This document serves as accompaniment to the proposed map changes illustrated in the Town Growth Area Comprehensive Rezoning. The purpose of these amendments are not to change existing content or use classifications but rather to repeal certain zoning districts that will no longer be designated on the official zoning map for Washington County, Maryland and eliminate cross references to the repealed text.

ARTICLE 3 - DISTRICTS ESTABLISHED; ZONING MAPS, DISTRICT BOUNDARIES; LAND USE REGULATIONS (RURAL AREA USES)

Section 3.0 Districts Established

For the purpose of this Ordinance, the following zoning districts are established:

Rural Districts

A(R) Agricultural (Rural) District
C Conservation District
EC Environmental Conservation District
P Preservation District
RV Rural Village
RB-E Rural Business-Existing
RB-N Rural Business-New
A Agricultural District

Residential Districts

RR Residential, Rural District
RT Residential, Transition District
RS Residential, Suburban District
RU Residential, Urban District
RM Residential, Multi-Family District

Business Districts

BT Business, Transitional District
BL Business, Local District
BG Business, General District
Industrial Districts

IR  Industrial, Restricted District
IG  Industrial, General District
IM  Industrial, Mineral District

Planned Development Districts

MX  Mixed Use District
PB  Planned Business District
PI  Planned Industrial District

Special Districts

HI  Highway Interchange District
HI-1  Highway Interchange District 1
HP  Historic Preservation District
SED  Special Economic Development District
ORT  Office; Research and Technology District
ORI  Office, Research, and Industry District
ERT  Education, Research, and Technology District
AO  Antietam Overlay District
AP  Airport District

ARTICLE 4 - GENERAL PROVISIONS

Section 4.3 Nonconforming Uses

(b) All other nonconforming uses shall be subject to review and approval by the Board of Zoning Appeals. In all other zoning districts except the A, C, A(R), EC, P and BL districts, the Board may approve the alteration or the expansion of a nonconforming use provided the expansion is restricted to an additional area not exceeding thirty-five (35) percent of the existing use. In the HI-1 or HI-2 districts, the Board may approve an alteration or expansion greater than thirty-five (35) percent of a nonconforming mobile home park provided the proposed expansion is consistent with the Comprehensive Plan and meets the guidelines of Section 22.5 and 22.6 of this Ordinance.

(1) In the A, C, A(R), EC, P and BL districts, the Board may approve the alteration or the expansion of a nonconforming use without restriction to area provided the proposed expansion is consistent with the Plan for the County, and provided it meets the guidelines of Section 25.6 of the Ordinance.
Section 4.5 Buildable Lots

Any lot which was a buildable lot under the terms or regulations in effect at the time of the adoption of this Ordinance and which was established or recorded at the time shall be deemed a buildable lot. Nothing shall prohibit the erection of a single family dwelling on a lot of record in an HI district prior to its designation as an HI-1 district.

Any lot with a structure which was destroyed between June 1, 1972 and April 2, 1973 and within the boundaries of Federal Public Law 91-664, shall be deemed a buildable lot within the provisions of this Ordinance.

Except as otherwise provided for in this ordinance, all lots, parcels or tracts either created prior to or after the adoption of this ordinance which are located in A, C, A(R), EC, P, RV, RB-E, RB-N, RR, RT, RS, RU districts shall be limited to one principal permitted residential use on a lot, parcel, or tract.

Section 4.8 Essential Utility Equipment

Essential utility services, as defined in Article 28A, shall be permitted in any district, as authorized and regulated by law and ordinances of Washington County, it being the intention hereof to exempt such essential services from the application of this Ordinance; except that, without in any way altering or otherwise affecting such exemption, the plans of any overhead electric transmission line of 69.0 K.V. or more, on metal or wooden poles or towers or pole structures, or of any cross country telephone trunk line including microwave, transmission pipe line, natural gas line, trunk sewer line or sub-station, proposed to be erected or installed in any C, A, A(R), EC, P, RV, RR, RT, RS, RU or RM District shall be submitted before the beginning of construction to the Planning and Zoning Commission for its review.

Section 4.9 Distance Requirements

(a) Any uses or buildings subject to compliance with this section shall be located at least two hundred (200) feet from any lot line in a RR, RT, RS, RU, RM or RV District or any lot occupied by a dwelling, school, church, or institution for human care not located on the same lot as the said use or buildings, or any lot which is part of a duly recorded subdivision.

Section 4.14 Mineral Extraction

Low volume mineral extraction, as defined in Article 28A, shall be permitted in all districts except the RR, RT, RS, RU, RM, and RV districts. Zoning approval for low volume operations shall not require the submission of a site plan but shall require the submission of grading plans and erosion and sediment control plans.

Moderate volume mineral extraction, as defined in Article 28A is provided for in the C, A, A(R), EC, P and IG Districts as a special exception.
High volume mineral extraction, as defined in Article 28A, may be permitted only in the "IM" District. The expansion of an existing high volume mineral extraction operation in an A, C, or IG District shall be subject to the requirements of Sections 15.4 and 15.5.

Section 4.18 Nursery Schools and Child Care Centers

Registered nursery schools or child care centers shall be considered an incidental accessory use for any business located in the BT, BL, BG, IT, IR, IG, AP, PB, PI, "PUD" "MX" and HI districts. Nursery schools and child care centers permitted as accessory uses under this section shall be for the use of employees and their families of the business. When it is necessary to construct additional buildings to house accessory day care facilities, the Zoning Administrator shall determine, based on the impact on the entire site, whether a site plan meeting the requirements of Section 4.11 of the Washington County Zoning Ordinance shall be submitted.

Section 4.22 Commercial Communication Towers

b.A.2. Subject to a minimum distance requirement of a distance equaling the height of the tower and equipment plus 200 feet from the RRRT, RS, RU, RM and RV districts or the nearest part of any existing dwelling, school, church, or institution for human care, in any other district.

ARTICLE 5
"C" CONSERVATION DISTRICT

Section 5.0 Purpose
The purpose of this District is to prescribe a zoning category for those areas where, because of natural geographic factors and existing land uses, it is considered feasible and desirable to conserve open spaces, water supply sources, woodland areas, wildlife and other natural resources. This district may include extensive steeply sloped areas, stream valleys, water supply sources, and wooded areas adjacent thereto. The following regulations and the applicable regulations contained in other articles shall apply to the "C" Conservation District:

Section 5.1 Principal Permitted Uses

(a) Agriculture, as defined in Article 28A, including animal husbandry facilities as defined in Article 28A, which shall be subject to the requirements set forth in Article 22, Division IX.
(b) Forest, forestation and wildlife preserves.
(c) Campgrounds, riding academies, golf courses, riding trails, summer or winter resort areas, hunting, fishing or country clubs, game preserves and similar uses for the purpose of preserving and enjoying the natural resources of the property, but not including marinas, boat rentals, docks, piers, or wharves.
(d) Water supply works, flood control or watershed protection works, and fish and game hatcheries.

(e) Permanent nonfarm single-family dwellings; provided that the minimum lot size shall be maintained at three (3) acres.

(f) Mobile homes; provided that the same are utilized as a single-family dwelling, and provided that the minimum lot size is three (3) acres, and further provided that said mobile home provides housing and is in compliance with the requirements of Section 22.54.

(g) Sawmills for cutting timber, provided that such use shall be located three (3) times the distance requirements specified in Section 4.9.

(h) Churches, parish houses, and other places of worship.

(i) Travel trailer parks, subject to the provisions of Section 22.52, and provided such use shall be three (3) times the distance requirements specified in Section 4.9.

(j) Public buildings, structures, and properties of the recreational, cultural, administrative, or public service-type, including fire, ambulance, or rescue services.

(k) Dairy products stores, grocery stores, produce stands, service stations, beauty parlors, and barber shops. A site plan shall be required for these uses pursuant to the standards of Section 4.11 except for all uses where the area devoted to the use is less than twenty-five hundred (2,500) square feet. Beauty parlors and barber shops in residence shall not require a site plan or any additional lot area, lot width, or setbacks over that which is required for the subject dwelling as specified in Section 5.5 or as modified in Article 23.

(l) (Repealed 2-8-94; RZ-93-13)

Section 5.2 Special Exceptions (Requiring Board Authorization After Public Hearing)

(a) Moderate volume mineral extraction and mineral processing as defined in Article 28A, subject to the requirements of Sections 15 and 25.6. Mineral processing shall be for minerals mined on the site.

(b) Public utility buildings and structures other than essential utility equipment, as defined in Article 28A.

(c) Trap, skeet, rifle, or archery range, including gun clubs; provided such use shall be five (5) times the distance requirements specified in Section 4.9.

(d) Veterinary clinics, animal hospitals, or kennels without outside runways or exercise areas.

(e) Marinas, boat rentals, docks, piers and wharves.

(f) Any other use that the Board finds is functionally similar to any principally permitted use or special exception listed in this Article. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this District, nor which will materially or adversely affect the use of any adjacent or neighboring properties.

(g) Cemeteries, mausoleums, and memorial gardens.

(h) Senior Assisted Group Home, which home(s) shall provide daily living for elderly residents and meet all necessary approvals.

(i) Commercial Communications Towers, subject to the requirements of Section 4.22.
(j) Veterinary clinics, animal hospitals, or kennels with outside runways or exercise areas shall comply with Section 5.5. In addition, the outside runway or exercise area shall be no less than 175 feet from any dwelling, church, school or institution for human care not located on the same lot.

Section 5.3 Accessory Uses

(a) Accessory buildings and uses customarily incidental to any principal permitted use or authorized special exception use.

(b) Private stables as defined in Article 28A shall be subject to the requirements set forth in Article 4, Section 4.13.

Section 5.4 Height Regulations

Except on farms and except as provided in Section 23.4, no buildings or structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet.

Section 5.5 Lot Area, Lot Width, and Yard Requirements

The following minimum requirements shall apply except as hereinafter modified in Article 23.

<table>
<thead>
<tr>
<th></th>
<th>Lot Area</th>
<th>Lot Width</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Mobile Homes</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Other Uses</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Veterinary clinics, animal hospitals, or kennels without outside runways or exercise areas, including the dwelling</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Veterinary clinics, animal hospitals, or kennels with outside runways or exercise areas, including the dwelling (see also Section 5.2(j))</td>
<td>4 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>

[Except Section 5.2 (e)(i)]

ARTICLE 6—"A" AGRICULTURAL DISTRICT

Section 6.0 Purpose

The purpose of this District is to provide for continued arming activity and the many uses which do not require public water and sewerage facilities and which may be more suitably located outside of the urban-type growth of the larger communities of the County. While several smaller communities may appear in this District, it comprises, generally, for the most part, the rural portions of the County.
The following regulations and the applicable regulations contained in other articles shall apply in the "A" Agricultural District.

Section 6.1 Principal Permitted Uses

(a) Agriculture, as defined in Article 28A, including commercial nurseries, greenhouses; and animal husbandry facilities as defined in Article 28A which shall be subject to the requirements set forth in Article 22, Division IX.

(aa) (Repealed, 2-8-94; RZ 93-13)

(b) Churches, parish houses, and other places of worship.

(c) Circus, carnival or similar transient enterprise; provided, that such use shall not exceed ten (10) days at any one time, and which does not include any permanent structure.

(d) Dwellings, single-family, two-family and semi-detached.

(e) Mobile homes; provided that the same are utilized as a single-family dwelling, and provided that the minimum lot size is forty thousand (40,000) square feet, and further provided that said mobile home provides housing and is in compliance with the requirements of Section 22.54.

(f) [deleted]

(g) Recreation areas and centers, including country clubs, swimming pools, golf courses, summer camps.

(h) Forests and wildlife preserves, fish hatcheries and similar conservation areas.

(i) Retirement and nursing homes.

(j) Riding academies, livery stables, subject to the distance requirements specified in Section 4.9.

(k) Research laboratories dealing specifically in the field of agriculture.

(l) Sawmills for cutting timber; provided, that such use shall be located three (3) times the distance requirement specified in Section 4.9.

(m) Schools and colleges, including nursery schools or day care centers. (See Section 23.1(g))

(n) Public buildings, structures, and properties of the recreational, cultural, or public service-type, including fire, ambulance or rescue services.

(o) Temporary buildings may be used incidental to construction work upon compliance with the requirements of the Health Department, but shall be removed upon completion or abandonment of the construction work.

(p) Veterinary clinics, animal hospitals, or kennels without outside runways or exercise areas.

(q) Wineries involving the production and bottling of wine.

(r) Conversion and alteration of buildings existing at the time of enactment of this Ordinance to accommodate two or more families.

(s) Blacksmith and/or machine shops primarily engaged in agriculture related work, and leather-tack and shoe repair shops.

(t) Grain elevators, grain bins, farm machinery dealerships, and other businesses primarily engaged in agricultural work.

(u) [deleted]
(v) Travel trailer parks, subject to the provisions of Section 22.52; and provided, such use shall be three (3) times the distance requirements specified in Section 4.9.

(w) Commercial uses limited to the following: Dairy product stores and food and grocery stores that include the sale of gasoline, fruit and vegetable stores, meat markets, produce stands, beauty parlors and barber shops. A site plan shall be required for these uses pursuant to the standards of Section 4.11 except for all uses where the area devoted to the use is less than twenty-five hundred (2,500) square feet. Beauty parlors and barber shops in residence shall not require a site plan or any additional lot area, lot width, or setbacks over that which is required for the subject dwelling as specified in Section 6.5 or as modified in Article 23.

(x) Buildings and properties of a cultural, civic, fraternal, educational, social or community service type, libraries, ponds, playgrounds and community centers.

(y) Firearms repair shops, including retail sales.

(z) PUDs subject to the provisions of Article 16.

(aa) Surface grading, removal of top soil, shale or similar material in preparing the property for development; but not including open pit quarrying or mineral processing on site; subject to the performance standards in Section 4.12. A grading plan containing the information required in Section 15.3(a) (h) showing the existing and proposed surface contours and providing for the revegetation of the property shall be submitted to the Planning Commission for approval.

Section 6.2 Special Exceptions (Requiring Board Authorization After Public Hearing)

(a) Antique shops.

(b) Airports or landing fields, public or private, subject to the provisions of Article 21.

(c) Cemeteries, mausoleums, or memorial gardens.

(d) Contractors equipment storage and/or yards; provided such use shall be subject to two (2) times the distance requirements specified in Section 4.9 and a minimum of three (3) acres is provided.

(e) Moderate volume mineral extraction other than as permitted under Section 6.1(aa), and mineral processing as defined in Article 28A, subject to the requirements of Sections 15.4, 15.5 and 25.6. Mineral processing shall be for minerals mined on the site.

(f) Fairgrounds and race tracks or courses for the conduct of seasonal or periodic meets of horses, dogs, aircraft, automobiles, motorcycles and the like; provided such use shall be subject to three (3) times the distance requirements specified in Section 4.9.

(g) Farms for the principal use of raising animals for experimental or other purposes, such as rats, rabbits, mice, monkeys and the like, fur farms and garbage feeding of hogs, provided such use shall be subject to three (3) times the distance requirements specified in Section 4.9.

(h) Food processing and packing plants; provided such use shall be located two (2) times the distance requirements specified in Section 4.9.

(i) Funeral establishments.

(j) Hospitals, sanitariums or institutions for the treatment of contagious diseases, the insane, liquor or drug addicts; provided such use shall be subject to three (3) times the distance requirements specified in Section 4.9.
Proposed Text Amendments
Town Growth Area Comprehensive Rezoning
RZ-13-003

(k) Veterinary clinics, animal hospitals, or kennels with outside runways or exercise areas, including the dwelling, shall comply with section 6.5. In addition, the outside runway or exercise area shall be no less than 175 feet from any dwelling, church, school or institution for human care not located on the same lot.

(l) Livestock sales, yards, and buildings subject to a minimum of ten (10) acres being provided; and provided such building or use shall be subject to four (4) times the distance requirements specified in Section 4.9 and a front yard of four hundred (400) feet is provided for any use pertaining thereto.

(m) Outdoor theaters; provided a minimum of five (5) acres is maintained; and provided such use shall be subject to three (3) times the distance requirements of Section 4.9.

(n) Penal and correctional institutions including jails.

(o) Public utility buildings, structures, or uses including radio, television, and other communication facilities not considered Essential Utility Equipment, as defined in Article 28A.

(p) Sanitary landfills, provided such use shall be two (2) times the distance specified in Section 4.9.

(q) Research laboratories or research type industries in which the activities are completely enclosed in a building or buildings. The lot area for such use shall not be less than twenty-five (25) acres and a site development plan shall be approved by the Commission.

(r) Trap, skeet, rifle, or archery ranges, including gun clubs; provided such use shall be five (5) times the distance requirements specified in Section 4.9 and all safety standards of county, state and federal agencies are observed.

(s) Marinas, boat rentals, docks, piers, and wharves.

(t) Any other use that the Board finds is functionally similar to any principally permitted use or special exception listed in this Article. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this district, nor which will materially or adversely affect the use of any adjacent or neighboring properties.

(u) Mobile home parks and/or mobile home subdivisions subject to lot area, lot width, and yard requirements of Section 6.5 mobile homes.

(v) Commercial Communications Towers subject to the requirements of Section 4.22.

Section 6.3 Accessory Uses

(a) Accessory buildings and uses customarily incidental to any principal use or authorized special exception use.

(b) Incidental home and farm occupations.

(c) Roadside stands offering for sale only agricultural products grown primarily on the premises.

(d) Keeping of roomers or tourists by a resident family.

(e) Living quarters for persons employed on the premises.

(f) Business signs, subject to the provisions of Section 22.2.

(g) Private stables as defined in Article 28A shall be subject to the requirements set forth in Article 4, Section 4.13.
Section 6.4 Height Regulations

Except on farms and except as provided in Section 23.4, no building or structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet.

Section 6.5 Lot Area, Lot Width, and Yard Requirements

The following minimum requirements shall apply, except as hereinafter modified in Article 23:

<table>
<thead>
<tr>
<th>Description</th>
<th>Lot Area</th>
<th>Lot Width</th>
<th>Lot Area per Family</th>
<th>Front Yard Depth</th>
<th>Side-Yard Depth (Width Each Side Yard)</th>
<th>Rear Yard Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling Single-Family*</td>
<td>40,000 sq. ft.</td>
<td>100 ft.</td>
<td>40,000 sq. ft.</td>
<td>40 ft</td>
<td>15 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>Dwelling, Two-Family*</td>
<td>40,000 sq. ft.</td>
<td>100 ft.</td>
<td>40,000 sq. ft.</td>
<td>40 ft</td>
<td>15 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>Dwelling, Semi-Detached*</td>
<td>20,000 sq. ft.</td>
<td>50 ft.</td>
<td>20,000 sq. ft.</td>
<td>40 ft</td>
<td>15 ft (exterior side-only)</td>
<td>50 ft</td>
</tr>
<tr>
<td>Conversion Apts.</td>
<td>1 acre</td>
<td>150 ft.</td>
<td>10,000 sq. ft.</td>
<td>40 ft</td>
<td>30 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>Schools, Elementary</td>
<td>12 acres</td>
<td>400 ft.</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Schools, Middle</td>
<td>25 acres</td>
<td>500 ft.</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Schools, High</td>
<td>35 acres</td>
<td>500 ft.</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Colleges</td>
<td>15 acres</td>
<td>500 ft.</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Hospitals</td>
<td>10 acres</td>
<td>500 ft.</td>
<td>200 ft.</td>
<td>100 ft.</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Retirement &amp; Nursing Homes</td>
<td>1 acre</td>
<td>150 ft.</td>
<td>40 ft.</td>
<td>30 ft</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Churches</td>
<td>2 acres</td>
<td>200 ft.</td>
<td>100 ft.</td>
<td>50 ft</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Nursery Schools, Day Care Centers</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Mobile Homes</td>
<td>40,000 sq. ft.</td>
<td>100 ft.</td>
<td>40 ft.</td>
<td>15 ft</td>
<td>40 ft</td>
<td></td>
</tr>
<tr>
<td>Antique or Beauty Shops or Barber Shops</td>
<td>1 acre</td>
<td>150 ft.</td>
<td>40 ft.</td>
<td>30 ft</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Firearms Repair Shop, including Retail Sales</td>
<td>1 acre</td>
<td>150 ft.</td>
<td>40 ft.</td>
<td>30 ft</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Other Principle Permitted or Conditional Uses</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft</td>
<td>50 ft</td>
<td></td>
</tr>
<tr>
<td>Veterinary clinics, animal hospitals, or kennels without runways or exercise</td>
<td>3 acres</td>
<td>300 ft.</td>
<td>50 ft.</td>
<td>50 ft</td>
<td>50 ft</td>
<td></td>
</tr>
</tbody>
</table>
ARTICLE 7 - "RR" RESIDENTIAL, RURAL DISTRICT

Section 7.0 Purpose

The purpose of this District is to provide a location for single-family residential development, the individual lots of which contain a minimum of twenty thousand (20,000) square feet, in any of the following areas:

(a) Areas served by existing public water and/or sewerage service.
(b) Areas to be served by public water and/or sewerage service within the next ten (10) years, as adopted and amended in the Water and Waste Water Plan.
(c) Areas to be served by community or private sewerage facilities capable of providing secondary treatment or better, and meeting Health Department standards.
(d) Growth areas immediately surrounding incorporated municipalities. Where public water is available, secondary treatment for community or private sewerage facilities may not be required.

The following regulations and the applicable regulations contained in other articles shall apply in the "RR" Residential, Rural District.

Section 7.1 Principal Permitted Uses

(a) Agriculture, as defined in Article 28A, including animal husbandry facilities as defined in Article 28A shall be subject to the requirements set forth in Article 22, Division IX.
(b) Churches, schools, and colleges. (See Section 23.1(g))
(c) Dwellings, single-family, two-family, and semi-detached.
(d) Buildings and properties of a cultural, civic, educational, social or community service-type, libraries, ponds, playgrounds, and community centers.
(e) Conversion and alteration of a building existing at the time of the enactment of this Ordinance to accommodate not more than two (2) families; provided that the
requirements of Section 23.1 as well as the requirements of the Health Department are complied with.

(f) PUDs subject to the provisions of Article 16.76.

Section 7.2 Special Exceptions (Requiring Board Authorization After Public Hearing)

(a) Antique Shops,
(b) Professional offices, beauty parlors or barbershops (in residence).
(c) Convalescent homes, nursing homes, hospitals, medical or dental clinics.
(d) Funeral establishments.
(e) Golf courses, country clubs, private clubs, and similar recreational uses.
(f) Nursery schools or child care centers.
(g) Public utility buildings, structures or uses not considered Essential Utility Equipment, as defined in Article 28A.
(h) Research and development facilities, as defined in Article 28A.

Section 7.3 Accessory Uses

(a) Accessory buildings and uses customarily incidental to any principal permitted use or authorized special exception use.
(b) Incidental home or farm occupations.
(c) Guest house in an accessory building.
(d) Swimming pools, tennis and other similar courts when accessory to a residence.
(e) The keeping of not more than four (4) roomers or boarders by a resident family.
(f) Private stables as defined in Article 28A shall be subject to the requirements set forth in Article 4, Section 4.13.

Section 7.4 Height Regulation

No principal permitted structure shall exceed two and one half (2 1/2) stories or thirty-five (35) feet in height, and no accessory structure shall exceed two (2) stories or twenty (20) feet in height, except as provided in Section 23.4.

Section 7.5 Lot Area, Lot Width, and Yard Requirements

<table>
<thead>
<tr>
<th>Dwelling</th>
<th>Lot Area per Family</th>
<th>Front Yard Depth</th>
<th>Side Yard Depth (Width Each Side Yard)</th>
<th>Rear Yard Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family</td>
<td>20,000 sq. ft</td>
<td>40 ft</td>
<td>12 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>Two-Family</td>
<td>10,000 sq. ft</td>
<td>40 ft</td>
<td>12 ft</td>
<td>50 ft</td>
</tr>
<tr>
<td>Semi-Family</td>
<td>10,000 sq. ft</td>
<td>40 ft</td>
<td>12 ft (exterior)</td>
<td>50 ft</td>
</tr>
</tbody>
</table>
ARTICLE 110—"BT" BUSINESS, TRANSITIONAL

Section 110.0 Purpose

The purpose of the BT zone is to provide for low intensity commercial uses. The BT District is intended to be served with adequate water and/or sewerage service meeting Health Department standards. Uses that generate high traffic or that may create adverse conditions for neighborhood residential properties are not intended for this District.

The following regulations and applicable regulations contained in other articles shall apply in the "BT", Business, Transitional District.
Section 110.1 Principal Permitted Uses

(a) Banks and financial institutions.
(b) Beauty and barber shops.
(c) Child day care facilities.
(d) Clinics with or without a pharmacy.
(e) Florist shops.
(f) Offices, business and professional.
(g) Shoe repair shops.
(h) Stationery stores.
(i) Tailor shops.
(j) Temporary or Seasonal Retail—provided that the area devoted to the use be limited to less than 2,500 sq. ft. and that the use on the premises occurs for at least 30 days and does not exceed 9 months within a calendar year.

Section 110.2 Special Exceptions

(a) Ambulance or rescue squads.
(b) Antique shops.
(c) Fire stations.
(d) Laundry or dry cleaning businesses.
(e) Libraries.
(f) Public utility buildings and structures.
(g) Religious institutions.
(h) Specialty shops.
(i) Any other use that the Board finds is functionally similar to any principally permitted use or special exception listed in this Article. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this District, nor which will materially or adversely affect the use of any adjacent or neighboring properties.
(j) Commercial Communication Towers, subject to the requirements of Section 4.22.

Section 110.3 Accessory Uses

(a) Uses and structures customarily accessory and incidental to any permitted principal use or authorized conditional use including a single-family dwelling unit in the same building with a principal use.

Section 110.4 Height Regulations

No structure shall exceed fifty (50) feet, except as provided in Section 23.4.
Section 110.5 Lot Area, Lot Width and Yard Requirements

The following minimum requirements shall be observed, subject to the modification requirements in Article 23.

<table>
<thead>
<tr>
<th>Principle Permitted, Accessory, and Special Exception Uses</th>
<th>Front Yard Depth</th>
<th>Side Yard Depth (Width Each Side Yard)</th>
<th>Rear Yard Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 ft.</td>
<td>10 ft.*</td>
<td>None*</td>
<td></td>
</tr>
</tbody>
</table>

*Where adjoining any RR, RS, RU or RM District, not less than twenty-five (25) feet. [Except 110.2(j)]

Section 110.6 Design Standards

(a) Site Coverage: Impermeable site coverage (building area, parking and other paved surfaces) shall not exceed 80% of the gross site area.
(b) Adequate provision shall be made for storage and collection of refuse.
(c) Permeable areas of the site shall be landscaped.

Section 110.7 Site Plan

(a) A site plan with an approved Forest Stand Delineation and Forest Conservation Plan is required for all principally permitted and special exception uses.

ARTICLE 16 – “MX” MIXED USE DISTRICT

Section 16.1 Principal Permitted Uses

Uses are permitted in the Mixed Use Districts as specified below:
(a) In the MXR District, the following uses are permitted subject to the limitations contained in Section 16.1(d).
1. All residential uses permitted in the RR, RT, RS, RU, and RM Districts.

b) In the MXC District, the following uses are permitted subject to the limitations contained in Section 16.1(d).
1. All principal permitted uses allowed in the RR, RT, RS, RU, and RM Districts, except any animal husbandry structure or facility.

(c) In the MXE District the following uses are permitted subject to the limitations contained in Section 16.1(d).
1. All principal permitted uses allowed in the RR, RT, RS, RU, and RM Districts, except any animal husbandry structure or facility.

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Area</th>
<th>Residential Uses</th>
<th>Commercial Uses</th>
<th>Employment Uses</th>
<th>Open Space</th>
<th>Max Dwelling Unit Per Acre (DU/A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MXR</td>
<td>No minimum area</td>
<td>Minimum of 2 types of residential units***</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
<td>Minimum 5% not including forest conserv. Area</td>
<td>12 DU/A (24 DU/A permitted in high rise buildings-more than 3 floors and no more than 6 floors)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum 15% of DU must be multi-family or 25 units, whichever is less</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MXC</td>
<td>No minimum area</td>
<td>Same as MXR Or Maximum of 70% when applied to RT, RS, RU, or RM Districts</td>
<td>Maximum 10%** Or Maximum of 70% when applied to HC HI District</td>
<td>Not Permitted</td>
<td>Same as MXR</td>
<td>12 DU/A (24 DU/A permitted in high rise buildings-more than 3 floors and no more than 6 floors)</td>
</tr>
<tr>
<td>MXE</td>
<td>No minimum area</td>
<td>Minimum 15% land use must be residential Min 15% of DU must be multi-family or 25 units, whichever is less</td>
<td>Maximum 30% Or Maximum of 70% when applied to HC HI district</td>
<td>Maximum 60% Or Maximum of 70% when applied to IR, PI, or ORT Districts</td>
<td>Minimum 20%</td>
<td>12 DU/A (24 DU/A permitted in high rise buildings-more than 3 floors and no more than 6 floors)</td>
</tr>
</tbody>
</table>
Section 16.4 General Requirements

(b) **Location**: All Mixed Use Districts shall be located within the Urban Growth Area or the Town Growth Areas. All three Mixed Use Districts are permitted to be located in the **RR**, **RT**, **RS**, **RU**, and **RM** Districts. The MXC and MXE Districts may also be located in the **HC**, **HI**, **IR**, **PI**, and **ORT** Districts. The specific site shall be located adjacent to adequate roadway facilities capable of serving existing traffic and the future traffic generated by the uses in the Mixed Use District or are able to be improved by the applicant to adequately serve the existing and proposed traffic.

**ARTICLE 17 - “PB” PLANNED BUSINESS**

Section 17.7 General Regulations

(c) **Yards**: No buildings shall be erected within fifty (50) feet of a public street right-of-way line. No parking lot or accessory uses shall be located within twenty (20) feet of the right-of-way line. No plantings shall be located within ten (10) feet of a public street right-of-way line.

No building shall be located within fifty (50) feet of any other boundary line and any such line which adjoins an **RR**, **RT**, **RS**, **RU**, or **RM** District. If deemed necessary by the Commission, the building shall be screened by a solid wall or compact evergreen hedge at least six (6) feet in height, or by such other device as may be deemed appropriate and adequate.

**ARTICLE 19A - "HI-1" HIGHWAY INTERCHANGE DISTRICT**

Section 19A.1 Purpose

The HI-1 District is established to provide for those uses allowed in the **BL**, **BG**, **PB**, and **IR** Districts. The HI-1 District is intended to include those lands closest to the seventeen interchanges of the interstate highway system traversing Washington County. All business and light industrial uses permitted in this Ordinance should be encouraged to utilize those lands immediately surrounding the interchanges where there is ready access to the interstate highway system.

Section 19A.2 Principal Permitted Uses

(a) **All Principal Permitted Uses allowed in the BL, BG, PB Districts and all Principal Permitted Uses in the IR District except heliports and Commercial Communications Towers.**

Section 19A.3 Special Exception Uses (Requiring Board of Appeals Authorization after Public Hearing)
(a) Building material sales and storage yards.
(b) Feed and grain sales.
(c) Animal hospitals, veterinary clinics, or kennels with outside runways or exercise areas shall comply with section 19.7 and the outside runways or exercise areas shall be no less than 150 ft. from any dwelling, church, school or institution for human care not located on the same lot.
(d) Cemeteries, mausoleums, or memorial gardens.
(e) Petroleum products storage tanks above ground.
(f) Any other use that the Board finds is functionally similar to any Principal Permitted Use or Special Exception listed in the BL or BG Articles. The Board shall not grant any special exception which is inconsistent with the purpose set forth for this district, nor which will materially or adversely affect the use of any adjacent or neighboring properties.
(g) Truck stops.
(h) Public utility buildings, structures or uses not considered essential utility equipment, as defined in Article 28A.
(i) Commercial Communications Towers, subject to the requirements of Section 4.22.

Section 19A.4 Accessory Uses

Uses and structures customarily accessory and incidental to any Principal Permitted or Special Exception Use.

Section 19A.5 Site Plan Review

All development in the HI-1 District requires site plan review and approval and an approved Forest Stand Delineation and Forest Conservation Plan in accordance with Section 4.11. The Commission shall apply the following general standards in the HI-1 District:

(a) Interchange access: First priority shall be given to insuring safe and uncongested access to the interstate highways from all connecting roads. Future as well as present traffic volumes shall be considered by the Commission. In the site plan review, the Planning Commission shall consider the location and spacing of ingress and egress and shall not permit them where they would interfere with traffic movement onto the approach ramps. Frontage roads may be required when deemed appropriate by the Commission.
(b) Architectural and landscape design: The Planning Commission shall give special attention to the visual appearance of the interchange area as seen by motorists on the interstate highway and on the approach roads. Site plan review shall consider the design and arrangement of buildings and accessory structures, the signs, and the landscaping of the interchange area.

Section 19A.6 Height Requirements

No structure may exceed seventy-five (75) feet in height except as provided in Article 23.
Section 19A.7 Lot Area, Lot Width, and Yard Requirements

(a) There is no minimum lot area in the HI-1 District, except in Section 19A.3(c); it shall be a function of the required buffers, setbacks, and off-street parking requirements.
(b) There is no minimum lot width in the HI-1 District, except in Section 19A.3(c); it shall also be determined as a function of the required buffers, setbacks, and off-street parking requirements.
(c) Minimum yard requirements:

<table>
<thead>
<tr>
<th>All Principal, Special Exception, and Accessory Uses</th>
<th>FRONT</th>
<th>SIDE</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>BL, BG, and IR Uses</td>
<td>40</td>
<td>10*</td>
<td>10*</td>
</tr>
</tbody>
</table>

***Animal hospitals, veterinary clinics, or kennels with outside runways or exercise areas:

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Lot Width</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 acres</td>
<td>200 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>

***See also Section 19A.3(c).
* Except as required in Section 19A.8.
* Except as required in Section 19A.3(c) and 19A.3(i).

Section 19A.8. Buffer Yards

The area designated as a buffer yard may include any required side, rear, or front yards.

(a) Where the adjoining lot is either zoned for or contains dwellings, hospitals, nursing homes, schools, or other institutions for human care, there shall be a 75 foot buffer yard between the lot line and any area of the lot proposed for use or development if the allowed principal permitted use or special exception use would be considered permitted because of its association with an IR District. Perimeter screening in the form of a solid fence, vegetative screening or both as determined by the Planning Commission during the site plan review shall be required for all IR uses. The vegetative screening shall consist of tree species that shall be a minimum of ten (10) feet overall in height and two (2) inch caliber at the time of planting. Trees shall be of a species having an average mature spread of crown of a minimum of fifteen (15) feet under normal growing conditions. The trees shall be planted and spaced so as to create an opaque screen between the adjoining land uses. Shrubs may be required to supplement the tree.
plantings to create the opaque screen. A minimum of seven (7) trees per hundred linear feet of perimeter buffer area shall be required. Where any of the IR uses are across a public road, the buffer yard shall be 50 feet between the use and the road right-of-way and the Planning Commission may waive the perimeter screening requirement.

Where the adjoining lot is either zoned for or contains dwellings, hospitals, nursing homes, schools, or other institutions for human care, there shall be a 25 foot buffer yard between the lot line and any area of the lot proposed for use or development if the allowed principal permitted use or special exception use would be considered permitted because of its association with a BL, BG, or PB District. Perimeter screening in the form of a solid fence, vegetative screening or both as determined by the Planning Commission during the site plan review shall be required for all BL, BG, and PB uses. The vegetative screening shall be a minimum of ten (10) feet overall in height and two (2) inch caliber at the time of planting. Trees shall be of a species having an average mature spread of crown of a minimum ten (10) feet under normal growing conditions. The trees shall be planted and spaced so as to create an opaque screen between the adjoining land uses. A minimum of ten (10) trees per hundred linear feet of perimeter buffer area shall be required. Where any of the BL, BG or PB uses are across a public road the buffer yard and perimeter screening requirement may be waived by the Planning Commission.

(b) Any outside storage of equipment, materials, or goods, whether as a principal use, a special exception, or an accessory use, shall also be provided a buffer yard of 75 feet where dwellings, hospitals, nursing homes, schools, or other institutions for human care are on an adjoining lot.

(c) Where the use on the adjoining lot is in the BT, BL, BG, IT or IR category, the setback for equipment, materials, or goods need be only 10 feet, but the yard shall be either fenced or planted with evergreens or other suitable vegetation that will provide a year-round screen for noise, light glare, or other factors that may adversely affect neighboring properties.

(d) All buffer yards in the HI-1 District shall be planted along the length of the yard with evergreens or other suitable vegetation that will adequately provide a year-round screen for noise, light glare, or other factors that may adversely affect abutting properties. Fencing may be substituted for vegetative screening. The Planning Commission, in its review of the site plan, shall determine the required type, spacing, height, and planting schedule for the screening based on the abutting uses, the type of stored material, its storage height, its noise-generating characteristics, its light-generating characteristics, and the hours of activity in the storage yard.

ARTICLE 21A - “ORT” OFFICE, RESEARCH AND TECHNOLOGY DISTRICT

Section 21A.5 Yard Setback Requirements

(c) Exceptions:
3. Where the proposed use or building abuts either a lot in a RR, RT, RS, RU, or RM District, a residence that is not located on the same lot as the said building, or any lot that is part of a recorded residential subdivision, then the side and rear setbacks shall be fifty (50) feet.

4. Where a lot with a building greater than fifty (50) feet in height abuts a lot in a RR, RT, RS, RU, or RM District, a residence that is not located on the same lot as the said building, or any lot that is part of a recorded residential subdivision, then the side and rear setbacks shall be one hundred (100) feet.

Section 21A.6 Buffer Yards

(b) Where an adjoining lot is located in a RR, RT, RS, RU, or RM District or contains a dwelling, there shall be a twenty-five (25) foot buffer yard between the lot line and any area of the lot proposed for use or development. The buffer shall provide a year-round screen for noise, glare, or other factors that may adversely affect neighboring properties. During site plan review, the Planning Commission shall determine the form of perimeter screening which may include a solid fence, vegetative screening, or both. The vegetative screening shall be a minimum of ten (10) feet overall in height and two (2) inch caliber at the time of planting. Trees shall be of a species having an average mature spread of crown of a minimum ten (10) feet under normal growing conditions. The trees shall be planted and spaced so as to create an opaque screen between the adjoining land uses. A minimum of ten (10) trees per hundred linear feet of perimeter buffer area shall be required.

Section 21A.8 Signs and Exterior Lighting

(i) Where the lot adjoins a RR, RT, RS, RU, or RM District, no freestanding sign or building mounted sign shall be located where it faces an adjoining RR, RT, RS, RU, or RM lot or lots.

ARTICLE 21B "ORI" OFFICE, RESEARCH, AND INDUSTRY DISTRICT

Section 21B.7 Yard Setback Requirements

3. Where the proposed use or building abuts either a lot in a RR, RT, RS, RU, or RM District, a residence that is not located on the same lot as the said building, or any lot that is part of a recorded residential subdivision, then the side and rear setbacks shall be fifty (50) feet.

4. Where a lot with a building proposed to be greater than fifty (50) feet in height is proposed to abut a lot in a RR, RT, RS, RU, or RM District, a residence that is not located on the same lot as the said building, or any lot that is part of a recorded residential subdivision, then the side and rear setbacks shall be one hundred (100) feet.
Section 21B.8 Buffer Yards

(b) Where an adjoining lot is located in a RR, RT, RS, RU, or RM District or contains a dwelling, there shall be a twenty-five (25) foot buffer yard between the lot line and any area of the lot proposed for use or development. The buffer shall provide a year-round screen for noise, glare, or other factors that may adversely affect neighboring properties, during site plan review, the Planning Commission shall determine if the form of perimeter screening which may include a solid fence, vegetative screening, or both is adequate. The vegetative screening shall be a minimum of ten (10) feet overall in height and two (2) inch caliber at the time of planting. Trees shall be of a species having an average mature spread of crown of a minimum ten (10) feet under normal growing conditions. The trees shall be planted and spaced so as to create an opaque screen between the adjoining land uses. A minimum of ten (10) trees per hundred linear feet of perimeter buffer area shall be required.

Section 21B.10 Signs and Exterior Lighting

(i) Where the lot adjoins an RR, RT, RS, RU, or RM District, no freestanding sign or building mounted sign shall be located where it faces and adjoining RR, RT, RS, RU, or RM lot or lots.

ARTICLE 21C - "ERT" EDUCATION, RESEARCH, AND TECHNOLOGY DISTRICT

Section 21C.6 Buffer Yards

(b) Where an adjoining lot is located in a RR, RT, RS, RU, or RM District or contains a dwelling, or is part of a residential area in a MXR, M XC, or MXE District, there shall be a twenty-five (25) foot buffer yard between the lot line and any area of the lot proposed for use or development.

ARTICLE 22 - SPECIAL PROVISIONS

DIVISION I OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

Section 22.12 Off-Street Parking Requirements

(f) Design Standards.

10. Surfacing.

ii. All employee and visitor parking, access lanes/aisles, and loading and unloading areas shall be paved in the following zoning districts: RR, RT, RS, RU, RM, PUD, MX, BT, BG, BL, IT, HI-2, HI-1, HI, ORT, PB, and SED.

iii. All employee and visitor parking shall be paved in the IT, IR, IG, PI, AP, and IR uses allowed in HI.
iv. In the A-C-A(R), EC, P, RV, RB-E, and RB-N districts, parking and access lanes/aisles with a total area greater than 3,400 sq. ft. shall be paved.

DIVISION II - SIGNS

Section 22.23 "Use on the Premises" Signs, on Buildings

(c) Any exterior sign or signs pertaining to the use conducted on the premises, and which is either integral with or attached to the principal building, shall have a sum total area of no more than two square feet for each foot in length of the frontage of the building. Where the lot adjoins an RRRT, RS, RU, RM or RV District, no sign shall be attached to the side of the building that faces the adjoining RRRT, RS, RU, RM or RV lot or lots.

(e) Individual business or industrial establishments may erect a free-standing business sign, provided the lot frontage is at least forty (40) feet. The free-standing sign shall be located in such a manner that no part of the supporting structure is less than twenty-five (25) feet from the street right-of-way, and that no part of the sign is closer than five (5) feet to the right-of-way. The total area for any sign or signs on one supporting structure shall not exceed 300 square feet and the total height of the sign structure shall not exceed thirty-five (35) feet. Businesses or industries having a frontage on more than one street may have an additional free-standing sign for each street frontage, provided that the total area for all free-standing signs does not exceed 600 square feet. Where the lot adjoins any lot or lots in a RR, RS, RU, RM, or RV District, and a freestanding sign is on the side of the business lot adjoining the residential lot, the sign shall not face the adjoining RR, RS, RU, RM or RV lot.

Section 22.24 Outdoor Advertising Signs

(c) A new Outdoor Advertising Sign may be erected, subject to the following regulations:

2. An Outdoor Advertising Sign may not be erected in the following locations:

   iii. In residential zoned areas including RRRT, RS, RU, RM, HI-2 and PUDMX.

10. Outdoor Advertising Signs shall be permitted in the BL, BG, HI-1, PI, IR and IG zoning districts provided all other criteria stated in this section are met.

DIVISION V - MOBILE HOME PARKS, TRAVEL TRAILER PARKS AND MOBILE HOMES NOT IN MOBILE HOME PARKS OR TRAVEL TRAILER PARKS

Section 22.52 Travel Trailer Parks

Temporary and/or permanent travel trailer parks are principal permitted uses in a C, A, RB-E and RB-N Districts. Travel trailer parks are intended to provide not more than thirty (30) day
accommodations for the type of travel vehicles which are becoming increasingly popular for travel and vacation use, including the travel trailer, the pick-up coach, the motor-home and the camping trailer. Travel trailer parks shall meet the following design requirements:

(d) Review Procedure: When submitting the application for a zoning permit, the applicant shall include a plan, drawn at a scale of 1"=100 feet showing the arrangement of travel trailer sites and connecting driveways. The site plan shall be approved by the Planning and Zoning Commission as part of a zoning permit in the Conservation and Agricultural District. The applicant shall also present a written statement, with accompanying plans, describing how water and sewerage disposal service are to be provided. These arrangements shall be approved by the Washington County Health Department before a zoning permit is approved.

Section 22.54 Mobile Homes

(b) Mobile homes shall be permitted in the A, C, A(R), EC, and P districts and shall be prohibited in all other districts except as specifically allowed under the provisions of this Ordinance.

(c) Replacement:
   (1) A mobile home may replace another mobile home in any district provided such replacement is done no later than thirty (30) days from the removal date of the replaced mobile home, the provisions of Section 4.3(d) notwithstanding.
   (2) Except in the A, C, A(R), EC, and P Districts, the replacing mobile home must be set on the same site as the replaced mobile home with the latter being removed from the property no later than thirty (30) days from the zoning permit issuance date.

(d) In no district shall a mobile home be parked, stored, or utilized as an accessory use; however, in the A, C, A(R), EC, and P Districts, one mobile home may be parked or stored on the same lot with a principal permitted use for a period not to exceed thirty (30) days, provided that no living quarters shall be maintained in the mobile home nor any business conducted therewith, and further provided that a zoning permit shall be required for the parking or storage.

ARTICLE 23 - EXCEPTIONS AND MODIFICATIONS

Section 23.1 Lot Area Modification

(b) In any district wherein a single-family dwelling is permitted, such dwelling may be permitted on any lot or parcel which is of record by deed properly recorded in the land records of Washington County or a subdivision duly recorded in the Plat Records of Washington County as of the effective date of this Ordinance. (Note: Mobile homes are permitted in the Conservation and Agricultural Districts in conformance with this Ordinance.)

(c) In any district where dwellings are permitted, if neither a public water supply or sewerage system is accessible or if an acceptable community water supply or sewerage system is not to be provided, the minimum lot size shall be three (3) acres and three hundred feet in width.
Proposed Text Amendments   25

Town Growth Area Comprehensive Rezoning

RZ-13-003

for a Conservation District and forty thousand (40,000) square feet and one hundred (100) feet in width for an Agricultural District subject, however, to the requirements of the Maryland State Health Department. (Note: Mobile homes are permitted in the Conservation and Agricultural Districts in conformance with this Ordinance.

(d) Except in a Rural Residential or Rural Village District, if a public water supply is accessible and individual lot sewerage facilities are approved, the minimum lot size for a dwelling shall be twenty thousand (20,000) square feet, with one hundred (100) feet width at the building lines, subject, however, to the requirements of the Maryland State Health Department. Minimum building setback lines shall be the same as for the Agricultural-Rural Village District.

(g) In the A–A(R), EC, P, RV, RR RT, RS and RU Districts, wherein a public or private elementary, middle or high school is a principal permitted use, the minimum lot area, lot width, front, side, and rear yard setbacks, may be modified as follows based on enrollment.

Section 23.3 Projection into Yards

(d) If attached to the dwelling, a one story open deck without a roof may extend into the required rear yard not more than the percentage for each zoning district listed below.

<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>REQUIRED SETBACK</th>
<th>PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM</td>
<td>20 ft.</td>
<td>40%</td>
</tr>
<tr>
<td>RU (1–1 ½ stories)</td>
<td>35 ft.</td>
<td>35%</td>
</tr>
<tr>
<td>RU (2–2 ½ stories)</td>
<td>40 ft.</td>
<td>30%</td>
</tr>
<tr>
<td>RS</td>
<td>40 ft.</td>
<td>30%</td>
</tr>
<tr>
<td>RR (Urban Growth Area)RT</td>
<td>40 ft.</td>
<td>30%</td>
</tr>
<tr>
<td>RR</td>
<td>50 ft.</td>
<td>25%</td>
</tr>
<tr>
<td>A</td>
<td>50 ft.</td>
<td>25%</td>
</tr>
<tr>
<td>C</td>
<td>50 ft.</td>
<td>25%</td>
</tr>
<tr>
<td>A(R)</td>
<td>50 ft.</td>
<td>25%</td>
</tr>
<tr>
<td>EC</td>
<td>50 ft.</td>
<td>25%</td>
</tr>
<tr>
<td>P</td>
<td>50 ft.</td>
<td>25%</td>
</tr>
<tr>
<td>RV</td>
<td>25 ft.</td>
<td>25%</td>
</tr>
</tbody>
</table>

ARTICLE 28A - DEFINITIONS

Bed & Breakfast:

An owner–occupied residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests. A Bed & Breakfast may be an accessory use when located within the principle structure in the A(R), EC, P, and RV Districts.

Proposed Text Amendments
Town Growth Area Comprehensive Rezoning
RZ-13-003