

Article 2. Definitions

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2-1 GENERAL ABBREVIATIONS

The following abbreviations may be used within this Ordinance:

- A. GFA is an abbreviation for “gross floor area.”
- B. ft is an abbreviation for “feet.”
- C. N/A is an abbreviation for “not applicable.”
- D. sf is an abbreviation for “square feet.”

2-2 DEFINITIONS

The following are definitions of terms used throughout this Ordinance.

100-Year Floodplain.

1. An area along or adjacent to a stream or body of water, except tidal waters, that is capable of storing or conveying floodwaters during a 100-year frequency storm event, or a 100-year flood.
2. Any area depicted as frequently flooded on the Calvert County Soil Survey Maps. It can be revised based on a hydrologic study or onsite soil survey with required State and local review and approval.

100-Year Flood. A flood which has a 1% chance of being equaled or exceeded in any given year.

Abandon. To cease from actively using land or any premises for its approved use.

Abandoned Premises. Any premises that is not occupied, used, or inhabited on a regular and continuing basis by some person with a valid claim of right to possession or a fee simple title. The intrusion of trespassers or squatters into such buildings on any basis does not render such building occupied or nonvacant.

Abatement. The act of putting an end to a land alteration or development activity or reducing the degree or intensity of the alteration or activity.

Abut. To share a common wall, lot line, or property boundary without being separated by a street, alley, right-of-way, or easement.

Accessibility Ramp. A ramp or similar structure that provides wheelchair, or similar, access to a premises.

Access. A way or means of approach to provide physical entrance to a property.

Accessory Structure. A structure located on the same lot or parcel as the primary structure that is incidental to the use of the primary structure.

Accessory Structure (Floodplain). A building or structure on the same lot or parcel with, and of a nature customarily incidental and subordinate to, the primary structure. For the purposes of these regulations, an accessory structure shall be used solely for parking of vehicles and limited storage.

Accessory Use. A use of land or a structure, or portion thereof, customarily incidental and subordinate to the principal use of the land or structure.

Adequate Public Facilities. See the Calvert County Code, Chapter 3, Adequate Public Facilities Requirements, as amended from time to time.

Administrative Decision. Also known as a decision made administratively. A decision made by the Director of the Department of Planning & Zoning, or their designee.

Administrative Plat. A plat which shows changes to an existing recorded lot or parcel. Known as a replat under previous Ordinances.

Adjacent Property. Any property abutting the subject property.

Affected Property Owner. Owners of property that directly adjoin the subject property of the application and those directly across any public or private roads or rights-of-way. In the case of an administrative variance, affected property owners include all owners of all properties that abut the side or rear property line from which an administrative variance is sought; or in the case of an administrative variance request for a front setback adjustment, all owners of all properties that abut a side property line of the subject property and those whose properties lie directly across any public or private roads or rights-of-way from the subject property; or in the case of administrative variances from sign height and forest conservation requirements, all owners of properties which abut the subject property shall be considered affected property owners; or in the case of an administrative variance if the use does not have direct access to a public road, affected property owners shall be all property owners who access or have right of access to the private road(s) connecting the use to the public road.

Affordable Dwelling Unit. A dwelling unit that is affordable to households earning 60% or less of the area median income.

Affordable Housing. Housing in which the occupant is paying no more than 30 percent of occupant's gross income for housing costs. Housing costs includes rent for a rental housing unit or mortgage principal and interest, real property taxes, and insurance for a housing unit that is for sale owner occupied.

Affordable Housing Agency. An agency organized for the purpose of developing residential housing for rental or ownership by residents having low and moderate incomes. Further, to qualify as an Affordable Housing Agency, the agency must be established as a not-for-profit organization and meet the requirements of end are approved by the IRS as tax-exempt by 26U.S.C.501(c)(3) or (4)..

Afforestation. The creation of a biological community dominated by trees and other woody plants in an area that is not presently and has not recently been in forest cover.

A-Frame Sign. A portable sign ordinarily in the shape of an "A" or some variation thereof, which is readily movable and is not permanently attached to the ground or any structure. This definition does not include T-frame sign.

Affix. Stick, attach, or fasten an object to something else.

Agreement to Submit an Elevation Certificate. A form on which the applicant for a permit to construct a building or structure, to construct certain horizontal additions, to place or replace a manufactured home, to substantially improve a building, structure, or manufactured home, agrees to have an Elevation Certificate prepared by a licensed professional engineer or licensed professional surveyor, as specified by the Floodplain Administrator, and to submit the certificate:

1. Upon placement of the lowest floor and prior to further vertical construction.
2. Prior to the final inspection and issuance of the Certificate of Occupancy.

Agriculture. An activity related to the production or management of livestock, crops, vegetation, or soil. This includes tillage, harvest, fertilization, pest management, cropping, pasturing, or production of an agricultural product, including livestock, poultry, plants, trees, sod, food, feed, and fiber; and an activity that directly contributes to the production, conversion, processing, storage, or sale of agricultural products generated onsite.

Agricultural Activity or Use. Farming activities including plowing, tillage, cropping, installation of best management practices, seeding, cultivating, and harvesting for production of food and fiber products (except commercial logging and timber harvesting operations), the grazing and raising of livestock, aquaculture, sod production, orchards, nursery, and other products cultivated as part of a recognized commercial enterprise.

Agricultural Advisory Board. The Agricultural Advisory Board (APAB) promulgates the rules and regulations and has developed procedures for the formation of Agricultural Preservation Districts (APDs) and implementation of the county's Agricultural Preservation Program. The APAB has developed rules, regulations, and procedures for the creation and operation of the County's Purchase and Retirement Fund (PAR) for Development Rights. The APAB meets on a monthly basis to review program participant requests to ensure they are within compliance with the rules

and regulations, as well as to administer the County's PAR program. The APAB works with the Department of Planning & Zoning to review and recommend changes to the County's Agricultural Preservation Program as needed.

Agricultural Best Management Practices (Critical Area). An agronomic, conservation, or pollution control practice, installation, or structure that manages soil loss, nutrients, animal wastes, or agricultural chemicals so as to minimize their movement into State waters. Includes strip cropping, terracing, cover crops, grass waterways, animal waste management, conservation tillage, riparian buffers, nutrient management, and stream protection practices such as fencing, stream crossings, and remote watering devices. It does not include a shoreline erosion control measure authorized by the Department of the Environment under COMAR 26.24.04

Agricultural and Resource Areas (Forest Conservation). Undeveloped areas zoned for densities of less than or equal to one dwelling unit per five acres.

Agricultural Easement. A non-possessory interest in land which restricts the conversion of use of the land, preventing non-agricultural uses.

Agricultural Machinery, Service, or Supplies. A facility designed for the maintenance and sale of goods related to farm machinery including tractors, plows, backhoes, balers, harrows, harvesters, manure spreaders, seeders, and similar machinery used directly in agricultural production.

Agricultural Preservation Districts. Agricultural Preservation Districts (APDs) are overlay districts created through the Agricultural Land Preservation Program. These areas of prime agricultural and forestry land are voluntarily placed in the Calvert County and/or Maryland State Agricultural Land Preservation Program, with the recommendation of the Calvert County Agricultural Preservation Advisory Board and the approval of the Board of County Commissioners. The purpose of this program is to offer an incentive for preservation of prime agricultural and forestry land, provide compensation to landowners who voluntarily agree to place agricultural and forestry use covenants on their land, offer a free market system for financing agricultural and forestry preservation, thus reducing direct cost to the taxpayers, guide development away from prime agricultural and forestry lands on which viable farming and forestry endeavors are practical, and act as a source of Transferable Development Rights (TDRs).

Agricultural Support Building. A building, other than a human residence, necessary to sustain an agricultural activity.

Air-Activated Sign. A sign, all or any part of, which is designed to be moved by action of forced air so as to make the sign appear to be animated or otherwise have motion. This definition does not include balloon sign.

Aircraft. A machine (as an airplane, glider, or helicopter) that can travel through the air and that is supported either by its own buoyancy or by the action of the air against its surfaces.

Airport or Landing Field. Land that is used for the landing or taking off of aircraft and which may or may not have facilities for the shelter, supply, or care of aircraft.

All-Terrain Recreational Vehicle. As defined by the Maryland Annotated Code, Transportation Article, as may be amended.

Alley. A public or private right-of-way that connects two or more streets and is intended to provide access to the rear or side of a building or lot. It is intended for local traffic only.

Alteration of a Watercourse. Includes, but is not limited to widening, deepening or relocating the channel, including excavation or filling of the channel. Alteration of a watercourse does not include construction of a road, bridge, culvert, dam, or in-stream pond unless the channel is proposed to be realigned or relocated as part of such construction.

Americans with Disabilities Act (ADA). The ADA is a federal civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and public and private places that are open to the general public. The ADA includes the additional and further requirements and provisions adopted by the State of Maryland.

Amusement Ride. A mechanical device that carries passengers along, under, around, through, or over a fixed course, or within a limited area, for the amusement of the passengers, and includes, but is not limited to a merry-go-round or ferris wheel.

Anadromous Fish. Fish that travel upstream (from their primary habitat in the ocean) to freshwaters in order to spawn.

Anadromous Fish Propagation Waters. Streams that are a tributary to the Chesapeake and Atlantic Coastal Bays where the spawning of anadromous species of fish (e.g., rockfish, yellow perch, white perch, shad, and river herring) occurs or has occurred. The streams are designated by the Department of Natural Resources. For purposes of this definition, streams refer to designated anadromous fish propagation waters within the Critical Area.

Ancillary Use or Structure. In regard to principal uses and structures, a use or structure that provides support and is typically integral to or is functionally integrated into a principal structure or use.

Animals - Dangerous, Wild, or Exotic. Animals that, by their very nature, are wild and potentially dangerous and, as such, do not adjust well to a captive environment, including but not limited to those considered by the State of Maryland to be wild or dangerous, such as:

1. Fox, skunk, raccoon, or bear;
2. Alligator or crocodile;
3. Member of the cat family other than the domestic cat;
4. Any other mammalian wildlife species, or hybrids, for which there is no U.S.D.A. certified vaccine against rabies;
5. Any venomous snakes specifically in the family groups of Hydrophidae, Elapidae, Viperidae, or Crotolidae;
6. Any reptiles greater than six feet in length.

Animation. An applied art that makes still images appear to move.

Applicant. A person who is requesting formal approval as required by this Ordinance.

Applicant, Forest Conservation Program. Relative to the Forest Conservation Program, a person who is applying for subdivision approval, a grading or sediment control permit, or project plan approval if the applicant is a state or local agency or has received approval of a Forest Stand Delineation or Forest Conservation Plan.

Approved Forest Management Plan.

1. Approved by the Department of Natural Resources forester assigned to Calvert County.
2. Operates as a protective agreement for forest conservation as described in the Natural Resources Article, §§5-1607(e)—(f), Maryland Annotated Code.

Aquaculture (Critical Area). Aquaculture” has the meaning stated in Natural Resources Article, §4-11A-01(b), Maryland Annotated Code.

Arbor. A landscape structure of vertical posts or pillars that usually support cross-beams and a sturdy open lattice.

Archaeological Interest. Capable of providing scientific or humanistic understanding of past human behavior, cultural adaptation, and related topics through the application of scientific techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation.

Archaeological Resource. Material remains of human life or activities which are of archaeological interest. This includes all sites, objects, structures, artifacts, implements, and locations of prehistoric or historic archaeological interest whether previously recorded or not, including but not limited to those pertaining to Native American and historic burials, campsites, habitation sites, and the artifacts and objects associated with them. This also includes any material remains of human life or activities which are at least partially below the ground surface necessitating archaeological methods for study or recovery.

Archaeological Significance. The ability of a site to address questions that are important to the understanding of national, state, or local history.

Archaeological Site. A geographic locality within Calvert County that contains archaeological objects.

Architectural Feature. A part or projection that contributes to the aesthetics of a structure, exclusive of signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

Architectural Review. The Department of Planning & Zoning review exterior design features of all structures as well as all signs within town centers in accordance with appearance standards and guidelines specified by the master plans and zoning ordinances for their respective town centers.

Areal Cover. Portion of defined area covered by vegetation or tree canopy.

Area of Shallow Flooding. A designated Zone AO on the Flood Insurance Rate Map with a 1% annual chance or greater of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Arterial Road. A road with controlled access, channelized intersections, restricted parking if any, and which collects and distributes traffic to and from collector roads.

As-Built. Set of plans submitted upon completion of a project. They reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed.

Attached. Physically joined together by a wall or covered breezeway; sharing a wall with another building; or not freestanding.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Awning Sign. A sign painted on, printed on, or attached flat against the surface of an awning which is a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework.

Balcony. A roofed or unroofed platform that projects from the exterior wall of a structure above the ground floor, which is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

Balloon Sign. A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached, or held in place by a cord, rope, cable or similar method. This definition does not include air-activated sign.

Banner Sign. Canvas, plastic, fabric, or similar lightweight, nonrigid material that can be mounted to a structure with cord, rope, cable, or a similar method. If such sign is supported by stakes in the ground, it is considered a yard sign.

Barren Land. Unmanaged land having sparse vegetation.

Base Building. The building to which an addition is being added. This term is used in provisions relating to additions in the 100-year floodplain.

Base Density. The permitted density in a zoning district not including bonus lots or transfer zone density. If the number of lots permitted following a base density calculation is not a whole number, the number of lots permitted is rounded down to the nearest whole number.

Base Flood. The flood having a 1% chance of being equaled or exceeded in any given year. The base flood also is referred to as the 1% annual chance (100-year) flood.

Base Flood Elevation. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. In areas of shallow flooding, the base flood elevation is the highest adjacent natural grade elevation plus the depth number specified in feet on the Flood Insurance Rate Map, or at least four feet if the depth number is not specified.

Basement. The floor of a building which is partly or entirely below ground level.

Basement (Floodplain). Any area of the building having its floor subgrade (below ground level) on all sides.

Bay Window. A window that projects outward from the structure, which does not rest on the building foundation or on the ground.

Berm. A linear mound of earth.

Best Management Practices (BMP). Conservation practices or systems of practices and management measures that control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxics, and sediment.

Billboard. A type of nonconforming sign that exceeds allowed sign area or height provisions, which existed prior to February 27, 1992; and has been inventoried by Calvert County.

Blade Sign. A temporary sign that is constructed of cloth, canvas, plastic fabric, or similar lightweight, nonrigid material and that is supported by a single, rigid or semi-rigid vertical member mounted into the ground or on a portable structure.

Block. See Section 2-3.A of this Article.

Blockface. See Section 2-3.A of this Article.

Board of Appeals. The Board of Appeals of Calvert County.

Board of Appeals Administrator. An administrator, designated by the Director of Planning & Zoning, who is responsible for ensuring proper administration of the Board of Appeals process in accordance with these Rules of Procedure, COMAR, and the Calvert County Zoning Ordinance; administration of the Board of Appeals budget; and providing planning and zoning expertise to the Board, including interpretation of regulations, ordinances and plans, written reports on applications that are scheduled for Public Hearing before the Board, and assistance in any other matters related to cases scheduled before the Board.

Boathouse. A structure with a roof or cover, or similar device placed over open water to protect a boat or other vessel.

Bona Fide Intrafamily Transfer. A transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

Bonus Lots. Lots which are permitted to be created under certain conditions specified in this Ordinance. Bonus lots are permitted in addition to base and transfer zone density. Examples of bonus lots include exception lots and family conveyance lots.

Boundary Survey. A process carried out to determine property lines and define true property corners of a parcel of land described in a deed, as well as any easements or encroachments.

Breakwater. An offshore structure designed to protect any landform or water, area behind them from direct assault of waves.

Buffer (Critical Area). The area that based on conditions at the time of development, is immediately landward from mean high water of tidal waterways, the edge of bank of a tributary stream, or the edge of a tidal wetland; and the area exists, or may be established in, natural vegetation to protect a stream, tidal wetland, tidal waters or terrestrial environments from human disturbance. The buffer includes an area of at least 100 feet, even if that area was previously disturbed by human activity, and also includes any expansion for contiguous areas, including a steep slope, hydric soil, highly erodible soil, nontidal wetland, or a Nontidal Wetland of Special State Concerns as defined in Article 22 of this Ordinance.

Buffer Management Plan. A type of Habitat Protection Plan consisting of a narrative and graphic description of the Critical Area Buffer that is necessary when an applicant proposes a development activity that will affect a portion of the Critical Area Buffer, alter buffer vegetation, or when the buffer or a portion of the buffer is required to be established in vegetation. The plan should be designed to minimize negative impacts to the buffer or extended buffer, provide appropriate mitigation requirements for any anticipated impacts, and improve the habitat value for wildlife

whenever possible. A Buffer Management Plan includes a Major Buffer Management Plan, a Minor Buffer Management Plan, and a Simplified Buffer Management Plan.

Buffer Yard. An area at least 25-feet wide, located between development activity and tidal waters, tidal wetlands, or a tributary stream, planted with vegetation consisting of native canopy trees, understory trees, shrubs, and perennial herbaceous plants used in Special Buffer Management Areas to provide water quality and habitat benefits. This area is to be managed and maintained in a manner that optimizes these benefits.

Build-To Line. See Section 2-3.C of this Article.

Build-To Percentage. See Section 2-3.C of this Article.

Build-To Zone. See Section 2-3.C of this Article.

Buildable Area. This is the area in which a principal building may be located on a property. The buildable area of a lot or parcel is exclusive of Natural Resource Protection Areas, Critical Area Buffers, Forest Retention Areas, septic recovery areas and reserve, required setbacks, and designated open space.

Buildable Lot. A lot or parcel approved by the Health Department and Planning Commission or its designee that meets the size, density, dimensions and other requirements of this Ordinance, and has, in addition to the required legal right-of-way, a completed road constructed to standards established in the Calvert County Road and Site Development Ordinance.

Buildable Residue. The portion of a parcel remaining as a result of the creation of one or more buildable lots by way of a subdivision plat approved by the Planning Commission and recorded among the land records of Calvert County, which meets Health Department requirements and meets the size, dimension, and other requirements of this Ordinance.

Building Restriction Line (BRL). The building restriction line is the delineation of setbacks which restrict where a principal building can be located on a plan or plat. This line establishes the location of the buildable area on a property.

Building. A structure, not including a tent or trailer, having a roof, and supported by permanent columns or walls on the ground and used for shelter or enclosure of persons, animals or property of any kind.

Building Code. The effective Maryland Building Performance Standards (COMAR 05.12.07), including the building code, residential code, and existing building code as well as any local amendments.

Building Coverage. See Section 2-3.B of this Article.

Building Façade, Primary. A primary building façade is any side of a building, which fronts directly onto a public or private right-of-way. If a building fronts directly onto one or more public or private rights-of-ways, each side with such frontage shall be considered a primary building façade.

Building Footprint. See Section 2-3.B of this Article.

Building Height. See Section 2-3.D of this Article.

Building Permit. An official document issued by the Division of Inspections and Permits which authorizes the construction of a new structure or repair, alteration, or addition to an existing structure.

Building Signs. Signs mounted directly on a building, or attached to the facade, roof or other elements of a building. Such signs include awning signs, canopy signs, wall signs, and projecting signs.

Bulkhead. A vertical structure composed of wood, metal, stone, concrete, plastic, or other similar material designed to retain land or to protect land from wave damage.

Caliper. The diameter of a tree measured at breast height.

Canopy. A canopy is a roof-like cover designed for protection from the weather or as a decorative embellishment affixed to a building or freestanding, with supports that extend to the ground.

Canopy Sign. A sign attached to the soffit or fascia of a canopy of a covered entrance or walkway, which is a permanent structure made of cloth, metal, or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure but typically is supported by features other than the building facade (e.g., structural legs, building extensions, etc.).

Canopy Tree. A tree that, when mature, reaches a height of at least 35 feet.

Champion Tree. The largest tree of its species within the United States, the state, county, or municipality.

Champion Tree of the State. A tree which appears in the list of State Champion Trees.

Chimney. A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

Classroom Relocatable. A structure containing one or more rooms, each of which is designed, intended, and equipped for use as a place for formal instruction, not constructed with a permanent foundation.

Clearcutting. The removal of an entire stand of trees in one cutting with tree reproduction obtained by natural seeding from adjacent stands or from trees that were cut, from advanced regeneration or stump sprouts, or from planting of seeds or seedlings by man.

Clearing. The process of cutting or removing trees, ground cover, or stumps, with or without removal of the associated roots.

Cliff. A high steep face of ten feet or higher from the toe of the slope with a slope in excess of 50% either vegetated or non-vegetated adjacent to the Chesapeake Bay, Patuxent River, and their tidal tributaries within Calvert County.

Club. A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, and may include the payment of fees and dues, regular meetings, and a constitution and by-laws.

Cluster Box Unit (CBU). A centralized unit of individually locked compartments for the delivery and collection of mail. Sometimes known as “community mailboxes”.

Cluster Development (Critical Area). A residential development in which dwelling units are concentrated in a selected area or selected areas of the development tract so as to provide natural habitat or other open space uses on the remainder.

Cluster Subdivision. Cluster subdivisions group residential lots closer together in order to preserve open space, natural resources, and agricultural lands.

Coastal A Zone. An area within a special flood hazard area, landward of a coastal high hazard area (V Zone) or landward of a shoreline without a mapped coastal high hazard area, in which the principal source(s) of flooding are astronomical tides and storm surges, and in which, during base flood conditions, the potential exists for breaking waves with heights greater than or equal to 1.5 feet. The inland limit of the Coastal A Zone may be delineated on FIRMs as the Limit of Moderate Wave Action.

Coastal High Hazard Area. An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms. Coastal high hazard areas also are referred to as V Zones and are designated on FIRMs as zones VE or V1-30.

Co-Location. Placing more than one antenna on the same physical structure (tower or building).

Collector Road. A road which allows for the collection and distribution of traffic to and from other roads with access as a secondary function. This includes Major Collector, Minor Collector, and Residential Collector roads as defined in the Road and Site Development Ordinance.

COMAR. The Code of Maryland Regulations, as amended from time to time, including any successor provisions.

Commercial Districts. Zoning districts that allow a variety of non-residential uses such as retail, restaurant, entertainment, service, and office, where such types of uses are the primary uses allowed.

Commercial Harvesting. Commercial operation that would alter the existing composition or profile, or both, of a forest, including all commercial cutting operations done by companies and private individuals for economic gain.

Commercial Logging or Timber Harvesting Operations. The cutting and removing of tree stems from a site for commercial purposes, leaving the root mass intact.

Commercial Use. A use for the purpose of monetary reward by means of sale, resale, loan, transfer, hire, or other form of commerce.

Commission (Critical Area). Refers to the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

Common Access Drive. An access area created to provide access to lots. Commonly owned by adjoining lot owners but may also be owned individually.

Common Area. An area of land within a residential community that is reserved and designated for the use of the residents of the community.

Community (Floodplain). A political subdivision of the State of Maryland (county, city or town) that has authority to adopt and enforce floodplain management regulations within its jurisdictional boundaries.

Community Pier. A boat docking facility associated with a subdivision or similar residential area, or with condominiums, apartments, or other multiple-family dwelling units. A community pier does not include a private pier or a mooring.

Communications Antenna. A transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunications signals or other communication signals. This definition includes omnidirectional (whip) antennas and panel antennas, and camouflaged or concealed antennas that are integrated into the architectural features of a building, such as church steeples. This definition does not include satellite dish antennas.

Communications Tower. A structure designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar commercial or public communications purposes, including self-supporting lattice towers, guyed towers, monopole towers, or camouflaged towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and the like.

Communications Tower, Commercial or Governmental. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar commercial or public communications purposes, including self-supporting lattice towers, guyed towers, monopole towers, or camouflaged towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers and the like. This definition includes, but is not limited to, the following specific types of towers: a. Camouflaged Tower. Man-made trees, flagpoles, clock towers, bell towers, light poles and similar alternative-design towers that camouflage or conceal the presence of antennas or the tower itself. b. Guyed Tower. A monopole or lattice tower that is supported by cables. c. Lattice Tower. A self-supporting tower with multiple legs and cross-bracing of structural steel. d. Monopole Tower. A tower that is self-supporting with a single shaft of wood, steel, concrete or other construction material and a platform for panel antennas.

Communications Tower, Monopole. A self-supporting pole-type structure, tapering from base to top and supporting a fixture designed to hold one or more antennas for transmitting or receiving radio, mobile telephone communications or electromagnetic waves.

Communications Tower, Private/Not-For-Profit. Any structure whose primary purpose is to support one or more antennas or to serve as an antenna itself for transmitting or receiving radio or electromagnetic waves for private/not-for-profit use. This term includes lattice-type structures, either guyed or self-supporting, monopoles, and camouflaged towers.

Community Sewer System. A publicly or privately-owned sewerage system that serves at least two lots or parcels.

Compatible Use. A use that is of the same nature as surrounding uses, the characteristics of which allow it to be located near or adjacent to other uses in harmony and without adversely affecting surrounding uses.

Comprehensive Plan. A document prepared by the Planning Commission and approved by the Board of County Commissioners setting forth policies for the future of Calvert County. It is the result of considerable study and

analysis of existing physical, economic, and social conditions, and a projection of future conditions. It serves as a guide for many public decisions, especially land use changes and preparation of capital improvements programs, and the enactment of zoning and related growth management legislation.

Comprehensive Rezoning. A process that assigns a zoning category to every property in a defined area at the same time, as a result of adoption of a new Comprehensive Plan or amendment to an existing Comprehensive Plan.

Concept Plan. A general plan of a development proposal that shows existing site conditions (including topography, structures, surrounding land uses, etc.) and the proposed land use, size of the development, general layout of structures and streets, lots and utilities, and any other items that may be required for review

Conforming (Critical Area). A parcel or lot that meets all Critical Area requirements. Conforming does not include a parcel or lot for which a Critical Area variance is sought or has been issued; or that is located in the Resource Conservation Area and is less than twenty acres.

Conservation Easement. A non-possessory interest in land which restricts the manner in which the land may be developed in an effort to preserve or manage natural resources.

Consolidation (Critical Area). A combination of any legal parcel of land or recorded legally buildable lot into fewer lots or parcels than originally existed. An application for consolidation may include a subdivision, lot line abandonment, boundary line adjustment, administrative plat request, or lot line adjustment.

Conventional Density. The permitted density in a zoning district, including base density and bonus lots, but not including transfer zone density.

County. Calvert County, Maryland.

County Engineer. The Director of the Department of Public Works or its designee.

Cover Crop. The establishment of a vegetative cover to protect soils from erosion and to restrict pollutants from entering the waterways. Cover crops can be dense, planted crops of grasses or legumes, or crop residues such as corn, wheat or soybean stubble which maximize infiltration and prevent runoff from reaching erosive velocities.

Critical and Essential Facilities. Buildings and other structures that are intended to remain operational in the event of extreme environmental loading from flood, wind, snow, or earthquakes. See Maryland Building Performance Standards, Sec. 1602 and Table 1604.5. Critical and essential facilities typically include hospitals, fire stations, police stations, storage of critical records, facilities that handle or store hazardous materials, and similar facilities.

Critical Area. All lands and waters defined in §8-1807 of the Natural Resources Article, Maryland Annotated Code. They include:

1. All waters of and lands under the Chesapeake Bay and Atlantic Coastal Bays and their tributaries to the head of tide as indicated on State wetland maps;
2. All State and private wetlands designated under Title 16 of the Environment Article, Annotated Code of Maryland;
3. All land and water areas within 1,000 feet beyond the landward boundaries of State or private wetlands and the heads of tides designated under Title 16 of the Environment Article, Maryland Annotated Code; and
4. Modification to these areas through inclusions or exclusions proposed by local jurisdictions and approved by the Commission as specified in §8-1807 of the Natural Resources Article, Maryland Annotated Code.

Critical Area Buffer. An existing naturally vegetated area, or an area established in vegetation and managed to protect aquatic, wetlands, shoreline, and terrestrial environments from man-made disturbances.

Critical Area Commission. The Critical Area Commission (CAC) was created by the Critical Area Act of 1984 by the Maryland General Assembly to protect the Chesapeake Bay from the negative effects of development. The CAC is a body that oversees the development and implementation of land use programs in the Critical Area. Sometimes referred to formally as the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

Critical Habitat Area (Forest Conservation). A critical habitat for an endangered species and its surrounding protection area. A critical habitat area must:

1. Be likely to contribute to the long-term survival of the species.
2. Be likely to be occupied by the species for the foreseeable future.
3. Constitute habitat of the species which is considered critical under Natural Resources Article, §§4-2A-04 and 10-2A-06, Annotated Code of Maryland.

Critical Habitat for Endangered Species (Forest Conservation). A habitat occupied by an endangered species as determined or listed under Natural Resources Article, §§4-2A-04 and 10-2A-04, Annotated Code of Maryland.

Critical Area Program Amendment. Any change or proposed change to the adopted Critical Area Program that is not determined by the Chairman of the Critical Area Commission to be a Program Refinement.

Critical Area Program Refinement. Any change or proposed change to the adopted Critical Area Program that the Chairman of the Critical Area Commission determines will result in a use of land or water in the Chesapeake Bay Critical Area in a manner consistent with the adopted Critical Area Program, or that will not significantly affect the use of land or water in the Critical Area. Program refinement may include a change to the adopted Critical Area Program: that results from State law; that affects local processes and procedures; that clarifies an existing provision; and, that is a minor change that is clearly consistent with the provisions of State Critical Area law and all the Criteria of the Commission.

Cross-Access. A vehicular and/or pedestrian connection between abutting properties that connects the two sites and allows vehicles and/or pedestrians to travel between sites without the having to exit to the street.

Cultural Resources. Physical evidence or place of past human activity: site, object, landscape, structure; or a site, structure, landscape, object, or natural feature of significance to a group of people traditionally associated with it.

Cutoff. See Section 2-3.F of this Article.

Cutoff, Full. See Section 2-3.F of this Article.

Days. Calendar days unless otherwise specified.

Day Care, Home. A residential dwelling where care and supervision is provided by a permanent occupant of the dwelling for: 1) care children not related to the owner or operator of the facility; or 2) elderly or functionally-impaired adults in a protective setting that are not related to the owner or operator of the facility. A child day care home does not include a dwelling that receives children from a single household. For the purposes of applying district dimensional standards, day care homes are subject to the standards for the dwelling type.

Deck. A roofless outdoor space built as an aboveground platform projecting from the wall of a structure and connected by structural supports at grade or by the structure.

Declaration of Intent (Forest Conservation).

1. A signed and notarized statement by a landowner, or the landowner's agent, certifying that the activity on the landowner's property:
 - a. Is for certain activities exempted under this Ordinance or Natural Resources Article, §§5-103 and 5-1601—5-1612, Annotated Code of Maryland,
 - b. Does not circumvent the requirements of this Ordinance or Natural Resources Article, §§5-103 and 5-1601—5-1612, Annotated Code of Maryland, and
 - c. Does not conflict with the purposes of any other declaration of intent; or
2. The document required under COMAR 08.19.01.05 or this Ordinance.

Declaration of Land Restriction (Nonconversion Agreement). A form signed by the owner to agree not to convert to a living space or modify in any manner that is inconsistent with the terms of the permit and these regulations,

certain enclosures below the lowest floor of elevated buildings, and certain accessory structures. The form requires the owner to record it on the property deed to inform future owners of the restrictions.

Deed. A legal document conveying ownership of, or interest in, real property.

Density. The number of dwelling units permitted per the net acreage of a parcel. Where an overlay district is present the most restrictive density applies.

Department of Public Works. The Calvert County Department of Public Works.

Developed Woodland. An area of trees and natural vegetation interspersed with residential, commercial, industrial, institutional, or recreational development.

Developed Woodland Management Plan. A plan associated with a development activity in the Critical Area that is designed to minimize negative impacts to developed woodlands, that provides appropriate mitigation requirements for any anticipated impacts, and improves the habitat value for wildlife whenever possible.

Developer. Any individual(s), partnership, firm, corporation, company, public housing authority, or agent therefore, that undertakes or participates in the establishment or development of a subdivision or parcel of land.

Developer in the Critical Area. A person who undertakes, in the Critical Area, development activity as defined in this Ordinance, or a person who undertakes development activity as defined in the criteria of the Critical Area Commission.

Development. Any activity, other than normal agricultural or forestry activity, which materially affects the existing condition or use of any land or structure including but not limited to buildings or other structures, placement of manufactured homes, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials, which materially affects the existing condition or use of any land or structure.

Development Activity. Human activity that results in disturbance to land, natural vegetation, or a structure.

Development Envelope (Critical Area). An individually owned lot or parcel, the lot coverage on that individually owned lot or parcel, a road, a utility, a stormwater management measure, an onsite sewage disposal measure, any area subject to human use such as an active recreation area, any required buffers, and any additional acreage necessary to meet the requirements of this Ordinance.

Development in the Floodplain. Any manmade change in the floodplain to improved or unimproved real estate, including but not limited to buildings or other structures, placement of manufactured homes, mining dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

Development of Local Significance in the Critical Area. Any development in the Critical Area that does not meet the definition of Major Development in the Critical Area.

Development Project (Forest Conservation).

1. The grading or construction activities occurring on a premises that is 40,000 square feet or greater; or
2. Redevelopment of a premises.

Development Project Completion (Forest Conservation). For the purposes of afforestation, reforestation, or payment into a fund:

1. The release of the development bond, if required.
2. Acceptance of the project's streets, utilities, and public services by the Department of Planning & Zoning.
3. Designation by the Department of Planning & Zoning or State that a:
 - a. Development project has been completed, or
 - b. Particular stage of a staged development project, including a planned unit development, has been completed.

Directional Sign. A sign for public safety or which provides direction information for the control of vehicular or pedestrian traffic.

Display. Make a prominent exhibition in a place where it can easily be seen.

Distillation of Alcohol as a Fuel. The fermentation or other refinement of grains or other biomass for the production of liquid fuel. This does not include the capture/reclamation of methane from agricultural or commercial operations.

Disturbance. Any alteration or change to the land including any amount of clearing, grading, or construction activity. Disturbance does not include gardening or maintenance of an existing grass lawn.

Documented Breeding Bird Areas. Forested areas where the occurrence of interior dwelling birds, during the breeding season, has been demonstrated as a result of on-site surveys using standard biological survey techniques.

Drainage Divide. An elevation on a topographic feature that separates watersheds.

Drainage Easement. An easement for the installation of stormwater sewers or drainage ditches, or for the preservation or maintenance of a natural stream or watercourse or other drainage facility.

Drive-Through Sign. Any signage located along a drive-through lane that is oriented toward the customer or user in the drive-through lane.

Driveway. A private area providing access for vehicles to a parking space, dwelling, garage, or other structure.

Driving Range. An area of land for practicing long golf shots, especially drives, with clubs and balls available for rent from the management.

Durable. Able to withstand wear, pressure, or damage, or hard-wearing and not easily worn over a long duration.

Dwelling Unit. One or more rooms forming a single habitable unit with facilities for living, sleeping, cooking and sanitation.

Easement. An agreement between parties, usually a property owner and another party, for access or use of land for a specific purpose.

Eave. The projecting lower edges of a roof overhanging the wall of a structure.

Ecosystem. A more or less self-contained biological community, together with the physical environment in which the community's organisms occur.

Ecotourism Use. A commercial enterprise located in an agricultural or preservation area intended to attract tourists and provide supplemental income for the property owner. Eco-tourism uses include, but are not limited to nature trails, canoeing, fishing, wildlife observation, and birding.

Effective Approval Date. The date of approval for a permit, plan or other document based on a hearing or signature.

Electronic Message Center (EMC). A variable message sign that utilizes computer-generated messages or some other mechanical or electronic means of changing copy. These signs include displays using one or more lamps, light emitting diodes (LEDs), liquid-crystal display (LCDs) or a flipper matrix.

Elevation Certificate. FEMA Form 086-0-33, on which surveyed elevations and other data pertinent to a property and a building are identified and which must be completed by a licensed professional land surveyor or a licensed professional engineer, as specified by the Floodplain Administrator. When used to document the height above grade of buildings in special flood hazard areas for which base flood elevation data are not available, the Elevation Certificate must be completed in accordance with the instructions issued by FEMA.

Employment Center District. A zoning district intended to best utilize the County labor force by providing areas adjacent to the Town Centers where attractive and appropriately designed office parks, light manufacturing, educational facilities, research and development companies, and some commercial enterprises may develop.

Enclosure Below the Lowest Floor. An unfinished or flood-resistant enclosure that is located below an elevated building, is surrounded by walls on all sides, and is usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations. Also see "Lowest Floor".

Endangered Species. Any species of fish, wildlife, or plants which have been designated as such by regulation by the Secretary of the Department of Natural Resources. This includes any species determined to be an endangered species pursuant to the federal Endangered Species Act.

Energy Generating System (Critical Area). Has the meaning stated in the Land Use Article, §4-211, Maryland Annotated Code.

Environmental Planner. A planner, designated by the Director of Planning & Zoning, that reviews plans to ensure environmental regulations are followed.

Ephemeral Stream. A stream that has periodic flow but requires a storm event to have flow. There is no connection to groundwater.

Erect. Construct or installing a building, wall or other structure.

Erosive Conditions. An annual rate of erosion of two feet or greater.

Establishment. Relative to the Critical Area, the creation of native vegetated cover throughout the buffer.

Exception Lot. A bonus density lot enabled by zoning ordinances on or before October 21, 1974 which may affect the permitted density of a property.

Excess Stormwater Run-Off. All increases in stormwater resulting from one or more of the following:

1. An increase in the imperviousness of the site, including all additions to buildings, roads, and parking lots;
2. Changes in permeability caused by compaction during construction or modifications in contours, including the filling or drainage of small depression areas;
3. Alteration of drainageways, or regrading of slopes;
4. Destruction of forest; or
5. Installation of collection systems to intercept street flows or to replace swales or other drainageways.

Extenuating Circumstances. Conditions requiring extension of a set time limit to process an application, render a decision, or conduct a public hearing.

Exterior Stairwell. One or more flights of stairs, and the necessary landings and platforms connecting them, to form a continuous passage from the entryway of a floor or level to another in a structure located on the exterior of a principal building.

Fall Zone. The area on the ground within a prescribed radius from the base of a tower. The fall zone is the area within which there is a potential hazard from falling debris (such as ice) or collapsing material.

Family Conveyance Easement or Right-Of-Way (Private). A private easement or right-of-way, for the purpose of providing access to a family conveyance subdivision.

Family Conveyance Subdivision. A single-family residential development within which one bonus lot is designated to be conveyed only to family members of the grantor being spouse, parent, child, grandchild, grandparent, sibling, or the child of a sibling. Under the specific circumstances outlined in this Ordinance, where a parcel is undeveloped, the grantor may be considered his/her own family member for the purpose of creating a family conveyance lot for oneself, provided all other requirements are met.

Family Conveyance Lot. A bonus lot created through a family conveyance subdivision.

Farm and Forest District. A zoning district which allows limited development and encompasses existing agriculture and forested areas (See Section 4-1 of this Ordinance for further description).

Federal Emergency Management Agency (FEMA). The federal agency with the overall responsibility for administering the National Flood Insurance Program.

Field Crops. Agricultural plant commodities traditionally grown and harvested in open land including, but not limited to, grains, vineyards, orchards, vegetables, legumes, and tobacco.

Fill. Any materials placed in an area which change the elevation of the preexisting surface or ground water level, or the soil surface.

Final Subdivision Plat. A drawing of all or any portion of the subdivision, prepared by a licensed professional in accordance with the approved Preliminary Subdivision Plan, which is to be recorded in the official Plat or Land Records of Calvert County after approval by the Planning Commission of its designee.

Financial Assurance. A performance bond, letter of credit, cash deposit, insurance policy, or other instrument of security acceptable to a local jurisdiction.

Fire Escape. A fireproof stairway, ladder, or chute on the outside wall of a building intended to be used to assist in emergency escape from a building in case of fire or another calamity.

Fisheries Activities. Commercial water dependent fisheries facilities including structures for the packing, processing, canning, or freezing of finfish, crustaceans, mollusks, and amphibians and reptiles and also including related activities such as wholesale and retail sales, product storage facilities, crab shedding, off-loading docks, shellfish culture operations, and shore-based facilities necessary for aquaculture operations.

Flag. A sign made of nonrigid material such as canvas or vinyl and having no enclosing or supporting framework. A flag is usually rectangular or triangular in shape and is attached at one end to a pole.

Flashing Light or Sign. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or any externally mounted intermittent light source.

Float. Any floating structure normally used as a point of transfer for passengers and goods from boats or for mooring purposes.

Flood or Flooding (Floodplain). A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Damage-Resistant Materials. Any construction material that is capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood Insurance Rate Map (FIRM). An official map on which the Federal Emergency Management Agency has delineated special flood hazard areas to indicate the magnitude and nature of flood hazards, to designate applicable flood zones, and to delineate floodways, if applicable. FIRMs that have been prepared in digital format or converted to digital format are referred to as Digital FIRMs (DFIRM).

Flood Insurance Study (FIS). The official report in which the Federal Emergency Management Agency has provided flood profiles, floodway information, and the water surface elevations.

Flood Opening. A flood opening (non-engineered) is an opening that is used to meet the prescriptive requirement of 1 square inch of net open area for every square foot of enclosed area. An engineered flood opening is an opening that is designed and certified by a licensed professional engineer or licensed architect as meeting certain performance characteristics, including providing automatic entry and exit of floodwaters; this certification requirement may be satisfied by an individual certification for a specific structure or issuance of an Evaluation Report by the ICC Evaluation Service, Inc.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Protection Elevation. The base flood elevation plus four feet of freeboard, except for Solomons Town Center where the Flood Protection Elevation is 10' NAVD 88. Freeboard is a factor of safety that compensates for uncertainty in factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, climate change, and the hydrologic effect of urbanization in a watershed.

Flood Protection Setback. A distance measured perpendicular to the top of bank of a watercourse that delineates an area to be left undisturbed to minimize future flood damage and to recognize the potential for bank erosion. Along nontidal waters of the State, the flood protection setback is:

1. 100 feet, if the watercourse has special flood hazard areas shown on the FIRM, except where the setback extends beyond the boundary of the flood hazard area; or
2. 50 feet, if the watercourse does not have special flood hazard areas shown on the FIRM.

Flood Zone. A designation for areas that are shown on Flood Insurance Rate Maps:

1. Zone A: Special flood hazard areas subject to inundation by the 1% annual chance (100-year) flood; base flood elevations are not determined.
2. Zone AE and Zone A1-30: Special flood hazard areas subject to inundation by the 1% annual chance (100-year) flood; base flood elevations are determined; floodways may or may not be determined. In areas subject to tidal flooding, the Limit of Moderate Wave Action may or may not be delineated.
3. Zone AH and Zone AO: Areas of shallow flooding, with flood depths of one to three feet (usually areas of ponding or sheet flow on sloping terrain), with or without BFEs or designated flood depths.
4. Zone B and Zone X (shaded): Areas subject to inundation by the 0.2% annual chance (500-year) flood; areas subject to the 1% annual chance (100-year) flood with average depths of less than one foot or with contributing drainage area less than one square mile; and areas protected from the base flood by levees.
5. Zone C and Zone X (unshaded): Areas outside of Zones designated A, AE, A1-30, AO, VE, V1-30, B, and X (shaded).
6. Zone VE and Zone V1-30: Special flood hazard areas subject to inundation by the 1% annual chance (100-year) flood and subject to high velocity wave action (also see coastal high hazard area).

Floodplain. Any land area susceptible to being inundated by water from any source.

Floodproofing Certificate. FEMA Form 0-86-34 that is to be completed, signed and sealed by a licensed professional engineer or licensed architect to certify that the design of floodproofing and proposed methods of construction are in accordance with the applicable requirements of these regulations.

Floodproofing or Floodproofed. Any combination of structural and nonstructural additions, changes, or adjustments to buildings or structures which reduce or eliminate flood damage to real estate or improved real property, water, and sanitary facilities, structures and their contents, such that the buildings or structures are watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to pass the base flood discharge such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. When shown on a FIRM, the floodway is referred to as the designated floodway.

Floor Area. See Section 2-3.E of this Article.

Floor Area Ratio. See Section 2-3.E of this Article.

Footcandle. See Section 2-3.F of this Article.

Forest (Critical Area). Has the meaning stated in Natural Resources Article, §5-1601, Annotated Code of Maryland.

Forest (Forest Conservation). A biological community dominated by trees and other woody plants covering a land area of 10,000 square feet or greater. Forest includes areas that have at least 100 live trees per acre with at least 50% of those trees having a two-inch or greater diameter at 4.5 feet above the ground and larger, and areas that have been cut but not cleared. Forest does not include orchards.

Forest Conservancy District Board. The forestry board created for each State forest conservancy district under Natural Resources Article, §§5-601—5-610, Annotated Code of Maryland.

Forest Conservation. The retention of existing forest or the creation of new forest at the levels set by the State or Department of Planning & Zoning.

Forest Conservation and Management Agreement. An agreement as stated in Tax-Property Article, §8-211, Annotated Code of Maryland.

Forest Conservation Plan. A plan approved pursuant to Natural Resources Article, §§5-1606 and 5-1607, Annotated Code of Maryland.

Forest Cover. The area of a site meeting the definition of forest.

Forest Interior Dwelling Birds (FIDS). Species of birds which require forest interior habitat in order to breed successfully (for example, various species of flycatchers, warblers, vireos, and woodpeckers).

Forest Interior Habitat. Forests of at least 50 acres in size with 10 or more acres of “forest interior habitat” (i.e., forest greater than 300 feet from the nearest forest edge). The majority of the forest tract should be dominated by pole-sized timber (5 inches in diameter or more at breast height (DBH)) or have a closed canopy; or B. Riparian forests of at least 50 acres in size with an average total width of at least 300 feet. The stream within the riparian forest should be perennial. The majority of the forest tract should be dominated by pole-sized or larger trees or have a closed canopy; or C. Any forested habitat until documented otherwise as required by “A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area” June 2000.

Forest Management Plan. A plan establishing best conservation and recommended management practices for a landowner based on the landowner’s objectives and an assessment of the resources of the forested property.

Forest Mitigation Bank. An area of land which has been intentionally afforested or reforested for the express purpose of providing credits for reforestation requirements.

Forest Mitigation Bank Agreement. An agreement entered into by an individual owning a forest mitigation bank and the County or local government which commits the banker to certain procedures and requirements when creating and operating the forest mitigation bank.

Forest Mitigation Bank Plan. A plan submitted for approval of a forest mitigation bank to the County, or a local government with an approved local program, by an individual proposing to establish a forest mitigation bank.

Forest Preservation Area. Forest area in the Critical Area to remain as forest in perpetuity for water quality protection and wildlife habitat unless appropriate permits or approval are obtained.

Forest Retention Area. Forest area outside of the Critical Area to remain as forest in perpetuity for water quality protection and wildlife habitat unless appropriate permits or approval are obtained.

Forest Stand Delineation. The methodology for evaluating the existing vegetation on a site proposed for development.

Forestry. The science of planting and caring for forests and the management of growing timber.

Freeboard. An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, wave actions, subsidence, or other unpredictable effects.

Free-Of-Obstruction. A term that describes open foundations (pilings, columns, or piers) without attached elements or foundation components that would obstruct the free passage of floodwaters and waves beneath structures that are elevated on such foundations.

Freestanding Sign. Any sign supported upon the ground by a monument, pedestal, pole, bracing or other permanent measure and not attached to any building.

Front Roadway Buffer. A designated area within a subdivision or site along an existing public road that has existing vegetation which qualifies as a forest to remain, or to be planted if the area is not vegetated, or as otherwise permitted by this Ordinance. It is designed to afford the least visibility of the development from the road and to provide a visual and sound buffer for the residents of a subdivision.

Fully Established (Critical Area). The buffer contains as much diverse, native vegetation as necessary to support a firm and stable riparian habitat capable of self-sustaining growth and regeneration.

Functionally Dependent Use (Floodplain). A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water; the term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Garage. A structure, either attached or detached, used for the parking and storage of vehicles as an accessory use to a residence. For the purposes of this definition, garage does not include a commercial parking structure.

Gazebo. A freestanding outdoor accessory structure with a roof and open sides designed for recreational use and not for habitation.

Glare. The sensation produced by lighting that causes an annoyance, discomfort or loss in visual performance and visibility to the eye. Glare is subjective and cannot be measured with a meter.

Governmental Agency: A permanent or semi-permanent organization that is created by the government to carry out specific tasks or provide services to the public. Any federal, state, local, foreign or other governmental agency, instrumentality, commission, authority, board or body.

Grading. Any act by which soil is cleared, stripped, stockpiled, excavated, scarified, filled, or any combination thereof.

Grandfathered Lot or Parcel (Critical Area). A single lot or parcel of land that was created or a lot created through the subdivision process and recorded as a legally buildable lot prior to December 13, 1988.

Grandfathered Site Plan. A conceptual or detailed site development plan application that has been permitted or approved by prior legislation to proceed under regulations that have been superseded.

Grantee. A person to whom property is conveyed.

Grantor. A person who conveys property to another.

Greenhouse (Accessory). A structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other tender plants.

Groin. A shore protection structure built perpendicular to the shore to trap sand and retard shoreline erosion.

Gross Floor Area. See Section 2-3.E of this Article.

Gross Tract Acreage. The total tract area determined by survey. If a survey does not exist, the total tract area as determined by deed. Sometimes referred to as gross acreage.

Groundcover. Small plants, such as salal, ivy, ferns, mosses, or other types of vegetation, designed to grow low to the ground (generally one foot or less) that normally cover the ground and intended to stabilize soils and protect against erosion.

Growing Season. The period of consecutive frost-free days as stated in the current soil survey for this county published by the National Cooperative Soil Survey Program, 16 U.S.C. §590 (a)—(f).

Growth Allocation (Critical Area). The number of acres of land in the Critical Area that the County use, or allocate to municipal jurisdictions to use, to create new Intensely Developed Areas and new Limited Development Areas. The Growth Allocation is 5% of the total Resource Conservation Area acreage in the County at the time the Critical Area

Commission approved the County's original Critical Area Program, not including tidal wetlands or land owned by the federal government.

Growth Allocation Envelope (Critical Area). All of the proposed components of a growth allocation that are necessary to serve the proposed development, including an individually owned lot, lot coverage, a road, a utility, a stormwater management measure, an on-site sewage disposal measure, an active recreation area, and additional acreage needed to meet the development requirements of the Critical Area criteria.

Habitable Attic. An attic containing space for human occupancy or use.

Habitat Protection Area. An area where plant communities and physiographic features provide food, water cover, nesting, foraging or feeding conditions necessary to maintain populations of rare, threatened, or endangered species; or colonial water bird nesting sites, historic waterfowl staging and concentration areas, riparian forest or other areas identified to be of local, state or federal significance for existing plant and wildlife habitat areas, including the Critical Area Buffer and anadromous fish propagation waters.

Habitat Protection Plan (HPA). A plan that provides for the protection and conservation of the species and habitats identified as HPAs in the Critical Area. The HPA shall be specific to the site or area where the species or its habitat is located and shall address all aspects of a proposed development activity that may affect the continued presence of the species. These include, but are not limited to, cutting, clearing, alterations of natural hydrology, and increases in lot coverage. In developing the HPA, an applicant shall coordinate with the Department of Natural Resources to ensure that the HPA is adequate to provide for long-term conservation and can be effectively implemented on the specific site.

Harbor Line. The line as shown on the applicable Zoning Map for Harbor Lines defining the channelward limits of marine construction for a given waterway.

Hazardous Tree. A tree with a structural defect, such as a crack, canker, weak branch union, decay, dead wood, root damage, or root disease, that decreases the structural integrity of the tree and which, because of its location, is likely to fall and cause personal injury or property damage, including acceleration of soil erosion; or based on its location in the landscape, a healthy tree that, with continued normal growth, will damage an existing permanent structure or significantly increase the likelihood of soil erosion. Hazardous tree does not include a tree for which the likelihood of personal injury, property damage, or soil erosion can reasonably be eliminated or significantly diminished with routine and proper arboricultural practices, such as regular watering, application of fertilizer or mulch, and pruning; or by relocation of property that is likely to be damaged.

Heavy Industrial District. A zoning district intended to provide for a variety of energy production and associated uses as well as light manufacturing, fabricating, processing, distributing and warehousing uses. Industrial uses in this district may result in external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

Heliport. A permanent facility designed to accommodate the operation and routine servicing and maintenance of helicopters.

High Density Residential Areas (Forest Conservation). Areas zoned for densities greater than one dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities, and water and sewer service.

Highest Adjacent Grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed foundation of a structure.

Highly Erodible Soils. Those soils with a slope greater than 15% or those soils with a K value greater than 0.35 and with slopes greater than 5%.

Historic District. An overlay district intended to preserve areas and structures which reflect significant cultural, social, economic, political, or architectural history; promote the use and preservation of historic areas and structures for the education, welfare, and pleasure of the residents of the County; foster civic beauty; stabilize and improve property values in the area of Historic Districts and strengthen the local economy; develop an awareness among property owners of the value of preserving, protecting and restoring areas of historical significance; enable the County government to identify and officially designate landscapes, structures, and sites of historical and cultural importance in order to make such structures and sites eligible for specific benefits conferred by this and other County ordinances and policies both current and adopted in the future.

Historic Site. A historic structure or archaeological site.

Historic Structure. Any structure that is:

1. Individually listed in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Maryland Inventory of Historic Properties; or
4. Individually recognized as a Calvert County Historic District.

Historic Waterfowl Staging and Concentration Area. An area of open water and adjacent marshes where waterfowl gather during migration and throughout the winter season. These areas are historic in the sense that their location is common knowledge and because these areas have been used regularly during recent times.

Home Improvement. The addition to or alteration, conversion, improvement, modernization, remodeling, repair, or replacement of a building or part of a building that is used or designed to be used as a residence or dwelling place or a structure adjacent to that building, or an improvement to land adjacent to the building. This includes construction, improvement, or replacement, on land adjacent to the building or on the same or contiguous parcels or lots, of a driveway, fall-out shelter, fence, garage, landscaping, deck, pier, porch, swimming pool, or a shore erosion control project, as defined under § 8-1001 of the Natural Resources Article, for a residential property, and as further defined under Section 8-101 of the Business Regulation Article of the Maryland Annotated Code.

Home Studio. A commercial studio, performance arts studio, or personal/physical training studio as a home occupation. A home studio is only permitted to have two clients or fewer on premise at a time.

Hunting Reserve. Any tract or parcel of land that is used for the purpose of releasing game species for commercial hunting.

Hydrologic and Hydraulic Engineering Analyses. Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Maryland Department of the Environment (Nontidal Wetlands & Waterways) and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

Hydric Soils. Soils that are wet frequently enough to periodically produce anaerobic conditions, thereby influencing the species composition or growth, or both, of plants on those soils.

Hydrophytic Vegetation. Those plants cited in "Vascular Plant Species Occurring in Maryland Wetlands" (Dawson, F. et al., 1985) which are described as growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (plants typically found in water habitats).

Illuminance. The intensity of incident light at a point, measured with a light meter in footcandles or lux.

Immediate Family. Person within two degrees of consanguinity, including a father, mother, children, grandfather, grandmother, grandson, or granddaughter. Children include all children by blood, marriage (step-children), foster children, and legal guardianship.

Improvement Plan. A plan which shows improvements and amenities to be located within a subdivision or residential development, either proposed by the developer or required by county or state regulations.

In-Kind Replacement. The removal of a structure and the construction of another structure that is smaller than or identical to the original structure in use, footprint area, width, length, and height.

Industrial Mixed-Use District. A zoning district intended to provide for a mix of light industrial uses and compatible commercial uses such as recreation, entertainment, and retail establishments in part to promote the reuse of older, industrial structures that may no longer be suitable for their original purposes.

Industrial Use. Uses relating to, concerning, or arising from the assembling, fabrication, finishing, manufacturing, packaging, or processing of goods, or mineral extraction.

Institutional Development Area. Relative to the Forest Conservation Program, includes schools, colleges, universities, military installations, transportation facilities, utility and sewer projects, government offices and facilities, golf courses, recreation areas, parks, and cemeteries.

Institutions. Any building or open area used only by an educational, religious, or medical, non-profit organization, either public or private.

Institutional Use. A public, nonprofit, or quasi-public use such as places of worship, educational facilities, cultural facilities, hospitals, parks, and government facilities.

Intensely Developed Area (IDA) (Critical Area). Those areas within the Critical Area where residential, commercial, institutional, or industrial development land uses predominate, and where little natural habitat occurs. These areas are designated on the Critical Area Map as IDA.

Interested Person. Someone who has a stake in a matter or transaction and could be affected by the outcome.

Intermittent Stream. A stream in which surface water is absent during a part of the year as shown on the most recent 7.5 minute topographic quadrangle published by the United States Geologic Survey, or as confirmed by field verification.

Intrafamily Transfer. A transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

Intrafamily Transfer Lot. A lot created by a family conveyance subdivision in the Critical Area, which in addition to meeting all the requirements of a family conveyance subdivision must also meet the requirements of Article 22 of this Ordinance.

Invasive Species. A type of plant that is non-native to the ecosystem under consideration and whose introduction causes, or is likely to cause, economic or environmental harm or harm to human health.

Jurisdictional Determination of Wetlands. The identification and location of jurisdictional Waters of the United States (which includes wetlands) regulated by the U.S. Army Corps of Engineers (COE) under Section 404 of the Clean Water Act of 1977, is physically determined through a process known as a jurisdictional determination (JD).

K Value. The soil erodibility factor in the Universal Soil Loss Equation. Also known as K-factor.

Kitchen. A room or area where food is prepared and cooked including a sink with plumbing.

Land-Based Aquaculture. The raising of fish or shellfish in any natural or man-made, enclosed or impounded, water body.

Landscaping Plan (Forest Conservation).

1. Drawn to scale, showing dimensions and details for reforesting an area at least 35 feet wide and covering 2,500 square feet or greater in size.
2. Using native or indigenous plants when appropriate.
3. Which is made part of an approved forest conservation plan.

Landward Edge. The limit of a site feature that is furthest away from a tidal water, tidal wetland, or tributary stream.

Large Shrub. A shrub that, when mature, reaches a height of at least six feet.

Lateral Line. A line projecting from the shoreline to the harbor line separating useable waterway areas and determined by bisecting the angles formed by determined points on the shoreline, and at the property corners.

Legally Developed (Critical Area). All physical improvements to a property that existed before Critical Area Commission approval of a local program or were properly permitted in accordance with the provisions of the local Program in effect at the time of construction.

Letter of Map Change (LOMC). An official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1. **Letter of Map Amendment (LOMA):** An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property or structure is not located in a special flood hazard area.
2. **Letter of Map Revision (LOMR):** A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
3. **Conditional Letter of Map Revision (CLOMR):** A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A Conditional Letter of Map Revision Based on Fill (CLAMOR) is a determination that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision and may be issued by FEMA, to revise the effective FIRM.

Licensed. As used in these regulations, licensed refers to professionals who are authorized to practice in the State of Maryland by issuance of licenses by the Maryland Board of Architects, Maryland Board of Professional Engineers, Maryland Board of Professional Land Surveyors, or the Maryland Real Estate Appraisers and Home Inspectors Commission.

Light Industrial District. A zoning district intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are low-intensity uses with minimal, if any, outside impacts.

Light Trespass. Light emitted by a lighting installation, which extends beyond the boundaries of the property on which the installation is sited.

Limited Development Area (LDA) (Critical Area). An area: with a housing density ranging from one dwelling unit per five acres up to four dwelling units per acre; with a public water or sewer system; that is not dominated by agricultural land, wetland, forests, barren land, surface water, or open space; or that is less than 20 acres and otherwise qualifies as an Intensely Developed Area under the definition in this Ordinance.

Limit of Disturbance. The outermost area of a development or redevelopment activity that includes temporary disturbance and permanent disturbance.

Limit of Moderate Wave Action (LiMWA). Inland limit of the area affected by waves greater than 1.5 feet during the base flood. Base flood conditions between the VE Zone and the LiMWA will be similar to, but less severe than those in the VE Zone.

Linear Project (Forest Conservation). A project which:

1. Is elongated with nearly parallel sides.
2. Is used to transport a utility product or public service not otherwise contained in an application for subdivision, such as electricity, gas, water, sewer, communications, trains, and vehicles.
3. May traverse fee simple properties through defined boundaries, or established easement rights.

Livestock. Generally accepted outdoor farm animals (i.e., horses, cows, sheep, swine, goats, llamas, alpacas, etc.) not to include cats, dogs, and other household pets. For the purposes of this definition livestock does not include chickens.

Living Shoreline. A suite of stabilization and erosion control measures that preserve the natural shoreline and are designed to minimize shoreline erosion, maintain coastal process, and provide aquatic habitat. Measures must include marsh plantings and may include the use of sills, sand containment structures, breakwaters, or other natural components.

Loading Area. An off-street space or berth used for the loading or unloading of vehicles.

Local Road. A low-volume road providing access to abutting properties with limited through traffic. These roads convey traffic to a higher functional type road.

Local Significance (Critical Area). Development of a minor scale, which causes environmental or economic consequences that are largely confined to the immediate area of the parcel of land on which it is located; does not substantially affect the Critical Area Program of the County; and is not considered to be major development as defined in this chapter.

Lodger. A non-transient individual other than a member of the family occupying the dwelling unit or a part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

Lot. A unit of land created through the subdivision process and recorded on a subdivision plat for building or development purposes.

Lot (Forest Conservation). A unit of land, the boundaries of which have been established by subdivision of a larger parcel, and which will not be the subject of further subdivision, as defined by Natural Resources Article, §5-1601, Annotated Code of Maryland, and this Ordinance without an approved forest stand delineation and forest conservation plan.

Lot Area. See Section 2-3.G of this Article.

Lot Consolidation. A combination of any legal parcels or lots of land into fewer parcels or lots.

Lot Coverage. See Section 2-3.G of this Article.

Lot, Corner. See Section 2-3.H of this Article.

Lot, Flag. See Section 2-3.H of this Article.

Lot Frontage. See Section 2-3.H of this Article.

Lot, Interior. See Section 2-3.H of this Article.

Lot Line. See Section 2-3.H of this Article.

Lot Line, Rear. See Section 2-3.H of this Article.

Lot Line, Side. See Section 2-3.H of this Article.

Lot Line, Street. See Section 2-3.H of this Article.

Lot, Multiple Frontage. See Section 2-3.H of this Article.

Lot Stem. The narrow portion of a flag lot through which the lot is accessed. Also known as a pole or pipestem.

Lot, Through. See Section 2-3.H of this Article

Lot Width. See Section 2-3.G of this Article.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement) of a building or structure. The floor of an enclosure below the lowest floor is not the lowest floor provided the enclosure is constructed in accordance with these regulations. The lowest floor of a manufactured home is the bottom of the lowest horizontal supporting member (longitudinal chassis frame beam).

Lumen. A unit of luminous flux, used to measure the amount of light emitted by lamps.

Luminaire. The complete lighting assembly including the lamp, housing, reflectors, lenses, and shields, less the support assembly, including the pole or mounting bracket; a light fixture. For the purposes of determining total light output from a luminaire or light fixture, lighting assemblies which include multiple unshielded or partially shielded lamps on a single pole or standard is considered as a single unit.

Lux. A unit of illuminance stated in lumens per square meter.

Maintenance Agreement (Forest Conservation). The short-term management agreement associated with afforestation or reforestation plans required under Natural Resources Article, §5-1605, Annotated Code of Maryland, and this Ordinance.

Major Buffer Management Plan (MaBMP). A landscape plan and supporting documentation required under this Ordinance to mitigate for disturbances in the Critical Area Buffer.

Major Development in the Critical Area. Development of a scale that may cause state-wide, regional or inter-jurisdictional, environmental or economic effects in the Critical Area, or which may cause substantial impacts on the Critical Area Program of a local jurisdiction. This type of development includes, but is not limited to, airports, power plants, major solar energy generating systems, wastewater treatment plants, highways, regional utility transmission facilities, prisons, hospitals, public housing projects, public beaches, and intensely developed park and recreation facilities, and any development or project authorized by the Public Service Commission under a certificate of Public Convenience and Necessity.

Major Subdivision.

1. When the total number of new residential lots or other divisions of land are derived from a parcel of record as of October 1, 2012 is eight or more;
2. Any division of non-residential land for development purposes or the creation of any new public rights-of-way; or
3. The creation of any new public rights-of-way.

Manufactured Home. A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contain therein. The term includes any structure that meets all of the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United State Code.

Manufactured Home (Floodplain). A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term manufactured home does not include a recreational vehicle.

Manufactured Home for Resident Watchman/Caretaker. A manufactured home located on the same site as a business that functions as a complete independent living facility with provisions for cooking, eating, sanitation, and sleeping for an on-site watchman or caretaker.

Map Amendment. A non-comprehensive rezoning or adjustment to district boundaries.

Marine Commercial District. A zoning district intended for commercial development in locations adjoining waterways and outside of Town Centers that supplies and caters to marine activities and needs. These include but are not limited to services and facilities such as boat service and repair facilities, boat docks, marine equipment stores, wholesale and retail fish and shellfish sales, hotels, motels, restaurants, and cocktail lounges.

Marine Facility. Any facility affecting the use and operations of any vessels on any waterway under the jurisdiction of the County, such as moorings, docks, etc.

Market Value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. For the purposes of these regulations, the market value of a building is determined by a licensed real estate appraiser or the most recent, full phased-in assessment value of the building (improvement) determined by the Maryland Department of Assessments and Taxation.

Maryland Department of the Environment (MDE). A principal department of the State of Maryland that is charged with, among other responsibilities, the coordination of the National Flood Insurance Program in Maryland (NFIP State Coordinator) and the administration of regulatory programs for development and construction that occur within the waters of the State, including nontidal wetlands, nontidal waters and floodplains, and State and private tidal wetlands (Tidal Wetlands). Unless otherwise specified, "MDE" refers to the Department's Wetlands and Waterways Program.

Master Sign Plan. A comprehensive plan that provides for variation in the amount, location or features of permanent signage that shows the general locations of all signs.

Maximum Density. The cumulative total density permitted through conventional density and transfer zone density.

Mean High Water Line (MHWL). The average level of high tides at a given location.

Medium Density Residential Areas (Forest Conservation). Areas zoned for densities greater than one dwelling unit per five acres and less than or equal to one dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities, and water and sewer service.

Microwave Antenna. A physical device that transmits and receives microwave signals between two or more locations.

Minipark. A small park or outdoor area which at a minimum includes two permanently installed benches and trees that will provide shading for the benches.

Minor Buffer Management Plan (MiBMP). A landscape plan and supporting documentation required under this Ordinance when Critical Area buffer establishment or required mitigation is less than 5,000 square feet.

Minor Development Project (Forest Conservation). A project:

1. On less than five acres of land containing not more than four lots per acre; or
2. Substantively similar as defined by the Department of Planning & Zoning and approved by the State.

Minor Solar Energy Generating System (Critical Area). An energy generating system that derives energy from the sun to produce two megawatts or less of electricity, based upon nameplate capacity. Does not include a small residential accessory solar energy generating system.

Minor Subdivision.

1. When the total number of residential lots or other divisions of land are derived from a parcel of record as of October 1, 2012 is seven or less; or
2. Any division of land for development purposes that does not require the creation of any new right-of-way, other than a private lane and family conveyance easement or right-of-way.

Mitigation. An action taken to compensate for an adverse impact to the environment resulting from a development activity or a change in land use or intensity.

Mixed Residential Development. A mix of housing types that includes single-family detached dwellings along with townhomes, attached dwellings, or multi-family.

Mixed-Use Building. A single building, or attached buildings, containing one or more residential dwelling units and one or more non-residential uses which are permitted in the zoning district or sub-area and regulated by the

Ordinance. For the purposes of this Ordinance, a residential dwelling unit in a mixed-use building is not considered a single-family dwelling.

Mixed-Use Development. A mixed-use building, or a group of buildings, on a single buildable lot or site plan, that contain both residential dwelling units and non-residential land uses which are permitted in the zoning district or sub-area and regulated by the Ordinance.

Mixed Use Structure (Floodplain). Any structure that is used or intended for use for a mixture of non-residential and residential uses in the same structure.

Modular Dwelling. A building assembly or system of building subassemblies designed for habitation as a dwelling for one or more individuals. For the purpose of this Ordinance, a modular dwelling is considered a single-family detached dwelling.

Monument Tree. Defined as one of the following:

1. A national, state or local champion tree;
2. A tree having a diameter of at least 24 inches, measured at 4.5 feet above the ground;
3. A tree having a diameter that is at least 75% of the diameter of the current state champion of that species, measured at 4.5 feet above the ground.

Mooring. A place where buoyant vessels are secured other than a pier.

Mooring Pile. A heavy beam of timber, concrete, or steel, driven into the bottom of a waterway and used to secure boats.

Motor Vehicle. Any device that is self-propelled or propelled by electric power by which any individual or property is or might be transported or towed. This definition includes, but is not limited to, automobiles, motorcycles, trucks, etc.

Movie Theater. A theater where movies are shown for public entertainment.

Multi-Faced Sign. A sign having at least two display faces, where the sign faces are not mounted back-to-back and where the faces are such that the interior angle of the faces is greater than 91 degrees and not being a three-way dimensional sign.

Multi-Service Non-Residential Development. A mixed-use building, or a group of buildings, on a single buildable lot that contain multiple non-residential land uses which are permitted in the zoning district or sub-area and regulated by the Ordinance.

Multi-Use Path. A traveled way constructed for both pedestrian and bicycle use.

Mural. An image that is primarily artistic in nature with no promotional graphics or promotional text typically applied to a wall, ceiling, or room of a building. A mural is not considered a sign.

National Flood Insurance Program (NFIP). The program authorized by the U.S. Congress in 42 U.S.C. §§ 4001 - 4128. The NFIP makes flood insurance coverage available in communities that agree to adopt and enforce minimum regulatory requirements for development in areas prone to flooding. (See definition of "Special Flood Hazard Area.")

Native Plant. A plant species that is indigenous to the physiographic area in Maryland where the planting is proposed.

Native Shrub. A shrub listed in the Calvert County Native Plants Guide, prepared and provided by Calvert County Department of Planning & Zoning.

Native Tree. A tree listed in the Calvert County Native Plants Guide, prepared and provided by the Calvert County Department of Planning & Zoning.

Native Vegetation. Vegetation that grows naturally in the area and is included in the Calvert County Native Plant List, prepared and provided by the Calvert County Department of Planning & Zoning.

Natural Disaster. Any event caused by natural forces, rather than by human action, such as but not limited to, earthquake, flood, hurricane, lightning, or tornado.

Natural Features. Components and processes present in or produced by nature, including but not limited to, soil types, geology, slopes, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, floodplains, aquatic life, and wildlife.

Natural Forest Vegetation. Vegetation consisting of canopy trees, understory trees, shrubs, and herbaceous plants that are typically found in riparian areas in the State of Maryland. Areas of natural forest vegetation planted to meet the mitigation requirements in this ordinance shall resemble the structure and species composition of natural forests.

Natural Heritage Area. Any communities of plants or animals which are considered to be among the best Statewide examples of their kind and are designated by regulation by the Secretary of the Department of Natural Resources.

Natural Regeneration. As defined in COMAR 08.19.03.01 if different from, the natural establishment of trees and other vegetation with at least 400 woody, free-to-grow seedlings per acre, which are capable of reaching a height of at least 20 feet at maturity.

Natural Vegetation. Vegetative cover that exists prior to any disturbance or development activity or those plant communities that develop in the absence of human activities. This definition does not include lawns.

Nature-Dominated. A condition where landforms or biological communities, or both, have developed by natural processes in the absence of human intervention.

Net Acreage. The number of acres of a parcel remaining after tidal wetlands, non-tidal wetlands and State wetlands are deducted from the gross acreage.

Net Floor Area. See Section 2-3.E of this Article.

Net Tract Area (Forest Conservation).

1. Except in agriculture and resource areas, the total area of a site, including both forested and non-forested areas, to the nearest 1/10 acre, reduced by that area where forest clearing is restricted by another local ordinance or program.
2. In agriculture and resource areas, the part of the total tract for which land use will be changed or will no longer be used for primarily agricultural activities, reduced by that area where forest clearing is restricted by another local ordinance or program.
3. For a linear project:
 - a. The area of a right-of-way width, new access roads, and storage.
 - b. The limits of disturbance as shown on an application for sediment and erosion control approval or in a capital improvements program project description.

New Construction. For floodplain regulations, structures, including additions and improvements, and the placement of manufactured homes, for which the start of construction commenced on or after the initial effective date of the Calvert County Flood Insurance Rate Map, including any subsequent improvements, alterations, modifications, and additions to such structures.

New Development (Critical Area). For purposes of implementing specific provisions of this Ordinance, new developments (as opposed to redevelopment) means a development activity that takes place on a property with pre-development imperviousness (in IDA) or lot coverage (LDA and RCA) of less than 15% as of December 1, 1985.

NFIP State Coordinator. See Maryland Department of the Environment.

Nonconforming Structure. A principal or accessory structure that existed prior to zoning, or at one time lawfully conformed to applicable zoning regulations, but because of the adoption of the Zoning Ordinance or subsequent amendments to the Ordinance no longer conforms to applicable regulations.

Nonconforming Use. The use of a structure or land that existed prior to zoning, or at one time lawfully conformed to applicable zoning regulations, but because of the adoption of the Zoning Ordinance or subsequent amendments to the Ordinance, no longer conforms to applicable regulations.

Non-Profit Organization. A nonprofit organization (NPO), also known as a non-business entity, not-for-profit organization, or nonprofit institution, is a legal entity organized and operated for a collective, public, or social benefit, in contrast with an entity that operates as a business aiming to generate a profit for its owners.

Non-residential Districts. Zoning districts that allow a variety of non-residential uses such as retail, restaurant, service, and office, where such types of uses are the primary uses allowed, or where a wide range of commercial uses are allowed with residential uses to create mixed-use development.

Non-residential Use. A structure or land used or intended to be used for non-residential uses, which includes, but is not limited to, retail, office, entertainment, recreation, public, institutional, and other non-residential uses. Structures with multi-family dwellings above ground floor non-residential uses are considered mixed-use development and considered a non-residential use for the purposes of this Ordinance.

Non-Structural Shoreline Stabilization Measures. A suite of stabilization and erosion control measures that preserve the natural shoreline and are designed to minimize shoreline erosion, maintain coastal processes, and provide aquatic habitat. Measures must include marsh plantings and may include the use of sills, sand containment structures, breakwaters or other natural components.

Nontidal Waters of the State. As used in these regulations, "Nontidal Waters of the State" refers to any stream or body of water within the state that is subject to state regulation, including the 100-year frequency floodplain of free-flowing waters. COMAR 26.17.04 states that "the landward boundaries of any tidal waters shall be deemed coterminous with the wetlands boundary maps adopted pursuant to Environment Article, § 16-301, Maryland Annotated Code.

Nontidal Wetlands. An area that is:

1. Inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation; or
2. Considered a nontidal wetland in accordance with the publication known as the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands," published in 1989 and as may be amended and interpreted by the U.S. Environmental Protection Agency.

Nontidal wetlands do not include tidal wetlands regulated under Title 16 of the Environment Article of the Maryland Annotated Code.

Noxious Weed. An invasive species of plant that has been designated by the Maryland Department of Agriculture to be harmful or injurious and is regulated under the Maryland Weed Control Law, Maryland Annotated Code, Agriculture Article Title 9, Subtitle 4.

Off-Premise Sign. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Off-Street Parking Space. A space for parking a vehicle anywhere but on the street. These are usually parking facilities like garages and lots. Off-street parking can be either indoors or outdoors. Off-street parking also includes private lots, garages, and driveways.

Offsets. Structures or actions that compensate for undesirable impacts.

Offsite (Forest Conservation). Outside of the limits of the area encompassed by the tract.

On-Premise Sign. A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered on the same lot, parcel, site or property where the sign is located.

Onsite (Forest Conservation). Within the limits of the area encompassed by the tract, including an area classified as a 100-year floodplain.

Opaque. Material through which light cannot pass; not transparent.

Open Space. Any piece of land or water which is designated as open space in accordance with the provisions of Article 25 of this Ordinance. Designated open space has development restrictions and serves one or more of the following objectives; the conservation of natural resources, agricultural resources, or historic resources or for providing recreational opportunities.

Outdoor Light Fixture. An exterior illuminating device, lighting or reflective surface, luminous tube, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement.

Outlot. An outlot is a unit of land designated on a plat that does not meet the subdivision requirements as a buildable lot due to size, access, topography, or other restraints but may be used for public and community facilities (e.g., public utility lines and accessory structures, stormwater management facilities, wastewater and water supply treatment facilities, etc.)

Overlay District. A district established in the Ordinance that is superimposed on one or more zoning districts or parts of zoning districts. The standards and requirements associated with an overlay district may be more or less restrictive than those in the underlying districts.

Owner. An individual, firm, association, syndicate, partnership, or corporation that owns something.

Palustrine. All non-tidal wetlands dominated by trees, shrubs persistent emergent plants, or emergent mosses or lichens and all such wetlands that occur in tidal areas where the salinity due to ocean-derived salts is below one-half part per 1,000 parts of water.

Parapet. The extension of a false front or wall above a roof-line.

Parapet, Corniced. A horizontal molded projection coupled with a low wall on the edge of a roof designed to screen the roof or equipment that may be on the roof.

Parcel. A measured portion or area of land usually defined by a metes and bounds description within a deed. A unit of land identified as a separate entity for description purposes with a designated parcel number assigned by the Maryland Department of Assessments and Taxation. May include an aggregation of lots, blocks, sections, or phases. The assigned parcel number may include multiple tracts of land or lots.

Parcel Line. A line of record bounding a parcel which divides one parcel from another parcel, lot, or from a public or private street. The front parcel line is the parcel line separating a parcel from a road right-of-way. The rear parcel line is the parcel line opposite and most distant from the front parcel line. A side parcel line is any parcel line other than a front or rear parcel line.

Parent Tract. The parcel of record as of June 29, 1967.

Park-and-Sell Lot. An outdoor or indoor space where owners of motor vehicles or watercraft display their motor vehicles or watercraft for sale or trade.

Party Wall. A wall starting from the foundation and extending continuously through all stories to or above the roof that separates one building from another but is in joint use by each building.

Patio. A hard surface designed and intended for recreational use by people and not used as a parking space.

Patron Area. An indoor or outdoor area of an eating establishment, or similar use, including but not limited to, a tavern, nightclub, lounge, or bar designated for use by customers or the general public for eating, drinking, congregating, or waiting for service.

Pedestrian Circulation Route. A route intended and suitable for pedestrian use. May include sidewalks, multi-use paths, or crosswalks.

Pennants. A triangular or irregular piece of fabric or other material, whether or not containing a message of any kind, commonly attached by strings or strands, or supported on small poles, intended to flap in the wind.

Perennial Stream. A stream containing surface water throughout an average rainfall year, as shown on the most recent 7.5 minute topographic quadrangle published by the United States Geologic Survey, as confirmed by field verification.

Pergola. A freestanding, open structure that forms a partially shaded pedestrian walkway, passageway, or sitting area, and is constructed of a semi-open roof and vertical posts that support cross-beams and a sturdy open lattice. It may also be used as an extension of a building entryway.

Permanent Disturbance (Critical Area). A material, enduring change in the topography, landscape, or structure that occurs as part of a development or redevelopment activity. Permanent disturbance includes:

1. Construction or installation of any material that will result in lot coverage;
2. Construction of a deck;
3. Grading or clearing (except where it meets the definition of temporary disturbance); and
4. The installation of a septic system, in a forest or developed woodland on a grandfathered lot, if clearing is required.

Permanent disturbance does not include installation of a septic system on a grandfathered lot if located in existing grass or clearing is not required.

Permanent Sign. A sign permitted by this Ordinance to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

Person. An individual or group of individuals, receiver, trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any of their affiliates, or any other entity, including state and local governments and agencies.

Pets, Dangerous or Wild Animals. Dangerous or Wild Animals - Animals that, by their very nature, are wild and potentially dangerous and, as such, do not adjust well to a captive environment, including but not limited to those considered by the State of Maryland to be wild or dangerous, such as: (i) fox, skunk, raccoon, or bear; (ii) Alligator or crocodile; (iii) Member of the cat family other than the domestic cat; or (iv) Any other mammalian wildlife species, or hybrids, for which there is no U.S.D.A. certified vaccine against rabies. (iv) Any poisonous snakes specifically in the family groups of Hydrophidae, Elapidae, Viperidae, or Crotolidae. Furthermore, reptiles greater than 6 feet in length shall be considered dangerous or wild animals.

Phased Development. Industrial, commercial or residential project that is developed in stages and not at the same time. A plan to show the sequence and phases of the development is approved by the necessary reviewing agencies.

Pier. Any marine structure generally referred to as a pier, dock, or wharf, walkway, breakwater, including pilings and other such facilities, used for the wet storage of watercraft. It does not include any structure on pilings or stilts that was originally constructed beyond the landward boundaries of State or private wetlands.

Plat. A drawing prepared at an appropriate scale to show the results of the findings and conclusions of a survey or a legal description. A plat may also show lots, streets easements, and other features as part of development review and approval.

Planning Commission Administrator. The Planning Commission Administrator for Calvert County. The Planning Commission Administrator also serves as the Secretary to the Planning Commission.

Plant Habitat. A community of plants commonly identifiable by the composition of its vegetation and its physiographic characteristics.

Planting Plan (Critical Area). A narrative, graphic description, or plan of an area when planting is required for mitigation, on-site or off-site plantings, or under solar panels.

Plot Plan. A drawing to scale based upon an accurate instrument survey, defining and showing the design of the proposed actions, the existing physical condition of the land, including but not limited to parcel boundaries,

easements, roads, topography, natural and man-made features, trees, and structures. A plot plan is submitted with a grading or building permit.

Porch. An architectural feature that projects from the exterior wall of a structure, has direct access to the street level of the building, and is covered by a roof or eaves.

Port. A facility or area established or designated by the State or a jurisdiction for the purpose of waterborne commerce.

Portable Sign. A sign that is capable of being transported because of being lighter and smaller in size, such as A-Frame and T-Frame signs.

Poultry. Domestic fowl, such as chickens, turkeys, ducks, and geese.

Power Generating System, Accessory. A system designed and constructed on the same property with an individual residence, business, or public building for the purpose of generating power for use in that residence, business or public building. Types of power generating systems include but are not limited to petroleum, methane, ethanol, thermal, and hydroelectric. Wind and solar energy generating systems are not included with this definition.

Preliminary Approval. The conditional approval of a minor or major subdivision by the Planning Commission or its designee. Preliminary approval is required prior to final approval.

Preliminary Subdivision Plan. A drawing prepared for the overall planning of a proposed subdivision with the proposed layout of lots, roads, easements, existing features and requirements as outlined in this ordinance for review by county, state or federal agencies.

Premise. A house, building, or structure and the land on which it is located.

Primary Structure. A non-accessory structure in which a principal use of the lot or parcel on which it is located is conducted. Also known as a Principal Building.

Principal Structure (Critical Area). The primary or predominant structure on any lot or parcel. For residential parcels or lots, the principal structure is the primary dwelling.

Principal Building. A non-accessory structure in which a principal use of the lot or parcel on which it is located is conducted. Also known as a primary structure.

Principal Use. The primary use of land or structures as distinguished from an accessory use.

Priority Funding Area. A designation created by the State of Maryland in the 1997 Priority Funding Areas Act (Smart Growth Act); geographic growth areas defined under state law (§ 5-7B-02 and § 5-7B-03 of the State Finance and Procurement Article of the Annotated Code of Maryland) and designated by the local jurisdiction for targeting state investment in infrastructure such as roads, water and sewer facilities, and economic development.

Priority Preservation Area. An area designated as a priority preservation area under the Agriculture Article, §2-518, Annotated Code of Maryland. An area designated by the county and certified jointly by the Maryland Department of Planning and Department of Agriculture that contains agricultural or forest or is capable of supporting profitable agricultural and forestry enterprises where productive soils are lacking.

Private Harvesting. The cutting and removal of trees for personal use.

Private Lane. A private right-of-way, for the purpose of providing access to no less than three single-family residential lots and no more than seven single-family residential lots.

Private Wetlands (Critical Area). Not considered State tidal wetlands but are regulated as described under the "Tidal Wetlands" definition. Private wetlands are irregularly inundated with extremely high tides and storm tides. Private wetlands support aquatic vegetation and extend landward beyond the Mean High Tide.

Produce. Agricultural products such as vegetables and fruits. For purposes of this Ordinance, produce includes flowers, vegetable seedlings, potted plants, and eggs.

Program Amendment (Critical Area). Any change or proposed change to an adopted program that is not determined by the Chairman of the Critical Area Commission to be a Program refinement.

Program Refinement (Critical Area). Any change or proposed change to an adopted program that the Chairman of the Critical Area Commission determines will result in a use of land or water in the Chesapeake Bay Critical Area or Atlantic Coastal Bays Critical Area in a manner consistent with the adopted Program, or that will not significantly affect the use of land or water in the Critical Area. Program refinement may include:

1. A change to an adopted Program that results from State law;
2. A change to an adopted Program that affects local processes and procedures;
3. A change to a local ordinance or code that clarifies an existing provision; or
4. A minor change to an element of an adopted Program that is clearly consistent with the provisions of State Critical Area law and all the Criteria of the Commission.

Prohibit. To forbid by law or other authority.

Project Approvals. Relative to the Chesapeake Bay Critical Area, the approval of development, other than development by a state or local government agency, by the appropriate local approval authority. The term includes approval of subdivision plats and site plans, inclusion of areas with floating zones, issuance of variances, special exceptions, and conditional use permits, and issuance of zoning permits. The term does not include building permits.

Project Area. The total area within the limits of disturbance inside the Critical Area of a solar energy generating system. Includes a parcel or portions of parcels within the limits of disturbance inside the Critical Area, whether or not those parcels are contiguous; the components of solar generating system; and any required roads, internal access ways, transmission ways, transmission infrastructure, fencing, or improvements accessory to the solar generating system.

Project Plan (Forest Conservation). A construction, grading, or sediment control activity on an area of 40,000 square feet or greater.

Project Road. Any non-dedicated right-of-way used within an apartment, commercial, industrial, trailer, or manufactured home rental community along which house numbers are assigned.

Projecting Sign. A sign that is affixed to a building or wall and extends more than 18 inches beyond the face of such building or wall. A projecting sign also includes a sign hung under an arcade.

Property. A building, structure, or parcel of land or the combination thereof.

Pruning. The horticultural practice of selectively removing certain parts of a tree using proper cuts to produce strong, healthy, attractive trees. Improper pruning, such as topping, is prohibited.

Property Owner. A person holding title to a property or two or more persons holding title to a property under any form of joint ownership or legally recognized entity.

Property Lines. The lot lines or parcel lines which define the boundary of a property.

Public Sewer. A community, shared, or multi-use sewerage system owned and operated by the County or state, or a state or local government agency.

Public Utility. A public service company that provides goods or services to the general public, such as electricity, gas, water, heat, or television cable systems. The State of Maryland regulates public utilities in place of competition because they are monopolies in the areas they serve.

Public Water-Oriented Recreation. Shore-dependent recreation facilities or activities provided by public agencies which are open to the public with or without an entrance fee.

Qualified Professional (Forest Conservation). An individual is considered a qualified professional to prepare a forest stand delineation or a forest conservation plan, if the individual:

1. Is a licensed forester.
2. Is a licensed landscape architect.
3. Is approved by a local program for work in that jurisdiction and the program has:
 - a. Received final approval by the Department of Planning & Zoning.
 - b. Criteria for a qualified professional consistent with the requirements of the Department of Planning & Zoning.

Quasi-Government. Agencies substantially supported by the government.

Raceway. An elongated metal enclosure used to mount individual channel lettering or to conceal related transformers and wiring for wall-mounted signs.

Reader Board. A sign or portion of a sign where it is possible to change the copy on a frequent basis but where such sign change must be manually made and is not made electronically.

Reclamation. The rehabilitation of disturbed land for useful purposes, and the protection of the natural resources of adjacent areas, including waterbodies.

Reconfiguration. A change of the configuration of an existing lot or parcel line of any legal parcel of land or recorded legally buildable lot. "Reconfiguration" includes a lot line adjustment, a boundary line adjustment, and an administrative plat.

Record Plat. The final plat of a subdivision that is recorded in the Land Records of Calvert County.

Recorded Archaeological Site. An archaeological site that has been included in the Maryland Archeological Site Survey maintained by the Maryland Historical Trust.

Recreation Facility, Indoor Commercial: Arcade. An indoor area containing video games.

Recreation Facility, Indoor Commercial: Bingo Hall. Premises used for the purposes of playing a game of chance in which players place markers on a pattern of numbered cards according to numbers drawn, announced or displayed either electronically or by a caller, in which money or prizes are wagered. This definition does not include player-operated video lottery terminals or slot machines.

Recreation Facility, Indoor Commercial: Bowling Alley. A building containing long narrow tracks used in bowling games.

Recreation Facility, Indoor Commercial: Fitness Center. An establishment offering or providing facilities in controlled exercise, weightlifting, calisthenics, aerobics, and general physical fitness.

Recreation Facility, Indoor Commercial: Movie Theater. A facility having seating for an audience and a large screen for showing movies.

Recreation Facility, Indoor Commercial: Pool Hall. An establishment where pool or billiard games are played.

Recreation Facility, Indoor Commercial: Skating Rink. An expanse of ice artificially made for skating, or a floor used for roller skating.

Recreation Facility, Indoor Commercial: Studio. Premises used principally for the production of arts and craft products using paint, clay, fabric, metal or other medium and may include accessory sales, display and exhibition of arts and craft products.

Recreation Facility, Indoor Commercial: Studio, Performing Arts. A facility, catering to more than three students at a time, that contains specialized equipment and other support services for the study and training of performing arts, including but not limited to dance, voice, theatre or music, and may include accessory sales, displays and exhibits.

Recreation Facility, Indoor Commercial: Theater. A facility, in which plays and other dramatic performances are given.

Recreational Vehicle. A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable, and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use. These vehicles include but are not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Redevelopment. The process of developing land which is or has been previously developed.

Redevelopment (Critical Area). The process of developing land which is or has been developed. For purposes of implementing specific provisions of this Ordinance, redevelopment (as opposed to a new development) means a development activity that takes place on property with pre-development imperviousness (in IDA) or lot coverage (in LDA and RCA) of 15% or greater.

Reforestation.

1. Reforestation or reforested means the:
 - a. Creation of a biological community dominated by trees and other woody plants containing at least 100 live trees per acre with at least 50 percent of those trees having the potential of attaining a 2-inch or greater diameter measured at 4.5 feet above the ground, within 7 years; or
 - b. Establishment of a forest according to procedures set forth in the County Forest Conservation Technical Manual.
2. Reforestation or reforested includes landscaping of areas under an approved landscaping plan establishing a forest at least 35 feet wide and covering 2,500 square feet or more of area.
3. Reforestation or reforested for a linear project involving overhead transmission lines may consist of a biological community dominated by trees and woody shrubs with no minimum height or diameter criteria.

Refuse and Recycling Containers. In multi-family residences, commercial, industrial, and other non-residential developments, the bins for refuse and recycling located outdoors for pick-up by authorized haulers.

Regulated Activity (Forest Conservation). Any of the following activities, when that activity occurs on a unit of land which is 40,000 square feet or greater: subdivision; grading; activity that requires a sediment control permit; or project plan of a local agency.

Reservation of Resource Conservation Area Density Rights. Withholding by recorded agreement a certain number of density rights that are attributable to a lot or parcel that prevents them from being used for development for a specified period of time.

Reservation of Resource Conservation Area Density Rights Agreement. A legal instrument recorded among the land records and approved by the local jurisdiction, restricting land development within a defined area in the resource conservation area and for a specified period of time.

Residential District. A zoning district intended to provide for residential development in proximity to the Town Centers of Prince Frederick, Solomons, Lusby, North Beach, and Chesapeake Beach (see Section 6-1 for further description).

Residential Use. A structure designed and used, or intended to be used, for residential occupancy by one or more households, such as single-family, two-family, townhouse, and multi-family dwellings. Multi-family dwellings with ground floor non-residential uses are considered mixed-use development and are considered a non-residential use for the purposes of this Ordinance.

Residential Care Facility. A licensed group care facility that provides medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing homes, senior housing, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facilities must meet all district design and dimensional standards for multi-family dwellings unless specific standards are cited for such housing. When a district permits dwellings above the ground

floor, residential care facilities may also be developed and designed as such, subject to the design standards of the district for the structure.

Residential Property. A parcel of record that is improved by a single or two-family structure occupied as a residence. Residential property does not include a farm.

Residue. The portion of a parcel remaining as a result of the creation of one or more lots by way of a subdivision plat approved by the Planning Commission and recorded among the land records of Calvert County.

Resource Conservation Area (RCA). An area that is characterized by nature dominated environments, such as wetlands, surface water, forests, and open space; and resource-based activities, such as agriculture, forestry, fisheries, or aquaculture. Resource Conservation Areas include areas with a housing density of less than one dwelling per five acres.

Resubdivision. When an existing lot created through subdivision is further divided for development purposes through the subdivision process.

Restoration (Critical Area). The act of returning a site or area to an original state or any action that reestablishes all or a portion of the ecological structure and functions of a site or area.

Restrictive Covenant. A restriction on the use of land, usually set forth in the deed, recorded in land records.

Retail Commercial Building with Drive-Through Facility. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are available for immediate purchase that includes a structure or part of a structure designed to accommodate patrons' motor vehicles, from which the occupants of the motor vehicle may make purchases or transact business.

Retaining Wall. A wall designed to contain and support soil, fill or loose material which prevents the movement of soil, fill or loose material in order to allow ground levels of different elevations to exist adjacent to one another.

Retention (Forest Conservation). The deliberate holding and protecting of existing trees, shrubs, or plants on the site according to established standards as provided in the County Forest Conservation Technical Manual.

Retreat, Day. A facility designed with the specific intent of facilitating spiritual or educational enrichment needs, and that may include supporting dining and recreational facilities as ancillary uses.

Revetment. An assemblage of stones or concrete, commonly known as riprap, placed to prevent shore erosion, fortify a bulkhead, or stabilize an embankment.

Rezone. To change the zoning district classification of particular lots or parcels of land.

Right-Of-Way.

1. A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or currently occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses;
2. Generally, the right of one to pass over the property of another.

Right-Of-Way, Public. Any street, avenue, boulevard, highway, alley, or similar place that is owned or controlled by a governmental entity.

Riparian Habitat. A habitat that is strongly influenced by water and which occurs adjacent to streams, shorelines, and wetlands.

Riparian Land. Land that is traversed or bounded by a natural watercourse or adjoining tidal lands.

Riparian Owner. One who owns riparian land.

Road. A vehicular way constructed within a public or private right-of-way (a.k.a. avenue, drive, circle, street, highway, thoroughfare or other similar terms, but not driveways, lanes, or alleys).

Road Direction. Relative to the premise addressing system, the direction any road travels the longest in the distance.

Road and Site Development Ordinance. The Calvert County Road and Site Development Ordinance as amended from time to time and currently in effect.

Road in the Critical Area. A public thoroughfare under the jurisdiction of the State, a County, a municipal corporation or any other public body. Road does not include a drive aisle or driveway.

Roof Pitch. The ratio of rise to run of roof slope.

Roof, Green. A roof that is partially or completely covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Rural Commercial District. A zoning district intended to support existing commercial enterprises located outside Town Centers. (See Section 7-1 for further description).

Rural Community District. A zoning district intended to maintain a mix of farms, forests, and residential uses, retain historic and scenic areas, and protect watersheds, fish, and wildlife. (See Section 5-1 of this Ordinance for further description).

Rural Neighborhood District. A zoning district is intended to accommodate residential development as well as agricultural uses in proximity to the Town Centers of Dunkirk, Owings, Huntingtown, and St. Leonard (See Section 5-1 for further description).

Rubble. Demolition debris associated with the razing of buildings, roads, bridges and other structures including structural steel, concrete, bricks, lumber, plaster and plasterboard, sheet rock, insulation material, cement, shingles and roofing materials, floor and wall tile, asphalt, pipes and wires, and other items physically attached to structures, including appliances.

Scenic Landscape. A geographic area with landscape patterns and features, including but not limited to properties such as landform, land cover, slope and land use, arising from natural or cultural processes, which are visually or aesthetically pleasing or unique, and contribute affirmatively to the definition of a distinct community or region within the County.

Seasonal Use. A use carried on for only a part of the year such as the sale of vegetables during the summer months.

Seating Capacity. The number of devices for seating individual persons or the number of spaces allocated for seating individuals (but not less than 24 linear inches) in multi-person seating units (i.e., benches, pews, etc.).

Sediment Control Permit. The authorization of an activity regulated under a sediment control plan as provided in Environment Article, Title 4, Maryland Annotated.

Seedling. An unbranched woody plant, less than 24 inches in height and having a diameter of less than 1/2 inch measured at two inches above the root collar.

Selection. The removal of single, scattered, mature trees or other trees from uneven-aged stands by frequent and periodic cutting operations.

Selective Clearing. The careful and planned removal of trees, shrubs, and plants using specific standards and protection measures under an approved forest conservation plan.

Service Building. A structure that contains toilets and hand sinks. It may also include bathing facilities, laundry facilities, a vending area, or other service type facilities for public use.

Service Road. A road paralleling and contiguous to a major thoroughfare designed primarily to promote safety by providing free access to adjoining property and limited access to major thoroughfares.

Setback. See Section 2-3.1 of this Article.

Setback, Front. See Section 2-3.I of this Article.

Setback, Side. See Section 2-3.I of this Article.

Setback, Rear. See Section 2-3.I of this Article.

Severely Eroding Areas. Areas that erode two feet or more per year.

Shopping Center. A group of commercial buildings planned, constructed and managed as a total entity with customer and employee parking provided on-site.

Shore Erosion Protection Works. Those structures or measures constructed or installed to prevent or minimize erosion of the shoreline in the Critical Area.

Shoreline. For the purposes of determining lateral lines, the line as shown on the applicable Harbor Line Map defining the landward limit of the waterway. For all other purposes, the shoreline is determined by the mean high water line.

Sidewalk. A traveled way constructed for the use of pedestrians.

Sight Distance. A line of unobstructed vision at a road or driveway intersection defined by a continuous line of sight between points.

Sign. Any object, device, vehicle, display or structure or part thereof situated outdoors or adjacent to the interior of a window or doorway which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means; which may include words, letters, pictures, logos, figures, designs, symbols, fixtures, colors, illumination or projected images.

Sign Area. See Section 2-3.J.

Sign Height. See Section 2-3.J.

Sign Structure. Any structure designed for the support of a sign.

Simplified Buffer Management Plan (SBMP). A landscape plan required for an application under this Ordinance for disturbance in the Critical Area buffer for water access, invasive vegetation removal or cutting a hazardous tree(s).

Site. Any plot or parcel of land or combination of contiguous lots or parcels of land.

Site Plan. The development plan for one or more lots or parcels on which is shown the existing and proposed conditions of the lot or parcel including: topography, vegetation, drainage, floodplains, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

Slip. Berthing arrangement for a single vessel.

Slope. The deviation of a surface from the horizontal, usually expressed in percent or degrees.

Slope Stabilization Activities. The prevention of soil movement by any of the various vegetative or structural means. Stabilization can include minimal grading; retaining walls; erosion control mats, blankets and fiber logs; or, other environmentally sensitive practices. It shall not include the use of accessory structures including but not limited to patios, terraces or gazebos.

Small Shrub. A shrub that, when mature, reaches a height no greater than six feet.

Small Residential Accessory Solar Energy Generating System (Critical Area). An energy generating system that derives energy from the sun to produce electricity to support the principal use on a residential property on the same lot or parcel as the principal use. Includes an energy generating system that delivers electricity to a power grid and complies with the laws of the State of Maryland.

Soil Conservation and Water Quality Plan. Means an agricultural plan approved by a local soil conservation district to minimize soil erosion and the movement of sediment, animal waste, nutrients or agricultural chemicals into waters of the State.

Solar Energy Generating System (Critical Area). A land use that uses solar collectors, panels, controls, energy storage devices, heat pumps, heat exchangers, and other materials, hardware, or equipment to produce electricity; and any term used for a solar application that proposes to construct a solar energy generating system such as a solar energy system utility scale, solar energy system utility scale on farms, utility scale solar array, solar power plant, solar energy system large scale, solar energy system medium scale, solar array, power generating facilities, solar facilities, solar energy system grid connected, and solar energy generating facility commercial. Does not include an energy storage device or facility where the device or facility operates independently of, is separate from, and the primary purpose of which does not include supporting the solar energy generating system within the Critical Area.

Solid Waste. Unwanted or discarded material, including garbage with insufficient liquid content to be free flowing.

Special Buffer Management Area (SBMA) (Critical Area). An area officially mapped by the County and approved by the Critical Area Commission as a Modified Buffer Area, where it has been sufficiently demonstrated that the existing pattern of residential, industrial, commercial, institutional, or recreational development prevents the Buffer from fulfilling its water quality and habitat functions, and where development in accordance with specific SBMA provisions can be permitted in the Buffer without a variance.

Special Event. Any pre-planned entertainment, sporting, cultural, business, or other type of unique activity (including parades, festivals, races, etc.) presented to a live audience that is to be held in whole or in part upon owned or managed County property, or may impact the ordinary and normal use by the general public, public safety services of owned or managed County property, or public right-of-way within the vicinity of the event. Any activity that substantially inhibits the usual flow of pedestrian or vehicular travel, or which occupies any public/private place or building that preempts normal use of space by the general public, or which deviates from the established use of space or building. Activities that are part of a regular series or subscription are not deemed Special Events unless they are an atypical activity outside the ordinary (e.g. regular scheduled baseball game is not a special event, but a tournament is a special event).

Special Exception. The granting of a specific use that would not be appropriate generally or without restriction. Any use that requires special consideration of its location, design and methods of operation before it can be deemed appropriate and compatible with its surroundings.

Special Flood Hazard Area (SFHA). The land in the floodplain subject to a 1% or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency in Flood Insurance Studies and on Flood Insurance Rate Maps as Zones A, AE, AH, AO, A1-30, and A99, and Zones VE and V1-30. The term includes areas shown on other flood maps that are specifically listed or otherwise described in this Ordinance.

Species in Need of Conservation. Those fish and wildlife whose continued existence as part of the State's resources are in question and which may be designated by regulation by the Secretary of Natural Resources as in need of conservation pursuant to the requirements of Natural Resources Article, 10-2A-06 and 4-2A-03, Annotated Code of Maryland.

Specimen Trees. Trees having a diameter, measured at 4.5 feet above the ground, of 30 inches or more, or trees having 75% or more of the diameter of the current state champion tree for that species.

Square. A square is an area designated for public use, including parking, which is bordered on all sides by public or private rights-of-way.

Stacking Space. Spaces specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-in business or automobile filling station.

Start of Construction. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the

installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvements, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Static/Instant Message Change. On electronic message centers, a static or instant message change is when one message changes to another message instantly without rotating, scrolling, fading, dissolving, blinking, audio, pyrotechnic or flashing elements or other movement of the message.

Steep Slopes. Within the Critical Area: Slopes 15% or greater. Outside the Critical Area: 25% or greater slopes. Slopes greater than 50% are defined as cliffs.

Stoop. An exterior floor typically, constructed of stone, concrete, or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings but cannot be enclosed.

Stop Work Order. A notice issued by the Zoning Officer, or other designated official, that directs the owner to cease work that was undertaken without proper permits or approval.

Stormwater Management.

1. For quantitative control, a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by man-made changes to the land; and
2. For qualitative control, a system of vegetative, structural, and other measures that reduces or eliminates pollutants that might otherwise be carried by surface runoff.

Stream Buffer Outside the Critical Area. All lands and vegetation lying within at least 50 feet of a perennial or intermittent stream.

Stream Restoration Project. An activity that:

1. Is designed to stabilize stream banks or enhance stream function or habitat located within an existing stream, waterway, or floodplain;
2. Avoids and minimizes impacts to forests and provides for replanting on-site an equivalent number of trees to the number removed by the project;
3. May be performed under a municipal separate storm sewer system permit, a watershed implementation plan growth offset, or another plan administered by the State or local government to achieve or maintain water quality standards; and
4. Is not performed to satisfy stormwater management, wetlands mitigation, or any other regulatory requirement associated with proposed development activity.

Structure. A combination of building materials that are purposely joined together on, above or below the surface of the land or water including those that do not result in lot coverage, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Structure (Critical Area). Building or construction materials, or a combination of those materials, that are purposely assembled or joined together on or over land or water. Includes a temporary or permanent fixed or floating pier, piling, deck, walkway, dwelling, building, boathouse, platform, gazebo, and shelter for the purpose of marina access, navigation, working, eating, sleeping, or recreating.

Structural Alteration. Any change in either the supporting members of a building, such as bearing walls, columns, beams and girders, or in the dimensions or configurations of the roof or exterior walls.

Studio. A room or area where an artist, photographer, sculptor works. A place for instruction or experimentation in one of the performing arts.

Subdivision. A division of a unit of land into two or more lots or parcels for the purpose, whether immediate or future, of transfer of ownership, sale, lease, or development.

Subdivision Entrance. As defined in the Calvert County Road Ordinance.

Subdivision Evaluation Group (SEG). State and local agencies that review subdivisions to ensure that proposed and existing development complies with all County ordinances and State regulations. SEG members review and provide comments on proposed subdivisions or amendments to existing subdivisions.

Subdivision Sign. A sign placed at the entrance of subdivisions from state or county highways.

Substantial Alteration. A repair, reconstruction, replacement, or improvement of a principal structure, with a proposed total footprint that is at least 50% greater than that of the existing principal structure.

Substantial Construction. A building is considered to have substantial construction if over 50% of the square footage is under roof and enclosed.

Substantial Damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. Also used as “substantially damaged” structures.

Substantial Improvement. Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure taking place during a ten year period, the cumulative cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure. The Floodplain Administrator may require documentation of a structure’s continued eligibility and designation as a historic structure.

Supplemental Planting Plan (Critical Area). A description and landscape schedule that shows the proposed species type, quantity, and size of plants to be located within a buffer if natural regeneration does not meet the required stem density.

Surety. A surety includes, but is not limited to, a Certificate of Guarantee as defined in Section 1-203 of the Insurance Article of the Maryland Annotated.

Surface Mining. The breaking of surface soil to extract or remove minerals; any activity or process constituting all or part of the process for the extraction or removal of minerals from their original location; the extraction of sand, gravel, rock, stone, earth, or fill from borrow pits for highway construction purposes or other public facilities; any operations engaged in processing of materials at the site of extraction; removal of overburden and excavation of any material for the purpose of prospecting and, to the extent necessary, to determine the location, quantity or quality of a natural deposit; or, any activities thereof, if the affected land exceeds one acre or more in area.

T-Frame Sign. A portable sign which is ordinarily in the shape of an upside down "T" or some variation thereof, which is readily moveable and is not permanently attached to the ground or any structure. This definition does not include A-frame sign.

Technical Evaluation Group (TEG). State and local agencies which review site plans to ensure that proposed and existing development complies with all County ordinances and State regulations. TEG members review and provide comments on proposed site plans and revisions to site plans.

Temporary Cell on Wheels (COW). Cell on wheels (COW) is a portable, mobile cell site that provides temporary network and wireless coverage to locations where additional cellular coverage is required due to a temporary increase in user volume at such location or states of emergency.

Temporary Disturbance (Critical Area). A short-term change in the landscape that occurs as part of a development or redevelopment activity. Temporary disturbance includes: storage of materials that are necessary for the completion of the development or redevelopment activity; construction of a road or other pathway that is necessary for access to

the site of the development or redevelopment activity, if the road or pathway is removed immediately after completion of the development or redevelopment activity and the area is restored to its previous vegetative condition; grading of a development site, if the area is restored to its previous vegetative condition immediately after completion of the development or redevelopment activity; and locating a septic system on a lot or parcel created before local program approval if the septic system is located in existing grass or clearing is not required. Temporary disturbance does not include a "Violation".

Temporary Outdoor Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for. This also includes the use of cargo containers as temporary storage.

Temporary Sign. Any sign which is movable, not permanently attached to the ground, a structure or other sign, designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes, intended for a limited period of display or constructed out of cloth, canvas, plastic sheet, cardboard or other like materials.

Temporary Structure (Floodplain). A structure installed, used, or erected for a period of less than 180 days.

Tenant. An occupant of land or premises who occupies, uses, and enjoys real property for a fixed time, usually through a lease arrangement with the property owner.

Theater. A building or outdoor area in which plays and other dramatic performances are given.

Thinning. A forest practice used to accelerate tree growth of quality trees in the shortest interval time by reducing stem counts.

Threatened Species. Any species of fish, wildlife, or plants designated as such by regulation by the Secretary of the Department of Natural Resources which appear likely, with the foreseeable future, to become endangered, including any species of wildlife or plant determined to be a "threatened" species pursuant to the federal Endangered Species Act, 16 U.S.C. 153 et seq., as amended.

Tidal Wetlands. Estuarine wetlands flooded with salt or brackish water and affected by the regular rise and fall of the tide. Tidal wetlands are found along the shores of the Bay and the tidal portions of streams, creek and rivers. The Critical Area Buffer is measured from the edge of tidal wetlands, regardless of whether the wetlands are private or State.

Timber Harvesting. A tree-cutting operation affecting one or more acres of forest or developed woodland within a one-year interval that disturbs 5,000 square feet or more of forest floor. Timber harvesting does not include grubbing and clearing of root mass.

Topography. The existing configuration of the earth's surface including the relative relief, elevation, and position of land features.

Topping. The removal of large portions of the crown of the tree and is an inappropriate pruning method

Town Centers. Town Centers are located as delineated on the Zoning Map and are regulated by their particular Town Center Zoning Ordinance as well as the Calvert County Zoning Ordinance in accordance with Section 1-3.F (Relation to Town Center Zoning Ordinances).

Tract. A specified parcel of land with defined boundaries generally created by a deed. A deed may describe one or more tracts.

Tract (Forest Conservation). Property or a unit of land subject to an application for a grading or sediment control permit, subdivision approval, project plan approval, or areas subject to this law.

Tract for Planned Unit Development (Forest Conservation). The entire premises subject to a planned unit development.

Trailer. A structure standing on wheels, towed or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods or objects, or as a temporary office (does not include manufactured homes).

Transfer Zone. An area in Calvert County where Transferable Development Rights (TDRs) may be used to increase the residential density.

Transfer Zone Density. The permitted density in a transfer zone and zoning district that is allowed through the purchase and transfer of Transferable Development Rights (TDRs). Does not include bonus lots.

Transferable Development Right (TDR). The right a landowner in an Agricultural Preservation District conveys to a person which permits that person to increase the density of residential use of land.

Transportation Facilities. Anything that is built, installed, or established to provide a means of transport from one place to another.

Transitional Habitat. A plant community and physiographic features whose species are adapted to the diverse and varying environmental conditions that occur along the boundary that separates aquatic and terrestrial areas.

Travel Way. The public or private right of way used for vehicular travel, including areas used for vehicular circulation within parking facilities.

Tree. A large, branched woody plant having one or several self-supporting stems or trunks that reach a height of at least 20 feet at maturity.

Tree Canopy. The aerial branches of terrestrial plants, together with their complement of leaves or needles.

Tree Canopy Coverage. The area beneath the aerial extent of the tree canopy.

Tree Cover. The combined area, in square feet, of the crowns of all trees on a tract.

Tree Diameter. The diameter of a tree trunk measured at 4.5 feet above the ground.

Tree Drip Line. An imaginary line projected to the ground delineating the outermost extent of tree foliage in all directions.

Tributary Stream. Perennial or intermittent streams within the Critical Area that have been identified by site inspection or in accordance with County program procedures approved by the Critical Area Commission.

Truck, Bus and Diesel Service and Repair Shop. An establishment that repairs heavy equipment such as trucks, construction equipment, diesel engines, and similar heavy equipment. Typical uses include truck and bus repair garages, excavation implement service, diesel engine repair, and shops related to the machining of related parts, but specifically excluding the dismantling or salvaging of vehicles.

Understory. The layer of forest vegetation typically located underneath the forest canopy.

Understory Tree. A tree that, when mature, reaches a height of 12 to 35 feet.

Universally Accessible. A site, building, or facility that can be approached, entered, and used by individuals with disabilities and is ADA compliant.

Universally Adaptable. A site, building, or facility that includes, at a minimum:

1. Door widths of all interior and exterior doors measuring 36 inches;
2. No more than one step from outside to inside; and
3. Reinforced walls for installation of handrails in bathrooms and hallways.

Unwarranted Hardship. That without a variance, an applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.

Upland Boundary. The landward edge of a tidal wetland or a nontidal wetland.

Use and Occupancy Permit. A document issued by the proper authorities allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable codes, ordinances and regulations.

Use. The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied or maintained.

Useable Waterway Area. The area of a waterway enclosed by the harbor line, lateral lines and shoreline.

Utility. Underground gas mains and pipes and underground and overhead electrical and communications wires, cables, pipes, conduits, and their supporting poles, towers or repeaters, boosters, anodes, regulating and measuring devices, and the minor buildings or structures in which they may be housed, including but not limited to substations for transforming, boosting, switching or pumping purposes, where such facilities are constructed on the ground. This definition does not include other uses defined separately by this Ordinance.

Utility Transmission Facilities. Fixed structures that convey or distribute resources, wastes, or both, including but not limited to electrical lines, water conduits and sewer lines.

Variance. A grant of relief from the strict application of one or more requirements of these regulations. The purpose of a variance is to afford an applicant relief from the requirements of the letter of the Zoning Ordinance only when unnecessary hardship or practical difficulty exists.

Value-Added Agricultural Products. Goods produced on Calvert County farms that have been increased in value or price at the post-harvest stage of production through alterations in size, shape, appearance, or convenience.

Vehicle Display Area. The area where vehicles for sale are parked inside of a building, on any exterior designated area for display or an area designated adjacent to the right-of-way.

Vehicle Sign. Any sign permanently or temporarily attached to or placed on a vehicle or trailer. Signs attached to a motor vehicle or trailer include, without limitation, any signage painted on, physically applied to, or otherwise affixed to the vehicle.

Vested Right. A right that is protected from legislative interference to the extent that an applicant may develop a site plan without the plan having to conform to changes to zoning and development regulations enacted after conceptual or final approval as the case may be.

Violation. Any use of property which is not in compliance with this Ordinance, or any other decision issued pursuant to this Ordinance.

Violation (Floodplain). Any construction or development in a special flood hazard area that is being performed without an issued permit. The failure of a building, structure, or other development for which a permit is issued to be fully compliant with these regulations and the conditions of the issued permit. A building, structure, or other development without the required design certifications, the Elevation Certificate, or other evidence of compliance required is presumed to be a violation until such time as the required documentation is provided

Waiting Area. An area inside an establishment dedicated to the reception and waiting of clients of the establishment and visitors.

Wall Sign. A sign attached directly to an exterior wall of a building and which does not extend more than 18 inches from nor above the roof line or beyond the limits of the outside wall, with the exposed face of the sign in a plane parallel to the building wall.

Water and Sewer Service Areas. Areas of the County designated by the Water and Sewerage Plan as potential areas for service by a community or public water or sewer system.

Watercourse. The channel, including channel banks and bed, of nontidal waters of the state.

Watercraft. Any vehicle designed for travel across or through water bodies, such as a boat, ship, hovercraft, submersible or submarine.

Watercraft Dealership. The use of any building, land area, or other premise for the sale, exchange, rental, or lease with option to purchase, of more than two new or used watercraft per year.

Watercraft Launch Ramp. An inclined surface or roadway connecting the shore to an adjacent waterway.

Watercraft Service or Repair. A facility designed for the maintenance of watercraft and watercraft-related accessories including engines, hulls, masts, trailers, and sails.

Watercraft Storage, Commercial. A facility designed for the keeping of watercraft and associated trailers for a fee.

Water Dependent Facility or Activity. A structure or activity that, by reason of its intrinsic nature or operation or because of its association with an industrial, maritime, recreational, educational, aquaculture, or fishery activity, is dependent on the water and requires location at or near the shoreline or in the buffer. Water-dependent facility or activity includes a port; an intake or outfall structure, marina, another boat-docking facility; or a structure or activity that is essential to the operation of the water-dependent facility, structure, or activity; a fuel pump or other fuel-dispensing equipment on a pier, a sanitary sewage pump or other wastewater removal equipment on a pier, and an office on a pier for managing marina operations, such as monitoring vessel traffic, registering vessels, providing docking services, and housing electrical or emergency equipment related to marina operations; a public beach and any other public water-oriented recreation area; and any other water-dependent facility or activity that supports water quality restoration in the Chesapeake Bay, the Atlantic Coastal Bays, or their watersheds.

Water Frontage. The point at which land abuts a body of water.

Waterfront Community District. A zoning district intended to recognize existing, long-established residential waterfront communities along the Patuxent River, the Chesapeake Bay, and their tributaries (See Section 5-1 of this Ordinance for further description).

Waterfowl. Birds which frequent and often swim in water, nest and raise their young near water, and derive at least part of their food from aquatic plants and animals.

Watershed. All land lying within an area described as a subbasin in water quality regulations adopted by the Department of the Environment under COMAR 26.08.02.08.

Watershed, MD DNR Eight-Digit. This delineation breaks the state up into 138 watersheds whose boundaries generally represent drainage divides between 3rd order rivers or streams. These watersheds are identified via an 8-digit numeric code. The 8-digit scale is the most common management scale for watersheds across the state and therefore is the scale at which most of Maryland's local TMDLs are developed. There are three MD DNR Eight-Digit Watersheds located in Calvert County; 02131101 (Patuxent River lower), 02131005 (West Chesapeake Bay), and 02131102 (Patuxent River middle).

Waters of the State. See Environment Article, Title 5, Subtitle 1, Maryland Annotated. Waters of the State include:

1. Both surface and underground waters within the boundaries of the state subject to its jurisdiction;
2. That portion of the Atlantic Ocean within the boundaries of the state;
3. The Chesapeake Bay and its tributaries; and
4. All ponds, lakes, rivers, streams, public ditches, tax ditches, and public drainage systems within the state, other than those designed and used to collect, convey, or dispose of sanitary sewage.
5. The floodplain of free-flowing waters determined by MDE on the basis of the 100-year flood frequency.

Waterway. Any water area providing access from one place to another, principally a water area providing a regular route for water traffic, that is owned, managed or controlled by the State or under the jurisdiction of the County either in incorporated or unincorporated territory.

Wetland Migration Area. An area that will likely be suitable for future wetland establishment in response to a change in sea level.

Wetlands. Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Man-made stormwater management devices and sediment control devices are not included under this definition.

Wetlands Buffer. A naturally vegetated area or vegetated area established or managed to protect wetlands from man-made disturbances.

Wetlands Overlay. Those lands both within and outside the Critical Area which exhibit hydrologic, soil, and vegetation characteristics sufficient to qualify as jurisdictional wetlands according to State or Federal requirements.

Whip (Forest Conservation). An unbranched woody plant greater than 24 inches in height and having a diameter of less than one inch measured at two inches above the root collar.

Wildlife Corridor. A strip of land having vegetation that provides habitat and a safe passageway for wildlife.

Wildlife Habitat. Those plant communities and physiographic features that provide food, water and cover, nesting, and foraging or feeding conditions necessary to maintain populations of animals in the Critical Area.

Wind Energy System. A wind-powered electric system designed and constructed for the production of power for sale.

Wind Turbine. The part of a wind energy system that includes the blades, generator and tail.

Window Sign. Any sign viewable through or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior including, but not limited to, window paintings and signs located inside a building but visible primarily from the outside of the building. This does not include merchandise and other displays located in a window, or print intended to be viewable from the interior of a building.

Woody Vegetation. Vegetation containing wood or wood fibers.

Workforce Housing. Housing that is affordable (no more than 30% of median income) to households of moderate income that is up to 80% of the median income level for Calvert County as determined by Department of Housing and Urban Development (HUD) statistics.

Yard. See Section 2-3.1 of this Article.

Yard, Rear. See Section 2-3.1 of this Article.

Yard, Side. See Section 2-3.1 of this Article.

Yard, Street. See Section 2-3.1 of this Article.

Yard Sign. Any temporary sign placed on the ground or attached to a supporting structure, posts or poles, that is not attached to any building.

Zero-Grid. The horizontal and vertical lines specified on a map, which are used as starting points for determining premise addresses.

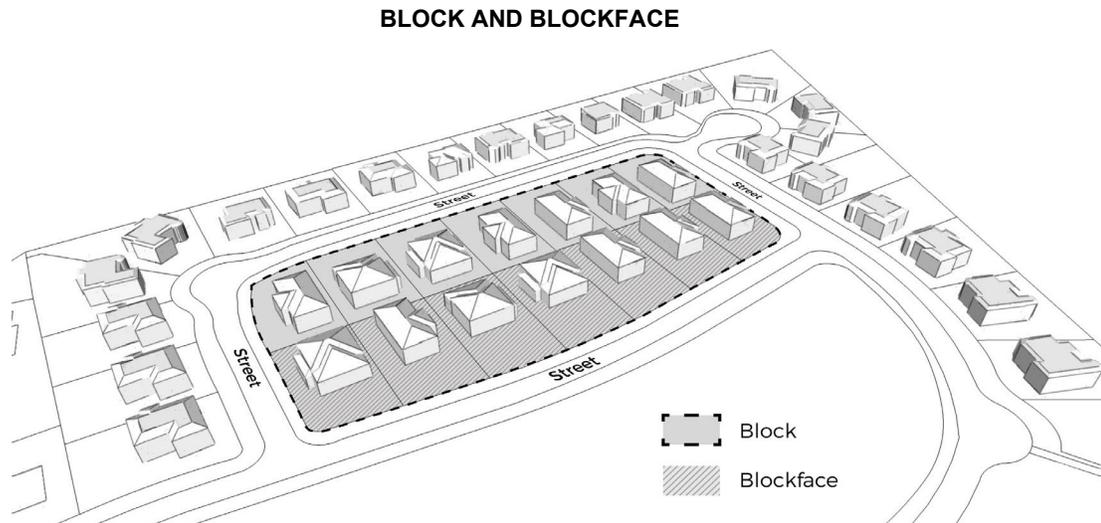
Zoning Map. The official Zoning Maps of Calvert County adopted by the Board of County Commissioners, together with all amendments thereto.

Zoning Officer. The administrative officer, or his/her designee, authorized to administer the Ordinance, give zoning approval for permits, grant administrative variances, and clarify the intent of the Ordinance. The Zoning Officer may delegate the authority to grant administrative variances to the Planning Commission Administrator if a request for an administrative variance is submitted with the review and approval of a site plan, subdivision, or administrative plat.

2-3 MEASUREMENT STANDARDS

A. Block and Blockface

1. A block is a tract of land bounded by streets, or a combination of streets and railroad rights-of-way, municipal boundary lines, waterways, or any other barrier to the continuity of development.
2. Blockface is measured as that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets or a street and a railroad right-of-way or waterway.



B. Building Coverage and Building Footprint

1. Building Coverage

The horizontal area measured within the outside of the exterior walls of the ground floor of all principal buildings and accessory structures on a lot or parcel.

2. Building Footprint

That portion of the ground covered by a building or structure at the surface level, measured on the horizontal plane.

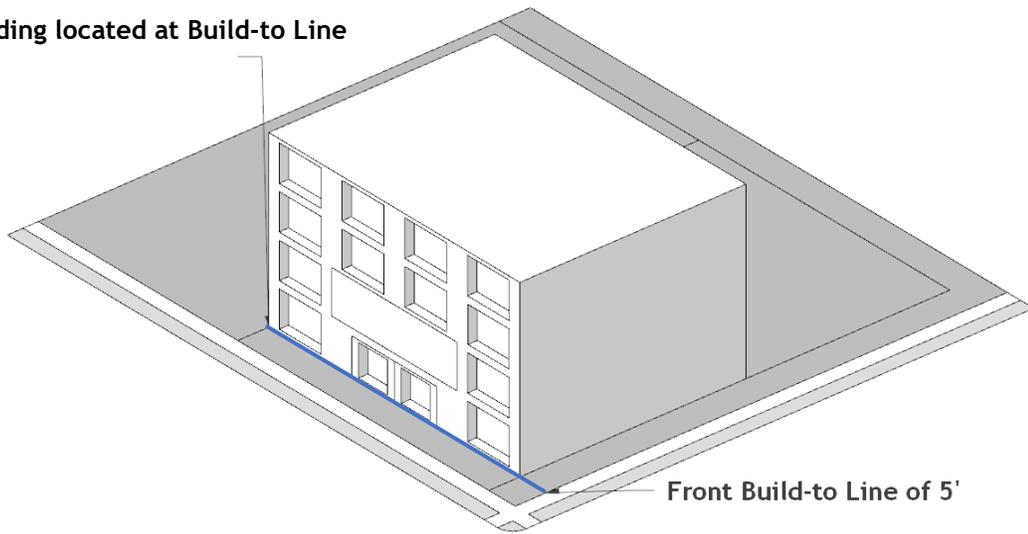
C. Build-To Dimensions

Certain dimensional requirements with the district may require structures to be constructed at a build-to dimension. A build-to requirement is a boundary or alignment, parallel to a lot or parcel line, where a structure must be placed. This Ordinance includes three types of build-to dimensions:

1. A build-to line (BTL) is a set line on a lot or parcel, measured perpendicular from the applicable lot line or parcel line, where a building must be located. Facade articulation, such as window or wall recesses and projections are not counted as part of the building, which begins at the applicable building wall.
2. A build-to zone (BTZ) is the area on a lot or parcel, measured perpendicular from the applicable lot line or parcel line, where the building must locate within the minimum and maximum range provided. Facade articulation, such as window or wall recesses and projections are not counted as part of the building, which begins at the applicable building wall.
3. A build-to percentage specifies the percentage of the building or applicable building wall that must be located within a build-to line or build-to zone. (Build-to percentage is measured as a percentage of the total building or building wall, not lot width).

BUILD-TO LINE

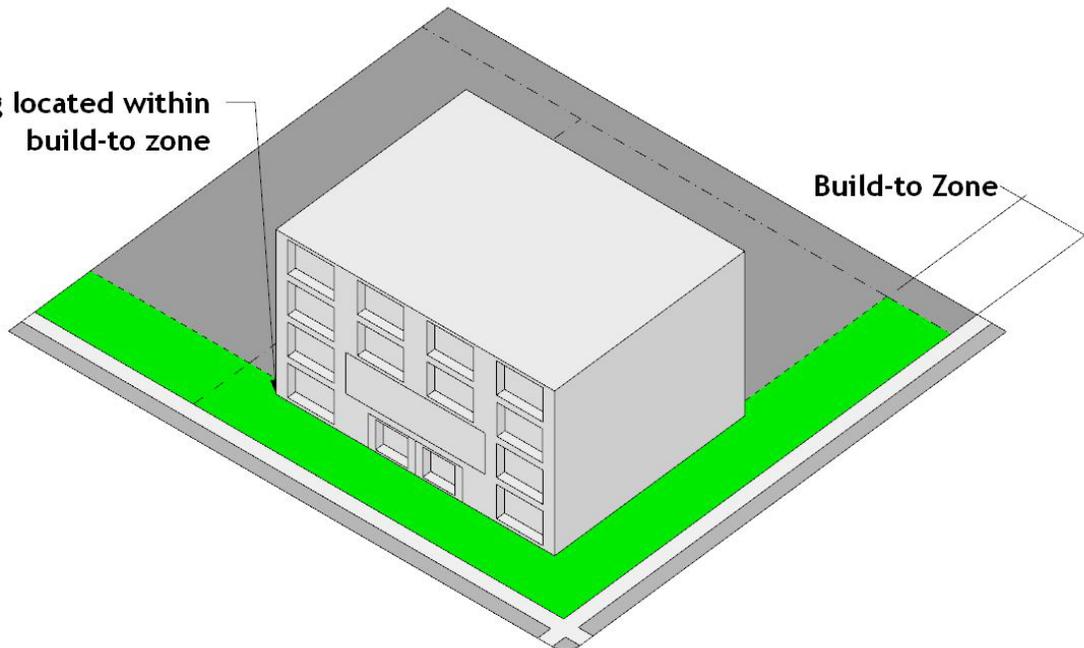
Building located at Build-to Line



Front Build-to Line of 5'

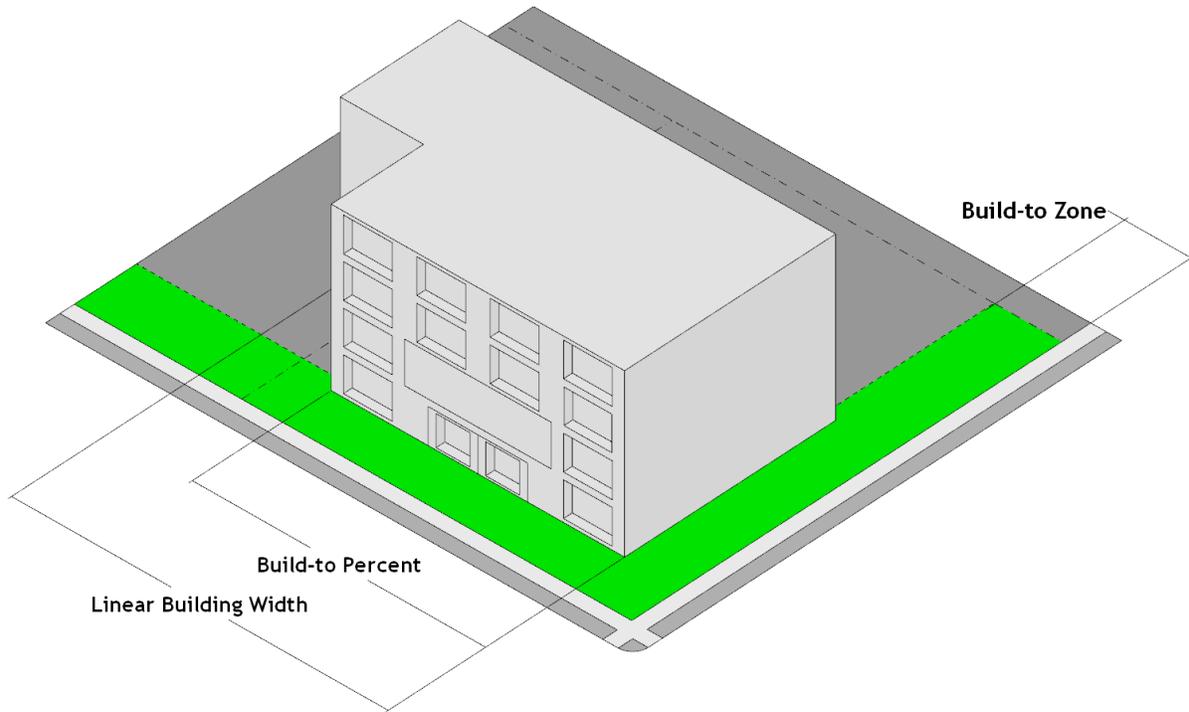
BUILD-TO-ZONE

Building located within
build-to zone



Build-to Zone

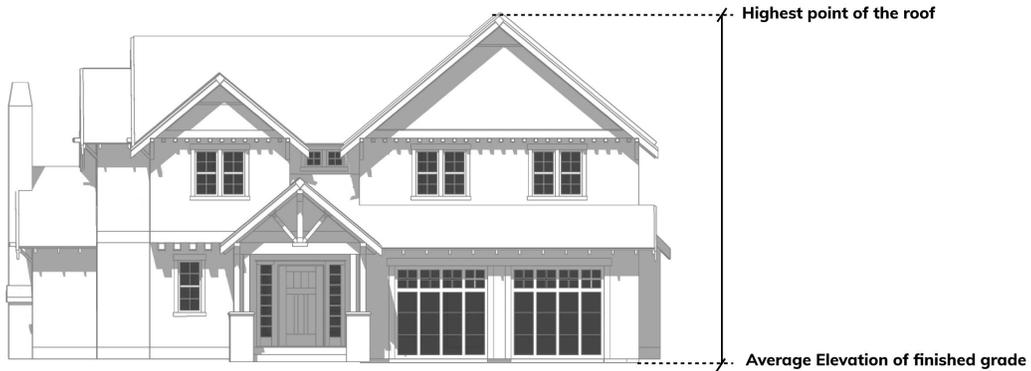
BUILD-TO PERCENTAGE



D. Building Height

The maximum height of a building or structure is measured from the average elevation of the finished grade at the front of the building facing the street to the highest point of the roof. For structures with the lowest floor support beams raised to or above the flood protection elevation, the maximum height of a building or structure shall be measured from the flood protection elevation to the highest point of the roof.

BUILDING HEIGHT



E. Floor Area

1. Gross Floor Area (GFA)

The sum of the gross horizontal areas of the floor or floors of a building measured from the exterior face of the exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading and unloading spaces for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

2. Net Floor Area

The net floor area of a building is calculated as 85% of the gross floor area.

3. Floor Area Ratio (FAR)

The ratio of a building's gross floor area to the net developable acres upon which it is built. The FAR calculation includes the gross area on all floors of all buildings on a lot or parcel. When used in a zoning district which does not encompass the entire lot or parcel, only the portion of the lot or parcel in the zoning district is used for the calculation.

F. Lighting

1. Footcandle

A unit of illuminance stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter.

2. Cutoff

A luminaire light distribution where the candela per 1,000 lamp lumens does not numerically exceed 25 (2.5%) at an angle 90° above nadir, and 100 (10%) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

3. Full Cutoff

A luminaire light distribution where zero candela intensity occurs at an angle of 90° above nadir, and at all greater angles from nadir. Additionally, the candela per 1,000 lamp lumens does not numerically exceed 100 (10%) at a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

G. Lot Area, Lot Width, and Lot Coverage

1. Lot Area

The total area within the boundaries of a lot, excluding any street right-of-way, usually defined in acres or square feet. When applicable, lot area shall be calculated above the mean high water line.

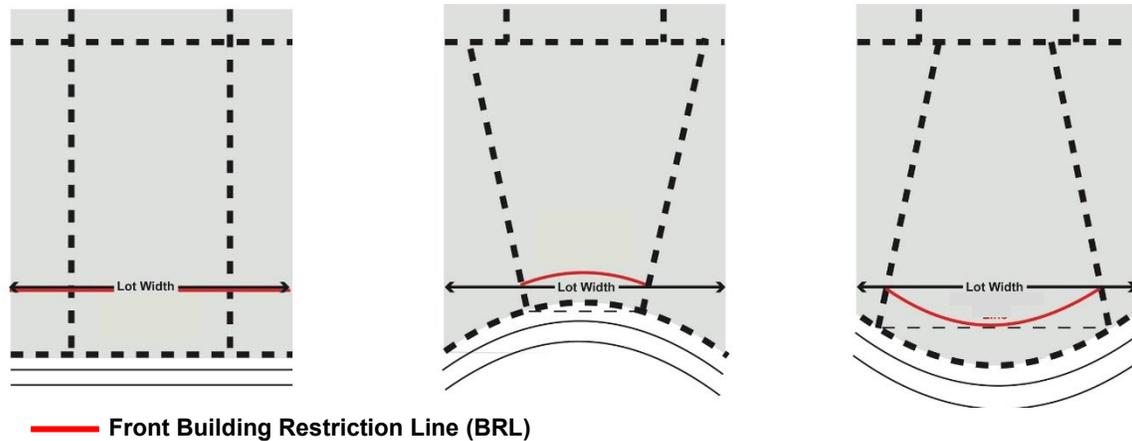
2. Lot Width

The distance between side lot lines measured at the front building restriction line.

a. For cul-de-sac lots or lots with a curved front lot line, lot width is measured at the points where the front building restriction line intersects with the side lot lines from point to point.

b. For corner lots, lot width is the distance between the non-adjacent lot lines closest to each other measured at the building restriction line.

LOT WIDTH



3. Lot Coverage

The percentage of a total lot or parcel that is occupied by a structure, accessory structure, parking area, driveway, walkway, roadway, areas covered with gravel, stone, shell, impermeable decking, a paver, permeable pavement, or any manmade material.

- a. This does not include:
 - i. A fence or wall that is less than one foot in width that has not been constructed with a solid footer;
 - ii. A walkway in the Critical Area Buffer or expanded Buffer, including a stairway, that provides direct access to a community or private pier;
 - iii. A wood mulch pathway;
 - iv. A deck with gaps to allow water to pass freely;
 - v. Gravel or stone under a pervious deck not used for vehicular parking or storage; or
 - vi. Stormwater management and erosion control measures when specifically designed and installed to perform stormwater management or erosion control functions.

H. Lot Types and Lot Lines

1. Lot Types

A lot is the basic development unit for determination of lot area, depth, and other dimensional regulations. The following describes the types of lot configurations:

- a. **Interior Lot**
An interior lot is a lot other than a corner or through lot, bounded by two side lot lines and a rear lot line.
- b. **Multiple Frontage Lot**
A multiple frontage lot is a lot having frontage on two or more roads (excluding alleys) or non-intersecting portions of the same road.
- c. **Corner Lot**
A corner lot is a type of multiple frontage lot situated at the junction of, and abutting on, two or more intersecting streets with two or more front lot lines. There is no rear lot line on corner lots.

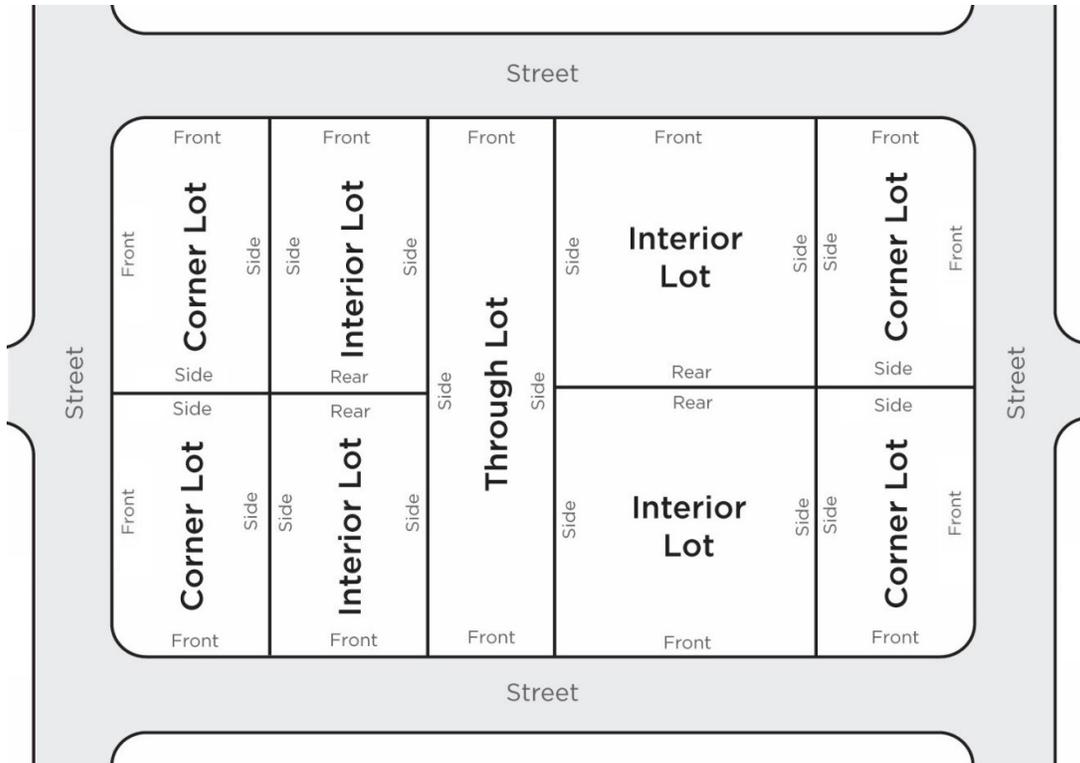
d. Through Lot

A through lot (also called a double-frontage lot), with frontage on two non-intersecting roads, is a type of multiple frontage lot.

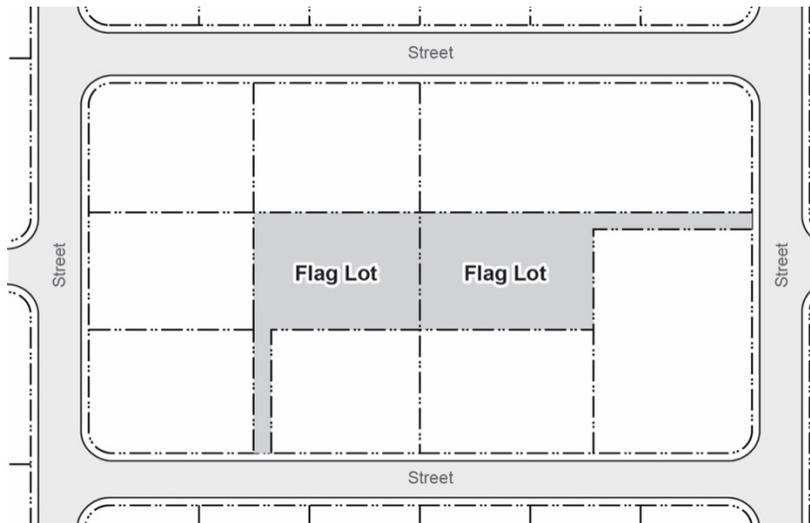
e. Flag Lot

A flag lot is platted so that the main building site area (the “flag”) is set back from the street on which it fronts and includes an access strip (the “pole”) connecting the main building site with the street. A flag lot may also be called a “pipestem lot.”

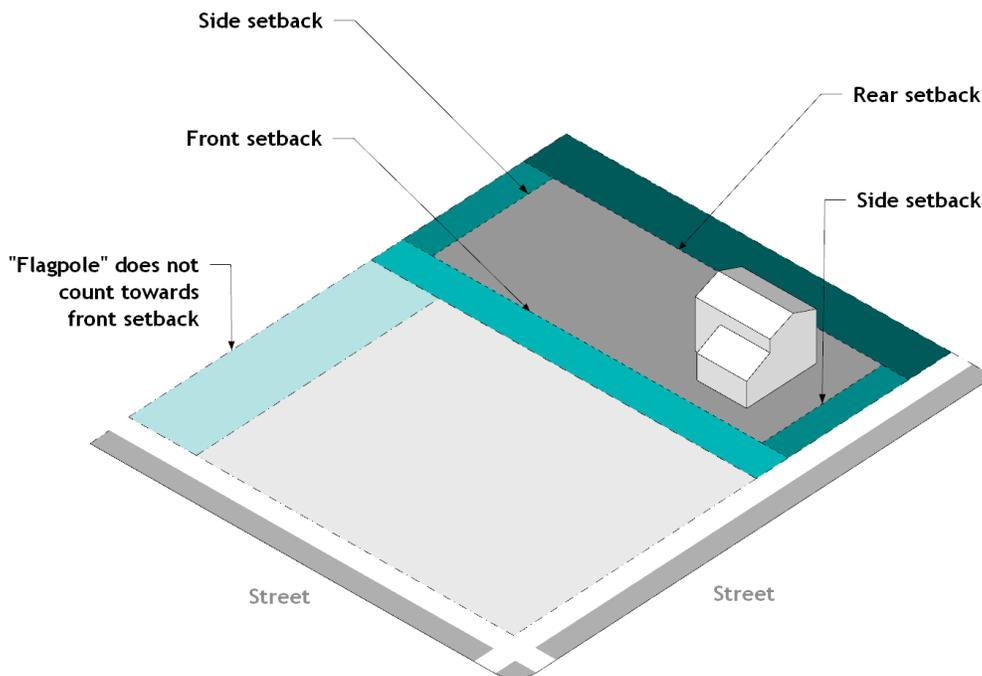
LOT TYPES



LOT TYPES - FLAG LOT



FLAG LOT



2. Lot Lines

A line of record bounding a lot which divides one lot from another lot or parcel or from a public or private street.

a. Front Lot Line

The lot line separating a lot from a road right-of-way. For flag lots, if there is a lot line at the bottom of the “flag” portion of the lot parallel or close to parallel to the road right-of-way which provides access to the lot, that lot line shall function as the front lot line provided that the minimum lot width is met.

b. Side Lot Line

Any lot line other than a front or rear lot line.

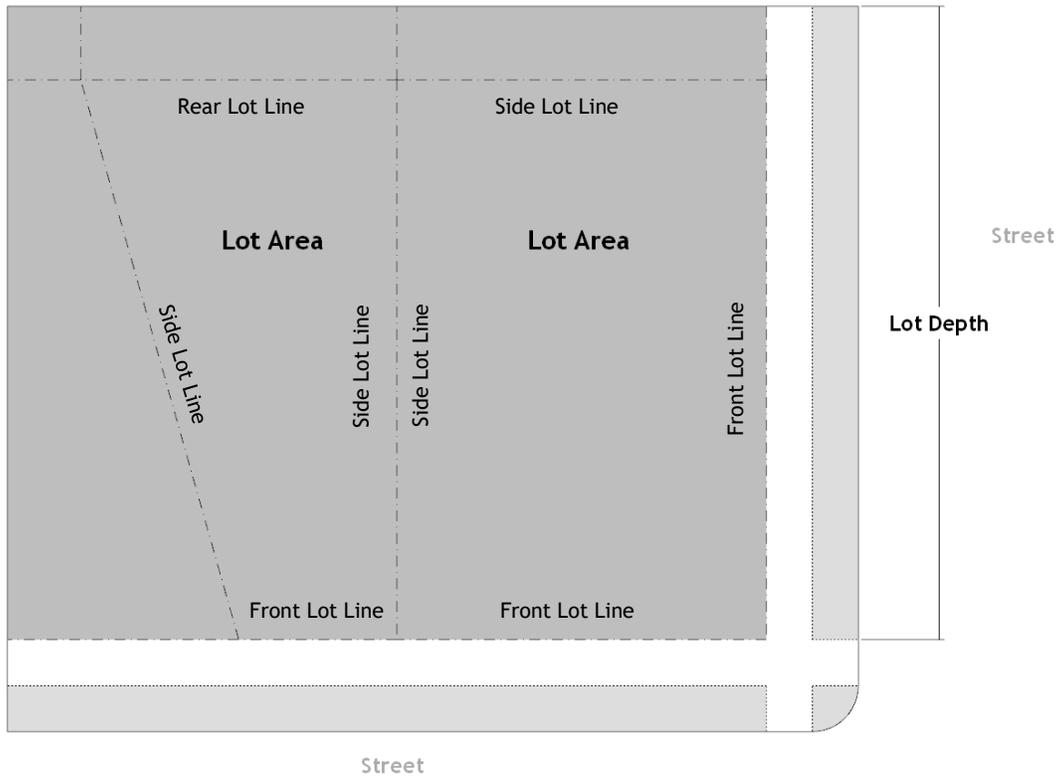
c. Rear Lot Line

The lot line opposite and most distant from the front lot line on an interior lot.

3. Lot Frontage

The length of the front lot line.

LOT LINES



I. Yards and Setbacks

1. General Definitions

a. Setback

A required setback is the required minimum distance a building, structure, or use shall be located from a lot line, parcel line, property boundary, right-of-way, zoning district boundary, natural resource protection area, forest retention area, or other specified infrastructure or feature, which is unoccupied and unobstructed by any portion of or projections from a building, structure, or use unless otherwise permitted by this Ordinance.

b. Yard

A yard is the open area between the principal building and the lot lines or parcel lines of a property.

2. Front Yard and Front Setback

For regular lots and parcels, the front yard and front setback extend the full width of the lot or parcel between side lot lines or parcel lines measured perpendicular to the front lot line or parcel line.

a. Front Yard: A front yard is located between principal building and the front lot line or parcel line.

b. Front Setback: A front setback is the required minimum distance that a principal building shall be located from the front lot line or parcel line.

c. Front setbacks on irregular lots are subject to the following provisions:

i. On a lot with a radial (curved) front lot line, the required front setback, as measured from the right-of-way line, follows the curve of the lot line.

ii. For flag lots without a discernable front lot line, the front setback is measured from the road right-of-way that fronts the property or at the location where the lot meets the minimum lot width, whichever is more restrictive.

3. Side Yard and Side Setback

The side yard and side setback extend along the side lot lines or parcel lines between the front and rear yard or setback, measured perpendicular to the side lot line or parcel line.

a. Side Yard: A side yard is located between a principal building and the side lot line or parcel line.

b. Side Setback: A side setback is the required minimum distance that a principal building shall be located from the side lot line or parcel line.

c. For townhouse developments, the side yard and side setback are applicable to end units only.

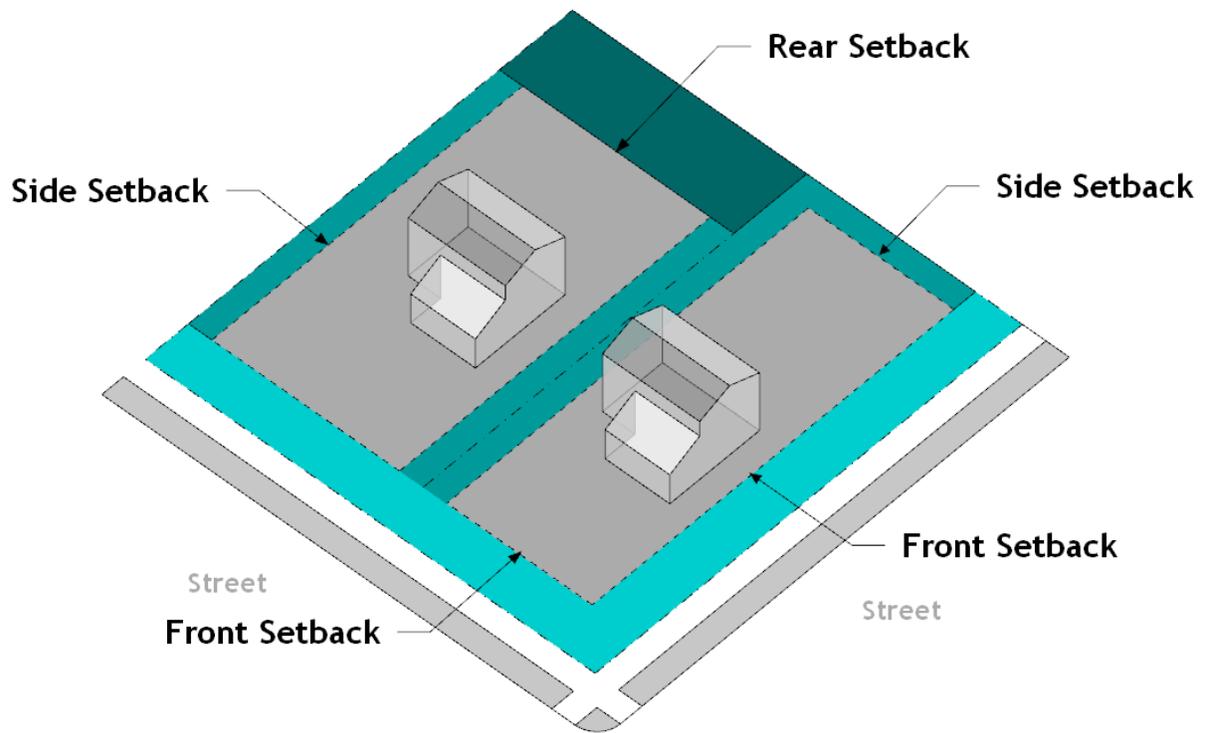
4. Rear Yard and Rear Setback

For an interior lot or parcel, the rear yard and rear setback extend between side lot lines or parcel lines, measured perpendicular to the rear lot line or parcel line.

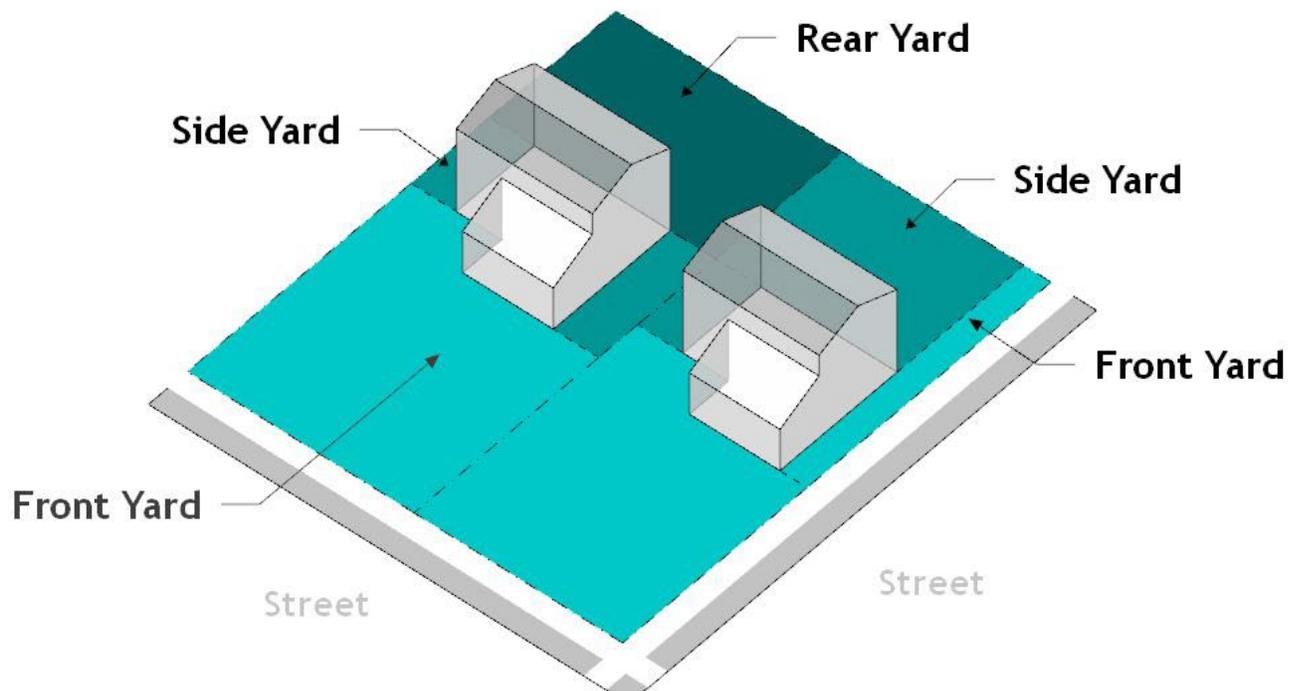
a. Rear Yard: A rear yard is located between a principal building and the rear lot line or parcel line.

b. Rear Setback: A rear setback is the required minimum distance that a principal building shall be located from the rear lot line or parcel line.

SETBACKS (GENERALLY)



YARDS (GENERALLY)

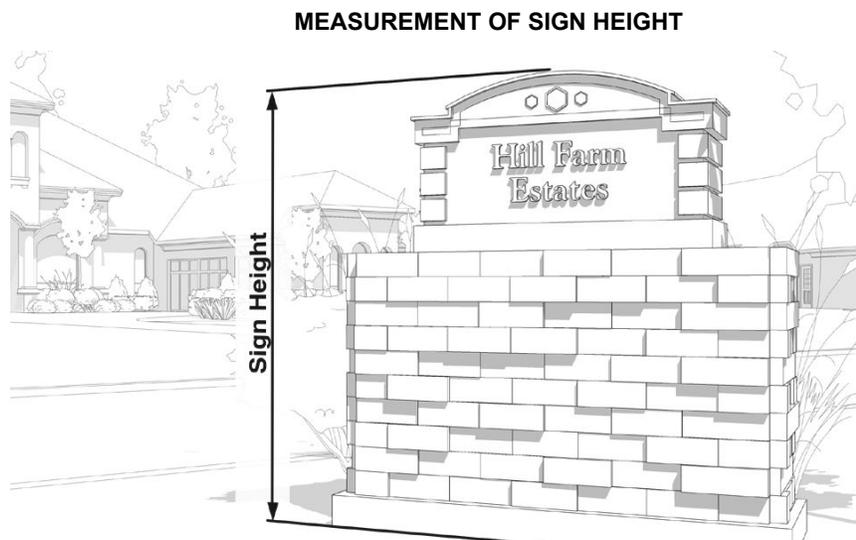


J. Sign Measurements and Calculations

1. Sign Height

The maximum vertical distance of a sign (including the structure containing the sign) as measured from the average elevation of the finished grade at the front of the sign or structure facing the street to the highest point of the sign or structure.

- a. Overall freestanding sign height is measured from the lowest point at the base of the sign or structure along the closest road to the highest point of the sign or structure.
- b. The use of berms, grading or other means in order to achieve a greater sign height is prohibited except where site conditions are such that the proposed sign location is below the grade of the closest adjacent roadway, then the freestanding sign or structure's height is measured from the center line of the pavement of the adjacent road closest to the base of the sign.
- c. For signs along waterways, the sign height is measured from the base of the sign.



2. Sign Area

The entire face of a sign including the advertising surface and any framing, but not including the supporting structure.

- a. The sign area is computed in square feet by means of the smallest square, rectangle, triangle, or circle, or combination thereof that encompasses the extreme limits of the sign message.
- b. In the case of a three-dimensional (3-D) sign, the sign area is calculated by the smallest square, rectangle, or circle that encompasses the profile of the sign message. The profile used must be the largest area of the sign message visible from any one point.
- c. The sign area for a sign with more than one face (multi-faced signs) is computed by adding together the area of all sign faces.
- d. Only one side of a double-sided sign is counted in determining the sign area provided that the two sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart. Where the two sides are not of equal size, the sign area is computed by the measurement of the largest of the sign areas.
- e. All fractions for various shapes are rounded to the closest whole number.

MEASUREMENT OF SIGN AREA

