

Caroline County Zoning Ordinance

Table of Contents

**Adopted 3/27/80
Amended through December 31, 2016**

Article I -- Purpose and Intent

Section 1	Title.....	1-1
Section 2	Statement of Purpose.....	1-1
Section 3	Application.....	1-1

Article II -- Definitions

Section 1	General Rules of Construction.....	2-1
Section 2	Definitions.....	2-1

Article III -- Establishment of Districts

Section 1	Districts Established.....	3-1
Section 2	Official Zoning Maps.....	3-1
Section 3	Determination of District Boundaries.....	3-1
Section 4	General Provisions.....	3-2

Article IV -- Rural Preservation (RP)

(formerly Agricultural, A-1)

Section 1	Statement of Intent.....	4-1
Section 2	Permitted Principal Uses and Structures.....	4-1
Section 3	Permitted Accessory Uses and Structures.....	4-2
Section 4	Temporary Uses Repealed June 27, 2000	
Section 5	Special Exception Uses with Board of Supervisor's Approval.....	4-3

Article V -- Agricultural Preservation (AP)

(formerly Agricultural/Forestal Preservation, A-2)

Section 1	Statement of Intent.....	5-1
Section 2	Definitions.....	5-1
Section 3	Permitted Principal Uses and Structures.....	5-2
Section 4	Permitted Accessory Uses and Structures.....	5-2
Section 5	Permitted Temporary Uses.....	5-3
Section 6	Permitted Special Exception Uses.....	5-3
Section 7	Standards for Permitted Principal Uses and Structures.....	5-4
7.1	Regulations and Standards for Intensive Agriculture Operations.....	5-4
Section 8	Standards for Accessory Uses and Structures.....	5-9
Section 9	Standards for Permitted Temporary Uses.....	5-9
9.1	Standards for the placement of single wide manufactured house during the construction of a single family dwelling (Repealed 9-26-95).....	5-9
9.2	Standards for Manufactured Houses for Farm Tenant Structures.....	5-9
9.3	Standards for Construction Offices and Equipment Sheds.....	5-10
9.4	Standards for Horse Shows, Dog Shows, Steeplechase, Turkey Shoots, Other Similar Activities.....	5-10
Section 10	Additional Standards and Conditions for Uses Permitted by Special Exception.....	5-11
10.1	Additional Standards for Sawmills.....	5-11
10.2	Additional Standards for Commercial Storage and Processing of Bulk Agricultural Products.....	5-11
10.3	Additional Standards for Plant Nursery and Greenhouse with Retail Sales.....	5-11

10.4	Additional Standards for Private Clubs and Lodges.....	5-11
10.5	Additional Standards for Bed and Breakfast.....	5-12
10.6	Additional Standards for Convents, Monasteries or Religious Retreat.....	5-12
10.7	Additional Standards for Kennels.....	5-12
10.8	Additional Standards for Farm Equipment Sales, Rental and Service Establishments and Agricultural Supply Establishments.....	5-12
10.9	Additional Standards for Major Home Occupations.....	5-13
10.10	Additional Standards for Pre-School/Day Care Center/Nursery School.....	5-13
10.11	Additional Standards for Equestrian Facilities, Including Board and Instruction (Spectator Uses).....	5-14

Article 5-A -- Rural Residential-2 District (RR-2)

(formerly Agricultural/Residential, AR-1)

Section 1	Statement of Intent.....	5A-1
Section 2	Permitted Principal Uses and Structures.....	5A-1
Section 3	Permitted Accessory Uses and Structures.....	5A-1
Section 4	Uses Permitted by Special Exception.....	5A-2

Article 5-B -- Rural Residential-5 District (RR-5)

Section 1	Statement of Intent.....	5B-1
Section 2	Permitted Principal Uses and Structures.....	5B-1
Section 3	Permitted Accessory Uses and Structures.....	5B-1
Section 4	Permitted Temporary Uses.....	5B-1
Section 5	Permitted Conditional Uses.....	5B-2

Article VI -- Residential District (R-1), Low Density

Section 1	Statement of Intent.....	6-1
Section 2	Uses Permitted by Right.....	6-1
Section 3	Uses Permitted by Special Exception.....	6-1

Article VII -- Residential District (R-2) -- Medium Density

Section 1	Statement of Intent.....	7-1
Section 2	Uses Permitted by Right.....	7-1
Section 3	Uses Permitted by Special Exception.....	7-1

Article VII-A -- Residential District (R-3) -- Mobile Home Subdivision

Section 1	Statement of Intent.....	7A-1
Section 2	Uses Permitted by Right.....	7A-1
Section 3	Uses Permitted by Special Exception.....	7A-1

Article VIII -- Residential District (MHP-1) -- Mobile Home Park

Section 1	Statement of Intent.....	8-1
Section 2	Uses Permitted by Right.....	8-1
Section 3	Uses Permitted by Special Exception.....	8-1

Article IX -- Business District (B-1)

Section 1	Statement of Intent.....	9-1
Section 2	Uses Permitted by Right.....	9-1
Section 3	Uses Permitted by Special Exception.....	9-2

Article X - Industrial District (M-1) – Manufacturing

Section 1	Statement of Intent.....	10-1
Section 2	Uses Permitted by Right.....	10-1
Section 3	Uses Permitted by Special Exception.....	10-2

Article XI -- Planned Unit Developments

	Division 1. Generally.....	11-1
Section 1	Applications.....	11-1
Section 2	Contents of Development Plan.....	11-1
Section 3	Rezoning to Planned Development District.....	11-2
3.1	Planning Commission Procedures.....	11-2
3.2	Preapplication Conferences.....	11-2
3.3	Planning Commission Recommendations to the Board of Supervisors.....	11-2
3.4	Action by Board of Supervisors.....	11-3
Section 4	Landscape Plan.....	11-3
4.1	Buffering.....	11-4
4.2	Minimum Plantings.....	11-4
Section 5	Site Plans.....	11-4
Section 6	Private Roads.....	11-5
	Division 2. Planned Residential Development (PRD).....	11-5
Section 1	Statement of Intent.....	11-5
Section 2	Uses Regulations.....	11-5
Section 3	Permitted Accessory Uses.....	11-6
Section 4	Area Regulations.....	11-6
Section 5	Density.....	11-6
Section 6	Minimum Area Requirements for Open Space.....	11-6
Section 7	Setback and Yard Requirements.....	11-6
Section 8	Maximum Height of Buildings.....	11-6
Section 9	Streets... (Repealed 08/11/09).....	11-6
	Division 3. Planned Mixed Use Development (PMU).....	11-7
Section 1	Statement of Intent.....	11-7
Section 2	Permitted Uses – Residential.....	11-7
2.1	By Right.....	11-7
2.2	Conditional Uses.....	11-8
Section 3	Permitted Uses - Commercial/Service.....	11-10
3.1	By Right.....	11-10
3.2	Conditional Uses.....	11-11
Section 4	Permitted Uses - Shopping Center.....	11-11
4.1	By Right.....	11-11
4.2	Conditional Uses.....	11-11
Section 5	Permitted Uses – Industrial.....	11-11
5.1	By Right.....	11-11
5.2	Conditional Uses.....	11-11
Section 6	Minimum Area Required for Establishment of District.....	11-11
Section 7	Regulations Governing Residential.....	11-12
7.1	Residential Density.....	11-12
7.2	Minimum Area Requirements for Open Space.....	11-12
7.3	Recreational Requirements.....	11-12
7.4	Height Regulations.....	11-12
7.5	Building Separation.....	11-12
7.6	Setback and Yard Requirements.....	11-12
7.7	Townhouse and Garden Apartments.....	11-12
Section 8	Regulations Governing Commercial/Service Areas.....	11-13
Section 9	Regulations Governing Shopping Center Areas.....	11-13
Section 10	Regulations Governing Industrial Area.....	11-14

	Division 4 - Planned Shopping Center District (PSC)	11-14
Section 1	Statement of Intent.....	11-14
Section 2	Permitted Uses.....	11-14
Section 3	Area Required for Creation of PSC District.....	11-15
Section 4	Site Planning - External Relationships.....	11-15
Section 5	Orientation.....	11-16
Section 6	Site Planning - Internal Relationships.....	11-16
Section 7	Floor Area Ratio	11-16
	Division 5 - Planned Industrial Park (PIP)	11-16
Section 1	Intent.....	11-16
Section 2	Permitted Uses.....	11-16
2.1	By Right - Category I.....	11-16
2.2	By Right - Category II.....	11-17
2.3	Conditional Uses - Category I.....	11-18
2.4	Conditional Uses - Category II.....	11-18
Section 3	Minimum Area Required for Creation of District.....	11-19
Section 4	Off-Street Parking and Loading Requirements.....	11-19
Section 5	Sign Regulations.....	11-19
Section 6	Additional Requirements.....	11-19
	Division 6 – Planned Recreation and Entertainment District (RE)	11-19
Section 1	Purpose and Intent.....	11-19
Section 2	Permitted Uses.....	11-20
Section 3	Special Permit Uses.....	11-20
Section 4	Lot Area and Other Dimensional Requirements.....	11-21
Section 5	Sign Regulations.....	11-21
 <u>Article XII -- Lot Area and Other Dimensional Requirements within Districts</u>		
Section 1	Lot Area and Other Dimensional Requirements within Districts.....	12-1
Section 2	Exemptions and Reductions.....	12-2
 <u>Article XIII -- Off-Street Parking and Loading Requirements</u>		
Section 1	Off-Street Parking Requirements.....	13-1
Section 2	Off-Street Loading Requirements.....	13-2
 <u>Article XIV -- Sign Regulations</u>		
Section 1	General Provisions.....	14-1
Section 2	Signs Permitted in Rural Preservation (RP) District.....	14-2
Section 3	Signs Permitted in Agricultural Preservation (AP) District.....	14-2
Section 4	Signs Permitted in Residential (R-1, R-2 and R-3) Districts.....	14-3
Section 5	Signs Permitted in Mobile Home Parks (MHP-1).....	14-3
Section 6	Signs Permitted in Planned Unit Development (PUD-1).....	14-3
Section 7	Signs Permitted in Business (B-1) and Industrial (M-1) Districts.....	14-5
Section 8	Sign Permits; Applications; and Fees.....	14-6
 <u>Article XV -- Supplemental Regulations</u>		
Section 1	Special Provisions Applicable to Corner Lots.....	15-1
Section 2	Fences, Walls and Hedges.....	15-1
Section 3	Exceptions to Height Regulations.....	15-1
Section 4	Accessory Buildings and Uses.....	15-1
Section 4A	Permitted Front Yard, Rear and Side Yard Extensions.....	15-2
Section 5	Parking and Storage of Certain Vehicles.....	15-2
Section 6	Flood Hazard Zones.....	15-3
6.1	Purpose.....	15-3
6.2	Applicability.....	15-3
6.3	Compliance and Liability.....	15-3

6.4	Abrogation and Greater Restrictions.....	15-3
6.5	Severability.....	15-3
6.6	Description of Districts.....	15-4
6.7	Official Zoning Map.....	15-4
6.8	Boundary Changes.....	15-4
6.9	Interpretation of District Boundaries.....	15-5
6.10	Permit and Application Requirements.....	15-5
6.11	Permitted Uses in the 100-Year Floodplain District.....	15-6
6.12	General Standards.....	15-6
6.13	Specific Standards.....	15-7
6.14	Standards for Approximated Floodplain.....	15-8
6.15	Standards for the Special Floodplain District.....	15-9
6.16	Standards for the Floodway.....	15-9
6.17	Standards for Subdivision Proposals Within Floodplain District.....	15-9
6.18	Design Criteria for Utilities and/or Public Facilities.....	15-10
6.19	Variances.....	15-10
6.20	Existing Structures in Floodplains.....	15-11
Section 7	Special Provisions Applicable to Mobile Home Parks.....	15-12
Section 8	Development Standards.....	15-15
A.	Standards for Contractors Office, Equipment & Sales Facilities.....	15-15
B.	Standards for Communication Facilities.....	15-16
C.	Standards for Retail Sales and Services associated with Offices.....	15-18
D.	Standards for Antique Shops.....	15-18
E.	Standards for In-Law Suites.....	15-19
F.	Standards for Accessory Apartment.....	15-19
G.	Standards for Commercial Nursery/Greenhouses.....	15-20
H.	Standards for a Towing Storage Lot	15-20
I.	Standards for Timbering and Harvesting within the Industrial Zoning Districts.....	15-21
J.	Standards for Artist Studio.....	15-21
K.	Major Golf Course.....	15-22
L.	Standards for Private Road.....	15-23
M.	Standards for a Crematory.....	15-25
N.	Standards for Private Schools.....	15-25
O.	Reserved	15-25
P.	Standard for Rural Resorts (Adopted 09/23/2014)	15-25
Q.	Standards for a General Store (Adopted 09/23/2014).....	15-26
R.	Standards for Property Manager's Residence (Adopted 03/25/2014).....	15-26
S	Standards for Temporary Quarters for Industrial Facilities (Adopted 02/10/14)	
Section 9	Special Provisions Applicable to Multi-family Dwellings.....	15-27
Section 10	Special Provisions Applicable to Industrial (M-1) Districts.....	15-27
Section 11	Special Provisions Applicable to Lots of 10 acres or Less in Rural Preservation (Repealed 11/27/01).....	15-28
Section 12	Special Provisions Applicable to Residential (R-3) District.....	15-28
Section 13	Repealed (September 26, 1995).....	15-28
Section 14	Site Plan Requirements.....	15-28
Section 15	Highway Corridor Overlay District.....	15-32
15.1	Purpose and Intent.....	15-32
15.2	District Boundaries.....	15-32
15.3	Establishment of Districts.....	15-32
15.4	Administration.....	15-33
15.5	Permitted Use.....	15-33
15.6	Lot Area and Other Dimensional Requirements.....	15-33
15.7	Design Requirements.....	15-33
15.8	Modification.....	15-36
	Figures	15-36
Section 16	Special Provisions Applicable to Major Home Occupations.....	15-40
Section 17	Chesapeake Bay Preservation Area Overlay District.....	15-42
17.1	Purpose and Intent.....	15-42
17.2	Definitions.....	15-42
17.3	Applicability.....	15-45

17.4	Designation of Resource Protection Areas (RPA).....	15-45
17.5	The Resource Management Area (RMA).....	15-46
17.6	Uses.....	15-47
17.7	Lot Sizes.....	15-47
17.8	Performance Standards for Chesapeake Bay Preservation Areas.....	15-47
17.9	Additional Development Criteria for Resource Protection Areas.....	15-49
17.10	Water Quality Impact Assessment (WQIA).....	15-53
17.11	Plan of Development Process.....	15-56
17.12	Nonconforming Uses and Non-complying Structures.....	15-61
17.13	Exemptions.....	15-61
17.14	Exceptions.....	15-62
17.15	Conflict of Article with other Regulations and Severability.....	15-63
17.16	Penalties.....	15-63
Section 18	Special Provisions Applicable to Manufacturing of Horticultural Products.....	15-64
Section 19	Resource Sensitive Area Overlay District.....	15-65
19.1	Purpose and Intent.....	15-65
19.2	District Boundaries.....	15-65
19.3	Establishment of Districts.....	15-65
19.4	Administration.....	15-65
19.5	Permitted Uses.....	15-65
19.6	Lot Area and Other Dimensional Requirements.....	15-65
19.7	Design Standards.....	15-65
Section 20	Special Provisions Applicable to Campgrounds/Camping Area.....	15-67
Section 21	Residential Occupancy.....	15-69

Article XVI -- Nonconforming Lots, Uses and Structures

Section 1	Intent.....	16-1
Section 2	Continuation of Nonconforming Uses.....	16-1
Section 3	Discontinuance or Abandonment of a Nonconforming Use.....	16-1
Section 4	Permitted Changes of Nonconforming uses.....	16-1
Section 5	Nonconforming Signs.....	16-3
Section 6	Use of Nonconforming Lots.....	16-4
Section 7	Special Provisions Regarding Nonconforming Uses and Structures in Flood Overlay District.....	16-5
Section 8	Verification of Nonconforming Uses.....	16-5

Article XVII -- Administration and Enforcement

Section 1	Purpose.....	17-1
Section 2	Enforcement.....	17-1
Section 3	Zoning Permits Required.....	17-1
Section 4	Zoning Permit Applications.....	17-1
Section 5	Review of Applications.....	17-2
Section 6	Time Limitation for Zoning Permits.....	17-2
Section 7	Structures in Violation.....	17-2
Section 8	Issuance of Building Permits.....	17-2
Section 9	Certificate of Occupancy and Certificate of Zoning Compliance Required.....	17-3
Section 10	Application for Certificate of Occupancy and Zoning Compliance.....	17-3
Section 11	Zoning Amendments.....	17-3
Section 12	Rezoning.....	17-4
Section 13	Use Permits.....	17-10
Section 14	Zoning Text Amendments.....	17-16
Section 15	Comprehensive Plan Amendments.....	17-17
Section 16	Development Standards Waiver Requirements in the Residential District subject to Special Exception Approval.....	17-19
Section 17	Time Limits	17-20

Article XVIII -- Board of Zoning Appeals

Section 1	Authority and Establishment.....	18-1
Section 2	Powers and Duties.....	18-2
Section 3	Appeals to the Board.....	18-3
Section 4	Variances.....	18-4
Section 5	Certiorari to Review Decision of the Board.....	18-5

Article XIX -- Amendments

Section 1	Intent.....	19-1
Section 2	Initiation of Amendments.....	19-1
Section 2.1	Uses Not Provided for.....	19-1
Section 3	Application Procedures and Fees.....	19-1
Section 4	Public Hearing and Notice.....	19-1
Section 5	Notice of Adjacent Jurisdictions.....	19-2
Section 6	Referral to Planning Commission.....	19-2
Section 7	Establishment of Conditions at the time of Zoning Map Amendments (Conditional Rezoning).....	19-2
Section 7.1	Administration, Filing and Acceptance of Conditions at the Time of Zoning Map Amendments.....	19-3
Section 8	Withdrawal of Request.....	19-3
Section 9	Limitations on Filing After Denial.....	19-4
Section 10	Concept Zoning Plan/County Plan Amendment.....	19-4
10.1	Purpose.....	19-4
10.2	Objectives.....	19-4
10.3	General Procedures.....	19-4
10.4	Approval Procedure.....	19-5
10.5	Rezoning.....	19-5
10.6	Frequency of Applications.....	19-5
10.7	Petitions, Applications, and Supporting Documents.....	19-5
10.8	Definitions.....	19-6

Article XX -- Violations and Penalties

Section 1	Complaints Regarding Violations.....	20-1
Section 2	Violation and Penalties.....	20-1

Article XXI -- Validity

Section 1	Separability.....	21-1
Section 2	Interpretation of Conflicts.....	21-1
Section 3	Repeal of Conflicting Ordinances.....	21-1