

ZONING ORDINANCE
TOWN OF RIDGELY, MARYLAND

June 1997

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1.0 TITLE

This ordinance shall be known as the Zoning Ordinance for the Town of Ridgely.

2.0 PURPOSE

The zoning regulations and districts as herein established have been made in accordance with the Comprehensive Plan for the Town of Ridgely as adopted on 6 May 1997 by the Commissioners of Ridgely. That plan was developed to promote the safety, morals, order, convenience, prosperity, and general welfare of the citizens of Ridgely and its environs. It was also developed to provide for the efficient and orderly growth and development of the Town of Ridgely. Principal among the philosophies that were developed and identified during the comprehensive planning process was the concept that the "Village of Ridgely" be protected and that the entire community of Ridgely be developed along the model and the scale of the historic community of Ridgely. Accordingly, those features that have made Ridgely a successful and enjoyable community are to be encouraged. Among those features are the presence of single-family homes, wide streets, rear lot alleyways, an active central business district, park lands, local employment opportunities, and a diversity of building traditions based on historical styles and patterns.

In addition, these zoning regulations, districts, and the ordinance were developed to be in compliance with the Charter of the Town of Ridgely and the various Maryland laws and regulations that govern and guide land-use considerations and opportunities. Also, this ordinance was developed to provide for efficiency and economy in the process of development, for the appropriate and best use of land, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, for good civic design and arrangement, and for adequate public utilities and facilities, by regulation the location and use of buildings, structures, and land for trade, industry, and residence, by regulating and limiting or determining the height and bulk of buildings and structures, the area of yards and other open spaces, and the density of use. They have been made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the incorporated territory of the Town of Ridgely, Maryland.

3.0 DEFINITIONS

The intention of definitions of particular words and phrases is to be as specific as possible and to avoid alternate meanings. Whenever there is a dispute over the exact meaning of a word that might be used in this ordinance, the Planning Commission should be guided by the definition included in this ordinance, by the generally accepted meaning of the word or phrase, and by the goals and philosophies of this ordinance and the Comprehensive Plan.

Throughout the length of this ordinance the following rules shall apply to this document:

1. The words "shall" and "will" are mandatory;
2. Unless the context otherwise specifies, words used in the present tense shall include the future, words used in the singular shall include the plural, and words in the plural number shall include the singular;
3. Words that might be construed to indicate gender and gender neutral and are not intended to refer exclusively to one gender or sex over another;
4. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity;
5. The words "building" or "structure" includes the other and any part thereof;
6. The phrase "use for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either/or," the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions, or events shall apply;
 - b. "Or" indicates that the connected items, conditions, provisions, or events may apply separately or in combination;
 - c. "Either/or" indicates that the connected items, conditions, provisions, or events shall apply separately but not in combination;

8. The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character; and
9. Words and terms not defined herein shall be interpreted in accordance with their normal or most common dictionary meaning.

10.

LIST OF DEFINITIONS

Accessory Apartment:	a separate complete housekeeping unit that is substantially contained within the structure of a single-family unit or a commercial building, but can be isolated from it.
Accessory Building:	an accessory building is a subordinate building or portion of the main building, the use of which is clearly incidental to or customarily found in connection with, and located on the same lot as the main building or principal use of the land.
Accessory Use:	an accessory use is one which is clearly incidental to or customarily found in connection with, and on the same lot as the principal use of the premises. When "accessory" is used in the text, it shall have the same meaning as "accessory use."
Acre:	a commonly referred to measure of area that equals 43,560 square feet.
Alley:	a narrow public thoroughfare which provides only a secondary means of access to abutting properties and is not intended for general traffic circulation.
Apartment	a part of a building containing cooking facilities consisting of a room or group of rooms intended, designed, and used as a residence by an individual or a single family.
Apartment Hotel	a building arranged for or containing apartments and individual guest rooms, with or without housekeeping facilities, and which furnishes services ordinarily provided by hotels, such as maid, bellboy, desk, and laundry service, and may include a dining room with internal entrance

	and primarily for the use of tenants of the building, but shall not include public banquet halls, ballrooms, or meeting rooms.
Apartment House	same as "dwelling, multiple-family."
Area, Gross	all the area within a development plan or plat including area intended for residential use, local access streets or alleys, off-street parking spaces, recreation areas, or flood plains.
Automobile Filling Station	any building, structure, or area of land used for the retail sale of automobile fuels, oils, and accessories and where repair service, if any, is incidental.
Aquaculture	scientifically based method for the rearing of freshwater and marine organisms for commercial harvest generally within an enriched, controlled environment.
Basement	that portion of a building between the floor and ceiling that is wholly or partly below grade and having more than one-half of its height below grade.
Bed and Breakfast	a private owner-occupied home in which bedrooms are rented to tourists or travelers and in which breakfast is provided and included in the room rate.
Board	the Board of Appeals of the Town of Ridgely that is authorized to grant special exceptions and variances, and to hear appeals from administrative decisions as provided in this ordinance.
Boarding House	a building other than a hotel or apartment hotel where, for compensation and by prearrangement for definite periods, meals, or lodging and meals are provided for three or more persons but not exceeding twenty persons.
Breezeway	a structure extensively open except for roof and supporting columns which connect a residence and an accessory building on the same lot.

Buildable Width	the width of that part of a lot not included within the open spaces herein required.
Building	any structure having a roof supported by columns or walls for the housing or enclosure of persons or property of any kind.
Building, Main	any building that is not an accessory building.
Buffer Yard	that space that is located between two properties or buildings and that is not included in the required setback or yard requirements.
Child Care Center	this term shall have the same meaning as defined by the appropriate laws of the State of Maryland
Child Care Home	a home for not more than nine orphaned, abandoned, dependent, abused, or neglected children, together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.
Child Care Institution	an institutional facility housing more than nine orphaned, abandoned, dependent, abuse, or neglected children; along with their adult supervision.
Circulation Area	that portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering area (other than parking aisles) comprise the circulation area.
Clinic	an office building or group of offices for one or more physicians, surgeons, or dentists, engaged in the treatment of the sick or injured but not including rooms for overnight patients.
Club, Private	buildings and facilities owned or operated by a corporation, association, person, or persons, for social, educational or recreational purposes, but not primarily for profit which accrues to any individual and not primarily to render a service that is customarily carried on by a business.

Combination Office	a use consisting of a combination on one lot of two or more principal uses. (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. In addition, when two or more separately owned or separately operated enterprises or individuals occupy the same lot, and all such enterprises or uses fall within the same principal use classification, this shall not constitute a combination use.)
Commission	the Planning Commission of the Town of Ridgely.
Commercial	a type of activity where goods or services are sold or traded with the expectation of profit or gain.
Comprehensive Plan	the Comprehensive Plan of Ridgely Maryland.
Convalescent Home	a building where regular nursing care is provided for more than one (1) person not a member of the family who resides on the premises.
Convenience store	a retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). It is designed to attract and depends upon a large volume of stop-and-go traffic. It may sell prepared foods and sell fuel for automobiles.
Court	an unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.
Coverage	the percentage of the lot covered by buildings, structures, and other impervious surfaces.
Day Care Center, Family	this term shall have the same meaning as defined in the appropriate laws of the State of Maryland.
Density	the number of principal dwelling units allowed per acre of gross area of a development.

Development	any construction, reconstruction, modification, extension or expansion of buildings or structures; placement of fill; dumping; storage of materials; land excavation; land clearing; land improvement; subdivision of land; or any combination thereof. For purposes of this ordinance, development shall include redevelopment and conversion of land or structures.
Dog Kennel, Commercial	any place where more than two (2) adult dogs are kept for a boarding or other fee, where two (2) or more adult dogs are kept for breeding purposes, or where more than five (5) adult dogs are kept for any purpose.
Driveway	that portion of the vehicle accommodation area that consists of a travel land bounded on either side by an area that is not part of the vehicle accommodation area.
Duplex	a two-family residential use in which the dwelling units share a common wall (including without limitation the wall of an attached garage or porch) and in which each dwelling unit has living space on the ground floor and a separate, ground-floor entrance.
Dwelling	any building or portion thereof, designed or used for residential purposes, except trailers or mobile homes.
Dwelling, Single-Family	a building designed for or occupied exclusively by one family.
Dwelling, Two-Family	a building designed for or occupied exclusively by two (2) families living independently of each other.
Dwelling Unit	a room or group of rooms occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household or by a person living alone.
Earth Satellite Antenna	(also called a "satellite dish" or "dish") a parabolic dish antenna or other device or equipment of whatever nature or kind, including its structural supports, the primary use of which is to receive television, radio, microwave, or other electronic signals from space satellites.

Family	one or more persons occupying a single housekeeping unit and using common cooking facilities.
Farmers Market	a retail market selling predominantly locally produced fruits, vegetables, crafts, and meats.
Fence or Wall	a barrier, other than natural vegetation, intended to mark a boundary or to enclose an area to provide screening or privacy.
Flood Plain	any lands that are susceptible to be inundated by water from the base flood. As used in this chapter, the term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development or any similar document prepared by an official agency of the United States Government such as the Soil Conservation Office or the Army Corps of Engineers.
Floodway	the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
Floor Area-Commercial	the sum of the gross horizontal area of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings but not including attic space providing headroom of less than seven feet, uncovered steps or fire escapes, accessory water towers or cooling towers, accessory off-street parking spaces, and accessory off-street loading and unloading areas.
Floor Area-Residential	the sum of the gross horizontal areas of the several floors of a dwelling, exclusive of open porches and basements of less than seven feet, measured for the exterior faces of the exterior walls.

Frontage, Street	all of the property on one side of a street between two intersecting streets (cross or terminating), measured along the line of the street, of if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
Frontage, Lot	the distance for which the front boundary line of the lot and the street line are coincident.
Garage or Yard Sale	a public sale conducted by an individual or his or own premises for the purposes of selling personal property. It shall also include a pubic sale organized by a recognized not-for-profit organization established under the laws of the State of Maryland and the United States Government for the sale of donated personal property from its members. By their nature, garage or yard sales are temporary and occasional activities usually not held more than once per month.
Grade, Single Street	for buildings having a wall or walls adjoining one street only, the elevation of the average level of the finished surface of the ground adjacent to the exterior walls of the building.
Grade, Dual Streets	for buildings having a wall or walls adjoining more than one street, the average elevation of the average level of the finished surface of the ground adjacent to the exterior walls of the building.
Grade, No Streets	for buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.
Grade Considerations	any wall parallel to or within ten degrees of being parallel to, and not more than twenty feet from a street line is to be considered as adjoining the street. Sidewalk grades shall be established by the Town of Ridgely.
Granny Flat	living quarters that are attached to a principal residential dwelling or a separate accessory building on a single property. The primary purpose of a granny flat is to permit the occupants of the residential

Guest House

dwelling to house not more than two members of their family that require substantial care or attention due to age and its general conditions. This shall be considered a temporary use that may not extend beyond the life of the occupants of the granny flat.

living quarters within a detached accessory building located on the same premises with the main building for use by temporary guests of the occupants of the premises, such quarters having no kitchen facilities or separate utility meters, and not rented or otherwise used as a separate dwelling.

Handicapped/Infirm House

a residence within a single dwelling unit for individuals that are physically or mentally handicapped or infirm, together with those that are providing care or assistance to such persons, all living together as a single housekeeping unit. Persons residing in such homes, including the aged and disabled, principally need residential care rather than medical treatment.

Height of Building

the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof, or the mean height level between the eaves and ridge for gable, hip, and gambrel roofs.

Home Occupation

any occupation or activity that is clearly incidental and secondary to the use of the premises for dwelling and which is carried on wholly within a main building by a member of a family residing on the premises in connection with there is no advertising other than an identification sign of not more than that allowed by Town of Ridgely Town Ordinance for such uses and buildings. There shall be no other display or storage of materials or generation of substantial volumes of vehicular or pedestrian traffic or parking demand or other exterior indication of the home occupation or variation from the residential character of the building. In connection with the home occupation, only one person outside the resident family shall be employed and no

equipment used which creates offensive noise, vibration, smoke, dust, odor, heat, or glare. When within the above requirements, a home occupation includes, but is not limited to the following: art studio; dressmaking; professional office of a physician, dentist, lawyer, engineer, architect, accountant, consultant, salesperson, real estate agent, insurance agent, or other similar occupation; teaching, with musical instruction limited to one or two pupils at a time; however, a home occupation shall not be interpreted to include tourist homes, animal hospitals, child care centers, tea rooms, or restaurants.

Hospitals

a building or group of buildings, having room facilities for one or more overnight patients, used for providing services for the impatient medical or surgical care of sick or injured humans, and which may include related facilities such as laboratories, outpatient department, training facilities, central service facilities, and staff offices, providing, however, that such related facility must be incidental and subordinate to the main use and must be an integral part of the hospital operation.

Hostels

a facility that provides overnight accommodation for not more than fifteen people. The hostel shall be staffed at all times and no meals or food may be provided as part of the room rate.

Hotel

a building in which lodging or boarding and lodging are provided for more than twenty (20) persons, primarily transient, and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boardinghouse, a lodging house, or an apartment house which are herein separately defined. A hotel may include restaurants, taverns, club rooms, banquet halls, ballrooms, and meeting rooms.

Illumination	direct artificial lighting or indirect artificial lighting designed to reflect light from light sources erected for the purposes of providing light to the sign or other structure.
Inn	a small facility that is designed to provide overnight accommodation for not more than ten people. The facility is not necessarily owner-occupied. There may be a restaurant or other public facility attached or associated to the inn.
Intermediate Care Home	a facility maintained for the purpose of providing accommodations for not more than seven occupants needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.
Intermediate Care Institution	an institutional facility maintained for the purpose of providing accommodations for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.
Junk Yard	a lot, land, or structure, or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discarded material, equipment, vehicles, and the like or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts thereof.
Loading Space or Berth	a space within the main building or on the same lot, providing for the standing, loading or unloading of trucks, having a minimum dimension of twelve feet by thirty-five feet and a vertical clearance of at least twelve feet.
Lot	a parcel of land which may include one or more platted lots occupied or intended for occupancy by a use permitted in this ordinance

including one main building together with its accessory building; the yard areas and parking spaces required by the ordinance and other regulations and having its principal frontage upon a street or upon an officially approved place. When one or more lots is used for a single purpose with a single owner, no building or accessory structure or building shall occupy more than one platted lot.

Lot, Area

the total horizontal area within the lot lines of the lot.

Lot, Corner

a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

Lot, Depth of

the mean horizontal distance between the front and rear lot lines.

Lot, interior

a lot other than a corner lot or a lot that has no access to a platted street.

Lot, Reversed Frontage

a lot in which the frontage is at right angles to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot.

Lot, Through

an interior lot having frontage on two streets.

Lot Width

the distance between the side lot lines measure at the required front yard line.

Mobile Home or Trailer

a vehicle used, or so constructed as to permit being used, as conveyance upon the public streets and highways and constructed in such a manner as will permit occupancy thereof for human habitation, dwelling, or sleeping places for one or more persons, or for the conduct of a business or profession, trade, or occupation or for selling or advertising purposes; excluding, however, vehicles used only for the transportation of materials, products or animals, and provided further that this definition shall refer to and include all portable

contrivances used or intended to be used generally for living and sleeping quarters, each of which is capable of being moved by its own power, towed and transported by another vehicle. A trailer shall be deemed and regarded as such even though its mobility may have been eliminated by removal of its wheels and the substitution of rigid supports or other stable foundation. A trailer shall not be deemed to be an accessory building.

Mobile Home Park

a lot, parcel, or tract of land which is being used, designed, or held out to accommodate parking for one or more mobile homes for continuing occupancy, including all accessory buildings, vehicles, and appurtenances used or intended as equipment for such mobile home park. A mobile home park does not include an automobile or sales lot on which unoccupied mobile homes may be parked for inspection and sale.

Motor Vehicle Dealer

a building, structure, or area of land used for the storage or display for sale of motor vehicles but not used for the storage of dismantled or wrecked motor vehicles.

Nonconforming Lot

a lot existing at the effective date of this chapter (and not created for the purposes of evading the restrictions of this chapter) that does not meet the minimum area requirement of the district in which the lot is located.

Nonconforming Project

any structure, development, or undertaking that is incomplete at the effective date of this ordinance and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

Nonprofit Organization

any organization engaging primarily in civic or community services including Lions, Kiwanis, Rotary, Optimists, and organizations of a similar nature which are not operated for profit.

Nursing Homes	a place devoted primarily to the maintenance and operation of facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities, or injuries who do not require extensive or intensive care such as is normally provided in a general or other specialized hospital; includes rest homes, convalescent homes, and homes for the aged. A nursing home does provide medical, nursing, convalescent, or chronic care in addition to room and board.
Owner	the person, partnership, corporation, company, or other legal entity holding current legal title to a lot, tract, or parcel of land.
Parking Space, Off-Street	an all-weather surface area not in a street or alley and having an area of not less than 180 square feet, exclusive of driveways, permanently reserved for temporary storage of one automobile and connected with a street or alley by an all-weather surfaced driveway that affords satisfactory ingress and egress for automobiles.
Parking Area Aisles	a portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.
Place of Worship	a building or premises where persons regularly assemble for religious worship, and those accessory activities customarily associated therewith; and where the buildings and premises are maintained and controlled by a religious body organized to sustain public worship.
Planning District	these districts have been established by the Comprehensive Plan for the Town of Ridgely. They identify individual areas that possess common design and development patterns. They are not zoning districts but they do govern the pattern of future development within each district.
Premises	a lot, together with all buildings and structures thereon.
Public Utilities	Uses or structures for the public purpose of power transmission and distribution (but not power generation);

natural gas transmission and distribution (but not manufacture or storage); water treatment and distribution; sewage collection and treatment; telephone service facilities; radio and television facilities (not including broadcasting studios); and rail or road rights-of-way (not including stations or terminals).

Residence, Multi-Family a residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch) (e.g., townhouses and apartments).

Residence, Multi-Family Conversion a multi-family residence containing not more than four dwelling units and results from the conversion of a single building that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.

Residence, Two-Family Conversion a two-family residence resulting from the conversion of a single building that was in existence on the effective date of this provision and that was originally designed, constructed and occupied as a single-family residence.

Restaurant an establishment where food or drink are prepared, served, and consumed primarily within the principal building. When food or drink are prepared for delivery or for off-premise consumption, that food or drink shall be prepared and provided within the principal building.

Right-of-Way a strip of land designated for the use of a road, highway, driveway, alley or walkway, or for any drainage or public utility purpose or other similar uses.

Rooming House same as a boarding house.

Setback

the minimum required distance between the point where any structure or use on a lot meets the ground surface and any lot line or boundary of a town, county, or state right-of-way.

Sign

a sign is any structure or part thereof, or any device attached to, painted on, or represented on a building, fence, or other structure, upon which is displayed or included any letter, work, model, banner, flag, pennant, insignia, decoration, device, or representation used as, or which is in the nature of, an announcement, direction, advertisement, or other attention-directing device. A sign shall not include a similar structure or device located within a building except illuminated boards, but does not include the flag, pennant, or insignia of any nation or association of nations, or of any state, city, or other political unit, of any political, charitable, educational, philanthropic, civic, or like campaign, drive, movement, or event.

Sign Area

that area enclosed by the periphery connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure, but all other ornamental attachments; inner connecting lines, etc. which are not part of the main supports of the sign are to be included in determining sign area. On a two-sided sign, only one face is counted in computing the sign's area provided the faces are located not more than one foot from each other.

Sign Arch

that arch within a line including the outer extremities of all letters, figures, characters, and delineations or within a line including the outer extremities of all letters, figures, characters and whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area.

Sign, Flashing	any illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any revolving illuminated sign shall be considered a flashing sign.
Site Plan	a drawing or plat that describes and locates improvements and features of a development tract or any plot of land.
Special Events	circuses, fairs, carnivals, festivals, or other types of special events that run for longer than one day but not longer than two weeks, are intended to or likely to attract substantial crowds, and are unlike the customary or usual activities generally associated with the property where the special event is to be located.
Special Exception	permission by the Board of Appeals to establish a specific use that would not be appropriate generally or without restriction throughout a zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would comply with the purpose and intent of this ordinance. Such uses may be approved within a zoning district if specific provision for such a special exception is made in this ordinance.
Story	that portion of a building other than a basement, included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between such floor and the ceiling next above it.
Story, Half	a space under a sloping roof at the top of the building, the floor of which is not more than two feet below the plate, shall be counted as a half-story when not more than sixty-percent of said floor area is used for rooms, baths, or toilets. A half-story containing an independent apartment or living quarters shall be counted as a full story.

Street	a public thoroughfare which affords the principal means of access to property abutting thereon.
Street, Arterial	a major street in the town's street system that serves as an avenue for the circulation of traffic onto, out, or around the town and that carries high volumes of traffic.
Street, Collector	a street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than 100 dwelling units and is designed to be used or is used to carry more than 800 trips per day.
Street, Cul-de-Sac	a street that terminates in a vehicular turnaround.
Street, Local	a street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least 10 but not more than 25 dwelling units and is expected to or does handle between 75 and 200 trips per day.
Street, Line	a dividing line between a lot, trace, or parcel of land and a contiguous street.
Street, Marginal Access	a street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.
Street, Minor	a street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than nine dwelling units and is expected to or does handle up to 75 trips per day.

Street, Subcollector	a street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least 26 but not more than 100 dwelling units and is expected to or does handle between 200 and 800 trips per day.
Structure	anything, including fences or retaining walls, constructed or erected which requires location on the ground or attached to something having a location on the ground, including but not limited to advertising signs, billboards, mobile homes, and prefabricated homes. Prefabricated homes include factory pre assembly of standardized building parts, or the shipment of component building sections for permanent installation on a Site. Prefabricated homes do not include mobile homes in which mobility, or the ready means of reactivating mobility, remains an integral feature of the trailer.
Structural Alteration	any change in the supporting members of a building, including but not limited to bearing walls or partitions, columns, beams, girders, or any substantial change in the roof or in the exterior walls.
Subdivision, Major	any division of an existing parcel or lot of land that results in the creation of four or more lots or parcels of land. The original parcel shall be considered as one of the lots created by the subdivision process.
Subdivision, Minor	any division of an existing parcel or lot of land that results in the creation of three or less lots or parcels of land. The original parcel shall be considered as one of the lots created by the subdivision process.
Tavern	an establishment used primarily for the serving of liquor by the drink to the general public, and where food or packaged liquors may be

served or sold only as an accessory to the primary use. Also called a bar or lounge.

Temporary Emergency ; Construction or Repair Residence a residence (which may be a mobile home) that is located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster. These residences shall be removed from the Site within one month of resolution of the situation which prompted their need.

Tourist Court, Auto Court same as "motel."

Tourist Home a private, owner-occupied home in which bedrooms are rented to tourists or travelers for short-term stays.

Town House a single-family dwelling forming one of a series of three or more attached single-family dwellings separated from one another by party walls without doors, windows, or other provisions for human passage or visibility through such walls from basement to roof, and having roofs which may extend from one such dwelling unit to another. Town houses have front and rear yards.

Use the purpose or activity for which land r any building thereon is designed, arranged or intended, of for which it is occupied or maintained.

Utility Facilities, Community or Regional all utility facilities other than neighborhood facilities.

Utility Facilities, Neighborhood utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.

Variance a modification only of density, bulk, or area requirements in the Ridgely Zoning Ordinance where such modifications will not be contrary to the public interest and where owing to conditions peculiar to the property, and not the results of any action taken by the

	applicant, a literal enforcement of the ordinance would result in unnecessary hardship.
Warehouse	a structure used for the storage and/or the sale of products at wholesale, and where the sale of a product at retail is incidental.
Wholesaling	the selling of goods in relatively large quantities and usually at lower prices than at retail, especially such selling to retailers for resale to consumers.
Yard	an open space other than a court, on a lot unoccupied and unobstructed from the ground upward except as otherwise provided for in this Ordinance.
Yard, Front	a yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than the terraces, or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
Yard, Rear	a yard extending across the rear of the lot between the side lot lines and measured between the rear lot line and the rear of the main building or any projection other than steps, unenclosed porches or entrance-ways.
Yard, Side	a yard between the main building and the side line of the lot and extending from the front yard to the rear yard and being the minimum horizontal distance between the side lot line and the side of the main buildings or any projection thereof.
Zoning Administrator	the zoning administrative officer or an authorized representative designated by the Town Commissioners to carry out duties as specified in this ordinance.
Zoning Permit	a written statement issued by the Zoning Administrator authoring buildings, structures, or uses consistent with the terms of this

ordinance, and for the purpose of carrying out and enforcing its provisions.

Zoning District

an area within which certain uses of land and structures are permitted and certain others are permitted; yards and other open spaces are required; minimum lot lines and dimensions and other requirements are established.

4.0 GENERAL PROVISIONS

The Town of Ridgely is divided into two types of districts; Planning Districts and Zoning Districts. These have some overlapping functions but the Planning Districts are meant to provide an overall vision for development and growth within the area. The Zoning Districts implement the visions of the Planning Districts as described in the Comprehensive Plan.

The permitted used for each zoning district are developed and listed in separate sections assigned to each zoning district. The basic height, area, and bulk regulations, parking, loading, and unloading area regulations that apply to each zoning district are contained in this document under:

- 15.0 Supplemental Use Regulations;
- 16.0 Height, Area, and Bulk Regulations; and
- 17.0 Parking, Loading, and Unloading Regulations.

Additional regulations that might pertain to development and land-use may be found in sections that pertain to other regulations. These might include:

- 14.0 Floating and Overlay Districts;
- 18.0 Signs; and
- 19.0 Nonconforming Uses.

Within each of the above sections, there are charts, tables, or narrative descriptions that will govern development in each of the districts in a uniform manner. These regulations, where found in this document, are to be considered as part of the zoning and planning district regulations of this ordinance. All decisions on the issuance of building permits, certificates of occupancy, subdivision requests, and other land-use and building activities are to be made on the basis of the complete document and other regulations and ordinances in the Town of Ridgely and not on the basis of a reading on only one section or part of a section in this document.

4.1 Planning Districts Established

For planning purposes, the Town of Ridgely has been divided into nine planning districts. These are administrative areas that will enable the Planning Commission and the Town Commission to develop zoning ordinances and other building regulations and encouragements to properly manage growth within each area. It is expected that each planning district will contain similar building types and functions. However, there will be some variation in uses within each planning district. Also, the zoning classifications for each planning district might be similar but the management of the planning districts will be consistent to each.

The planning districts are:

1. Village Planning District;
2. Central Business Planning District;
3. Northeast Planning District;
4. North Planning District;
5. Sunrise Avenue Planning District;
6. Cow Barn Road Planning District;
7. South Planning District;
8. Sunset Boulevard Industrial Planning District; and
9. Sunset Boulevard Residential Planning District.

4.2 Zoning Districts Established

To regulate and restrict the location of trades, industries, and the location of buildings erected or altered for specific uses, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, to regulate and limit population density and the intensity of the use of lot areas and to regulate and determine the areas of yards, courts, and other open spaces within and surrounding such buildings, the Town of Ridgely is hereby divided into the following zoning districts:

- R-1 Single-Family Residential District;
- R-2 Mixed Residential District;
- R-3 Single-Family Residential/Agricultural District;

- C-1 General Commercial District;
- C-2 Central Business District;
- C-3 Highway Commercial District;
- I-1 Light Industrial District; and
- I-2 General Industrial District.

Additionally, there shall be the following floating districts that may be established by the Planning Commission, with the approval of the Town Commission:

- Revitalization District; and
- Historic District.

In addition, the Planning Commission, with the approval of the Town Commission may establish additional floating zones as may be required to provide for uses that may arise in the future. As part of the creation of those additional floating zones, the Planning Commission shall create regulations that will govern the use and function of buildings and property and land within those floating districts that are compatible with the visions and direction of the Comprehensive Plan and that are consistent with the existing uses and functions of building and property and land in the newly created floating zones. All those regulations and conditions established for newly created floating zones shall be approved by the Town Commission.

4.3 Planning District and Zoning District Map Established

The above listed planning districts and zoning districts shall be shown on maps designated as the "Planning District Map of the Town of Ridgely, Maryland" and as the "Zoning District Map of the Town of Ridgely, Maryland." These maps shall be dated and signed by the Town Commissioners and attested by the Town Clerk upon adoption of those maps and this document. These maps, and all notations, dimensions, reference, and symbols shown thereon, pertaining to all districts shall be as much of this ordinance and document as if fully described herein and shall be filed as part of this ordinance and document in the office of the Town Clerk, and any later alterations of

these maps adopted by amendment as provide in this ordinance shall be similarly dated, filed, promptly noted on the maps, and made available for public reference.

4.4 Interpretation of Planning and Zoning District Boundaries

A district name or letter or letter-numbered combination shown on either the Planning District or Zoning District map indicates that the regulations pertaining to the district designated by that name or letter, or letter-number combination extend throughout the whole area in the municipality and environs bounded by the district boundary lines within which such name, letter, or letter-number combination is shown or indicated, either within the bounds or as part of the legend of the respective map, except as otherwise provided by this section.

Where uncertainty exists with respect to the boundaries of the various districts as shown the various maps accompanying and made a part of the ordinance, the following rules shall apply:

1. In cases where a boundary line is given a position within a street or alley, navigable or non-navigable stream, it shall be deemed to be in the center of the street, alley, or stream, and if the actual location of such street, alley, or stream varies slightly from the location as shown on the Planning District or Zoning District maps, then the actual location shall control;
2. In cases where a boundary line is shown as being located a specific distance from a street line or other physical feature, this distance shall control;
3. In cases where a boundary line is shown adjoining or coincident with a railroad, it shall be deemed to be in the center of the railroad right-of-way. Distances shown are as measured from the center of the designated track.
4. Where the district boundaries are not otherwise indicated and where the property has been, or may hereafter be, divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the maps accompanying and made a part of this ordinance are bounded approximately by lot lines, said lot lines shall be construed to be the boundary of such districts unless said ordinances are otherwise indicated on the map or by ordinance; and

5. In unsubdivided property, unless otherwise indicated, the district boundary line on the maps accompanying and made a part of this ordinance shall be determined by the use of the scale contained on the map or by reference to natural features such as streets or streams or by extensions of known lot lines and property boundaries.

4.5 Except as Hereinafter Provided

The following rules and guidance shall apply:

1. No land may be used except for a purpose permitted in the district in which it is located;
2. No building or structure shall be erected, converted, enlarged, reconstructed, moved, or structurally altered, nor shall any building or structure or part thereof be used, except for a use permitted in the district in which the building is located;
3. No building or structure or sign shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit herein established for the district in which the building or structure or sign is located;
4. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered except in conformity with the regulations of the district in which the building is located;
5. No building or structure shall be erected, enlarged, or structurally altered except in conformity with the parking and loading regulations of the district in which the building or structure is located;
6. The minimum yards, parking space, open space, including lot area per family, required by this ordinance for each and every building or structure existing at the time of the passage of this ordinance, for any building or structure hereafter erected, shall not be encroached upon or considered as required yard of open space for any other building or structure, nor shall any lot area be reduced below the requirements of this ordinance;
7. Every building or structure hereafter erected or structurally altered shall be located on a lot as herein defined and, except as hereinafter provided, in no case shall there be more than one main building or structure on one lot; and

8. No accessory building or structure shall be constructed upon a lot until the construction of the main building has been actually commenced. No accessory building or structure shall be used unless the main building or structure on the lot is also being used. No cellar or basement shall be used as a dwelling area prior to the issuance of an occupancy permit for the entire building or structure.

5.0 PLANNING DISTRICTS

The Planning Districts are laid over the zoning districts and are intended to help guide development with each of the zoning districts that fall in the planning districts. They are also intended and designed to guide development within the Town of Ridgely to ensure orderly growth and development that are consistent with the visions of the Comprehensive Plan.

5.1 Village Planning District

The Village Planning District comprises the majority of the developed area of Ridgely. This district also includes within it the Central Business District Planning District and Zoning District; but it is primarily a residential area. The Village Planning District extends from Route 480 north to Liberty Street and from Sunset Boulevard to Sunrise Avenue. The entire central business district is included in the Village Planning District. The residential buildings are mostly older, frame buildings that predate 1940. Originally constructed as single-family homes, a significant number have been converted to multi-family housing. The larger homes along Central Avenue were among the first divided into apartments but multi-family dwellings can be found throughout the planning district. There is very little open space within this planning district. There are, however, a number of small empty lots that could be used for new construction although most are the original fifty-foot wide lots that were used when Ridgely was first laid out in the nineteenth century. For the most part, those older lots are not attractive building lots for houses in the modern traditions of wide and shallow single-family homes. The lots were laid out with the intent of having narrow and deep homes constructed on them. Of necessity, then, new construction within this planning district will be similar to the older architecture of the homes already in place.

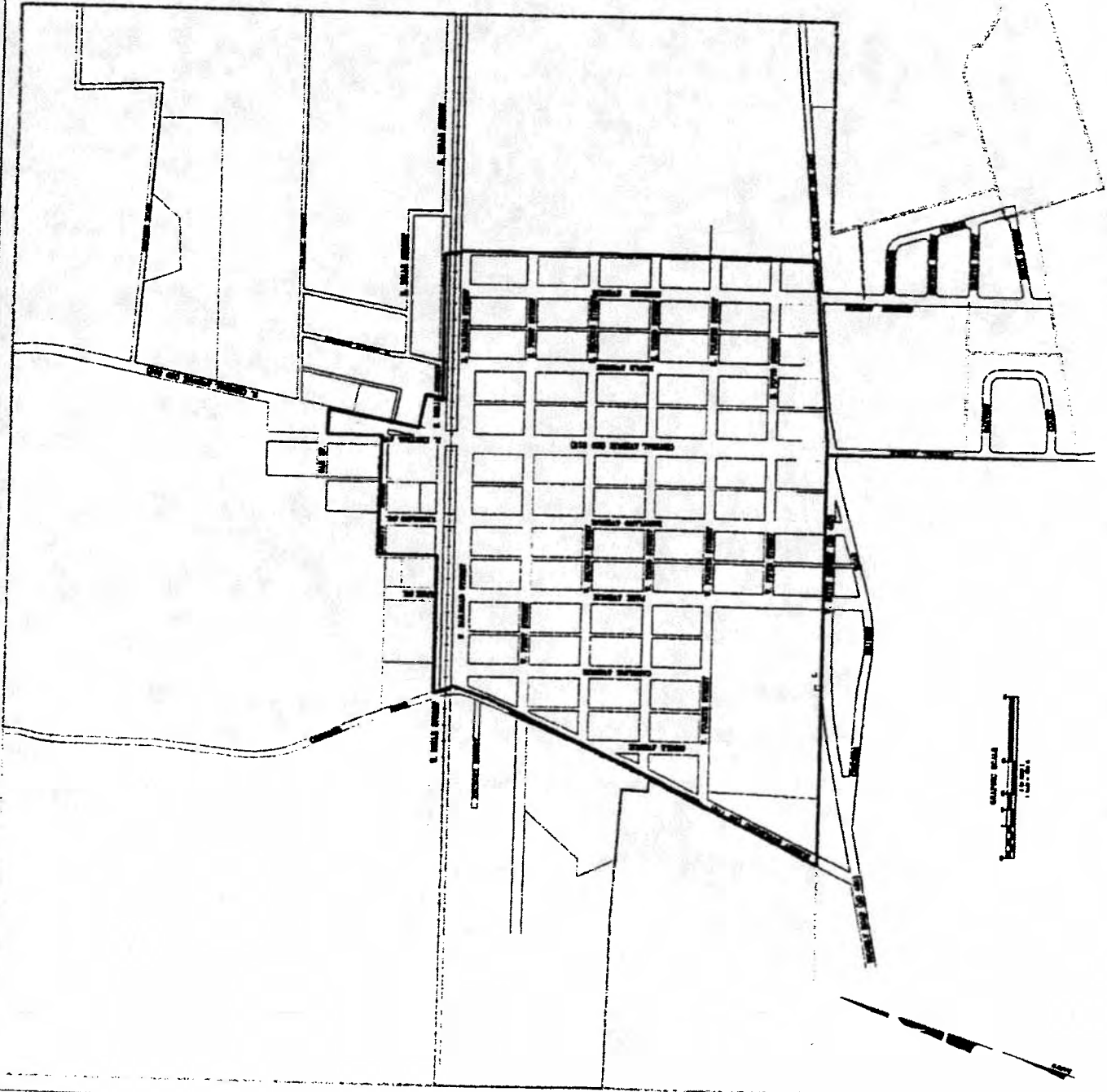
Because of the design restrictions necessitated by the narrow lots, zoning regulations within this planning district will encourage the continuance of the existing building patterns for two reasons. The first is that new construction shall match the scale, massing, and street rhythm of the existing architecture. The second is that the enforcement of modern setbacks and yard requirements

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RIDGELY VILLAGE PLANNING DISTRICT

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can often make it difficult, if not impossible, for buildings to be replaced after a major loss such as fire or storm damage.

An additional consideration within this planning district is the preservation and retention of the existing single-family homes and those that have been converted into multi-family dwellings. As much as possible, the Town of Ridgely shall discourage additional single-family home conversions and shall encourage the conversion of the existing apartment units back to single-family use. This is designed, however, to encourage single-family occupancy and not to discourage their use as single-family rental units. The community recognizes that a well-maintained and adequate supply of rental housing is an important asset that allows a diverse population to live within Ridgely.

The Town of Ridgely shall also make it easier to convert existing single-family homes, and multi-family housing, to home-office use and to make it easier for property owners to adapt their homes for use by related members of their family that require care. By the same token, provisions shall be made for accessory apartments or "granny flats" for use by family members. However, such accessory uses shall have a limited life and not be used as a means of increasing the population density within this area by using former "granny flats" for rental housing for non family members. At the same time, Ridgely shall make the conversion of single-family homes into owner-occupied "bed and breakfast" accommodations easier and economically viable. At the present time there are no overnight hotel/motel beds available in Caroline County; and very few "bed and breakfast" inns. Given that there might be some demand for such uses, Ridgely shall develop regulations that direct the development of "bed and breakfast" accommodations to the Village Planning District or to the Central Business Planning District.

5.2 Central Business Planning District

The Central Business Planning District is that part of Ridgely along Central Avenue from near Second Street northward to Oak Street. It also extends along Railroad Avenue and Bell Street to Maryland Avenue. The district also includes the first block of south Maryland Avenue. Located within the Village Planning District, it is a separate planning area designed to encourage commercial,

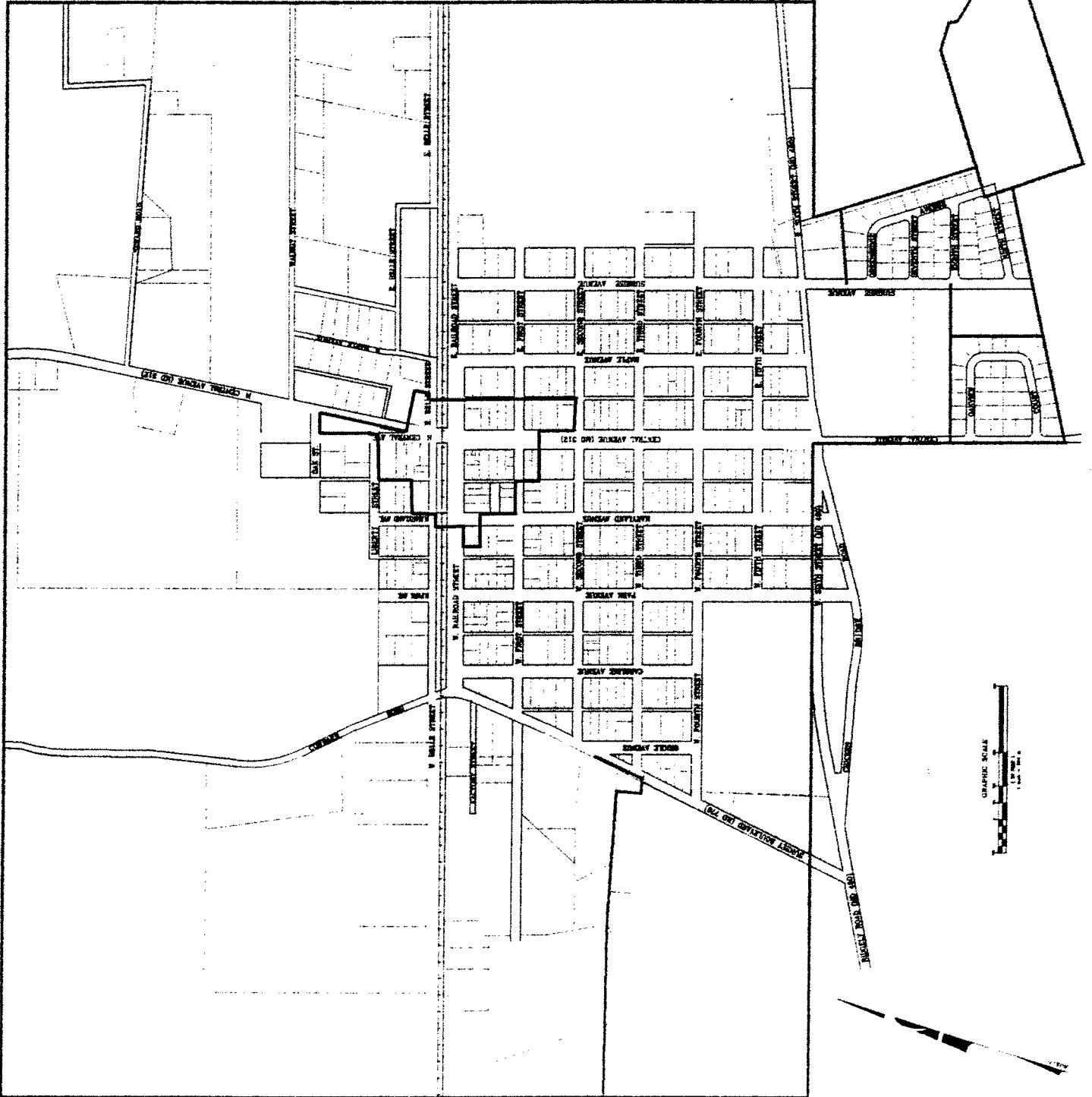
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CENTRAL BUSINESS DISTRICT PLANNING DISTRICT

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service, and professional use for the benefit of Ridgely residents and those who live outside the town limits but that might want to use the stores and services found there.

Parking is always a prime consideration within commercial areas. Currently, on-street parking is the primary method used within the Ridgely commercial area. When the existing commercial properties were constructed, off-street parking was not a requirement or a necessity because of the smaller number of automobiles in private hands. However, it is a pressing concern in most communities and it will be in Ridgely in years to come. Currently only a few businesses have the room to provide off-street parking. As commercial development continues within this planning district, every effort shall be made to provide for a mix of on-street and off-street parking. However, the Town of Ridgely shall not encourage the removal of buildings for the creation of off-street parking. Rather, creative solutions shall be sought through the use of flexible zoning regulations that encourage the use of on-street parking for customers and rear lot, off-street parking for owners and employees. Because many of the existing lots within this planning district are very deep and the buildings tend to be closer to the street, there is usually ample room for off-street parking at the rear of the lots that are accessible through the well-developed alley system that exists in Ridgely.

5.3 Northeast Planning District

The Northeast Planning District is located east of North Central Avenue and north of the Railroad line. Primarily a mixture of agricultural space, residential space, and government services. The government service function is that land used by the Ridgely Elementary School operated by Caroline County.

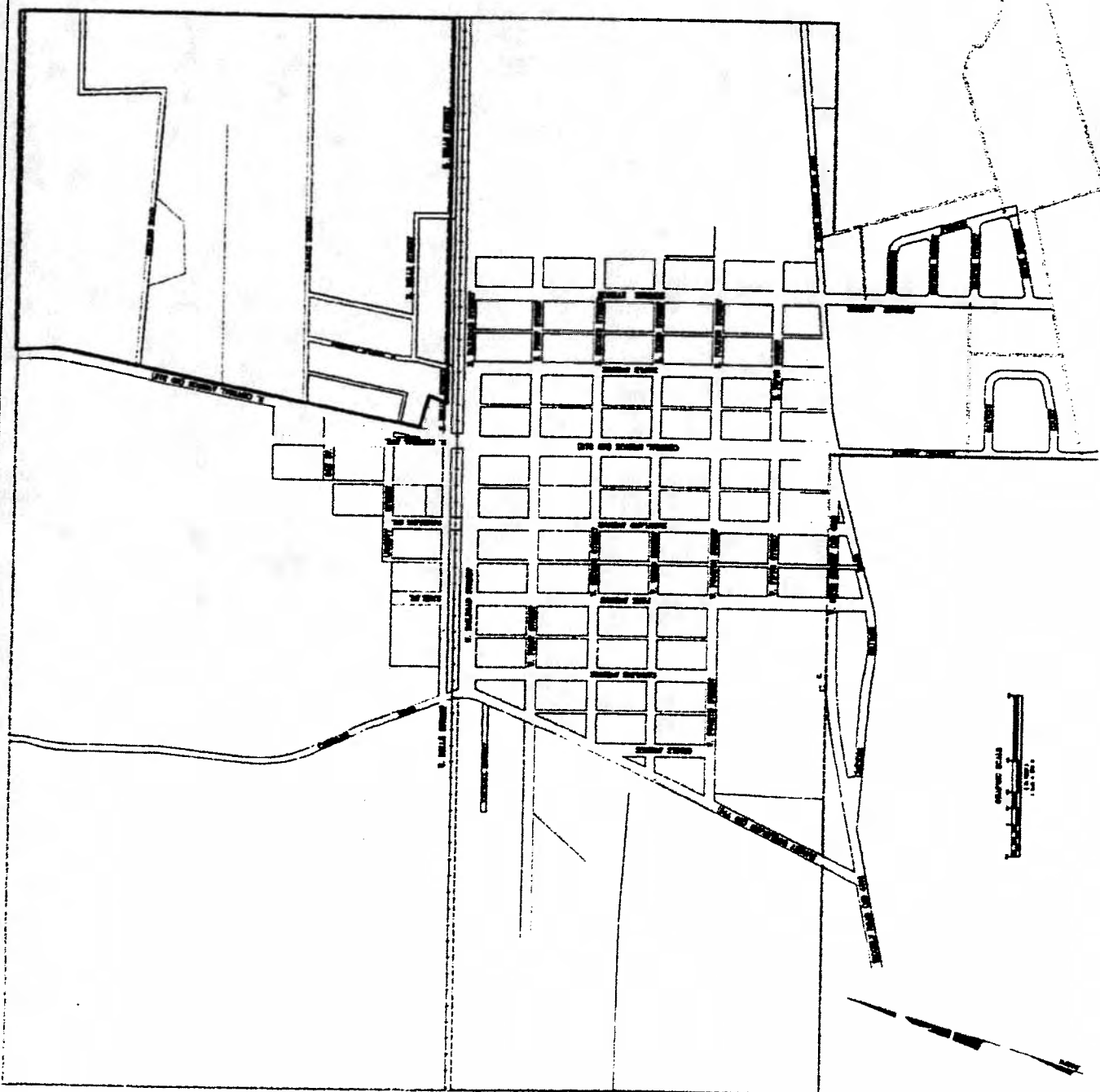
Commercial use shall be discouraged within this planning district. Instead, this area shall be allowed to continue in its present mixed use of agricultural and residential activities and for the expansion of the Ridgely Elementary School and its outdoor and associated activities. The open land that is located in this planning district is primarily and currently used for crop production. If this

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particular use shall ever change and the land is placed into housing units, great care shall be exercised in that conversion. In particular, existing older buildings shall be retained during the subdivision process and provided with sufficient acreage as a housing lot that there will be a sufficient buffer between the existing housing and new construction.

Because of existing development patterns, it will most likely be difficult for cluster-type development to occur in this planning district. Accordingly, it is recommended that this area be used for single-family housing and that a minimum of 10,000 square feet be required for each lot created from larger existing parcels. Furthermore, because this planning district is not immediately adjacent to the Village of Ridgely and the historic core of the community, there shall not be a requirement that the alley system be continued into this planning district. However, great care shall be exercised in the design of road systems and in plantings to ensure that there is a compatible design philosophy used in the creation of new housing in this area.

5.4 North Planning District

The North Planning District is mostly open agricultural space. The district is located between Cow Barn Road and Route 312 (North Central Avenue) and between the northern bounds of Ridgely and Liberty Street. At the present time, there is a small development in the southeast corner. Known locally as Foster's Homes, the streets there do flow from those located in the Village Core of Ridgely. This area shall be encouraged to remain in agricultural use. However, if the property owners wish to develop the land, the next best use for this area is for single-family residential buildings. Because the planning district is located next to the Village Planning District and because the original street pattern is being extended into this area, the basic Ridgely street grid pattern and its alley system shall be extended into this area as development occurs. Strip development along either Cow Barn Road or North Central Avenue is not encouraged.

Lot size is a significant determinant of the type of residential development that will occur in any given area. In the older sections of Ridgely, most lots are fifty-feet wide and one hundred and

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eighty-feet deep. This produced homes that tended to be narrow and very long to the rear. Modern residential buildings tend to be designed to be wide and shallow. Accordingly, in this planning district, a more appropriate lot size is one that tends to produce lots that will accommodate wider homes and allow for reasonable front and rear yards. Therefore, the minimum residential lot size in this planning district will be 15,000 square feet of space. Furthermore, individual lots shall be at least one hundred-feet wide.

5.5 Sunrise Avenue Planning District

The Sunrise Avenue Planning District is that area east of Sunrise Avenue. It extends to the railroad line on the north and to Route 480 on the south side of the district. This area is intended to be a direct extension of the Village Planning District and a residential area that has the same pattern of streets and alleys as does the Village Planning District. Commercial development can be permitted in the portion of this planning district that is located along Route 480 (East Sixth Street). However, that commercial development shall not be out of scale with the requirements of the residents of Ridgely and this area of northern Caroline County.

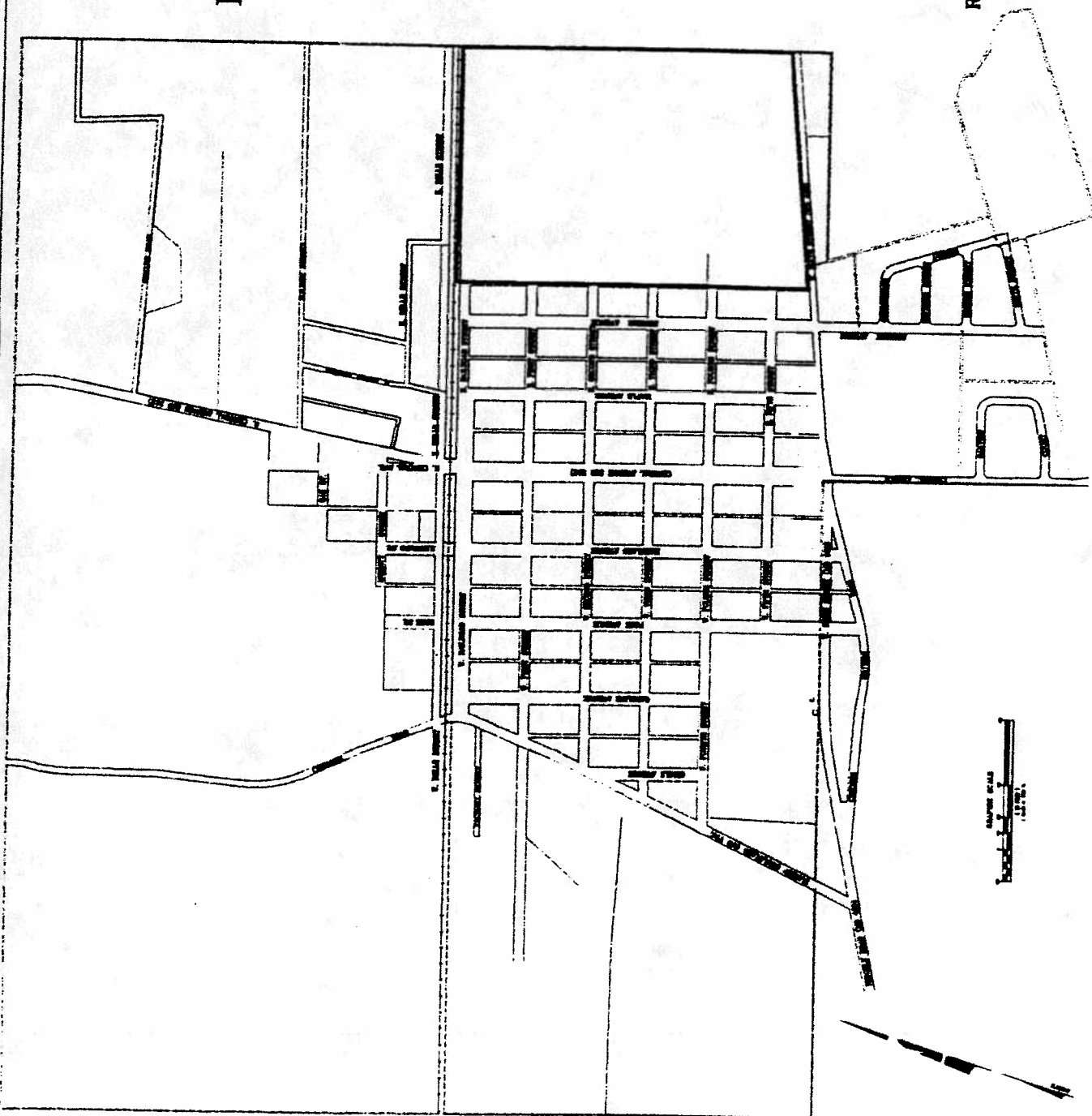
Residential development in this section of Ridgely shall be encouraged for single-family housing. That development might be for either freestanding homes or for one of a variety of cluster, single-family developments. As a guide for development, the minimum lot size in this area of Ridgely shall be at least 7,500 square feet and each lot shall be at least seventy-feet wide. If cluster forms of development are used, the total development shall equal the minimum lot size of 7,500 square feet multiplied by the number of dwelling units proposed for the development. The open space that is created by the use of cluster development shall be used for open space and for passive recreational uses. A small portion of the open space could be devoted to developed recreational uses that do not require anything more elaborate than accessory storage buildings and operational buildings. Cluster development shall not occupy more than 30% of the currently available land in this planning district.

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SUNRISE AVENUE PLANNING DISTRICT

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5.6 Cow Barn Road Planning District

The Cow Barn Road Planning District is in the north west corner of Ridgely and west of Cow Barn Road. Its southern boundary is the industrial area along Bell Road. Much of this land is owned by the Town of Ridgely and used as part of the spray fields for its sewage treatment system. Because this area is not directly tied to the core Ridgely Village, this land can be used for a variety of agricultural, residential, and recreational uses. There is no direct encouragement to convert this agricultural land into residential uses. If residential development does occur, both cluster and traditional single-family housing are appropriate uses. In addition, because this area is not directly tied into the existing street pattern, there is no requirement to develop a grid system or an alley system as part of residential development in this area. However, strip development along Cow Barn Road is not encouraged.

This section can support other uses in addition to residential except that those uses will not have a principally commercial or industrial use. For example, the extensive acreage of this section could support some form of recreational use tied to a commercial venture such as a golf course or resort development. It could also be used by the Town of Ridgely, Caroline County, or some other type of public organization for recreational or cultural activities that would benefit the community.

Residential development that does occur in this planning district shall be required to a high standard of design; both architecturally and in development design. An appropriate minimum lot size for this area shall be 20,000 square feet of space. If a cluster development is proposed for some or all of the land in this section of Ridgely, the minimum required for that development will be 20,000 square feet of space multiplied by the number of dwelling units proposed for the development. If a mix of residential and commercial use is proposed, such as a golf-course and residential community, the open space requirement may be adjusted to accommodate such a use if the Planning Commission and the Town Commissioners agree that the proposed use is valid and appropriate for Ridgely.

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5.7 South Planning District

The South Planning District is the area south of Route 480. Currently, this area includes a mix of residential dwellings located in commercial and industrially-zoned areas, some light industrial buildings, and a few commercial operations. There is little buildable space left in this district. The mistake in the zoning of the residential communities within the industrial and commercial zone shall be corrected. Additional development in this section shall be consistent with existing uses and design characteristics. Residential buildings that are erected on newly-platted lots shall contain at least 7,500 square feet of land. Any new development of residential buildings shall be done as single-family homes, town homes, multifamily dwellings, or as cluster development. Whenever cluster development is proposed in this planning district, the minimum required for development shall be 7,5000 square feet multiplied by the number of dwelling units proposed for the land. Cluster development shall be for single-family housing and it shall occupy no more than 30% of the currently available land in this planning district.

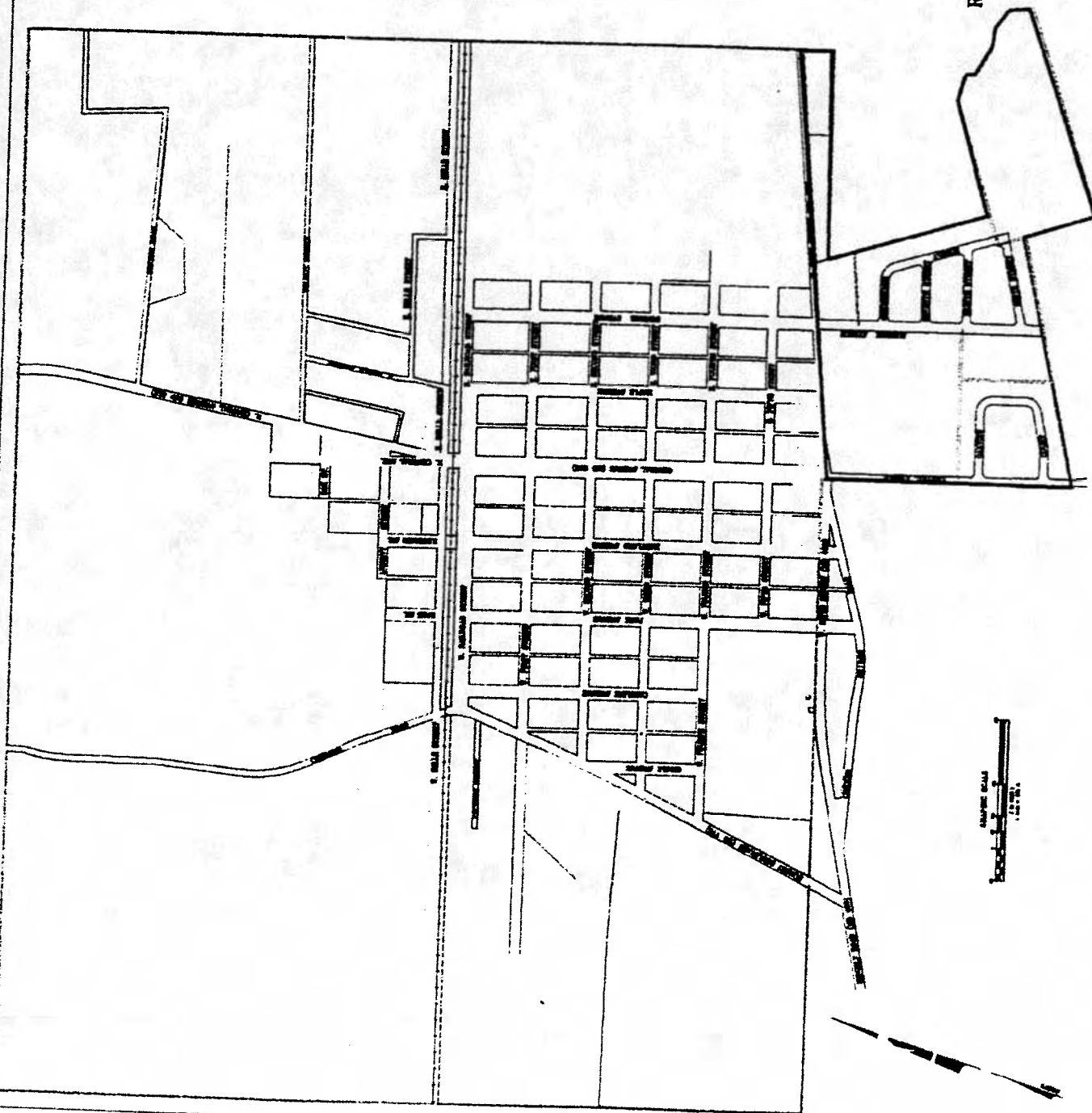
Any new commercial or industrial activity proposed and allowed within this planning district shall be consistent in use and scale with the existing development and appropriate for the people of Ridgely and others who live in northern Caroline County.

RIDGELY MARYLAND

SOUTH PLANNING DISTRICT

MARCH 1997
Commissioners of Ridgely
Ridgely Planning Commission

Del Sordo 1997



5.8 Sunset Boulevard Industrial Planning District

The Sunset Boulevard Industrial Planning District is that area located west of Sunset Boulevard and extending to and including Bell Street. It includes the industrial area along Bell Street and along Sunset Boulevard and extends to the town boundaries on the west and south. This mixed use area can be developed for a number of purposes. Principally suited for either industrial or intensive commercial activity, this area is an important growth area for Ridgely. The existing industrial operations provide needed employment for Ridgely residents and revenue for the Town. This area also has the potential to provide some services to the community. One of those services is a proposed fire station and community facility. Both of those uses shall be encouraged. However, the Town shall have sufficient flexibility to accommodate intensive commercial or industrial uses within this planning district. If a mixed use shall continue in this area, adequate buffer areas must be created to separate each use and to ensure that one use does not hamper the development of other uses and activities.

If commercial or industrial uses are proposed for the vacant land in this area, a careful analysis of minimum lot size and setbacks shall be considered by the Planning Commission and by the Town Commissioners. The analysis should be flexible so as to allow the best use for the property and so that the future enjoyment of the property by the owners and by Ridgely residents is not harmed.

RIDGELY MARYLAND

SUNSET BOULEVARD INDUSTRIAL PLANNING DISTRICT

MARCH 1997

Commissioners of Ridgely
Ridgely Planning Commission

Del Sordo 1997



5.9 Sunset Boulevard Residential Planning District

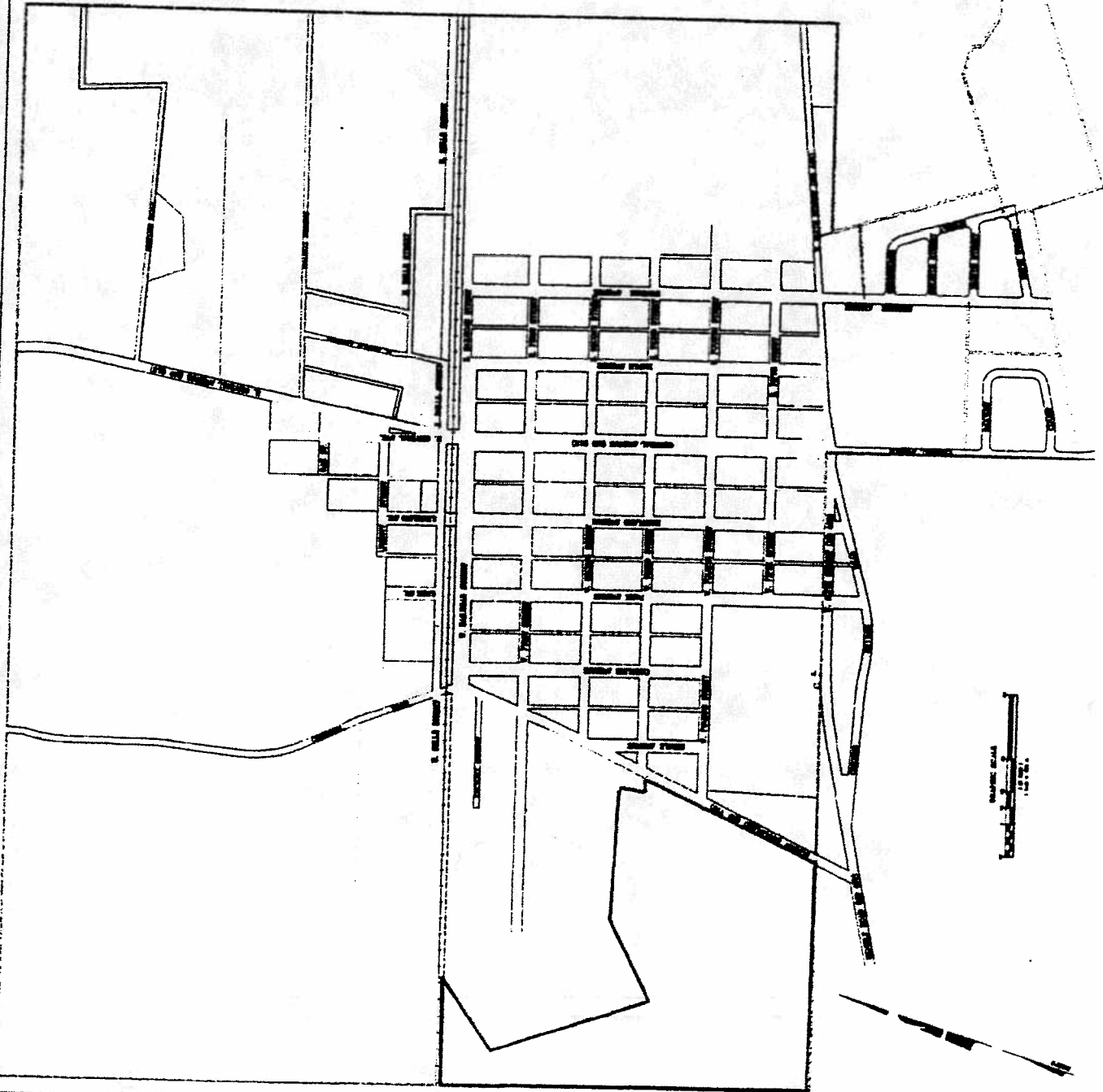
The Sunset Boulevard Residential Planning District is a small area located along Route 480, west of Sunset Boulevard and extending northward to the industrial section of this part of Ridgely. At the present time this area contains some multi-family housing and some open space. This area of Ridgely along Route 480 would continue to make an ideal location for multi-family housing. Because of the manner in which the present town boundaries are drawn, the only access to this planning district is from Sunset Boulevard as Route 480 leaves the municipal limit at Sunset Boulevard.

Residential construction shall be held to a minimum lot size of 7,500 square feet. Because this area is separated by Sunset Boulevard from the rest of the core village of Ridgely, there is not a requirement that the street patterns and alley system be continued within this planning district. If multi-family or cluster development is proposed for this area, the minimum lot size may be reduced to 7,500 square feet multiplied by the number of units proposed within the development. The land that is not used for housing as a result of that cluster development shall be devoted to either active or passive recreational use. Every effort shall be made to provide for open space and for recreational uses within any new developments proposed for this planning district. Cluster or multi-family housing may occupy no more than 50% of the currently available land in this planning district.

**SUNSET BOULEVARD
RESIDENTIAL
PLANNING DISTRICT**

**Commissioners of Ridgely
Ridgely Planning Commission**

Del Sordo 1997

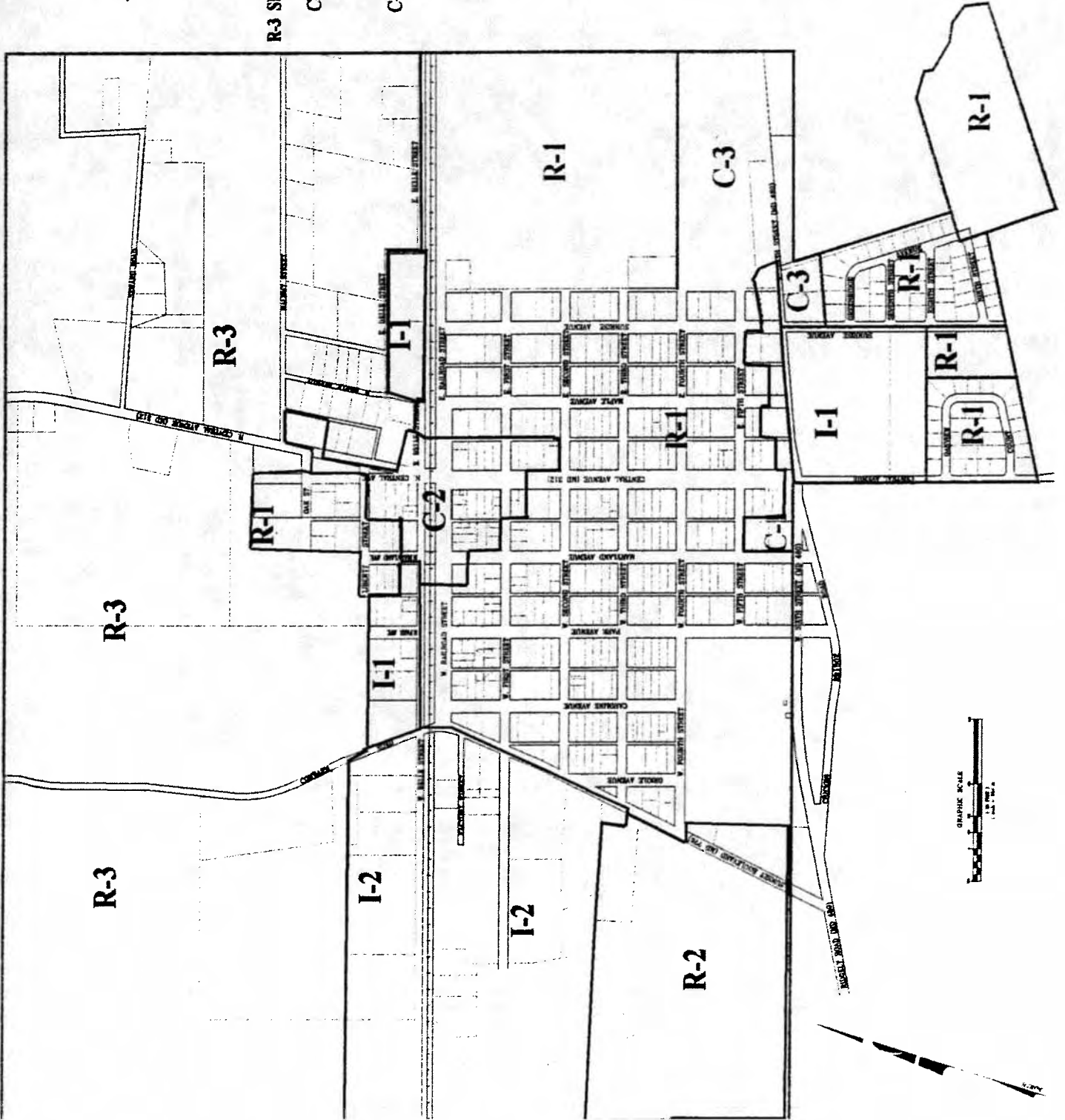


RIDGELY MARYLAND

ZONING

- R-1 SINGLE-FAMILY DISTRICT
- R-2 MIXED RESIDENTIAL DISTRICT
- R-3 SINGLE-FAMILY/AGRICULTURAL DISTRICT
- C-1 GENERAL COMMERCIAL DISTRICT
- C-2 CENTRAL BUSINESS DISTRICT
- C-3 HIGHWAY COMMERCIAL DISTRICT
- I-1 LIGHT INDUSTRIAL DISTRICT
- I-2 GENERAL INDUSTRIAL DISTRICT

JUNE 1997



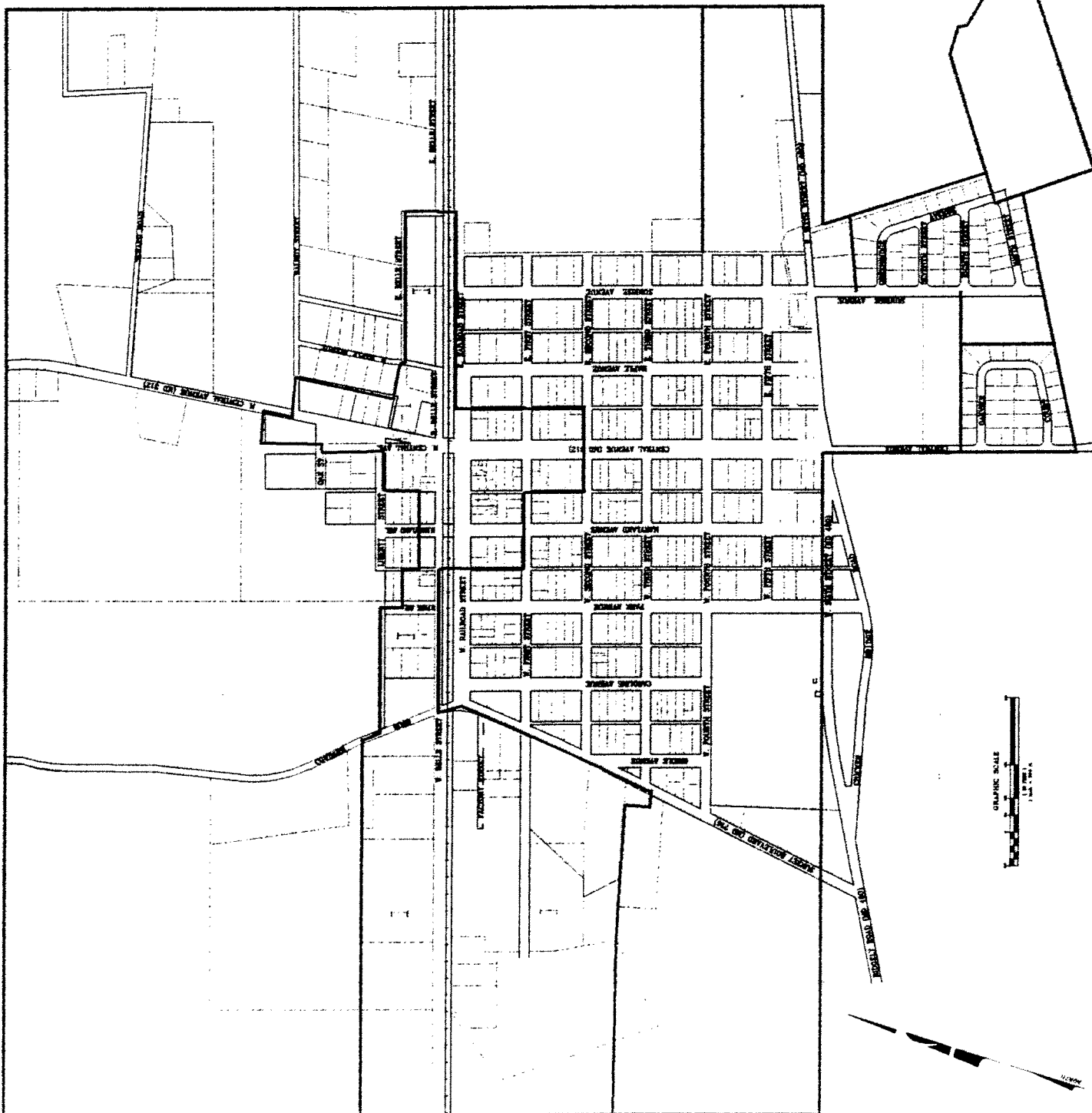
RIDGELY MARYLAND

DESIGNATED REVITALIZATION AREA

Central Business District
Central Avenue Commercial Area
Belle Street Industrial Areas
Sunset Boulevard Industrial Area

January 1997

Commissioners of Ridgely
Ridgely Planning Commission



6.0 SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1)

Most of the Town of Ridgely consists of various single-family residential districts. Some are located in the older sections of Ridgely; some are located in relatively newer sections of Ridgely.

6.1 Purpose and Intent

The purpose of this district is to provide for single-family residential development on lots with a minimum size of 7,500 square feet. This district will also provide such public buildings, schools, churches, public recreational facilities and accessory uses, as may be necessary or are normally compatible with residential development and surroundings.

6.2 Permitted Uses

The following uses are permitted within the single-family residential district in Ridgely

1. Single-family dwellings, detached;
2. Farms and agricultural tillage, provided that no poultry or livestock, except pets, are housed or confined within two hundred feet of the boundary of the property;
3. Churches and parish halls, temples, convents, rectories, and monasteries, provided that churches or temples erected after the date of the passage of this ordinance shall have their principal means of access from a major thoroughfare or collector street and shall be located on a lot of at least 15,000 square feet in area;
4. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted that is equivalent to a public school or to institutions of higher learning; and
5. Temporary emergency, construction, or repair residences as defined in this ordinance.

6.3 Permitted Accessory Uses and Structures

The following permitted accessory uses and structures are allowed in the single-family residential district:

1. Home occupations as defined in this ordinance;

2. Accessory buildings and uses including, but not limited to accessory private garages for not more than three automobiles, granny flats, guest houses, swimming pools, home barbecue grills, accessory storage, and accessory off-street parking and loading spaces;
3. Temporary buildings, the uses of which are incidental to construction operations or the sale of lots during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is the sooner; and
4. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

6.4 Permitted Uses Requiring Approval from the Planning Commission

There are certain permitted uses that might impose a burden on the community and that requires review and consideration by the Planning Commission. In allowing the following permitted uses, the Planning Commission may make certain requirements mandatory to each permitted use. Among those conditions are setbacks and buffer zones, parking requirements, hours of operation, and staffing. The Planning Commission is not obligated to impose special conditions but it must seek the views of the affected community to ensure that the overall character of the neighborhood remains as developed.

Those permitted uses that require approval from the Planning Commission are:

1. Day Care Centers;
2. Family Day Care Centers;
3. Group Homes;
4. Bed and Breakfast Establishments;
5. Inns; and
6. Private and Public, profit or non-profit golf courses.

6.5 Special Exception Uses Subject to Approval by the Board of Appeals

Because of the nature of their activities, certain uses require approval by the Board of Appeals. In granting approval for these certain uses, the Board of Appeals may impose conditions on the use and the owners that protect the peace and harmony of the neighborhood and that respect the rights of the neighborhood to maintain the character and elements of their neighborhood. The following uses require approval by the Board of Appeals:

1. Nonprofit or municipal libraries or museums and art galleries;
2. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances unless those public utility installations are being installed by the Town of Ridgely either by its own crews or by directly hired contractors;
3. Public parks and playgrounds, and nonprofit, non-governmental public recreation facilities;
4. Cemeteries;
5. Elderly housing developments;
6. One accessory apartment, as defined in this ordinance, per single-family house; and
7. Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases. Single-family attached and multi-family dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved provided the lot area is considered appropriate to the scale of the facility.

6.6 Additional Regulations

There are additional regulations that apply to all activities in the single-family residential zoning district. Among other places these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

7.0 MIXED RESIDENTIAL DISTRICT (R-2)

This district is intended to provide for a higher density of development and for more mixed uses than the single-family residential districts.

7.1 Purpose and Intent

The purpose of this district is to provide areas to accommodate a mix of single-family, two-family, and multi-family residences.

7.2 Permitted Uses

The following uses are permitted in this district:

1. Single-family dwellings, detached;
2. Farms and agricultural tillage, provided that no poultry or livestock, except pets, are housed or confined within two hundred feet of the boundary of the property;
3. Churches and parish halls, temples, convents, rectories, and monasteries, provided that churches or temples erected after the date of the passage of this ordinance shall have their principal means of access from a major thoroughfare or collector street and shall be located on a lot of at least 15,000 square feet in area;
4. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted that is equivalent to a public school or to institutions of higher learning;
5. Temporary emergency, construction, or repair residences as defined in this ordinance;
6. Two-family dwellings (including duplexes);
7. Multi-family residences (including apartments);
8. Attached and semi-attached single-family residences (including townhouses); and
9. Elderly housing developments.

7.3 Permitted Accessory Uses and Structures

The following accessory uses and structures are permitted in this zoning district:

1. Home occupations as defined in this ordinance;

2. Accessory buildings and uses including, but not limited to accessory private garages for not more than three automobiles, granny flats, guest houses, swimming pools, home barbecue grills, accessory storage, and accessory off-street parking and loading spaces;
3. Temporary buildings, the uses of which are incidental to construction operations or the sale of lots during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is the sooner; and
4. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

7.4 Permitted Uses Requiring Approval from the Planning Commission

There are certain permitted uses that might impose a burden on the community and that requires review and consideration by the Planning Commission. In allowing the following permitted uses, the Planning Commission may make certain requirements mandatory to each permitted use. Among those conditions are setbacks and buffer zones, parking requirements, hours of operation, and staffing. The Planning Commission is not obligated to impose special conditions but it must seek the views of the affected community to ensure that the overall character of the neighborhood remains as developed.

Those permitted uses that require approval from the Planning Commission are:

1. Day Care Centers;
2. Family Day Care Centers;
3. Group Homes;
4. Bed and Breakfast Establishments;
5. Inns; and
6. Golf Courses, private and public, profit and non-profit.

7.5 Special Exception Uses Subject to Approval by the Board of Appeals

Because of the nature of their activities, certain uses require approval by the Board of Appeals. In granting approval for these certain uses, the Board of Appeals may impose conditions on the use and the owners that protect the peace and harmony of the neighborhood and that respect the rights of the neighborhood to maintain the character and elements of their neighborhood. The following uses require approval by the Board of Appeals:

1. Nonprofit or municipal libraries or museums and art galleries;
2. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances unless those public utility installations are being installed by the Town of Ridgely either by its own crews or by directly hired contractors;
3. Public parks and playgrounds, and nonprofit, non-governmental public recreation facilities;
4. Cemeteries;
5. Elderly housing developments;
6. One accessory apartment, as defined in this ordinance, per single-family house; and
7. Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases. Single-family attached and multi-family dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved provided the lot area is considered appropriate to the scale of the facility.

7.6 Additional Regulations

There are additional regulations that apply to all activities in this residential zoning district. Among other places these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

2. Accessory buildings and uses including, but not limited to accessory private garages for not more than three automobiles, granny flats, guest houses, swimming pools, home barbecue grills, accessory storage, and accessory off-street parking and loading spaces;
3. Temporary buildings, the uses of which are incidental to construction operations or the sale of lots during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is the sooner; and
4. Other accessory uses and structures clearly incidental and customary to and associated with the permitted uses.

8.4 Permitted Uses Requiring Approval from the Planning Commission

There are certain permitted uses that might impose a burden on the community and that requires review and consideration by the Planning Commission. In allowing the following permitted uses, the Planning Commission may make certain requirements mandatory to each permitted use. Among those conditions are setbacks and buffer zones, parking requirements, hours of operation, and staffing. The Planning Commission is not obligated to impose special conditions but it must seek the views of the affected community to ensure that the overall character of the neighborhood remains as developed.

Those permitted uses that require approval from the Planning Commission are:

1. Bed and Breakfast Establishments;
2. Inns; and
3. Golf courses, public and private, profit and non-profit.

8.5 Special Exception Uses Subject to Approval by the Board of Appeals

Because of the nature of their activities, certain uses require approval by the Board of Appeals. In granting approval for these certain uses, the Board of Appeals may impose conditions on the use and the owners that protect the peace and harmony of the neighborhood and that respect

the rights of the neighborhood to maintain the character and elements of their neighborhood. The following uses require approval by the Board of Appeals:

1. Nonprofit or municipal libraries or museums and art galleries;
2. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances unless those public utility installations are being installed by the Town of Ridgely either by its own crews or by directly hired contractors;
3. Public parks and playgrounds, and nonprofit, non-governmental public recreation facilities;
4. Cemeteries;
5. Elderly housing developments;
6. One accessory apartment, as defined in this ordinance, per single-family house; and
7. Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases. Single-family attached and multi-family dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved provided the lot area is considered appropriate to the scale of the facility.

8.6 Additional Regulations

There are additional regulations that apply to all activities in this residential zoning district.

Among other places these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

9.0 GENERAL COMMERCIAL DISTRICT (C-1)

This commercial district is for the placement of smaller commercial operations; residential use shall be discouraged.

9.1 Purpose and Intent

The purpose of this district is to provide areas in appropriate locations for a wide variety of business, commercial, and miscellaneous service activities, particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor, and noise associated with manufacturing. The overall intent of this district is to provide areas for local commercial needs within the Town and for the general vicinity

9.2 Permitted Uses

The following are the permitted uses in this zoning district:

1. Farms and agricultural tillage, provided that no poultry or livestock, except pets, are housed or confined within two hundred feet of the boundary of the property;
2. Churches and parish halls, and temples, provided that churches or temples erected after the date of the passage of this ordinance shall have their principal means of access from a major thoroughfare or collector street and shall be located on a lot of at least 15,000 square feet in area;
3. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted that is equivalent to a public school or to institutions of higher learning;
4. Temporary emergency, construction, or repair residences as defined in this ordinance;
5. Apartments in multi-story buildings, provided the ground floor remains commercial. When converted to such use, the property will be subject to site plan review and design review;
6. Apartments in single-story buildings, provided the apartment is an accessory apartment for the owner or operator of the commercial enterprise and that the principal portion of the building remains commercial. When converted to such use, the property will be subject to site plan review and design review;

7. Display room for merchandise to be sold on order where merchandise sold is stored elsewhere;
8. Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, dry cleaning and pressing, and bakery, with sales of bakery products on the premises, and other used of a similar character; provide that no use permitted in this item shall occupy more than 2,500 square feet of floor space;
9. Food storage lockers;
10. Hospital or clinic for small animals, dogs, cats, birds, and the like, provided that such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, sound-proof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside of its walls;
11. Material storage yards in connection with the retail sales of products where storage is incidental to the approved occupancy of a store, provided that all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, fence, or hedge, not less than six feet in height. The storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and truck used in connection with the permitted trade or business is permitted within the walls, but not including the storage of heavy equipment or vehicles;
12. Offices and office buildings, including clinics;
13. Personal service uses, including barber shops, banks, beauty parlors, photographic or artists studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning receiving stations, restaurants, taverns, undertaking establishments and other personal service used of a similar character;
14. Printing, publishing, and engraving establishments;
15. Retail stores, including florist shops, and green-houses in connections with such shops, but there shall be no slaughtering of animals or poultry on the premises of any retail store;
16. Self-service laundry or self-service dry-cleaning establishment;
17. Wholesale establishment or warehouse in a completely enclosed building so long as floor area devoted to such uses shall not exceed 20,000 square feet;

18. Convenience stores;
19. Shops such as grocery, hardware, drug stores, small scale department stores, and speciality shops;
20. Funeral homes;
21. Clubs or lodges
22. Banks, drive-in or otherwise;
23. Restaurants;
24. Public and semi-public structures; and
25. Child and family day care centers.

9.3 Permitted Accessory Uses and Structures

There shall be permitted in this zoning district such accessory uses and structures are clearly incidental and customary to and associated with the permitted uses listed above.

9.4 Permitted Uses Requiring Approval from the Planning Commission

There are certain permitted uses that might impose a burden on the community and that requires review and consideration by the Planning Commission. In allowing the following permitted uses, the Planning Commission may make certain requirements mandatory to each permitted use. Among those conditions are setbacks and buffer zones, parking requirements, hours of operation, and staffing. The Planning Commission is not obligated to impose special conditions but it must seek the views of the affected community to ensure that the overall character of the neighborhood remains as developed.

Those permitted uses that require approval from the Planning Commission are:

1. Amusement place, skating rink, swimming pool, or dance hall in a completely enclosed building, auditorium or theater, except open air drive-in theaters;
2. Automobile parking lots and storage garages; and
3. Bowling alleys and billiard parlors.

9.5 Special Exception Uses Subject to Approval by the Board of Appeals

Because of the nature of their activities, certain uses require approval by the Board of Appeals. In granting approval for these certain uses, the Board of Appeals may impose conditions on the use and the owners that protect the peace and harmony of the neighborhood and that respect the rights of the neighborhood to maintain the character and elements of their neighborhood.

The following uses require approval by the Board of Appeals:

1. Nonprofit or municipal libraries or museums and art galleries;
2. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances unless those public utility installations are being installed by the Town of Ridgely either by its own crews or by directly hired contractors;
3. Public parks and playgrounds, and nonprofit, non-governmental public recreation facilities;
4. Cemeteries;
5. Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases. Single-family attached and multi-family dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved provided the lot area is considered appropriate to the scale of the facility;
6. Automobile service establishments subject to the following provisions:
 - a. Bulk storage of flammable liquids shall be underground; unless prohibited by federal or state law. In that situation, every effort will be made to require the safe storage of such liquids;
 - b. The entrance or exit of such establishments shall be erected at least fifty feet from any lot that is zoned residential;
 - c. No structure, building, or sign shall be erected within thirty feet of any lot that is zoned residential;
 - d. There shall be no outside storage of junk or scrap or outside storage of salvage automobiles.

7. Motor vehicle dealer (new or used) provide that the minimum lot size shall be 20,000 square feet; and
8. Bottling works, dyeing and cleaning works, or laundry, plumbing and heating shop, painting shop, upholstering shop not involving furniture manufacture, tin-smithing shop, tire sales and service including vulcanizing but no manufacturing, appliance repairs, and general service and repair establishments, similar in character to those listed in this item provided that no outside storage of material is permitted, and further provided that no use permitted in this item shall occupy more than 6,000 square feet of floor area.

9.6 Additional Regulations

There are additional regulations that apply to all activities in this zoning district. Among other places these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

10.0 CENTRAL BUSINESS DISTRICT (C-2)

This district contains the older commercial and retail center of Ridgely. Its preservation and economic growth are important goals for the Town of Ridgely. The Planning Commission and the Town Commission will be flexible in the enforcement of regulations in this district to the extent that proposed uses are compatible with the visions of the Comprehensive Plan for this section and that the proposed uses will make a contribution to the commercial life of the community.

10.1 Purpose and Intent

This district encompasses the shipping and office core of the Town of Ridgely. Appropriate uses are those that are generally associated with rural town centers and that are appropriate in scale and use with the current buildings and structures located in the Central Business District.

10.2 Permitted Uses

The following uses are permitted in this district:

1. Single-family dwellings, detached;
2. Farms and agricultural tillage, provided that no poultry or livestock, except pets, are housed or confined within two hundred feet of the boundary of the property;
3. Churches and parish halls, temples, convents, rectories, and monasteries, provided that churches or temples erected after the date of the passage of this ordinance shall have their principal means of access from a major thoroughfare or collector street and shall be located on a lot of at least 15,000 square feet in area;
4. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted that is equivalent to a public school or to institutions of higher learning;
5. Temporary emergency, construction, or repair residences as defined in this ordinance;
6. Apartments in multi-story buildings, provided the ground floor remains commercial. When converted to such use, the property will be subject to site plan review and design review;
7. Apartments in single-story buildings, provided the apartment is an accessory apartment for the owner or operator of the commercial enterprise and that the principal portion of the

- building remains commercial. When converted to such use, the property will be subject to site plan review and design review;
8. Display room for merchandise to be sold on order where merchandise sold is stored elsewhere;
 9. Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, dry cleaning and pressing, and bakery, with sales of bakery products on the premises, and other used of a similar character; provide that no use permitted in this item shall occupy more than 2,500 square feet of floor space;
 10. Food storage lockers;
 11. Hospital or clinic for small animals, dogs, cats, birds, and the like, provided that such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, sound-proof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside of its walls;
 12. Bed and Breakfasts, hotels, motels or motor hotels, and inns;
 13. Material storage yards in connection with the retail sales of products where storage is incidental to the approved occupancy of a store, provided that all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, fence, or hedge, not less than six feet in height. The storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and truck used in connection with the permitted trade or business is permitted within the walls, but not including the storage of heavy equipment or vehicles;
 14. Offices and office buildings, including clinics;
 15. Personal service uses, including barber shops, banks, beauty parlors, photographic or artists studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning receiving stations, restaurants, taverns, undertaking establishments and other personal service used of a similar character;
 16. Printing, publishing, and engraving establishments;
 17. Retail stores, including florist shops, and green-houses in connections with such shops, but there shall be no slaughtering of animals or poultry on the premises of any retail store;

18. Self-service laundry or self-service dry-cleaning establishment;
19. Wholesale establishment or warehouse in a completely enclosed building so long as floor area devoted to such uses shall not exceed 20,000 square feet;
20. Convenience stores;
21. Shops such as grocery, hardware, drug stores, small scale department stores, and speciality shops;
22. Funeral homes;
23. Clubs or lodges
24. Banks, drive-in or otherwise;
25. Restaurants;
26. Public and semi-public structures; and
27. Child and family day care centers.

10.3 Permitted Accessory Uses and Structures

There shall be permitted in this zoning district such accessory uses and structures are clearly incidental and customary to and associated with the permitted uses listed above.

10.4 Permitted Uses Requiring Approval from the Planning Commission

There are certain permitted uses that might impose a burden on the community and that requires review and consideration by the Planning Commission. In allowing the following permitted uses, the Planning Commission may make certain requirements mandatory to each permitted use. Among those conditions are setbacks and buffer zones, parking requirements, hours of operation, and staffing. The Planning Commission is not obligated to impose special conditions but it must seek the views of the affected community to ensure that the overall character of the neighborhood remains as developed.

Those permitted uses that require approval from the Planning Commission are:

1. Amusement place, skating rink, swimming pool, or dance hall in a completely enclosed building, auditorium or theater, except open air drive-in theaters; and

2. Bowling alleys and billiard parlors.

10.5 Special Exception Uses Subject to Approval by the Board of Appeals

Because of the nature of their activities, certain uses require approval by the Board of Appeals. In granting approval for these certain uses, the Board of Appeals may impose conditions on the use and the owners that protect the peace and harmony of the neighborhood and that respect the rights of the neighborhood to maintain the character and elements of their neighborhood.

The following uses require approval by the Board of Appeals:

1. Nonprofit or municipal libraries or museums and art galleries;
2. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances unless those public utility installations are being installed by the Town of Ridgely either by its own crews or by directly hired contractors;
3. Public parks and playgrounds, and nonprofit, non-governmental public recreation facilities;
4. Cemeteries;
5. Elderly housing developments;
6. One accessory apartment, as defined in this ordinance, per single-family house;
7. Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases. Single-family attached and multi-family dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved provided the lot area is considered appropriate to the scale of the facility; and
8. Automobile service establishments subject to the following provisions:
 - a. Bulk storage of flammable liquids shall be underground; unless prohibited by federal or state law. In that situation, every effort will be made to require the safe storage of such liquids;
 - b. The entrance or exit of such establishments shall be erected at least fifty feet from any lot that is zoned residential;

- c. No structure, building, or sign shall be erected within thirty feet of any lot that is zoned residential;
- d. There shall be no outside storage of junk or scrap or outside storage of salvage automobiles; and
- e. Automotive and truck fuels shall not be sold.

10.6 Additional Regulations

There are additional regulations that apply to all activities in this zoning district. Among other places these can be found in the following sections:

- 1. Section 14.0/Floating and Overlay Districts;
- 2. Section 15.0/Supplemental Use Regulations;
- 3. Section 16.0/Height, Area, and Bulk Regulations;
- 4. Section 17.0/Parking, Loading and Unloading Regulations;
- 5. Section 18.0/Signs; and
- 6. Section 19.0/Nonconforming Uses.

11.0 HIGHWAY COMMERCIAL DISTRICT (C-3)

The highway commercial district is intended to provide space for larger retail operations. Residential use is discouraged in this district.

11.1 Purpose and Intent

This district provides for a number of retail establishments and commercial services for use by the traveling public on or near major roads or streets in the Town and at the same time is intended to maintain the appearance of the highways and their access points by limiting outdoor advertising and establishing high standards for development.

11.2 Permitted Uses

The following uses are permitted in this district:

1. Farms and agricultural tillage, provided that no poultry or livestock, except pets, are housed or confined within two hundred feet of the boundary of the property;
2. Churches and parish halls, temples, provided that churches or temples erected after the date of the passage of this ordinance shall have their principal means of access from a major thoroughfare or collector street and shall be located on a lot of at least 15,000 square feet in area;
3. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted that is equivalent to a public school or to institutions of higher learning;
4. Display room for merchandise to be sold on order where merchandise sold is stored elsewhere;
5. Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, dry cleaning and pressing, and bakery, with sales of bakery products on the premises, and other used of a similar character; provide that no use permitted in this item shall occupy more than 2,500 square feet of floor space;
6. Food storage lockers;
7. Hospital or clinic for small animals, dogs, cats, birds, and the like, provided that such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely

enclosed, sound-proof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside of its walls;

8. Hotels, motels or motor hotels, and inns;
9. Material storage yards in connection with the retail sales of products where storage is incidental to the approved occupancy of a store, provided that all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, fence, or hedge, not less than six feet in height. The storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and truck used in connection with the permitted trade or business is permitted within the walls, but not including the storage of heavy equipment or vehicles;
10. Offices and office buildings, including clinics;
11. Personal service uses, including barber shops, banks, beauty parlors, photographic or artists studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning receiving stations, restaurants, taverns, undertaking establishments and other personal service used of a similar character;
12. Printing, publishing, and engraving establishments;
13. Retail stores, including florist shops, and green-houses in connections with such shops, but there shall be no slaughtering of animals or poultry on the premises of any retail store;
14. Self-service laundry or self-service dry-cleaning establishment;
15. Wholesale establishment or warehouse in a completely enclosed building so long as floor area devoted to such uses shall not exceed 20,000 square feet;
16. Convenience stores;
17. Shops such as grocery, hardware, drug stores, small scale department stores, and speciality shops;
18. Funeral homes;
19. Clubs or lodges
20. Banks, drive-in or otherwise;
21. Restaurants;
22. Public and semi-public structures;

23. Boat and marine sales dealerships;
24. Auction houses or sales barns; excluding livestock sales;
25. Roadside stands and farmers' markets;
26. Agricultural equipment and machinery sales, service, or repairs;
27. Wholesale establishment or warehouse in a completely enclosed building;
28. Automobile service establishments;
29. Motor vehicle sales (new or used); and
30. Carwash facilities.

11.3 Permitted Accessory Uses and Structures

There shall be permitted in this zoning district such accessory uses and structures are clearly incidental and customary to and associated with the permitted uses listed above.

11.4 Special Exception Uses Subject to Approval by the Board of Appeals

The following uses shall require approval from the Board of Appeals:

1. Building materials sales and lumberyards including incidental mill work; and
2. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances unless those public utility installations are being installed by the Town of Ridgely either by its own crews or by directly hired contractors.

11.5 Additional Regulations

There are additional regulations that apply to all activities in this zoning district. Among other places, these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

12.0 LIGHT INDUSTRIAL DISTRICT (I-1)

This district is reserved for those light industrial activities that generate little noise and heavy traffic and that do not require the processing of raw materials into a finished product.

12.1 Purpose and Intent

This district provides for selective warehousing and wholesale distributing, and for the selective manufacturing and fabricating of materials in low buildings with off-street parking and loading and off-street parking for employees and with access by major thoroughfares or railroad in either central or outlying locations.

12.2 Permitted Uses

The following uses are permitted in this zoning district with the approval of the Planning Commission that may set additional conditions related to size and type of building, hours of operation, parking and loading and unloading regulations:

1. Bottling or distribution stations for beverages;
2. Printing, publishing, binding, packaging, storage, and warehousing;
3. Warehousing and mini-storage facilities;
4. Light manufacturing activities which do not result in adverse noise, vibration, odor, dust, or smoke impacts;
5. Public utility installations;
6. Building materials sales and lumberyards, including incidental mill work and the sales of rock, sand, gravel and the like as an incidental part of the main business, provided that they shall be at least 100 feet from any property zoned residential or commercial;
7. Building contractor's yard for storage of materials and equipment;
8. Trucking and freight stations, terminals and storage yards; and
9. Warehousing, storage, and distribution facilities for agricultural products, not including livestock.

12.3 Permitted Accessory Uses and Structures

The following accessory uses and structures are permitted in this zoning district:

1. Retail sale of products manufactured or precessed on the premises; and
2. Other accessory uses and structures clearly incidental and customary to and associated with the permitted use.

12.4 Special Exception Uses Subject to Approval by the Board of Appeals

The following uses shall require approval by the Board of Appeals:

1. Any industrial or manufacturing uses which, in the opinion of the Town Zoning Administrator, could potentially have adverse noise, vibration, dust, odor, air and/or water pollution impacts, or that might have a negative impact on the Town of Ridgely and its residents;
2. Child Day Care Centers; and
3. Day and Family Care Centers.

12.5 Additional Regulations

There are additional regulations that apply to all activities in this zoning district. Among other places, these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

13.0 GENERAL INDUSTRIAL DISTRICT (I-2)

This zoning district is reserved for all those general industrial uses that might be permitted in other industrial zones and for uses that might not be appropriate for a light industrial zone that is located near residential or commercial zones.

13.1 Purpose and Intent

This district is for general and heavy industrial activities; especially those that involve the processing of raw materials into a finished product. In general, the buildings and structures associated with this district will be low buildings with off-street loading and off-street parking for employees and users of the facilities.

13.2 Permitted Uses

The following are permitted uses in this zoning district:

1. Government buildings and public buildings such as fire stations;
2. Bottling or distribution stations for beverages;
3. Printing, publishing, binding, packaging, storage, and warehousing;
4. Warehousing and mini-storage facilities;
5. Light manufacturing activities which do not result in adverse noise, vibration, odor, dust, or smoke impacts;
6. Public utility installations;
7. Building materials sales and lumberyards, including incidental mill work and the sales of rock, sand, gravel and the like as an incidental part of the main business, provided that they shall be at least 100 feet from any property zoned residential or commercial;
8. Building contractor's yard for storage of materials and equipment;
9. Trucking and freight stations, terminals and storage yards; and
10. Warehousing, storage, and distribution facilities for agricultural products, not including livestock.

13.3 Permitted Accessory Uses and Structures

The following accessory uses and structures are permitted in this zoning district:

1. Retail sale of products manufactured or precessed on the premises; and
2. Other accessory uses and structures clearly incidental and customary to and associated with the permitted use.

13.4 Special Exception Uses Subject to Approval by the Board of Appeals

The following uses shall require approval by the Board of Appeals:

1. Any industrial or manufacturing uses which, in the opinion of the Town Zoning Administrator, could potentially have adverse noise, vibration, dust, odor, air and/or water pollution impacts, or that might have a negative impact on the Town of Ridgely and its residents;
2. Child Day Care Centers; and
3. Day and Family Care Centers.

13.5 Additional Regulations

There are additional regulations that apply to all activities in this zoning district. Among other places, these can be found in the following sections:

1. Section 14.0/Floating and Overlay Districts;
2. Section 15.0/Supplemental Use Regulations;
3. Section 16.0/Height, Area, and Bulk Regulations;
4. Section 17.0/Parking, Loading and Unloading Regulations;
5. Section 18.0/Signs; and
6. Section 19.0/Nonconforming Uses.

14.0 FLOATING AND OVERLAY DISTRICTS

The Planning Commission shall, when appropriate and necessary, recommend that floating and overlay districts be added to this ordinance and to the various maps and other documents that control and guide land-use and building development within the Town of Ridgely. Among those floating and overlay districts or zones are ones that advance the revitalization and economic development of the Town of Ridgely or various sections of the Town of Ridgely; ones that identify, protect, recognize, preserve historic, architectural, and cultural landmarks of an historic or cultural nature, ones that might be designed for a specific category of uses that are not currently allowed under the listings of permitted uses for the various zoning districts herein established; provided that specific conditions and regulations are established and enforced for the last.

When recommending the creation of floating and overlay districts, the Planning Commission shall make such rules and regulations and conditions necessary to govern land-use and building development activity within those districts. These rules shall advance the goals of the floating and overlay district and be consistent with the necessity for creating the district. Additionally when state or federal laws might apply to the creation of a floating or overlay district, the Planning Commission shall develop its rules and regulations and conditions with the rules and regulations and conditions and intent of the federal or state program that might apply to the floating or overlay district.

When a floating or overlay zone is established, the zoning and land-use regulations that would normally apply to that area because of this document will still apply to that area unless this document is formally altered and amended according to its manner of creating amendments. Floating and overlay zone regulations are intended as for additional purposes beyond the regulations contained in this document.

14.1 Revitalization and Economic Development Areas

The Purpose of the Revitalization and Economic Development Area Floating and Overlay Zone is to encourage the reuse of existing areas and buildings that are either being underutilized or that might require some encouragement to improve the uses and appearance of the buildings or area.

The Revitalization and Economic Development areas can be created anywhere within the bounds of the Town of Ridgely; either residential, commercial, or industrial districts and zones. Ideally, these districts shall be coupled with federal, state, and local programs that will enable property owners and occupants to improve their properties and any commercial or industrial uses that might take place on those properties.

14.2 Historic Districts and Landmarks

The Planning Commission shall have the authority and responsibility to recommend the creation of an historic district or districts and individual landmarks under the authority created by Article 66B of the Laws of Maryland. This overlay district or districts and individual landmarks will be for the purposes outlined in Article 66B and are intended to make available the benefits and advantages of historic preservation to the property owners and tenants in those areas established and for the benefit of the entire community.

In developing an historic district or districts and individual landmarks, the Planning Commission or another body created and appointed by the Town Commission shall make such regulations and guidelines as required to properly administer the area and to ensure that the purposes and intent of the creation of an historic district or districts and individual landmarks are met.

14.3 Other Floating and Overlay Districts

The Planning Commission may recommend that additional floating and overlay districts be created to advance the goals and visions of the Comprehensive Plan and the needs of the community in the future. These floating and overlay districts will be approved by the Town Commission and might include specialized entertainment zones and for buildings and structures that are not currently permitted as uses in the various planning and zoning districts within the Town of Ridgely. When the Planning Commission makes recommendations for these additional floating and overlay districts, they will hold public hearings and prepare recommended regulations and use and design guidelines to ensure that these additional floating and overlay goals are consistent with the goals and visions of the Comprehensive Plan and the needs of the community.

15.0 SUPPLEMENTAL USE REGULATIONS

The material contained in this section is intended to amplify the material in the other sections of this document. The material contained here is also in addition to any other material contained in this document.

15.1 Permissible Uses and Specific Exclusions

The presumption established is that all legitimate uses of land are permissible within at least one zoning district in the Town's planning jurisdiction. Therefore, because the list of permissible uses set forth in the other sections cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

Without limiting the generality of the above subsection, the following uses are specifically prohibited in all districts:

1. Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the Town's fire prevention code or that in the opinion of either the Planning Commission or the Zoning Administrator would present a hazard to either the people or the property of the Town of Ridgely;
2. Stockyards, slaughterhouses, or rendering plants;
3. Use of a travel trailer as a temporary or permanent residence. A temporary residence shall be removed from the site within one month of the resolution of the situation which prompted its need;
4. Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted;
5. Gravel pits, barrow pits, or other mining and extractive activities for soil, sand, or stone and gravel;
6. Restaurants with drive-through or drive-by windows; and
7. Mobile homes and mobile home trailer parks of any type.

15.2 Subdivisions of Property

The division of existing lots and the creation of additional lots helps to create new growth in Ridgely and permits additional people to enjoy the benefits of living and working in Ridgely. However, certain standards and guidelines are required to ensure that the subdivision process is an orderly one and that the creation of the subdivision does not cause harm to the existing systems, property, and people of Ridgely.

There are two classes of subdivisions in Ridgely; minor and major. A minor subdivision is any division of an existing lot into three or less parcels. The original lot shall be considered as one of the three or less parcels. A major subdivision is any division of an existing lot into four or more parcels. The original lot shall be considered as one of the four or more parcels.

Owners of property that are subdividable into parcels that comply with the minimum requirements for their planning district and zoning district may petition the Planning Commission for permission to subdivide their land. Prior to the submission of the formal petition for the subdivision of any parcel, the applicant shall meet with the Zoning Administrator to review the Zoning Ordinance, Comprehensive Plan, Subdivision Regulations, and other material that might be appropriate and required for the creation of the subdivision. The purpose for the meeting will be to review the proposed subdivision request and to determine the rules and regulations that might apply to the proposed subdivision and to ensure that the applicant will be able to comply with those regulations.

The petition for subdivision must include the following information and material:

1. Site plan for the original parcel that shows the proposed subdivision and individual parcels;
2. The locations of all natural features and existing man-made features is to be shown on the site plan;
3. Current use and proposed use and function for the proposed subdivision;
4. Signed documents from federal, state, and local agencies that the proposed subdivision will comply with all rules, regulations, and laws that might apply to the subdivision and the proposed use and uses of the land, if such approvals are applicable and appropriate;

5. Petitions for the approval of a major subdivision shall include an impact statement that will provide accurate and professional judgements and determinations as to the net and overall effect and impact that the proposed major subdivision will have on the current facilities and systems of the Town of Ridgely. Among those impacts that shall be considered are water, sewer, environment, fire services, police services, historical and archeological resources, and the educational system of Caroline County. A copy of the impact statement will be provided to the Town of Ridgely, to the Caroline County Planning Office, and to the Superintendent of Schools for Caroline County.
6. Such additional documentation as may be required by the Zoning Administrator and/or the Planning Commission for review of the documentation

In addition to the above regulations and requirements, the applicant will also refer and be referred to and will comply with the Town of Ridgely Subdivision Regulations and other ordinances and requirements that apply to subdivision requests and the action proposed by the applicant for the property involved in the request.

15.3 Limits on the Creation of Minor Subdivisions

The owner of any subdividable parcel or tract of land within the bounds of the Town of Ridgely may divide his property into legally permitted lots upon compliance with the various rules, regulations, and ordinances that govern the subdivision of property with the following limitation:

1. A property owner may create a minor subdivision by the gradual division of his greater tract of land into individual building lots. However, the owner of that parcel of land shall only have the right to subdivide that parcel of land into three or less parcels -including the original parcel- over the life time of the parcel of the land;
2. The subdivision of the original parcel of land into a fourth lot shall be considered the creation of a major subdivision and the owner of that parcel of land shall be required to comply with all of the rules, regulations, and ordinances that apply to the creation of a major subdivision; and

3. The owners of subdividable property shall not be permitted to transfer landholdings in such a manner as to try to avoid the requirements of this section for the creation of minor and major subdivisions. For the purposes of this regulation, a parcel will be considered to be under the same ownership when a single individual or organization will have any participation, interest, or control in the separated parcels. The same will apply if two or more land sales from the original tract are made within any twelve-month period.

15.4 Major Undertakings on Single Parcels of Land

Whenever a property owner proposes a major undertaking or construction activity or development on a single parcel of land and that will remain on a single parcel of land, they will still be required to obtain the approval of the Planning Commission before undertaking such activity. The trigger for such review will be any project that results in the construction of 8,000 square feet of occupied or enclosed space in any combination of individual or groups of building or structures or that will result in providing housing for two or more families or groups living in a common space.

When such an activity is proposed in the Town of Ridgely, such activity shall be held to the standards of the Subdivision Regulations and Design Guidelines as they apply to each case and situation. At a minimum, site plans and views of all improvements will be required for approval. Additionally, any required federal, state, or local permits must be obtained prior to requesting Planning Commission approval.

15.5 BufferYard Requirements

One of the important functions of zoning ordinances is the division of land into appropriate districts that allow for compatible use within the district and that gather compatible uses together and that protects one type or form of use from uses that might not appear or seem to be compatible. Accordingly, there shall be a bufferyard created between zoning districts and classifications for all new developments in the Town of Ridgely. The requirement for an appropriate bufferyard will apply to all new construction and addition on parcels of land that abut other zoning districts; such as between commercial and residential or industrial from commercial, etc.

The responsibility for the creation of the bufferyard shall fall with the more intensive use or with the newer development activity. For example, the proposed development of commercial land that abuts residential space, either occupied and used or not, shall require a buffer on the commercial space and property. The owner of that commercial space shall install, maintain, and own the bufferyard.

All bufferyards are to be densely planted and fenced. The planting materials shall include groundcover materials, shrubbery, trees, and other ornamental natural materials. The Planning Commission shall review all bufferyard planting materials and fencing to ensure that they provide adequate blockages and screening. A principal consideration in determining planting materials and fencing will be to ensure that an appropriate bufferyard is maintained during all growing seasons.

The size of the bufferyard will be determined by the Planning Commission within the following limits:

1. All bufferyards shall be at least ten feet wide;
2. A bufferyard of at least twenty feet may be required around any industrial property; and
3. Except for industrial property, the bufferyard may include up to one-half of the required setback for that particular property and building. However, there must be at least ten feet of clear space around all buildings and between all buildings and the required bufferyard. When the bufferyard includes a portion of the required setback, a privacy fence shall be included as the required fencing material. That fence shall be setback at least two feet from the property line.

15.6 Flexibility in Administration of Bufferyard Requirements

The Planning Commission may allow for changes and alterations in the required bufferyard regulations and requirements in the following situations:

1. The required bufferyard will obstruct the view of a driver;
2. The bufferyard is incompatible with the existing streetscape;

3. The bufferyard is unnecessary because the adjoining land uses are compatible without or with a smaller bufferyard;
4. A greater bufferyard may be required if the Commission determines that a larger bufferyard is required due to the extensiveness of the incompatibility between land uses;
5. A bufferyard may be required between incompatible land uses within the same zoning district if the Commission determines that one is needed; or
6. A bufferyard requirement may be altered if there is reason to provide open or clear space to allow for the passage of emergency or repair vehicles or to allow for other necessary passage around a building.

15.7 Community Appearance Standards

The purpose of community appearance standards is to promote public health, safety, and welfare. Economic objectives include the enhancement and preservation of property values. These standards are not intended to restrict imagination or variety. Rather, community appearance standards and design guidelines will assist in focusing attention and providing consideration on design principals that can result in appropriate solutions to design problems, issues, and opportunities that will develop a satisfactory visual appearance in the Town of Ridgely and that will enhance the historical and cultural aspects of the Town and ensure that new construction and additions are compatible with the existing architecture in the Town of Ridgely.

The following developments, constructions, buildings, structures, and additions shall require approval from the Planning Commission or other review body appointed by the Town Commission for the purpose of reviewing architectural and landscape design:

1. All major subdivision proposals and construction;
2. All commercial buildings and additions;
3. All industrial buildings and additions;
4. All residential buildings in any industrial or commercial zone; and
5. Any residential alteration in any industrial or commercial zone.

In reviewing and approving the appearance of any required construction, proposal, addition, or alteration, the Planning Commission will be guided by Design Guidelines developed for that purpose by the Town of Ridgely. Additionally, the principal consideration is that the new construction, alteration, addition, or development be compatible in design to the architectural characteristics of the neighborhood in which it is located and that the proposed work be appropriate to the Town of Ridgely and the goals and visions of the Comprehensive Plan.

16.0 HEIGHT, AREA, AND BULK REGULATIONS

The following height, area, and bulk regulations will apply to all property, as necessary, within the bounds of the Town of Ridgely:

1. All residential development that might be permitted or that does occur in any commercial or industrial zone shall comply with the requirements for the single-family classification (R-1) for the Ridgely Village Planning District;
2. On a through lot, the front yard setbacks must be maintained both in the front and in the rear of the property;
3. On a corner lot, the front yard setback will apply to that side that is used as the principal side and which is used as the street address. In addition, the side yard that sits next to the side street will be required to maintain a side setback that is equal to the required front setback of the property from the property line;
4. On a property that occupies a corner lot that has as its rear yard the side yard of an adjoining property, that property that is the corner lot will maintain a rear setback that is 1.5 times the originally required setback. Additionally, any accessory buildings that might be placed on that corner lot shall be sited so as to occupy a rear or internal location and not be placed so as to be in proximity to the principal building of the adjoining lot;
5. These minimum setbacks, height, area, and bulk requirements may be altered by the Planning Commission with regard to the approval of subdivisions and multiple numbers of other than single-family, detached housing;
6. The basic height, area, and bulk regulations are determined by both the Planning District and the Zoning District for the particular piece of property. Reference to the following sets of charts will provide guidance to the requirements for each area; and
7. All building lots shall be level with the street or general grade and elevation and no building permit shall be issued if the general elevation of a lot is below street or general grade and there might be the potential for flooding or other problems due to heavy rain, snow, or general street water runoff due to other factors.

16.1 RIDGELY VILLAGE PLANNING DISTRICT (R-1)

MINIMUM LOT SIZE

7,500 Square feet

75 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be either 25 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 25 feet. This distance may include one half of the existing alleyway to the rear of the property.

DENSITY

Maximum density of principal buildings shall be 6 per acre.

HEIGHT

Maximum height of the principal building shall be 40 feet.

16.2 Central Business Planning District (C-2)

MINIMUM LOT SIZE

7,500 Square feet

50 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be either 15 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 15 feet. This distance may include one half of the existing alleyway to the rear of the property. However, there must be sufficient space at the rear of the property to park one or more vehicles in a head-in position and for the placement of trash receptacles as specified by Town of Ridgely ordinance for such items.

DENSITY

Maximum density of principal buildings shall be 8 per acre.

HEIGHT

Maximum height of the principal building shall be 40 feet.

16.3 Northeast Planning District (R-3)

MINIMUM LOT SIZE

15,000 Square feet (Except that portion of this zone and district that lies along both sides of the residential portion of North Maple Street. Along that portion of the district and zone, the minimum lot size shall be 7,500 square feet; that being the minimum lot size of the properties along that street.)

90 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be either 30 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 35 feet. This distance may include one half of the existing alleyway to the rear of the property.

DENSITY

Maximum density of principal buildings shall be 3 per acre.

HEIGHT

Maximum height of the principal building shall be 35 feet.

16.4 North Planning District (R-3)

MINIMUM LOT SIZE

15,000 Square feet

100 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be either 30 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 25 feet.

DENSITY

Maximum density of principal buildings shall be 3 per acre.

HEIGHT

Maximum height of the principal building shall be 40 feet.

16.5 Sunrise Avenue Planning District (R-3) and (C-3)

MINIMUM LOT SIZE-Residential

7,500 Square feet

75 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM LOT SIZE-Commercial

20,000 Square feet

100 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS-Residential

Minimum front yard requirement shall be either 25 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 25 feet. This distance may include one half of the existing alleyway to the rear of the property.

MINIMUM YARD REQUIREMENTS-Commercial

Minimum front yard requirement shall be 50 feet.

Minimum side and rear yard requirement shall be 10 feet.

DENSITY

Maximum density of residential principal buildings shall be 6 per acre.

Maximum density of commercial principal buildings shall be 3 per acre.

HEIGHT

Maximum height of the principal residential building shall be 35 feet.

Maximum height of the principal commercial building shall be 40 feet.

16.6 Cow Barn Road Planning District (R-3)

MINIMUM LOT SIZE

15,000 Square feet

100 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be 30 feet.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 25 feet.

DENSITY

Maximum density of principal buildings shall be 3 per acre.

HEIGHT

Maximum height of the principal building shall be 35 feet.

16.7 South Planning District (R-1) and (C-3) and (I-1)

MINIMUM LOT SIZE-Residential

7,500 Square feet

75 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM LOT SIZE-Commercial and Industrial

20,000 Square feet

100 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS-Residential

Minimum front yard requirement shall be either 25 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be ten feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 25 feet. This distance may include one half of the existing alleyway to the rear of the property.

MINIMUM YARD REQUIREMENTS-Commercial and Industrial

Minimum front yard requirement shall be 50 feet.

Minimum side and rear yard requirement shall be 10 feet.

DENSITY

Maximum density of principal residential buildings shall be 6 per acre.

Maximum density of principal commercial & industrial buildings shall be 3 per acre.

HEIGHT

Maximum height of the principal residential building shall be 35 feet.

Maximum height of the principal commercial & industrial buildings shall be 40 feet.

16.8 Sunset Boulevard Industrial Planning District (I-2)

MINIMUM LOT SIZE

20,000 Square feet

100 feet wide and 200 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be either 50 feet or an amount equal to the setback of the buildings on the adjoining properties to maintain a uniform streetscape.

Minimum side yard requirements shall be twenty feet on each side. However when the principal building is to be expanded to the rear and there is currently not the required side depth, the addition to the rear may use the existing side yard depth for a distance that is not greater than one-half of the depth of the existing principal building on the property. The same standard shall apply if the principal building on the property has been damaged or destroyed through some form of accident that is not related to neglect of the property and its routine maintenance.

Minimum rear yard requirements shall be 25 feet. This distance may include one half of the existing alleyway to the rear of the property.

DENSITY

Maximum density of principal buildings shall be 3 per acre.

HEIGHT

Maximum height of the principal building shall be 50 feet.

16.9 Sunset Boulevard Residential Planning District (R-2)

MINIMUM LOT SIZE

7,500 Square feet (for single-family homes; for other combinations, the minimum size shall be an amount equal to the number of dwelling units multiplied by 7,500 square feet.)

75 feet wide and 100 feet deep (these are minimum front and side yard lengths)

MINIMUM YARD REQUIREMENTS

Minimum front yard requirement shall be either 25 feet

Minimum side yard requirements shall be ten feet on each side.

Minimum rear yard requirements shall be 25 feet. This distance may include one half of the existing alleyway to the rear of the property.

DENSITY

Maximum density of principal buildings shall be 6 per acre for single-family homes and ten per acre for other forms of housing.

HEIGHT

Maximum height of the principal building shall be 35 feet.

16.10 Supplementary Height Regulations

The height regulations as described and required in this document and set of regulations shall not apply to the following items:

1. Belfries;
2. Chimneys;
3. Church Spires;
4. Conveyors
5. Cooling Towers;
6. Elevator Bulkheads;
7. Fire Towers;
8. Flag Poles;
9. Grain Elevators;
10. Monuments;
11. Ornamental Towers and Spires;
12. Radio and Television Antennas;
13. Silos;
14. Smoke Stacks;
15. Stage Towers or Scenery Lofts;
16. Tanks; and
17. Water Towers and Standpipes.

16.11 Supplementary Area Regulations

The requirements for yards and similar open spaces may be modified or amplified and required by the Planning Commission in the following manner:

1. Whenever a lot abuts up to a public alley, one-half of the alley width may be considered as a portion of the required yard;
2. Every part of a required open yard shall be open to the sky, except for ordinary projections of sills, belt courses, window air conditioning units, chimneys, cornices, and ornamental features which may project to a distance not to exceed 24 inches into a required yard;

3. No accessory building shall project beyond a required yard line along any street or interior line;
4. Filling station pumps and pump islands may occupy the required yards in the C-1 and C-3 area provided that they are not less than 15 feet from the street right-of-way;
5. One directional or name sign or sign advertising products sold on the premises may occupy a required yard if the following conditions are met:
 - a. The sign is permitted in that zoning district;
 - b. The sign complies with the sign regulations of the Town of Ridgely; and
 - c. The sign is approved by the Planning Commission.
6. Ornamental walls, fences, or hedges not more than 4 feet in height may project into or enclose any required front or side yard to depth from the street line equal to the required depth of the front yard. The same will apply to such items at the rear yard that abuts any alley;
7. Ornamental fences or walls may project into or enclose other required yards, provided such fences and walls do not exceed a height of 7 feet;
8. Accessory buildings which are not a part of the main building, although they may be connected by an open breezeway, may be constructed in a rear yard, provided such accessory building does not occupy more than 30% of the required rear yard;
9. Where an official line has been established for the future widening or opening of a street upon which the lot abuts, then the depth of a front or side yard shall be measured from such official line to the nearest line of the building;
10. For the purpose of the side yard regulations, a group of commercial or industrial buildings separated by common or party walls shall be considered as one building occupying one lot;
11. No sign, fence, wall, hedge, planting, or other obstruction to vision, extending to a height in excess of 3 feet above the established street grade, shall be erected, planted or maintained within the area of a corner lot that is included between the lines of the intersecting streets and a straight line connecting them at points 20 feet distance from the corner intersection of the property lines; and
12. If the owner of a lot in any district does not own a parcel or tract of land immediately adjacent to such lot, and if the deed or instrument under which such owner acquired title to such lot

was of record prior to the application of any zoning regulations and restrictions to the premises, and if such lot does not conform to the requirements of such regulations and restrictions as to the width of lots and lot area per family, the provisions of such lot area per family and lot width regulations and restriction shall not prevent the owner of such lot from erecting a single-family dwelling or making other improvements on the lot; provided such improvements conform in all other respects to applicable zoning regulations and restrictions.

17.0 PARKING, LOADING, AND UNLOADING REGULATIONS

Provisions for parking and loading and unloading are important in rural communities such as Ridgely. The Central Business District is small and actively used. There is little room for additional parking except in the rear lots of some of the commercial buildings. The Planning Commission and the Town Commission should and shall discourage and prohibit the removal of existing buildings, in good and serviceable condition from being removed to create parking in the Central Business District and elsewhere in the community unless there is no prudent and feasible alternative. In all cases, the Planning Commission shall have the authority to alter or waive parking and loading and unloading requirements if it can be demonstrated that the full and complete enforcement of the regulations would have a negative impact on the economic and commercial life of the community and a negative impact on the appearance and architectural character of the Town of Ridgely.

17.1 Definitions

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined below shall have the meaning indicated when used in this document:

- | | |
|----------------------------|---|
| Circulation Area | that portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area. |
| Driveway | this term shall have two meanings. The first shall be that portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not a part of the vehicle accommodation area. The second shall be that commonly associated with residential properties and mean that part of the property that is paved to provide off-street parking for occupants and users of the property and that part of a paved access that leads from any form of street or cart way to a building or structure or an interior portion of a property. |
| Gross Floor Area | the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage. |
| Loading and Unloading Area | That portion of the vehicle area used to load and unload any vehicle. |

- Vehicle Accommodation Area** That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of the circulation areas, loading and unloading areas, and parking areas (spaces and aisles).
- Parking Area Aisles** that portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.
- Parking Space** a portion of the vehicle accommodation area set for the parking of one vehicle.

17.2 Number of Parking Spaces Required

The Planning Commission and the Zoning Administrator shall be responsible for the enforcement of the following regulations and rules with regard to parking:

1. All developments in all zoning districts other than C-2 shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. Parking space requirements in the C-2 district will be determined by the Planning Commission. When adequate off-street parking cannot be practically provided on-site in the C-2 district, the Planning Commission may require that the developer or owner provide a fee-in-lieu for a waiver of parking requirements. Such fees should be used to improve the general parking of the C-2 district or to improve the landscape and overall appearance of the C-2 district;
2. When determining the number of parking spaces required for any development or activity, the Planning Commission may require that any fractional space over one-half be converted to one whole space and that any fractional space under one-half not be included in the count of the total spaces required;
3. The Planning Commission and owners and developers and others to whom these regulations might apply will recognize that the parking requirements cannot and do not cover every possible situation that may arise. Therefore, in cases not specifically covered, the Planning Commission is authorized to determine the parking requirements as a guide; and
4. The following off-street parking spaces shall be required for each use and function as stated:
 - a. Single-family residence - two spaces per dwelling;

- b. One-bedroom apartments and townhouses - 1.5 per unit;
- c. Two-or more bedroom apartments and townhouses - 2.5 per unit;
- d. Churches and Schools - 1 space for every 4 seats in the principal auditorium or 1 space for each ten classroom seats, whichever is greater;
- e. Libraries, Museums, and Public Buildings - 1 space per 200 square feet of floor area;
- f. Business, Banking, or Professional Offices - 1 space per 200 square feet of floor area;
- g. Restaurants, Taverns, and similar uses - 1 space for each 5 seats, plus 1 space for each 2 employees per shift, or 1 space per 200 square feet of floor area, whichever is greater;
- h. Clubs, Lodges, Assembly Halls, and similar uses - 1 space per 200 square feet of floor area;
- i. Retail or Service Business of any type - 1 space for each 200 square feet of floor area;
- j. Gasoline Filling Station - 1 space for each 100 square feet of floor area, but not less than 8 spaces;
- k. Funeral Homes - 8 spaces for each parlor or 1 space for each 50 square feet of floor area, whichever is greater;
- l. Hotels, Motels, Inns, and Lodging Houses - 1.5 spaces per room;
- m. Bed and Breakfast Establishments - 1 space per room;
- n. Manufacturing or Industrial Plants - 1.5 spaces for each 2 employees on the largest working shift;
- o. College or High School - 1 space per 5 seats in the main auditorium or 8 per classroom, whichever is greater;
- p. Elementary or Nursery School - 1 space per 10 seats in the main auditorium or 2 per classroom, whichever is greater;
- q. Day Care or Family Day Care Center - 1 space per employee
- r. Sanitarium, Convalescent Home or similar use - 1 space per every 4 patient beds;
- s. Stadium, Arena, Convention Hall - 1 space for every 4 seats;
- t. Outdoor Recreational area - 10 spaces per acre of use;

- u. Bowling Alleys, Skating Rinks, Billiard Halls, Indoor Athletic and Exercise Facilities and other similar uses - 1 space for the rated capacity of the facility plus 1 space for every employee on the largest shift;
- v. Movie Theaters - 1 space for every 4 seats;
- w. Food Storage Lockers - 1 space for every 200 square feet of customer service area;
- x. General Service or Repair Establishments - 1 space for every 200 square feet; and
- y. Animal Hospital - 1 space for every 400 square feet of gross floor area;

17.3 Prohibitions on Parking Activity

It shall not be permitted in any residential zone or in the Central Business District for any individual or person or organization to park more than one commercial-registration, heavy or large truck of three or more axles or for gross vehicle weights more than 5 ton or any over-the-road tractor trailer or any uncoupled trailer. This section is not intended to apply to commercial "pick-up" trucks or panel vans that have extended cabs or an additional drive axle or to trucks in any commercial or industrial zone. Whenever any of the above regulated items is to be parked, except for local deliveries, they must be parked and left either on the owner's property or leased land or immediately adjacent to and on the public street of the owner's property or leased land. Such vehicles should not be left with their engines or motors running for long periods of time and refrigeration units or other auxiliary motors or engines should not be left in operation for extended periods of time; especially from 10:00 PM until 7:00 PM. No such vehicle may be parked in any public alleyway. No such vehicle may obstruct a driver's view by being too close to any intersection or curve of a street or streets. No such vehicle may occupy more than one-third of the public street or cart way.

17.4 Parking Space Dimensions and Other Criteria

The following shall apply to all parking spaces and areas:

1. Each parking space shall be at least 19 feet long and 9 feet wide;
2. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking space created within the rectangular area of the lines complies with the space size required;

3. Provisions will be made for parking for handicapped and disabled persons as is established by general principles of access and/or federal or state law;
4. Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of each space shall be at least 22 feet by 9 feet;
5. Driveways shall be not less than 10 feet in width for one-way traffic and 18 feet in width for two-way traffic;
6. All commercial and industrial enterprises shall provide an appropriate form of bicycle storage and parking for their customers and employees. The number and manner for such bicycle parking shall be determined by the Planning Commission with the input of the property owner or tenant and with a concern for any type of federal or state law that might be overriding in this regard;
7. Unless no other practicable alternative is available, vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing into a public street. This requirement does not apply to parking areas consisting of driveways that serve dwelling units, although backing onto arterial streets is discouraged;
8. Vehicle accommodation areas of all developments shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous or hazardous turning movements;
9. Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public right-of-ways. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction;
10. Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or to other vehicles and without interfering with parking areas; and
11. Off-street parking facilities shall be drained to eliminate standing water and to prevent damage to abutting property and/or public streets and alleys. Off-street parking areas shall be maintained in a clean, orderly, and dust free condition at the expense of the owner or lessee

and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, or materials. In addition, they shall not be used as sales areas or as open storage or warehouse areas.

17.5 Vehicle Accommodation Area and Travel Surfaces

The following rules shall apply to all vehicle accommodation areas and surfaces:

1. Vehicle accommodation areas shall be graded and surfaced with asphalt, concrete, or other material that will provide equivalent protection against potholes, erosion, and dust, in accordance with Town of Ridgely specifications;
2. Vehicle travel areas except for alleys and private lanes on private property that serve no more than two properties shall be graded and surfaced with asphalt, concrete, or other material that will provide equivalent protection against potholes, erosion, and dust, in accordance with Town of Ridgely specifications;
3. Vehicle accommodation areas and travel lanes shall be marked with either curbs or other markings that will indicate proper travel and parking areas and that shall aid in the prevention of water and other runoff from the impervious surface of the area and lanes;
4. Single-family dwellings and other forms of residential housing shall have graded and paved driveways, vehicle accommodation areas, or parking spaces but they are not required to have curbs or other markings of any type unless such might be appropriate and required by the Planning Commission;
5. All parking spaces in commercial and industrial and residential uses except for single-family dwellings shall be demarcated with painted lines or other markings as required by the Planning Commission and/or the Town Commission; and
6. Vehicle accommodation areas shall be properly maintained at all times and in all respects.

17.6 Special Provisions for Parking Requirements for Existing Buildings

Notwithstanding any other provisions of this ordinance, whenever the following conditions might apply:

1. There exists a lot with one or more buildings or structures on it constructed before the effective date of this ordinance; and
2. A change in use does not involve any enlargement of a structure or building on such lot;
3. The parking requirements that apply to that lot or parcel cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking.

Then the developer need only comply with the requirements of this section on parking, loading, and unloading to the extent that:

1. Parking space is practicably available on the lot where the development is located.

17.7 Parking Area Screening and Landscaping

The following criteria and guidelines shall be used to ensure that parking areas and vehicle accommodation areas are appropriately screened and landscaped:

1. Parking areas for 5 or more vehicles shall be effectively screened on each side that adjoins or is faced by a residential district. This shall consist of an ornamental wall, fence, or plantings. Each screen shall be not less than 4 feet and not more than 6 feet in height except for any trees that might be planted as part of that screen;
2. Parking facilities with 10 or more parking spaces will have interior landscaping that occupies at least 10% of the net parking facility or area. This will not be required to include buffers and setback areas;
3. All landscaping shall be contained in planting beds and each planting bed shall be a minimum of 25 square feet. Each planting bed shall be enclosed by appropriate curbing or similar devices of at least 6 inches in height above the grade of the parking surface;
4. Surface parking facilities at or over 1,500 square feet in size shall have at least one tree per each 1,500 square feet or fraction thereof.
5. Landscaping will include ground cover plantings and shrubbery. Flowering material is encouraged. Non-plant material may be used in addition to plant material;
6. The owner of the property shall install and maintain all landscaping;
7. No part of any parking space shall be closer than 5 feet to any street line;

8. Any lighting used to illuminate any parking area shall be arranged so as to direct all artificial light away from any residential district, occupied or not, and from any public road or cart way; and
9. All parking areas and facilities for 5 vehicles or more shall require the submission of site plans with detailed landscaping plans for the approval of the Planning Commission.

17.8 Loading and Unloading Areas

The following regulations and requirements, subject to the interpretation and oversight of the Planning Commission, shall apply to all loading and unloading operations:

1. Whenever the normal operation of any development or enterprise requires that goods, merchandise, or equipment be routinely delivered to or shipped from that location, a sufficient number of off-street loading and unloading areas must be provided to accommodate the delivery or shipment operations in a safe and convenient manner;
2. The loading and unloading must be of sufficient size to accommodate the number and types of vehicles that are likely to use this area or operation, given the nature of the development in question. The following table and listing may be used by the Planning Commission in providing guidance and making requirements for loading and unloading areas. However, the Planning Commission may alter the following table as necessary for a particular operation or enterprise. That table or chart is as follows:
 - a. 1,000 to 19,000 square feet - 1 loading and unloading space;
 - b. 20,000 to 75,000 square feet - 2 loading and unloading spaces;
 - c. 75,001 to 100,00 square feet - 3 loading and unloading spaces;
 - d. 100,001 to 150,000 square feet - 4 loading and unloading spaces;
 - e. 150,000 to 200,000 square feet - 5 loading and unloading spaces;
 - f. 200,001 to 250,000 square feet - 6 loading and unloading spaces; and
 - g. For buildings above this size, an amount in proportion to the above numbers.
3. For properties that have sufficient staging areas within their own lands, the number of loading and unloading spaces might be reduced by the Planning Commission upon application by the owner or tenant and by a demonstration and proof that sufficient staging and loading and

unloading areas are available upon that single parcel or parcels under single ownership or control and used for the same activity;

4. Loading and unloading areas shall be so located and designed that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way and that the complete loading and unloading operations shall not obstruct any public right-of-way or any parking space or aisle;
5. No area allocated for loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities; and
6. Notwithstanding any other provisions of this ordinance, whenever the following conditions might apply:
 - a. There exists a lot with one or more buildings or structures on it constructed before the effective date of this ordinance;
 - b. A change in use does not involve any enlargement of a structure or building on such lot; and
 - c. The loading or unloading facility requirement that apply to that lot or parcel cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for loading or unloading.

Then the developer need only comply with the requirements of this section on loading, and unloading to the extent that:

1. Loading and unloading space is practicably available on the lot where the development is located.

18.0 SIGNS

Signs play an important part in the life of the community; especially the commercial portion of the community. Accordingly, to better regulate the necessary signs in the Town of Ridgely these regulations will govern signs that will not, by reason of their size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety, or otherwise endanger the public health, safety, morals, and general welfare. They will also permit and regulate signs in such as ways as to support and complement land use objectives set forth in this document and in the Comprehensive Plan; to prevent the proliferation of signs that detract from the appreciation of the landscape, and to preserve and enhance the attractiveness of Ridgely.

18.1 General Regulations

The following will apply generally to all signs in the Town of Ridgely:

1. No sign shall be erected until a building permit has been issued by the Planning Commission, unless that sign does not require approval by the Planning Commission;
2. No sign shall by reason of its intensity, color, location, or movement shall interfere with traffic lights, signals, or other controls, obscure the view of a road, or in any other manner impair public safety. Flashing and/or animated signs are prohibited except for those elements of a sign that display time or temperature;
3. No sign other than an official traffic sign shall be located within the right-of-way of any road;
4. No sign shall be attached to a utility pole or any other unapproved supporting structure. No sign that requires an approval from the Planning Commission shall be attached to a tree;
5. These regulations do not apply to a sign on a truck bus, or other vehicle that identifies the product, service, or activity for which the vehicle is used and which is incidental to the primary use of the vehicle for transportation. This shall not apply to any vehicle that contains a sign and is used primarily to advertise the business or enterprise and is not actively used on the road to support that business or enterprise;
6. Any free-standing sign shall be set back from the side and front lot lines a distance at least equal to the height of the sign or a minimum distance of ten feet, whichever is greater;

7. No off-premises signs are permitted;
8. Political signs or posters may be erected upon private property provided the person responsible for the erection or distribution of such signs, the property owner, or an agent of the property owner shall remove the signs or posters within 15 days after the election to which they are addressed, unless such signs or posters shall continue to be addressed to an election to be held within the next 90 days;
9. Every application for a sign permit shall be submitted to the Planning Commission for approval;
10. Each application for a sign permit shall include the following information;
 - a. The dimensions of the sign and its supporting structure. In addition, the dimensions of and location on the building wall surface, when the sign is to be attached to a building;
 - b. The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated;
 - c. The working or design to be carried on the sign;
 - d. The manner of illuminating and securing the sign to a building, structure, or ground; and
 - e. Materials to be used in the construction of the sign.

18.2 Removal of Signs

The following shall apply to all signs in the Town of Ridgely:

1. Any sign associated with an activity on a vacated premises shall be removed from the premises, altered, or resurfaced by the owner or lessee within 6 months from the time such activity ceases, so that the sign will not display letters, numerals, symbols, figures, designs, or other device for visual communication pertaining to the former activity;
2. All signs shall be maintained in good condition and appearance. The Zoning Administrator shall remove or cause to be removed any sign which shows gross neglect, becomes dilapidated or where the area around such sign is not well maintained;

3. The Zoning Administrator shall remove or cause to be removed any sign erected or maintained in conflict with this ordinance if the owner or lessee of either the site or the sign fails to correct the violation within 30 days after receiving written notice of violation from the Zoning Administrator. Removal of a sign by the Zoning Administrator shall not affect any proceedings instituted prior to the removal of such sign.

18.3 Table of Permitted Signs

Type of Sign	Max. Number	Max. Area	Max. Height	Illumination	Permit	Time Limit	District
Name & Address	1	3	5	no	no	none	all
Place	1	12	5	no	no	none	all
Institutional	1	32	6	yes	yes	none	all
Home Occupation	1	3	5	no	yes	None	all
Public Interest	none	2 of each	6	no	no	none	all
Construction Site	1	32	6	no	no	Project Completion	all
Garage or Yard Sale	2	6 each	5	no	no	Coincident with use	all
Agricultural Products Produced on Premises	2	32	6	no	yes	none	R-3, C-1, C-2, I-1, I-2
Political	2	12	6	no	no	coincident with use	all
Legal Notice	none	none	none	no	no	no	all
Real Estate	1	6	5	no	no	none	all
Special Event	2	32	6	yes	no	30 days	all

Special and New Business Sales Promotions	2	32	8	yes	yes	30 days	all	
Special Decorative Holiday Displays	none	none	25	yes	no	60 days per year	all	
Permitted Business, Commercial, and Industrial Establishments	1	100	10	yes	yes	none	C-2	
Permitted Business, Commercial, and Industrial Establishments	1	200	15	yes	yes	none	C-1, C-3, I-1, I-2	

19.0 NONCONFORMING USES

Within the various zoning districts established by this regulation and ordinance and its amendments that may later be adopted, there exist lots, structures, buildings, and uses of land and improvements and developments which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments. Therefore, it is the intent of this section of this ordinance to permit these nonconformities to continue until they are removed but not to continue their survival. Single-family residential dwellings that are located in a commercial or industrial zone are an exception and are treated separately in a separate section below.

All nonconforming uses except single-family dwellings in the industrial or commercial zones are declared by this ordinance to be incompatible with the permitted uses in the zoning districts involved. It is further the intent of this ordinance that the nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zoning district. Except as permitted elsewhere in this section, a nonconforming use of land, or a nonconforming use of a structure and/or land shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises, or by the addition of other uses of a nature which would be prohibited in the zoning district involved. In particular, this regulation shall apply to and prevent the addition or an increase in the number of dwelling units or habitations in multi-family housing that is located in the single-family (R-1) and (R-3) zoning districts. It shall also be designed and intended to reduce the number of multi-family housing units, dwelling units, or habitations in those single-family zoning districts.

19.1 Hardship

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner;

except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

19.2 Nonconforming Lots of Record

Notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance except in the industrial and commercial zoning districts. This provision shall apply even though such lots fail to meet the requirements for the zoning district for width, length, or area, or any combination that are generally applicable in the zone, provided that yard dimensions shall conform to the following requirements:

1. The sum of the side yards need not exceed 30% of the width of the lot, but in no case shall any side yard be less than 10% of the width of the lot;
2. The rear yard need not exceed 20% of the depth of the lot but in no case shall be less than 10%;
3. The front yard setback need not exceed that established by buildings on lots on both sides of the lot in question, or by the majority of the lots in the block in which the nonconforming lot is located; and
4. Except as above stated, no portion of any parcel shall be used or sold which does not meet lot width, depth, and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any new lot with width, depth, or area below the requirements stated in this ordinance.

19.3 Nonconforming Uses of Land Other Than Nonconforming Residential Uses in the Commercial or Industrial Zoning Districts

Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming use shall be enlarged or increased, no extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance;
2. No such nonconforming use shall be enlarged or increased, no extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance; and
3. If any such nonconforming use of land ceases for any reason for a period of more than 90 days, subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.

19.4 Nonconforming Structures and Buildings other than Nonconforming Residential Uses in the Industrial and Commercial Zoning Districts

Where a lawful structure or building exists at the effective date of adoption or amendment of this ordinance by reason of restrictions on area lot coverage, height, yard size, or other characteristics of the structure or building or its location on the lot or parcel, such building or structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such building or structure may be enlarged or altered in any way that increases its nonconformity;
2. Should such structure or building be destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction as determined by the Building Inspector, it shall not be reconstructed except in conformity with the provisions of this ordinance; and
3. Should such structure or building be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.

19.5 Nonconforming Uses of Structures and Buildings other than Nonconforming Residential Structures and Buildings in the Industrial and Commercial Zoning Districts

If a lawful use of a structure or of a structure or building and premises in combination, exists at the effective date of adoption or amendment of this ordinance, the lawful use by be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure or building devoted to a use not permitted by this ordinance in the zoning district in which it is located, except dwelling, shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of a structure or building to a use permitted in the zoning district in which it is located;
2. Any conforming use may be expanded within a building which was arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building or structure;
3. If no structural alterations are made, any nonconforming use of a structure or structure and premises, may be changed to another nonconforming use provided that the Board of Appeals may require appropriate conditions and safeguards in accord with the provisions of this entire ordinance;
4. Any structure or building or structure and land combination, or one in which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the zone in which such structure is located, and the nonconforming use may not thereafter be resumed;
5. In any residential district when a nonconforming use of a structure, building or structure, building and land combination is discontinued or abandoned for 6 consecutive months for 18 months during any three-year period, the structure, building or structure and premises in combination shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located; and
6. Where the nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

19.6 Repairs and Maintenance to Nonconforming Structures other than Residential Structures in a Commercial or Industrial District

On any building or structure devoted in whole or in part to any nonconforming use, work may be done in any period of 12 consecutive months for ordinary repairs, or on repair or replacement of

non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding 10% of the current replacement value of the building or structure, provided that the cubic content of the building, as it existed at the time of the passage of this ordinance shall not be increased. The Building Inspector shall determine the value of the work or repair involved and arrive at the 10% threshold figure.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon the order of such official.

19.7 Uses Under Exception Provisions for Nonconforming Uses

Any use for which a special exception is permitted as provided in this ordinance shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in such zoning district.

19.8 Nonconforming Residential Use and Nonconforming Residential Structures and Buildings in any Commercial or Industrial Zoning District

Notwithstanding any limitations imposed by other provisions of this article and section, a lawful residential use and/or residential structure which exists in any commercial or industrial zoning district at the date of the adoption of this ordinance may be:

1. Repaired or maintained, provided that the cubic content of the building as it existed at the time of the adoption or amendment of this ordinance is not increased;
2. Enlarged, provided that the applicant for enlargement applies for a special use exception, and meets the criteria of this ordinance with respect thereto, as well as any condition which may be imposed by the Board of Zoning Appeals; and
3. Rebuilt if destroyed by fire, wrongful act of another, or natural disaster provided that the structure to be rebuilt is placed in the same location on the lot as the structure it is to replace, and provided that it is of no greater cubic content than the structure it is to replace.

20.0 ADEQUATE FACILITIES REQUIRED

Unless specifically indicated otherwise, the provisions of this article and section shall apply only to major subdivisions, townhouse developments, multi-family development projects, and to all new industrial and commercial development.

The Planning Commission shall review all subdivision requests and all commercial and industrial development and all site plans of such to determine whether existing or planned public facilities are adequate to serve the needs of the subdivision or of the commercial or industrial development. If the Planning Commission determines that adequate public facilities do not exist, it may deny approval for the subdivision or for the commercial or industrial development.

Public facilities that may be considered under this article and section include, but shall not be limited to the following enumeration and listing:

1. Sewer;
2. Water;
3. Roads;
4. Drainage;
5. Schools;
6. Fire Protection;
7. Police Protection; and
8. Solid Waste Collection and Disposal.

The Planning Commission shall develop regulations and detailed guidance for the creation of major subdivisions and for commercial and industrial development. As a part of those regulations and detailed guidance, the Planning Commission shall have the ability and shall require the applicant for subdivisions and industrial and commercial development to provide plans and specifications that demonstrate that the proposed action will not over tax or over extend the current facilities in the Town of Ridgely. Those regulations shall be approved by the Town Commission.

21.0 PLANNING COMMISSION

To better facilitate the growth and development of the Town of Ridgely, there shall be a Planning Commission as part of the municipal government.

21.1 Composition and Appointment

There is hereby created a Planning Commission consisting of 5 members, appointed by the Commissioners of Ridgely. All members shall be residents of Ridgely. The term of office of each member is 5 years. Vacancies shall be filled by the Town Commissioners for the unexpired term of any member whose seat becomes vacant. After a public hearing before the Town Commissioners, members may be removed for inefficiency, neglect of duty, or malfeasance in office. The Town Commissioners shall file a written statement or reasons for the removal.

21.2 Officers

The Planning Commission shall elect at its first meeting in each calendar year a chairman and a vice-chairman from among the appointed members. Each will serve for 1 year or until their successors are elected. In the event of a vacancy in either of said offices, a successor shall be elected to serve for the unexpired term of the vacated office. In the absence of the Chairman, the Vice-Chairman shall serve as Acting Chairman. The Zoning Administrator shall serve as Executive Secretary to the Planning Commission.

21.3 General Powers and Duties

The Planning Commission shall have the following powers and duties:

1. To review, evaluate, and approve or disapprove plans for subdivisions and for commercial and industrial development;
2. To review and make recommendations to the Ridgely Comprehensive Plan regarding:
 - a. Proposed changes or amendments to the Ridgely Comprehensive Plan;
 - b. Proposed text amendments to the Zoning Ordinance;
 - c. Proposed text amendments to the Subdivision Regulations;

- d. Proposed rezonings;
- e. Proposed acquisition and development of lands for Town open space or for recreation programs;
- f. Proposed changes in land use or development arising from local, state, or federal programs or policies or for decisions by the judicial systems that might impact planning and zoning and subdivision activity in Ridgely; and
- g. All development plans and other actions that are referred to it by the Town Commission.

21.4 Meetings

The following shall apply to all meetings of the Planning Commission:

- 1. Meetings of the Planning Commission shall be held once each month, at the call of the Chairman, at the request of three members of the Planning Commission, or at the request of the Town Commission, and at such other times as the Planning Commission may determine;
- 2. The presence of 3 members of the Planning Commission shall constitute a quorum for the conduct of business; and
- 3. An affirmative vote of 3 members shall be required to effect a decision or recommendation of the Planning Commission.

21.5 Rules of Procedure

The following rules of procedure shall apply to meetings of the Planning Commission:

- 1. The meetings of the Planning Commission shall be open to the public, but the Planning Commission may limit public participation by resolution for a particular matter or submission. When appropriate, the Planning Commission may adjourn to Executive Session, but only in accordance with appropriate Maryland State Law;
- 2. For proceedings before the Planning Commission which require a public hearing, see Article 23 of this ordinance;
- 3. At the meetings of the Planning Commission, any interested person shall have the right to submit, in accordance with the established rules, oral or written testimony and comment;

4. The Planning Commission may adopt by resolution, additional rules of procedure provided such rules are consistent with this ordinance and applicable state laws and regulations. Such rules as adopted shall be available to the public;
5. The Planning Commission shall have the authority to consult legal counsel when necessary before rendering any decision or making any recommendations; and
6. The Planning Commission shall have the authority to table any request so that it may gather additional information before rendering any decision or making any recommendations.

21.6 Records

The following shall apply:

1. The Planning Commission shall keep minutes of all of its proceedings which shall contain the names of the members present, a summary of all testimony, comment, or evidence presented, the exhibits presented, and the decision or recommendation of the Planning Commission. The minutes shall also show the vote of each member upon each question, or, if absent or failing to vote, indicating that fact; and
2. A permanent file of each proceeding, including applications and the minutes, shall be maintained in the Town Office and shall be a public records.

22.0 BOARD OF APPEALS

There shall be a Board of Appeals appointed by the Commissioners of Ridgely.

22.1 Organization

The Board of Appeals shall consist of 3 members, all of whom shall be residents of the Town of Ridgely. Members are to be appointed by the President and confirmed by the Commissioners, and shall serve without compensation. Members shall be removable for cause upon written charges, and after a public hearing. Of the members first appointed, one shall serve for 1 year, one for 2 years, and one for 3 years. Thereafter, members shall be appointed for terms of 3 years each. Vacancies shall be filled in a like manner and for the remainder of the unexpired term of the predecessor.

22.2 Alternate Members

The Town Commissioners shall designate 1 alternate member for the Board of Appeals who may sit on the Board in the absence of any member of the Board. When the alternate is absent, the Commissioners may designate a temporary alternate.

22.3 Officers

The Board shall elect a Chairman and a Vice-Chairman from among its members, each to serve for one year or until their successors are elected. In the event of a vacancy in either of said offices, a successor shall be elected to serve for the unexpired term of the vacated office. In the absence of the Chairman, the Vice-Chairman shall serve as Acting Chairman. The Zoning Administrator shall serve as Executive Secretary of the Board of Appeals.

22.4 General Powers

The Board of Appeals shall have the following general powers:

1. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance;

2. To hear and decide special exceptions to the terms of this Ordinance upon which such Board is specifically authorized to pass under this Ordinance;
3. To authorize upon appeal in specific cases such variance from the specific terms of this Ordinance as will not be contrary to the public interest, where, owing to special conditions, the enforcement of the provisions of this Ordinance will result in unwarranted hardship, and injustice, but which will most nearly accomplish the purpose and intent of this Ordinance; and
4. To determine, in cases of uncertainty, the classifications as to district of any use not specifically named in this Ordinance; provided, however, such use shall be in keeping with uses specifically named in the district regulations.

22.5 Meetings

The following shall apply to all meetings of the Board of Appeals:

1. Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman, and at such other times as the Board may determine; and
2. Two (2) members of the Board shall constitute a quorum.

22.6 Rules of Procedure

The following rules of procedure shall apply to all meetings of the Board of Appeals:

1. The meetings of the Board of Zoning Appeals shall be open to the public, but public participation may be limited to periods during which testimony is permitted;
2. The Chairman or in his absence the Acting Chairman, may administer oaths and may compel the attendance of witnesses; and
3. The Board of Zoning Appeals may adopt by resolution additional rules of procedure, provided such rules are consistent with this Ordinance and with applicable State enabling legislation. Such rules shall be available to the public.

22.7 Decisions of the Board of Appeals

The following shall apply to decisions of the Board of Appeals:

1. An affirmative vote of 2 members shall be required to effect any decision of the Board;

2. A member of the Board who did not attend the public hearing on an application shall not participate in the decision on said application;
3. The Board may meet in executive session, in accordance with State Law, when deliberating as to what its decision should be in any proceeding which has been previously fully heard and concluded before it;
4. The Board shall render its decision in open session within 30 days following the close of the public hearing;
5. All decisions shall be recorded in the minutes and shall include findings of fact based directly on the particular evidence presented to the Board, the conclusions of the Board and the reasons therefore;
6. Each decision shall also include the names of the members of the Board who voted or who were present when a vote was taken, and shall indicate the manner in which each member voted; and
7. A copy of each decision shall be furnished to the applicant(s), the Ridgely Planning Department and any other party to the proceedings without charge.

22.8 Records

The Board of Zoning Appeals shall keep minutes of its proceedings. The minutes shall contain the exhibits presented at the hearing, a summary of all testimony or evidence presented, and the decision of the Board. All applications for hearings and the minutes shall be a public record.

22.9 Applications

All applications to the Board of Appeals shall comply with the following:

1. Appeals to the Board of Appeals may be taken by any person aggrieved, or by an officer, department, board, or bureau of the Town affected by any decisions of the Zoning Administrator. Such an appeal shall be taken within 2 weeks following the action so appealed by filing with the Zoning Administrator and with the Board of Appeals a notice of appeal, specifying the grounds thereof;

2. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board, after notice of appeal files with him/her, that by reason of fact in the case, a stay would in his opinion, cause imminent peril to life and property;
3. All applications for hearings shall be made on forms approved by the Board of Zoning Appeals and shall be available from the Zoning Administrator;
4. Each application shall be signed by the applicant(s), such as an owner, tenant, contract purchaser, or appointee of property involved, the protestant(s), or the agent or attorney of any of them; and
5. Applications, together with all required information and fees shall be filed with the Zoning Administrator at least 18 days prior to the meeting of the Board at which the application is to be considered.

22.10 Special Exceptions

In order to provide for adjustment in the relative location of uses and buildings of the same or of different classifications, to promote the usefulness of this Ordinance as an adjustment, and to supply the necessary elasticity to its efficient operation, special exceptions are permitted by the terms of this Ordinance. Under general requirements:

1. The Board shall have the power to approve special exceptions for any of the uses for which this Ordinance requires obtaining of such exceptions and for no other use or purpose. The Board shall not grant a special exception except in conformance with the conditions and standards of this Ordinance;
2. In granting a special exception, the Board shall make findings of fact consistent with the provisions of this Ordinance. The Board shall grant a special exception only if it finds adequate evidence that any proposed use submitted for a special exception will meet all of the standards listed for the proposed uses. The Board shall, among other things, require that any proposed use and location be:
 - a. In accord with the Town's Comprehensive Plan and consistent with the spirit, purposes, and intent of this Ordinance;

- b. Suitable for the property in question and designed to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity; and
 - c. Suitable in terms of effects on Street traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard.
- 3. The Board may impose whatever conditions regarding layout, circulation, and performance it deems necessary to insure that any proposed development will secure substantially the objectives of this Ordinance. The Board shall consider recommendations of the Planning Commission, if any, prior to rendering a decision.

22.11 Variances

The Board of Appeals shall have the power to grant variances of the following types and in accordance with the following standards:

- 1. Types of Variances:
 - a. Yard, area or bulk requirement;
 - b. Bulk, area or height of structures.;
 - c. Height or size of signs.; and
 - d. Placement of earth satellite antennae.
- 2. Standards for Granting a Variance:
 - a. Strict enforcement of this ordinance would produce unnecessary and undue hardship as distinguished from variations sought by applicants for purposes or reasons of convenience, profit or caprice;
 - b. Such hardship is the result of special conditions an/or circumstances not generally shared by other properties in the same zoning district or vicinity, and which are peculiar to the land, structure or building involved. Such conditions and/or circumstances may include but are not limited to the following: exceptional narrowness or shallowness or both, or irregular shape or topography of the property; unusual and limiting features of the building; or the effective frustration or prevention of reception of satellite programming due to the presence of a physical object or objects which obscure the line of sight, when such object or objects cannot be easily removed;

- c. Such special conditions or circumstances must not be the result of any action or actions of the applicant;
- d. Granting of the variance must be in harmony with the general purpose and intent of the ordinance and must not be injurious to adjacent property, the character of the neighborhood or the public welfare;
- e. Granting the variance shall not allow a use expressly or by implication prohibited in the zoning district involved;
- f. The condition, situation or intended use of the property concerned is not of so general or recurring a nature as to make practicable a general amendment to the ordinance; and
- g. The variance granted must be the minimum necessary to afford relief.

22.12 Lapse of Special Exception or Variance

After the Board of Appeals has approved a special exception or granted a variance, the special exception or variance so approved or granted shall lapse after the expiration of 1 year if no substantial construction or change of use has taken place in accordance with the plans for which such special exception or variance was granted, and the provisions of this Ordinance shall then govern.

22.13 Appeals from certain Zoning Decisions

Any person described in the appropriate sections of the Maryland Annotated Code, Article 66B, may appeal any decision to the Board of Appeals and any zoning decision of the Commissioners of Ridgely to the Circuit Court for Caroline County in the manner and by the method set forth in the Maryland Rules. Nothing herein contained shall change the existing standards for review of any such appeal.

23.0 AMENDMENTS

Because of the changing nature of land-use needs and because of changing conditions, these ordinances and regulations may be altered by the Commissioners of Ridgely using these regulations as rules of procedure.

23.1 Provisions for Amendment

The Regulations, restrictions, classifications, and boundaries set forth in this ordinance may from time to time be amended, supplanted, modified, or repealed by the Commissioners of Ridgely.

The reclassification of any property and the relocation of zone boundaries shall be deemed an amendment to this Ordinance and subject to the provisions of this section.

23.2 Initiating Amendments

Proposals for amending the Zoning Ordinance text may be made by any interested person or governmental agency. Proposals for amendment of the Official Town Zoning Maps may be filed by any governmental agency or by a person with a committed financial, contractual, or proprietary interest in the property to be affected by the proposed amendment.

23.3 Procedure for Amendments

Any officially filed amendment or other change shall first be referred by the Town Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission or staff shall cause such investigation to be made as they deem necessary, and for the purpose may require submission of pertinent information by any person concerned, and may hold such informal public hearings as are appropriate in their judgement.

The Planning Commission shall submit their recommendation and pertinent supporting information, to the Town Commissioners within 60 days, unless an extension of time is granted.

After receiving the recommendations of the Planning Commission concerning a proposal for amendment to the Zoning Ordinance text, the Town Commissioners shall determine whether or not said proposal is suitable to warrant the introduction of legislation and to that end may conduct any informal hearings as in its sole discretion it deems appropriate.

Upon introduction of legislation, the Town Commissioners shall hold a public hearing in reference thereto and shall give public notice of such hearing in accordance with the provisions of this Ordinance.

After receiving the recommendations of the Planning Commission concerning any proposal for amendment of the Official Zoning Maps and before adoption or denial of same, the Town Commissioners shall introduce legislation for the proposed change and hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The Town Commissioners shall give public notice of such hearing in accordance with the provisions of this ordinance.

Regardless of amendment type, a complete record of the hearing, and the votes of all members of the Town Commissioners in deciding all questions relating to the proposed amendment shall be kept.

Upon passage of a text amendment to the Zoning Ordinance, the affected page(s) may be removed from the Ordinance and page(s) containing the amended language inserted and footnoted. A list of amendments shall be maintained with appropriate dates at the end of this Ordinance.

23.4 Required Site Visit

The Town Commissioners shall not approve or disapprove any application for the reclassification of land unless and until a visit to the site in question has been made by at least a majority of the members in order to inspect the physical features of the property and to determine the character of the surrounding area. However, notwithstanding the provisions of this Section, application for a map amendment shall be decided upon the basis of the evidence of record. Such Site visit shall not be required for sectional or comprehensive reclassification.

23.5 Findings for Reclassification

Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the Town Commissioners shall make findings of fact in each specific case including but not limited to the following matters: population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development, and compatibility with the Town's Comprehensive Plan. The Town Commissioners may grant the reclassification based upon a finding that there was a substantial change in the character of the area where the property is located, or that there is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Town of Ridgely Comprehensive Plan.

The fact that an application for reclassification complies with all of the specific requirements and purposes set forth in this ordinance shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with surrounding land uses and is not, in itself, sufficient to require the granting of the application

23.6 Application for Reclassification

Every application for a reclassification shall be accompanied by a plat drawn to scale showing the existing and proposed boundaries and other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Map. Such plat shall not be required for sectional or comprehensive reclassification.

23.7 Filing Fee for Reclassification

A filing fee in an amount which shall be determined by the Town Commissioners shall be charged for processing an application for reclassification.

23.8 Repeated Application for Reclassification

No application for reclassification shall be accepted for filing by the Town Commissioners if the application is for the reclassification of the whole or any part of land for which the Town Commissioners has denied reclassification within 12 months from the date of the decision of the Town Commissioners.

However, the Town Commissioners may allow an applicant to withdraw an application for a map amendment at any time; provided, that if the request for withdrawal is made after publication of the notice of hearing, no applications for reclassification of or any part of the land which is subject of the application shall be allowed within 12 months following the date of the resolution of the Town Commissioners approving such withdrawal, unless, by the resolution allowing withdrawal or subsequent resolution, the Commissioners specify that the time limitation shall not apply.

23.9 Changing of Official Zoning Maps

It shall be the duty of the Planning and Zoning Administrator to change the Official Zoning Maps forthwith upon the adoption of any amendments, in order that said maps shall always be an up-to-date public record of the zones in the Town.

24.0 REQUIREMENTS FOR PUBLIC NOTICE

Public participation is appropriate in all procedures and decisions in Ridgely. Accordingly, the following rules and regulations for public notice are made a part of this ordinance.

24.1 Procedure

Unless otherwise expressly provided by law, all notices to the general public required by the terms of this ordinance shall be made as follows:

1. By posting the property affected or to be affected by the pending proceeding. Such posting shall be made at least 15 days prior to the hearing date by erection of a sign to be furnished by the Planning and Zoning Administrator. Such sign shall be erected by the initiator of the proceeding within ten (10) feet of whatever boundary line of such land abuts the most traveled public road and if no public road abuts thereon, then facing in such a manner as most readily may be seen by the public as designated by the Administrator;
2. The sign shall include the with the assigned case number, if any, a short description of the nature of the proceeding, and the telephone number of the appropriate government office to provide information regarding the proceeding. No such sign shall be furnished by the Planning and Zoning Administrator to the initiator of the proceeding, except to a public official acting in such capacity, without the initiator first exhibiting a receipt showing payment of the required fee;
3. Upon return of the sign in good condition to the Planning and Zoning Administrator, there shall be repaid to the initiator of the proceeding four fifths of the required deposit theretofore paid. If the initiator of the proceeding is a person other than the owner, his attorney, agent, or a person otherwise privy with the owner, and the initiator of the proceeding files an affidavit stating that the owner is unwilling to permit the posting of any such sign, the posting shall be made by the Planning and Zoning Administrator. At the hearing, it shall be the duty of the initiator of the proceeding to prove by affidavit that he has fully complied with this paragraph and has continuously maintained the sign or other posting in compliance with this provision up to the time of the hearing. Any sign required to be posted by this provision shall be maintained in a visible location and free from obstruction by brush, weeds, or other growth until after the public hearing is held, and such sign shall be removed within 5 days after the final decision. Such posting of the Site shall not be required for sectional or comprehensive amendment procedures.

24.2 Public Hearing

All proceedings under the terms of this ordinance, requiring a public hearing, shall be advertised by the Town, once a week for 2 successive weeks in a newspaper of general circulation in the Town, the cost for which publication shall be borne by the petitioner, prior to the date proceeding is scheduled for hearing, which advertisement shall state the following:

1. The date, time and place of such hearing;
2. A summary of the purpose of the proceeding in sufficient detail to inform the public of the nature of the proceeding and the relief sought by the initiator of the proceeding;
3. The location of the property involved, its area, name of owner, and file or case number of the proceeding, and the name of the governmental body before whom such proceeding is to be conducted; and
4. Any other information deemed necessary by the Planning and Zoning Administrator to adequately inform the public of the proceeding.

24.3 Public Notice

Except in cases of a proposed amendment to the text of this ordinance or a proposed sectional or comprehensive map amendment, whenever the application of this ordinance requires the holding of a public hearing, the governmental body conducting such hearing shall give at least 14 days notice of the time and place of such hearing to be mailed by the regular U.S. mail, first class postage prepaid, to the initiator of the proceeding, to the Planning Commission, and to the owners of all property contiguous to the property with which the hearing is concerned and of all properties opposite said property measured at right angles to any intervening road or street. Said mailed notice shall be directed to the address to which the real estate tax bill on the property is sent. Said notice shall contain the same information as the published notice required by this ordinance. Notification of property owners shall not be required for sectional or comprehensive amendment procedures.

25.0 ZONING PERMIT AND CERTIFICATE OF OCCUPANCY REQUIRED

Appropriate building and zoning permits and certificates of occupancy provide proof of compliance with the rules and regulations and the ordinances as set forth in this ordinance. They shall be required at all times.

25.1 Zoning and Building Permit

The following shall apply to all applications for zoning and building permits:

1. No building or sign shall be erected, constructed, altered, moved, converted, extended, or enlarged without the owner or owners first having obtained a Zoning Permit from the Zoning Administrator. Such permit shall require conformity with the provisions of this Ordinance. When issued, such permit shall be valid for a period of 6 months.;
2. No Zoning and building Permit by the Zoning Administrator, lawfully issued prior to the effective date of this Ordinance, or of any amendment hereto, and which permit, by its own terms and provisions, is in full force and effect at said date, shall be invalidated by the passage of this Ordinance, or any such amendment, but shall remain a valid and subsisting permit subject only to its own terms and provisions and ordinances, rules, and regulations appertaining thereto, and in effect at the time of the issuance of said permit; provided, that all such permits shall expire no later than 60 days from the effective date of this Ordinance, unless actual construction shall have theretofore begun and continued pursuant to the terms of said permit;
3. No permit for excavation for any building shall be issued before application has been made for a Zoning and building Permit;
4. A Zoning Permit shall be required of all non-conforming uses. Application for a Zoning Permit shall be filed with the Zoning Administrator within 12 months from the effective date of this Ordinance; and
5. All zoning and building permits in the C-2 zone and all industrial and commercial buildings and structures will require approval by the Planning Commission and will include design and site review and approval.

25.2 Certificate of Occupancy

A Certificate of Occupancy shall be required and obtained under the following circumstances:

1. Uses and structures requiring Site plan review and approval shall not be occupied or utilized until a Certificate of Occupancy shall have been issued by the Town Planning and Zoning Administrator;

2. Certificates of use and occupancy shall be applied for coincident with the application for a building permit, and shall be issued within 10 days after the property owner or owner's representative has notified the Town Planning and Zoning Administrator of completion of all improvements in compliance with the approved Site plan, provided:
 - a. The on-site construction and improvements noted in the approved site plan, upon inspection, are found completed and acceptable to the Town; and
 - b. The off-site improvements related to and necessary to service the site have been completed and inspected by the Town Engineer and/or the Superintendent of Public Works, the State Highway Administration or other appropriate highway department officials, or the developer has provided surety acceptable to the Town of Ridgely in all such matters.

25.3 Filing Fees

A schedule of filing fees is maintained at the Town Office. Fees are subject to periodic revision by the Town.

26.0 INTERPRETATION AND CONFLICT

26.1 General Provisions

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, or general welfare. It is not intended by this Ordinance to interfere with, or abrogate or annul any easement, covenants, or other agreement between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces than are imposed or required by other resolutions, ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of this Ordinance shall govern. If, because of error or omission in the Zoning District Map, any property in the jurisdiction of this Ordinance is not shown as being in a zoning district, the classification of such property shall be classified R-1, until changed by amendment.

26.2 Conflict with Other Ordinances

The terms of this ordinance shall be deemed to control and to have superseded the terms of any prior conflicting ordinance.

27.0 ENFORCEMENT, VIOLATIONS, AND PENALTIES

27.1 Enforcement

It shall be the duty of the Zoning Administrator to enforce the provisions of this Ordinance and to refuse to issue any permit for any building, or for the use of any premises which would violate any of the provisions of said Ordinance. It shall also be the duty of all officers and employees of the Town to assist the enforcing officer by reporting to him any seeming violation in new construction, reconstruction, or land use.

27.2 Violations

In case any building is erected, constructed, reconstructed, altered, repaired, or converted or any building or land used in violation of this Ordinance, the Zoning Administrator is authorized and directed to institute any appropriate action to put an end to such violation. The Commissioners of Ridgely, the Board of Appeals, the Planning Commission, the Zoning Administrator, or any person whose property is affected by any violation of these regulations or any order validly issued hereunder, including abutting or adjacent property owners, whether or not specially damaged, may maintain an action in Circuit Court for Caroline County or request the Zoning Administrator to prohibit the erection, construction, reconstruction, alteration, extension, enlargement, repair, or use of buildings or other structures and land otherwise than in conformity herewith.

27.3 Penalties

It is a misdemeanor for any person or corporation to violate any provision of this Ordinance, or to erect or construct or alter or repair or convert or maintain any building or structure or sign or land in violation of any written statement or plan submitted and approved hereunder. Upon conviction, the violator shall be subject to a fine not exceeding \$100 or imprisonment not exceeding 60 days or any combination thereof. Each day such violation continues shall be a separate offense.

It is a misdemeanor for any owner or occupant of a building or structure or sign or land or part thereof, which is in violation of this ordinance, or any architect, builder, contractor, subcontractor, agent, servant, person or corporation, knowingly to assist or further the commission of any violation of this Ordinance. There shall be a rebuttal presumption that the defendant was violating the ordinance knowingly. Upon conviction, the aider or abettor shall be subject to a fine

not exceeding \$100 or imprisonment not exceeding 60 days or any combination thereof. Each day such aiding and abetting occurs shall be a separate offense.

Proceedings hereunder may be commenced without prior notice to the defendant by way of citation, statement of charges, or any other method allowed by law.