

Attachment

Resolution 03-2020 – Zoning Code Amendments BX References

Zoning Ordinance - BX References

This Document PAGE NO.	SECTION	NUMBER REFERENCE	ACTION	ZONING ORD PAGE(S)
4	39. Permit Application Requirements & Procedures	2. b. (2) General Dev. Plan requirement	Deleted BX - Inserted B & I Employment	60
6	108. Districts Established	2.	Inserted B & I District to Section 1; and Deleted BX from Section 2	90
7	110. The Bainbridge Mixed Use District	Entire Section	Deleted entire section and inserted RESERVED	92-94
7	112. Development Standards for the BX Mixed Use District (Floating Zone)	Entire Section	Deleted entire section and inserted RESERVED	94-111
8 – 14	175. Table of Permissible Uses	Entire Table	Deleted BX and inserted B&I Permitted uses added to B&I	193-199
15 - 18	226. Schedule of Zone Regulations (Density and Dimensional Regulations)	BX Zone reference	Deleted BX and sections and inserted B&I and section	241-243
19 - 23	264. Permitted Signs	3. BX Sign Requirements	Delete 3. a., b., c., and d.	258-259
24 – 26	266. Banners, Pennants & Special Event Signs	3. b. BX commercial center banners and 4. a. (1) BX help wanted banners	Deleted BX 3. b. and deleted 4. a. (1) BX banners	261-262
27	292. Tables of Required Bufferyards	BX Zone requirements	Table 1. Deleted BX (non-residential) and delete BX and insert B & I and delete BX in table 2	276

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Section 39. Permit Application Requirements and Procedures

All applications for permits shall be accompanied by such plans and information as the Town of Port Deposit deems necessary to determine compliance and provide for enforcement of the Zoning Ordinance, and the application fee. The application materials listed in Appendix A shall be a minimum. Additional information may be required.

1. Site Plan Review and Approval

- a. Prior to issuing a building permit for construction, expansion or change in use, a site plan and supporting documentation shall be submitted to the Planning Commission for its review and approval.
- b. The purpose of site plans is to assure detailed compliance with applicable provisions of enacted regulations and to prescribe standards for the design and construction of site improvements. Development requiring site plan approval shall be permitted only in accordance with all specifications contained on an approved site plan, and shall not be undertaken until the site plan is approved and all required construction permits have been obtained subsequent to such approval.
- c. Applicability. All development or land use activities within the town shall require site plan review before being undertaken, except the following:
 - (1) Construction or expansion of a single family dwelling and ordinary accessory structures, and related land use activities.
 - (2) Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this Chapter.
 - (3) Ordinary repairs, maintenance or interior alterations to existing structures, not including a change of use.
 - (4) Exterior alterations or additions to existing structures which would not increase the square footage of the existing structure by more than 500 square feet or have a cost value of less than \$10,000.00.
 - (5) Agricultural or gardening uses.
 - (6) All signs except in conjunction with new development.
- d. Site plan applications shall include the information listed in Appendix A for preliminary and final site plans. The Planning Commission may waive any information or preliminary requirements, which are not relevant to the proposed use and site may require only a minor site plan be submitted.
- e. The Planning Commission's review of the preliminary and/or final site plan shall include, but is not limited to the following considerations:
 - (1) Adequacy and arrangement of vehicular traffic access and circulation, including emergency vehicle access.
 - (2) Location, arrangement, appearance and sufficiency of off-street parking and loading.
 - (3) Location, arrangement, size and design of buildings, lighting and signs.
 - (4) Relationship of the various uses to one another and their scale.

- (5) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and noise buffer between adjacent uses and adjoining lands.
 - (6) Adequacy of storm water and sanitary waste disposal.
 - (7) Adequacy of structures, roadways and landscaping in areas susceptible to flooding and ponding or erosion.
 - (8) Compatibility of development with natural features of the site and with surrounding land uses.
 - (9) Adequacy of floodproofing and flood prevention measures consistent with the flood hazard prevention regulations of the Federal Emergency Management Agency.
 - (10) Adequacy of open space for play areas, informal recreation and the retention of natural areas such as wildlife habitats, wetlands and wooded areas.
 - (11) Adequacy of pedestrian access.
- f. The Planning Commission may require additional information which appears necessary for a complete assessment of the project.
 - g. Major site plans shall be prepared and certified by an engineer, architect, landscape architect, or land surveyor duly registered to practice in the State of Maryland.
 - h. Upon receipt of the major site plan, the Planning Commission shall review the site plan, soliciting comments from other departments, agencies, and officials as may be appropriate. The site plan shall be approved if it meets the requirements of this section, Appendix A, other requirements of this Chapter and all other Federal, State, and County regulations. Notice of approval or disapproval of the site plan shall be given in writing to the applicant.
 - i. Construction of required improvements.
 - (1) Upon approval of a site plan, the applicant shall then secure the necessary construction permits from appropriate agencies before commencing work. The applicant may construct only such improvements as have been approved by the Planning Commission or appropriate town review and approval agencies.
 - (2) After construction has been completed, inspection of site improvements shall be made by the departments certifying to the applicable requirements as shown on the site plan.
 - j. Expiration and Extension
 - (1) Approval of site plans shall be for a one (1) year period and shall expire at the end of such period unless building construction has begun.
 - (2) Upon written request by the applicant, within thirty (30) days prior to the expiration of said approval, a one (1) year extension may be given by the Planning Commission.
 - (3) Such request shall be acknowledged and a decision rendered thereon not more than thirty (30) days after filing of said request.
 - k. The following additional requirements shall be applicable to site plans required under this section:

- (1) Compliance with applicable established design criteria, construction standards, and specifications for all improvements as may be required by the Planning Commission and this Zoning Ordinance. The Planning Commission may require that the proposed development comply with some or all of the applicable design requirements contained in the Town's Subdivision Regulations.
- (2) The building permit shall not be issued unless and until the Maryland Department of Transportation has approved the site plan as it relates to access point design details and parking lot circulation layout on a state highway.
- (3) Other Approvals. If this Zoning Ordinance requires approval by another agency of certain site plan features, such approval shall be obtained prior to issuance of a building permit.
- (4) Any or all of the information required for a minor or major site plan may be waived if the Planning Commission finds that it is not needed to make a determination of Zoning Ordinance compliance.

2. General Development Plan and Master Plans

- a. A general development plan is a site plan by which, at the early stages of development design, the Planning Commission may consider, approve, or restrict major aspects of the development without requiring an undue amount of final design work on the part of the developer. The general development plan is less detailed and specific than a major site plan in terms of exact arrangement of buildings, parking areas, open spaces, access points, and any other site design features. No building permits can be issued based upon a general development plan.
- b. General development plans shall be required as follows:
 - (1) General development plans shall be required to permit more than one principal structure and its accessory structures on a lot or parcel of land.
 - (2) A general development plan shall be required for development in the ~~BX Bainbridge Mixed Use~~ **B & I EMPLOYMENT** District.

3. Grading Permits. Requirements for grading permits shall be as required by the Cecil County Soil Conservation Service.

4. Subdivision Plat. If the permit involves the subdivision of land, an approved subdivision plat shall be required as provided in Subdivision Regulations.

5. Sign Permits. Requirements for sign permits shall be as provided in Article XV.

6. Transportation Plan

- a. No building or part of a building shall be permitted to be erected within the lines of highway, street, or pedestrian route shown on the Town's Transportation Plan Map found in the Comprehensive Plan.
- b. The owner of the property so affected, however, shall have the right to appeal the refusal of a building permit to the Board of Appeals, and the Board may grant a permit to build if it should find, upon the evidence and arguments presented to it upon such appeal:

- (1) That the entire property of the appellant of which the area affected by the Transportation Plan forms a part, cannot yield a reasonable return to the owner unless such appeal be granted; and
 - (2) That balancing the interest of the general public in preserving the integrity of the plan and the interest of the owner of the property in the use and benefits of his property, the granting of such permit is required consideration of reasonable justice and equity.
- c. Before taking any action, the Board of Appeals shall hold a public hearing at which time the parties in interest shall have an opportunity to be heard. In the event the Board grants a building permit in any such appeal, it shall have the power to specify the exact location, extent, area, height, duration, and other details and conditions to govern the building, structure, or part thereof for which the permit is granted.
7. Stormwater Management Plan. A permit may not be issued for any parcel or lot unless a stormwater management plan meeting all the requirements of the Cecil County Stormwater Management Plan has been approved.
 8. Forest Conservation. Projects that ultimately require approval of subdivision, sediment control, site plan approval or grading permits must comply with the requirements of the Cecil County Forest Conservation Plan .
 9. All walls, including retaining walls, shall have plans sealed by a Maryland licensed architect or engineer. The requirement may be waived by the Planning Commission for walls less than four (4) feet in height, unless located along a public right of way.

Section 108. Districts Established

1. The incorporated area of the Town of Port Deposit shall be divided into (7) general zoning districts:

R-1 - Single Family Residential District

RM - Single Residential District

R-2 - Mixed-Use Residential District

TR - Town Residential District

CBD - Central Business District

MC - Marine Commercial District

C-1 - Town Commercial District

B & I - BUSINESS & INDUSTRIAL EMPLOYMENT DISTRICT

2. In addition to the general district described above, the Zoning Ordinance provides for the following special districts:

~~BX - Bainbridge Mixed Use District~~

HO - Historic District Overlay District

CA - Critical Area Overlay District

FO - Floodplain Overlay District

The districts shall be established to regulate and restrict the location of residences, trades, industries, and buildings erected or altered for specific uses; to regulate and limit the height and bulk of buildings hereafter erected or structurally altered; to regulate and limit population density and the intensity of the use of lot areas; to regulate and determine the areas of yards, courts, and other open spaces with and surrounding such buildings; and the implement the recommendations of the Port Deposit Comprehensive Plan and the Port Deposit Critical Area Program.

Section 110. **RESERVED**

Delete Entire ~~The BX Bainbridge Mixed Use District~~ Section

Section 112. **RESERVED**

Delete Entire ~~Development Standards for the BX Mixed Use District (Floating Zone)~~ Section

Section 175. Table of Permissible Uses

P – Permissible Use; PC – Permitted with Conditions as designated in Article XI; SC – Special Exception and meet conditions in Article XII; SE – Special Exception from BOA.

SECTION	DESCRIPTION	ZONING DISTRICTS – SECTION 108								
		R-1	RM	R-2	TR	CBD	C-1	MC	BX	B&I
	AGRICULTURAL USES									
	Agriculture								P	
	Commercial Stables								P	
	Forestry								P	
193	Nursery, Commercial								PC	
193	Greenhouse - on premise sales permitted								PC	
187	Kennel, Commercial								PC	
	RESIDENTIAL									
	Dwelling – Detached	P	P	P	P	P	P	P	P	
	Dwelling - Manufactured Home - Double-wide		P							
	Dwelling - Manufactured Home - Single Wide		P							
185	Dwelling - Single-Family Attached			PC	PC	PC		PC	P	
185	Dwelling – Duplex			PC	PC	PC		PC	P	
185	Dwelling - Semi-Detached			PC	PC	PC		PC	P	
176	Accessory Apartment within a principal dwelling	PC	PC	PC	PC	PC		PC	P	
185	Dwelling - Multi-Family			P				PC	P	
185	Dwelling - Townhouse			P				PC	P	
185	Dwelling - Apartment			PC		PC		PC	P	
184	Home Occupation	SE	SE	SE	SE	P	P	SE	SE	
185	Commercial Apartment (mixed use commercial and residential)					PC	PC	PC		
	HOMES EMPHASIZING SPECIAL SERVICES, TREATMENT, OR SUPERVISION AND RESIDENTIAL ELDERLY CARE									
181	Group Homes, Halfway House, Assisted Living Facilities								SE	
181	- less than 9 people								SE	
181	- more than 9 but less than 16 people								SE	

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		ZONING DISTRICTS – SECTION 108								
SECTION	DESCRIPTION	R-1	RM	R-2	TR	CBD	C-1	MC	BX	B&I
180	Child and Elderly Day Care								PC	
180	- Child or Elderly Care Center, Family (Less than 9 children or elderly persons)								PC	
180	- Child or Elderly Day Care Center, (More than 9 children or elderly persons)								PC	
	Continuing Care Retirement Community (CCRC)								P	
	MISCELLANEOUS ROOMS FOR RENT SITUATIONS									
	Boarding House, Tourist homes	P	P	P	P	P	P	P	P	
179	Bed and breakfast, Country Inn	PC	PC	PC	PC	PC	PC	PC	PC	
	Conference Center								P	
183	Hotel, Motel, Inn, Apartment Hotel					PC	PC	PC	PC	
	INSTITUTIONAL									
	Schools, Public	SE	SE	SE	SE	SE	SE	SE	PC	
201	Educational Institutions, Private	PC	PC	PC	PC	PC	PC	PC	PC	
	House of Worship	SE	SE	SE	SE	P	P	P	P	
	Libraries, museums	SE	SE	SE	PC	PC	PC	PC	PC	
202	Social, Fraternal Clubs and Lodges, Philanthropic Institutions	SE	SE	SE	SE	P	P	P	P	
	Medical Facilities								P	
206	Hospitals and Clinics, greater than 10,000 square feet								SC	
189	Clinics, less than 10,000 square feet								PC	
	Public buildings and structures of the cultural and administrative type	P	P	P	P	P	P	P	P	
	Rest homes and nursing homes and other institutions for human care and treatment of non-contagious diseases	P	P	P					P	
207	Nursing care, intermediate care homes								PC	
	Retirement housing complex/Institutional Care Facilities								PC	
	Veteran Cemetery								PC	

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		ZONING DISTRICTS – SECTION 108								
SECTION	DESCRIPTION	R-1	RM	R-2	TR	CBD	C-1	MC	BX	B&I
	RECREATION, AMUSEMENT, ENTERTAINMENT									
	Indoor recreation Facilities					P	P	P	P	
	Theatre – Indoor					P	P	P	P	
	Coliseums, Stadiums								SE	
	Privately owned outdoor golf courses and country clubs, swimming or tennis clubs not constructed as part of some residential development								PC	
	Privately owned outdoor golf courses and country clubs swimming or tennis clubs approved as part of some residential development								P	
	Campgrounds, Recreational Vehicle Parks								SE	
	Amusement Parks								SC	
203	Golf Courses, Country Club								PC	
204	Golf Driving Range, not part of a golf course								PC	
	Golf-Miniature								P	
197	Swimming Pool, Commercial				SE				PC	
205	Swimming Pool, Community								PC	
	EMERGENCY SERVICES									
	Fire Stations without assembly hall	P	P	P	P	P	P	P	P	
	Fire Station with Assembly Hall	P	P	P	P	P	P	P	P	
	Rescue squad, ambulance service	P	P	P	P	P	P	P	P	
	Police Station	P	P	P	P	P	P	P	P	
	PUBLIC AND SEMI-PUBLIC FACILITIES									
	Post office									
	Local	P	P	P	P	P	P	P	P	
	Regional						P		P	
	Helicopter Facilities								PC	
	Transportation									

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		ZONING DISTRICTS – SECTION 108								
SECTION	DESCRIPTION	R-1	RM	R-2	TR	CBD	C-1	MC	BX	B&I
	Train station					P	P	P	P	
	Bus Depot					P	P	P	P	
	Park and Ride Facilities					P	P	P	P	
	UTILITIES									
	Neighborhood Essential Service	P	P	P	P	P	P	P	P	
	Electric power, gas transmission & telecommunications buildings and structures								PC	SE
	Overhead Electric Power Transmission of >69,000								P	
208	Communication Tower, Antenna or Communications Tower Greater Than 50 Feet in Height and Associated Substation	SE	SE	SE	SE	SE	SE	SE	SE	
209	Public Utilities, Public Utility Buildings and Structures	SE	SE	SE	SE	SE	SE	SE	SE	
210	Satellite Dish Antennas or Receive-only Earth Stations	PC	PC	PC	PC	PC	PC	PC	PC	
	COMMERCIAL –SERVICE									
	Service establishments				P	P	P	P	P	P
	Clothes cleaning establishments				SE	P	P	P	P	
	Office Buildings				P	P	P	P	P	P
190	Banks, Drive-In					PC	PC	PC	PC	
	Business services				P	P	P	P	P	P
	Health Club					P	P	P	P	
192	Funeral Parlors, Undertaking Establishments, or Mortuaries					PC	PC	PC	PC	
187	Animal Boarding Places, Kennel and Veterinary Hospitals			SE					SE	
198	Adult Oriented Commercial Enterprises, Massage Parlors, Tattoo Shops, Etc.								SE	
	COMMERCIAL - RETAIL AND WHOLESALE									
	Retail Establishments									
	Retail Establishments, less than 3,500 sf GFA				P	P	P	P	P	
	Retail Establishments, equal to or greater than 3,500 sf GFA				SE	P	P	P	P	

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SECTION	DESCRIPTION	ZONING DISTRICTS – SECTION 108								
		R-1	RM	R-2	TR	CBD	C-1	MC	BX	B&I
	Alcoholic Beverage Sales/Liquor Stores					P	P	P	P	
	Antique Shops					P	P	P	P	
	Wholesale sales and establishments				PC		P		P	
196	Shopping Center						PC		PC	
	Restaurant, Standard				SE	P	P	P	P	
	Restaurant, Carry-out, Delivery					P	P	P	P	
191	Restaurant, Drive-thru or fast food								PC	
	Tavern, Pub, Bar, dance hall, nightclub, cocktail lounge					P	P	P	P	
195	Pet Shop					PC	PC		PC	
198	Adult Oriented Commercial Enterprises, Massage Parlors, Tattoo Shops, Etc.								SE	
	MOTOR VEHICLE-RELATED SALES AND SERVICE OPERATIONS									
	Motor Vehicle Sales						P		P	
188	Motor Vehicle Filling Station						P		P	
	Motor Vehicle Rental						P		P	
	Motor Vehicle Repair and Maintenance						P		P	
	Car Wash						P		P	
	Commercial parking lot or facilities					P	P	P	P	
	INDUSTRIAL									
	Light Manufacturing									
	Light Industry								P	P
	Bottling Facility								P	
	Winery			P			P		P	
	Warehouse								P	P
	Mini-Storage								P	
	Research and Development Facilities								P	P

P – Permissible Use; PC – Permitted with Conditions as designated in Article XI; SC – Special Exception and meet conditions in Article XII; SE – Special Exception from BOA.

		ZONING DISTRICTS – SECTION 108								
SECTION	DESCRIPTION	R-1	RM	R-2	TR	CBD	C-1	MC	BX	B&I
	DATA CENTER									P
	CARGO CONTAINER MAINTENANCE & STORAGE FACILITY									P
	TRUCK TERMINAL									P
	DISTRIBUTION FACILITY									P
	Recycling Facility								P	
	Flexible Use								P	
	Brewery								P	
	Micro Brewery					P	P		P	
	Distillery					SE	SE		P	
	Micro Distillery					SE	SE		P	
194	MARINA, INCLUDING BOAT SALES AND REPAIR AND BOAT RENTAL									
194	Marinas and marina uses							PC		
	Wet storage and temporary docking of seaworthy craft or watercraft awaiting repairs at commercial piers, buoys or other similar facilities							PC		
	Rental of watercraft							PC		
	Maintenance and repairs of watercraft							PC		
	Launching ramps							PC		
	Yacht and sailing clubs							PC		
	Dry docks, marine railways, travel lifts, forklifts, hoists, water lifts and other similar facilities							PC		
	Covered storage of seaworthy watercraft and watercraft awaiting repairs							PC		
	Sales of watercraft, marine engines and watercraft trailers							PC		
	Marine fuel sales							PC		
	Sail making and sail repair							PC		
	Facilities for the manufacturing and storage of natural ice							PC		
	Covered facilities for wet storage of seaworthy watercraft							PC		

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		ZONING DISTRICTS – SECTION 108									
SECTION	DESCRIPTION	R-1	RM	R-2	TR	CBD	C-1	MC		BX	B&I
	Pile driving and marine construction operations							PC			
	Construction of watercraft less than 65 feet							PC			
	Outside storage related to the marina operation							PC			
	MISCELLANEOUS USE										
	Accessory Structures and Uses customarily associated with principle uses	PC	PC	PC	PC	PC	PC	PC		PC	
213	Temporary buildings and structures	PC	PC	PC	PC	PC	PC	PC		PC	
211	Festivals, Events of Public Interest or Special Events, Occasional, Outdoor	PC	PC	PC	PC	PC	PC	PC		PC	
212	Storage of Recreational Vehicles, Detached Caps, Boats, and Boat Trailers	PC	PC	PC	PC	PC	PC	PC		PC	

Section 226. Schedule of Zone Regulations

	Minimum Lot Criteria					Minimum Yard Requirements (feet)			Max. Height		Density/ Intensity	Min.Open Space	Min.Tract Size
Districts	Area (sq. ft.)	Per DU. (sq. ft.)	Width (feet) [1]	Depth (feet)	Road Frontage (feet)	Front	Side [2]	Rear	Water side (feet) Max 3 stories	Cliff side (feet) Max 4 stories	Max FAR or DU'S/ac	OSR	(acres)
R-1	9,000	9,000	50	100	50	0-15	0-5	3	35	55	4	0.20	na
RM	9,000	9,000	50	100	50	0-15	0-5	3	35	55	4	0.20	na
R-2													
- Detached Single Family and Single Family Attached	8,000	8,000	40	80	40	0-15	0-5	3	35	55	4.5	0.20	na
- Townhouse	1,500	1,500	16	80		0-15	0-5	3	35	55	4.5		
- Duplex/Semi- Detached	9,000	4,500	40	80		0-15	0-5	3	35	55	4.5		
- Multi-family	8,000	na	50	100	50	0-15	0-5	3	35	55	6		
- Apartments	8,000	na	50	100	50	0-15	0-5	3	35	55	6		
TR													
- Detached Single Family and Single Family Attached	5,000	5,000	40	80	40	0-15	0-5	3	35	55	6	na	na
- Townhouse	1,500	1,500	16	80		0-15	0-5	3	35	55	4.5		

	Minimum Lot Criteria					Minimum Yard Requirements (feet)			Max. Height		Density/Intensity	Min.Open Space	Min.Tract Size
Districts	Area (sq. ft.)	Per DU. (sq. ft.)	Width (feet) [1]	Depth (feet)	Road Frontage (feet)	Front	Side [2]	Rear	Water side (feet) Max 3 stories	Cliff side (feet) Max 4 stories	Max FAR or DU'S/ac	OSR	(acres)
- Duplex/Semi-detached)	8,000	4,000	40	80		0-15	0-5	3	35	55	4.5		
-Multi-family	8,000	na	50	100	50	0-15	0-5	3	35	55	6		
-Apartments	8,000	na	50	100	50	0-15	0-5	3	35	55	6		
- Non-residential	na	na	na	na	na						na		na
CBD													
Residential													
- Detached Single Family and Single Family Attached	1,080	1,080	18	60	18	0-15	0-5	3	35	55	6	na	na
- Duplex/Semi-detached)	8,000	4,000	40	80		0-15	0-5	3	35	55	4.5		
- Townhouse	1,080	1,080	18	60		0-15	0-5	3	35	55	4.5		
-Multi-family	8,000	na	50	100	50	0-15	0-5	3	35	55	6		
-Apartments	8,000	na	50	100	50	0-15	0-5	3	35	55	6		
Non-residential	na	na	na	na	na						na		na

	Minimum Lot Criteria					Minimum Yard Requirements (feet)			Max. Height		Density/Intensity	Min.Open Space	Min.Tract Size
Districts	Area (sq. ft.)	Per DU. (sq. ft.)	Width (feet) [1]	Depth (feet)	Road Frontage (feet)	Front	Side [2]	Rear	Water side (feet) Max 3 stories	Cliff side (feet) Max 4 stories	Max FAR or DU'S/ac	OSR	(acres)
C-1													
Residential													
- Detached Single Family and Single Family Attached	5,000	5,000	18	40	40	0-15	0-5	3	na	55	6	na	na
- Duplex/Semi-detached)	8,000	4,000	18	40		0-15	0-5	3	na	55	4.5		
- Townhouse	1,500	1,500	18	80		0-15	0-5	3	na	55	4.5		
-Multi-family	8,000	na	50	80	50	0-15	0-5	3	na	55	6		
- Apartments	8,000	na	50	80	50	0-15	0-5	3	na	55	6		
Non-residential	na	na	na	na	na						na		na
MC													
Residential													
- Detached Single Family	5,000	5,000	40	80	40	0-15	0-5	3	35	na	6	na	na
- Multi-family	8,000	na	50	100	50	0-15	0-5	3	42	na	18		

	Minimum Lot Criteria					Minimum Yard Requirements (feet)			Max. Height		Density/Intensity	Min.Open Space	Min.Tract Size
Districts	Area (sq. ft.)	Per DU. (sq. ft.)	Width (feet) [1]	Depth (feet)	Road Frontage (feet)	Front	Side [2]	Rear	Water side (feet) Max 3 stories	Cliff side (feet) Max 4 stories	Max FAR or DU'S/ac	OSR	(acres)
- Townhouse	1,500	1,500	16	80		0-15	0-5	3	42	na	12		
- Apartments	8,000	na	50	100	50	0-15	0-5	3	42	na	18		
Non-residential	21,780	na	100						42	na	0		na
BX B&I	See Section 108 and Section 112 See Section 109. 8.												

Notes on Table:

- (1) Lot width measured at mean high water mark
- (2) Dimension for one side yard, two (2) required.
- (3) Water side properties are southeast and Cliff side properties are northeast of MD222/Main Street in the Historic District.
- (4) Maximum 3 stories on water side properties.
- (5) Maximum 4 stories on cliff side properties

Definitions:

Open Space Ratio (OS) - The proportion of a site consisting of open space calculated using the gross site area.

Landscape Ratio (LSR) -The ratio derived by dividing the area of landscaped surface by the gross site area.

Floor Area Ratio (FAR) - An intensity measured as a ratio derived by dividing the total floor area of a building by the gross site area.

DU - Dwelling Unit

Section 264. Permitted Signs

1. Signs permitted in the Residential Zones R-1, RM, and R-2 shall be limited to the following:
 - a. One name plate not exceeding two (2) square feet in area which indicates the name of the occupant.
 - b. One unlighted real estate signs not exceeding four (4) square feet in area.
 - c. One unlighted sign not exceeding two (2) square feet in area which identifies a permitted non-residential use.
 - d. One on-site indirectly illuminated sign not to exceed thirty (30) square feet in area shall be permitted in conjunction with a building of a public or semi-public nature. The maximum height of the sign shall be six (6) feet.
 - e. One sign, not exceeding fifteen (15) square feet in area is permitted in conjunction with an approved special exception use except where signage is provided for in other sections of this ordinance.
 - f. Banners and pennants are prohibited except as provided for in Section 265 Special Event Signs.
2. Sign permitted in the R-1, RM, and R-2 Districts are also permitted in the TR, CBD and C-1 districts. The following on-site signs are also permitted:
 - a. Unlighted real estate sign not to exceed fifteen (15) square feet in area.
 - b. One indirectly lit freestanding sign not exceeding nine (9) square feet in area or one directly lit projecting sign extending not more than seventy two (72) inches from the front of the building. Signs may not be larger than nine (9) square feet in area and must be at least seven (7) feet from the ground. The sign shall advertise only the business conducted in the building to which it is attached. Corner lots having a minimum of one hundred (100) feet of street frontage may install one indirectly lit freestanding sign not exceeding twenty-four (24) square feet in area in lieu of preceding signage. Additionally, freestanding sign must be set back ten (10) feet from the property line.
 - c. One indirectly lit flat sign, not projecting more than nine (9) inches from the side of a building. The sign area is not to exceed one (1) foot of area per linear foot of street frontage or sixty (60) square feet, whichever is less.
 - d. No plastic signs are allowed unless they are being used under the provisions of Section 265 as a banner or pennant. The Zoning Inspector may consider alternative materials if recommended by the Historic Area Commission.

- e. In addition to the freestanding sign permitted in b. above, one sandwich board or pedestal sign provided:
 - (1) Only one sandwich board or pedestal sign shall be allowed for any single building; provided, however, that where more than one (1) business occupies a building, each business may have a sandwich board or pedestal sign;
 - (2) Notwithstanding (e)(1), a minimum separation of twenty (20) feet shall be maintained between sandwich boards or pedestal signs;
 - (3) Sandwich boards or pedestal signs on public or private property shall not exceed twenty-four (24) inches in width and thirty-six (36) inches in height; provided, however, that a minimum unobstructed sidewalk width of forty-two (42) inches shall be maintained;
 - (4) No sign shall be placed in a manner which obstructs the vision clearance at a street intersection; and
 - (5) Sandwich boards or pedestal signs located within a public right-of-way shall be placed within that portion of the public right-of-way which abuts the building containing the business or use, provided an encroachment permit has been secured from the Zoning Inspector.
- f. A-Frame Signs. A-frame signs are permitted for retail businesses that 1) primarily sell perishable goods; or 2) are not visible from a public street and have no options available to provide signage visible from a public street. A-frame signs shall meet the following requirements:
 - (1) Each business shall not have more than one (1) A-frame sign;
 - (2) A-frame signs shall be placed on private property and shall be located on the same parcel as the business which qualifies for said sign;
 - (3) A-frame signs shall be removed during non-business hours; and
 - (4) The area of an A-frame sign shall not exceed ten (10) square feet.
- g. An awning sign may be permitted by the Zoning Inspector under the following conditions:
 - (1) No sign shall project from an awning.
 - (2) Awning graphics may be painted or affixed flat to the surface of the front or sides, shall indicate only the name and/or address of the enterprise or premises.

(3) Awning graphics shall be a single line of lettering not exceeding six (6) inches in height, but if over three (3) inches in height, shall be debited against the permitted wall sign surface area.

(4) No awning sign shall be internally illuminated.

h. Projecting Signs

(1) A wall-mounted sign perpendicular to the building surface.

(3) If flat, each face shall not exceed ten (10) sq. ft.

(4) The total area of a three dimensional sign shall be determined by enclosing the largest cross-section of the sign in an easily recognizable geometric shape and computing its area which shall not exceed nine (9) sq. ft.

(5) Such sign shall be hung at right angles to the building and shall not project closer than two (2) feet to the curb line.

(6) The supporting framework shall be in proportion to the size of such sign.

(7) The top of the sign may be suspended in line with one of the following, whichever is the most successful application of scale, linear continuity, and visibility as determined by the Zoning Inspector:

(i) suspended between the bottom sills of the second story windows and the top of the doors and windows of the ground floor; or,

(ii) the lowest point of the roof of a one story building.

(8) Projecting signs shall have a minimum clearance of eight (8) feet above grade when located adjacent to or projecting over a pedestrian way. If projecting over an alley or driveway, the clearance must be at least thirteen (13) feet.

~~3. In the BX district the following off-site signs may be permitted:~~

~~a. In residential areas the following on-site signs are permitted:~~

~~(1) One name plate not exceeding two (2) square feet in area which indicates the name of the occupant.~~

~~(2) One unlighted sign, not exceeding six (6) square feet in area which indicates the prospective sale or rental of property on which it is located.~~

~~(3) One unlighted sign not exceeding two (2) square feet in area which identifies a permitted home occupation.~~

- ~~— b. For commercial and industrial uses the following on-site signs are permitted:~~
 - ~~(1) Total signage not to exceed ten (10) square feet of area for each ten (10) linear feet of street frontage.~~
~~_____~~
 - ~~(2) Signs must pertain to goods or services sold on the premises.~~
~~_____~~
 - ~~(3) Signs must not rise above roof level.~~
~~_____~~
- ~~— c. Shopping centers, industrial parks and office parks may be exempted from the maximum signage limitations provided the Planning Commission has approved a Master Signage Plan. The Master Sign Plan shall contain the following:~~
 - ~~— (1) — An accurate plot plan of the property or properties included, at such scale as the Zoning Official may reasonably require;~~
 - ~~— (2) — Location of buildings, parking lots, driveways, and landscaped areas on such zone lot;~~
 - ~~— (3) — Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs proposed; and~~
 - ~~— (4) — An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.~~
 - ~~— (5) — The Master Signage Plan shall specify standards for consistency among all signs on properties affected by the Plan with regard to:~~
 - ~~(i) — Color scheme;~~
 - ~~(ii) — Lettering or graphic style;~~
 - ~~(iii) — Lighting;~~
 - ~~(iv) — Location of each sign on the buildings;~~
 - ~~(v) — Material; and~~
 - ~~(vi) — Sign proportions.~~
~~_____~~
 - ~~— (6) — A Master Signage Plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.~~
 - ~~— (7) — The Master Signage Plan, for all properties with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1)~~

for each street on which the properties included in the plan have frontage and shall provide for shared or common usage of such signs.

- ~~—(8) — A Master Signage Plan shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the city for the proposed development and shall be processed simultaneously with such other plan.~~
- ~~—(9) — A Master Signage Plan may be amended by filing a new Master Signage Plan that conforms with all requirements of the ordinance then in effect.~~
- ~~—(10) — If any new or amended Master Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within three (3) years, all signs not conforming to the proposed amended plan or to the requirements of this ordinance in effect on the date of submission.~~
- ~~—(11) — After approval of a Master Signage Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of any conflict between the provisions of such a plan and any other provision of this ordinance, the ordinance shall control.~~
- ~~—d. In commercial and industrial areas in the BX district the following off-site signs may be permitted as a Special Exception by the Board of Appeals:~~
 - ~~(1) Signs may not exceed one hundred (100) square feet in area.~~
 - ~~(2) Signs must not be nearer than one hundred (100) feet to any residence.~~
 - ~~(3) Signs must not be nearer than twenty five (25) feet to any property line.~~

Section 266. Banners, Pennants and Special Event Signs

1. Special Event Signs

- a. A carnival, fair, circus, festival or similar event as determined by the Zoning Inspector may locate banners, flags and pennants provided:

- (1) A permit is obtained containing the date of the event.

- (2) These signs may be displayed no more than one week prior to the event and must be removed no more than three (3) days after the event, except non-profit organizations may display these signs no more than four weeks prior to the event and must remove them no more than three (3) days after the event.

- (3) These signs must be located on-site.

- (4) The event occurs no more than once a year.

- (5) All banners, flags and pennants encroaching in the State Highway Right of Way may require additional approval from the State Highway Administration.

- b. A carnival, fair, circus, festival or similar event, as determined by the Zoning Inspector may display off-premise signs provided:

- (1) Written permission is obtained from the property where the sign is to be located and is provided to the Zoning Inspector.

- (2) A permit is obtained stating location, wording and date of event. Sign information must be limited to event name, date, location and sponsor.

- (3) No more than four (4) signs per event may be erected.

- (4) Signs may not exceed thirty-two (32) square feet in area per sign.

- (5) They may be erected no more than four (4) weeks prior to the event and must be removed no more than five (5) days after the event.

2. Grand Opening Signs

- a. A grand opening or grand re-opening is permitted to use banners, pennants or flags provided:

- (1) They are not displayed more than three (3) days prior to the event and are removed within three (3) days after the event.

- (2) A permit must be obtained which would include number, and type of all banners as well as the date of the event.

b. A grand opening or grand re-opening is permitted to display two (2) off-premise signs provided:

(1) Written permission is obtained from the owner of the property where the sign is to be located and is provided to the Zoning Inspector.

(2) A permit must be obtained stating locations, date of event and wording on sign.

(3) Signs may only indicate grand-opening or re-opening, name of business, merchandise available, date of event, location of business and owner's name. These signs shall not include prices.

(4) Signs are not displayed more than two (2) weeks prior to the event and must be removed no more than 1 week after the week.

(5) Signs shall not exceed thirty-two (32) square feet in area.

3. Special Sales Signs

a. Banners may be used to advertise a sale provided:

(1) Not more than two (2) banners may be displayed on any lot at any one time.

(2) It does not exceed twenty-four (24) sq. ft. in size.

(3) They are displayed no more than two (2) weeks at a time and six (6) times in any one year period.

(4) A permit shall be required stating size of banners, date to be displayed, business name and number of banners displayed.

~~b. Commercial centers in BX District may use banners to advertise a sale provided:~~

~~(1) Not more than four (4) banners may be displayed on any lot at any one time.~~

~~(2) It does not exceed twenty-four (24) sq. ft. in size.~~

~~(3) They are displayed no more than two (2) weeks at a time and six (6) times in any one year period.~~

~~(4) A permit shall be required stating size of banners, date to be displayed, business name and number of banners displayed.~~

4. Help Wanted Signs

a. Banners may be used to advertise help wanted provided:

~~(1) Size shall not exceed thirty-six (36) sq. ft. in area in BX zones and twenty-four (24) sq. ft. in area in other commercial zones.~~

(1 ~~2~~) State only "Help Wanted".

(2 ~~3~~) Must be located on-site.

5. Additional Regulations for all Banners, Pennants and Flags

- a. Banners and pennants may be indirectly lit during hours of operation only.
- b. No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
- c. No sign may be erected so that by its location, color, size, shape, nature, or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- d. All signs should be securely attached to the support structure to prevent sagging or dropping of the pennants, banners or flags. Banners should be secured as per the definition.
- e. Such signs shall not be used in the calculation of permitted sign area for each use.

Section 292. Tables of Required Bufferyards

REQUIRED BUFFERYARDS BETWEEN ADJACENT ZONING DISTRICTS								
ZONE	R-1	RM	R-2	TR	CDB	C-1	MC	BX B & I
R-1	--	--	B	--	B		C	E
RM	--	--	C	--	B		C	E
R-2	B	C	--	B	B		C	E
TR	B	B	B	--	--		C	D
CDB	B	B	B	--	--		C	D
C-1	D	D	D	--	C	--	B	C
MC			--	--			--	
BX (non-residential)	E	E	E	E	E	E		

REQUIRED STREET BUFFERS	FUNCTIONAL CLASSIFICATION		
ZONING DISTRICTS	ARTERIAL	COLLECTOR	LOCAL
New Residential	D	C	B
Residential, built areas	na	na	na
New Commercial (C-1, BX)	C	C	C