguous vehicular route to the building
28	Department of Health and Mental Hygiene.	56	entry and passenger drop-off area.
		57	<b>(vi)</b> The radius and width of the entry drive shall
		58	allow cars and vans to maneuver easily.

1	<b>(vii)</b> The drop-off area shall be close and convenient	32
2	to the building entry, but shall be spacious	33
3	enough to accommodate wheelchairs, open car	34
4	doors, and passing cars.	35
5	<b>(viii)</b> A canopy or cover offering protection from sun	36
6	and precipitation shall be provided over the	37
7	building entry and passenger drop-off area.	38
8	<b>(ix)</b> A minimum of ten percent of the facility's net	39
9	land area shall be devoted to usable outdoor	40
10	open space, indoor or outdoor recreation	41
11	facilities, and indoor or outdoor social-oriented	42
12	amenities.	43
13	<b>(aa)</b> Such areas shall be located so as to be safely	44
14	and conveniently accessible to facility	45
15	residents.	46
16	<b>(bb)</b> Each outdoor area intended for active	47
17	recreation shall have a minimum area of	48
18	5,000 square feet and minimum dimension	49
19	of 50 feet.	50
20	<b>(x)</b> The facility shall comply with the licensing and	51
21	other requirements of Subtitle 12, Division 8	52
22	(Assisted Living Programs) of the County Code	53
23	and State regulations for assisted living	54
24	programs.	55
25	<b>(B) Group Residential Facility</b>	56
26	<b>(i)</b> The premises of the facility shall be under	57
27	supervision at all times.	
28	<b>(ii)</b> Operators of juvenile group residential facilities	
29	shall comply with County procedures	
30	implementing the State reporting requirement	
31	for juvenile group residential facilities.	

**(C) Private Dormitory**

A private dormitory shall not be located more than one mile from a college or university, measured in a straight line from the nearest portion of the private dormitory to the nearest boundary line of the parcel upon which the college or university is located.

**(D) Boarding or Rooming House**

This use shall be valid for a period of three (3) years. This period may be renewed if the District Council finds that the use will not constitute a nuisance because of pedestrian or vehicular traffic, noise, or the type of physical activity involved.

**(E) Planned Retirement Community**

A planned retirement community may be permitted, subject to the following criteria:

**(A) Findings for Approval**

- (i)** The DPIE Director shall find that:
  - (aa)** The proposed use will serve the needs of the retirement-aged community;
  - (bb)** The proposed use will not adversely affect the character of the surrounding residential community; and

**(B) Site Plan**

- (i)** In addition to the requirements of Section, the site plan shall set forth the proposed traffic circulation patterns.

1	<b>(C) Regulations</b>	33	
2	<b>(i)</b> Regulations restricting the height of structures,	34	townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.
3	lot size and coverage, frontage, setbacks,	35	
4	density, dwelling unit types, and other	36	
5	requirements of the specific zone in which the	37	
6	use is proposed shall not apply to uses and	38	
7	structures provided for in this Section. The	39	
8	dimensions and percentages shown on the	40	
9	approved site plan shall constitute the	41	
10	regulations for a given special exception.	42	
11	<b>(ii)</b> The subject property shall contain at least twelve	43	
12	(12) contiguous acres.	44	
13	<b>(iii)</b> The average number of dwelling units per acre	45	<b>(dd)</b> To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.
14	shall not exceed eight (8) for the gross tract area.	46	
15	<b>(iv)</b> In the CGO Zone, townhouses shall comply with	47	
16	the following design guidelines:	48	
17	<b>(aa)</b> Open space areas, particularly areas	49	
18	separating the rears of buildings containing	50	
19	townhouses, should retain, to the extent	51	
20	possible, single or small groups of mature	52	
21	trees. In areas where trees are not	53	
22	proposed to be retained, the applicant shall	54	
23	demonstrate to the satisfaction of the	55	
24	Planning Board or the District Council, as	56	
25	applicable, that specific site conditions	57	
26	warrant the clearing of the area.	58	
27	Preservation of individual trees should take	59	
28	into account the viability of the trees after	60	
29	the development of the site.	61	
30	<b>(bb)</b> Groups of townhouses should not be	62	<b>(ee)</b> To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse
31	arranged on curving streets in long, linear	63	
32	strips. Where feasible, groups of	64	

1	buildings such that they have similar	31	land records at the time the final subdivision plat
2	features to the fronts, such as reverse	32	is recorded.
3	gables, bay windows, shutters, or trim.	33	
4	<b>(ff)</b> Attention should be given to the aesthetic	34	<b>(F) Recreational facilities.</b>
5	appearance of the offsets of buildings.	35	<b>(i)</b> Covenants guaranteeing the perpetual
6	<b>(D) Uses</b>	36	maintenance of recreational facilities, and the
7	<b>(i)</b> The planned retirement community shall include	37	community's right to use the facilities, shall be
8	a community center or meeting area, and other	38	submitted with the application. The covenants
9	recreational facilities which the DPIE Director	39	shall be approved by the DPIE Director, and shall
10	finds are appropriate. These recreational	40	be filed in the land records at the time the
11	facilities shall only serve the retirement	41	subdivision plat is recorded. If the recreational
12	community. The scope of the facilities shall	42	facilities are to be part of a condominium
13	reflect this fact. The DPIE Director may only	43	development, a proposed condominium
14	permit a larger facility which serves more than	44	declaration showing the recreational facilities as
15	the retirement community if the facility is	45	general common elements shall be approved by
16	harmoniously integrated with the retirement	46	the DPIE Director, and shall be recorded
17	community and the surrounding neighborhood.	47	(pursuant to Title II of the Real Property Article
18	All recreational facilities shall be constructed	48	of the Annotated Code of Maryland) at the time
19	prior to, or concurrent with, the construction of	49	the subplat is recorded.
20	the residential units, or in accordance with a	50	<b>(d) Public, Civic, and Institutional Uses</b>
21	schedule approved by the DPIE Director;	50	<b>(1) Communication Uses</b>
22	<b>(ii)</b> Retail commercial uses, medical uses, health	51	<b>(A) Wireless Telecommunications Tower,</b>
23	care facilities, and other uses which are related	52	<b>monopole or Wireless Telecommunications</b>
24	to the needs of the community may be	53	<b>Tower, other</b>
25	permitted.	54	<b>(i)</b> The maximum height of the tower shall be 199
26	<b>(E) Residents' age.</b>	55	feet when located on public property and 150
27	<b>(i)</b> Age restrictions in conformance with the Federal	56	feet when located on any other property.
28	Fair Housing Act shall be set forth in covenants	57	<b>(ii)</b> The tower shall be set back from all property
29	submitted with the application and shall be	58	lines and dwelling units a distance equal to or
30	approved by the DPIE Director, and filed in the	59	exceeding the height of the tower (measured
		60	from its base)—except that the minimum

- 1 setback may be reduced to the extent that a 34  
2 registered engineer certifies that the tower is 35  
3 designed to fall within a smaller fall zone. 36
- 4 **(iii)** The tower shall not be used to support lights or 37  
5 signs other than those required for aircraft 38  
6 warning or other safety purposes. To the extent 39  
7 allowed by the Federal Aviation Administration 40  
8 (FAA), any required lighting shall not include use 41  
9 of strobe lights for nighttime lighting and shall be 42  
10 oriented so as not to project directly onto any 43  
11 surrounding residentially-zoned property. 44
- 12 **(iv)** The tower shall be designed and constructed or 45  
13 installed to minimize, to the extent 46  
14 technologically feasible, any potential signal 47  
15 interference with public safety communications 48  
16 and the usual and customary transmission or 49  
17 reception of radio and television service enjoyed 50  
18 on adjoining properties. 51
- 19 **(v)** Except where otherwise required by State or 52  
20 Federal regulations, the tower and any 53  
21 associated structures shall be painted or 54  
22 constructed of materials and neutral colors 55  
23 designed to reduce visual obtrusiveness and 56  
24 blend into the surrounding environment. 57
- 25 **(vi)** The tower and associated structures shall be 58  
26 maintained in good condition, order, and repair 59  
27 so that they do not endanger the life or property 60  
28 of any person and retain their original 61  
29 characteristics. Any graffiti or other 62  
30 unauthorized materials inscribed on the tower 63  
31 or associated structure shall be removed or 64  
32 covered in a manner substantially similar to and 65  
33 consistent with the original exterior finish. 66
- (vii)** The tower (including any guy anchor supports) and any associated ground-based equipment buildings shall be enclosed by security fencing and locked gates that are at least eight feet high and have anti-climbing devices, and shall provide warning signs at each vehicular access point to the site. The fencing shall be fully screened from adjacent streets by landscaping material in accordance with Section Sec. 27-6500, Landscaping.
- (viii)** Any telecommunication equipment building related to the tower shall have no more than 560 square feet of gross floor area and shall be screened by means of opaque landscaping and/or berming in accordance with Section Sec. 27-6500, Landscaping.
- (ix)** No signage or advertising shall be affixed to the tower, support structure, ground-based equipment building, or security fencing other than signs warning against trespassing ("No Trespassing") or high voltage danger ("High Voltage – Danger") and one sign no greater than three square feet in area that identifies the owner of the tower.
- (x)** A new tower greater than 180 feet in height shall be designed and constructed with excess capacity to accommodate at least three additional collocation sites; a new tower 180 feet or less in height shall be designed and constructed with excess capacity to accommodate at least two additional collocation sites. The owners of a new telecommunications tower shall permit other telecommunications

1 providers to collocate antennas and associated 34  
2 equipment on the tower, subject to mutually 35  
3 agreeable terms and conditions negotiated 36  
4 between the parties. 37  
5 **(xi)** If use of the tower is discontinued for a 38  
6 continuous period of six months, the County 39  
7 shall deem it abandoned and provide the owner 40  
8 a written notice of abandonment stating that the 41  
9 owner has 90 days from the date of receipt of the 42  
10 notice to either resume use of the tower or file a 43  
11 notice of termination with the County. The 44  
12 owner shall remove the tower within 180 days 45  
13 after a notice of termination is filed with the 46  
14 County. On removing an abandoned tower, the 47  
15 owner shall restore the site of the tower to as 48  
16 good a condition as existed before construction 49  
17 or installation of the tower, unless otherwise 50  
18 instructed by the County. 51  
19 **(xii)** The County shall process all applications for a 52  
20 wireless telecommunications tower in a timely 53  
21 manner in accordance with the review 54  
22 procedures in Part 27-3, Administration, and 55  
23 shall make a decision on such applications within 56  
24 a reasonable period of time after the application 57  
25 is submitted and determined complete, taking 58  
26 into account the nature and scope of the 59  
27 application. Specifically, the County shall decide 60  
28 all applications for collocation of a 61  
29 telecommunications facility on an existing 62  
30 telecommunications tower or other existing 63  
31 structure within 60 days after acceptance of a  
32 complete application, and shall decide  
33 applications for telecommunications towers

within 150 days after acceptance of a complete application.

**(xiii)** The tower shall comply with the standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the State or Federal government with the authority to regulate telecommunications facilities.

## **(2) Community Service Uses**

### **(A) Day Care Center for Children**

- (i)** The center shall comply with all applicable State regulations and obtain appropriate State licensing prior to operation.
- (ii)** The center shall provide a minimum of 75 square feet of usable outdoor play or activity area per child.
- (iii)** The outdoor play or activity area shall be fenced.
- (iv)** Any off-premises outdoor play or activity area shall be located near the building housing the center, and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway.
- (v)** The play area shall be sufficiently shaded during the warmer months to afford protection from the sun.
- (vi)** If the play area is to be used before or after daylight hours, it shall have sufficient lighting to ensure safe operation of the area during such times.



1	<b>(vii)</b> Outdoor play shall be limited to the hours	30	<b>(vi)</b> Places of worship in the IH Zone shall only be
2	between 7 a.m. and 9 p.m.	31	permitted provided:
3	<b>(viii)</b> The center shall provide designated passenger	32	<b>(aa)</b> The place of worship is located in an existing
4	drop-off and pick-up spaces in accordance with	33	freestanding building not exceeding two
5	Section 27-6307(g)(2), Drop-Off and Pick-Up	34	stories in height;
6	Areas.	35	<b>(bb)</b> If the building in which the place of worship
7	<b>(ix)</b> The site plan shall show:	36	is located contains other uses, a separate
8	<b>(aa)</b> The proposed enrollment; and	37	entry to the place of worship must be
9	<b>(bb)</b> The location and size of outdoor play or	38	provided for its use; and
10	activity areas.	39	<b>(cc)</b> At the time of issuance of the initial use and
11	<b>(B) Family Child Care Home (Large or Small)</b>	40	occupancy permit, the place of worship
12	<b>(i)</b> The family child care home shall comply with all	41	shall be located within 1,000 feet of another
13	applicable State regulations and be	42	existing place of worship.
14	appropriately registered with the State prior to	43	<b>(vii)</b> The maximum allowable lot coverage for the
15	operation.	44	zone in which the use is proposed shall not be
16	<b>(C) Place of Worship</b>	45	increased.
17	<b>(i)</b> All buildings shall be set back at least 25 feet	46	<b>(D) Adult Day Care Center</b>
18	from each lot line;	47	<b>(i)</b> The subject property shall be suitable for the
19	<b>(ii)</b> Ingress and egress shall be located so as to direct	48	proposed day care center, taking into
20	traffic away from streets that are internal to a	49	consideration the character of surrounding
21	residential subdivision, where possible.	50	properties and the general neighborhood, and
22	<b>(iii)</b> No parking spaces or loading areas shall be	51	any other uses on the subject property.
23	located in the front yard.	52	<b>(ii)</b> The subject property shall be of sufficient size to
24	<b>(iv)</b> Places of worship located on a lot between 1 and	53	accommodate the scale of the proposed day
25	2 acres in size shall require approval of a detailed	54	care center.
26	site plan in accordance with Section 27-3605(d).	55	<b>(iii)</b> A statement shall be submitted explaining:
27	<b>(v)</b> Places of worship in the AG Zone shall only be	56	<b>(aa)</b> The policies and goals of the day care
28	permitted provided the net lot area is at least 5	57	center;
29	acres in size.	58	<b>(bb)</b> The characteristics and number of
		59	occupants to be served;

1	(cc) The type of care and activities proposed;	29	over 5 acres—subject to any additional
2	(dd) Operating methods and procedures	30	limitations imposed by State and local health,
3	proposed; and	31	education, or fire regulations.
4	(ee) Other appropriate aspects of the center’s	32	(aa) Minimum lot area may be reduced to 2.5
5	operation.	33	acres if the school site abuts public parkland
6	<b>(3) Educational Uses</b>	34	containing at least 2.5 acres and enrollment
		35	is limited to 130 students.
7	<b>(A) College or University</b>	36	(bb) Minimum lot area may be reduced to two
		37	acres if school programs are only for
8	(i) In the RR and AR zones, the minimum net lot	38	students receiving special education
9	area for any campus site shall be 300 acres.	39	services and enrollment is limited to 90
10	(ii) The campus site shall front on, and have direct	40	students.
11	vehicular access to, a street or streets with	41	(ii) The school site shall front on, and have direct
12	sufficient capacity to accommodate traffic	42	vehicular access to, a street having a right-of-
13	generated by the campus.	43	way at least 36 feet wide. This width
14	(iii) All parking and loading facilities needed for	44	requirement shall not apply where the site is
15	campus employees, students, visitors, and	45	located in the Rural and Agricultural Areas of the
16	residents shall be on the campus site, and be	46	County as designated by the General Plan.
17	located at least:	47	(iii) The school shall provide an outdoor playground
18	(aa) 150 feet from adjoining land zoned or used	48	or activity area containing at least 100 square
19	residentially;	49	feet of usable space per student. The play area
20	(bb) 15 feet from any adjoining street; and	50	shall be enclosed by a wall or fence at least three
21	(cc) 10 feet from all campus property lines.	51	feet high for elementary schools, and at least five
22	(iv) At least 40 percent of the net lot area of the	52	feet high for middle and high schools.
23	campus site shall be devoted to open space.	53	<b>(C) Water-Dependent Research Facility or Activity</b>
24	<b>(B) Private School</b>	54	<b>Operated by a Government or Educational</b>
		55	<b>Institution</b>
25	(i) The school shall be located on a site with a	56	(i) <b>Within a Chesapeake Bay Critical Area Overlay</b>
26	minimum net lot area of 5 acres, and maximum	57	<b>Zone, the Following Standards Shall Apply:</b>
27	enrollment at any one time shall be 400 students	58	(aa) The facility or activity shall meet a
28	plus 100 students for each acre of net lot area	59	recognized public or private need.

1	<b>(bb)</b> The facility or activity shall be water-	29	<b>(bb)</b> Street frontage – One hundred fifty (150)
2	dependent in accordance with the	30	feet;
3	definition of "water-dependent facilities" in	31	<b>(cc)</b> Setback – Twenty-five (25) feet from all
4	COMAR 27.01.03.01 and meet the general	32	boundary lines of the property..
5	criteria in COMAR 27.01.03.04(B). Any	33	
6	facility or activity that is not a "water-	34	
7	dependent facility" shall be located outside	35	
8	the Buffer insofar as possible.	36	
9	<b>(cc)</b> Adverse effects on water quality and on	37	
10	fish, plant, and wildlife habitat shall be	38	
11	minimized.	39	
12	<b>(dd)</b> The use is consistent with the approved	40	
13	Area Master Plan or Sector Plan for the	41	
14	area.	42	
15	<b>(4) Health Care Uses</b>	43	
16	<b>(A) Nursing or care home</b>	44	
17	<b>(i) Where Not More than Ten (10) Persons Are</b>	45	
18	<b>Cared For:</b>	46	
19	<b>(aa)</b> Total area – One-half (1/2) acre;	47	
20	<b>(bb)</b> Street frontage – One hundred fifty (150)	48	
21	feet; and	49	
22	<b>(cc)</b> Setback – Twenty-five (25) feet from all	50	
23	boundary lines of the property.	51	
24	<b>(ii) Nursing or Care Home in the CGO Zone Where</b>	52	
25	<b>Eleven (11) or More Persons Are Cared For:</b>	53	
26	<b>(aa)</b> Total area – Two (2) acres, or three hundred	54	
27	(300) square feet per person cared for,	55	
28	whichever is greater;	56	
			<b>(5) Transportation Uses</b>
			<b>(A) Parking Facility</b>
			<b>(i)</b> Parking of motor vehicles shall be the primary
			use of the facility. Except as otherwise expressly
			provided in this Ordinance, no other business
			shall be conducted in the parking facility—
			including, but not limited to, repair, servicing,
			washing, or display of vehicles, or storage of
			goods.
			<b>(6) Utility Uses</b>
			<b>(A) Solar Energy Systems, Large-Scale</b>
			<b>(i)</b> Maximum lot coverage of the facility and any
			associated equipment shall not exceed 65
			percent.
			<b>(ii)</b> Adequate access for maintenance of the facility
			shall be provided.
			<b>(iii)</b> The facility shall not exceed a height of 20 feet.
			<b>(iv)</b> The property owner shall be responsible for
			negotiating with other property owners in the
			vicinity to establish any solar easement designed
			to protect solar access for the solar energy
			systems and for recording any such solar
			easement in the Land Records of Prince George's
			County.

1	<b>(v)</b>	In the Rural and Agricultural Area as designated	29	<b>(dd)</b>	The direction of blade rotation.
2		on the Growth Policy Map in the General Plan,	30	<b>(viii)</b>	The tower and wind turbine shall be painted or
3		the facility shall comply with requirements for	31		finished in the color originally applied by the
4		designated scenic or historic viewsheds.	32		manufacturer, or a matte neutral—but generally
5	<b>(B)</b>	<b>Public Utility Uses or Structures, Major</b>	33		nonreflective—color (e.g., gray, white, or
6			34		galvanized steel).
7	<b>(i)</b>	Within any Residential zone, any buildings	35	<b>(ix)</b>	All ground-based equipment buildings shall be
8		housing a major utility use shall, whenever	36		located under the blade sweep area to the
9		feasible, be designed to have the exterior	37		maximum extent practicable.
10		appearance of a residential building.	38	<b>(x)</b>	The facility shall be enclosed by security fencing
11	<b>(C)</b>	<b>Wind Energy Conversion Facility, Large-Scale</b>	39		and locked gates that are at least eight feet high
12			40		and have anti-climbing devices, and shall provide
13	<b>(i)</b>	Minimum net lot area shall be five acres.	41		warning signs at each vehicular access point to
14			42		the site. The fencing shall be fully screened from
15	<b>(ii)</b>	The facility shall utilize monopole or self-	43		adjacent streets by landscaping material in
16		supporting towers.	44		accordance with Section Sec. 27-6500,
17			45		Landscaping.
18	<b>(iii)</b>	All towers shall be set back from all property	46	<b>(xi)</b>	Except for transmission lines and collector utility
19		lines a distance equal to or exceeding the overall	47		structures, all utilities associated with the facility
20		height of the tower and associated wind turbine	48		shall be located underground.
21		blade (as measured from the base of the tower).	49	<b>(xii)</b>	No illumination of the tower or wind turbine
22	<b>(iv)</b>	The maximum height of any tower (including	50		shall be allowed, unless required by the (FAA)—
23		extended blades) shall be 450 feet.	51		in which case, it shall be of the lowest intensity
24			52		allowed. Strobes or blinking lights shall be
25	<b>(v)</b>	Blade tips or vanes shall have a minimum ground	53		avoided to the maximum extent practicable.
26		clearance of 75 feet above grade, as measured at	54	<b>(xiii)</b>	Signage visible from any public street or off-site
27		the lowest point of the arc of the blades.	55		area shall be limited to the manufacturer’s or
28			56		installer’s identification, appropriate warning
	<b>(vi)</b>	No blades shall extend over public rights-of-way.	57		signs, or owner identification.
			58	<b>(xiv)</b>	The noise produced by the facility during
	<b>(vii)</b>	All towers and turbines shall maintain uniform	59		operation shall not exceed 55 dBA at any lot line.
		design in terms of the following features:			
		<b>(aa)</b> Tower type;			
		<b>(bb)</b> Tower, turbine, and blade colors;			
		<b>(cc)</b> The number of blades per turbine; and			

1 This standard shall not apply during power 33  
 2 outages, windstorms, or other conditions 34  
 3 beyond the owner’s control. 35  
 4 **(xv)** The owner shall take all reasonable steps to 36  
 5 prevent or eliminate interference with 37  
 6 transmission of communications signals (e.g., 38  
 7 radio, television, telephone, etc.) resulting from 39  
 8 the facility. 40  
 9 **(xvi)** If use of the facility is discontinued for a 41  
 10 continuous period of one year, the County shall 42  
 11 deem it abandoned and provide the owner a 43  
 12 written notice of abandonment stating that the 44  
 13 owner has 90 days from the date of receipt of the 45  
 14 notice to either resume use of the facility or file 46  
 15 a notice of termination with the County. The 47  
 16 owner shall remove the facility (including all 48  
 17 towers, turbines, above-ground structures and 49  
 18 equipment, outdoor storage, and hazardous 50  
 19 materials) within 180 days after a notice of 51  
 20 termination is filed. On removing an abandoned 52  
 21 facility, the owner shall restore the site of the 53  
 22 facility to as good a condition as existed before 54  
 23 construction or installation of the facility, unless 55  
 24 otherwise instructed by the County. 56  
 25 **(e) Commercial Uses** 57  
 26 **(1) General CBAO Zone Use Standard Modifications** 58  
 27 **(A)** Within a Resource Conservation Overlay (RCO) 59  
 28 Zone, all commercial uses are prohibited. Within 60  
 29 the Limited Development Overlay (LDO) Zone 61  
 30 and Intensely Developed Overlay (IDO) Zone, the 62  
 31 following standards apply to any commercial 63  
 32 use:

- (i)** The use shall meet a recognized public or private need.
- (ii)** The use shall be water-dependent in accordance with the definition of "water-dependent facilities" in COMAR 27.01.03.01 and meet the general criteria in COMAR 27.01.03.04(B). Any use that is not a "water-dependent facility" shall be located outside the buffer insofar as possible.
- (iii)** Adverse effects on water quality and on fish, plant, and wildlife habitat shall be minimized.
- (iv)** The use is consistent with the approved Area Master Plan or Sector Plan for the area.

**(2) Adult Uses**

**(A) Findings**

- (i)** The District Council has reviewed the legislative records for all prior legislation and for the present legislation on the subject of adult businesses. The evidence in these legislative records includes studies of adult businesses and comments on the subject of adult businesses from government and community leaders in Prince George's County and in other jurisdictions in the United States. The District Council has reviewed the United States Supreme Court findings in *City of Littleton, Colorado v. Z.J. Gifts D-4, L.L.C., a limited liability company, dba Christal's*, 541 U.S. 774, 124 S.Ct. 2219 (2004). The Supreme Court in *Littleton* upheld the statutory scheme for adult businesses for a Colorado city-enacted adult business ordinance that (1) required businesses such as adult

- 1 bookstores to (a) have "adult business" licenses, 34 such stores by children, who may be  
2 and (b) comply with local zoning rules; (2) listed 35 adversely influenced by the materials sold  
3 specific circumstances under which the city 36 in such stores.  
4 would deny a license; (3) set forth time limits 37  
5 (typically amounting to 40 days) within which 38  
6 city officials were required to reach a final 39  
7 licensing decision; and (4) provided that the final 40  
8 decision could be appealed to a State court 41  
9 pursuant to the State's civil procedure rules. This 42  
10 legislation is patterned after the Littleton, 43  
11 Colorado statutes upheld by the United States 44  
12 Supreme Court in *Littleton*. 45  
13 (ii) From the evidence in the legislative records for 46  
14 the present and prior legislation, the District 47  
15 Council makes the following legislative findings: 48  
16 (aa) The location of present and future adult 49  
17 businesses in that part of the Maryland- 50  
18 Washington Regional District in Prince 51  
19 George's County should be controlled 52  
20 through zoning regulations, to lessen or 53  
21 control the adverse secondary effects of 54  
22 such uses on their surrounding 55  
23 neighborhoods. 56  
24 (bb) Testimony in the legislative records and 57  
25 certain findings from other jurisdictions 58  
26 indicate that adult businesses have a strong 59  
27 tendency to affect neighborhood character 60  
28 and may be associated with neighborhood 61  
29 deterioration or depreciation of property 62  
30 values. 63  
31 (cc) Prince George's County has an additional 64  
32 interest in controlling the location of adult 65  
33 book or video stores, to prevent access to
- (dd) There are real and substantial governmental interests promoted by zoning regulations which control the location of adult businesses in that part of the Maryland-Washington Regional District in Prince George's County.
- (ee) The provisions of the Prince George's County Code and the Prince George's County Zoning Ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including adult materials. Similarly, it is not the intent nor effect of the Prince George's County Code or the Prince George's County Zoning Ordinance to restrict or deny access by adults to adult materials protected by the First Amendment or the Maryland Constitution, or to deny access by the distributors and exhibitors of adult entertainment to their intended market. Neither is it the intent nor effect of the Prince George's County Code or the Prince George's County Zoning Ordinance to condone or legitimize the distribution of obscene material.
- (B) Adult Book or Video Store**
- (i) The subject structure shall be located at least one thousand (1,000) feet from any property in

1	a Residential Zone; property proposed to be	34	recreational facility, day care center for
2	used for residential purposes on an approved	35	children, church, or another adult book
3	Basic Plan for a Comprehensive Design Zone, an	36	store and/or adult video store has been
4	approved Official Plan for an R-P-C Zone, or an	37	built, then the distance shall be measured
5	approved Conceptual or Detailed Site Plan; or	38	along street or right-of-way lines from the
6	property on which a school, library, park,	39	front door or main entrance of the structure
7	playground, recreational facility, day care center	40	used for adult book store or adult video
8	for children, or church has been built, and at	41	store purposes to the front door or main
9	least five hundred (500) feet from another adult	42	entrance of the residence, school, library, or
10	book store and/or adult video store.	43	other use, as just stated.
11	<b>(ii)</b> (2) An adult book store and/or adult video	44	<b>(bb)</b> (2) If the property with the adult book
12	store lawfully operating is not rendered a	45	store and/or Adult Book Store adjoins or is
13	nonconforming use by the subsequent location	46	in the vicinity of undeveloped property
14	of a residence within one thousand (1,000) feet	47	which is in a Residential Zone or is proposed
15	of the adult book store and/or adult video store	48	to be used for residential purposes on an
16	or the subsequent location of a school, library,	49	approved Basic Plan for a Comprehensive
17	park, playground, recreational facility, day care	50	Design Zone, an approved Official Plan for
18	center for children, church, within one thousand	51	an R-P-C Zone, or an approved Conceptual
19	(1,000) feet of the adult book store and/or adult	52	or Detailed Site Plan, then the distance shall
20	video store, or the subsequent location of	53	be measured in a straight line from the front
21	another adult book store and/or adult video	54	door or main entrance of the structure used
22	store within five hundred (500) feet; however, if	55	for adult book store and/or adult video
23	the adult book store and/or adult video store	56	store purposes to the nearest point of the
24	ceases operation for a period of one hundred	57	boundary line of the undeveloped property
25	eighty (180) calendar days or more regardless of	58	in a Residential Zone or proposed for
26	any intent to resume operation, it may not	59	residential purposes on an approved Basic
27	recommence operation in that location.	60	Plan, Official Plan, or Conceptual or Detailed
28	<b>(iii)</b> (b) The distance stated in Subsection (a) shall	61	Site Plan, as just stated.
29	be measured as follows:	62	<b>(iv)</b> Outdoor display of merchandise is prohibited.
30	<b>(aa)</b> If the property with the adult book store	63	<b>(v)</b> The proprietor, owner, or personnel of the adult
31	and/or adult video store adjoins or is in the	64	book store and/or adult video store shall
32	vicinity of any property on which a	65	prohibit access to the premises by any person
33	residence, school, library, park, playground,	66	who is under eighteen (18) years of age.

1	<b>(vi)</b>	All windows, doors, and other apertures shall be	34	<b>(xi)</b>	In the event that the Department of Permitting,
2		blackened or obstructed to prevent anyone	35		Inspections, and Enforcement denies an
3		outside the establishment from viewing its	36		application, the Department of Permitting,
4		interior.	37		Inspections, and Enforcement shall, in writing,
5	<b>(vii)</b>	Advertising shall be limited to one business sign,	38		state the reasons for the denial, and a copy of
6		as provided for in Section 27-615 of this Subtitle.	39		such decision shall be sent by first class mail to
7			40		the address provided by the applicant.
8	<b>(viii)</b>	The hours of operation of the adult book store	41	<b>(xii)</b>	If the Department of Permitting, Inspections,
9		and/or or adult video store shall not extend	42		and Enforcement fails to render a timely decision
10		beyond 12:00 A.M. and shall not begin before	43		pursuant to the terms of this section, then the
11		9:00 A.M.	44		Department of Permitting, Inspections, and
12	<b>(ix)</b>	An application for an adult book store and/ or	45		Enforcement shall be deemed to have approved
13		adult video store use and occupancy permit shall	46		or consented to the approval of the adult book
14		be approved or denied by the Department of	47		store and/or adult video store use and
15		Permitting, Inspections, and Enforcement within	48		occupancy permit.
16		fourteen (14) business days of the date that the	49	<b>(xiii)</b>	An applicant may appeal to the Board of Zoning
17		application is accepted by the Department of	50		Appeals from a final decision of the Building
18		Permitting, Inspections, and Enforcement.	51		Official for an adult book store and/or adult
19	<b>(x)</b>	Upon receipt, the Department of Permitting,	52		video store use and occupancy permit pursuant
20		Inspections, and Enforcement shall refer the	53		to Section 4-121 of the County Code.
21		application to the Maryland-National Capital	54	<b>(xiv)</b>	Termination of Use and Occupancy Permit
22		Park and Planning Commission. The Maryland-	55		<b>(aa)</b> Where a use and occupancy permit has
23		National Capital Park and Planning Commission	56		been issued for a use other than as an adult
24		shall review the application and shall provide an	57		book store and/or adult video store, as
25		approval or denial regarding zoning compliance	58		defined in Section 27-107.01 and Section
26		as part of the application. Such determination	59		27-902, and the property is being utilized as
27		shall be transmitted from the Maryland-National	60		an adult book store and/or adult video
28		Capital Park and Planning Commission to the	61		store, all use and occupancy permits for the
29		Department of Permitting, Inspections, and	62		property shall be deemed abandoned and
30		Enforcement within five (5) business days from	63		shall automatically terminate.
31		the date of Maryland-National Capital Park and	64	<b>(bb)</b>	Notice of abandonment and termination
32		Planning Commission's receipt of the application	65		shall be mailed to the applicant by first class
33		from the Department of Permitting, Inspections,			
		and Enforcement.			



1	mail to the address provided by the	28	
2	applicant to the Department of Permitting,	29	
3	Inspections, and Enforcement.	30	
4	<b>(C) Adult Entertainment</b>	31	<b>(B) Pet Grooming Establishment</b>
5	<b>(i)</b> The hours of operation shall be limited to 5:00	32	<b>(i)</b> All animals shall be confined to a portion of the
6	p.m. to 3:00 a.m.	33	interior of a structure that is fully enclosed and
7	<b>(ii)</b> The establishment shall be located at least 1,000	34	sufficiently insulated so no unreasonable noise
8	feet from any school, any residential zone or land	35	or odor can be detected off the premises.
9	used for residential purposes, and any other	36	<b>(ii)</b> Animals shall not be kept at the facility for
10	building or use providing adult entertainment.	37	compensation for purposes other than to receive
11	<b>(iii)</b> All windows, doors, and other apertures shall be	38	grooming services.
12	blackened or obstructed so as to prevent anyone	39	<b>(iii)</b> Animals shall not be boarded overnight.
13	outside the establishment from viewing its	40	<b>(C) Veterinary Hospital or Clinic</b>
14	interior.	41	<b>(i)</b> Those parts of structures in which animals are
15	<b>(iv)</b> The proprietor, owner, or personnel of the	42	boarded shall be fully enclosed and sufficiently
16	establishment shall prohibit access to the	43	insulated so no unreasonable noise or odor can
17	premises by any person who is under 18 years	44	be detected off the premises.
18	old.	45	<b>(ii)</b> All boarded animals shall be kept within a totally
19	<b>(3) Animal Care Uses</b>	46	enclosed part of the structures between the
20	<b>(A) Animal Shelter</b>	47	hours of 10:00 p.m. and 8:00 a.m.
21	<b>(i)</b> Those parts of structures in which animals are	48	<b>(iii)</b> Any open exercise runs or pens shall be at least
22	boarded shall be fully enclosed and sufficiently	49	75 feet from any lot line, with a Type B
23	insulated so no unreasonable noise or odor can	50	bufferyard provided between the run or pen and
24	be detected off the premises.	51	the property line, in accordance with the
25	<b>(ii)</b> All boarded animals shall be kept within a totally-	52	Landscape Manual.
26	enclosed part of the structures between the	53	<b>(4) Business Support Service Uses</b>
27	hours of 10:00 p.m. and 8:00 a.m.	54	<b>(A) Conference or Training Center</b>
		55	<b>(i)</b> No products shall be sold on-site except those
		56	clearly incidental and integral to training
			programs conducted in the center (e.g., books,
			training manuals and videos, t-shirts, mugs, pens
			and pencils, and similar items bearing the logo of

1	the conference or seminar sponsors or	31	building, and adequate loading and access for
2	participants).	32	the activity is provided.
3	<b>(5) Eating or Drinking Establishment Uses</b>	33	<b>(iv)</b> Crushing and fermentation operations are
4	<b>(A) Any Eating or Drinking Establishment Use</b>	34	managed in such a way that by-products are
5	<b>(i)</b> If the establishment includes drive-through	35	contained and disposed of in a way that does not
6	service, it also shall comply with the accessory	36	result in spill-over impacts on adjacent property,
7	use standards in Section 27-5203(b)(4), Drive-	37	public spaces, or public rights-of-way.
8	Through Service.	38	<b>(v)</b> Outdoor storage is prohibited.
9	<b>(B) Alcohol production facility, small-scale</b>	39	<b>(C) Catering or Food Processing for Off-Site</b>
10	<b>(i)</b> The minimum area of the eating, drinking, and	40	<b>Consumption</b>
11	entertainment area of the alcohol production	41	<b>(i)</b> This is permitted as an accessory to a place of
12	facility, small-scale, shall be 45 percent of the	42	worship, private club or lodge, or private school
13	total square footage for the establishment, or a	43	subject to the issuance of a use and occupancy
14	minimum of 1,500 square feet, whichever is	44	permit and other permits as may be necessary.
15	greater.	45	<b>(ii)</b> All catering and food processing activities shall
16	<b>(ii)</b> The establishment shall have building façade	46	occur within a facility duly authorized for
17	fenestration/transparency through vision glass,	47	commercial food preparation.
18	doors, or active outdoor spaces along a	48	<b>(D) Shared Commercial Kitchen</b>
19	minimum of 50 percent of the length of the	49	<b>(i)</b> Shared commercial kitchens shall be approved
20	building side that fronts the street, unless the	50	by the Prince George’s County Health
21	building in which it is located is an adaptive re-	51	Department before a use and occupancy permit
22	use, the building makes compliance	52	may be issued.
23	impracticable, or if the building is a County	53	<b>(ii)</b> Shared commercial kitchens may only be
24	historic site or within a County historic district	54	permitted in Residential zones if the subject
25	and this minimum standard would conflict with	55	property also includes a place of worship, private
26	direction given by the Historic Preservation	56	school, private club or lodge, or indoor
27	Commission acting under Subtitle 29 of the	57	recreation facility.
28	County Code.		
29	<b>(iii)</b> Off-site distribution of manufactured beer is		
30	allowed, as long as it is done from the rear of the		

1	<b>(6) Personal Service Uses</b>	29	<b>(B) Nightclub or Entertainment Establishment</b>
2	<b>(A) Dry-Cleaning or Laundry Drop-Off/Pick-Up Establishment</b>	30	<b>(i)</b> A nightclub or entertainment establishment shall not be located within 500 feet of the RSF-95 Zone or any zone having more stringent intensity and dimensional standards than the RSF-95 Zone.
3		31	
4	<b>(i)</b> If the establishment includes drive-through service, it also shall comply with the accessory use standards in Section 27-5203(b)(4), Drive-Through Service.	32	<b>(ii)</b> In the CGO district, approval of a nightclub as a special exception is required if the nightclub includes music and patron dancing after 12:00 A.M., except that a nightclub that has a gross floor area of at least 2,500 square feet, has a valid Dance Hall license issued before July 1, 2016, and has a valid Class BLX license issued by the Board of License Commissioners for Prince George’s County pursuant to Title 26, Alcoholic Beverages Article, Annotated Code of Maryland, shall be a permitted use, subject to conformance with the hours of operation established pursuant to the Class BLX license issued for the use.
5		33	
6		34	
7		35	
8	<b>(B) Model Studio</b>	36	
9		37	
10	<b>(i)</b> Outdoor displays or advertising shall be limited to one (1) business sign, as provided for in Section 27-61506(a), Permanent Real Estate Identification Sign;	38	
11		39	
12		40	
13	<b>(ii)</b> The proprietor, owner, or personnel of the establishment shall prohibit access to the premises by any person who is not yet eighteen (18) years old; and	41	
14		42	
15		43	
16		44	
17	<b>(iii)</b> The proposed use will not tend to create a nuisance for other uses on the subject property, or for adjacent properties or neighborhood residents, because of traffic, parking problems, noise, or lights on the subject property, and the hours of operation of the use.	45	
18		46	
19		47	
20		48	
21		49	
22		50	
23	<b>(7) Recreation/Entertainment Uses</b>	51	<b>(C) Racetrack, Pari-mutuel</b>
24	<b>(A) Arena, Stadium, or Amphitheater</b>	52	A pari-mutuel racetrack (for horse racing) may be permitted, subject to the following:
25		53	
26	<b>(i)</b> Sufficient traffic management systems shall be in place during stadium events to assure safe and reasonable access to residential neighborhoods in the area for residents and emergency vehicles.	54	<b>(i)</b> The subject property shall contain at least one hundred (100) contiguous acres;
27		55	<b>(ii)</b> A racetrack may be used for any of the following:
28		56	<b>(aa)</b> Temporary living accommodations, such as trailer pads, mobile homes, and utility hookups, which are used during the permitted racing season by employees, horsemen, owners, or other persons employed in connection with the racetrack,
		57	
		58	
		59	

1	and their families, for not more than two	31
2	hundred eighteen (218) cumulative days	32
3	per calendar year;	33
4	<b>(bb)</b> One (1) circus and one (1) fair per calendar	34
5	year (in addition to benefit functions and	35
6	performances permitted below), not to	36
7	exceed a twenty (20) calendar-day period	37
8	for each;	38
9	<b>(cc)</b> Trade shows, such as automobile, boat,	39
10	agricultural, and science shows; exhibitions	40
11	such as art, handicraft, or antique shows;	41
12	auctions, flea markets, fashion shows,	42
13	beauty pageants;	43
14	<b>(dd)</b> Dog, cat, horse shows, and rodeos;	44
15	<b>(ee)</b> Government-sponsored events and	45
16	educational conferences;	46
17	<b>(ff)</b> Benefit functions (including but not limited	47
18	to carnivals and bazaars) sponsored and	48
19	managed by charitable, patriotic, fraternal,	49
20	educational, religious, political, or civic	50
21	organizations that are local to or serve	51
22	Prince George's County;	52
23	<b>(gg)</b> Dinner theaters;	53
24	<b>(hh)</b> Tennis, handball, and other racquet	54
25	facilities; horse boarding and horse riding	55
26	instruction, track meets, and jousting	56
27	tournaments; and	57
28	<b>(ii)</b> Accessory buildings and uses.	58
29		59
30		60
		61
		62

**(D) Recreational or Entertainment Establishment of a Commercial Nature with a Video Lottery Facility**

Detailed site plan approval in accordance with Section 27-3605, Detailed Site Plan, shall be required for a recreational or entertainment establishment of a commercial nature with a video lottery facility ("Facility"). A stated condition of approval for the site plan shall be full compliance with this Subsection by the video lottery operator, including compliance with any plans, commitments, or other information contained the site plan application. The Planning Board or Planning Director, as appropriate, may approve a site plan application for a Facility on finding all of the following:

- (i)** The application demonstrates that the locational requirements as set forth in Section 9-1A-36(h)(1)(VI), State Government Article, Annotated Code of Maryland, are met.
- (ii)** The application demonstrates that transportation facilities in the area affected by traffic generated by the Facility will be adequate based on:
  - (aa)** Total traffic conditions as prescribed in the most recent Transportation Review Guidelines published by M-NCPPC;
  - (bb)** Compliance with a comprehensive transportation plan in accordance with Section 9-1A-32 of the State Government Article of the Annotated Code of Maryland prior to issuance of any use and occupancy permits; and

1	<b>(cc)</b> The transportation improvements	32	<b>(viii)</b> The application includes a statement detailing	32
2	regarding the Facility submitted to the	33	any opportunities in relation to the Facility to be	
3	Maryland Video Lottery Facility Location	34	made available to Prince George's County	
4	Commission.	35	residents or businesses via direct monetary or	
5	<b>(iii)</b> Any required on- or off-site transportation	36	other equity investment, ownership of	
6	improvements shall be made prior to, or	37	independent in-line businesses, ownership of	
7	concurrent with, the construction of the Facility,	38	retail pad sites, ownership of business	
8	and shall be completed prior to the issuance of	39	franchises, ownership of service businesses,	
9	any use and occupancy permits for the Facility.	40	and/or ownership of any other for-profit	
		41	businesses.	
10	<b>(iv)</b> The lighting plan included with the application	42	<b>(E) Rifle, Pistol, or Skeet Shooting Range</b>	
11	demonstrates adequate illumination of all	43	<b>(i)</b> The range shall be located either:	
12	parking areas and walkways on site.	43		
13	<b>(v)</b> The application includes a receipt confirming	44	<b>(aa)</b> Within a structure that is fully enclosed with	
14	submission of a written security plan to the Chief	45	steel plate and acoustical tiles, or other	
15	of Police demonstrating a 24-hour adequate	46	materials with comparable bullet-stopping	
16	security and surveillance plan, including plans to	47	and soundproofing capacities; or	
17	control loitering in the parking areas.	48		
18	<b>(aa)</b> The security plan may be a confidential	49	<b>(bb)</b> Outside such an enclosed structure,	
19	submittal.	50	provided backstops at least 20 feet high are	
20	<b>(bb)</b> Review and approval by the Chief of Police	51	provided behind all target lines and	
21	or the Chief's designee is required prior to	52	supplemented by baffles designed and	
22	the issuance of any use and occupancy	53	arranged to contain all projectiles within	
23	permit for the Facility.	54	the boundaries of the range and to reduce	
24	<b>(vi)</b> The application includes a written plan for daily	55	noise exiting the site.	
25	removal of litter and refuse in the Facility and on	56	<b>(cc)</b> The owners, operators, tenants, or	
26	site.	57	occupants of a shooting range shall	
27	<b>(vii)</b> The application includes a statement	58	implement appropriate environmental	
28	acknowledging obligations pursuant to Section	59	management practices for containing,	
29	9-1A-10(a)(3) of the State Government Article of	60	controlling, and removing lead from the	
30	the Annotated Code of Maryland, including any	61	range in accordance with the latest edition	
31	related compliance and reporting requirements.	62	of "Best Management Practices for Lead at	
		63	Outdoor Shooting Ranges" from the U.S.	
			Environmental Protection Agency (EPA).	

1	<b>(F) Skating Facility</b>	28
2	<b>(i)</b> Any accessory eating or drinking use shall be	29
3	entirely integrated within the skating facility,	30
4	and shall not have access from the exterior of the	
5	skating facility.	31
		32
6	<b>(ii)</b> The skating facility shall be wholly enclosed, and	33
7	shall include special noise attenuation measures	34
8	on all walls facing adjoining land in a Residential	35
9	zone or used for residential purposes.	36
		37
10	<b>(G) Swimming Pool (Outdoor)</b>	
11	<b>(i)</b> Any outdoor swimming pool (including the	38
12	apron, filtering and pumping equipment, and	39
13	buildings) shall be located at least:	40
		41
14	<b>(aa)</b> 75 feet from land in a Residential zone, or	42
15	land containing an existing or approved	43
16	Residential use; and	
		44
17	<b>(bb)</b> 25 feet from land in a Nonresidential zone,	45
18	or land containing an existing or approved	46
19	Commercial or Industrial use; and	47
		48
20	<b>(ii)</b> The use of any public address or other	
21	loudspeaker system for an outdoor swimming	49
22	pool shall be restricted to that necessary for	
23	safety purposes, and shall not be used for the	50
24	playing of music or other entertainment.	51
		52
25	<b>(iii)</b> An outdoor swimming pool shall be enclosed by	53
26	a fence at least six feet high (which may be met	54
27	by a railing attached to an above-grade pool).	55
		56
		57

**(8) Retail Sales and Service Uses**

**(A) Automated Teller Machine (ATM), Freestanding**

**(i)** An ATM designed for walk-up use and located freestanding on a sidewalk or a parking area shall be designed and located to avoid obstructions to pedestrian movement along sidewalks, through public use areas, or between parking areas and building entrances, or vehicular movement in front of buildings or through parking areas.

**(ii)** If an ATM is designed for use by customers in their vehicles, it shall comply with the accessory use standards (including the zones where the use is permitted) pursuant to the requirements set forth in Section 27-5203(b)(4), Drive-Through Service.

**(B) Bank or Other Financial Institution**

**(i)** If the establishment includes drive-through service, it also shall comply with the accessory use standards in Section 27-5203(b)(4), Drive-Through Service.

**(C) Combination Retail**

**(i)** No storage or shipping container shall be permitted in any setback, surface parking lot, or other outdoor location unless it is part of an approved detailed site plan. Storage or shipping containers shall be screened pursuant to the requirements for loading areas.

**(ii)** The site shall have frontage on, and direct vehicular access to, an existing arterial roadway.

1	Secondary access shall not be permitted onto	28	
2	any residential street.	29	
3		30	
	<b>(D) Drug Store or Pharmacy</b>		
4	<b>(i)</b> If the establishment includes drive-through	31	<b>(vii)</b> The market shall be operated only within the
5	service, it also shall comply with the accessory	32	hours specified in the development approval or
6	use standards in Section 27-5203(b)(4), Drive-	33	permit to which the market is subject.
7	Through Service.	34	
8		35	<b>(9) Vehicle Sales and Service Uses</b>
	<b>(E) Farmers' Market</b>	36	
9	<b>(i)</b> Vehicular access to the subject property shall not	37	<b>(A) Commercial Fuel Depot</b>
10	be by means of streets internal to subdivisions	38	
11	for single-family detached dwellings.	39	<b>(i)</b> The subject property shall have at least 200 feet
12		40	of frontage on, and direct vehicular access to, a
13	<b>(ii)</b> Stalls, sales tables, and any other outdoor	41	street with a right-of-way width of at least 70
14	facilities related to the market shall be located at	42	feet.
15	least 25 feet from any abutting street.	43	
16		44	<b>(ii)</b> Driveways shall be at least 30 feet wide unless a
17	<b>(iii)</b> Items for sale shall not be displayed or stored	45	lesser width is allowed for a one-way driveway
18	within customer pathways.	46	by the Maryland State Highway Administration,
19		47	the County Department of Public Works and
20	<b>(iv)</b> Before issuance of a permit for the market, it	48	Transportation, or the relevant municipal public
21	shall have an established set of operating rules	49	works department, whichever is applicable.
22	addressing the governance structure of the	50	
23	market, hours of operation, and maintenance	51	<b>(iii)</b> On a corner lot, a driveway may begin at a point
24	and security requirements and responsibilities.	52	not less than 150 feet from the point of
25		53	curvature (PC) of the curb return or the point of
26	<b>(v)</b> The market shall have a manager authorized to	54	curvature of the edge of paving at an
27	direct the operations of all participating vendors	55	intersection without curb and gutter.
	during all hours of operation.	56	
			<b>(iv)</b> Driveways shall be defined by curbing.
	<b>(vi)</b> Accessory wholesaling is permitted, but shall be		<b>(v)</b> Gasoline pumps and other service appliances
	limited to 25 percent of the gross floor area of		shall be set back at least 25 feet from the street
	the market.		right-of-way.
			<b>(vi)</b> The storage or junking of wrecked motor
			vehicles (whether capable of movement or not)
			is prohibited.
			<b>(vii)</b> No storage or parking space shall be offered for
			rent.

1	<b>(viii)</b> Canopies over gas pumps shall have a maximum	30	<b>(viii)</b> Canopies over gas pumps shall have a maximum
2	clearance height of 15 feet above grade except	31	clearance height of 15 feet above grade except
3	where State or Federal law requires higher	32	where State or Federal law requires higher
4	clearance.	33	clearance.
5	<b>(B) Gas Station</b>	34	<b>(ix)</b>
6	<b>(i)</b> The subject property shall have at least 150 feet	35	<b>(C) Personal Vehicle Repair and Maintenance</b>
7	of frontage on, and direct vehicular access to, a	36	<b>(i) Car Wash or Auto Detailing</b>
8	street with a right-of-way width of at least 70	37	<b>(aa)</b> Car washes and auto detailing shall be
9	feet.	38	designed so that service bays are not
10	<b>(ii)</b> Driveways shall be at least 30 feet wide unless a	39	directly visible from an adjoining street.
11	lesser width is allowed for a one-way driveway	40	<b>(ii) Vehicle Lubrication or Tune-Up Establishment</b>
12	by the Maryland State Highway Administration,	41	<b>(aa)</b> All sales and installation operations shall be
13	the County Department of Public Works and	42	conducted in a wholly enclosed building
14	Transportation, or the relevant municipal public	43	with no outdoor storage.
15	works department, whichever is applicable.	44	<b>(bb)</b> Service activity on any motor vehicle shall
16	<b>(iii)</b> On a corner lot, a driveway may begin at a point	45	be completed within a 24-hour period, and
17	not less than 20 feet from the point of curvature	46	no vehicle may be stored on the property
18	(PC) of the curb return or the point of curvature	47	for longer than this period.
19	of the edge of paving at an intersection without	48	<b>(cc)</b> The demolition or junking of motor vehicles
20	curb and gutter.	49	is prohibited.
21	<b>(iv)</b> Driveways shall be defined by curbing.	50	<b>(iii) Vehicle or Trailer Repair and Maintenance</b>
22	<b>(v)</b> Gasoline pumps and other service appliances	51	<b>(aa)</b> Repair service shall be completed within 48
23	shall be set back at least 25 feet from the street	52	hours after the vehicle is left for service.
24	right-of-way.	53	<b>(bb)</b> Discarded parts resulting from any repair
25	<b>(vi)</b> The storage or junking of wrecked motor	54	work shall be removed promptly from the
26	vehicles (whether capable of movement or not)	55	premises.
27	is prohibited.	56	<b>(cc)</b> Automotive replacement parts and
28	<b>(vii)</b> No storage or parking space shall be offered for	57	accessories shall be stored either inside the
29	rent.		



1	main structure or in a wholly enclosed	31	including excessive crowding of
2	accessory building used solely for the	32	vehicles, discarded vehicle parts and
3	storage.	33	other debris, and environmental
4	<b>(dd)</b> An accessory building used for storage shall	34	contamination from fluids or chemical
5	either be constructed of brick (or another	35	residues; and
6	building material similar in appearance to	36	<b>(III)</b> To prevent or control untreated
7	the main structure) and placed on a	37	stormwater runoff—which may include
8	permanent foundation, or it shall be	38	residues from exhaust fumes, brake
9	entirely surrounded with a wall, fence, or	39	pads, gasoline, and motor oil—to
10	opaque landscaping material.	40	ensure that harmful materials do not
11	<b>(ee)</b> The use shall be designed so that service	41	enter the Chesapeake Bay and its
12	bays are not directly visible from an	42	tributaries.
13	adjoining street.	43	<b>(bb)</b> All parking and car carrier
14	<b>(ff)</b> Vehicles or trailers may not be stored as a	44	loading/unloading shall be performed on
15	source of parts. Vehicles or trailers that are	45	site and shall be located separately from the
16	repaired and awaiting removal may be	46	customer parking areas.
17	stored for no more than 30 consecutive	47	<b>(cc)</b> Parking and loading areas shall not be used
18	days.	48	for the sale, display, or storage of vehicles,
19	<b>(D) Commercial Vehicle Sales and Rental and</b>	49	performing vehicle services, or any other
20	<b>Personal Vehicle Sales and Rental</b>	50	purpose unrelated to parking and loading.
21	<b>(i) Private Automobile or Other Motor Vehicle</b>	51	<b>(dd)</b> Junked, salvaged, or wrecked vehicles may
22	<b>Auction</b>	52	not be sold or stored on the property,
23	<b>(aa) The purposes of these standards are:</b>	53	unless associated with an auction that
24	<b>(I)</b> To prevent or control detrimental	54	regularly deals in the disposal of vehicles
25	effects—including noise, dust and	55	that have been declared total losses by
26	traffic—on neighboring properties and	56	insurance companies.
27	existing and proposed land uses in the	57	<b>(ee)</b> The following activities are prohibited with
28	general area;	58	this use:
29	<b>(II)</b> To prevent or control detrimental	59	<b>(I)</b> Retail sales (other than by auction) of
30	effects on the subject property,	60	vehicles, vehicle parts, or boats;
		61	outdoor storage or display of vehicle
		62	parts;

1	<b>(II)</b> Vehicle dismantling and demolition;	32	abandoned off-site can be traced back to
2	<b>(III)</b> Stacking of vehicles and/or use of a	33	the auction house and/or the purchaser.
3	vehicle rack system; and	34	<b>(jj)</b> Auctions shall be screened to block visibility
4	<b>(IV)</b> Parking, storage, or display of vehicles	35	from public rights-of-way and Residential
5	within public rights-of-way or internal	36	zones in accordance with the following
6	driveways.	37	standards, which shall not apply to publicly
7	<b>(ff)</b> No vehicle may be displayed or stored on	38	owned residential property:
8	the site for more than 90 consecutive days,	39	<b>(I)</b> In addition to the landscaping
9	unless storage of the vehicle for a longer	40	requirements found in the Landscape
10	period of time is required by a law	41	Manual, new screening installed to
11	enforcement agency or the Maryland	42	meet the requirements of this provision
12	Department of Motor Vehicles, or for any	43	shall consist of a solid, sight-tight
13	other litigation purposes.	44	(opaque) wall or fence at least six feet
14	<b>(gg)</b> All auction activities—including sales,	45	high or an evergreen screen consisting
15	loading/unloading of vehicles, and vehicle	46	of trees at least eight feet high, planted
16	transport—shall be conducted between the	47	in a ten-foot-wide landscape strip.
17	hours of 7:00 a.m. and 10:00 p.m.	48	Trees within an evergreen screen shall
18	<b>(hh)</b> The site shall be kept clear of all trash, litter,	49	be planted eight feet on center in a
19	and other debris. Exterior trash receptacles	50	staggered pattern and have a minimum
20	shall be provided in all areas open to the	51	diameter of four feet when planted to
21	public—including those for parking, auction	52	achieve a sight-tight screen. Any fence
22	activities, and offices—and shall be	53	or wall may be constructed as a
23	routinely emptied. Trash and debris within	54	panelized metal wall system applied to
24	the public right-of-way resulting from an	55	a minimum 2X4 frame with 4X4 support
25	auction shall be immediately removed by	56	posts, provided that the panelized
26	the auction operator.	57	metal is a minimum 29-gauge steel or
27	<b>(ii)</b> The auction operator shall maintain records	58	similar material with a corrosive-
28	of bills of sale and make those records	59	resistant coating (such as a baked-on
29	available to County inspectors upon request	60	enamel finish) that is brown or green in
30	within 30 days of the sale during normal	61	color. The fence or wall may not be
31	business hours to ensure that vehicles	62	constructed of slatted chain link, or
		63	unsupported and/or untreated

1	corrugated metal, fiberglass or sheet	32	complies with all County, State, and Federal
2	metal.	33	regulations.
3	<b>(II)</b> Any fences or walls shall be located	34	<b>(oo)</b> All lighting shall be directed away from
4	behind a planted landscape strip as	35	adjoining properties.
5	prescribed in the Landscape Manual.	36	<b>(pp)</b> If an amplified public address system is
6	<b>(III)</b> Screening installed pursuant to the	37	utilized for the auction's sales activities, the
7	requirements of the Landscape Manual	38	sales activities shall be within a wholly
8	or an approved site plan on adjacent	39	enclosed building or located at least 500
9	property in a Residential zone shall	40	feet from any land within a residential zone.
10	satisfy the requirements of this Section.	41	If outside an enclosed building, use of an
11	<b>(IV)</b> Any fencing installed along property	42	amplified public address system shall be
12	boundaries not visible from an existing	43	limited to the hours of 9 a.m. to 6 p.m. for a
13	public right-of-way or a residential zone	44	maximum of three days per week.
14	shall be enclosed by a black, vinyl-clad,	45	<b>(qq)</b> Except in the IH Zone, all auction uses shall
15	chain-link fence or other material not	46	be located on a parcel or parcels with a total
16	prohibited by provision (jj) above.	47	area not less than ten acres.
17	<b>(kk)</b> Ingress and egress driveway aprons shall	48	<b>(rr)</b> The auction site shall have direct access to
18	have a minimum width of 30 feet and shall	49	a commercial street with a right-of-way
19	be paved with concrete and meet the	50	width of at least 70 feet and pavement
20	commercial driveway standards of SHA,	51	width of at least 46 feet; and
21	DPW&T, or those of the applicable	52	<b>(ss)</b> The auction site shall have no direct access
22	municipality. Drive aisles for internal	53	to or from public streets with a right-of-way
23	circulation shall have a minimum width of	54	width less than 70 feet.
24	22 feet and shall be paved with concrete,	55	<b>(tt)</b> All areas used for vehicle sales, display,
25	asphalt, or asphalt millings surface.	56	parking, or storage shall be on a paved
26	<b>(ll)</b> Paved surfaces shall be maintained in good	57	concrete or asphalt surface.
27	repair.	58	<b>(uu)</b> The parking, loading, and vehicle storage
28	<b>(mm)</b> Dust-control measures shall be used	59	and display areas associated with the
29	on the site.	60	auction shall be considered a sensitive
30	<b>(nn)</b> Disposal of all fluids and other materials	61	environmental area with regard to the
31	shall be accomplished in a manner that	62	stormwater management facilities

1	required, and as such, shall provide on-site	30	<b>(G) Vehicle Towing or Wrecker Service</b>
2	water quality treatment in addition to an	31	<b>(i)</b> Vehicles shall not be stored for more than 90
3	approved prevention plan as required by	32	days.
4	the County Stormwater Ordinance.		
5	<b>(vv)</b> Auction sales may only be conducted by a	33	<b>(10) Visitor Accommodation Uses</b>
6	State-licensed dealer or an auctioneer	34	<b>(A) Bed and Breakfast (as Accessory to a Single-</b>
7	holding a valid State Trader's License.	35	<b>Family Detached Dwelling)</b>
8	<b>(ii) Vehicle or Trailer Sales or Rental</b>	36	<b>(i)</b> The property owner or a member of the owner's
9	<b>(aa)</b> The use shall have no more than one	37	family shall live in the dwelling as a primary
10	vehicle/trailer display pad for every 100 feet	38	residence and manage the bed and breakfast
11	of street frontage. A vehicle/trailer display	39	use.
12	pad shall not exceed 5,000 square feet in	40	<b>(ii)</b> The maximum number of guest rooms shall be
13	area and may be elevated up to two feet	41	eight.
14	above nearby displays or ground level.	42	<b>(iii)</b> The guest rooms may be within or attached to
15	<b>(bb)</b> No vehicles, trailers, or other similar items	43	the principal dwelling or exist within or as a
16	shall be displayed on the top of a building.	44	detached structure (e.g., above a detached
17	<b>(cc)</b> No materials for sale or rent other than	45	garage).
18	vehicles or trailers shall be displayed	46	<b>(iv)</b> Guest stays shall be limited to no more than two
19	between the principal structure and the	47	weeks in any one visit.
20	adjoining street.	48	<b>(v)</b> No more than two nonresident persons may be
21	<b>(E) Taxi or Limousine Service Facility</b>	49	employed on the premises.
22	<b>(i)</b> No dismantling or demolition of vehicles shall	50	<b>(vi)</b> Interior residential features shall be retained in a
23	take place on the premises.	51	manner that will allow re-conversion to solely a
24	<b>(ii)</b> In the CGO Zone and in the Transit-	52	single-family residential use.
25	Oriented/Activity Center zones, no vehicle	53	<b>(vii)</b> Meals shall be served only to dwelling residents,
26	storage, repair, or servicing is permitted.	54	and overnight resident guests, or their bona fide
27	<b>(F) Vehicle Parts or Tire Store</b>	55	dining guests.
28	<b>(i)</b> All tire installation shall be performed in a wholly	56	<b>(viii)</b> Within the Capital Beltway, at least 1 additional
29	enclosed building, with no outdoor storage.	57	parking space per 2 guestrooms available for
		58	rent shall be provided in addition to those

1	required for the principal dwelling. Outside the	31	<b>(cc)</b> Beauty shop;
2	Capital Beltway, at least 1 additional parking	32	<b>(dd)</b> Barber shop;
3	space for each guestroom available for rent shall	33	<b>(ee)</b> Auditorium;
4	be provided instead.	34	<b>(ff)</b> Recreational uses;
5	<b>(ix)</b> There shall be no sign or other evidence of the	35	<b>(gg)</b> Sauna, public spa, or steam room;
6	bed and breakfast accessory use except one sign	36	<b>(hh)</b> Solarium;
7	not exceeding 2 feet by 3 feet in area. Such sign	37	<b>(ii)</b> Valet shop;
8	may be double-faced and illuminated, but not	38	<b>(jj)</b> Similar retail stores and consumer goods
9	internally illuminated or back-lit.	39	establishments;
10	<b>(x)</b> Other than the sign authorized above, the	40	<b>(kk)</b> Restaurant;
11	dwelling and site shall be maintained and	41	<b>(ll)</b> Meeting facilities; and
12	landscaped to eliminate outward signs of	42	<b>(mm)</b> Lobby and registration area.
13	transient use, and shall be compatible with the	43	<b>(iv)</b> In reviewing the application, the Director of DPIE
14	neighborhood surroundings.	44	shall pay particular attention to surrounding
15	<b>(B) Hotel or Motel</b>	45	existing and proposed land uses and the
16	<b>(i)</b> The proposed use shall be located in an area	46	compatibility of the hotel or motel and its
17	which is or is to be developed with a	47	accessory uses with the surrounding area.
18	concentration of industrial or office uses.	48	<b>(C) Recreational Campground</b>
19	<b>(ii)</b> The proposed use shall have frontage on, and	49	A recreational campground may be permitted, subject
20	direct vehicular access to, a street with a right-	50	to the following:
21	of-way width of at least seventy (70) feet.	51	<b>(i)</b> The campground shall be reasonably accessible
22	<b>(iii)</b> The proposed use may include any of the	52	to an improved public street, and access shall not
23	following accessory uses. All accessory uses, and	53	be by means of streets internal to residential
24	their square footages, shall be shown on the	54	subdivisions for one-family dwellings. Access to
25	approved site plan. Notwithstanding any other	55	campsites shall be provided by well-maintained
26	requirement of this Subtitle, these accessory	56	driveways within the campground. No vehicular
27	uses shall be permitted without obtaining a	57	access shall be located within three hundred
28	separate special exception:	58	(300) feet of any school, fire station, or hospital;
29	<b>(aa)</b> Entertainment establishment;		
30	<b>(bb)</b> Gift shop;		

- 1           (ii) The subject property shall contain at least five (5) 32  
2           acres; 33  
3           (ii) Active recreational areas, consisting of facilities 34  
4           such as swimming pools, children's playgrounds, 35  
5           fishing and boating ponds, shuffleboard courts, 36  
6           tennis courts, bike trails, and golfing facilities 37  
7           shall take up at least ten percent (10%) of the 38  
8           gross campground area, and shall be located at 39  
9           least fifty (50) feet from all boundary lines of the 40  
10          special exception. 41  
11          (iv) Camping trailers shall be parked only on 42  
12          designated campsites, which shall be at least 43  
13          thirty (30) feet wide and contain at least one 44  
14          thousand six hundred (1,600) square feet each. 45  
15          No campsite shall be located less than one 46  
16          hundred (100) feet from any street line or fifty 47  
17          (50) feet from any other boundary line of the 48  
18          special exception or any structure (other than a 49  
19          utility structure or campsite shelter) in the 50  
20          campground; 51  
21          (v) Retail, service, and commercial recreational 52  
22          activities (including a public spa), which only 53  
23          serve the customary needs of campers, are 54  
24          permitted, provided that:  
25          (aa) The uses are secondary to the campground; 55  
26          (bb) The uses are internally oriented; 56  
27          (cc) The uses do not have direct access to a 57  
28          public street; and 58  
29          (dd) The uses do not display separate signs (from 59  
30          any signs for the campground) which are 60  
31          visible from a street; 61
- (vi) No camping trailer shall be located in a recreational campground for an indefinite period of time. No camping trailer temporarily parked in a campground may be occupied for more than three (3) months in any twelve (12) month period. The wheels of a camping trailer may only be removed for temporary purposes of repair or to attach the trailer to the ground for stabilization;
- (vii) Campsites shall not be located on slopes which exceed fifteen percent (15%). Existing vegetation shall be cleared only when necessary for campground facilities and only in accordance with the approved site plan; and
- (viii) In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall show:
- (aa) The physical characteristics of the site (including existing and planned topography and major stands of trees);
- (bb) The proposed type and location of campsites (including designated walk-in sites);
- (cc) Proposed pedestrian pathways and bikeways; and
- (dd) A description of the utilities to be provided.

## **(11) Water-Related Uses**

### **(A) Boat Sales, Rental, Service, or Repair**

- (i) Discarded parts resulting from any repair work shall be removed promptly from the premises.

1	(ii)	Boat replacement parts and accessories shall be	31		
2		stored either inside the main structure or in a	32		use that is not a "water-dependent facility" shall
3		wholly enclosed accessory building used solely	33		be located outside the Buffer insofar as possible.
4		for storage.	34	(iii)	Adverse effects on water quality and on fish,
5	(iii)	The use shall be designed so that service bays are	35		plant, and wildlife habitat shall be minimized.
6		not directly visible from an adjoining street.		<b>(2) Extraction Uses</b>	
7	(iv)	Boats may not be stored as a source of parts.	36	<b>(A) Sand and Gravel Wet-Processing</b>	
8		Boats that are repaired and awaiting removal	37	(i)	Minimum net land area shall be 50 contiguous
9		may be stored for no more than 30 consecutive	38		acres unless the property has direct vehicular
10		days.	39		access to an existing four-lane highway.
11	<b>(B) Boat Storage Yard</b>		40	(ii)	Fixed installations that involve washing,
12	(i)	In the Limited Development Activity (LDO) Zone,	41		screening, classifying, crushing facilities, and
13		a boat storage yard is allowed as a special	42		parking and storage areas for trucks and heavy
14		exception only if it is noncommercial.	43		equipment, shall be located at least 400 feet
			44		from all boundary lines of the subject property.
15	<b>(f) Industrial Uses</b>		45	(iii)	Fixed installations that involve automobile
16	<b>(1) General CBAO Zone Use Standard Modifications</b>		46		parking and settling ponds shall be located at
17	<b>(A) Within a Resource Conservation Overlay (RCO)</b>		47		least 200 feet from all boundary lines of the
18	<b>Zone or Limited Development Overlay (LDO)</b>		48		subject property.
19	<b>Zone, all industrial uses except fisheries</b>		49	(iv)	Nonstructural installations that involve
20	<b>activities, sand or gravel wet processing, and</b>		50		stockpiles of natural material shall be located at
21	<b>surface mining are prohibited. Within the</b>		51		least 300 feet from all boundary lines of the
22	<b>Limited Development Overlay (LDO) Zone and</b>		52		subject property unless the stockpiles are
23	<b>Intensely Developed Overlay (IDO) Zone, the</b>		53		adequately screened from view from adjoining
24	<b>following standards apply to any industrial use:</b>		54		properties.
25	(i)	The use shall meet a recognized public or private	55	(v)	Driveways for ingress and egress shall be located
26		need.	56		so as not to endanger pedestrians or create
27	(ii)	The use shall be water-dependent in accordance	57		traffic hazards. Any ingress or egress driveway
28		with the definition of "water-dependent	58		shall have a minimum width of 22 feet, and shall
29		facilities" in COMAR 27.01.03.01 and meet the	59		be paved for a distance of at least 200 feet from
30		general criteria in COMAR 27.01.03.04(B). Any	60		the boundary line of the subject property.

1	<b>(vi)</b> Dust-control measures shall be used on the	31
2	driveways and the interior traffic circulation	32
3	system.	33
4	<b>(vii)</b> Within a Chesapeake Bay Critical Area Overlay	34
5	Zone, wash plants (including ponds, spoil sites,	35
6	and equipment) are prohibited in the buffer (as	36
7	defined in Subtitle 5B).	37
8	<b>(viii)</b> The site plan and accompanying information	38
9	shall include:	39
10	<b>(aa)</b> The location of all washing, screening,	40
11	classifying, and crushing facilities;	41
12	<b>(bb)</b> The location of all natural material	42
13	stockpiles;	43
14	<b>(cc)</b> The internal traffic circulation system;	44
15	<b>(dd)</b> The parking and storage areas for all	45
16	vehicles and equipment;	46
17	<b>(ee)</b> The settling ponds and water bodies;	47
18	<b>(ff)</b> The source of water to be used in the	48
19	operation; and	49
20	<b>(gg)</b> The identification of the trucks and heavy	50
21	equipment to be used in the plant	51
22	operation.	52
23	<b>(ix)</b> All information required as part of the	53
24	application shall be referred to the Prince	54
25	George’s County Department of Public Works	55
26	and Transportation; Prince George’s County Soil	56
27	Conservation District; Washington Suburban	57
28	Sanitary Commission; Prince George’s County	58
29	Department of Permitting, Inspections, and	59
30	Enforcement; Maryland State Highway	

Administration; and Maryland State Water Resources Administration for comment. These agencies shall be given forty-five (45) days to reply. A copy of the same information shall also be submitted to the Sand and Gravel Advisory Committee.

**(3) Industrial Service Uses**

**(A) Landscaping Contractor’s Business**

- (i)** Minimum net lot area shall be five acres.
- (ii)** The subject property shall front on and have direct vehicular access to an existing street with sufficient capacity to accommodate the type and amount of traffic to be generated by the business.
- (iii)** Vehicular access to the subject property shall not be by means of streets internal to residential subdivisions.
- (iv)** All business operations (except the outdoor growing of nursery stock) shall be located at least 200 feet from any abutting land in any Residential zone, or land approved for a residential use, and shall be screened from the view of the abutting residential zoning or use in accordance with the Landscape Manual.
- (v)** Outdoor storage of equipment and materials (except nursery stock) shall not be visible from a street.

**(4) Manufacturing Uses**



1	<b>(A) Concrete or Brick Products Manufacturing</b>	32	<b>(B) Fisheries Activities</b>
2	<b>(i)</b> Use components and other parts of the	33	<b>(i)</b> Within a Chesapeake Bay Critical Area Overlay
3	operation having the potential for generating	34	Zone, the following standards shall apply:
4	adverse noise, dust, or vibration impacts shall be	35	<b>(aa)</b> The activities shall meet a recognized public
5	located at least:	36	or private need.
6	<b>(aa)</b> 300 feet from the boundary lines of the	37	<b>(bb)</b> The activities shall be water-dependent in
7	subject property adjoining any land in any	38	accordance with the definition of "water-
8	Residential zone, Transit-Oriented/Activity	39	dependent facilities" in COMAR 27.01.03.01
9	Center zone, or the CGO Zone, or from land	40	and meet the general criteria in COMAR
10	approved for residential or commercial use;	41	27.01.03.04(B). Any fisheries activities that
11	and	42	are not a "water-dependent facility" shall
12	<b>(bb)</b> 100 feet from the boundaries of the subject	43	be located outside the buffer insofar as
13	property adjoining any land in the IE of IH	44	possible.
14	Zones, or from land approved for industrial	45	<b>(cc)</b> Adverse effects on water quality and on
15	use.	46	fish, plant, and wildlife habitat shall be
16	<b>(ii)</b> Other fixed installations of the use (including	47	minimized.
17	automobile parking, settling ponds, and office	48	<b>(dd)</b> The use is consistent with the approved
18	uses) shall be located at least 100 feet from the	49	Area Master Plan or Sector Plan for the
19	boundaries of the subject property adjoining any	50	area.
20	land in any Residential zone, or from land	51	<b>(C) Paper and Paperboard Products</b>
21	approved for residential use.	51	<b>(i)</b> All operations shall be located in a wholly
22	<b>(iii)</b> Driveways for ingress and egress shall be located	52	enclosed building;
23	so as not to endanger pedestrians or create	53	<b>(ii)</b> An impact statement shall be submitted
24	traffic hazards.	54	explaining
25	<b>(iv)</b> Any ingress or egress driveway shall have a	55	<b>(aa)</b> The scope of the operation;
26	minimum width of 22 feet, and shall be paved for	56	<b>(bb)</b> The provisions proposed for the control of
27	a distance of at least 200 feet from the boundary	57	noxious odors;
28	line of the subject property.	58	<b>(cc)</b> The pollution control measures to be taken;
29	<b>(v)</b> Dust-control measures shall be used on the	59	
30	driveways and the interior traffic circulation		
31	system.		

1	(dd) The compatibility of the use with the	32
2	surrounding area.	33
3	<b>(5) Warehouse and Freight Movement Uses</b>	34
4	<b>(A) Consolidated Storage</b>	35
5	<b>(i)</b> The subject property shall front on and have	36
6	direct vehicular access to an existing street with	37
7	sufficient capacity to accommodate the type and	38
8	amount of traffic expected to be generated by	39
9	the use.	40
10	<b>(ii)</b> The exterior and architectural façade of the	41
11	building shall be compatible with the prevailing	42
12	architecture and appearance of other	43
13	development in the surrounding neighborhood.	44
14	<b>(iii)</b> No entrances to individual consolidated storage	45
15	units shall be visible from a street or from	46
16	adjoining land in any Residential zone, Transit-	47
17	Oriented/Activity Center zone, or the CN, CS, or	48
18	CGO Zones, or from land approved for a	49
19	residential or commercial use.	50
20	<b>(iv)</b> Entrances to individual consolidated storage	51
21	units shall be either oriented toward the interior	52
22	of the development or completely screened	53
23	from view by a solid wall, with landscaping along	54
24	the outside thereof.	55
25	<b>(v)</b> For consolidated storage units having direct	56
26	access to areas outside the building, there shall	57
27	be provided driveways and areas between	58
28	buildings for vehicular access, loading, and	59
29	unloading. Sufficient width shall be provided to	60
30	permit a moving vehicle to safely and efficiently	61
31	pass a vehicle parked adjacent to an individual	62

consolidated storage unit. In no case shall a width of more than 25 feet be required.

**(vi)** In the IE Zone, the expansion of an existing consolidated storage use within a building shall be limited to a maximum of 50 additional individual units and shall not be located within one-half mile of another consolidated storage use in the IE Zone. However, this Subsection shall not apply to a consolidated storage use expansion constructed pursuant to an approved preliminary plan, final plat, and detailed site plan, where the consolidated storage use is buffered from view from any public right-of-way. The required technical staff report prepared and submitted to the administrative record for the detailed site plan application shall include a current, countywide inventory of the locations, dates of approval, and any conditions of approval for consolidated storage uses located on property within one-half mile of the boundaries of the property on which the proposed consolidated storage use will be located.

**(B) Outdoor Storage (as a principal use)**

**(i)** The area(s) used for outdoor storage shall be fully enclosed with a fence or wall no greater than eight feet high. The height of materials and equipment stored shall not exceed the height of the screening fence or wall.

**(ii)** Any repair of equipment shall be conducted within an enclosed building.

1	(iii) The outdoor storage shall be designed so that	29	(i) All operations shall be confined to the interior of
2	customers and vehicles can circulate through the	30	a wholly enclosed building;
3	area(s).	31	(ii) There shall be no outside storage of materials
4	<b>(C) Warehouse Showroom</b>	32	used in the operation;
5	(i) Maximum total floor area shall not exceed	33	(iii) An impact statement shall be submitted
6	100,000 square feet;	34	explaining:
7	(ii) Maximum floor area ratio (FAR) of the	35	(aa) (A) The scope of the operation;
8	warehouse-showroom shall not exceed 0.36.	36	(bb) (B) The provisions proposed for control of
9	(iii) The warehouse-showroom shall be located at	37	any noxious odors;
10	least 275 feet from any land in any Residential	38	(cc) (C) The pollution control measures to be
11	zone or land approved for a residential use.	39	taken; and
12	<b>(6) Resource Recovery and Waste Management</b>	40	(dd) (D) The compatibility of the use with the
13	<b>Uses</b>	41	surrounding area.
14	<b>(A) Recycling Collection Center</b>	42	<b>(C) Solid Waste Processing Facility</b>
15	(i) The subject property shall front on and have	43	(i) The collection, storage, and shipping of
16	direct vehicular access to an existing street with	44	recyclable paper may be permitted, subject to
17	sufficient capacity to accommodate the type and	45	the following:
18	amount of traffic expected to be generated by	46	(ii) The subject property shall have frontage on, and
19	the proposed use.	47	direct vehicular access to, an existing street with
20	(ii) All operations shall be confined to the interior of	48	sufficient capacity to accommodate the type and
21	a wholly enclosed building. There shall be no	49	amount of traffic expected to be generated by
22	outdoor storage.	50	the proposed use;
23	(iii) The property shall be kept clean and free from	51	(iii) All operations shall be confined to the interior of
24	debris.	52	a wholly enclosed building. There shall be no
25	<b>(B) Recycling Plant</b>	53	outdoor storage;
26	A recycling plant for textiles, rubber products,	54	(iv) The property shall be kept clean and free from
27	nonferrous metals, or miscellaneous materials may be	55	debris;
28	permitted, subject to the following;	56	(v) An impact statement shall be submitted
		57	explaining:

1	<b>(aa)</b> The scope of the operation;	30	including, but not limited to, a transfer station permit.
2	<b>(bb)</b> The proposed hours of operation;	31	
3	<b>(cc)</b> The type and amount of traffic expected to	32	
4	be generated; and	33	
5	<b>(dd)</b> The compatibility of the use with the		
6	surrounding area;		
7	<b>(vi)</b> The proposed use of the subject property shall		
8	be appropriate, given the nature of development		
9	and uses of adjacent properties and in the		
10	general neighborhood.		
11	<b>(D) Solid Waste Processing Facility</b>		
12	A transfer station may be permitted subject to the		
13	following:		
14	<b>(i)</b> Hours of operation shall occur only between		
15	7:00 a.m. and 6:00 p.m.;		
16	<b>(ii)</b> The building associated with the use shall be set		
17	back at least five hundred (500) feet from all		
18	property lines;		
19	<b>(iii)</b> The applicant shall identify measures that will be		
20	taken to control any noxious and offensive		
21	odors;		
22	<b>(iv)</b> All activities pertinent to the transferring of solid		
23	waste shall be conducted in a wholly enclosed		
24	building which has an impervious surface for		
25	loading and unloading solid waste, and is capable		
26	of accommodating all types of solid waste		
27	hauling vehicles; and		
28	<b>(v)</b> The use shall not commence until the State of		
29	Maryland has issued all applicable permits		

1 **Sec. 27-5200 Accessory Uses and**  
2 **Structures**

3 **27-5201. Designation of Accessory Uses and**  
4 **Structures**

5 The Accessory Use/Structure Tables in this Section use the  
6 following abbreviations to designate whether and how an  
7 accessory use or structure is allowed in a particular zone:

P A "P" under a base zone column indicates that the use or structure is permitted as an accessory use or structure in the zone, subject to Section 27-5202, General Standards for All Accessory Uses and Structures, any referenced use-specific standards, and all other applicable requirements of this Ordinance.

SE An "SE" under a base zone column indicates that the use or structure is permitted as an accessory use or structure in the zone only on approval of a special exception in accordance with Section 27-3604, Special Exception, subject to Section 27-5202, General Standards for All Accessory Uses and Structures, any referenced use-specific standards, and all other applicable requirements of this Ordinance.

A An "A" under a Planned Development (PD) zone column indicates that the use or structure is permitted as an accessory use or structure in the zone, subject to Section 27-5202, General Standards for All Accessory Uses and Structures, any referenced use-specific standards, and all other applicable requirements of this Ordinance—unless the PD Basic Plan/PD Conditions of Approval approved for the zone expressly identifies the use or structure as prohibited.

X An "X" under a base or Planned Development (PD) zone column indicates that the use or structure is prohibited as an accessory use or structure in the zone.

X An "X" under an overlay zone column indicates that the use or structure is prohibited as an accessory use or structure in the overlay zone, irrespective of whether it is allowed in the underlying base zone.

SE\* An SE\* in an overlay zone column indicates that, irrespective of whether it is a permitted use in the underlying base zone, the use or structure is permitted as an accessory use or structure in the zone only on approval of a special exception in accordance with 27-3604, Special Exception, subject to Section 27-5202, General Standards for All Accessory Uses and Structures, any referenced use-specific standards, and all other applicable requirements of this Ordinance.

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A P\* in an overlay zone column indicates that, irrespective of whether it is prohibited or allowed only as a special exception in the underlying base zone, the use or structure is permitted as a permitted accessory use or structure in the zone, subject to Section 27-5202, General Standards for All Accessory Uses and Structures, any referenced use-specific standards, and all other applicable regulations of this Ordinance.

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A blank cell in the overlay zone column means that the use or structure is permitted if also permitted in the underlying base zone.

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1 All uses not listed are prohibited.

2 **(1) Review for Compliance with this Section and**  
3 **Any Use Specific Standards**

4 Although accessory uses (except for home occupation) are  
5 exempt from the need to obtain a use and occupancy  
6 permit (see Section 27-3608(b)(2)(C)), a proposed  
7 accessory use shall be reviewed for compliance with this  
8 Section when it is proposed and prior to its development if  
9 the accessory use is part of an application for a detailed site  
10 plan (see Section 27-3605), special exception (see Section  
11 27-3604), or a building permit (see Section 27-3611).

12 **(2) Reference to Use-Specific Standards**

13 A particular use or structure allowable as an accessory use  
14 or structure in a zone may be subject to additional  
15 standards that are specific to the particular accessory use  
16 or structure. The applicability of such use-specific standards  
17 is noted in the last column of the Accessory Use/Structure  
18 Tables ("Use-Specific Standards") through a reference to  
19 standards in Section 27-5203, Standards Specific to  
20 Accessory Uses and Structures.

**(b) Accessory Use/Structure Table for Rural and Agricultural, and Residential Base Zones**

**Table 27-5201(b): Accessory Use/Structure Table for Rural and Agricultural, and Residential Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Accessory Use/Structure	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
	ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Accessory building, increase in height	SE	SE	SE	SE	SE	SE	X	SE	SE	X	X	Refer to special exception standards
Agritourism	P	P	P	P	P	X	X	X	X	X	X	27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(2)
Beekeeping	P	P	P	P	P	P	P	P	P	P	P	
Bike share station	X	X	X	X	X	P	P	P	P	P	P	
Car washing station, private	X	X	X	X	X	X	X	X	X	P	P	
Collocated telecommunications antenna	P	P	P	P	P	P	P	P	P	P	P	
Composting, small-scale	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(3)
Drive-through service	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(4)
Farm tenant dwelling (as accessory to an agriculture use)	X	P	P	P	P	X	X	X	X	X	X	27-5203(b)(5)
Green roof	P	P	P	P	P	P	P	P	P	P	P	
Home occupation	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, manufactured home park, marina, or recreational campground)	X	X	X	X	X	X	X	X	P	P	P	
Limited fuel/oil/bottled gas distribution	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(7)
Medical cannabis growerand/or processor	X	X	X	X	X	X	X	X	X	X	X	
Nursery and garden center (as accessory to an agricultural use)	X	P	P	P	P	X	X	X	X	X	X	27-5203(b)(8)
Outdoor storage (as an accessory use)	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(9)
Produce stand (as accessory use to farm or community garden)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(10)
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(11)
Retail sales (as accessory to a multifamily development)	X	X	X	X	X	X	X	X	X	X	X	
Satellite dish antenna	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(12)
Solar energy systems, small-scale	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(13)
Stable, private	P	P	P	P	P	X	X	X	X	X	X	27-5203(b)(14)
Swimming pool (as an accessory use)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(15)
Wind energy conversion system, small-scale	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(16)

1 (c) Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones

Table 27-5201(c): Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																	
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																	
Accessory Use/Structure	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
						NAC	TAC		LTO		RTO-L		RTO-H		RMH		
	CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Accessory building, increase in height	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Agritourism	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(2)
Beekeeping	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Bike share station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Car washing station, private	P	P	P	P	P	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	
Collocated telecommunications antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
Composting, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(3)
Drive-through service	SE	P	SE	P	X	X	X	P	X	X	X	X	X	X	X	X	27-5203(b)(4)
Farm tenant dwelling (as accessory to an agriculture use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(5)
Green roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, manufactured home park, marina, or recreational campground)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Limited fuel/oil/bottled gas distribution	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(7)
Medical cannabis grower and/or processor	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Nursery and garden center (as accessory to an agricultural use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(8)
Outdoor storage (as an accessory use)	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(9)
Produce stand (as accessory to farm or community garden)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(10)
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(11)
Retail sales (as accessory to a multifamily development)	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P	X	
Satellite dish antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(12)



**Table 27-5201(c): Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Accessory Use/Structure	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
						NAC	TAC		LTO		RTO-L		RTO-H		RMH		
	CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Solar energy systems, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(13)
Stable, private	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(14)
Swimming pool (as an accessory use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(15)
Wind energy conversion system, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(16)

1  
2

1 **(d) Accessory Use/Structure Table for Planned Development Zones**

<b>Table 27-5201(d): Accessory Use/Structure Table for Planned Development Zones</b> A = Permitted, Unless the District Council Prohibits the Use in the PD Basic Plan SE = Allowed only with the approval of a Special Exception X = Prohibited								
Accessory Use/Structure	Planned Development Zones							Use-Specific Standards
	R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Accessory building, increase in height	X	X	X	X	X	X	X	Refer to special exception standards
Agritourism	X	X	X	X	X	X	X	27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)	A	A	A	A	A	A	A	27-5203(b)(2)
Beekeeping	A	X	X	X	X	X	X	
Bike share station	A	A	A	A	A	A	A	
Car washing station, private	X	X	X	X	X	X	X	
Collocated telecommunications antenna	A	A	A	A	A	A	A	
Composting, small-scale	A	A	A	A	A	A	A	27-5203(b)(3)
Drive-through service	A	X	A	X	X	A	X	27-5203(b)(4)
Farm tenant dwelling (as accessory to an agriculture use)	X	X	X	X	X	X	X	27-5203(b)(5)
Green roof	A	A	A	A	A	A	A	
Home occupation	A	A	A	A	A	A	A	27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, manufactured home park, marina, or recreational campground)	A	A	A	A	A	A	A	
Limited fuel/oil/bottled gas distribution	X	X	X	X	X	X	X	27-5203(b)(7)
Medical cannabis grower and/or processor	X	X	X	X	X	X	X	
Nursery and garden center (as accessory to an agricultural use)	X	X	X	X	X	X	X	27-5203(b)(8)
Outdoor storage (as an accessory use)	X	X	X	X	X	X	A	27-5203(b)(9)
Produce stand (as accessory to farm or community garden)	A	A	A	A	A	A	A	27-5203(b)(10)
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)	X	X	X	X	X	X	A	27-5203(b)(11)
Retail sales (as accessory to a multifamily development)	X	X	X	X	X	X	X	
Satellite dish antenna	A	A	A	A	A	A	A	27-5203(b)(12)
Solar energy collection system, small-scale	A	A	A	A	A	A	A	27-5203(b)(13)
Stable, private	X	X	X	X	X	X	X	27-5203(b)(14)
Swimming pool (as an accessory use)	A	A	A	A	A	A	A	27-5203(b)(15)
Wind energy conversion system, small-scale	A	A	A	A	A	A	A	27-5203(b)(16)

2

1 (e) Accessory Use/Structure Table for Overlay Zones

<b>Table 27-5201(e):            Accessory Use/Structure Table for Overlay Zones</b> A blank cell means the use is allowed only if allowed in underlying base zone X = Prohibited, irrespective of treatment by underlying base zone SE* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone P* = Permitted by right, irrespective of treatment by underlying base zone														
Accessory Use/Structure	CBCAO Zones			APAO Zones							MIO [1]			Use-Specific Standards
	RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
Accessory building, increase in height														Refer to special exception standards
Agritourism														27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)														27-5203(b)(2)
Beekeeping														
Bike share station														
Car washing station, private														
Collocated telecommunications antenna														
Composting, small-scale														27-5203(b)(3)
Drive-through service														27-5203(b)(4)
Farm tenant dwelling (as accessory to an agriculture use)														27-5203(b)(5)
Green roof														
Home occupation														27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, manufactured home park, marina, or recreational campground)														
Limited fuel/oil/bottled gas distribution												X		27-5203(b)(7)
Medical cannabis grower and/or processor														
Nursery and garden center (as accessory to an agricultural use)												X		27-5203(b)(8)
Outdoor storage (as an accessory use)														27-5203(b)(9)
Produce stand (as accessory to farm or community garden)												X		27-5203(b)(10)

**Table 27-5201(e):**

**Accessory Use/Structure Table for Overlay Zones**

A blank cell means the use is allowed only if allowed in underlying base zone

X = Prohibited, irrespective of treatment by underlying base zone

SE\* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone

P\* = Permitted by right, irrespective of treatment by underlying base zone

Accessory Use/Structure	CBCAO Zones			APAO Zones							MIO [1]			Use-Specific Standards
	RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)												X		27-5203(b)(11)
Retail sales (as accessory to a multifamily development)														
Satellite dish antenna														27-5203(b)(12)
Solar energy collection system, small-scale														27-5203(b)(13)
Stable, private														27-5203(b)(14)
Swimming pool (as an accessory use)											X	X	X	27-5203(b)(15)
Wind energy conversion system, small-scale														27-5203(b)(16)

NOTES:

[1] Section 27-4402(c)(4), Modified Use Standards for MIO Zone, contains additional standards for uses in the MIO Zone

1	<b>27-5202. General Standards for All Accessory</b>	29	
2	<b>Uses and Structures</b>	30	accessory structure shall be located in a required front yard or corner lot side yard.
3	<b>(a) Permitting Requirements</b>	31	
4	While exempt from the need to obtain a use and occupancy	32	
5	permit (except home occupation), unless otherwise specified in	33	
6	this Ordinance, any accessory use or structure shall obtain any	34	
7	other applicable County, municipal, State, or Federal permits.	35	
8	<b>(b) Relationship to Principal Use or Structure</b>	36	
9	<b>(1)</b> Except as otherwise expressly allowed in this Ordinance,	37	
10	an accessory use or structure shall not be established or	38	
11	constructed before the establishment or construction of	39	
12	the principal use or structure it serves.	40	
13	<b>(2)</b> If the principal use or structure served by the accessory	41	
14	use or structure is destroyed or removed, the accessory	42	
15	use or structure shall no longer be allowed.	43	
16	<b>(c) Location of Accessory Uses and Structures</b>	44	
17	<b>(1)</b> Except as otherwise expressly allowed in this Ordinance,	45	
18	an accessory use or structure shall not be located within	46	
19	any platted or recorded easement or over any known	47	
20	utility, or in an area designated as a fire lane or	48	
21	emergency access route on an approved site plan.	49	
22	<b>(2)</b> No accessory structures shall be located within a	50	
23	perimeter buffer except a screening fence or wall in	51	
24	accordance with the Landscape Manual.	52	
25	<b>(3)</b> No accessory structure shall impede the access to or	53	
26	function of a vehicle use area.	54	
27	<b>(4)</b> Unless otherwise provided in Section 27-5203,	55	
28	Standards Specific to Accessory Uses and Structures, no	56	
		57	
		58	
		59	
			<b>27-5203. Standards Specific to Accessory Uses and Structures</b>
			<b>(a) General</b>
			Standards for a specific accessory use or structure shall apply to the particular individual accessory use or structure regardless of the zone in which it is located or the review procedure by which it is approved, unless otherwise specified in this Ordinance. This Subsection sets forth and consolidates the standards for all accessory uses and structures for which a reference to this Section is provided in the "Use-Specific Standards" column of the accessory use/structure tablea in Sections 27-5201(b), 27-5201(c), 27-5201(d), and 27-5201(e), <b>Error! Reference source not found.</b> and in the same order as they are listed in the table. These standards may be modified by other applicable standards or requirements in this Ordinance.

1	<b>(b) Standards for Specific Accessory Uses and Structures</b>	30	<b>(4) Drive-Through Service</b>
2		31	<b>(A)</b> The drive-through service facilities shall be designed in accordance with Section 27-6206(m), Vehicle Stacking Space.
3	<b>(1) Agritourism</b>	32	<b>(B)</b> The drive-through service facility shall be designed to avoid obstructions to pedestrian movement along sidewalks, through public use areas, or between parking spaces and building entrances.
4	<b>(A)</b> No lodging or overnight stay shall be provided for picnics, equine facilities, party facilities, corporate retreats, or weddings.	33	<b>(C)</b> The design of any roof or awning over the drive-through service facilities and lanes, including any supporting columns and brackets, shall match the design and exterior building materials of the principal building.
5		34	
6		35	
7	<b>(B)</b> Farm or ranch stays shall comply with the standards for a bed and breakfast (as accessory to a single-family detached dwelling) in Section 27-5102(e)(10)(A).	36	
8		37	
9		38	
10		39	
11	<b>(2) Automated Teller Machine (ATM) (as Accessory to a Nonresidential Use)</b>	40	<b>(5) Farm Tenant Dwelling (as Accessory to an Agriculture Use)</b>
12		41	<b>(A)</b> The dwelling(s) or dormitory shall be owned by the owner of the farm property on which the building is located.
13	<b>(A)</b> An ATM designed for walk-up use and located in the exterior wall of a building or a parking area shall be designed to avoid obstructions to pedestrian movement along sidewalks, through public use areas, or between parking areas and building entrances, or vehicular movement in front of buildings or through parking areas.	42	<b>(B)</b> The dwelling(s) or dormitory shall be occupied only by tenants for whom income comes from work on the farm, and the tenants' immediate family members.
14		43	<b>(C)</b> The dwelling(s) or dormitory shall obtain all required building, health, safety, and other permits.
15		44	
16		45	
17		46	
18		47	
19		48	
20	<b>(B)</b> If an ATM is designed for use by customers in their vehicles, it shall comply with the accessory use standards (including the zones where the use is permitted) in Section 27-5203(b)(4), Drive-Through Service.	49	
21		50	
22		51	
23		52	
24		53	
25	<b>(3) Composting, Small-Scale</b>	54	<b>(6) Home Occupation</b>
26		55	<b>(A)</b> All home occupations shall require the issuance of a use and occupancy permit (see Section 27-3608, Use and Occupancy Permit).
27	<b>(A)</b> Composting storage shall be a minimum distance of twenty-five (25) feet from a residential building.	56	
28		57	
29	<b>(B)</b> In-vessel storage of composting shall be used.	58	
		59	

1	<b>(B)</b>	The business use shall be located within the dwelling unit, and the cumulative total of all home occupation that may be permitted shall not exceed 25 percent of the total floor area of the dwelling unit, or 5,000 square feet, whichever is less.	33 34 35 36 37 38		
7	<b>(C)</b>	The principal person conducting the business use shall be a full-time resident of the dwelling, and there shall be no more than two employees who do not reside in the dwelling.	39 40 41 42 43		
11	<b>(D)</b>	The business use shall not change the residential character or external appearance of the dwelling unit, its associated structures, or its principal residential use, nor shall there be any exterior evidence, other than a permitted sign, to indicate that the dwelling unit is used for other than residential purposes.	44 45 46 47 48 49		
18	<b>(E)</b>	There shall be no outdoor display or storage of goods, equipment, or services associated with the business.	50 51 52		<b>(I)</b> Off-street parking and loading requirements in Section Sec. 27-6300, Off-Street Parking and LoadingOff-Street Parking and Loading, do not apply to home occupations. No more than two vehicles associated with the home occupation may be based at the subject property, or parked on-site or off-site or on a public street within 400 yards from the property. On request by the Department of Permitting, Inspections, and Enforcement, each dwelling unit resident shall provide for inspection the registrations for all vehicles owned or leased by the resident, titled in the business name, or listed as business personal property on the resident’s or the business’ income or property tax returns.
21	<b>(F)</b>	There shall be no retail sales of goods on the premises except of those goods incidental to the provision of a service by the business use (e.g., a hairdresser may sell shampoo).	53 54 55 56		<b>(J)</b> A home occupation that includes a dog daycare facility shall comply with the following standards: <b>(i)</b> Be located on a parcel of land a minimum of one acre in area, on which a single-family detached dwelling is located; <b>(ii)</b> Not allow over 20 dogs at the facility at any one time; <b>(iii)</b> Locate outdoor areas where dogs will be allowed, a minimum of 35 feet from any property line; <b>(iv)</b> Limit the hours of operation daily from 6 a.m. to 8 p.m.;
25	<b>(G)</b>	The business shall not involve significantly greater volumes or frequencies of deliveries or shipments, vehicular traffic, or pedestrian traffic than normally expected in a residential area.	57 58 59 60		
29	<b>(H)</b>	The business shall not result in adverse noise, vibration, odor, glare, fumes, or electrical or communications interference (including visual or audible interference with radio or television	61		

CB-013-2019 (DR-2) has not yet taken effect and is subject to revisions via further legislative action of the Council.

1	(v)	The dogs may be groomed, trained, exercised	32		
2		and socialized, but not kept or boarded	33		
3		overnight, bred, sold, or let for hire;	34		
4	(vi)	Sound mitigation walls, partitions, and	35		
5		floor/ceilings assemblies shall separate dog day	36		
6		care facilities from residential uses;	37		
7	(vii)	Provide sight-obscuring fencing for all on-site	38		
8		outdoor recreation areas; the fence shall provide	39		
9		full containment for the dogs, and be deep	40		
10		enough and secured to the ground to prevent	41		
11		escape, and high enough to prevent dogs from	42		
12		jumping or climbing over; and	43		
13	(viii)	The facility shall be subject to Subtitle 3 of the	44		
14		County Code.	45		
15	<b>(7) Limited Fuel/Oil/Bottled Gas Distribution</b>		46		
16	(A)	Limited fuel/oil/bottled gas distribution is	47		
17		allowed as an accessory use to garden centers,	48		
18		convenience stores, consumer goods stores,	49		
19		combination retail stores, automobile service	50		
20		stations, recreational vehicle rental and service	51		
21		uses, industrial equipment sales and rental uses,	52		
22		and storage of petroleum products uses.	53		
23	(B)	Any structure housing the fuel, oil, or bottled gas	54		
24		that is located on a sidewalk or other walkway	55		
25		shall be located to maintain at least five feet of	56		
26		clearance along the walkway for use by	57		
27		pedestrians.	58		
28	(C)	Limited fuel/oil/bottled gas distribution as an	59		
29		accessory use is prohibited with 1,000 feet of an	60		
30		airport, and within the APA-1, -2, and -3S zones	61		
31		of the APAO Zone.			
	<b>(8) Nursery and Garden Center (as Accessory to an Agricultural Use)</b>				
	(i)	The subject property shall contain at least 20			
		contiguous acres.			
	(ii)	The display and sale of nursery stock and garden			
		supplies not grown or produced on the premises			
		shall not exceed 21,000 square feet or 10			
		percent of the total display and sales area,			
		whichever is less.			
	(iii)	The display, sale, or repair of motorized nursery			
		or garden equipment is prohibited.			
	(iv)	All parking, loading, sales, and display areas shall			
		be set back at least 25 feet from any street right-			
		of-way and 150 feet from any adjoining			
		residentially-zoned land or land containing or			
		approved for a residential use.			
	(v)	A Type D bufferyard shall be provided between			
		all sales, display, parking, loading, and storage			
		areas and any adjoining residentially-zoned land			
		or land containing or approved for a residential			
		use, in accordance with the Landscape Manual.			
	<b>(9) Outdoor Storage (as an Accessory Use)</b>				
	(A)	Within the Transit-Oriented/Activity Center			
		zones, outdoor storage areas shall be located to			
		the rear of the development's principal			
		building(s). In other zones, outdoor storage areas			
		shall be located to the side or rear of the			
		development's principal structure(s).			
	(B)	Where an outdoor storage area stores goods			
		intended for sale or resale, such goods shall be			



1 limited to those sold on the premise in 31  
2 conjunction with the principal use of the lot. 32  
3 (C) Flammable liquids or gases in excess of 1,000 33  
4 gallons shall be stored underground. 34  
5 (D) No materials shall be stored in areas intended for 35  
6 vehicular or pedestrian circulation. 36  
7 (E) Outdoor storage areas shall be enclosed with 37  
8 either a wall made of masonry material 38  
9 consistent with that of the primary building(s) on 39  
10 the lot, or a wood or vinyl fence (or a 40  
11 combination of such a masonry wall and metal 41  
12 fencing). The height of the wall or fence shall be 42  
13 sufficient to screen stored materials from view 43  
14 from public street rights-of-way, private streets, 44  
15 public sidewalks, and any adjoining residential 45  
16 development. 46  
17 (10) Produce Stand (as Accessory to a Farm or 47  
18 Community Garden) 48  
19 (A) A produce stand (as accessory to a farm or 49  
20 community garden) shall comply with the 50  
21 following standards: 51  
22 (i) Produce stands shall not exceed 750 square feet 52  
23 in area and shall not be more than 15 feet in 53  
24 height. 54  
25 (ii) Produce stands shall be located on the lot where 55  
26 the farm or community garden is located. 56  
27 (iii) Produce stands shall be: 57  
28 (aa) Limited to the retail sale of vegetables and 58  
29 fruits grown on the farm or in the 59  
30 community garden; 60

- (bb) Designed to be compatible with associated buildings; and
- (cc) Situated so that adequate ingress, egress, and off-street parking areas are provided.

**(11) Retail Sales (as Accessory to a Manufacturing Warehouse, or Wholesale Use)**

- (A) Retail sales areas shall not make up more than 15 percent of the gross floor area of the building, or 5,000 square feet, whichever is less.

**(12) Satellite Dish Antenna**

A satellite dish antenna is allowed as an accessory use or structure to any principal use or structure, subject to the following standards:

- (A) A satellite dish antenna that is one meter or less in diameter, located on property within the exclusive use or control of the antenna user, and designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, is subject to the standards in this Subsection only to the extent that the standards do not unreasonably delay, prevent, or increase the cost of its installation, maintenance, or use or preclude reception of an acceptable quality signal.
- (B) Only one antenna is allowed to serve a residential dwelling unit. For all other uses, one or more antennas are allowed.
- (C) An antenna with a diameter greater than ten feet is allowed only as a special exception approved

1	in accordance with Section 27-3604, Special	31	shall not extend more than 15 feet above the
2	Exception.	32	roofline of the structure on which it is mounted.
3	<b>(D)</b> An antenna shall be located only in a rear or side	33	<b>(C)</b> Where an existing structure exceeds the
4	yard, at least two feet from any rear or side lot	34	applicable height limit, a solar energy
5	line. On lots having no rear yard (through lots)	35	systems may be located on its roof irrespective of
6	and on corner lots where the designated front of	36	applicable height standards, provided the system
7	the main building faces a side street, the rear and	37	extends no more than five feet above the roof
8	side yards, as used herein, shall mean the yards	38	surface.
9	at the rear and side of the principal building,	39	<b>(D)</b> The property owner shall be responsible for
10	respectively.	40	negotiating with other property owners in the
11	<b>(E)</b> An antenna shall be ground-mounted, except an	41	vicinity to establish any solar easement designed
12	antenna with a diameter of six feet four inches or	42	to protect solar access for the solar energy
13	less may be mounted on the roof of any building	43	systems, and for recording any such solar
14	other than a single-family dwelling unit.	44	easement with the Land Records of Prince
15	<b>(F)</b> A ground-mounted antenna shall be screened	45	George’s County.
16	from ground-level view from adjacent streets	46	<b>(14) Stable, Private</b>
17	and parcels.	47	This accessory use shall be prohibited on lots having a net
18	<b>(G)</b> Antennas may be located within any required	48	lot area of 20,000 square feet or less.
19	green area or in any required landscaped area	49	<b>(15) Swimming Pool (as an Accessory Use)</b>
20	except along a street.	50	<b>(A)</b> In the RE, RR, RSF-95, RSF-65, and RSF-A zones,
21	<b>(13) Solar Energy Systems, Small-Scale</b>	51	an outdoor swimming pool shall be enclosed by
22	<b>(A)</b> The facility may be located on the roof of a	52	a fence at least six feet high (which may be met
23	principal or accessory structure, on the side of	53	by a railing attached to an above-grade pool).
24	such structures, on a pole, or on the ground in	54	<b>(B)</b> An outdoor swimming pool accessory to a single-
25	accordance with the standards in Section 27-	55	family dwelling may be located in a required side
26	5202(c), Location of Accessory Uses and	56	or rear yard except that it shall be set back at
27	Structures.	57	least eight feet from the rear lot line and five feet
28	<b>(B)</b> The facility shall comply with the maximum	58	from all side lot lines.
29	height standards for the zone in which it is	59	<b>(C)</b> An outdoor swimming pool accessory to a use
30	located, provided that a roof-mounted system	60	other than a single-family dwelling shall meet the
		61	minimum yard depth requirements for a

1	principal building (not for accessory structures)	31	(ii) The subject property shall have an area of at least five acres.
2	and any applicable locational standards in	32	
3	provisions (D) and (E) below.	33	(iii) The subject property shall have frontage of at least 200 feet on, and vehicular access to, a street with a right-of-way width of at least 120 feet.
4	<b>(D)</b> An outdoor swimming pool accessory to a	34	
5	residential development or subdivision is subject	35	
6	to the following additional standards:	36	
7	<b>(i)</b> The pool shall be for the sole use of the	37	<b>(iv)</b> If the subject property abuts land that is developed, or approved to be developed, for residential purposes, a substantial, sightly fence at least six feet high shall be constructed and maintained along that part of the property line abutting the residential land.
8	development's or subdivision's residents, and	38	
9	their guests.	39	
10	<b>(ii)</b> The pool (including the apron, filtering and	40	
11	pumping equipment, and buildings) shall be	41	
12	located at least:	42	
13	<b>(aa)</b> 75 feet from adjoining land in a Residential	43	<b>(v)</b> No building, structure, or parking area shall be located less than:
14	zone or land approved for a residential use;	44	
15	<b>(bb)</b> 25 feet from adjoining land in a	45	<b>(aa)</b> 50 feet from adjoining land in a Residential zone or adjoining land approved for a residential use;
16	Nonresidential zone or adjoining land	46	
17	approved for a commercial or industrial	47	<b>(bb)</b> 25 feet from adjoining land in a Nonresidential zone or adjoining land approved for a commercial or industrial use;
18	use; and	48	
19	<b>(cc)</b> 125 feet from an existing dwelling on	49	<b>(cc)</b> 200 feet from an existing dwelling on adjoining land; and
20	adjoining land.	50	
21	<b>(iii)</b> The use of any public address or other	51	<b>(dd)</b> 150 feet from any adjoining street or public right-of-way.
22	loudspeaker system for an outdoor swimming	52	
23	pool shall be restricted to that necessary for	53	
24	safety purposes, and shall not be used for the	54	
25	playing of music or other entertainment.	55	
26	<b>(E)</b> In the RR Zone, an outdoor swimming pool	56	<b>(16) Wind Energy Conversion System, Small-Scale</b>
27	accessory to a hotel or motel is subject to the	57	
28	following additional standards:	58	<b>(A)</b> Tower-mounted small-scale wind energy conversion systems shall not be located within a front yard.
29	<b>(i)</b> The pool shall be for the sole use of hotel or	59	
30	motel guests.		

1	<b>(B)</b>	A small-scale wind energy conversion system shall be set back a distance equal to its total extended height (e.g., if on a roof, roof height plus the height of any tower extending from the roof) plus five feet from all property lines, public street rights-of-way, and overhead utility lines. Guy wires and other support devices shall be set back at least five feet from all property lines.	34 35 36 37 38 39 40 41	<b>(G)</b>	No illumination of the turbine or tower shall be allowed unless required by the Federal Aviation Administration (FAA).
9	<b>(C)</b>	The maximum height of a small-scale wind energy conversion system (including the tower and extended blades) shall be the maximum height allowed in the zone plus 60 feet.	42 43 44 45	<b>(H)</b>	On a freestanding tower, any climbing foot pegs or rungs below 12 feet shall be removed to prevent unauthorized climbing unless the section of the pegs or rungs above 12 feet are enclosed in a locked cage. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.
13	<b>(D)</b>	Sound produced by the wind turbine under normal operating conditions, as measured at the property line abutting an existing residential use, shall not exceed 55 dBA at any time. The 55 dBA sound level, however, may be exceeded during short-term events that occur beyond the property owner's control, such as utility outages and/or severe wind storms.	46 47 48 49 50 51 52 53	<b>(I)</b>	No wind generator, tower, building, or other structure associated with a small-scale wind energy conversion system shall include any signage visible from any public street other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification.
21	<b>(E)</b>	The wind turbine and tower shall be painted or finished in the color originally applied by the manufacturer, or a matte neutral color (e.g., gray, white) that blends into a range of sky colors, or a color consistent with that of the buildings on the site. Bright, luminescent, or neon colors are prohibited.	54 55 56 57 58 59 60	<b>(J)</b>	No small-scale wind energy conversion system intended to connect to the electric utility shall be installed until evidence has been provided to the County that the relevant electric utility company has been informed of the customer's intent to install an interconnected customer-owned generator.  If use of the facility is discontinued for a continuous period of six months, the County shall deem it abandoned and provide the owner a written notice of abandonment stating that the owner has 90 days from the date of receipt of the notice to either resume use of the facility or file a notice of termination with the County. The owner shall remove the facility (including all
28	<b>(F)</b>	The blade tip or vane of any small-scale wind energy conversion system shall have a minimum ground clearance of 15 feet, as measured at the lowest point of the arc of the blades. No blades may extend over parking areas, public right of ways, driveways, or sidewalks.	61 62 63 64 65 66		

1 towers, turbines, and above-ground structures  
 2 and equipment) within 90 days after a notice of  
 3 termination is filed.

**Sec. 27-5300 Temporary Uses and Structures**

**27-5301. Designation of Temporary Uses and Structures**

8 The Temporary Use/Structure Tables in this Section use the  
 9 following abbreviations to designate whether and how a  
 10 temporary use or structure is allowed in a particular zone:

√ A check ("√") under a base zone column indicates that the use or structure is permitted as a temporary use or structure by right in the zone, subject to Section 27-5302, General Standards for All Temporary Uses and Structures, any referenced use-specific standards, and all other applicable regulations of this Ordinance. No Temporary Use Permit is required.

T A "T" under a base zone column indicates that the use or structure is permitted as a temporary use or structure in the zone only on approval of a Temporary Use Permit in accordance with Section 27-3607, Temporary Use Permit, subject to Section 27-5302, General Standards for All Temporary Uses and Structures, any referenced use-specific standards, and all other applicable regulations of this Ordinance.

A An "A" under a Planned Development (PD) zone column indicates that the use or structure is permitted as a temporary use or structure in the zone, subject to Section 27-5302, General Standards for All Temporary Uses and Structures,

any referenced use-specific standards, and all other applicable regulations of this Ordinance— unless the PD Basic Plan/PD Conditions of Approval approved for the zone expressly identifies the use or structure as prohibited.

X An "X" under a base or Planned Development (PD) zone column indicates that the use or structure is prohibited as a temporary use or structure in the zone.

X An "X" under an overlay zone column indicates that the use or structure is prohibited as a temporary use or structure in the overlay zone (in which prohibitions of uses allowed by the underlying zone is an exception), irrespective of whether it is allowed by the underlying zone.

A blank cell in an overlay zone column means that the use or structure is permitted if also permitted in the underlying base zone.

All uses not listed are prohibited.

**(1) Reference to Use-Specific Standards**

A particular use or structure allowable as a temporary use or structure in a zone may be subject to additional standards that are specific to the particular temporary use or structure. The applicability of such use-specific standards is noted in the last column of the Temporary Use/Structure Tables ("Use-Specific Standards") through a reference to standards in Section 27-5303(b), Standards for Specific Temporary Uses and Structures.

1 **(b) Temporary Use/Structure Table for Rural and Agricultural, and Residential Base Zones**

**Table 27-5301(b): Temporary Use/Structure Table for Rural and Agricultural, and Residential Base Zones**  
 √ = Allowed without a Temporary Use Permit T = Allowed only with a Temporary Use Permit  
 X = Prohibited

Temporary Use/Structure	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
	ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Circus, carnival, fair, or other special event	X	X	X	X	X	X	X	X	T	T	T	27-5303(b)(1)
Construction-related office/yard	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(2)
Farmers' market (as a temporary use)	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(3)
Firewood display and sales	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(4)
Flea market	X	X	X	X	X	X	X	X	√	√	√	27-5303(b)(5)
Food truck hub	T	T	T	T	T	T	T	T	T	T	T	
Garage or yard sale	√	√	√	√	√	√	√	√	√	√	√	
Manufactured home as emergency housing	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(6)
Modular classroom	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(7)
Parking facility, temporary	X	T	T	T	T	X	X	X	X	X	X	27-5303(b)(8)
Seasonal decorations display and sales	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(8)
Temporary portable storage unit	√	√	√	√	√	√	√	√	√	√	√	27-5303(b)(10)
Temporary real estate sales office/model	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(11)
Temporary recyclables collection	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(12)
Temporary sawmill	X	√	√	X	X	X	X	X	X	X	X	27-5303(b)(13)
Temporary shelter for commercial displays, sales, and services	X	X	X	X	X	X	X	X	T	T	T	27-5303(b)(14)
Transient manufactured home or recreational vehicle residence	√	√	√	√	√	√	√	√	X	X	X	27-5303(b)(15)
Wayside stand	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(16)

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**(c) Temporary Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

**Table 27-5301(c): Temporary Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

√ = Allowed without a Temporary Use Permit T = Allowed only with a Temporary Use Permit  
 X = Prohibited

Temporary Use/Structure	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones								Other Base Zones	Use-Specific Standards	
						NAC	TAC		LTO		RTO-L		RTO-H			
	CN	CGO	CS	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge		RMH
Circus, carnival, fair, or other special event	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(1)
Construction-related office/yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(2)
Farmers' market (as a temporary use)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(3)
Firewood display and sales	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(4)
Flea market	√	√	√	X	X	√	√	√	√	√	√	√	√	√	X	27-5303(b)(5)
Food truck hub	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
Garage or yard sale	√	√	√	X	X	√	√	√	√	√	√	√	√	√	√	
Manufactured home as emergency housing	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(6)
Modular classroom	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(7)
Parking facility, temporary	X	√	√	√	√	T	T	T	X	T	X	T	X	T	X	27-5303(b)(8)
Seasonal decorations display and sales	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(8)
Temporary portable storage unit	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	27-5303(b)(10)
Temporary real estate sales office/model	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(11)
Temporary recyclables collection	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(12)
Temporary sawmill	X	X	X	X	√	X	X	X	X	X	X	X	X	X	X	27-5303(b)(13)
Temporary shelter for commercial displays, sales, and services	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(14)
Transient manufactured home or recreational vehicle residence	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5303(b)(15)
Wayside stand	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	27-5303(b)(16)

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1 **(d) Temporary Use/Structure Table for Planned Development Zones**

Table 27-5301(d): Temporary Use/Structure Table for Planned Development Zones A = Allowable X = Prohibited								
Temporary Use/Structure	R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	Use-Specific Standards
Circus, carnival, fair, or other special event	A	A	A	A	A	A	A	27-5303(b)(1)
Construction-related office/yard	A	A	A	A	A	A	A	27-5303(b)(2)
Farmers' market (as a temporary use)	A	A	A	A	A	A	A	27-5303(b)(3)
Firewood display and sales	A	A	A	A	A	A	A	27-5303(b)(4)
Flea market	X	A	A	A	A	A	X	27-5303(b)(5)
Food truck hub	A	A	A	A	A	A	A	
Garage or yard sale	A	A	A	A	A	A	A	
Manufactured home as emergency housing	A	A	A	A	A	A	A	27-5303(b)(6)
Modular classroom	A	A	A	A	A	A	A	27-5303(b)(7)
Parking facility, temporary	X	A	A	X	X	X	A	27-5303(b)(8)
Seasonal decorations display and sales	A	A	A	A	A	A	A	27-5303(b)(8)
Temporary portable storage unit	A	A	A	A	A	A	A	27-5303(b)(10)
Temporary real estate sales office/model	A	A	A	A	A	A	A	27-5303(b)(11)
Temporary recyclables collection	A	A	A	A	A	A	A	27-5303(b)(12)
Temporary sawmill	X	X	X	X	X	X	X	27-5303(b)(13)
Temporary shelter for commercial displays, sales, and services	A	A	A	A	A	A	A	27-5303(b)(14)
Transient manufactured home or recreational vehicle residence	X	X	X	X	X	X	X	27-5303(b)(15)
Wayside stand	A	A	A	A	A	A	A	27-5303(b)(16)

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1 (e) Temporary Use/Structure Table for Overlay Zones

Table 27-5301(e): Temporary Use/Structure Table for Overlay Zones														
A blank cell means the use is allowed only if allowed in underlying base zone														
X = Prohibited, irrespective of treatment by underlying base zone														
Temporary Use/Structure	CBCAO Zones			APAO Zones						MIO Zones [1]			Use-Specific Standards	
	RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
Circus, carnival, fair, or other special event											X	X	X	27-5303(b)(1)
Construction-related office/yard														27-5303(b)(2)
Farmers' market (as a temporary use)												X		27-5303(b)(3)
Firewood display and sales												X		27-5303(b)(4)
Flea market												X		27-5303(b)(5)
Food truck hub														
Garage or yard sale												X		
Manufactured home as emergency housing														27-5303(b)(6)
Modular classroom											X	X	X	27-5303(b)(7)
Parking facility, temporary														27-5303(b)(8)
Seasonal decorations display and sales												X		27-5303(b)(8)
Temporary portable storage unit														27-5303(b)(10)
Temporary real estate sales office/model														27-5303(b)(11)
Temporary recyclables collection														27-5303(b)(12)
Temporary sawmill														27-5303(b)(13)
Temporary shelter for commercial displays, sales, and services														27-5303(b)(14)
Transient manufactured home or recreational vehicle residence														27-5303(b)(15)
Wayside stand												X		27-5303(b)(16)

NOTES:  
 [1] Section 27-4402(c)(4), Modified Use Standards for MIO Zone, contains additional standards for uses in the MIO Zone.

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1	<b>27-5302. General Standards for All Temporary</b>	27	
2	<b>Uses and Structures</b>	28	
3	Unless otherwise specified in this Ordinance, any temporary use or	29	
4	structure shall:	30	
5	<b>(a)</b> Obtain any other applicable County, municipal, State, or	31	<b>(k)</b> Be located on a site containing sufficient land area to allow
6	Federal permits;	32	the temporary use, structure, or special event to occur
7	<b>(b)</b> Not involve the retail sales or display of goods, products,	33	and accommodate associated pedestrian, parking, and
8	or services within a public right-of-way, except as part of	34	traffic movement without disturbing environmentally
9	a County- or municipal-authorized event;	35	sensitive lands.
10	<b>(c)</b> Not be detrimental to property or improvements in the	36	
11	surrounding area or to the public health, safety, or general	37	
12	welfare;	38	
13	<b>(d)</b> Be compatible with the principal uses taking place on the	39	
14	site;	40	
15	<b>(e)</b> Not have adverse health, safety, noise, or nuisance	41	
16	impacts on any adjoining permanent uses or nearby	42	
17	residential neighborhoods;	43	
18	<b>(f)</b> Not include permanent alterations to the site;	44	
19	<b>(g)</b> Comply with temporary signage standards in Section Sec.	45	
20	27-61500, Signage.	46	
21	<b>(h)</b> Remove temporary signs associated with the temporary	47	
22	use or structure after the activity ends;	48	
23	<b>(i)</b> Not violate the applicable conditions of approval that	49	
24	apply to a site or a use on the site;	50	
25	<b>(j)</b> Not interfere with the normal operations of any	51	
26	permanent use located on the property; and	52	
		53	
		54	
			<b>27-5303. Standards Specific to Temporary Uses</b>
			<b>and Structures</b>
			<b>(a) General</b>
			Standards for a specific temporary use or structure shall apply
			to the particular individual temporary use or structure
			regardless of the zone in which it is located or the review
			procedure by which it is approved, unless otherwise specified in
			this Ordinance. This Subsection sets forth and consolidates the
			standards for all temporary uses and structures for which a
			reference to this Subsection is provided in the "Use-Specific
			Standards" column of the temporary use/structure tables in
			Sections 27-5301(b), 27-5301(c), 27-5301(d), and 27-5301(e),
			and in the same order as they are listed in the table. These
			standards may be modified by other applicable standards or
			requirements in this Ordinance.
			<b>(b) Standards for Specific Temporary Uses and</b>
			<b>Structures</b>
			<b>(1) Circus, Carnival, Fair, or Other Special Event</b>
			<b>(A)</b> The event shall be for no more than 17 days.
			<b>(B)</b> Except in a Commercial or Industrial zone, the
			use shall be located only on a parking lot.
			<b>(C)</b> The event shall be located at least 250 feet from
			any dwelling on adjoining land.

1	(D) The Fire and Emergency Medical Services	33	(C) No item stored or assembled on the subject	
2	Department and Police Department, or where	34	property shall be sold on the property.	
3	applicable, the affected municipal Police	35		
4	Department, shall have determined that the site		<b>(3) Farmers' Market (as a temporary use)</b>	
5	is accessible for public safety vehicles and	36	(A) The market shall operate only with written	
6	equipment.	37	permission from the owner of the property on	
7		38	which it is located.	
8	(E) The Department of Permitting, Inspections and	39	(B) A farmers' market shall operate for no more than	
9	Enforcement shall have determined that any	40	106 calendar days in any one calendar year.	
10	existing or proposed permanent or temporary	41	(C) A farmers' market shall be open only during the	
11	structures comply with applicable regulation of	42	times identified in the Temporary Use Permit.	
12	the Building Code.		(D) Except as provided in provision (E) below, a	
13	(F) Adequate restroom facilities shall be provided.	43	farmer's market shall only be located on the	
14	(G) Owners of adjoining properties shall be notified	44	open area or parking lot of private or publicly	
15	of the proposed event before its approval.	45	owned property.	
16		46	(E) The market may operate inside a public or	
17	<b>(2) Construction-Related Office/Yard</b>	47	privately owned building during the months of	
18	(A) A Temporary Use Permit for the use shall be	48	December through March for a period not to	
19	issued only when actual construction on or in the	49	exceed a total of 30 days.	
20	immediate vicinity of the development site	50	(F) The market shall provide adequate ingress,	
21	necessitates the construction-related	51	egress, and off-street parking areas. Vehicular	
22	office/yard. The permit shall be initially valid for	52	access to the subject property shall not be by	
23	no more than three years. The DPIE Director may	53	means of streets internal to subdivisions for	
24	grant written extensions of this time period for	54	single-family detached dwellings.	
25	up to three years per extension provided,	55	(G) Market sales shall be limited to the retail sale of	
26	however, that the permit shall remain valid no	56	agriculture, aquaculture, and horticulture	
27	longer than the time required for the	57	products produced by the vendors; foods	
28	construction.	58	prepared by the vendor, and incidental sales of	
29	(B) Adequate measures shall be taken to ensure that	59	crafts or similar home-made products made by	
30	the use will not adversely affect the health,	60	the vendors.	
31	safety, and welfare of residents or workers in the	61		
32	area, and will not be detrimental to the use or			
	development of adjacent properties or the			
	general neighborhood.			

1	(H) Items for sale shall not be displayed or stored	29
2	within customer pathways.	30
3	(I) The market shall have an established set of	31
4	operating rules addressing the governance	32
5	structure of the market, hours of operation, and	33
6	maintenance and security requirements and	34
7	responsibilities.	35
8	(J) The market shall have a manager authorized to	36
9	direct the operations of all participating vendors	37
10	during all hours of operation.	38
11	<b>(4) Firewood Display and Sales</b>	39
12	(A) The Temporary Use Permit shall be valid for no	40
13	more than four months in any 12-month period	41
14	and shall not be renewable.	42
15	(B) The firewood shall be neatly stacked, and the	43
16	property shall be kept clean and free from debris.	44
17	(C) The immediate area within which firewood is	45
18	displayed or sold shall not be enclosed.	46
19	(D) In any Residential zone or land approved for a	47
20	residential use, the sales area shall be located at	48
21	least 25 feet from any street line.	49
22	(E) No power-driven log cutting or splitting devices	50
23	shall be used in connection with the use.	51
24	(F) In any Commercial or Industrial Zone or land	52
25	approved for commercial or industrial use, the	53
26	sales area shall be located at least ten feet from	54
27	any street line, and shall not encroach upon any	55
28	required landscaped area.	56

**(5) Flea Market**

- (A) The market shall operate only with written permission from the owner of the property on which it is located.
- (B) The market shall operate for no more than 106 days in any one calendar year.
- (C) The market shall be open only during daylight hours.
- (D) The flea market shall only be located on the open area or parking lot of property owned by a public agency or a non-profit organization.
- (E) Stalls, sales tables, and any other facilities related to the flea market shall be located at least 25 feet from any adjoining street. If located within a parking lot, the facilities shall be located so as to provide sufficient parking facilities for the patrons.
- (F) Market sales shall be limited to the retail sale of merchandise, collectibles, crafts, antiques, and other items, excluding automobiles, automobile parts, and nonportable household appliances.
- (G) Items for sale shall not be displayed or stored within customer pathways.
- (H) The market shall have an established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance and security requirements and responsibilities.

1	(I) The market shall have a manager authorized to	30	(C) The modular classroom shall not be located in a	30
2	direct the operations of all participating vendors	31	front yard and its installation shall not cause the	31
3	during all hours of operation.	32	removal of any existing trees.	32
4	<b>(6) Manufactured Home as Emergency Housing</b>	33	<b>(D)</b> The modular classroom shall be set back at least	33
5	(A) The manufactured home shall be used only as a	34	25 feet from adjoining land in any Residential	34
6	dwelling in times of emergency due to calamity.	35	zone or land approved for a residential use in any	35
7	(B) The use shall be certified by the County agency	36	other zone.	36
8	responsible for providing emergency housing.	37	<b>(8) Parking Facility, Temporary</b>	37
9	(C) All requirements for lot coverage, building lines,	38	(A) Temporary parking may be permitted for a	38
10	frontages, yards, height limitations, and off-	39	period of time not to exceed thirty (30) calendar	39
11	street parking in the zone in which the	40	days.	40
12	manufactured home is located shall be met.	41	<b>(B)</b> Overnight parking of motor vehicles shall not be	41
13	(D) The Temporary Use Permit shall be issued for no	42	permitted.	42
14	more than two years and shall not be renewable.	43	<b>(9) Seasonal Decorations Display and Sales</b>	43
15	<b>(7) Modular Classroom</b>	44	(A) A Temporary Use Permit shall be valid for no	44
16	(A) One modular classroom, not exceeding 700	45	more than 3 months.	45
17	square feet of gross floor area, may be located	46	<b>(B)</b> Except for bona fide nonprofit groups or	46
18	on the premises of the school whose students	47	organizations, in any Residential zone or land	47
19	are receiving instruction under Title 1.	48	approved for a residential use, the display/sales	48
20	(B) The Temporary Use Permit shall initially be valid	49	area shall be located at least 25 feet from an	49
21	for no more than three years. The DPIE Director	50	existing street line and from any adjacent lot	50
22	may grant written extensions of this time period	51	lines.	51
23	for up to two years per extension. The modular	52	<b>(C)</b> Adequate measures shall be taken to ensure that	52
24	classroom shall be removed from the premises	53	the use will not adversely affect the health and	53
25	upon the earlier of:	54	safety of residents or workers in the area, and	54
26	(i) The expiration of the permit; or	55	will not be detrimental to the use or	55
27	(ii) The cessation of the educational services	56	development of adjacent properties or the	56
28	provided under Title 1 for a period exceeding 100	57	general neighborhood.	57
29	consecutive days.			

1	<b>(10) Temporary Portable Storage Unit</b>	30	
2	Temporary storage in a portable storage unit may be	31	used for sales or leasing associated with the development,
3	permitted to serve an existing use on the same lot, subject	32	subject to the following standards:
4	to the following standards:	33	
5	<b>(A)</b> No more than one storage unit per dwelling unit	34	<b>(A)</b> A Temporary Use Permit for the use shall be
6	shall be located on a lot.	35	issued only when actual construction on or in the
7	<b>(B)</b> A unit shall be no more than 8 feet wide, 16 feet	36	immediate vicinity of the development site
8	long, and 8 feet high.	37	necessitates the sales office/model. The permit
9	<b>(C)</b> No unit shall be placed on a lot for more than 30	38	shall be initially valid for no more than three
10	consecutive days, or for more than 60 days	39	years. The DPIE Director may grant written
11	within any calendar year.	40	extensions of this time period for up to three
12	<b>(D)</b> In no case may a unit be placed in the front yard,	41	years per extension provided, however, the
13	in any front parking lot of a commercial use, or in	42	permit shall remain valid no longer than the time
14	fire lanes, passenger loading zones, or	43	required for the construction.
15	commercial loading areas without the proper	44	<b>(B)</b> Adequate measures shall be taken to ensure the
16	permit.	45	use will not adversely affect the health and
17	<b>(E)</b> The owner and operator of the lot containing a	46	safety of residents or workers in the area, and
18	portable storage unit shall ensure that the unit is	47	will not be detrimental to the use or
19	in good condition, free from evidence of	48	development of adjacent properties or the
20	deterioration, weathering, discoloration, rust,	49	general neighborhood.
21	ripping, tearing, or other holes or breaks. The	50	<b>(C)</b> There shall be no more than one such office per
22	unit shall be kept locked when not being loaded	51	builder in the development.
23	or unloaded.	52	<b>(D)</b> The sales office shall be located on a lot or
24	<b>(F)</b> The owner and operator of the lot containing a	53	building site approved as part of the
25	portable storage unit shall ensure that no	54	development, or within a building approved as
26	hazardous substances are stored within the unit.	55	part of the development.
27	<b>(11) Temporary Real Estate Sales Office/Model</b>	56	<b>(E)</b> The building used as or containing a sales office
28	A model home or other building, or unit thereof, located on	57	shall comply with all building setbacks and other
29	the site of new development is allowed to be temporarily	58	development requirements.
		59	<b>(F)</b> The building shall be aesthetically compatible
		60	with the character of the community and
		61	surrounding area in terms of exterior color,
			predominant exterior materials, and
			landscaping.

1	(G) At least one parking space shall be provided for	29
2	every 300 square feet of gross floor area devoted to	30
3	the sales office use. Accessible parking for	31
4	persons with physical disabilities is required.	32
5	(H) On termination of the temporary real estate	33
6	sales/leasing use, the building or unit shall be	34
7	converted to a permanent permitted use or	35
8	removed.	36
9	<b>(12) Temporary Recyclables Collection</b>	37
10	(A) The Temporary Use Permit shall be valid for no	38
11	more than three years. The Department of	39
12	Permitting, Inspections, and Enforcement may	40
13	grant written requests for extension of this time	41
14	period for three years per extension, provided	42
15	the use continues in accordance with any	43
16	approved conditions.	44
17	(B) The use shall be limited to collection and removal	45
18	at regular intervals. It shall not include long-term	46
19	or bulk storage and shall be limited to a	47
20	maximum area of 25,000 square feet.	48
21	<b>(13) Temporary Sawmill</b>	49
22	(A) No machinery shall be located less than 50 feet	50
23	from any boundary of the subject property and	51
24	all machinery shall be secured against	52
25	unauthorized use.	53
26	(B) After the removal and cutting of timber, all	54
27	debris and sawdust piles shall be removed, and	55
28	the premises shall be left in a sightly condition.	56
		57
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**(14) Temporary Shelter for Commercial Displays, Sales, and Services**

- (A) Promotional displays or sales, income tax consultant’s offices, carload sales of products, sidewalk sales, and demonstration of products in a parking lot may be allowed in a trailer or tent, provided the Temporary Use Permit shall be valid for no more than three consecutive months.

**(15) Transient Manufactured Home or Recreational Vehicle Residence**

- (A) The manufactured home or recreational vehicle shall be located on a lot with an area of at least five acres.
- (B) The principal use of the lot shall be an activity for which the County levies an amusement tax, and the occupants of the manufactured home or recreational vehicle shall be employed in connection, or otherwise reasonably associated, with the activity.
- (C) The Temporary Use Permit shall be valid for no more than 120 cumulative days per any one year, except that a permit for a manufactured home or recreational vehicle used in connection with a pari-mutuel racetrack shall be valid for no more than 218 cumulative days per calendar year.

**(16) Wayside Stand**

- (A) The stand shall be used only for the sale of agricultural products grown or produced on the premises and the incidental sale of agricultural products not grown or produced on the premises.

1	(B)	The Temporary Use Permit shall be valid for no	29
2		more than two years. The DPIE Director may	30
3		grant written requests to extend this time period	31
4		for up to two years per extension.	32
5	(C)	Adequate measures shall be taken to ensure that	33
6		the use will not adversely affect the health,	34
7		safety, and welfare of residents or workers in the	35
8		area, and will not be detrimental to the use or	36
9		development of adjacent properties or the	37
10		general neighborhood.	38
11	<b>Sec. 27-5400 Special Exception Standards</b>		
12	<b>27-5401. General</b>		
13	<b>(a) Setbacks</b>		
14		All setbacks shall be measured from the boundary line of the	41
15		land for which the special exception is requested or approved,	42
16		regardless of whether this boundary line is a lot, property,	43
17		street, or other line. This Section applies to all setback	44
18		requirements of this Subtitle which are specifically applicable to	45
19		the special exception use.	46
20	<b>(b) Landscaping, Buffering, and Screening</b>		
21	(1)	All landscaping required for a special exception shall be	47
22		approved at the same time the special exception is	48
23		approved. A special exception shall comply with the	49
24		Landscape Manual through the approval of a landscape	50
25		plan. The District Council may require additional	51
26		landscaping, screening, or buffering if it determines that	52
27		the amount required by the Landscape Manual is	53
28		insufficient to adequately protect adjacent uses.	54

- (2) Amendments to landscaping, buffering, and screening required in a special exception shall be made in accordance with Section 27-3604(i), Changes to Approved Special Exception.

## **27-5402. Additional Requirements for Specific Special Exception Uses**

### **(a) Abrasives and Asbestos Products Manufacturing**

- (1) The manufacturing of abrasives and asbestos products may be permitted subject to the following:
- (A) All operations shall be confined to the interior of a wholly enclosed building;
  - (B) There shall be no outside storage of raw materials or finished products; and
  - (C) An impact statement shall be submitted explaining:
    - (i) The scope of the operation;
    - (ii) The provisions proposed for the safety of workers;
    - (iii) The pollution control measures to be taken; and
    - (iv) The compatibility of the use with the surrounding area.

### **(b) Accessory Building, Increase in Height**

- (1) In the AG, AR, RE, RR, RSF-95, RSF-65, and RSF-A zones, the height of an accessory building may be increased to provide living quarters on the second story for



1	household help employed on the premises, subject to	30	
2	the following:	31	
3	<b>(A)</b> The additional height and purpose for which it is	32	
4	to be used are reasonably necessary for the	33	
5	convenience of the family occupying the main	34	
6	building; and	35	
7	<b>(B)</b> The increase is to not more than two (2) stories	36	
8	but not more than twenty-five (25) feet.	37	
9	<b>(2)</b> In the AG, AR, RE, and RR zones, the height of accessory	38	
10	building used for bona fide agricultural purposes may be	39	
11	increased to forty (40) feet.	40	
12	<b>(3)</b> In the RMF-20 and RMF-48 zones, the height of an	41	
13	accessory building located within a multifamily project	42	
14	and used as an office in connection with the multifamily	43	
15	project may be increased, provided that:	44	
16	<b>(A)</b> The additional height is necessary;	45	
17	<b>(B)</b> The additional height is solely used in connection	46	
18	with the multifamily project; and	47	
19	<b>(C)</b> The increase is to not more than two (2) stories	48	
20	but not more than twenty-five (25) feet.	49	
21	<b>(c) Adaptive Reuse of Surplus Public School</b>	50	
22	<b>(1)</b> The adaptive reuse of a surplus public school may be	51	
23	permitted, subject to the following:	52	
24	<b>(A)</b> The proposed use is not already allowed in the	53	
25	zone;	54	
26	<b>(B)</b> The use is not prohibited in all zones;	55	
27	<b>(C)</b> During the processing of the special exception	56	
28	application, an existing public school building is	57	
29	located on the subject property, which has been,	58	
		59	
		60	
		61	
		62	
			or will be, conveyed by the Board of Education to
			Prince George's County, Maryland, and declared
			surplus. The property included with the building
			may be all or a part of the original school site;
			<b>(D)</b> The requirements for the location, size, and lot
			coverage of all structures, density, and green
			area which are specified for the zone in which the
			use is proposed shall not apply to existing
			structures or additions to existing buildings. The
			dimensions, percentages, and density shown on
			the approved site plan shall constitute the
			regulations for development under a given
			special exception;
			<b>(E)</b> One (1) freestanding building may be
			constructed on the subject property, provided a
			special exception for the new building's use is
			also made part of the special exception for the
			adaptive reuse of the existing public school
			building. The requirements as to height and
			setbacks that are specified for the zone in which
			the new building is proposed shall apply to the
			new freestanding building;
			<b>(F)</b> Off-street parking lots and loading areas shall be
			provided in accordance with the provisions of
			Section Sec. 27-6300, Off-Street Parking and
			Loading, applicable to the specific uses proposed
			and with the Landscape Manual;
			<b>(G)</b> (7) Business signs for commercial or industrial
			uses shall be permitted in accordance with the
			provisions of Section 27-61507(e), Construction
			Sign, applicable to Nonresidential zones. The
			location of any freestanding business sign shall
			be shown on the site plan;

1	<b>(H)</b> An impact statement shall be submitted	31	have distinctive architectural and environmental
2	explaining:	32	characteristics.
3	<b>(i)</b> The nature and scope of the use proposed;	33	<b>(2)</b> Use of Historic Sites under the provisions of this Section
4	<b>(ii)</b> The hours of operation of any proposed	34	are limited to:
5	nonresidential use;	35	<b>(A)</b> Single-family, two-family, three-family, or
6	<b>(iii)</b> The type and amount of traffic expected to be	36	multifamily dwellings; or
7	generated; and	37	<b>(B)</b> Uses in the Office Uses or Retail Sales and Service
8	<b>(iv)</b> The measures to be taken to assure compatibility	38	Uses use categories; and
9	with the surrounding area, particularly with	39	<b>(C)</b> The proposed use is not a use prohibited in all
10	regard to abutting properties;	40	zones.
11	<b>(I)</b> It shall be demonstrated to the satisfaction of the	41	<b>(3)</b> The approved special exception site plan for the
12	District Council that:	42	adaptive use shall be controlling with regard to net lot
13	<b>(i)</b> The proposed use is compatible with existing and	43	area, lot coverage, green area, lot frontage, yards,
14	planned development on adjacent properties	44	building height, distance between buildings, and
15	and within the neighborhood, and, when more	45	location, height, and use of accessory buildings.
16	than one (1) use is proposed, with each other;	46	<b>(4)</b> All proposals for the adaptive use of a Historic Site shall
17	<b>(ii)</b> Vehicular access to the subject property is	47	comply with the standards listed below.
18	appropriate and adequate, given the nature and	48	<b>(A) Lighting</b>
19	scope of the proposed use and the type and	49	<b>(i)</b> Lighting shall be subdued, consistent with the
20	amount of traffic expected to be generated; and	50	nature of the historic resource, and shall not
21	<b>(iii)</b> Any proposed residential use of the subject	51	shine or glare off the premises. Low-intensity
22	property will be buffered in accordance with the	52	seasonal or decorative lighting is permitted.
23	Landscape Manual.	53	<b>(B) Parking and surfacing</b>
24	<b>(d) Adaptive Use of a Historic Site</b>	54	<b>(i)</b> The design of parking lots shall minimize, to the
25	<b>(1)</b> For the purposes of this Section, the adaptive use of a	55	extent practicable, the impact of the parking
26	Historic Site is defined as the adaptation of a building	56	needs associated with the proposed adaptive
27	designated as a Historic Site by the Historic Preservation	57	use on the environmental setting and the
28	Commission for a use not allowed within the existing	58	surrounding neighborhood.
29	zone in order to encourage the preservation of buildings		
30	important to Prince George's County heritage or which		

1	(ii) Where deemed appropriate by the District Council, innovative paving techniques, such as dust-free, pervious surfaces, unusual textures, and configurations that minimize paved surfaces, may be required.	31	(ii) The topography of the subject property and abutting lots (for a depth of at least fifty (50) feet).
2		32	
3		33	
4		34	
5		35	(6) The applicant shall demonstrate to the satisfaction of the District Council that:
6	(5) Upon filing the special exception application, the applicant shall submit the following information:	36	(A) Any proposed multiple uses within the historic structure are compatible with each other;
7		37	(B) The proposed adaptive use will not change the existing character of the surrounding community by virtue of noise, lighting, unsightliness, parking, signs, traffic, or other impacts; and
8	(A) Evidence of Historic Preservation Commission approval of an established environmental setting for the proposed adaptive use;	38	(C) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important natural features in the established environmental setting.
9		39	
10		40	
11	(B) A written justification statement, including:	41	
12	(i) The nature and scope of the use proposed;	42	
13	(ii) The hours of operation; and	43	
14	(iii) The impact of traffic generated by the proposed use on local roadways, including the type, amount, and distribution of anticipated traffic, as well as the adequacy of proposed access points to the site, existing levels of service on surrounding roadways, and the peak hour service level at the nearest major intersection below the minimum adopted by the Planning Board in the "Guidelines for the Analysis of the Traffic Impact of Development Proposals," as may be amended from time to time;	44	
15		45	
16		46	<b>(e) Adult Day Care Center</b>
17		47	(1) An adult day care center may be permitted, subject to the following:
18		48	(A) The subject property shall be suitable for the type of facility proposed, taking into account the character of surrounding properties and the general neighborhood, and any other uses on the subject property;
19		49	(B) The subject property shall be of sufficient size to accommodate a facility of the scope proposed;
20	(C) In addition to the site plan requirements in Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall show the following:	50	(C) Vehicular access to the subject property shall be adequate, taking into account the scope of the facility, the type and amount of traffic expected to be generated, and the type, service level, and
21		51	
22		52	
23		53	
24		54	
25		55	
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27		57	
28		58	
29	(i) A delineation by metes and bounds of the established environmental setting; and	58	
30		59	

1	capacity of the streets along which the subject	30	approach zones fall, satisfactory evidence of
2	property has frontage; and	31	them shall be submitted with the application;
3	<b>(D)</b> A statement shall be submitted explaining:	32	<b>(D)</b> Structures shall be located at least one hundred
4	<b>(i)</b> The policies and goals of the center;	33	(100) feet from any boundary line of the subject
5	<b>(ii)</b> The characteristics and number of occupants to	34	property; and
6	be served;	35	<b>(E)</b> An airstrip or helistop shall contain no terminal,
7	<b>(iii)</b> The type of care and activities proposed;	36	storage, or repair/service facilities.
8	<b>(iv)</b> Operating methods and procedures proposed;	37	<b>(F)</b> An airport applicant shall demonstrate that the
9	<b>(v)</b> The type and amount of traffic expected to be	38	airport will not create conflicts on adjacent
10	generated; and	39	properties, pursuant to the Aviation Policy Area
11	<b>(vi)</b> Other appropriate aspects of the center's	40	regulations in Section 27-4402(b), Aviation Policy
12	operation.	41	Area Overlay (APA) Zones.
13	<b>(f) Airport, Airpark, Airfield, Airstrip, Heliport, helistop,</b>	42	<b>(2)</b> In addition to the requirements of Section 27-3604(c),
14	<b>private</b>	43	Special Exception Submittal Requirements, the site plan
15	<b>(1)</b> A private airport, airpark, airfield, airstrip, heliport,	44	shall show the location and height of all structures,
16	helistop, or similarly designed area for the landing and	45	trees, and overhead wires located within airport
17	taking off of aircraft may be permitted, subject to the	46	approach surfaces, as defined in Federal Aviation
18	following:	47	Regulations Part 77. The site plan shall also show such
19	<b>(A)</b> The land area proposed for the use shall be	48	things as the proposed topography, grading, drainage,
20	sufficient to meet the Federal Aviation	49	and water and sewerage facilities.
21	Administration's requirements for the class of		
22	facility proposed;	50	<b>(g) Amusement Park</b>
23	<b>(B)</b> There are no existing or proposed flight	51	<b>(1)</b> An amusement park may be permitted, subject to the
24	obstructions which are located outside the	52	following:
25	proposed facility and which fall within the	53	<b>(A)</b> The subject property shall contain at least
26	approach zone to any of the proposed runways	54	twenty-five (25) contiguous acres;
27	or landing strips;	55	<b>(B)</b> The applicant shall submit a traffic analysis
28	<b>(C)</b> If air rights or easements have been acquired	56	indicating the anticipated traffic expected to be
29	from the owners of adjacent properties in which	57	generated by the project, and its impact upon
		58	external streets and the on-site network of
		59	driveways. The site shall have frontage on, and

1	direct vehicular access to, a street with sufficient	34	
2	capacity to accommodate the expected traffic. If	35	
3	the street is not yet built, it shall be funded for	36	
4	completion prior to the issuance of any use and	37	
5	occupancy permits. The on-site network of	38	
6	driveways shall be of sufficient capacity to	39	
7	accommodate the traffic generated by the	40	
8	project;	41	<p><b>(E)</b> At least fifty percent (50%) of the site shall be devoted to open space;</p>
9	<b>(C)</b> Any parking lot, or place or structure used for	42	
10	exhibition, educational, entertainment, dining,	43	
11	recreational, or other purposes involving patron	44	
12	assembly, and any maintenance or service	45	
13	building shall be located at least one hundred	46	
14	(100) feet from any boundary line of the subject	47	
15	property, unless the District Council finds that	48	
16	these setbacks are unnecessary due to	49	
17	conditions in the area. If the place or structure is	50	
18	located within two hundred (200) feet of land in	51	
19	a Rural and Agricultural or Residential Zone, or	52	
20	land proposed to be used for residential	53	
21	purposes on an approved Basic Plan for the LCD	54	
22	Zone or any approved detailed site plan, there	55	
23	shall be no public entrance to it from the side	56	
24	facing the residential land;	57	<p><b>(F)</b> In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall set forth:</p>
25	<b>(D)</b> All perimeter areas of the site shall be buffered	58	
26	in accordance with the provisions of the	59	
27	Landscape Manual, and the applicant shall	60	
28	demonstrate that the proposed buffering will	61	
29	provide reasonable sight and sound barriers for	62	
30	all adjacent uses. If the buffers required by the		
31	Landscape Manual are determined to be		
32	inadequate, additional buffering may be		
33	required.		<p><b>(i)</b> The proposed topography at not more than five (5) foot contour intervals;</p> <p><b>(ii)</b> Existing and proposed drainage patterns;</p> <p><b>(iii)</b> Existing vegetative cover and other natural features; and</p> <p><b>(iv)</b> Provisions for storm water management and erosion and sediment control;</p> <p><b>(G)</b> The applicant shall provide sufficient proof to the District Council that:</p> <p><b>(i)</b> The proposed hours of operation and anticipated noise levels will not be detrimental to the use of adjacent properties; and</p> <p><b>(ii)</b> Features will be incorporated to adequately protect adjacent properties against obtrusive elements emanating from the project, such as noise, light, glare, waste, and air or water pollution.</p> <p><b>(h) Apartment Housing for Elderly or Physically Handicapped Families.</b></p> <p><b>(1)</b> Apartment housing and related facilities for elderly or physically handicapped families may be permitted within and on the property associated with an existing building, which was formerly used for a public school that has been declared surplus by the government</p>

1	entity which owns (owned) it (known as a surplus public	33			the premises will be solely occupied by elderly or
2	school building), subject to the following:	34			handicapped families for a fixed term of not less
3		35			than twenty (20) years. The covenants shall run
4	(A) In addition to the requirements of Section 27-	36			to the benefit of the Maryland-National Capital
5	3604(c), Special Exception Submittal	37			Park and Planning Commission;
6	Requirements, the site plan shall show the				
7	density, and the type and total number of	38		(B) In the RMF-20 and RMF-48 zones, the following	
	dwelling units proposed;	39		shall apply:	
8					
9	(B) The District Council shall find that the subject	40		(i) The owner shall be a private, nonprofit	
10	property is suitable for the type of development	41		organization;	
11	proposed, and is of sufficient size to properly	42			
12	accommodate the proposed number of dwelling	43		(ii) In addition to the requirements of Section 27-	
	units;	44		3604(c), Special Exception Submittal	
13				Requirements, the site plan shall show the	
14	(C) Recreational and social amenities for the	45		density, type, and total number of dwelling units	
15	residents may be provided, if shown on the site	46		proposed. The minimum net lot area may be	
	plan and approved by the District Council; and	47		reduced and density may exceed that normally	
16		48		permitted in the applicable zone, provided that:	
17	(D) The height, lot coverage, density, frontage, yard,				
18	and green area requirements, including	49		(aa) The net lot area shall not be less than fifty	
19	restrictions on the location and height of	50		percent (50%) of the minimum net lot area	
20	accessory buildings, as specified for the zone in	51		normally required in the zone; and	
21	which the use is proposed, shall not apply to uses	52			
22	or structures provided for in this Section. The	53		(bb) The density shall not be greater than twice	
23	dimensions, percentages, and density shown on			that normally allowed in the zone;	
24	the approved site plan shall constitute the	54			
25	regulations for development under a given	55		(C) In the CGO Zone, the following shall apply:	
	special exception.	56			
26					
27	(2) Apartment housing and related facilities for elderly or	57		(i) The subject property shall contain at least two	
28	physically handicapped families may be permitted	58		(2) contiguous acres, and shall not contain more	
29	within a building other than a surplus public school	59		than forty-eight (48) dwelling units per acre of	
	building, subject to the following:	60		net lot area. The density may be increased by	
30		61		one (1) unit per acre for each one thousand	
31	(A) The owner of the property shall record among	62		(1,000) square feet of indoor space available for	
32	the Land Records of Prince George's County a	63		common use by the residents for social,	
	Declaration of Covenants which establishes that			recreational, or educational purposes. The	
				indoor space shall be shown on the site plan;	

1	(ii)	Not less than fifty percent (50%) of the net lot	31	considered physically handicapped if he has a physical
2		area shall be devoted to green area; and	32	impairment which:
3	(iii)	The District Council shall find that existing	33	(A) Is expected to be of continued and indefinite
4		development and uses in the neighborhood	34	duration;
5		(particularly on adjacent properties) will not	35	(B) Substantially impedes the ability to live
6		adversely affect the proposed development;	36	independently; and
7	(D)	In the RR, RSF-95, and RSF-65 zones, the	37	(C) Is of a nature that the ability could be improved
8		following shall apply:	38	by more suitable housing conditions.
9	(i)	The requirements of paragraphs (A), (B), (C), and	39	
10		(D) of Subsection (1), above, shall be met; and		<b>(i) Asphalt Mixing Plant</b>
11	(ii)	The District Council shall find that the proposed	40	<b>(1)</b> An asphalt mixing plant (including the mixing of hot
12		use:	41	asphalt with aggregates, and the storage of materials)
13			42	may be permitted, subject to the criteria below.
14	(aa)	Will serve the needs of the elderly families	43	(A) Mixing plant components and other parts of the
15		or physically handicapped families; and	44	operation having the potential for generating
16	(bb)	Will not adversely affect the character of	45	adverse impacts (including cold feed systems,
17		the surrounding residential community. The	46	drying systems, mixing units, dust collection
18		District Council shall consider the lot size,	47	systems, asphalt circulation systems, asphalt
19		height of the building, lot coverage of all	48	storage tanks, hot mix storage bins, exhaust
20		buildings on the property, setbacks from	49	systems, material stock piles, and truck parking
21		surrounding properties, street frontage,	50	areas) shall be located at least three hundred
22		and sufficiency of green area when	51	(300) feet from the boundaries of the subject
23		determining the proposed development's	52	property adjoining any land in any Residential or
24		effect on surrounding residential	53	Commercial Zone (or land proposed to be used
25		communities.	54	for residential or commercial purposes in a
26	(3)	For the purposes of this Section, the term "elderly	55	Transit-Oriented/Activity Center or Planned
27		family" means a family which is included within age	56	Development zone) and one hundred (100) feet
28		restrictions in conformance with the Federal Fair	57	from the boundaries of the subject property
29		Housing Act and "physically handicapped family" means	58	adjoining any land in any Industrial Zone (or land
30		a family in which the head of the family, or his	59	proposed to be used for industrial purposes in
		dependent, is physically handicapped. A person shall be	60	Transit-Oriented/Activity Center or Planned
			61	Development Zone). Other fixed installations

1	(including automobile parking and office uses)	31	by the operation and shall identify the streets to
2	shall be located at least one hundred (100) feet	32	be used between the site and the nearest other
3	from the boundaries of the subject property	33	street (to be used) that has a minimum paved
4	adjoining any land in any Residential Zone (or	34	width of twenty-four (24) feet for the
5	land proposed to be used for residential	35	predominant length of the street.
6	purposes in a Transit-Oriented/Activity Center or	36	
7	Planned Development Zone).	37	<b>(D)</b> Driveways for ingress and egress shall be
8	<b>(B)</b> The site plan and information accompanying the	38	identified on the site plan, and shall be located
9	application for special exception shall be	39	so as to not endanger pedestrians or create
10	reproducible, or twelve (12) copies shall be	40	traffic hazards. The applicant shall identify the
11	submitted. In addition to the requirements of	41	dust-control measures to be used on the
12	Section 27-3604(c), Special Exception Submittal	42	driveways and the interior traffic circulation
13	Requirements, the site plan and accompanying	43	system. Any ingress or egress driveway shall have
14	information shall show:	44	a minimum width of twenty-two (22) feet, and
15	<b>(i)</b> The components of the mixing plant;	45	shall be paved for a distance of at least two
16	<b>(ii)</b> The daily capacity of the plant;	46	hundred (200) feet from the boundary line of the
17	<b>(iii)</b> The location of all natural material stockpiles;	47	special exception.
18	<b>(iv)</b> The methods of disposing of waste materials;	48	<b>(E)</b> All operations on site, including outdoor storage
19	<b>(v)</b> The internal traffic circulation system;	49	of machinery and equipment, shall be screened
20	<b>(vi)</b> The parking and storage areas for all vehicles and	50	from any adjoining land or street in accordance
21	equipment; and	51	with the provisions of the Landscape Manual.
22	<b>(vii)</b> The identification of the trucks and heavy	52	<b>(F)</b> All applications for special exception shall be
23	equipment to be used in the plant operation.	53	accompanied by the following:
24	<b>(C)</b> At least thirty (30) calendar days prior to the	54	<b>(i)</b> A stormwater concept plan approved pursuant
25	hearing before the Zoning Hearing Examiner, the	55	to Section 4-332 of this Code;
26	applicant shall file a traffic analysis with the	56	<b>(ii)</b> A preliminary noise assessment;
27	Zoning Hearing Examiner for inclusion with the	57	<b>(iii)</b> A preliminary air pollution assessment;
28	original application, and send a copy to the	58	<b>(iv)</b> A horizontal profile illustrating all structures and
29	Planning Board. The traffic analysis shall include	59	stockpiles; and
30	the volume of traffic expected to be generated	60	<b>(v)</b> A grading plan that illustrates existing and
			proposed topography.



1           **(2)** All information required as part of the Special Exception      32  
 2 application shall be referred to the Prince George's                   33  
 3 County Department of Public Works and                                   34  
 4 Transportation, Prince George's County Soil                               35  
 5 Conservation District, Washington Suburban Sanitary                   36  
 6 Commission, Prince George's County Department of                   37  
 7 Permitting, Inspections, and Enforcement, Maryland  
 8 State Highway Administration, Maryland State                         38  
 9 Department of Health and Mental Hygiene, and                         39  
 10 Maryland State Water Resources Administration for                   40  
 11 comment. These agencies shall be given forty-five (45)               41  
 12 calendar days to reply. A copy of the same information               42  
 13 shall also be submitted to the Prince George's County                 43  
 14 Sand and Gravel Advisory Committee.                                     44  
 15  
 16           **(3)** On land which is located within a Chesapeake Bay           45  
 17 Critical Area Overlay (CBCAO) Zone, development is                   46  
 18 subject to Subtitle 5B and the following additional                   47  
 19 requirements:   48  
 20           **(A)** No new asphalt mixing plant may be located in             49  
 21 the RCO Zone.   50  
 22           **(B)** On land which is located within the CBCAO Zone,           51  
 23 no new asphalt mixing plant shall be approved,                         52  
 24 and no such operation presently in existence or                         53  
 25 previously approved shall be permitted to                               54  
 26 continue or commence where any of the                                   55  
 27 following circumstances are present:   56  
 28           **(i)** Habitat Protection Areas have been or may be               57  
 29 designated on the subject property, in                                     58  
 30 accordance with criteria set forth in Subtitle 5B:                     59  
 31 Chesapeake Bay Critical Area, of this Code;

**(iii)** The use would result in the substantial loss of  
 long-range (twenty-five (25) years or more)  
 productivity of forest and agriculture, or would  
 result in a degrading of water quality; or  
  
**(iv)** The subject property contains highly erodible  
 soils.

**(j) Boardinghouse or Rooming House**

**(1)** A boardinghouse or rooming house may be permitted in  
 a single-family dwelling, subject to the following:  
  
**(A)** The special exception shall be valid for a period  
 of three (3) years. This period may be renewed if  
 the Council finds that the use will not constitute  
 a nuisance because of pedestrian or vehicular  
 traffic, noise, or the type of physical activity  
 involved.

**(k) Cement Manufacturing**

**(1)** Cement manufacturing may be permitted, subject to  
 the following:  
  
**(A)** An impact statement shall be submitted  
 explaining:  
**(i)** The scope of the operation;  
**(ii)** The pollution and dust control measures to be  
 taken; and  
**(iii)** The compatibility of the use with the  
 surrounding area.

**(l) Cemetery or Crematory**

A cemetery (including an animal cemetery) or a crematory may  
 be permitted, provided that the use shall not be located within

1	any proposed street or other public right-of-way,	30
2	notwithstanding Section 27-3617, Authorization of Permit	31
3	Within Proposed Right-of-Way (ROW).	32
4	<b>(m) Check Cashing Business</b>	33
5	<b>(1)</b> A check cashing business may be permitted, subject to	34
6	the following:	35
7	<b>(A)</b> Hours of operation shall be limited to the hours	36
8	of 9:00 a.m. to 8:00 p.m.,	37
9	<b>(B)</b> A schedule of fees/charges shall be posted and	38
10	immediately visible to persons upon entering the	39
11	Check Cashing Business. A copy of the fee	40
12	schedule shall also be made available to all	41
13	persons upon entrance to the Check Cashing	42
14	Business;	43
15	<b>(C)</b> No other business shall share floor space with	44
16	the Check Cashing Business;	45
17	<b>(D)</b> Security lighting and cameras shall be provided	46
18	on all open sides of the Check Cashing facility	47
19	providing surveillance of the area within 100 feet	48
20	from the exterior of the building;	49
21	<b>(E)</b> At least one (1) security employee (with no other	50
22	duties) must be on the premises when the Check	51
23	Cashing Business is open for business; and	52
24	<b>(F)</b> Cashiers must work behind bullet resistant glass.	53
25	<b>(n) Class 3 Fills</b>	54
26	<b>(1)</b> A Class 3 fill may be permitted as a temporary special	55
27	exception, subject to the following:	56
28	<b>(A)</b> Within one hundred and twenty (120) days after	57
29	an application for a Class 3 fill is accepted by the	58

Planning Board, the Zoning Hearing Examiner shall conduct a public hearing. The Zoning Hearing Examiner's written decision on an application shall be issued within thirty (30) days after the public hearing. Where the District Council makes the final decision, the Council's final order shall be issued within sixty (60) days of the Examiner's decision.

**(B)** Initially, a special exception for a new Class 3 fill shall be valid for five (5) years, unless the District Council grants some lesser time period. Extensions of specific periods may be granted not to exceed five (5) years. At least one calendar year prior to the expiration of a special exception for a Class 3 fill, a request for an extension shall be filed with the Zoning Hearing Examiner. The applicant shall also send a copy of the request, in accordance with the informational mailing requirements of Section 27-3403(f), Application Submittal and Notice, to all adjoining property owners and civic associations. The Examiner shall conduct a public hearing in accordance with all requirements and procedures for the initial application. The filing fee for the extension shall be one-half the amount of the fee for a new application.

**(C)** If a proposed Class 3 fill includes a rock crusher or other processing equipment, its location shall be shown on the site plan.

**(D)** A traffic report, prepared in accordance with the Planning Board's "Guidelines for the Analysis of the Traffic Impact of Development Proposals," shall be submitted with the application and shall

1	include an analysis of haul routes for the truck	33	road designed to accommodate no more than
2	traffic generated by the use.	34	twenty-five (25) trucks.
3	<b>(E)</b> The subject property shall not be located within	35	<b>(J)</b> The site entrance shall have a gate which is
4	a three (3) mile radius of properties containing	36	locked when the fill is not in operation. Hours
5	an active or pre-existing approved or non-	37	and days of operation shall be limited as part of
6	conforming Class 3 fill, sanitary landfill, transfer	38	the special exception review.
7	station, rubble fill, recycling facility, mining	39	<b>(K)</b> Site or operational personnel shall be on site
8	facility, sludge facility, processing facility, sand	40	during hours of operation.
9	and gravel operation, or wash plant.	41	<b>(L)</b> The site shall have proper signage showing the
10	<b>(F)</b> Fill operations shall not be located within five	42	name of the operator, the permit number, hours
11	hundred (500) feet of an existing residence,	43	of operation, telephone number of the operator,
12	school, day care center, place of worship,	44	as well as provide directional signs for internal
13	hospital, nursing home/assisted living facility or	45	truck traffic and haul routes. The site plan shall
14	community center.	46	also provide for final reclamation and
15	<b>(G)</b> A Class 3 fill shall meet the buffering and	47	stabilization of the site at the cessation of the fill
16	screening requirements of the Landscape	48	operation.
17	Manual, shall have a one hundred (100) foot non-	49	<b>(M)</b> The Department of Permitting, Inspections, and
18	disturbance buffer from all property lines, and	50	Enforcement shall conduct semi-annual site
19	shall include landscaping or berms sufficient to	51	inspections for Class 3 fill sites and prepare a
20	screen fill operations from adjoining property in	52	written report on the evaluation of the
21	a Rural and Agricultural or Residential zone,	53	operations on the site, which shall include all
22	property containing a use listed in Subsection (F),	54	indications of noncompliance with all County and
23	above, and public streets or highways. All berms	55	State regulations. A copy of the report shall be
24	and landscaping shall be installed in the initial	56	provided to the County Council and shall also be
25	phase of development, before fill is placed on	57	available for review by the public.
26	site.	58	<b>(N)</b> A haul road permit shall be obtained from the
27	<b>(H)</b> The height limitations for the fill operation shall	59	County Department of Permitting, Inspections,
28	be determined during special exception review.	60	and Enforcement prior to issuance of any grading
29	No slope grade may exceed 3:1.	61	or building permits related to proposed Class 3
30	<b>(I)</b> The fill operation shall have a staging area with	62	fill sites.
31	equipment for cleaning truck wheels and a	63	<b>(O)</b> A street construction permit shall be obtained
32	minimum twenty-two (22) foot paved access	64	from the County Department of Permitting,

1	Inspections, and Enforcement prior to issuance	31
2	of any grading or building permits related to	32
3	proposed Class 3 fill sites.	33
4	<b>(o) Combination Retail Uses</b>	34
5	<b>(1)</b> (a) Combination retail uses permitted in the use tables	35
6	by special exception shall be subject to the following	36
7	requirements:	37
8	<b>(A)</b> The site shall have frontage on and direct	38
9	vehicular access to an existing arterial roadway,	39
10	with no access to primary or secondary streets.	40
11	<b>(B)</b> The applicant shall demonstrate that local	41
12	streets surrounding the site are adequate to	42
13	accommodate the anticipated increase in traffic.	43
14	<b>(C)</b> The site shall contain pedestrian walkways within	44
15	the parking lot to promote safety.	45
16	<b>(D)</b> The design of the parking and loading facilities	46
17	shall ensure that commercial and customer	47
18	traffic will be sufficiently separated and shall	48
19	provide a separate customer loading area at the	49
20	front of the store.	50
21	<b>(E)</b> All buildings, structures, off-street parking	51
22	compounds, and loading areas shall be located at	52
23	least:	53
24	<b>(i)</b> One hundred (100) feet from any adjoining land	54
25	in a Rural and Agricultural or Residential Zone;	55
26	and	56
27	<b>(ii)</b> (B) Fifty (50) feet from all other adjoining	57
28	property lines and street lines.	58
29	<b>(F)</b> All perimeter areas of the site shall be buffered	59
30	or screened, as required by the Landscape	60

Manual; however, the Council may require additional buffering and screening if deemed necessary to protect surrounding properties.

**(G)** The building entrance and nearby sidewalks shall be enhanced with a combination of special paving, landscaping, raised planters, benches and special light fixtures.

**(H)** The application shall include a comprehensive sign package and a comprehensive exterior lighting plan.

**(I)** The applicant shall use exterior architectural features to enhance the site's architectural compatibility with surrounding commercial and residential areas.

**(J)** Not less than thirty percent (30%) of the site shall be devoted to green area.

**(K)** No storage or shipping containers shall be permitted on the parking lot or other outdoor location, unless such use is approved via a detailed site plan approval process; all such storage or shipping containers shall be screened, and located within the loading area for the use.

**(p) Commercial Recreational Attraction**

**(1) Purpose of Section:**

**(A)** To promote the health, safety, and welfare of the citizens of Prince George's County by providing standards under which major projects dedicated to entertainment, amusement, recreation, culture, education, and history may be developed;

1	<b>(B)</b> To promote tourism within Prince George's	31	
2	County, the State of Maryland, and the	32	
3	Washington Metropolitan Area;	33	
4	<b>(C)</b> To encourage high quality entertainment	34	
5	facilities to be provided in Prince George's	35	
6	County;	36	
7	<b>(D)</b> To afford reasonable flexibility in the design of	37	
8	these projects;	38	
9	<b>(E)</b> To assure that these attractions will be located in	39	
10	areas with adequate street access;	40	
11	<b>(F)</b> To assure that these projects will be compatible	41	
12	with surrounding areas through the effective use	42	
13	of development controls, such as screening,	43	
14	landscaping, open spaces, and the staging of	44	
15	development;	45	
16	<b>(G)</b> To assure that the projects are developed in an	46	
17	orderly and attractive manner;	47	
18	<b>(H)</b> To assure that public facilities are adequate to	48	
19	service the projects; and	49	
20	<b>(I)</b> To avoid scattered and unbalanced development	50	
21	of commercial recreational attractions at less	51	
22	desirable locations and without adequate	52	
23	controls.	53	
24	<b>(2)</b> Commercial recreational attractions may be permitted,	54	
25	subject to the following criteria:	55	
26	<b>(A) Standards</b>	56	
27	<b>(i)</b> The subject property shall have an area of at	57	
28	least two hundred fifty (250) contiguous acres.	58	
29	Notwithstanding the above, as long as there are	59	
30	one hundred (100) contiguous acres remaining	60	
		61	
		62	
		63	
			under an approved special exception, the use
			may continue to operate pursuant to the
			approved special exception regardless of the
			ownership or zoning of the property. For the
			purpose of this Section, land separated by any
			rights-of-way or easements shall be considered
			contiguous;
		<b>(ii)</b>	The property shall have frontage on, and direct
			vehicular access to, a street with sufficient
			capacity to accommodate the traffic generated
			by the project. If the street is one which is not
			yet built, the street must be funded for
			completion prior to the issuance of a use and
			occupancy permit. The applicant shall submit a
			traffic analysis indicating the anticipated traffic
			volume expected to be generated by the project,
			and the impact of the traffic upon external
			streets and the on-site network of driveways;
		<b>(iii)</b>	Any place or structure used for exhibition,
			education, entertainment, dining, recreation, or
			other purpose involving patron assembly, and
			any maintenance or service building shall be
			located at least one hundred (100) feet from
			adjoining land in any Rural and Agricultural or
			Residential Zone, or land proposed to be used for
			residential purposes on an approved Basic Plan
			for the LCD Zone or any approved detailed site
			plan, fifty (50) feet from adjoining land in any
			other zone, and twenty-five (25) feet from any
			abutting street, unless the District Council finds
			that, due to conditions in the area, these
			setbacks are unnecessary and the buffer yard
			requirement in the Landscape Manual would be

- 1 sufficient. If the structure or place is located 34  
2 within two hundred (200) feet of land in any 35  
3 Rural and Agricultural or Residential Zone, or 36  
4 land proposed to be used for residential 37  
5 purposes in a Transit-Oriented/Activity Center or  
6 Planned Development zone, there shall be no 38  
7 public entrance to it from the side facing the 39  
8 residential land. Notwithstanding the above, 40  
9 when a portion of a property subject to the 41  
10 special exception site plan (or detailed site plan) 42  
11 is rezoned to any residential zone, or land 43  
12 proposed to be used for residential purposes on 44  
13 an approved Basic Plan for the LCD Zone or any 45  
14 approved detailed site plan, any improvement, 46  
15 use, or structure already constructed or shown 47  
16 on the detailed site plan may continue in 48  
17 operation or be constructed as shown on the site 49  
18 plan; 50  
19 **(iv)** Areas reserved for the display of animals in their 51  
20 natural or similar environment shall be enclosed 52  
21 by two (2) fences. The innermost fence shall be 53  
22 located at least thirty (30) feet from adjoining 54  
23 land in a Rural and Agricultural or Residential 55  
24 Zone, or land proposed to be used for residential 56  
25 purposes in a Transit-Oriented/Activity Center or  
26 Planned Development zone; 57  
27 **(v)** All perimeter areas shall be landscaped and 58  
28 buffered in accordance with the provisions of the 59  
29 Landscape Manual. The applicant shall 60  
30 demonstrate that the proposed perimeter 61  
31 buffering will provide a reasonable sound barrier 62  
32 for all adjacent uses. If the buffer required by the 63  
33 Landscape Manual is determined to be 64  
65
- inadequate, additional buffering may be required.
- (vi)** At least fifty percent (50%) of the site shall be devoted to open space; and
- (vii)** The regulations restricting the height and lot coverage of buildings and structures, and the location and height of accessory buildings (specified in the zone in which the commercial recreational attraction is to be located), shall not apply to uses or structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development under a given special exception.
- (B) Parking**
- (i)** The number of parking spaces required shall be determined by the District Council and shall be based upon the uses shown on the proposed site plan. All of the parking spaces required shall be located entirely on the site. The number of spaces provided may be modified by the Council as more experience with a particular project is gained; and
- (ii)** Any off-street parking area shall be located at least one hundred (100) feet from any adjoining land in a Rural and Agricultural or Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for the LCD Zone or any approved detailed site plan, and at least twenty-five (25) feet from any other adjoining land or street. Notwithstanding the above, when a portion of a property subject to

1	the special exception site plan is rezoned to any	32	without restrictions, except for those restrictions
2	Rural and Agricultural or Residential zone, or	33	on identification signs provided for above.
3	land proposed to be used for residential	34	<b>(D) Uses</b>
4	purposes on an approved Basic Plan for the LCD	35	<b>(i)</b> The District Council may permit any of the
5	Zone or any approved detailed site plan, any off-	36	following uses:
6	street parking area already constructed or	37	<b>(aa)</b> Entertainment facilities;
7	shown on the detailed site plan may continue or	38	<b>(bb)</b> Theaters (excluding drive-in theaters),
8	be constructed as shown on the site plan.	39	amphitheaters, and band shells;
9	<b>(C) Signs</b>	40	<b>(cc)</b> Music playing, entertainment, and dancing;
10	<b>(i)</b> (A) Notwithstanding the provisions of Section	41	<b>(dd)</b> The housing, care, or exhibition of wild and
11	Sec. 27-61500, Signage, one (1) sign, which may	42	domestic animals, birds, reptiles, and other
12	be freestanding, may be located at each	43	forms of wildlife;
13	entrance to the project in order to identify the	44	<b>(ee)</b> Amusement rides;
14	facility. The sign shall:	45	<b>(ff)</b> Theme areas;
15	<b>(aa)</b> Be not more than fifty (50) feet high	46	<b>(gg)</b> Playgrounds and picnic areas;
16	(measured from the ground to the top of	47	<b>(hh)</b> Historic, fictional, or other dramatizations;
17	the sign);	48	<b>(ii)</b> Simulated natural phenomena, such as
18	<b>(bb)</b> Not have moving parts, or flashing or other	49	volcanoes, caves, mountains, and
19	intermittent illumination;	50	waterfalls;
20	<b>(cc)</b> Not shine, reflect, or glare upon any	51	<b>(jj)</b> Simulated towns and villages;
21	adjacent residential property or into the	52	<b>(kk)</b> Participatory land and water activities such
22	path of any motor vehicle; and	53	as swimming or other immersion in water;
23	<b>(dd)</b> Be located at least twenty-five (25) feet	54	<b>(ll)</b> Seasonal activities, such as tennis, golf, ice
24	from the street line;	55	skating, tobogganing, bobsledding, and
25	<b>(ii)</b> Notwithstanding the provisions of Section Sec.	56	skiing;
26	27-61500, Signage, the District Council may	57	<b>(mm)</b> Amusement arcades and fun
27	disapprove any sign visible from off the subject	58	houses;
28	property which it finds will be detrimental to the		
29	use or development of adjoining properties or		
30	the general neighborhood. Signs not visible from		
31	off the subject property shall be permitted		

1	<b>(nn)</b> Transportation facilities, including those	29	<b>(aa)</b> Recreational or entertainment
2	facilities used for viewing or amusement;	30	establishments such as baseball, basketball,
3	<b>(oo)</b> Man-made rivers, streams, ponds, pools,	31	ice hockey, lacrosse, football, soccer, or
4	lakes, and bridges;	32	boxing stadiums or arenas, racetracks, drag
5	<b>(pp)</b> Retail stores or demonstration of arts and	33	strips, or drive-in theaters; and
6	crafts;	34	<b>(bb)</b> Uses which would adversely affect the
7	<b>(qq)</b> Eating and drinking establishments;	35	health or safety of residents or workers in
8	<b>(rr)</b> Banks and ticket booths;	36	the area, or be detrimental to the use or
9	<b>(ss)</b> Rest rooms and buildings used for fire	37	development of adjacent properties or the
10	protection, security, maintenance, storage,	38	neighborhood in general.
11	and administration;	39	<b>(iii)</b> For the purposes of this Section, a "theme area"
12	<b>(tt)</b> Medical treatment facilities;	40	is defined as a group of varied, but interrelated,
13	<b>(uu)</b> Art galleries and artisan areas;	41	uses with a common theme.
14	<b>(vv)</b> One (1) gas station solely for the	42	<b>(E) Times of Operation</b>
15	accommodation of patrons and workers on	43	<b>(i)</b> Commercial recreational attractions may remain
16	the site, provided that it is not visible from	44	open for such periods during the year as are
17	off of the site;	45	economically feasible. The ability to continue the
18	<b>(ww)</b> Hotels, motels, and recreational	46	use shall not be jeopardized by seasonal closings
19	campgrounds (subject to the requirements	47	or closings for repair or renovation, provided the
20	of Section 27-5402(ccc), Recreational	48	closing does not exceed a period of three (3)
21	Campground, except Subsection 27-	49	consecutive years. A project shall be deemed
22	5402(ccc)(1)(F);	50	open when it is serving the general public.
23	<b>(xx)</b> Facilities for business meetings,	51	<b>(F) Site Plan and Other Submission Requirements</b>
24	conferences, and conventions; and	52	<b>(i)</b> The site plan submitted with the application shall
25	<b>(yy)</b> Other uses which are similar to any of the	53	contain the following information (in lieu of what
26	above, or any other use compatible with the	54	is required by Section 27-3604(c), Special
27	provisions and purposes of this Section.	55	Exception Submittal Requirements):
28	<b>(ii)</b> The following uses are prohibited:	56	<b>(aa)</b> A general description of the project and the
		57	proposed use;



1	<b>(bb)</b> The existing and proposed traffic circulation	31
2	system; and	32
3	<b>(cc)</b> The general location, size, and height of all	33
4	buildings and structures, including rides and	34
5	animal enclosures, signs, and lighting.	35
6	<b>(ii)</b> The applicant shall provide sufficient proof to the	36
7	District Council that:	37
8	<b>(aa)</b> The proposed hours of operation and	38
9	anticipated noise levels will not be	39
10	detrimental to the use of adjacent	40
11	properties; and	41
12	<b>(bb)</b> Features will be incorporated to adequately	42
13	protect adjacent properties against	43
14	obtrusive elements which may emanate	44
15	from the project.	45
16	<b>(iii)</b> The District Council may require additional data	46
17	or plans to assist it in evaluating the application.	47
18	<b>(G) Criteria for Approval</b>	48
19	<b>(i)</b> In addition to other criteria for approval of	49
20	special exceptions, the Council shall be guided by	50
21	how well the proposed project meets the	51
22	purposes of this Section.	52
23	<b>(H) Addition of Land</b>	53
24	<b>(i)</b> After the approval of a special exception, any	54
25	addition of land to the commercial recreational	55
26	attraction shall be the subject of a new special	56
27	exception application. The site plan	57
28	accompanying the new application shall fully	58
29	demonstrate the relationship of development	59
30	shown on both the new and originally approved	60
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site plans. The additional land shall be contiguous to an approved commercial recreational attraction, and may be less than two hundred fifty (250) acres.

**(I) Amendment of Site Plan**

**(i)** Notwithstanding other provisions of this Subtitle concerning the revision of site plans, requests to amend a site plan (formerly a concept plan for a commercial recreational attraction) shall only be approved by the District Council, and in accordance with this Subsection. Situations occurring as described in Sections 27-3605(d)(11)(A), and 27-3604(d)(11)(C), Effect of Rezoning On Approved Special Exception, of this Subtitle do not require an amendment of a previously approved site plan.

**(ii)** Requests to amend the approved site plan shall be filed concurrently with the Clerk of the Council and the office of the Planning Board. After receipt of the request by the Clerk, the Office of the Zoning Hearing Examiner shall schedule a public hearing, which shall occur not less than sixty (60), nor more than one hundred twenty (120), days after receipt of the request. The request shall be reviewed by the Technical Staff, taking into consideration the requirements of this Subtitle. The Technical Staff shall submit its recommendations to the Zoning Hearing Examiner at least two (2) working days before the date of the public hearing. The public hearing shall be conducted by the Zoning Hearing Examiner, at which time the applicant, Planning Board, Technical Staff, and members of the

1	public may comment on the proposed	32	Planning Board (or its designee), in accordance
2	amendments. The hearing shall be conducted in	33	with Section 27-3605, Detailed Site Plan.
3	accordance with Section 27-3412, Evidentiary	34	
4	Hearing. The property shall be posted with a sign	35	(K) Special Exceptions granted by the District Council
5	in the same manner as required for original	36	for commercial recreational attractions prior to
6	applications. After the close of the hearing	37	July 1, 1975, shall be considered conforming uses
7	record, the Zoning Hearing Examiner shall file a	38	in the same manner as if approved by the District
8	written recommendation with the District	39	Council in accordance with the provisions of this
9	Council.	40	Section. Any plan of development (now called a
10	(iii) Any person of record may appeal the	41	site plan), which was approved prior to October
11	recommendation of the Zoning Hearing	42	1, 1981, for development pursuant to an
12	Examiner within fifteen (15) days of the filing of	43	approved Special Exception for a commercial
13	the Zoning Hearing Examiner's recommendation	44	recreational attraction shall also fulfill the
14	with the District Council. If appealed, all persons	45	requirements of this Section for approval of a site
15	of record may testify before the District Council.		plan (formerly concept plan).
16	Persons arguing shall adhere to the District	46	
17	Council's Rules of Procedure, and argument shall	47	(q) <b>Commercial Recreational Facilities (Privately</b>
18	be limited to thirty (30) minutes for each side,	48	<b>Owned) on Land Leased From a Public Agency</b>
19	and to the record of the hearing.	49	(1) Privately owned recreational facilities, operating on a
20	(iv) If the District Council determines that the	50	commercial basis on land leased from a public agency,
21	amendments are in accordance with the	51	may be permitted, subject to the following:
22	purposes and standards of this Section and the	52	(A) No building or other structure shall be located
23	requirements of Section 27-3604(e), Required	53	within fifty (50) feet of any abutting lot or street
24	Findings, it may approve the amended site plan.		line;
25	The approved amended site plan shall become	54	(B) The District Council may require additional
26	the official site plan, as if it had been approved	55	setbacks, landscaping, screening, or other
27	as a part of the original application for a special	56	conditions it deems reasonable in order to
28	exception.	57	protect adjacent properties or for public safety;
		58	and
29	(J) <b>Detailed Site Plan</b>	59	(C) Prior to consideration by the District Council, the
30	(i) A detailed site plan (or an amendment thereof)	60	site plan shall be referred to, and approved by,
31	shall be submitted to, and approved by, the	61	the public agency which owns the subject
		62	property.

1	<b>(r) Concrete Batching Plant</b>	34	<b>(B)</b> The site plan and information accompanying the application for special exception shall be reproducible, or twelve (12) copies shall be submitted. In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan and accompanying information shall show:
2	<b>(1)</b> A concrete batching plant (including the batching and	35	
3	mixing of cement with sand, aggregates, and water; the	36	
4	storage of natural materials; and the mixing of materials	37	
5	in trucks) may be permitted, subject to the criteria,	38	
6	below.	39	
7	<b>(A)</b> Mixing plant components and other parts of the	40	
8	operation having the potential for generating	41	<b>(i)</b> The components of the mixing plant;
9	adverse impacts (including conveying systems,	42	<b>(ii)</b> The daily capacity of the plant;
10	concrete mixers, weighing hoppers, batching	43	<b>(iii)</b> The location of all natural material stockpiles;
11	equipment, aggregate bins, truck mixing areas,	44	<b>(iv)</b> The settling ponds, if any;
12	truck wash-out facilities, and truck parking areas)	45	<b>(v)</b> The source of water to be used in the operation;
13	shall be located at least three hundred (300) feet	46	<b>(vi)</b> Truck wash-out facilities, if any;
14	from the boundary lines of the subject property	47	<b>(vii)</b> The methods of disposing of waste materials;
15	adjoining any land in any Rural and Agricultural,	48	<b>(viii)</b> The internal traffic circulation system;
16	Residential, or Commercial Zone (or land	49	<b>(ix)</b> The truck mixing areas;
17	proposed to be used for residential or	50	<b>(x)</b> The parking and storage areas for all vehicles and
18	commercial purposes in a Transit-	51	equipment; and
19	Oriented/Activity Center or Planned	52	<b>(xi)</b> The identification of the trucks and heavy
20	Development zone), and one hundred (100) feet	53	equipment to be used in the plant operation.
21	from the boundaries of the subject property	54	<b>(C)</b> At least thirty (30) calendar days prior to the
22	adjoining any land in any Industrial Zone (or land	55	hearing before the Zoning Hearing Examiner, the
23	proposed to be used for industrial purposes in a	56	applicant shall file a traffic analysis with the
24	Transit-Oriented/Activity Center or Planned	57	Zoning Hearing Examiner for inclusion with the
25	Development zone). Other fixed installations	58	original application, and send a copy to the
26	(including automobile parking, settling ponds,	59	Planning Board. The traffic analysis shall include
27	and office uses) shall be located at least one	60	the volume of traffic expected to be generated
28	hundred (100) feet from the boundaries of the	61	by the operation and shall identify the streets to
29	subject property adjoining any land in any Rural	62	be used between the site and the nearest other
30	and Agricultural or Residential Zone (or land		
31	proposed to be used for residential purposes in a		
32	Transit-Oriented/Activity Center or Planned		
33	Development zone).		

1 street (to be used) that has a minimum paved 32  
2 width of twenty-four (24) feet for its 33  
3 predominant length. 34  
4 **(D)** Driveways for ingress and egress shall be 35  
5 identified on the site plan, and shall be located 36  
6 so as to not endanger pedestrians or create 37  
7 traffic hazards. The applicant shall identify the 38  
8 dust-control measures to be used on the 39  
9 driveways and the interior traffic circulation 40  
10 system. Any ingress or egress driveway shall have 41  
11 a minimum width of twenty-two (22) feet, and 42  
12 shall be paved for a distance of at least two 43  
13 hundred (200) feet from the boundary line of the 44  
14 special exception. 45  
15 **(E)** In addition to the requirements of Section 27- 46  
16 3604(c), Special Exception Submittal 47  
17 Requirements, all applications shall be 48  
18 accompanied by the following: 49  
19 **(i)** A stormwater concept plan approved pursuant 50  
20 to Section 4-322 of this Code; 51  
21 **(ii)** A preliminary noise assessment; 52  
22 **(iii)** A horizontal profile illustrating all structures and 53  
23 stockpiles; and 54  
24 **(iv)** A grading plan that illustrates existing and 55  
25 proposed topography. 56  
26 **(2)** All information required as part of the special exception 57  
27 application shall be referred to the Prince George's 58  
28 County Department of Public Works and 59  
29 Transportation, Prince George's County Soil 60  
30 Conservation District, Washington Suburban Sanitary 61  
31 Commission, Prince George's County Department of 62  
63

Permitting, Inspections, and Enforcement, Maryland State Highway Administration, Maryland State Department of Health and Mental Hygiene, and Maryland State Water Resources Administration for comment. These agencies shall be given forty-five (45) calendar days to reply. A copy of the same information shall also be submitted to the Prince George's County Sand and Gravel Advisory Committee.

**(3)** On land which is located within a Chesapeake Bay Critical Area Overlay (CBCAO) Zone, development is subject to Subtitle 5B: Chesapeake Bay Critical Area, of this Code. No new concrete batching plant may be located in the RCO Zone.

**(s) Concrete Recycling Facility**

**(1)** A concrete recycling facility may be permitted, subject to the criteria below.

**(A)** Concrete recycling facility components and other parts of the operation having the potential for generating adverse noise, dust, or vibration impacts shall be located at least three hundred (300) feet from the boundary lines of the subject property adjoining any land in any Rural and Agricultural, Residential, or Commercial Zone (or land proposed to be used for residential or commercial purposes in a Transit-Oriented/Activity Center or Planned Development zone), and one hundred (100) feet from the boundaries of the subject property adjoining any land in any Industrial Zone (or land proposed to be used for industrial purposes in a Transit-Oriented/Activity Center or Planned Development zone). Other fixed installations

1	(including automobile parking, settling ponds,	29		
2	and office uses) shall be located at least one	30		
3	hundred (100) feet from the boundaries of the	31		
4	subject property adjoining any land in any Rural	32		
5	and Agricultural or Residential Zone (or land	33		
6	proposed to be used for residential purposes in a	34		
7	Transit-Oriented/Activity Center or Planned	35		
8	Development zone).	36		
9	<b>(B)</b> The site plan and information accompanying the	37		<b>(C)</b> Driveways for ingress and egress shall be
10	application for special exception shall be	38		identified on the site plan, and shall be located
11	reproducible, or twelve (12) copies shall be	39		so as to not endanger pedestrians or create
12	submitted. In addition to the requirements of	40		traffic hazards. The applicant shall identify the
13	Section 27-3604(c), Special Exception Submittal	41		dust-control measures to be used on the
14	Requirements, the site plan and accompanying	42		driveways and the interior traffic circulation
15	information shall show:	43		system. Any ingress or egress driveway shall have
16	<b>(i)</b> The components of the concrete recycling	44		a minimum width of twenty-two (22) feet, and
17	facility;	45		shall be paved for a distance of at least two
18	<b>(ii)</b> The daily capacity of the facility;	46		hundred (200) feet from the boundary line of the
19	<b>(iii)</b> The location of all material stockpiles;	47		special exception.
20	<b>(iv)</b> The settling ponds, if any;	48		<b>(D)</b> In addition to the requirements of Section 27-
21	<b>(v)</b> The source of water to be used in the operation;	49		3604(c), Special Exception Submittal
22	<b>(vi)</b> Truck wash-out facilities, if any;	50		Requirements, all applications shall be
23	<b>(vii)</b> The methods of disposing of waste materials;	51		accompanied by the following:
24	<b>(viii)</b> The internal traffic circulation system;	52		<b>(i)</b> A stormwater concept plan approved pursuant
25	<b>(ix)</b> The parking and storage areas for all vehicles and	53		to Section 4-322 of this Code;
26	equipment; and	54		<b>(ii)</b> A preliminary noise assessment;
27	<b>(x)</b> The identification of the trucks and heavy	55		<b>(iii)</b> A horizontal profile illustrating all structures and
28	equipment to be used in the facility operation.	56		stockpiles; and
		57		<b>(iv)</b> A grading plan that illustrates existing and
		58		proposed topography.
		59		<b>(v)</b> A traffic analysis which includes the volume of
				traffic expected to be generated by the
				operation and identifies the streets to be used
				between the site and the nearest other street (to
				be used) that has a minimum paved width of
				twenty-four (24) feet for its predominant length.
				<b>(2)</b> All information required as part of the special exception
				application shall be referred to the Prince George's
				County Department of Public Works and

1	Transportation, Prince George's County Soil	32
2	Conservation District, Washington Suburban Sanitary	33
3	Commission, Prince George's County Department of	34
4	Permitting, Inspections, and Enforcement, Maryland	35
5	State Highway Administration, Maryland State	36
6	Department of Health and Mental Hygiene, and	37
7	Maryland State Water Resources Administration for	38
8	comment. These agencies shall be given forty-five (45)	39
9	calendar days to reply. A copy of the same information	40
10	shall also be submitted to the Prince George's County	41
11	Sand and Gravel Advisory Committee.	
12	<b>(3)</b> On land which is located within a Chesapeake Bay	42
13	Critical Area Overlay (CBCAO) Zone, wash plants,	43
14	including ponds, spoil sites, and equipment are	44
15	prohibited within the Buffer, as defined in Subtitle 5B:	45
16	Chesapeake Bay Critical Area, of this Code. No new	46
17	concrete recycling facility shall be approved, and no	47
18	such operation presently in existence or previously	48
19	approved shall be permitted to continue or commence	49
20	where any of the following circumstances are present:	50
21	<b>(A)</b> Habitat protection areas have been or may be	51
22	designated on the subject property, in	
23	accordance with criteria set forth in Subtitle 5B;	52
24	<b>(B)</b> The use is located within the Buffer, as defined in	53
25	Subtitle 5B;	54
26	<b>(C)</b> The use would result in the substantial loss of	55
27	long-range (twenty-five (25) years or more)	56
28	productivity of forest and agriculture, or would	57
29	result in a degrading of water quality; or	
30	<b>(D)</b> The subject property contains highly erodible	58
31	soils.	59

**(t) Congregate Living Facility**

- (1)** A congregate living facility for more than eight (8) elderly or physically handicapped residents may be permitted, subject to the following:
  - (A)** There is a demonstrated need for the facility;
  - (B)** The facility is in compliance with the physical requirements of Subtitle 12: Health, Division 7, of this Code, and shall be operated in accordance with the licensing and other requirements of that Subtitle; and
  - (C)** There shall be a separate bedroom of a minimum of one hundred (100) square feet for each resident, or a separate bedroom of a minimum of one hundred and sixty (160) square feet for every two residents, or any combination of the above, so as to satisfy the accommodations requirements of the "Regulations for Congregate Living Facilities" (required by Section 12-173(d) of this Code), for the maximum number of permitted residents.

**(u) Consolidated Storage**

- (1)** Consolidated storage may be permitted, subject to the following:
  - (A)** The application shall be accompanied by:
    - (i)** An impact statement explaining:
      - (aa)** The nature and scope of the operation; and
      - (bb)** The type and amount of traffic expected to be generated;

1	<b>(ii)</b> A description (graphic and narrative) of the	32	reflected in paragraph (F), above, need not meet
2	proposed architectural facade of the building.	33	the provisions set forth in paragraphs (F) and (G),
3	<b>(B)</b> The subject property shall have frontage on, and	34	above.
4	direct vehicular access to, an existing street with	35	<b>(2)</b> In addition to what is required by Section 27-3604(c),
5	sufficient capacity to accommodate the type and	36	Special Exception Submittal Requirements, the site plan
6	amount of traffic expected to be generated by	37	shall show the topography of the subject lot and
7	the use;	38	abutting lots (for a depth of at least fifty (50) feet).
8	<b>(C)</b> The use shall be appropriate, given the nature of	39	<b>(v) Conversion of a Single-Family Detached Dwelling</b>
9	development in the neighborhood;	40	The conversion of a single-family detached dwelling to include a
10	<b>(D)</b> The District Council shall find that:	41	maximum of two (2) additional dwelling units in the same
11	<b>(i)</b> There is a need for the public in the surrounding	42	building may be permitted.
12	area;	43	<b>(w) Country Inn</b>
13	<b>(E)</b> The exterior and architectural facade of the	44	<b>(1)</b> A privately operated country inn may be permitted,
14	building shall be compatible with the prevailing	45	subject to the following:
15	architecture and appearance of other	46	<b>(A)</b> The application shall indicate the type of inn
16	development in the surrounding neighborhood;	47	proposed (lodging, food service, or both), and
17	<b>(F)</b> Beginning June 23, 1988, no entrances to	48	shall be accompanied by a description (either
18	individual consolidated storage units shall be	49	graphic or narrative) of the proposed
19	visible from a street or from adjoining land in any	50	architectural design of the inn;
20	Rural and Agricultural, Residential, or	51	<b>(B)</b> Each proposed accessory use shall be identified,
21	Commercial Zone (or land proposed to be used	52	and the maximum square footage to be allocated
22	for residential or commercial purposes on an	53	to each use shall be indicated on the site plan
23	approved Basic Plan for the LCD Zone or any	54	submitted with the application. Accessory uses
24	approved detailed site plan);	55	shall be limited to the following:
25	<b>(G)</b> Entrances to individual consolidated storage	56	<b>(i)</b> Antique shop;
26	units shall be either oriented toward the interior	57	<b>(ii)</b> Gift, Christmas, book, candle, and similar
27	of the development or completely screened from	58	specialty shops;
28	view by a solid wall, with landscaping along the	59	<b>(iii)</b> Bakery;
29	outside thereof; and		
30	<b>(H)</b> Consolidated storage for which special		
31	exceptions were approved prior to the date		

1	<b>(iv)</b> Arts and crafts demonstrations and exhibits,	29
2	including the sale of products;	30
3	<b>(v)</b> Sale of packaged or canned food products	31
4	special to the establishment;	32
5	<b>(vi)</b> Museums and cultural exhibits;	33
6	<b>(vii)</b> Recreational uses for the sole use of overnight	34
7	guests (for which no additional parking facilities	35
8	shall be required); and	36
9	<b>(viii)</b> Any other similar uses;	37
10	<b>(C)</b> The subject property shall have frontage on, and	38
11	direct vehicular access to, an existing street with	39
12	sufficient capacity to accommodate any traffic	40
13	generated by the inn;	41
14	<b>(D)</b> In the case of publicly owned land, the	42
15	application shall be accompanied by written	43
16	evidence indicating approval of the submitted	44
17	site plan by the public agency which owns the	45
18	subject property; and	46
19	<b>(E)</b> The District Council shall find that:	47
20	<b>(i)</b> The subject property is of sufficient size to	48
21	accommodate development of a country inn of	49
22	the type and scope proposed;	50
23	<b>(ii)</b> The environmental setting of the subject	51
24	property is appropriate for the development of a	52
25	country inn; and	53
26	<b>(iii)</b> The proposed building has historical, cultural, or	54
27	architectural significance, or the appearance	55
28	thereof.	56
		57
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**(x) Day Care Center for Children**

- (1)** A day care center for children may be permitted, subject to the following:
  - (A)** The District Council may specify the maximum number of children to be enrolled, which may not be increased by State or local health, education, or fire regulations;
  - (B)** An ample outdoor play or activity area shall be provided, in accordance with the following:
    - (i)** All outdoor play areas shall have at least seventy-five (75) square feet of play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square feet per child for the total number of children to use the play area at one (1) time, whichever is greater;
    - (ii)** All outdoor play areas shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least four (4) feet in height;
    - (iii)** A greater set back from adjacent properties or uses or a higher fence may be required by the District Council if it determines that it is needed to protect the health and safety of the children utilizing the play area;
    - (iv)** Any off-premises outdoor play or activity area shall be located in proximity to the day care center, and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway;





1	for the facilities constructed. Recreational areas	33	woodland conservation and tree
2	should be clustered together to increase levels of	34	preservation set forth in Subtitle 25 :Trees
3	activity, use of amenities, and the sense of	35	and Vegetation, of the Prince George's
4	vitality of the community;	36	County Code, and in order to minimize
5	<b>(E)</b> Regulations restricting the height of structures,	37	alteration of the historic resource or natural
6	lot size and coverage, frontage, setbacks, and	38	site features to be preserved.
7	any other requirements of the specific zone in	39	<b>(bb)</b> Open space intended for scenic value will
8	which the use is proposed (excluding density,	40	achieve this purpose through the retention
9	which shall be governed by paragraph (B), above)	41	of irreplaceable natural features (such as,
10	shall not apply to uses and structures provided	42	but not limited to, stream beds, significant
11	for in this Section. The dimensions and	43	stands of trees, steep slopes, individual
12	percentages shown on the approved site plan	44	trees of significant size, and rock
13	shall constitute the regulations for a given special	45	outcroppings); or where such natural
14	exception;	46	features do not exist, such techniques as
15	<b>(F)</b> The owner of the property shall record among	47	berms planted with trees and the use of
16	the Land Records of Prince George's County a	48	landscaping materials may be required to
17	declaration of covenants which establishes that	49	eliminate visual monotony of the
18	the premises will be solely occupied by elderly	50	landscape.
19	families for a fixed term of not less than sixty five	51	<b>(cc)</b> Diversity and originality in lot layout and
20	(65) years. The covenant shall run to the benefit	52	individual building design, orientation, and
21	of the County; and	53	location will achieve the best possible
22	<b>(G)</b> The following guidelines should be considered:	54	relationship between development and the
23	<b>(i)</b> Dwelling units should be clustered around a	55	land.
24	central focal point or public space and should	56	<b>(dd)</b> Individual lots, buildings, parking areas, and
25	avoid linear design. Open space should be	57	streets will be arranged, designed, situated,
26	oriented to provide the best possible separation	58	and oriented, so as to harmoniously relate
27	or buffer from adjoining single-family detached	59	to surrounding properties, to improve the
28	uses. The following shall serve as guidelines for	60	view from dwellings, and to lessen the area
29	site layout:	61	devoted to motor vehicle access and
30	<b>(aa)</b> Individual lots, buildings, streets, and	62	circulation.
31	parking areas will be designed and situated	63	<b>(ee)</b> Individual lots, buildings, parking areas, and
32	in conformance with the provisions for	64	streets will be so situated and oriented as to
		65	avoid the adverse effects of shadows, noise,

1	and traffic on, and afford privacy to, the	33	<b>(iv)</b> Each outdoor space intended for active
2	residents of the site.	34	recreation should be a minimum of fifty (50) feet
3	<b>(ff)</b> Not more than one-fourth (1/4) of any land	35	in width in least dimension, with a minimum area
4	having slopes greater than twenty-five	36	of five thousand (5,000) square feet.
5	percent (25%) will be removed or altered,	37	<b>(z) Elderly Housing (Single-Family Detached Dwellings)</b>
6	and then only when such slopes are	38	<b>(1)</b> Detached one-family dwellings for the elderly (and
7	isolated, small, or otherwise occur as	39	related facilities) may be permitted on a maximum of six
8	insignificant knolls, so that the design of the	40	(6) acres located in Transportation Service Tier I as of
9	development or cluster open space will not	41	November 30, 2004, subject to the following:
10	be adversely affected.	41	<b>(A)</b> The subject property may not be adjoining
11	<b>(gg)</b> Appropriate landscaped screening	42	property in the ROS or AG zones, unless it is
12	techniques will be employed at each	43	separated by an arterial roadway.
13	entrance to the subdivision and along	44	<b>(B)</b> The density may not exceed six (6) dwelling units
14	adjoining existing streets, so as to assure	45	per acre.
15	the compatibility of the appearance of the	46	<b>(C)</b> The District Council's detailed finding that the
16	cluster subdivision with that of surrounding	47	subject property is suitable for the type of
17	existing and planned residential	48	development proposed and is of sufficient size to
18	development not approved for cluster	49	properly accommodate the proposed number of
19	development, and to provide an attractive	50	dwelling units.
20	appearance from streets. Individual lots	51	<b>(D)</b> A recreational facilities plan shall be submitted
21	shall also be appropriately landscaped in	51	demonstrating that sufficient recreational
22	such a manner as to provide an attractive	52	facilities or opportunities are provided in
23	appearance.	53	accordance with the adopted Department of
24	<b>(ii)</b> No less than ten percent (10%) of the land area	54	Parks and Recreation Standards to serve the
25	should be devoted to open space, recreation	55	prospective resident population, consistent with
26	facilities, and social-oriented amenities.	56	their needs and abilities. Facilities may be
27	<b>(iii)</b> If a community building is proposed, no less than	57	provided on-site or within adjoining
28	three (3) physically separate areas, which shall	58	development. In any case, but particularly if on
29	include the separation of a single room, should	59	adjoining property, there shall be a staging plan
30	be provided within the building for recreational	60	for the facilities constructed. Recreational areas
31	and social-oriented amenities of varying activity	61	should be clustered together to increase levels of
32	levels.	62	
		63	

1	activity, use of amenities, and the sense of	32			
2	vitality of the community.	33			
3	<b>(E)</b> Regulations restricting the height of structures,	34			avoid the adverse effects of shadows, noise,
4	lot size and coverage, frontage, and setbacks,	35			and traffic on, and afford privacy to, the
5	shall be in accordance with the requirements of	36			residents of the site.
6	the RSF-65 Zone.	37			
7	<b>(F)</b> For purposes of this Section, elderly housing is	38			<b>(dd)</b> Not more than one-fourth (1/4) of any land
8	defined as housing for older persons as provided	39			having slopes greater than twenty-five
9	in Title 42 USC, Section 3607B and the	40			percent (25%) will be removed or altered,
10	regulations issued thereunder, and intended for	41			and then only when such slopes are
11	and solely occupied by persons sixty-two (62)	42			isolated, small, or otherwise occur as
12	years of age and older.	43			insignificant knolls, so that the design of the
13	<b>(G)</b> The following guidelines should be considered:	44			development or cluster open space will not
14	<b>(i)</b> (A) Open space should be oriented to provide the	45			be adversely affected.
15	best possible separation or buffer from adjoining	46			
16	single-family detached uses. The following shall	47			<b>(ee)</b> Appropriate landscaped screening
17	serve as guidelines for site layout:	48			techniques will be employed at each
18	<b>(aa)</b> Diversity and originality in lot layout and	49			entrance to the subdivision and along
19	individual building design, orientation, and	50			adjoining existing streets, so as to assure
20	location will achieve the best possible	51			the compatibility of the appearance of the
21	relationship between development and the	52			cluster subdivision with that of surrounding
22	land.	53			existing and planned residential
23	<b>(bb)</b> Individual lots, buildings, parking areas, and	54			development not
24	streets will be arranged, designed, situated,	55			<b>(ii)</b> No less than ten percent (10%) of the land area
25	and oriented, so as to harmoniously relate	56			should be devoted to open space, recreation
26	to surrounding properties, to improve the	57			facilities, and social-oriented amenities.
27	view from dwellings, and to lessen the area	58			
28	devoted to motor vehicle access and	59			<b>(iii)</b> If a community center is proposed, it shall have
29	circulation.	60			at least three (3) physically separate areas,
30	<b>(cc)</b> Individual lots, buildings, parking areas, and	61			including at least one (1) separate room. The
31	streets will be so situated and oriented as to	62			separate areas shall provide space for
		63			recreational and social activities at different
					intensity levels.
					<b>(iv)</b> Each outdoor space intended for active
					recreation should be a minimum of fifty (50) feet
					in width in least dimension, with a minimum area
					of five thousand (5,000) square feet.

1	(H) The following shall be reviewed at the time of	29	at least one and one-half (1 1/2) contiguous
2	special exception to address appearance and	30	acres;
3	quality issues: size of dwelling units, construction	31	(C) The use shall not depreciate the value of
4	material, garages, roof pitch, ceiling height, and	32	neighboring properties;
5	amenities.	33	(D) The use shall not adversely affect the character
6	<b>(aa) Fraternity or Sorority House</b>	34	of neighboring properties; and
7	(1) A fraternity or sorority house may be permitted, subject	35	(E) The use shall not create undue traffic congestion.
8	to the following:	36	<b>(cc) Gas Station</b>
9	(A) The proposed site plan shall show:	37	(1) A gas station may be permitted, subject to the following:
10	(i) The number of residents who will be	38	(A) The subject property shall have at least one
11	accommodated;	39	hundred and fifty (150) feet of frontage on and
12	(ii) Uses on adjoining properties;	40	direct vehicular access to a street with a right-of-
13	(iii) Zoning of adjoining properties; and	41	way width of at least seventy (70) feet;
14	(iv) Distance to adjoining dwellings.	42	(B) The subject property shall be located at least
15	(B) The use shall not adversely affect the character,	43	three hundred (300) feet from any lot on which a
16	use, or quiet enjoyment of adjoining properties.	44	school, outdoor playground, library, or hospital is
17	(C) The subject property, including the building, shall	45	located;
18	be of sufficient size for the proposed use.	46	(C) The use shall not include the display and rental
19	<b>(bb) Funeral Parlor or Undertaking Establishment</b>	47	of cargo trailers, trucks, or similar uses, except as
20	(1) A funeral parlor or undertaking establishment may be	48	a special exception in accordance with the
21	permitted subject to the following:	49	provisions of Section 27-5402(nnn), Vehicle and
22	(A) The minimum side and rear yard setbacks shall	50	Trailer Rental Display;
23	be at least fifty (50) feet each, when adjoining	51	(D) The storage or junking of wrecked motor vehicles
24	land in any Rural and Agricultural or Residential	52	(whether capable of movement or not) is
25	zone, or land proposed to be used for residential	53	prohibited;
26	purposes;	54	(E) Access driveways shall be not less than thirty (30)
27	(B) If the subject property is located in a Rural and	55	feet wide unless a lesser width is allowed for a
28	Agricultural or Residential zone, it shall contain	56	one-way driveway by the Maryland State
		57	Highway Administration or the County
		58	Department of Permitting, Inspections, and

1	Enforcement, whichever is applicable, and shall	34	foundation, or it shall be entirely surrounded
2	be constructed in compliance with the minimum	35	with screening material. Screening shall consist
3	standards required by the County Road	36	of a wall, fence, or sight-tight landscaping
4	Ordinance or Maryland State Highway	37	material, which shall be at least as high as the
5	Administration regulations, whichever is	38	accessory building. The type of screening shall be
6	applicable. In the case of a corner lot, a driveway	39	shown on the landscape plan.
7	may begin at a point not less than twenty (20)	40	
8	feet from the point of curvature (PC) of the curb	41	(J) Details on architectural elements such as
9	return or the point of curvature of the edge of	42	elevation depictions of each facade, schedule of
10	paving at an intersection without curb and	43	exterior finishes, and description of architectural
11	gutter. A driveway may begin or end at a point	44	character of proposed buildings shall
12	not less than twelve (12) feet from the side or	45	demonstrate compatibility with existing and
13	rear lot line of any adjoining lot;		proposed surrounding development.
14	(F) Access driveways shall be defined by curbing;	46	
15		47	(2) In addition to what is required by Section 27-3604(c),
16	(G) A sidewalk at least five (5) feet wide shall be	48	Special Exception Submittal Requirements, the site plan
17	provided in the area between the building line	49	shall show the following:
18	and the curb in those areas serving pedestrian	50	
19	traffic;	51	(A) The topography of the subject lot and abutting
20	(H) Gasoline pumps and other service appliances	52	lots (for a depth of at least fifty (50) feet);
21	shall be located at least twenty-five (25) feet	53	(B) The location and type of trash enclosures; and
22	behind the street line;		(C) The location of exterior vending machines or
23			vending area.
24	(I) Repair service shall be completed within forty-	54	
25	eight (48) hours after the vehicle is left for	55	(3) Upon the abandonment of a gas station, the special
26	service. Discarded parts resulting from any work	56	exception shall terminate and all structures exclusively
27	shall be removed promptly from the premises.	57	used in the business (including underground storage
28	Automotive replacement parts and accessories	58	tanks), except buildings, shall be removed by the owner
29	shall be stored either inside the main structure	59	of the property. For the purpose of this Subsection, the
30	or in an accessory building used solely for the	60	term "abandonment" shall mean nonoperation as a gas
31	storage. The accessory building shall be wholly	61	station for a period of fourteen (14) months after the
32	enclosed. The building shall either be	62	retail services cease.
33	constructed of brick (or another building	63	
	material similar in appearance to the main		(4) When approving a special exception for a gas station,
	structure) and placed on a permanent		the District Council shall find that the proposed use:

1	(A) Is necessary to the public in the surrounding	27
2	area; and	28
3	(B) Will not unduly restrict the availability of land, or	29
4	upset the balance of land use, in the area for	
5	other trades and commercial uses.	30
6	<b>(dd) Golf Course; Private Club; Nonprofit Recreational</b>	31
7	<b>Uses</b>	32
8	(1) A golf course, private club, community building, or other	34
9	nonprofit recreational use may be permitted, when it is	
10	not publicly owned or operated. Concessions for serving	35
11	food and refreshments to, and entertainment for, club	36
12	members and guests, may also be permitted. This	37
13	special exception does not apply to community	38
14	swimming pools, golf driving ranges, or miniature golf	39
15	courses.	40
16	<b>(ee) Heavy Armament Fabrication</b>	41
17	(1) The fabrication of heavy armament may be permitted,	42
18	subject to the following:	43
19	(A) All operations shall be confined to the interior of	44
20	a wholly enclosed building;	45
21	(B) An impact statement shall be submitted	46
22	explaining:	47
23	(2) The scope of the operation;	48
24	(3) The proposed buffering and screening of any outdoor	49
25	storage areas; and	50
26	(4) The compatibility of the uses with the surrounding area.	51
		52
		53
		54

**(ff) Health Campus**

- (1) A health campus may be permitted, subject to the following:
  - (A) **General Requirements**
    - (i) The subject property shall be suitable for the integration of a hospital and other medical facilities with any proposed residences, services, and recreational facilities.
  - (B) **Special Requirements**
    - (i) The subject property shall contain at least twenty-five (25) contiguous acres, except as provided in paragraph (E), below;
    - (ii) The subject property shall have frontage on, and direct vehicular access to, a street with sufficient capacity to accommodate the traffic generated by the campus;
    - (iii) All buildings and structures shall be located at least:
      - (aa) Fifty (50) feet from all adjoining property lines (except street lines); and
      - (bb) Twenty-five (25) feet from all adjoining street lines;
    - (iv) All off-street parking and loading facilities shall be located at least:
      - (aa) Fifty (50) feet from any adjoining land in a Rural and Agricultural or Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for the

1	LCD Zone or any approved detailed site	30
2	plan;	31
3	<b>(bb)</b> Six (6) feet from any adjoining street; and	32
4	<b>(cc)</b> Ten (10) feet from any other land than that	33
5	in (aa) and (bb), above;	34
6	<b>(v)</b> All of the parking and loading needs of	36
7	employees and residents of, and visitors and	37
8	delivery services to, the site shall be met on the	38
9	subject property;	39
10	<b>(vi)</b> All perimeter setback areas of the site shall be	40
11	buffered or screened in accordance with the	41
12	provisions of the Landscape Manual. The	42
13	applicant shall demonstrate that the required	43
14	buffer yards will provide reasonable sight and	44
15	sound barriers;	45
16	<b>(vii)</b> Not less than forty percent (40%) of the site shall	46
17	be devoted to green area; and	47
18	<b>(viii)</b> Regulations restricting location, height,	48
19	coverage, density, frontage, and yards, of	49
20	buildings and structures, as specified for the	50
21	zone in which such campus is located, shall not	51
22	apply to uses or structures provided for in this	52
23	Section. The dimensions and percentages shown	53
24	on the approved site plan shall constitute the	54
25	regulations for development under a given	55
26	special exception.	56
27	<b>(ix)</b> Notwithstanding Section 27-5101(b)(2), more	57
28	than one (1) building may be located on a lot	58
29	containing a single-family dwelling.	59
		60
		61

**(C) Uses**

- (i)** Only those uses which appear on an approved site plan shall be permitted on the health campus. The District Council may only approve those uses which provide a harmonious, balanced mix of medical, residential, and limited commercial uses, and which are necessary to meet the needs of the campus. Every health campus shall contain a general acute care hospital developed as the core of the campus. Other uses may include, (but need not be limited to) the following:
  - (aa)** Medical facilities, including professional offices, medical laboratories and testing facilities, clinical facilities, professional or paramedical training centers, ambulatory care facilities, and accessory uses. Business signs in conjunction with approved medical facilities shall only be permitted in accordance with the provisions of Section Sec. 27-61500, Signage, of this Subtitle applicable to the CGO Zone;
  - (bb)** Nursing and care homes; medical day care, adult day care, respite care, and day care for sick children (all of which may include areas beyond the health campus as their service area); rental dwelling units for the use of staff, visitors, and elderly or physically handicapped persons; one (1) motel or hotel as an integral part of the campus; provided that day care for sick children shall only be provided in a licensed hospital unit.



1	<b>(cc)</b> Retail commercial and service uses	33	<b>(cc)</b> Existing and proposed topography of the	34
2	(including accessory warehousing and	34	site at not more than five (5) foot contour	
3	laundry facilities), which are strictly related	35	intervals;	
4	and subordinate to the medical/residential	36	<b>(dd)</b> Existing and proposed drainage patterns;	
5	character of the campus, and which directly	37	<b>(ee)</b> Existing vegetation and other natural	
6	serve the residents, employees and guests	37	features; and	
7	of the campus or other campuses or	38	<b>(ff)</b> Proposed provisions for erosion and	
8	medical facilities. The commercial uses shall	39	sediment control and storm water	
9	be chosen to reflect their local orientation	40	management.	
10	to the immediate campus vicinity, and shall	41		
11	be of such size and scope as to not interfere	42	<b>(E) Addition of Land</b>	
12	with existing or proposed retail uses located	42	<b>(i)</b> After the approval of a special exception, any	
13	in the off-campus area. Business signs in	43	addition of land to the campus shall be the	
14	conjunction with retail commercial uses	44	subject of a new special exception application.	
15	shall only be permitted in accordance with	45	The site plan accompanying the new application	
16	the provisions of Section Sec. 27-61500,	46	shall include the required information for both	
17	Signage, of this Subtitle applicable to the	47	the previously approved campus and the	
18	Commercial zones; and,	48	proposed additional land. The approval of the	
19	<b>(dd)</b> Recreational and social uses, such as	49	new site plan shall nullify the previously	
20	swimming pools, tennis courts, athletic	50	approved site plan. The additional land shall be	
21	facilities, community centers, assembly	51	contiguous to an approved health campus, and	
22	halls, or private educational institutions,	52	may contain less than twenty-five (25) acres.	
23	limited to use by only campus residents,	53		
24	employees, and guests.	54	<b>(F) Amendment of Site Plan</b>	
25	<b>(D) Site Plans and Other Submission Requirements</b>	55	<b>(i)</b> Notwithstanding other provisions of this Subtitle	
26	<b>(i)</b> In addition to the requirements of Section 27-	56	concerning revision of site plans, requests to	
27	3604(c), Special Exception Submittal	57	amend a site plan for a health campus shall only	
28	Requirements, the site plan shall set forth the:	58	be approved by the Planning Board under	
29	<b>(aa)</b> Use, character, and zoning classification of	59	paragraph (F) or the District Council under this	
30	adjoining properties;	60	paragraph (G). The Planning Board is authorized	
31	<b>(bb)</b> Existing and proposed right-of-way and	61	to grant minor changes to site plans for health	
32	paving widths of adjoining streets;	62	campuses, subject to appeal to the District	
		63	Council. Such amendments to site plans may be	

1	permitted provided that any of the following	31		
2	three (3) situations exists:	32		
3	<b>(aa) Situation No. 1</b>	33		
		34		
4	<b>(I)</b> There is a proposed increase in gross	35		
5	floor area of a building or in land area	36		
6	covered by a structure other than a	37		
7	building (over that approved on the	38		
8	original or amended site plan) which is	39		
9	not greater than ten percent (10%) of	40		
10	the gross floor area or covered land	41		
11	area or 500 square feet, whichever is	42		
12	less, except as provided in paragraph	43		
13	(cc) below; or	44		
14	<b>(II)</b> There is a proposed relocation (in any	45		
15	direction) of any improvement	46		
16	(approved on the original or amended	47		
17	plan) which is not greater than ten	48		
18	percent (10%) of the distance to the	49		
19	boundary line of the special exception	50		
20	or twenty (20) feet, whichever is less.	51		
21	<b>(bb) Situation No. 2</b>	52		
		53		
22	<b>(I)</b> There is a proposed expansion or	54		
23	addition of a parking lot or parking	55		
24	garage; or	56		
25	<b>(II)</b> There is a proposed change in a	57		
26	landscape plan.	58		
27	<b>(cc) Situation No. 3</b>	59		
		60		
28	<b>(I)</b> There is a proposed increase in gross	61		
29	floor area of the hospital for an addition	62		
30	to the emergency room only; and	63		
			<b>(II)</b> There is a proposed relocation of the	
			existing helipad of less than 150 feet to	
			accommodate the addition described in	
			paragraph (I), above.	
			<b>(ii)</b> The minor change request shall be in the form of	
			an application filed with the Planning Board. The	
			contents of the application shall be determined	
			by the Planning Board. Along with filing the	
			application, the applicant shall submit an	
			amended site plan and Statement of	
			Justification. The Planning Board shall conduct a	
			public hearing and notice shall be provided in the	
			same manner as for the original application.	
			<b>(iii)</b> The Planning Board's decision to amend a site	
			plan may be appealed to the District Council	
			upon petition by any person of record. The	
			petition shall specify the error which is claimed	
			to have been committed by the Planning Board	
			and shall also specify those portions of the	
			record relied upon to support the error alleged.	
			The petition shall be filed with the Clerk of the	
			Council within thirty (30) days after the date of	
			the notice of the Planning Board's decision. The	
			District Council may vote to review the Planning	
			Board's decision on its own motion within thirty	
			(30) days after the date of the notice.	
			<b>(aa)</b> The Clerk of the Council shall notify the	
			Planning Board of any appeal or review	
			decision. Within seven (7) calendar days	
			after receiving this notice, the Planning	
			Board shall transmit to the District Council a	
			copy of the amended site plan, all written	
			evidence and materials submitted for	

1 consideration by the Planning Board, a 34  
2 transcript of the public hearing on the site 35  
3 plan, and any additional information or 36  
4 explanatory material deemed appropriate. 37  
5 **(bb)** Within forty-five (45) days, the District 38  
6 Council shall schedule a public hearing on 39  
7 the appeal or review. Testimony at the 40  
8 hearing shall be limited to the facts and 41  
9 information contained within the record 42  
10 made at the hearing before the Planning 43  
11 Board. 44  
12 **(cc)** Within sixty (60) days after the close of the 45  
13 Council's hearing, the Council shall affirm, 46  
14 reverse, or modify the decision of the 47  
15 Planning Board, or return the amended site 48  
16 plan to the Planning Board to take further 49  
17 testimony or reconsider its decision. Where 50  
18 the Council approves an amended site plan, 51  
19 it shall make the same findings which are 52  
20 required to be made by the Planning Board. 53  
21 **(dd)** The Council shall give its decision in writing, 54  
22 stating the reasons for its action. Copies of 55  
23 the decision shall be sent to all persons of 56  
24 record and the Planning Board. 57  
25 **(iv)** Requests to amend the approved site plan in all 58  
26 instances other than those described in 59  
27 paragraph 27-5402(ff)(1)(F)(i), above, shall be 60  
28 filed concurrently with the Clerk of the Council 61  
29 and the office of the Planning Board. Upon 62  
30 receipt of the request by the Clerk, the Office of 63  
31 the Zoning Hearing Examiner shall schedule a 64  
32 public hearing, which shall occur not less than 65  
33 sixty (60), nor more than one hundred twenty 66

(120), days after receipt of the request. The request shall be reviewed by the Technical Staff, taking into consideration the requirements of this Subtitle. The Technical Staff shall submit its recommendations to the Zoning Hearing Examiner within sixty (60) calendar days from the date of filing. The public hearing shall be conducted by the Zoning Hearing Examiner, at which time the applicant, the Planning Board, Technical Staff, and members of the public may comment on the proposed amendment. The hearing shall be conducted in accordance with Section 27-3412, Evidentiary Hearing. The property shall be posted with a sign in the same manner as required for original applications. After the close of the hearing record, the Zoning Hearing Examiner shall file a written recommendation with the District Council.

**(v)** Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's recommendation with the District Council. If appealed, all persons of record may testify before the District Council. Persons arguing shall adhere to the District Council's Rules of Procedure, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.

**(vi)** All amendments shall be in conformance with the purposes, regulations, and standards of this Section.

**(vii)** The approved amended site plan shall become the official site plan, as if it had been approved

1	as a part of the original application for a special	32		
2	exception.	33		
3	<b>(viii)</b> The revised site plan shall comply with all	34		<b>(iii)</b> Proposed site plan amendments under this
4	applicable requirements of this Subtitle and with	35		paragraph (G) shall meet the following
5	any conditions, relating to the use, imposed by	36		requirements:
6	the District Council or Planning Board in the	37		<b>(aa)</b> Amendments may not reduce any setbacks
7	approval of the building or use.	38		required in this Subtitle or the Landscape
8	<b>(ix)</b> When a minor change is approved by the	39		Manual;
9	Planning Board, any requirements or conditions	40		<b>(bb)</b> The site plan as amended shall show
10	deemed necessary to protect adjacent	41		compliance with all parking and loading
11	properties and the general neighborhood may	42		requirements in Section Sec. 27-6300, Off-
12	be added.	43		Street Parking and Loading;
13	<b>(G) Optional Method of Amending Site Plan</b>	44		<b>(cc)</b> Amendments may not reduce the green
14	<b>(i)</b> Notwithstanding the provisions of paragraph (F),	45		space on the subject lots or parcels below
15	the procedures in this paragraph (G) may be	46		twenty percent (20%) of the area of the
16	followed, at the applicant's option, to amend a	47		subject lots or parcels, but if site plan
17	Special Exception Site Plan for a health campus	48		amendments reduce the greenspace on the
18	approved before January 1, 1982, if the	49		subject lots, then the greenspace
19	application involves at least ten (10) but no more	50		requirement on all property covered by the
20	than fifteen (15) acres; if the lots or parcels	51		special exception shall also be reduced to
21	which are the subject of the application contain	52		twenty percent (20%); and
22	a hospital; if all site plan amendments are	53		<b>(dd)</b> Amendments may show the following
23	confined to those lots or parcels; and if the	54		improvements only: additions to the
24	amendments meet all requirements in this	55		hospital building; one medical office
25	paragraph.	56		building; and parking structures required
26	<b>(ii)</b> The applicant shall meet all filing requirements	57		for the hospital or office building;
27	for site plan amendments under paragraph (F).	58		<b>(iv)</b> The application may be approved
28	The application shall be accepted for processing	59		administratively by the Planning Director,
29	if it is signed by the owner of the subject lots or	60		subject to appeal to the Planning Board, but no
30	parcels where the hospital is located and the	61		further administrative appeal is allowed.
31	improvements will be built.	62		Notification and posting shall be provided in the
		63		same manner as for the original application. Any
				person who requests it shall be registered as a
				person of record and given written notice by

1	first-class mail of the Planning Director's final	29	(iii) Setback – Twenty-five (25) feet from all
2	decision. An appeal to the Planning Board may	30	boundary lines of the special exception.
3	be filed with the Planning Director by any person	31	(C) Eleemosynary or philanthropic institution,
4	of record, within thirty (30) days of the mailing	32	exclusively office use, or office use with one (1)
5	of notice of the decision. The Planning Board	33	dwelling unit within the main building which is
6	shall hear and decide the appeal within sixty (60)	34	subordinate in floor area to the office use:
7	days of its filing.	35	(i) Total area – Twenty thousand (20,000) square
8	<b>(H) Conversion of Hospital to Health Campus</b>	36	feet;
9	(i) Requests to convert an existing hospital to a	37	(ii) Street frontage – Sixty-five (65) feet;
10	health campus shall be made only for residential	38	(iii) Setback – Twenty-five (25) feet from all
11	property containing a minimum of twenty-five	39	boundary lines of the special exception.
12	(25) acres and shall be processed in accordance	40	(D) Nursing or care home where not more than ten
13	with the requirements for an amendment of a	41	(10) persons are cared for:
14	health campus site plan.	42	(i) Total area – One-half (1/2) acre;
15	<b>(gg) Hospital; Nursing or Care Home; Eleemosynary or</b>	43	(ii) Street frontage – One hundred fifty (150) feet;
16	<b>Philanthropic Institution</b>	44	(iii) Setback – Twenty-five (25) feet from all
17	(1) A hospital, eleemosynary or philanthropic institution, or	45	boundary lines of the special exception.
18	nursing or care home may be permitted, subject to the	46	(E) Nursing or care home in the CGO Zone where
19	following:	47	eleven (11) or more persons are cared for:
20	(A) Hospital:	48	(i) Total area – Two (2) acres, or Three hundred
21	(i) Total area – Five (5) contiguous acres;	49	(300) square feet per person cared for,
22	(ii) Street frontage – Three hundred (300) feet; and	50	whichever is greater;
23	(iii) Setback – Fifty (50) feet from all boundary lines	51	(ii) Street frontage – One hundred fifty (150) feet;
24	of the special exception.	52	(iii) Setback – Twenty-five (25) feet from all
25	(B) Eleemosynary or philanthropic institution,	53	boundary lines of the special exception.
26	except exclusively office use:	54	(F) Nursing or care home in all other zones where
27	(i) Total area – One (1) acre;	55	this use is permitted by special exception, where
28	(ii) Street frontage – One hundred fifty (150) feet;	56	eleven (11) or more persons are cared for:

1	(i)	Total area – One-half (1/2) acre, plus one thousand (1,000) contiguous square feet for each person cared for above ten (10);	29	(vi)	Recreational uses;
2			30	(vii)	Sauna, public spa, or steam room;
3			31	(viii)	Solarium;
4	(ii)	Street frontage – One hundred fifty (150) feet;	32	(ix)	Valet shop;
5	(iii)	Setback – Twenty-five (25) feet from all boundary lines of the special exception.	33	(x)	Similar retail stores and consumer service establishments;
6			34	(xi)	Restaurant;
7	<b>(hh) Hotel or Motel</b>		35	(xii)	Meeting facilities; and
8	(1)	A hotel or motel may be permitted (except those covered under Subsection (2), below), subject to the following:	36	(xiii)	Lobby and registration area;
9			37	(D)	In reviewing the application, the District Council shall pay particular attention to surrounding existing and proposed land uses and the compatibility of the hotel or motel and its accessory uses with the surrounding area.
10			38	(2)	In the RR Zone, a motel (which may include an accessory swimming pool or public spa for the sole use of transient guests) may be permitted, subject to the following:
11	(A)	The proposed use shall be located in an area which is or is to be developed with a concentration of industrial or office uses;	39	(A)	The subject property shall contain at least five (5) acres;
12			40	(B)	The lot shall have frontage of at least two hundred (200) feet on and vehicular access to a street with a right-of-way width of at least one hundred twenty (120) feet;
13	(B)	The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least seventy (70) feet;	41	(C)	If the subject property abuts land which is or is to be developed for residential purposes, a substantial, sightly fence at least six (6) feet high shall be constructed and maintained along that part of the property line abutting the residential land;
14			42		
15	(C)	The proposed use may include any of the following accessory uses. All accessory uses, and their square footages, shall be shown on the approved site plan. Notwithstanding any other requirement of this Subtitle, these accessory uses shall be permitted without obtaining a separate special exception:	44		
16			45		
17	(i)	Entertainment establishment;	46		
18			47		
19	(ii)	Gift shop;	48		
20			49		
21	(iii)	Beauty shop;	50		
22			51		
23	(iv)	Barber shop;	52		
24			53		
25	(v)	Auditorium;	54		
26			55		
27			56		
28			57		

1	<b>(D)</b> No building, structure, or parking area shall be	29	<b>(A)</b> The use shall be enclosed by a solid, slightly light-
2	located less than:	30	tight wall or fence at least eight (8) feet high, and
3	<b>(i)</b> Fifty (50) feet from the street line or land in a	31	found to be satisfactory by the District Council;
4	Rural and Agricultural or Residential Zone, or	32	<b>(B)</b> The fence shall not be constructed of corrugated
5	land proposed to be used for residential	33	metal or fiberglass or sheet metal;
6	purposes on an approved Basic Plan for the LCD	34	<b>(C)</b> Outdoor storage shall not be visible from the
7	Zone or any approved detailed site plan;	35	ground level beyond the fence; and
8	<b>(ii)</b> Twenty-five (25) feet from land in a	36	<b>(i)</b> Interior storage shall be located in a fireproof
9	Nonresidential zone, or land proposed to be	37	building.
10	used for commercial or industrial purposes on an		
11	approved Basic Plan for the LCD Zone or any	38	<b>(jj) Kennel</b>
12	approved detailed site plan;	39	<b>(1)</b> A kennel may be permitted as a temporary special
13	<b>(iii)</b> Two hundred (200) feet from an existing	40	exception, if adjacent areas are predominantly
14	dwelling; or	41	undeveloped.
15	<b>(iv)</b> One hundred fifty (150) feet from the center line	42	<b>(2)</b> The District Council shall determine the period of time
16	of any street or public right-of-way;	43	for which the special exception is valid, except in the AG
17	<b>(E)</b> Each guest room shall have its own toilet and	44	Zone where the special exception shall be renewed
18	washroom. Cooking facilities shall be prohibited	45	every three (3) years.
19	in the rooms; and	46	<b>(3)</b> In the AG Zone, the subject property shall contain at
20	<b>(F)</b> A restaurant or coffee shop (without	47	least ten (10) contiguous acres.
21	entertainment) shall be permitted as an	48	<b>(4)</b> Those parts of structures in which animals are boarded
22	accessory use, provided the subject property	49	shall be fully enclosed and sufficiently insulated so no
23	contains at least seven (7) contiguous acres, and	50	unreasonable noise or odor can be detected off the
24	that the motel has at least fifty (50) guest rooms.	51	premises.
25	Parking for the restaurant shall be in addition to	52	<b>(5)</b> All boarded animals shall be kept within a totally-
26	that required for the motel.	53	enclosed part of the structures between the hours of
27	<b>(ii) Junk Yard</b>	54	10:00 p.m. and 8:00 a.m.
28	<b>(1)</b> A junk yard may be permitted, subject to the following:	55	<b>(6)</b> Any open exercise runs or pens shall be at least 75 feet
		56	from any lot line, with a Type B bufferyard provided
		57	between the run or pen and the property line, in
		58	accordance with the Landscape Manual.

1		32	
2	<b>(kk) Landscaping Contractor's Business</b>	33	
3	<b>(1)</b> A landscaping contractor's business may be permitted,	34	
4	subject to the following:	35	
5	<b>(A)</b> The subject property shall contain at least	36	
6	twenty-five (25) contiguous acres. The District	37	
7	Council may reduce this area requirement to no	38	
8	less than five (5) contiguous acres provided:	39	
9	<b>(i)</b> In addition to the justification statement, the	40	
10	applicant files an impact statement explaining	41	
11	the scope of the business, including without	42	
12	limitation, the number of employees, the	43	
13	number and type of trucks and other vehicles	44	
14	and the provisions to protect adjoining and	45	
15	adjacent residential properties from noise,	46	
16	vibration, visual, odor, or other adverse effects;	47	
17	and	48	
18	<b>(ii)</b> The District Council determines, from the impact	49	
19	statement and evidence in the record, that	50	
20	landscaping, screening, buffering, green area, or	51	
21	special conditions on the subject property will	52	
22	adequately protect adjoining and adjacent	53	
23	residential properties.	54	
24	<b>(B)</b> The subject property shall have frontage on, and	55	
25	direct vehicular access to, an existing street with	56	
26	sufficient capacity to accommodate the type and	57	
27	amount of traffic to be generated by the	58	
28	business;	59	
29	<b>(C)</b> Vehicular access to the subject property shall not	60	
30	be by means of streets internal to residential	61	
31	subdivisions;	62	
			<b>(D)</b> All business operations (except the outdoor growing of nursery stock) shall be located at least two hundred (200) feet from any abutting land in any Rural and Agricultural or Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for the LCD Zone or any approved detailed site plan. The District Council may waive this setback requirement if it determines that the buffer yard required in the Landscape Manual will adequately protect abutting residential land. These operations shall be screened from the view of the abutting residential land in accordance with the Landscape Manual; and
			<b>(E)</b> Outdoor storage of equipment and materials (except nursery stock) shall not be visible from a street.
			<b>(ll) Marinas and Marina Expansions</b>
			<b>(1)</b> New marinas may be permitted, subject to the following:
			<b>(A)</b> The use is not located within the Buffer in any Resource Conservation Area;
			<b>(B)</b> The use shall comply with the sanitary requirements of the State Department of Health and Mental Hygiene, as required in Code of Maryland Regulations 10.17.02, and all other State and local Chesapeake Bay Critical Area regulations;
			<b>(C)</b> A means of minimizing the discharge of bottom wash waters from dry dock facilities into tidal waters shall be established;



1	<b>(D)</b> It shall be demonstrated that there will be	30	<b>(M)</b> It shall be demonstrated that the use will not
2	adequate all-weather access from the landward	31	adversely affect water quality;
3	side to accommodate all proposed facilities;	32	<b>(N)</b> The use is water-dependent, pursuant to the
4	<b>(E)</b> It shall be demonstrated that there will be safe	33	definition of water-dependent uses set forth in
5	boating access from the marina to cruising	34	COMAR 14.15.03.01 and the criteria of COMAR
6	waters;	35	14.15.03.04.B, or, if the use is not water-
7	<b>(F)</b> The facilities shall be in conformance with the	36	dependent, structures or activities shall be
8	locational requirements set forth in the Area	37	located outside the Buffer insofar as possible;
9	Master Plan or Sector Plan, if applicable;	38	<b>(O)</b> The use meets a recognized public or private
10	<b>(G)</b> Only those facilities that require access to the	39	need;
11	water may be located within the Buffer;	40	<b>(P)</b> Adverse effects on water quality and on fish,
12	<b>(H)</b> To the extent possible, wetlands shall be	41	plant, and wildlife habitats are minimized;
13	preserved, and development shall be located in	42	<b>(Q)</b> The use is consistent with the approved Area
14	the upland areas;	43	Master Plan or Sector Plan for the area;
15	<b>(I)</b> Significant fish spawning grounds and shellfish	44	<b>(R)</b> The activities will not significantly alter existing
16	harvesting areas shall be protected;	45	water circulation patterns or salinity regimes;
17	<b>(J)</b> An economic feasibility study that justifies the	46	<b>(S)</b> The water body upon which these activities are
18	uses, size, and types of boats that are included	47	proposed has adequate flushing characteristics
19	within the facility shall be submitted with the	48	in the area;
20	application;	49	<b>(T)</b> Disturbance to wetlands, submerged aquatic
21	<b>(K)</b> The boundaries of water and land which will	50	plant beds, or other areas of important habitats
22	receive ingress and egress of boats or similar	51	will be minimized;
23	waterborne vehicles associated with the marina	52	<b>(U)</b> Dredging shall be conducted in a manner, and
24	shall be shown in the application submittals;	53	using a method, which causes the least
25	<b>(L)</b> Prior to the issuance of a building permit,	54	disturbance to water quality and aquatic and
26	evidence that the required State and federal	55	terrestrial habitats in the area immediately
27	permits and approvals have been addressed shall	56	surrounding the dredging operation or within the
28	be placed in the County's official Special	57	Critical Area, generally;
29	Exception file;	58	<b>(V)</b> Dredged spoil will not be placed within the Buffer
		59	or elsewhere in that portion of the Chesapeake

1	Bay Critical Area Overlay (CBCAO) Zone which	29
2	has been designated as a Habitat Protection	30
3	Area, except as necessary for:	
4	(i) Backfill for permitted shore erosion protection	31
5	measures;	32
6	(ii) Use in approved vegetated shore erosion	33
7	projects;	34
8	(iii) Placement on previously approved channel	35
9	maintenance spoil disposal areas; and	36
10	(iv) Beach nourishment; and	37
11	(W) Interference with the natural transport of sand	39
12	will be minimized.	40
13	(2) Existing marinas may be expanded, subject to the	41
14	following:	42
15	(A) The use shall be in compliance with the above	43
16	requirements for new marinas; and	44
17	(B) It shall be demonstrated that the expansion will	45
18	result in an overall net improvement in water	46
19	quality.	47
20	<b>(mm) Massage Establishment</b>	48
21	(1) A massage establishment may be permitted, subject to	49
22	the following:	50
23	(A) The structure in which the use is proposed shall	51
24	be located at least one thousand (1,000) feet	52
25	from any land in any Rural and Agricultural or	53
26	Residential Zone, land proposed to be used for	54
27	residential purposes on an approved Basic Plan	55
28	for the LCD Zone or any approved detailed site	

plan, or any school, library, park, recreational facility, or place of worship.

**(nn) Medical Cannabis Dispensary**

- (1) The boundaries of property used as a medical cannabis dispensary shall be:
  - (A) Within one-half (1/2) mile of a Metrorail Line station, as measured from the center of the transit station platform;
  - (B) At least five hundred (500) feet from any AR, RE, RR, RSF-95, or RSF-65 zone;
  - (C) At least five hundred (500) feet from any land owned by the Maryland-National Capital Park and Planning Commission;
  - (D) At least five hundred (500) feet from any school land uses; and
  - (E) At least one (1) mile from any other medical cannabis dispensary use.
- (2) A medical cannabis dispensary shall be located within five hundred (500) feet of a medical facility, as defined in Section Sec. 27-2500, Definitions, of this Subtitle.
- (3) Minimum parking requirements for a medical cannabis dispensary shall be at least equivalent to the minimum parking requirements for a medical practitioner's office/medical clinic set forth in Section Sec. 27-6300, Off-Street Parking and Loading, of this Subtitle.
- (4) Medical cannabis dispensary is not permitted as an accessory use.

1	<b>(5)</b> Outdoor signage shall be limited to building mounted	28	<b>(B) Specific Requirements</b>
2	signs and advertisement for cannabis or cannabis	29	<b>(i)</b> The subject property shall contain at least
3	products is prohibited.	30	twenty-five (25) contiguous acres;
4	<b>(oo) Medical/Residential Campus</b>	31	<b>(ii)</b> The site shall have frontage on, and direct
5	<b>(1)</b> A medical/residential campus for retirement-aged	32	vehicular access to, an existing street with
6	persons may be permitted, subject to the following:	33	sufficient capacity to accommodate any traffic
7	<b>(A) General Requirements</b>	34	generated by the campus;
8	<b>(i)</b> The campus shall primarily serve needs of the	35	<b>(iii)</b> All buildings, structures, off-street parking
9	retirement-aged community. Age restrictions in	36	compounds, and loading areas shall be located
10	conformance with the Federal Fair Housing Act	37	at least:
11	shall be set forth in covenants submitted with	38	<b>(aa)</b> One hundred (100) feet from any adjoining
12	the application and shall be approved by the	39	land in a Rural and Agricultural and
13	District Council and filed in the land records at	40	Residential Zone, or land proposed to be
14	the time the final subdivision plat is recorded;	41	used for residential purposes on an
15	<b>(ii)</b> The campus shall achieve a balanced	42	approved Basic Plan for the LCD Zone or any
16	residential/medical environment which is	43	approved detailed site plan;
17	unique to the neighborhood in which it is	44	<b>(bb)</b> Fifty (50) feet from all other adjoining
18	located, and which cannot be achieved through	45	property lines (except street lines); and
19	the use of conventional zoning proposals;	46	<b>(cc)</b> Twenty-five (25) feet from all adjoining
20	<b>(iii)</b> Residences shall be functionally, physically, and	47	street lines;
21	architecturally integrated with service and	48	<b>(iv)</b> All perimeter areas of the site shall be buffered
22	recreational/activity centers;	49	or screened in accordance with the provisions of
23	<b>(iv)</b> Medical services (if any) shall be conveniently	50	the Landscape Manual, and the applicant shall
24	located for the residents; and	51	demonstrate that the required buffer yards will
25	<b>(v)</b> Commercial or service-oriented uses shall be	52	provide reasonable sight and sound barriers;
26	grouped together, and shall be located near the	53	<b>(v)</b> Not less than forty percent (40%) of the site shall
27	population being served.	54	be devoted to green area;
		55	<b>(vi)</b> Regulations concerning the height of structure,
		56	lot size and coverage, frontage, setbacks,
		57	density, and other requirements of the specific

1	zone in which such campus is to be located, shall	34	approved General Plan, the applicable Area
2	not apply to uses and structures provided for in	35	Master Plan or Sector Plan, or Urban
3	this Section. The dimensions and percentages	36	Renewal Plans;
4	shown on the approved site plan shall constitute	37	
5	the regulations for development under a given	38	<b>(bb)</b> Other existing or planned private and public
6	special exception; and	39	facilities which are existing, under
7		40	construction, or for which construction
8	<b>(vii)</b> Notwithstanding Section 27-5101(b)(2), more	41	funds are contained in the first six (6) years
9	than one (1) dwelling may be located on a lot	42	of the adopted County Capital
10	containing a one-family dwelling.	43	Improvement Program (such as public
11		44	safety, recreation areas, water and
12	<b>(viii)</b> Prior to approval of a special exception for a	45	sewerage systems, libraries, and fire
13	medical/residential campus for property for	46	stations, but excluding schools) will be
14	which a subdivision is not approved for the	47	adequate for the uses proposed; and
15	entire property in accordance with the proposed	48	
16	medical/residential campus site plan, the	49	<b>(cc)</b> Notwithstanding subparagraphs (aa) and
17	applicant shall demonstrate to the satisfaction of	50	(bb), above, where the application
18	the Zoning Hearing Examiner or of the District	51	anticipates a construction schedule of more
19	Council that the entire development and use	52	than six (6) years, public facilities (existing
20	meet the following criteria:	53	or scheduled for construction within the
21		54	first six (6) years) will be adequate to serve
22	<b>(aa)</b> Transportation facilities (including streets	55	the development proposed to occur within
23	and public transit) which are existing, which	56	the first six (6) years. The Zoning Hearing
24	are under construction, or for which one	57	Examiner or the Council shall also find that
25	hundred percent (100%) of the construction	58	public facilities will probably be adequately
26	funds are allocated within the adopted	59	supplied for the remainder of the project. In
27	County Capital Improvement Program,	60	considering the probability of future public
28	within the current State Consolidated	61	facilities construction, the Zoning Hearing
29	Transportation Program, or will be provided	62	Examiner or the Council may consider such
30	by the applicant, will be adequate to carry	63	things as existing plans for construction,
31	the anticipated traffic generated by the	64	budgetary constraints on providing public
32	development based on the maximum	65	facilities, the public interest and public need
33	proposed density. The uses proposed will	66	for the particular development, the
	not generate traffic which would lower the		relationship of the development to public
	level of service anticipated by the land use		transportation, or any other matter that
	and circulation systems shown on the		

1	indicates that public or private funds will	33	reflect their local orientation to the
2	likely be expended for the necessary	34	immediate campus vicinity and should be of
3	facilities.	35	a size and scope so as not to interfere with
4	<b>(C) Uses</b>	36	existing or proposed retail uses located in
5	<b>(i)</b> Only those uses which appear on an approved	37	the off-campus area. Business signs in
6	site plan shall be permitted on the	38	conjunction with retail commercial uses
7	medical/residential campus. The District Council	39	shall be permitted in accordance with the
8	may only approve those uses which provide a	40	provisions of Section Sec. 27-61500,
9	harmonious, balanced mix of medical,	41	Signage, of this Subtitle applicable to the
10	residential, and limited commercial uses	42	CGO Zone; and
11	primarily serving campus residents, and public,	43	<b>(dd)</b> (iv) Recreational and social uses, such as
12	quasi-public, and medical services for the off-	44	athletic facilities, community centers, and
13	campus retirement-aged community. Other uses	45	assembly halls, limited to use only by
14	may include (but need not be limited to) the	46	campus residents, employees, and guests.
15	following:	47	<b>(D) Site Plan and Other Submission Requirements</b>
16	<b>(aa)</b> Dwellings, nursing and care homes, and	48	<b>(i)</b> In addition to the requirements of Section 27-
17	congregate living facilities for the elderly or	49	3604(c), Special Exception Submittal
18	physically handicapped;	50	Requirements, the site plan shall set forth:
19	<b>(bb)</b> Medical facilities, including professional	51	<b>(aa)</b> Existing and proposed topography at not
20	offices, laboratories, clinics, professional or	52	more than five (5) foot contour intervals;
21	paramedical training centers, and	53	<b>(bb)</b> Existing and proposed drainage patterns;
22	ambulatory care facilities. Business signs in	54	<b>(cc)</b> Existing vegetation and other natural
23	conjunction with approved medical	55	features; and
24	facilities shall be permitted in accordance	56	<b>(dd)</b> Proposed provisions for sediment control
25	with the provisions of Section Sec. 27-	57	and storm water management.
26	61500, Signage, applicable to the CGO Zone;		<b>(E) Addition of Land</b>
27	<b>(cc)</b> (iii) Retail commercial uses which are	58	<b>(i)</b> (A) After the approval of a Special Exception, any
28	strictly related and subordinate to the	59	addition of land to the campus shall be the
29	residential/medical character of the	60	subject of a new Special Exception application.
30	campus and which directly serve the	61	The site plan accompanying the new application
31	residents and employees of, or visitors to,	62	
32	the center. The uses should be chosen to		

1 shall include the required information for both 34  
2 the previously approved campus and the 35  
3 proposed additional land. The approval of the 36  
4 new site plan shall nullify the previously 37  
5 approved site plan. The additional land shall be 38  
6 contiguous to an approved medical/residential 39  
7 campus, and may be less than twenty-five (25) 40  
8 acres. 41  
9  
10 **(F) Amendment of Site Plan** 42  
11 **(i)** Notwithstanding other provisions of this Subtitle 43  
12 concerning the revision of site plans, requests to 44  
13 amend a site plan for a medical/residential 45  
14 campus shall only be approved by the District 46  
15 Council, and in accordance with this Subsection. 47  
16 **(ii)** Requests to amend the approved site plan shall 48  
17 be filed concurrently with the Clerk of the 49  
18 Council and the office of the Planning Board. 50  
19 After receipt of the request by the Clerk, the 51  
20 Office of the Zoning Hearing Examiner shall 52  
21 schedule a public hearing, which shall occur not 53  
22 less than sixty (60), nor more than one hundred 54  
23 twenty (120), days after receipt of the request. 55  
24 The request shall be reviewed by the Technical 56  
25 Staff, taking into consideration the requirements 57  
26 of this Subtitle. The Technical Staff shall submit 58  
27 its recommendations to the Zoning Hearing 59  
28 Examiner within sixty (60) calendar days from 60  
29 the date of filing. The public hearing shall be 61  
30 conducted by the Zoning Hearing Examiner, in 62  
31 accordance with Section Section 27-3412, 63  
32 Evidentiary Hearing, at which time the applicant, 64  
33 Planning Board, Technical Staff, and members of 65  
the public may comment on the proposed

amendments. The property shall be posted with a sign in the same manner as required for original applications. After the close of the hearing record, the Zoning Hearing Examiner shall file a written recommendation with the District Council. Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's recommendation with the District Council. If appealed, all persons of record may testify before the District Council. Persons arguing shall adhere to the District Council's Rules of Procedure, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.

**(iii)** (C) All amendments shall be in conformance with the purposes, regulations, and standards of this Section.

**(aa)** The approved amended site plan shall become the official site plan, as if it had been approved as a part of the original application for a special exception.

**(pp) Methadone Treatment Centers**

**(1)** A methadone treatment center may be permitted, subject to the following:

**(A)** The subject structure shall be located at least one thousand (1,000) feet from any Rural and Agricultural or Residential zone, land proposed to be used for residential purposes on an approved Basic Plan for the LCD Zone, approved detailed site plan, or property associated with

1	any of the following: school, library, park,	30
2	playground, or recreational facility;	31
3	<b>(B)</b> As a part of the special exception approval, the	32
4	Council may impose other reasonable	33
5	requirements deemed necessary to safeguard	34
6	the health, safety, morals, and general welfare of	35
7	the community, taking into account the	36
8	character of surrounding properties and the	37
9	general neighborhood, and any other uses on the	38
10	subject property;	39
11	<b>(C)</b> Vehicular access to the subject property shall be	40
12	adequate, taking into account the scope of the	41
13	facility, the type and amount of traffic expected	42
14	to be generated, and the type, service level, and	43
15	capacity of the streets along which the subject	44
16	property has frontage; and	44
17	<b>(D)</b> A statement shall be submitted explaining:	45
18	<b>(i)</b> The policies and goals of the center;	46
19	<b>(ii)</b> The characteristics and number of occupants to	47
20	be served;	48
21	<b>(iii)</b> The type of care and activities proposed;	49
22	<b>(iv)</b> Operating methods and procedures proposed;	50
23	<b>(v)</b> The type and amount of traffic expected to be	51
24	generated; and	52
25	<b>(vi)</b> Other appropriate aspects of the center's	53
26	operation.	54
27	<b>(qq) Mobile home</b>	55
28	<b>(1)</b> A mobile home may be permitted, subject to the	56
29	following:	57

- (A)** The mobile home shall be restricted to use as a single-family detached dwelling, and be subject to all requirements of this Subtitle applicable to a single-family detached dwelling in the zone in which the mobile home is located;
- (B)** The mobile home (and all of its enclosed extensions) shall be situated on, and securely anchored to, a mobile home stand;
- (C)** The mobile home (and all of its extensions) shall be suitably treated so that the undercarriage is hidden from view;
- (D)** The wheels of the mobile home shall be removed;
- (E)** The proposed use shall not detract from the aesthetics of the surrounding neighborhood; and
- (F)** The District Council may impose architectural, structural, or other requirements in order to give the mobile home the appearance of a permanent one-family detached dwelling.

**(rr) Model Studio**

- (1)** A model studio may be permitted only if the applicant establishes the following, by clear evidence:
  - (A)** The proposed use will not tend to create a nuisance for other uses on the subject property, or for adjacent properties or neighborhood residents, because of traffic, parking problems, noise, or lights on the subject property, and the hours of operation of the use.

1	<b>(ss) Nonconforming Buildings, Structures, and Uses;</b>	32	
2	<b>Alteration, Enlargement, Extension, or</b>	33	
3	<b>Reconstruction.</b>	34	
4	<b>(1)</b> The alteration, enlargement, extension, or	35	
5	reconstruction of any nonconforming building or	36	
6	structure, or certified nonconforming use (except those	37	
7	certified nonconforming uses not involving buildings,	38	
8	those within the Chesapeake Bay Critical Area Overlay	39	
9	(CBCAO) Zone as specified in paragraph (G), below,	40	
10	unless otherwise provided, and except for outdoor	41	
11	advertising signs), may be permitted subject to the	42	
12	following:	43	
13	<b>(A)</b> A nonconforming building or structure, or a	44	
14	building or structure utilized in connection with	45	
15	a certified nonconforming use, may be enlarged	46	
16	in height or bulk, provided that the requirements	47	
17	of Section Sec. 27-6300, Off-Street Parking and	48	
18	Loading, are met with respect to the area of the	49	
19	enlargement.	50	
20	<b>(B)</b> A certified nonconforming use may be extended	51	
21	throughout a building in which the use lawfully	52	
22	exists, or to the lot lines of the lot on which it is	53	
23	located, provided that:	54	
24	<b>(i)</b> The lot is as it existed as a single lot under single	55	
25	ownership at the time the use became	56	
26	nonconforming; and	57	
27	<b>(ii)</b> The requirements of Section Sec. 27-6300, Off-	58	
28	Street Parking and Loading, are met with regard	59	
29	to the extended area.	60	
30	<b>(C)</b> A certified nonconforming use may be	61	
31	reconstructed, provided that:	62	
	<b>(i)</b> The lot on which it is reconstructed is as it existed		as a single lot under single ownership at the time the use became nonconforming;
	<b>(ii)</b> Either the nonconforming use is in continuous		existence from the time the special exception application has been filed through final action on the application, or the building was destroyed by fire or other calamity more than one (1) calendar year prior to the filing date;
	<b>(iii)</b> The requirements of Section Sec. 27-6300, Off-		Street Parking and Loading, are met with respect to the entire use; and
	<b>(iv)</b> The special exception shall terminate unless a		building permit for the reconstruction is issued within one (1) calendar year from the date of special exception approval, construction in accordance with the building permit begins within six (6) months from the date of permit issuance (or lawful extension), and the construction proceeds to completion in a timely manner.
	<b>(D)</b> When not otherwise allowed, a certified		nonconforming use may be otherwise altered by the addition or relocation of improvements, such as fencing, landscaping, off-street parking and loading areas, and outdoor trash enclosures, or the relocation of buildings or other improvements within the boundary lines of the lot as it existed as a single lot under single ownership at the time the use became nonconforming.





1	that would be denied by this Subtitle to other	30
2	lands or structures within the CBCAO Zones;	31
3	<b>(D)</b> The request for a special exception is not based	32
4	upon conditions or circumstances which are the	33
5	result of actions by the applicant, nor does the	34
6	request arise from any condition relating to land	
7	or building use, either permitted or	35
8	nonconforming, on any neighboring property;	36
9	<b>(E)</b> The granting of a special exception would not	37
10	adversely affect water quality or adversely	38
11	impact fish, wildlife, or plant habitat within the	39
12	Chesapeake Bay Critical Area, and that the	40
13	granting of the variance would be in harmony	41
14	with the general spirit and intent of the	42
15	applicable laws within the Chesapeake Bay	43
16	Critical Area; and	44
17	<b>(F)</b> The application for a special exception has been	45
18	made in writing to the District Council or Zoning	46
19	Hearing Examiner, if applicable, with a copy	47
20	provided to the Chesapeake Bay Critical Area	48
21	Commission.	49
22	<b>(tt) Paper and Paperboard Products</b>	
23	<b>(1)</b> The manufacturing of paper and paperboard products	50
24	may be permitted, subject to the following:	51
25	<b>(A)</b> All operations shall be located in a wholly	52
26	enclosed building;	53
27	<b>(B)</b> An impact statement shall be submitted	54
28	explaining:	55
29	<b>(i)</b> The scope of the operation;	56
		57

- (ii)** The provisions proposed for the control of noxious odors;
- (iii)** The pollution control measures to be taken;
- (iv)** The compatibility of the use with the surrounding area.

**(uu) Paper Recycling Collection Center**

- (1)** The collection, storage, and shipping of recyclable paper may be permitted, subject to the following:
  - (A)** The subject property shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the proposed use;
  - (B)** All operations shall be confined to the interior of a wholly enclosed building. There shall be no outdoor storage;
  - (C)** The property shall be kept clean and free from debris;
  - (D)** An impact statement shall be submitted explaining:
    - (i)** The scope of the operation;
    - (ii)** The proposed hours of operation;
    - (iii)** The type and amount of traffic expected to be generated; and
    - (iv)** The compatibility of the use with the surrounding area;
  - (E)** The proposed use of the subject property shall be appropriate, given the nature of development

1	and uses of adjacent properties and in the	31	general neighborhood and any other uses on the
2	general neighborhood.	32	subject property.
3	<b>(vv) Parking of Commercial Vehicles</b>	33	<b>(C)</b> No special exception shall be permitted for a
4	<b>(1)</b> A commercial vehicle having a manufacturer's gross	34	pawnshop located within 2,000 feet of another
5	vehicle weight specification of greater than 17,000	35	pawnshop.
6	pounds may be permitted, subject to the following:	36	<b>(D)</b> Parking of motor vehicles pledged as collateral
7	<b>(A)</b> Where possible, the vehicle should be parked at	37	permitted on the subject property shall be in
8	least three hundred (300) feet from any dwelling	38	addition to parking required pursuant to Section
9	on any adjoining lot, existing at the time of	39	Sec. 27-6300, Off-Street Parking and Loading.
10	application;	40	<b>(xx) Place of Worship</b>
11	<b>(B)</b> The applicant shall demonstrate that the	41	<b>(1)</b> A church or similar place of worship may be permitted,
12	anticipated noise levels will not be detrimental to	42	subject to the following:
13	the use of adjacent properties; and	43	<b>(A)</b> The minimum setback for all buildings shall be
14	<b>(C)</b> The vehicle shall be adequately screened from	44	twenty-five (25) feet from each lot line;
15	adjacent residentially zoned properties.	45	<b>(B)</b> When possible, ingress and egress should be
16	<b>(ww) Pawnshop</b>	46	located so as to direct traffic away from streets
17	<b>(1)</b> A pawnshop may be permitted by special exception,	47	that are internal to a residential subdivision;
18	subject to the following:	48	<b>(C)</b> The applicant shall satisfactorily demonstrate
19	<b>(A)</b> The structure in which the use is proposed shall	49	that parking and traffic will not adversely affect
20	be located at least three hundred (300) feet from	50	adjacent residential neighborhoods;
21	any school, library, park, recreational facility, and	51	<b>(D)</b> When possible, there should be no parking
22	Historic Site, resource, or district identified on	52	spaces or loading areas located in the front yard;
23	the current Adopted Historic Sites and District	53	and
24	Plan, or National Register Site or Historic District.	54	<b>(E)</b> The maximum allowable lot coverage for the
25	<b>(B)</b> As a part of the special exception approval, the	55	zone in which the use is proposed shall not be
26	Council may impose other reasonable	56	increased.
27	requirements deemed necessary to safeguard	57	<b>(yy) Planned Retirement Community</b>
28	the health, safety, morals, and general welfare of	58	<b>(1)</b> A planned retirement community may be permitted,
29	the community, taking into account the	59	subject to the following criteria:
30	character of surrounding properties and the		

1	<b>(A) Findings for Approval</b>	29	<b>(iii)</b> The average number of dwelling units per acre shall not exceed eight (8) for the gross tract area.
2	<b>(i)</b> The District Council shall find that:	30	
3	<b>(aa)</b> The proposed use will serve the needs of the retirement-aged community;	31	<b>(iv)</b> In the AR Zone, buildings shall not exceed three (3) stories.
4		32	
5	<b>(bb)</b> The proposed use will not adversely affect the character of the surrounding residential community; and	33	<b>(D) Uses</b>
6		34	
7		35	<b>(i)</b> The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the residential units, or in accordance with a schedule approved by the District Council;
8	<b>(cc)</b> In the AR Zone, there shall be a demonstrated need for the facility and an existing medical facility within the defined market area of the subject property.	36	
9		37	
10		38	
11		39	
12	<b>(B) Site Plan</b>	40	
13	<b>(i)</b> In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall set forth the proposed traffic circulation patterns.	41	
14		42	
15		43	
16		44	
17	<b>(C) Regulations</b>	45	
18	<b>(i)</b> Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given special exception.	46	
19		47	
20		48	<b>(ii)</b> Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.
21		49	
22		50	
23		51	
24		52	
25		53	<b>(E) Residents' age.</b>
26	<b>(ii)</b> The subject property shall contain at least twelve (12) contiguous acres.	54	
27		55	<b>(i)</b> Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council, and filed in the land records at the time the final subdivision plat is recorded.
28		56	
		57	
		58	
		59	

1	<b>(F) Recreational facilities.</b>	31	increased by State or local health, education, or
2	<b>(i)</b> Covenants guaranteeing the perpetual	32	fire regulations; and
3	maintenance of recreational facilities, and the	33	<b>(E)</b> If the school offers general academic instruction
4	community's right to use the facilities, shall be	34	below college level, an outdoor play area (or
5	submitted with the application. The covenants	35	other outdoor activity area) shall be provided,
6	shall be approved by the District Council, and	36	which shall have a usable space of at least one
7	shall be filed in the land records at the time the	37	hundred (100) square feet per student. This area
8	subdivision plat is recorded. If the recreational	38	shall be located at least twenty-five (25) feet
9	facilities are to be part of a condominium	39	from any dwelling on an adjoining lot, and shall
10	development, a proposed condominium	40	be enclosed by a substantial wall or fence at least
11	declaration showing the recreational facilities as	41	five (5) feet high.
12	general common elements shall be approved by	42	<b>(2)</b> A private school which offers a partial or complete
13	the District Council, and shall be recorded	43	program of elementary school (including kindergarten)
14	(pursuant to Title II of the Real Property Article	44	or nursery school may be permitted, subject to the
15	of the Annotated Code of Maryland) at the time	45	following:
16	the subplat is recorded.	46	<b>(A)</b> The Council may specify the maximum number
17	<b>(zz) Private School</b>	47	of children to be enrolled, which may not be
18	<b>(1)</b> A private school which offers instruction at levels above	48	increased by State or local health, education, or
19	the sixth grade may be permitted, subject to the	49	fire regulations;
20	following:	50	<b>(B)</b> An outdoor play area shall be provided, which
21	<b>(A)</b> There is a demonstrated need for the proposed	51	shall have a usable space of at least one hundred
22	use in the area;	52	(100) square feet per child. This area shall be
23	<b>(B)</b> The proposed site is of sufficient size to properly	53	located at least twenty-five (25) feet from any
24	accommodate a school of the type proposed	54	dwelling on an adjoining lot, and shall be
25	without adversely affecting abutting land uses;	55	enclosed by a substantial wall or fence at least
26	<b>(C)</b> No private school shall be located in a	56	three (3) feet high;
27	multifamily dwelling or in any building of a	57	<b>(C)</b> No private school, other than a nursery school,
28	multifamily project;	58	shall be located in any multifamily dwelling or in
29	<b>(D)</b> The Council may specify the maximum number	59	any building of a multifamily project;
30	of students to be enrolled, which may not be	60	<b>(D)</b> In the CS, IE, and IH zones, a day care center for
		61	children shall be allowed only if the Council finds
		62	that existing development and uses in the

1 neighborhood (particularly on adjacent 32  
2 properties) will not adversely affect the 33  
3 proposed use. 34  
4 **(3)** In addition to the requirements of Section 27-3604(c), 35  
5 Special Exception Submittal Requirements, the site plan 36  
6 shall show: 37  
7 **(A)** The character of the proposed use; 38  
8 **(B)** The proposed enrollment; 39  
9 **(C)** The location of all dwellings located on adjoining 40  
10 lots; and 41  
11 **(D)** The location and size of outdoor play (or activity) 42  
12 areas. 43  
13 **(4)** Any private school which has, on or before the effective 44  
14 date of this Ordinance, fully complied with the 45  
15 provisions of this Subtitle in effect at that time shall not 46  
16 be required to meet the requirements of this Section, 47  
17 provided that the school has not been expanded, or the 48  
18 use changed, since that time. Any expansion or change 49  
19 shall be governed by the provisions of this Section, or of 50  
20 Section 27-5102(d)(3)(B), Private School. 51  
21 **(5)** For the purposes of this Section, enrollment shall mean 52  
22 the total number of students enrolled in the school at 53  
23 any one time. If there are separate morning, afternoon, 54  
24 and evening sessions, each one of which is attended by 55  
25 different students, enrollment shall mean the number 56  
26 of students enrolled in the session having the largest 57  
27 number of students. 58  
28 **(6)** Medical uses, including, but not limited to medical 59  
29 practitioners' offices, education programs, medical 60  
30 clinics and laboratories may be permitted on a property 61  
31 with an approved special exception for a private school, 62

provided that a separate Health Campus operating pursuant to an approved special exception is located within 500 feet of the property which is approved as a private school, and is in accordance with the following:

- (A)** An additional medical use may locate on the campus of an existing private school, as a permitted use, and shall not require an amendment to the approved special exception for the private school use, provided that the additional medical use is located within a building on the private school campus that was constructed prior to January 1, 2016.
  - (B)** If additional parking is required to accommodate the additional medical use, the parking may be approved in accordance with the provisions of Section 27-3604(i)(4), All Other Changes, of this Subtitle.
  - (C)** An amendment to an approved Special Exception for a private school is required for an additional medical use on the campus of an existing private school that is located within a building constructed after January 1, 2016, or located within an addition to an existing building on the private school campus, in accordance with Section 27-3604(i), Changes to Approved Special Exception, of this Subtitle.
- (aaa) Public Utility Use or Structure**
- (1)** A public utility use or structure may be permitted, subject to the following:
    - (A)** The use, at the location selected, is necessary for public convenience and service, and cannot be

1	supplied with equal public convenience if located	31	racetrack, and their families, for not more than
2	elsewhere;	32	two hundred eighteen (218) cumulative days per
3	<b>(B)</b> Public utility buildings and structures in any Rural	33	calendar year;
4	and Agricultural or Residential Zone, or on land	34	<b>(ii)</b> One (1) circus and one (1) fair per calendar year
5	proposed to be used for residential purposes in	35	(in addition to benefit functions and
6	the RMH Zone shall (whenever feasible) have the	36	performances permitted below), not to exceed a
7	exterior appearance of residential buildings;	37	twenty (20) calendar-day period for each;
8	<b>(C)</b> Overhead lines, poles, radio or television	38	<b>(iii)</b> Trade shows, such as automobile, boat,
9	transmitter towers, and other towers shall not be	39	agricultural, and science shows; exhibitions such
10	located in airport approach areas; and	40	as art, handicraft, or antique shows; auctions,
11	<b>(D)</b> In Rural and Agricultural or Residential zones, or	41	flea markets, fashion shows, beauty pageants;
12	on land proposed to be used for residential	42	<b>(iv)</b> Dog, cat, horse shows, and rodeos;
13	purposes on an approved Basic Plan for the LCD	43	<b>(v)</b> Government-sponsored events and educational
14	Zone or any approved detailed site plan,	44	conferences;
15	telephone, radio, or television transmission	45	<b>(vi)</b> Benefit functions (including but not limited to
16	towers shall be set back (from the boundary line	46	carnivals and bazaars) sponsored and managed
17	of the special exception) a distance equal to its	47	by charitable, patriotic, fraternal, educational,
18	height (measured from its base) plus fifty (50)	48	religious, political, or civic organizations that are
19	feet.	49	local to or serve Prince George's County;
20	<b>(bbb) Racetracks, Pari-Mutuel</b>	50	<b>(vii)</b> Dinner theaters;
21	<b>(1)</b> A pari-mutuel racetrack (for horse racing) may be	51	<b>(viii)</b> Tennis, handball, and other racquet facilities;
22	permitted, subject to the following:	52	horse boarding and horse riding instruction,
23	<b>(A)</b> The subject property shall contain at least one	53	track meets, and jousting tournaments; and
24	hundred (100) contiguous acres;	54	<b>(ix)</b> Accessory buildings and uses.
25	<b>(B)</b> A racetrack may be used for any of the following:	55	<b>(C)</b> The Zoning Enforcement Officer shall investigate
26	<b>(i)</b> Temporary living accommodations, such as	56	all complaints about uses and shall forward a
27	trailer pads, mobile homes, and utility hookups,	57	report on them (with or without
28	which are used during the permitted racing	58	recommendation) to the District Council. The
29	season by employees, horsemen, owners, or	59	District Council may, after giving notice to the
30	other persons employed in connection with the	60	property owner and following a public hearing

1	held by the Zoning Hearing Examiner in	32	driveways within the campground. No vehicular
2	accordance with Section 27-3412, Evidentiary	33	access shall be located within three hundred
3	Hearing, revoke, suspend, modify, or impose	34	(300) feet of any school, fire station, or hospital;
4	conditions upon any of the uses granted, upon a	35	<b>(B)</b> The subject property shall contain at least five (5)
5	finding that the use adversely affects the health	36	acres;
6	or safety of the residents or workers in the area	37	<b>(C)</b> Active recreational areas, consisting of facilities
7	or is detrimental to the use or development of	38	such as swimming pools, children's playgrounds,
8	adjacent properties or the general	39	fishing and boating ponds, shuffleboard courts,
9	neighborhood. The following procedures shall	40	tennis courts, bike trails, and golfing facilities
10	apply:	41	shall take up at least ten percent (10%) of the
11	<b>(i)</b> After the close of the hearing record, the Zoning	42	gross campground area, and shall be located at
12	Hearing Examiner shall file a written	43	least fifty (50) feet from all boundary lines of the
13	recommendation with the District Council.	44	special exception.
14	<b>(ii)</b> Any person of record may appeal the	45	<b>(D)</b> Camping trailers shall be parked only on
15	recommendation of the Zoning Hearing	46	designated campsites, which shall be at least
16	Examiner within fifteen (15) days of the filing of	47	thirty (30) feet wide and contain at least one
17	the Zoning Hearing Examiner's recommendation	48	thousand six hundred (1,600) square feet each.
18	with the District Council. If appealed, all persons	49	No campsite shall be located less than one
19	of record may testify before the District Council.	50	hundred (100) feet from any street line or fifty
20	<b>(iii)</b> Persons arguing shall adhere to the District	51	(50) feet from any other boundary line of the
21	Council's Rules of Procedure, and argument shall	52	special exception or any structure (other than a
22	be limited to thirty (30) minutes for each side,	53	utility structure or campsite shelter) in the
23	and to the record of the hearing.	54	campground;
24	<b>(ccc) Recreational Campground</b>	55	<b>(E)</b> Retail, service, and commercial recreational
25	<b>(1)</b> A recreational campground may be permitted, subject	56	activities (including a public spa), which only
26	to the following:	57	serve the customary needs of campers, are
27	<b>(A)</b> The campground shall be reasonably accessible	58	permitted, provided that:
28	to an improved public street, and access shall not	59	<b>(i)</b> The uses are secondary to the campground;
29	be by means of streets internal to residential	60	<b>(ii)</b> The uses are internally oriented;
30	subdivisions for one-family dwellings. Access to	61	<b>(iii)</b> The uses do not have direct access to a public
31	campsites shall be provided by well-maintained	62	street; and



1	<b>(iv)</b> The uses do not display separate signs (from any	29	<b>(ddd) Recycling Plant</b>
2	signs for the campground) which are visible from	30	<b>(1)</b> A recycling plant for textiles, rubber products,
3	a street;	31	nonferrous metals, or miscellaneous materials may be
4	<b>(F)</b> No camping trailer shall be located in a	32	permitted, subject to the following;
5	recreational campground for an indefinite period	33	<b>(A)</b> All operations shall be confined to the interior of
6	of time. No camping trailer temporarily parked in	34	a wholly enclosed building;
7	a campground may be occupied for more than	35	<b>(B)</b> There shall be no outside storage of materials
8	three (3) months in any twelve (12) month	36	used in the operation;
9	period. The wheels of a camping trailer may only	37	<b>(C)</b> An impact statement shall be submitted
10	be removed for temporary purposes of repair or	38	explaining:
11	to attach the trailer to the ground for	39	<b>(i)</b> (A) The scope of the operation;
12	stabilization;	40	<b>(ii)</b> (B) The provisions proposed for control of any
13	<b>(G)</b> Campsites shall not be located on slopes which	41	noxious odors;
14	exceed fifteen percent (15%). Existing vegetation	42	<b>(iii)</b> (C) The pollution control measures to be taken;
15	shall be cleared only when necessary for	43	and
16	campground facilities and only in accordance	44	<b>(iv)</b> (D) The compatibility of the use with the
17	with the approved site plan; and	45	surrounding area.
18	<b>(H)</b> In addition to the requirements of Section 27-	46	<b>(eee) Rifle, Pistol, or Skeet Shooting Range</b>
19	3604(c), Special Exception Submittal	47	<b>(1)</b> In the AG, AR, and RR zones, a pistol or outdoor rifle or
20	Requirements, the site plan shall show:	48	skeet shooting range may be permitted, if adjacent
21	<b>(i)</b> The physical characteristics of the site (including	49	areas are predominantly undeveloped.
22	existing and planned topography and major	50	<b>(2)</b> In the CGO Zone, an indoor pistol or rifle range may be
23	stands of trees);	51	permitted, subject to the following:
24	<b>(ii)</b> The proposed type and location of campsites	52	<b>(A)</b> An impact statement shall be submitted
25	(including designated walk-in sites);	53	explaining:
26	<b>(iii)</b> Proposed pedestrian pathways and bikeways;	54	<b>(i)</b> The scope of the proposed operation;
27	and	55	<b>(ii)</b> Provisions to be taken for soundproofing and
28	<b>(iv)</b> A description of the utilities to be provided.	56	safety; and

1	(iii) The compatibility of the use with the	32	(C) Fixed installations that involve washing,
2	surrounding uses and the general neighborhood.	33	screening, classifying, and crushing facilities, and
3	(B) The use shall be incidental to a sporting goods	34	parking and storage areas for trucks and heavy
4	shop;	35	equipment, shall be located at least four hundred
5	(C) The use shall be wholly enclosed; and	36	(400) feet from all boundary lines of the subject
6	(D) The proposed safety measures are adequate,	37	property; fixed installations that involve
7	taking into account the location of the proposed	38	automobile parking, and settling ponds shall be
8	use, the scope of the operation, and the nature	39	located at least two hundred (200) feet from all
9	and proximity of surrounding uses.	40	boundary lines of the subject property; and
10	<b>(fff) Sand and Gravel Wet-Processing</b>	41	nonstructural installations that involve stockpiles
11	(1) Wet-processing of sand and gravel (including only	42	of natural material shall be located at least three
12	washing, screening, classifying, crushing, and stockpiling	43	hundred (300) feet from all boundary lines of the
13	of natural materials), may be permitted, subject to the	44	subject property. The District Council may waive
14	criteria below:	45	the three hundred (300) foot setback for
15	(A) The subject property shall contain at least fifty	46	stockpiles of natural material when it determines
16	(50) contiguous acres. This minimum acreage	47	that adequate screening and buffering are being
17	requirement may be waived by the District	48	provided.
18	Council, provided the property has direct	49	(D) The site plan and information accompanying the
19	vehicular access to an existing four (4) lane	50	application for special exception shall be
20	highway.	51	reproducible, or twelve (12) copies shall be
21	(B) Initially, the special exception shall be valid for	52	submitted. In addition to the requirements of
22	twenty (20) years, unless the District Council	53	Section 27-3604(c), Special Exception Submittal
23	grants some lesser time period. Extensions of	54	Requirements, the site plan shall show:
24	specific periods may be granted if a new special	55	(i) The location of all washing, screening,
25	exception application is filed and no substantial	56	classifying, and crushing facilities;
26	adverse impact is found in the continuation of	57	(ii) The location of all natural material stockpiles;
27	the use. When the subject property is in a Rural	58	(iii) The internal traffic circulation system;
28	and Agricultural or Residential zone, extensions	59	(iv) The parking and storage areas for all vehicles and
29	of time may be granted only where the area	60	equipment;
30	surrounding the property is not substantially	61	(v) The settling ponds and water bodies;
31	developed with incompatible uses.		

1	(vi)	The source of water to be used in the operation;	32		
2		and	33		
3	(vii)	The identification of the trucks and heavy	34		
4		equipment to be used in the plant operation.	35		
5			36		
6	(E)	All applications for special exception shall be	37		
7		accompanied by the following:	38		
8	(i)	A stormwater concept plan approved pursuant	39		
9		to Section 4-322 of this Code;	40		
10	(ii)	A preliminary noise assessment;	41		
11			42		
12	(iii)	A horizontal profile illustrating all structures and	43		
13		stockpiles; and	44		
14	(iv)	A grading plan that illustrates existing and	45		
15		proposed topography.	46		
16			47		
17	(F)	At least thirty (30) calendar days prior to the	48		
18		hearing before the Zoning Hearing Examiner, the	49		
19		applicant shall file a traffic analysis with the	50		
20		Zoning Hearing Examiner for inclusion with the	51		
21		original application, and send a copy to the	52		
22		Planning Board. The traffic analysis shall include	53		
23		the volume of traffic expected to be generated	54		
24		by the operation, and shall identify the streets to	55		
25		be used between the site and the nearest other	56		
26		street (to be used) that has a minimum paved	57		
27		width of twenty-four (24) feet for the	58		
28		predominant length of the street.	59		
29	(G)	Driveways for ingress and egress shall be	60		
30		identified on the site plan, and shall be located	61		
31		so as to not endanger pedestrians or create	62		
		traffic hazards. The applicant shall identify the	63		
		dust-control measures to be used on the			
		driveways and the interior traffic circulation			
					system. Any ingress or egress driveway shall have
					a minimum width of twenty-two (22) feet, and
					shall be paved for a distance of at least two
					hundred (200) feet from the boundary line of the
					special exception.
				(H)	The Technical Staff Report prepared in response
					to the application shall include a current,
					Countywide inventory of the locations, dates of
					approval, and conditions of approval concerning
					haul routes and estimated loads per day, for all
					approved and pending special exceptions for
					sand and gravel wet-processing, sanitary landfills
					and rubble fills, and surface mining, as indicated
					by the record in the case. The inventory shall also
					include the locations of all nonconforming sand
					and gravel wet-processing, sanitary landfills and
					rubble fills, and surface mining operations
					throughout the County that were certified after
					September 6, 1974.
				(2)	In reviewing the application, the District Council shall
					consider the use of techniques which provide for noise
					attenuation.
				(3)	All information required as part of the special exception
					application shall be referred to the Prince George's
					County Department of Public Works and
					Transportation, Prince George's County Soil
					Conservation District, Washington Suburban Sanitary
					Commission, Prince George's County Department of
					Permitting, Inspections, and Enforcement, Maryland
					State Highway Administration, and Maryland State
					Water Resources Administration for comment. These
					agencies shall be given forty-five (45) days to reply. A

- 1 copy of the same information shall also be submitted to 30  
2 the Sand and Gravel Advisory Committee. 31  
32
- 3 **(4)** Wash plants, including ponds, spoil sites, and 33  
4 equipment, are prohibited within the Buffer, as defined 34  
5 in the Conservation Manual, in any of the Chesapeake 35  
6 Bay Critical Area Overlay (CBCAO) zones. 36
- 7 **(5)** In reviewing the application for compliance with the 37  
8 decision standards set forth in Section 27-3604(e) 38  
9 Required Findings, the District Council shall consider the 39  
10 inventory required in paragraph 27-5402(fff)(1)(H) 40  
11 above. 41
- 12 **(ggg) Sanitary Landfill; Rubble Fill** 42
- 13 **(1)** A sanitary landfill or rubble fill may be permitted as a 43  
14 temporary Special Exception. 44
- 15 **(2)** The District Council shall determine the period of time 45  
16 for which the special exception is valid. 46
- 17 **(3)** In the RE Zone, the landfill is only allowed if the 47  
18 neighborhood is substantially undeveloped and the 48  
19 landfill is an extension of an existing sanitary landfill on 49  
20 abutting land for which the approved Special Exception 50  
21 has not expired. This is not an amendment to an 51  
22 approved special exception under Section 27-3604(i), 52  
23 Changes to Approved Special Exception. 53
- 24 **(4)** An application for a sanitary landfill or rubble fill that 54  
25 includes a "rock crusher" on the site must show the 55  
26 location of the proposed rock crusher on the site plan. 56
- 27 **(5)** The applicant shall provide a traffic study that is 57  
28 prepared in accordance with Planning Board Guidelines 58  
29 for Analysis of Traffic Impact of Development Proposals. 59  
60
- (6)** The applicant shall provide a visual analysis of any  
proposed mounds and should include cross sections and  
results from balloon tests.
- (7)** The applicant shall address how odors emanating from  
fill materials will be mitigated.
- (8)** The Technical Staff Report prepared in response to the  
application shall include a current, Countywide  
inventory of the locations, dates of approval, and  
conditions of approval concerning haul routes and  
estimated loads per day for all approved and pending  
Special Exceptions for sand and gravel wet-processing,  
sanitary landfills and rubble fills, and surface mining, as  
indicated by the record in the case. The inventory shall  
also include the locations of all nonconforming sand and  
gravel wet-processing, sanitary landfills and rubble fills,  
and surface mining operations throughout the County  
that were certified after September 6, 1974.
- (9)** In reviewing the application for compliance with the  
decision standards set forth in Section Section 27-  
3604(e) Required Findings, the District Council shall  
consider the inventory required in Subsection (8),  
above.
- (10)** The Technical Staff Report prepared in response to an  
application for a rubble fill shall include an analysis of  
need based on the most current available projections of  
residential and employment growth in Prince George's  
County over a fifteen-year period. The District Council  
shall consider this analysis when determining  
compliance with the finding required in Subsection (11),  
below, and when determining the period of time for  
which the special exception is valid.

1	<b>(11)</b> When approving a special exception for a rubble fill, the	29	<b>(B)</b> The main building on the site shall be set back at	29
2	District Council shall find that the proposed use is	30	least one hundred (100) feet from all property	30
3	necessary to serve the projected growth in Prince	31	lines.	31
4	George's County, by applicant proof that without the	32	<b>(C)</b> All required parking shall be provided on-site,	32
5	proposed use the County's projected growth will be	33	unless off-site parking on an abutting lot is	33
6	adversely affected. Proof of a future deficit in or	34	provided.	34
7	absence of Countywide fill capacity does not by itself	35	<b>(D)</b> Any ancillary restaurant shall be entirely	35
8	constitute proof that a proposed fill is necessary to serve	36	integrated within the skating facility, and shall	36
9	the projected growth in the County.	37	not have access from the exterior of the skating	37
		38	facility.	38
10	<b>(hhh) Sawmill</b>		<b>(E)</b> The skating facility shall be wholly enclosed.	
11	<b>(1)</b> A sawmill for the cutting of timber grown on the	39	Special noise attenuation measures shall be	
12	premises may be permitted as a temporary special	40	considered on all walls facing land in a Rural and	
13	exception, subject to the following:	41	Agricultural or Residential zone or land used for	
14	<b>(A)</b> The District Council shall determine the period of	42	residential purposes.	
15	time for which the special exception is valid;	43		
16	<b>(B)</b> No machinery shall be located less than fifty (50)	44	<b>(2)</b> Special consideration shall be given to outdoor display,	
17	feet from any boundary line of the special	45	outdoor activity, advertisement, lighting, hours of	
18	exception;	46	operation, and other aspects of the proposed operation	
19	<b>(C)</b> All machinery shall be secured against	47	to assure that the health, safety, and general welfare of	
20	unauthorized use; and	48	the community will be protected.	
21	<b>(D)</b> After the removal and cutting of timber, all	49		
22	debris and sawdust piles shall be removed, and	50	<b>(jjj) Surface Mining</b>	
23	the premises shall be left in a sightly condition.	51	<b>(1)</b> The surface mining of natural materials or deposits	
		52	(including sand, gravel, or clay pits; rock or stone	
24	<b>(iii) Skating Facility</b>	53	quarries; and the removal of earth or topsoil) may be	
25	<b>(1)</b> A skating facility may be permitted, subject to the	54	permitted, subject to the following:	
26	following:	55	<b>(A)</b> Heavy machinery may be used for the extraction	
27	<b>(A)</b> The use is proposed on a site comprising at least	56	of natural material or deposits from the site.	
28	five (5) gross acres.	57	Except in the IH Zone, heavy machinery may not	
		58	be used for washing, refining, or other	
		59	processing, unless a special exception is granted	
			for sand and gravel wet-processing under the	

1	provisions of Section 27-5402(fff), Sand and	32	
2	Gravel Wet-Processing;	33	
3	<b>(B)</b> The use shall not be noxious, offensive, or	34	
4	otherwise objectionable by reason of dust,	35	
5	smoke, or vibration;	36	
6	<b>(C)</b> The land areas exposed by the extraction and	37	
7	removal of natural materials or deposits shall be	38	
8	left suitable for development. A grading plan	39	
9	shall be submitted (along with the site plan)	40	
10	showing the existing and proposed ground	41	
11	elevations of the site, adjacent land, and all	42	
12	abutting streets. The exposed land area shall	43	
13	have a slope not greater than three-to-one (3:1),	44	
14	except where any portion of the site is developed	45	
15	for port or harbor facilities;	46	
16	<b>(D)</b> The special exception shall be valid for not longer	47	
17	than five (5) years, except where the use is	48	
18	located:	49	
19	<b>(i)</b> In an RR Zone which is predominantly	50	
20	undeveloped for a radius of one (1) mile from the	51	
21	operation; or	52	
22	<b>(ii)</b> (B) In an IH Zone;	53	
23	<b>(E)</b> In addition to the requirements of Section 27-	54	
24	3604(c), Special Exception Submittal	55	
25	Requirements, the site plan shall show an	56	
26	estimate of the time required for the removal of	57	
27	the material;	58	
28	<b>(F)</b> At least sixty (60) calendar days prior to the	59	
29	hearing before the Zoning Hearing Examiner, the	60	
30	applicant shall file a traffic analysis with the	61	
31	Zoning Hearing Examiner for inclusion in the	62	
		63	<b>(G)</b> Driveways or access points shall be identified on
		64	the site plan, and shall be located so as not to
			endanger pedestrians or create traffic hazards.
			The surface material to be used on the driveways
			shall be identified on the site plan. Any access
			driveway shall be at least twenty-two (22) feet
			wide, and shall be paved for a distance of at least
			two hundred (200) feet from the boundary line
			of the special exception.
			<b>(H)</b> The Technical Staff Report prepared in response
			to the application shall include a current,
			Countywide inventory of the locations, dates of
			approval, and conditions of approval concerning
			haul routes and estimated loads per day for all
			approved and pending special exceptions for
			sand and gravel wet-processing, sanitary landfills
			and rubble fills, and surface mining, as indicated
			by the record in the case. The inventory shall also
			include the locations of all nonconforming sand
			and gravel wet-processing, sanitary landfills and
			rubble fills, and surface mining operations
			throughout the County that were certified after
			September 6, 1974.
			<b>(2)</b> In the LCD Zone, no surface mining operation may be
			permitted after a Specific Design Plan for the subject

1 property has been approved under the provisions of 32  
2 Section Sec. 27-1700, Transitional Provisions. An 33  
3 application for this special exception may only be 34  
4 accepted, and the special exception granted, if no 35  
5 Specific Design Plan has yet been filed for the subject 36  
6 property. 37

7 **(3)** In reviewing the application, the District Council shall 38  
8 consider the use of techniques which provide for noise 39  
9 attenuation. 40

10 **(4)** On land which is located within a Chesapeake Bay 41  
11 Critical Area Overlay (CBCAO) Zone, development is 42  
12 subject to Subtitle 5B: Chesapeake Bay Critical Area, of 43  
13 this Code. 44  
45

14 **(5)** In reviewing the application for compliance with the 46  
15 decision standards set forth in Section 27-3604(e), 47  
16 Required Findings, the District Council shall consider the 48  
17 inventory required in paragraph 27-5402(jjj)(1)(H), 49  
18 above. 50

19 **(kkk) Tobacco shops, electronic cigarette shops or a**  
20 **retail tobacco business** 51

21 **(1)** Tobacco shops, electronic cigarette shops, or a retail 52  
22 tobacco business may be permitted by special 53  
23 exception, subject to the following: 54  
55

24 **(A)** The structure in which the use is proposed shall 56  
25 be located at least three hundred (300) feet from 57  
26 any school, library, park, recreational facility, and 58  
27 historic site, resource, or district identified on 59  
28 any applicable Historic Sites and District Plan, a 60  
29 National Register Site, or an Historic District. This 61  
30 provision shall not apply to a retail tobacco or  
31 electronic cigarette business within a

recreational or entertainment establishment of a  
commercial nature with video lottery facility  
uses in accordance with Section 27-  
5102(e)(7)(D), Recreational or Entertainment  
Establishment of a Commercial Nature with a  
Video Lottery Facility, of this Subtitle.

- (B)** In its final decision to approve a special exception  
for the use, the Council may impose other  
reasonable requirements deemed necessary to  
safeguard the health, safety, morals, and general  
welfare of the community, taking into account  
the character of surrounding properties and the  
general neighborhood, and any other uses on the  
subject property.
- (C)** No special exception shall be permitted for a  
tobacco shop, electronic cigarette shop, or a  
retail tobacco business located within 2,000 feet  
of another tobacco shop, electronic cigarette  
shop, or a retail tobacco business.

### **(III) Transfer Station**

- (1)** A transfer station may be permitted subject to the  
following:
- (A)** Hours of operation shall occur only between 7:00  
a.m. and 6:00 p.m.;
- (B)** The building associated with the use shall be set  
back at least five hundred (500) feet from all  
property lines;
- (C)** The applicant shall identify measures that will be  
taken to control any noxious and offensive  
odors;

- 1 (D) All activities pertinent to the transferring of solid 32  
2 waste shall be conducted in a wholly enclosed 33  
3 building which has an impervious surface for 34  
4 loading and unloading solid waste, and is capable 35  
5 of accommodating all types of solid waste 36  
6 hauling vehicles; and 37
- 7 (E) The use shall not commence until the State of 38  
8 Maryland has issued all applicable permits 39  
9 including, but not limited to, a transfer station 40  
10 permit. 41
- 11 **(mmm) Tower, Pole, Monopole, or Antenna** 42
- 12 (1) A tower, pole, or monopole for the support of an 43  
13 antenna (electronic, radio, television, transmitting, or 44  
14 receiving) may be permitted, subject to the following: 45
- 15 (A) In the Nonresidential zones, and for land in a 46  
16 Rural and Agricultural or Residential zone owned 47  
17 by a public entity, the structure shall generally be 48  
18 set back from all property lines and dwelling 49  
19 units a distance equal to the height of the 50  
20 structure (measured from its base). The District 51  
21 Council may reduce the setback to no less than 52  
22 one-half (1/2) the height of the structure based 53  
23 on certification from a registered engineer that 54  
24 the structure will meet the applicable design 55  
25 standards for wind loads of the Electronic 56  
26 Industries Association (EIA) for Prince George's 57  
27 County. In the Rural and Agricultural and 58  
28 Residential zones, on privately owned land, the 59  
29 structure shall be set back from all property lines 60  
30 and dwelling units a distance equal to the height 61  
31 of the structure (measured from its base); 62
- (B) On privately owned land, the structure shall not be used to support lights or signs other than those required for aircraft warning or other safety purposes;
- (C) Any tower or monopole which was originally used, but is no longer used, for telecommunications purposes for a continuous period of one (1) year shall be removed by the tower or monopole owner at the owner's expense; and
- (D) Any related telecommunication equipment building shall be screened by means of landscaping or berming to one hundred percent (100%) opacity.
- (nnn) Vehicle and Trailer Rental Display**
- (1) The display for rental purposes of motor vehicles (except dump trucks), trailers, boats, camping trailers, or other vehicles may be permitted, subject to the following:
- (A) Rental vehicles shall be parked on a hard-surfaced area, which is resistant to erosion and adequately treated to prevent dust emission;
- (B) The gross weight of trucks shall not exceed twenty thousand (20,000) pounds each;
- (C) In addition to the buffering requirements in the Landscape Manual, the use shall be screened from existing or proposed residential development by a six (6) foot high opaque wall or fence. The fence or wall shall not contain any advertising material, and shall be maintained in good condition. This screening may be modified



- 1 by the District Council where the parking area is 30  
2 already effectively screened from residential 31  
3 property by natural terrain features, changes in 32  
4 grade, or other permanent, natural, or artificial 33  
5 barriers. 34
- 6 **(2)** If the rental use is in conjunction with another use, it  
7 shall be subject to the following:
- 8 **(A)** A special exception is required to validate the  
9 rental use, irrespective of the commencement  
10 date of the use; and
- 11 **(B)** Off-street parking for the use shall be provided in  
12 addition to the off-street parking required for the  
13 other business.
- 14 **(3)** If the use is a totally separate business (not in  
15 connection with any other business), it shall be subject  
16 to the following:
- 17 **(A)** The area devoted to rental purposes shall not be  
18 more than sixty percent (60%) of the net lot area;  
19 and
- 20 **(B)** The display shall be set back at least thirty (30)  
21 feet from the street line.
- 22 **(ooo) Vehicle Salvage Yard**
- 23 **(1)** A vehicle salvage yard may be permitted, subject to the  
24 following:
- 25 **(A)** The use shall be enclosed by a solid, sightly, light-  
26 tight wall or fence at least eight (8) feet high, and  
27 found to be satisfactory by the District Council;
- 28 **(B)** The fence shall not be constructed of corrugated  
29 metal or fiber glass, or sheet metal;
- (C)** Outdoor storage shall not be visible from the  
ground level beyond the fence; and
- (D)** Interior storage shall be located within a  
fireproof building.