

(156) Lateral oil/gas drilling and extraction.

(i) “Lateral oil/gas drilling and extraction” means the process of searching for and extracting oil and gas reserves from the subsurface of property by drilling from and establishing wells on adjacent property.

(ii) “Lateral oil/gas drilling and extraction” does not include any surface activity and refers only to the property toward which subsurface drilling and extraction wells are directed.

(157) Legal nonconforming structure.

“Legal nonconforming structure” means any building or structure legally established prior to the effective date of this Title or subsequent amendment that does not fully comply with the standards imposed by this Title.

(158) Local road.

“Local road” means a road or street:

- (i) Designed to provide vehicular access to abutting property; and
- (ii) Designated in the Transportation Element of the Comprehensive Plan.

(159) Lot.

(i) “Lot” means a parcel of land undivided by a public or private road that is recorded by the recorder of deeds.

(ii) Notwithstanding paragraph (a) of this section, two (2) or more areas of land divided by a private road which would otherwise qualify as separate lots under paragraph (a) of this subsection may be treated as a single lot if an appropriate plat and any private road covenants required by this Title include a legend and provisions declaring that the divided parcel:

1. Shall be treated as a single lot for purposes of this Title;
2. Shall remain in common ownership unless and until the same is further subdivided; and
3. Shall not be further subdivided without approval of the Planning Commission.

(160) Lot area.

“Lot area” means the area contained within the boundary lines of a lot.

(161) Lot frontage.

“Lot frontage” the linear footage between the intersection of the side lot lines and the front lot line. When a lot has more than one street lot line, lot width shall be measured, and the minimum lot frontage required by this Title shall be provided, at each such line.

(162) Lot line.

“Lot line” means a line dividing one lot from another lot, or from a public or private street or road, except that where any portion of the lot extends into the public right-of-way or a proposed public right-of-way, the line of such public right-of-way shall be the lot line.

(163) Lot of record.

“Lot of record” means any validly recorded lot that, at the time of its recordation, complied with all applicable laws, ordinances and regulations.

(164) Lot owner.

(i) “Lot owner” means a person, including a covenantor, who, at anytime when the identity of a lot owner is to be determined for purposes of this Title or any covenant, is the owner of any lot within a subject area.

(ii) “Lot owner” does not include a mortgagee, the holder of any other security interest in the property, the County, or any governmental agency.

(165) Lot width.

“Lot width” means the distance between the side lot lines at the front setback line. Where there is only one side lot line, lot width restrictions shall be measured between the side lot line and the opposite lot line.

(166) Luminaire.

“Luminaire” means a complete lighting unit consisting of a light source and all necessary mechanical, electrical and decorative parts.

(167) Maintenance guarantee.

“Maintenance guarantee” means a guarantee of facilities or work to insure or maintain the correction of any failures of any improvements required pursuant to this Title.

(168) Major site plan.

“Major site plan” means any site plan other than a minor site plan.

(169) Major subdivision.

“Major subdivision” means any subdivision other than an administrative or minor subdivision.

(170) Manufactured home.

“Manufactured home” means a dwelling unit that:

(i) Is fabricated in an off-site manufacturing facility for installation or assembly at the building site; and

(ii) Bears a label certifying that it is built in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.

(171) Manufactured home community.

“Manufactured home community” means a planned residential development that:

(i) May be a rental community or subdivision; and

(ii) Contains manufactured homes.

(172) Map amendment.

“Map amendment” means an amendment that involves a change of one or more district boundaries as shown on the Zoning Maps and/or a change in the zoning classification of specific property.

(173) Marina.

(i) “Marina” means any waterfront facility for the mooring, berthing, storing, securing, or repair of watercraft.

(ii) “Marina” does not include community or private piers.

(174) Marquee sign.

“Marquee sign” means a permanent wall-like structure projecting beyond a building or extending along and projecting beyond the wall of the building that advertises only present and scheduled events.

(175) Mega farm.

“Mega farm” means a farm that meets the Environmental Protection Agency’s definition of a confined animal feeding operation (CAFO).

(176) Migrant.

(i) “Migrant” means an individual who is employed in the agricultural or seafood industry in a seasonal or other temporary nature, and who is:

(ii) Required to be absent overnight from the migrant’s permanent place of residence, and includes any person who accompanies and resides with a migrant, such as immediate family members; or

(iii) Housed at a migrant labor camp but has no permanent place of residence.

(177) Migrant labor camp.

“Migrant labor camp” means a facility, including structures, buildings, barracks, trailers, mobile homes, converted buildings and unconventional enclosures of living spaces, used or intended for the use of housing migrants, or the real property on which is located a facility used or intended for use as housing for migrants. Migrant labor camps do not include farm employee dwellings.

(178) Minimum floor elevation.

“Minimum floor elevation” means the lowest elevation permissible for the construction, erection or other placement of any floor, including a basement floor.

(179) Miniwarehouse.

“Miniwarehouse,” means a building, or group of buildings, divided into two (2) or more individual units, each unit being leased to an individual solely for dead storage and not in conjunction with the day-to-day operation of a business.

A “miniwarehouse” may include an office for the sole purpose of conducting business specific to the “miniwarehouse” site.

(180) Minor site plan.

“Minor site plan” means a site plan that involves only:

- (i) Planned residential developments with five (5) or less dwelling units;
- (ii) Projects resulting in total floor area (existing or proposed) of equal to or less than 10,000 square feet;
- (iii) Outside areas used for sales, storage, or display; or
- (iv) Approval of projects in any County business park.

(181) Minor subdivision.

“Minor subdivision” means the subdivision of land into no more than five (5) lots, including the creation of any required easements or rights-of-way.

(182) Mobile home.

“Mobile home” means a dwelling unit that:

- (i) Is fabricated in an off-site manufacturing facility for installation or assembly at the building site;
- (ii) Does not bear a label certifying that it is built in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended; and

(iii) Was constructed before the enactment of the federal regulations.

(183) Modular home.

“Modular home” means a dwelling unit that:

(i) Is fabricated in an off-site manufacturing facility for installation or assembly at the building site; and

(ii) Bears a label certifying that it is built in compliance with Title 6 of Article 83B of the Annotated Code of Maryland.

(184) Multi-family.

“Multi-family” means a planned residential development consisting of more than one (1) dwelling unit (such as duplexes, townhouses, apartments or multiplex) that involves the identification and protection of required open space and is accomplished pursuant to design and improvement standards set forth in subpart 2 of Part III of this Title.

(185) Municipal corporation.

“Municipal corporation” means the towns of Barclay, Centreville, Church Hill, Millington, Queenstown, Queen Anne, Sudlersville, and Templeville.

(186) Net buildable area.

“Net buildable area” means the portion of a lot that may be developed after all district regulations and site development standards have been calculated. “Net buildable area” shall equal base site area less those portions of a lot set aside to meet the requirements for setbacks, open space, landscape surface area, pervious surface area, forest conservation requirements, resource protection, and any other area regulations that prohibit development set forth in this Title.

(187) Net tract area.

“Net tract area” means the portion of the total tract for which land use will be changed or will no longer be used for primarily agricultural activities, reduced by the area found to be within the boundaries of the 100-year floodplain.

(188) Noncommercial forestry.

(i) “Noncommercial forestry” means the authorized tree cutting or clearing not intended primarily for commercial gain or profit.

(ii) “Noncommercial forestry” includes removal of sick or dead trees and general horticultural practices related to maintaining the health and stability of a forest.

- (iii) Timber removed for noncommercial forest activities may be sold by the property owner, provided commercial gain is not the primary reason for the removal of timber.

(189) Nonconforming lot.

“Nonconforming lot” means a lot that is a lot of record and does not meet the area or bulk requirements of the district in which it is located.

(190) Nonconforming use.

“Nonconforming use” means any use, lot, building, sign or structure that was legally established prior to the effective date of this Title or subsequent amendment that would not have been allowed to be established under this Title.

(191) Noncontiguous parcel.

- (i) “Noncontiguous parcel” means a parcel included within a development plan that:

1. Is not contiguous with the developed parcel;
2. Is to be designated as open space, wherein only those uses as specified in Column A of the table in Section 18-1-12 of this Title are allowed; and
3. May be less than all of a lot of record.

- (ii) The area of the noncontiguous parcel used must be at least forty (40) acres in size or constitute at least one-half (½) the total area of the lot of record, whichever is less.

(192) Nonprofit institutional use.

“Nonprofit institutional use” means an institutional use that is owned and operated by a nonprofit organization and does not include any commercial activities.

(193) Nonresidential development.

“Nonresidential development” means any development approved by the County or a municipal corporation for commercial, industrial, or institutional use.

(194) Nonresidential development right.

“Nonresidential development right” means the use of a residential development right to increase nonresidential floor area and the area of impervious surfaces beyond what is otherwise allowed under this Title.

(195) Nontidal wetlands.

“Nontidal wetlands” means:

(i) Those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and which under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as “hydrophytic vegetation;” and

(ii) Are regulated under Title 16 of the Environment Article, Annotated Code of Maryland.

(196) Nursery.

(i) “Nursery” means a place of business used principally for the retail and wholesale sale of plants grown on the site or off the site as well as accessory items that are directly related to the care and maintenance of the plants.

(ii) Accessory items do not include power equipment such as gas or electric lawnmowers and farm implements.

(197) Nursing home.

“Nursing home” means an extended or immediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reasons of advanced age, chronic illness or infirmity, are unable to care for themselves.

(198) Occupancy certificate.

“Occupancy certificate” means a certificate of use and occupancy issued in accordance with the Building Code.

(199) Office.

(i) “Office” means a place where business or professional duties are conducted.

(ii) “Office” includes business or professional offices, medical offices or clinics, and veterinary offices.

(200) Off-premises sign.

“Off-premises sign” means a sign advertising a business or service that is not located on the same lot as the sign, or any sign advertising a product that is not manufactured on the same lot as the sign (more commonly referred to as “billboards”).

(201) One-hundred-year flood.

“One-hundred-year flood” (100-year flood) means a flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Except for Class III waters (natural trout streams), a body of water with a watershed of less than four-hundred (400) acres is excluded.

(202) One-hundred-year floodplain.

“One-hundred-year floodplain” (100-year floodplain) means an area, except tidal waters, having a one-percent (1%) chance in any given year of being inundated by a one-hundred-year storm as designated on the FEMA Flood Insurance Maps.

(203) Open space.

“Open space” means lands specifically designated on a site plan or subdivision plat to be preserved in accordance with the provisions of Title 1, Subtitle 1, Part III, Subpart 2 and upon which only those uses set forth in Section 18-1-12 of this Title will be allowed.

(204) Open space ratio (OSR).

“Open space ratio” (OSR) means open space lands on a lot or site divided by the base site area.

(205) Original instrument of transfer.

“Original instrument of transfer” means an instrument of transfer by which development rights are initially transferred from a transferor parcel by the original transferor.

(206) Original transferor.

“Original transferor” means:

(i) A transferor who is the owner of the transferor parcel from which the rights are transferred; and

(ii) All persons who have any mortgage, deed of trust or other lien or encumbrance on the transferor parcel.

(207) Other public road.

“Other public road” means a road historically utilized by the general public that is not a part of the County, State, or Federal road system.

(208) Outdoor recreation.

“Outdoor recreation” means a recreational use generally conducted outdoors, including jogging, cycling, tot lots, playfields, playgrounds, outdoor swimming pools, tennis courts, golf courses, arboretums, hiking facilities, nature areas, wildlife sanctuaries, picnic areas, parks, garden plots, and beaches. Enclosed structures associated with outdoor recreational uses shall be ancillary and accessory to the principal use of the property.

(209) Outside storage or display.

“Outside storage or display” means outdoor storage or display of fuel, raw materials, vehicles, boats, manufactured products or equipment.

(210) Parking

“Parking” means an area or areas of land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principal use is located for the purpose of storing motor vehicle.

(211) Performance guarantee.

“Performance guarantee” means a financial guarantee to ensure that all improvements, facilities or work required by this Title will be completed in compliance with this Title and the approved plans and specifications of a development.

(212) Person.

“Person” means an individual, corporation, or other legal entity, and includes the federal government, the State, a county, municipal corporation, any other political subdivision of the State, or any of their units.

(213) Petition.

“Petition” means a request for text amendment or a map amendment made by a property owner, a subject property owner or by a group of property owners acting as a private citizens’ group.

(214) Planned residential development.

“Planned residential development” means either a single-family cluster, multi-family, or manufactured home community residential development that involves the identification and protection of required open space.

(215) Planning Commission.

“Planning Commission” means the Queen Anne’s County Planning Commission.

(216) Planning Director.

“Planning Director” means the Planning Director of the Queen Anne’s County Department of Planning and Zoning or the Planning Director’s designee.

(217) Preserved lands.

“Preserved lands” means all lands subject to any legal instrument or restriction that prohibits the development of residential or nonresidential uses, including but not limited to conservation easements, covenants, and deed restrictions made pursuant to the following:

- (i) The Maryland Environmental Trust,
- (ii) The Maryland Agricultural Land Preservation Foundation,

- (iii) A TDR instrument of transfer,
- (iv) A non-contiguous development, or
- (v) A planned residential development.

(218) Principal building.

“Principal building” means a structure or structures in which the main or principal use of the lot is or is intended to be located.

(219) Principal use.

“Principal use” means the specific primary purpose or purposes for which land is used.

(220) Private airport.

“Private airport” means a facility that:

- (i) Has a paved or unpaved runway;
- (ii) Is operated for general aviation purposes;
- (iii) Is intended to be or is customarily used by more than two (2) but fewer than ten (10) aircraft; and
- (iv) Does not have fuel or commercial repair and maintenance services.

(221) Private boathouse.

“Private boathouse” means a structure with a roof and side walls, used to store boats and boating equipment, which is constructed over the water in conjunction with an approved private residential pier or wharf.

(222) Private covered slip.

“Private covered slip” means a structure with a roof, used to cover a boat slip, which is constructed over the water in conjunction with an approved private residential pier or wharf.

(223) Private heliport.

“Private heliport” means a paved or unpaved helicopter landing pad intended for the exclusive use of the owners or lessees of property upon which the landing pad is located and any accessory structures designed for the storage of the owners’ or lessees’ helicopters, provided that no more than two (2) helicopters shall be allowed to use the landing pad or accessory uses.

(224) Private landing strip.

“Private landing strip” means a paved or unpaved runway for aircraft landings and departures that is intended for the exclusive use of the owners or lessees of property upon which the runway is located and any accessory structures designed for the storage of the owners’ or lessees’ aircraft, provided that no more than two (2) aircraft shall be allowed to use the runway or accessory structures on a regular basis.

(225) Private road.

“Private road” means an improved road or right-of-way held and/or maintained in private ownership and which is not a component of the County, State, or federal road systems.

(226) Private stable.

“Private stable” means a building, incidental to an existing residential or agricultural principal use, which shelters horses for the exclusive use of the occupants of the premises.

(227) Projecting sign.

“Projecting sign” means a sign affixed to a building or wall in a manner that its leading edge extends more than eighteen (18) inches beyond the surface of such building or wall. The sign face of a double-faced projecting sign is calculated by measuring one face of the sign only, provided both faces are back to back.

(228) Property owner.

“Property owner” means a person or persons having an ownership interest in real property located within the geographic boundaries of Queen Anne’s County, Maryland.

(229) Public airport.

“Public airport” means:

(i) A facility:

1. Operated for commercial or general aviation purposes;
2. Generally or customarily open for use by the public;
3. That is required by applicable federal regulations to be open for public use; or
4. That is intended to be or is customarily used by ten (10) or more aircraft as a home base; and
5. All accessory uses or structures, including but not limited to runways, taxiways, hangars, aircraft parking areas, terminals, administration buildings, maintenance, sheds, fuel facilities and on-field navigation aids.

(230) Public heliport.

(i) “Public heliport” means a facility operated for commercial or general helicopter purposes that is:

1. Generally or customarily open for use by the public; and
2. Intended to be or is customarily used by more than two (2) helicopters as a home base.

(ii) “Public heliport” includes all accessory uses or structures.

(231) Public improvement.

(i) “Public improvement” means an improvement, facility, or service together with customary improvements and appurtenances thereto, necessary to provide for public needs.

(ii) “Public improvement” includes vehicular and pedestrian circulation systems, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, and public utility and energy services.

(232) Public pedestrian access improvements.

“Public pedestrian access improvements” means pedestrian circulation improvements as designated in the circulation plan in the Kent Narrows Design Handbook.

(233) Public recreation.

“Public recreation” means a recreational use owned and operated by a governmental entity, whether local, state, or federal.

(234) Public service.

(i) “Public service” means any service rendered to the general public by an agency of government, or a facility maintained in connection with the rendition of such service, but does not include telecommunications services.

(ii) A recognized volunteer fire company that receives an appropriation from Queen Anne’s County shall be construed to be an agency of government.

(235) Public sewer.

“Public sewer” means the Queen Anne’s County Sanitary District Sewer System and other forms of sewer systems approved by the State Health Department and maintained by a public or private agency authorized to operate the sewer systems.

(236) Public utility.

“Public utility” means uses or structures for the public purpose of power transmission and distribution (but not power generation or cross-country transmission lines or towers); fuel transmission and distribution (but not manufacturing or storage); water treatment and distribution; sewage collection and treatment; telephone service facilities (but not utility truck terminal facilities); radio and television facilities (not including broadcasting studios); and rail or highway rights-of-way (not including stations or terminals).

(237) Rear lot line.

(i) “Rear lot line” means the lot line that is parallel to and the most distant from the front lot line.

(ii) In the case of an irregular or triangular shaped lot, where the rear lot line is not indicated, the rear lot line will be located in the following manner:

1. Twenty (20) feet will be measured along the lot lines from the apex farthest from the front lot line; and

2. An imaginary line will be drawn between the two (2) points that will be considered the rear lot line.

(iii) In the case of double frontage lots that have frontage on more than one road or street, the rear lot line shall be opposite the lot line along which the lot takes legal access from a public or private street or road.

(238) Receiving parcel.

(i) “Receiving parcel” means a parcel that is eligible to receive development rights from a transferor parcel.

(ii) “Receiving parcel” includes:

1. A parcel in any zoning district, except the Agricultural (AG) or Noncritical Area Neighborhood Conservation (NC) Districts, that is located within the geographic boundaries of a growth subarea as identified in the Comprehensive Plan and as may be amended by the adoption of subsequent growth subarea plans; and

2. A parcel in any Countryside (CS) or Neighborhood Conservation (NC) District located within the Chesapeake Bay Critical Area.

(239) Recorder of Deeds.

“Recorder of Deeds” means the Queen Anne’s County Clerk to the Circuit Court.

(240) Recreational use.

“Recreational use” means a use dedicated to the refreshment of body and mind through forms of play, amusement, or relaxation, including both active and passive activities.

(241) Required improvement.

(i) “Required improvement” means an improvement or facility for a particular site required under this Title or under the County Roads Ordinance, the Sediment Control Ordinance, the Stormwater Management Ordinance or by the Department of Health.

(ii) “Required improvement” includes resource protection, lighting, landscaping, and buffer yards.

(242) Residential accessory structure.

“Residential accessory structure” means an accessory structure that would be regarded under other provisions of this Title as an accessory structure on a residential lot that is not connected or attached in any manner to the existing principal building.

(243) Residential accessory use.

“Residential accessory use” means an accessory use that would be regarded under other provisions of this Title as an accessory use on a residential lot.

(244) Residential development.

“Residential development” means any development approved by the County or a municipal corporation for residential use.

(245) Residential development right.

“Residential development right” means the right to erect a dwelling unit on property, as such is inherent in fee-simple ownership of land.

(246) Residential lot.

“Residential lot” means a lot whose primary use is for residential purposes.

(247) Residential use.

“Residential use” means any use approved by the County or a municipal corporation that is for existing or proposed dwelling units, including but not limited to single-family residential dwellings, single-wide manufactured homes, single-family clusters, manufactured home communities, commercial apartments, multi-family, and first floor apartments.

(248) Resort country club.

“Resort country club” means a privately owned country club, operated on a for-profit basis, which may offer to its members, their guests and the public, golfing, social, meeting, lodging, dining and recreational facilities. The amenities which comprise a resort country club may include but are not limited to lodging facilities, indoor and/or outdoor sports/exercise facilities, a multipurpose conference center, an outdoor meeting area, restaurants, lounges and other features associated with a resort or destination country club complex.

(249) Resort hotel.

(i) “Resort hotel” means a building or group of buildings containing individual rooms or suites of rooms, each having a private bathroom, for the purpose of providing overnight lodging facilities for periods of thirty (30) days or less to the general public for compensation with or without meals, and having common facilities for reservations, cleaning services, and on-site management.

(ii) “Resort hotels” are generally located along waterfront, marinas, and beach areas and cater to leisure and recreational type activities.

(250) Resource protection lands.

“Resource protection lands” means those lands protected under Title 1, Part IV, Subpart 2 of this Title.

(251) Restaurant.

“Restaurant” means an establishment whose principal business is the sale of food or beverages to customers in a ready-to-consume state and whose principal method of operation includes at least one of the following characteristics:

(i) Customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; or

(ii) A cafeteria-type operation where food and beverages generally are consumed within the restaurant building.

(252) Resulting lot.

“Resulting lot” means a lot that will exist if the application for administrative subdivision is approved.

(253) Road.

“Road” means an improved right-of-way intended for motor vehicle traffic. “Road” includes the term “street” and has the same meaning, and, unless expressly modified, applies to both public and private roads or streets.

(254) Rural country club.

“Rural country club” means a privately owned or membership-owned country club, which may operate on a nonprofit or a for-profit basis, which offers to its members, their guests and the public golfing, social, dining, lodging, meeting and recreational amenities. The amenities that comprise a rural country club may include a clubhouse, swimming pool, tennis courts, lodging (as permitted for a country inn) and other features subject to approval by the Planning Commission.

(255) Satellite simulcast facility.

“Satellite simulcast facility” means a facility used to conduct satellite simulcast betting as defined under and regulated by the provisions of Title 11, Title 8 of the Business Regulation Article, Annotated Code of Maryland.

(256) Screening.

“Screening” means the method by which a view of one site from an adjacent right-of-way of another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features.

(257) Sedimentation.

“Sedimentation” means the deposition of soil that has been transported from its site of origin by water, ice, wind, gravity, or other natural means as a result of erosion.

(258) Sediment Control Ordinance.

“Sediment Control Ordinance” means the ordinance entitled “Erosion and Sediment Control Ordinance”, adopted by the County Commissioners on February 19, 1985, as amended.

(259) Setback line.

“Setback line” means:

(i) A line extending the full width or length of the lot, establishing the nearest point that a principal building may be erected from any front, side or rear lot line.

(ii) For flag lots and other irregularly shaped lots with narrow road frontage, the front setback line shall be measured from the point or line from which the lot widens to establish the area that may be improved with buildings or structures.

(iii) On corner lots and double frontage lots, the front setback shall apply to each property line abutting a road.

(260) Sewage sludge.

“Sewage sludge” means accumulated semiliquid suspension, settled solids or dried residue of these solids that is deposited from sewage in a wastewater treatment plant, whether or not these solids have undergone treatment and as regulated by COMAR 26.04.06.

(261) Shooting club.

“Shooting club” means a commercial or private establishment that provides trap shooting, target practice, skeet shooting, sporting clays and similar shooting-related activities.

(262) Shopping center.

“Shopping center” means a group of commercial establishments planned, developed and managed as a unit with off-street parking provided on the property.

(263) Side lot line.

“Side lot line” means the boundary of a lot that is not a front lot line or a rear lot line.

(264) Sign.

(i) “Sign” means any object, device, display or structure, or part thereof, situated outdoors or indoors that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, religious group, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

(ii) “Sign” does not include:

1. The flag or emblem of any nation, organization of nations, state or city or any religious, fraternal or civic organization;
2. Merchandise and pictures or models of products or services incorporated in a window display;
3. Works of art that in no way identify a product;
4. Scoreboards located on athletic fields; or
5. Vending machines.

(265) Single-family cluster.

“Single-family cluster” means a planned residential development that involves the identification and protection of required open space.

(266) Single-family residential dwelling.

“Single-family residential dwelling” means a dwelling designed for single-family residential use and occupied by not more than one (1) family and having no roof, wall or floor in common with any other dwelling unit. “Single-family residential dwelling” includes site-built homes, modular homes, and double-wide manufactured homes built or subdivided prior to enactment of this Title, and all such detached dwelling units in large-lot residential, large-lot agricultural, sliding-scale, or neighborhood conservation subdivisions created after enactment of this Title.

(267) Site.

“Site” means the land on which development takes place.

(268) Site area.

“Site area” means the lot area of a parcel of land proposed for a planned residential development.

(269) Site development.

“Site development” means engineering studies, soil testing, percolation testing, surveys, environmental assessments, site planning, and other studies, drawings, assessments, and tests that may reasonably be required to make a site ready for improvement.

(270) Site plan.

“Site plan” means a graphic depiction of features on-site such as existing and proposed structures, paved areas, ingress/egress points and landscaped areas and all information required under Subtitle 1, Part VII, Subpart 4 of this Title.

(271) Site-related improvement.

“Site-related improvement” means roadway construction, upgrades, or improvements, traffic control devices or measures, and other off-site improvements required for capital improvements or facilities.

(272) Sliding-scale subdivision

“Sliding-scale subdivision” means a residential subdivision in which allowable density is inversely proportional to the size of the existing lot, thereby preserving open lands, agricultural uses, and the rural character of the community, in accordance with the District Regulations set forth in this Title.

(273) Start of construction.

“Start of construction” means the installation of foundation footings or the initial land disturbance for road construction.

(274) Stormwater Management Ordinance.

“Stormwater Management Ordinance” means the ordinance entitled “Stormwater Management Ordinance”, adopted by the County Commissioners on April 15, 1992, as amended.

(275) Stream buffer.

“Stream buffer” means all lands lying within one-hundred (100) feet measured from the normal bank of a perennial stream or fifty (50) feet from the normal bank of an intermittent stream as shown on the most recent 7.5 minute topographic quadrangle (scale: 1:24,000) maps published by the United States Geological Survey.

(276) Structural alteration.

“Structural alteration” means any change in the supporting members of a building, such as the bearing walls, beams or girders, or any change in the dimension or configuration of the roof or exterior walls.

(277) Structure.

(i) “Structure” means any construction, production or piece of work that is artificially built up or composed of parts joined together in some definite manner.

(ii) “Structure” includes, but is not limited to buildings, telecommunications towers, and signs.

(278) Subdivision.

(i) “Subdivision” means any division or redivision of a tract, parcel or lot of land into two (2) or more parts by means of mapping, platting, conveyancing, change, or rearrangement of boundaries.

(ii) All subdivisions are also developments.

(279) Subject area.

(i) “Subject area” means an area that is restricted or otherwise affected by a covenant.

(ii) If an area restricted or otherwise affected by a covenant is a common area, “subject area” includes both the common area and all other land within the site plan, subdivision, or zoning approval that has any rights or duties with respect to the common area.

(280) Subject property owner.

“Subject property owner” means the owner or owners of a piece of real property located within the geographic boundaries of Queen Anne’s County, Maryland, which is the subject of a proposed map amendment.

(281) Supermarket.

“Supermarket,” or “grocery store” means a retail establishment, other than a convenience store, that sells primarily food items and household goods.

(282) Telecommunications antenna.

“Telecommunications antenna” or “antenna” means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building.

(283) Telecommunications equipment building.

“Telecommunications equipment building” or “equipment building” means a structure, cabinet, or box, accessory to a telecommunications facility, which houses equipment related to the wireless transmission of voice, data, or other signal.

(284) Telecommunications facility.

(i) “Telecommunications facility,” or “facility,” means any staffed or unstaffed facility used for the transmission and/or reception of personal wireless services, radio and television broadcast services, and any other radio frequency signals, usually consisting of an antenna or group of antennas, transmission lines, and telecommunications towers.

(ii) “Telecommunications facility” does not include “telecommunications equipment building.”

(285) Telecommunications tower.

“Telecommunications tower” or “tower” means a structure that supports telecommunications antennas. “Tower” includes the following:

(i) A “*lattice tower*” means a structure that consists of vertical and horizontal supports and metal crossed strips or bars to support antennas and connecting appurtenances;

(ii) A “*monopole*” means a structure that consists of a single freestanding pole structure to support antennas and connecting appurtenances; and

(iii) A “*guyed tower*” means a tower that is tied to the ground or other surface by diagonal cables that provide support for the tower, antennas, and connecting appurtenances.

(286) Temporary office.

“Temporary office” means a office as authorized under Subtitle 1, Part III, Subpart 4, Section 55 of this Title.

(287) Temporary sign.

“Temporary sign” means a sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed temporarily.

(288) Temporary use.

(i) “Temporary use” means a use established for a fixed period of time with the intent to discontinue the use upon the expiration of such time.

(ii) “Temporary use” does not include the construction or alteration of any permanent structure.

(289) Text amendment.

“Text amendment” means any changes to the text of this Title and includes changes that supplement, modify or repeal any of its present or future provisions.

(290) Tidal wetlands.

“Tidal wetlands” means State wetlands that are defined as any land under the navigable waters of the State below the mean high water line, affected by the regular rise and fall of tide, and private wetlands defined as any land not considered State wetlands bordering or lying beneath tidal waters, that is subject to regular or periodic tidal action and supports aquatic growth. Private wetlands include wetlands transferred by the State by a valid grant, lease, patent, or grant confirmed by Article 5 of the Declaration of Rights of the Constitution to the extent of the interest transferred. The term “regular or periodic tidal action” means the rise and fall of the sea produced by the attraction of the sun and moon uninfluenced by the wind or any other circumstance.

(291) Towers

(i) “Towers” include towers for telephone, radio, microwave, or other forms of communications transmission that exceed district height limitations.

(ii) “Towers” does not mean power transmission line towers, windmills, or telecommunications facilities.

(292) Tract or total tract area.

“Tract” or “total tract area” means a property or unit of land that:

(i) Is subject to an application for a grading or sediment control permit, subdivision approval, or project plan approval; or

(ii) Is otherwise subject to the this Title.

(293) Transfer.

(i) “Transfer” means a transfer of development rights from a transferor parcel to a receiving parcel by an instrument of transfer.

(ii) “Transfer” includes any intermediate transfers to or among transferees.

(294) Transferable development right.

“Transferable development right” means a development right transferred to a receiving parcel, either by deed, easement, or other legal instrument, pursuant to Subtitle 1, Part VI, Subpart 3 of this Title.

(295) Transferee.

“Transferee” means:

(i) A person to whom development rights are transferred; and

(ii) All persons who have any lien, security interest, or other interest with respect to development rights held by a transferee.

(296) Transferor.

“Transferor” means:

(i) A person who transfers development rights; and

(ii) All persons who have any lien, security interest or other interest with respect to development rights held by a transferor.

(297) Transferor parcel.

“Transferor parcel” means a parcel of land in an Agricultural (AG) or Countryside (CS) District:

(i) From which development rights are transferred;

(ii) Which is to be designated as open space, wherein only those uses as specified in Column A of the table in Section 18-1-12 of this Title are allowed; and

(iii) Which may be less than all of a lot owned by an original transferor.

A transferor parcel must be at least twenty (20) acres or one-half (½) of the size of the lot of record, whichever is less.

(298) Truck stop and travel plaza.

“Truck stop and travel plaza” means a recreational vehicle and truck service facility that consists of fuel sales and restaurant facilities and may also include vehicle service and repairs, ancillary retail overnight lodging activities and shower and locker room facilities, all managed as a unit with off-street parking provided on the property.

(299) Truck terminal.

“Truck terminal” means an area or building where cargo is stored or from which materials are distributed and where trucks load and unload cargo on a regular basis. Ancillary facilities may provide for parking, storing, or servicing trucks.

(300) Understory tree.

(i) “Understory tree” means a tree that would occupy the understory of a forest in a natural ecological situation and that is often referred to as an ornamental tree.

(ii) “Understory tree” includes redbud, hazel, alder, holly, hornbeam, dogwood and witch hazel.

(301) Use.

“Use” means the purpose or activity for which land or any structure thereon is designed, arranged or intended or for which it is occupied or maintained.

(302) Variance.

“Variance” means permission to depart from the literal requirements of this Title granted pursuant to Subtitle 1, Part VII, Subpart 1 of this Title.

(303) Veterinary office

“Veterinary office” means a building or part of a building used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those show are in need of medical or surgical attention. Such clinics may or may not also provide long-term lodging of ill animals.

(304) Wall sign.

“Wall sign” means a sign mounted parallel to a building facade or other vertical building surface.

(305) Warehouse.

“Warehouse” means a building used for the storage of goods and materials in connection with the day-to-day operation of a wholesale or distribution business, or a business that is not located in the same building or on the same property as the warehouse. The storage of goods and materials as an accessory use to a business is not a warehouse.

(306) Whip.

“Whip” means an unbranched woody plant more than twenty-four (24) inches in height and having a caliper of less than one (1) inch.

(307) Writing.

“Writing” includes plats and other nontextual writing.

(308) Woodland

“Woodland” means a continuous area of natural vegetation that predominantly contains trees and other woody plants. A single tree is not a woodland.

(309) Youth Camp.

“Youth camp” means a facility or site used for organized activities for children, including sports, arts and crafts, entertainment, recreation and educational activities. “Youth camp” may include incidental food services and facilities for the overnight stay of camp participants. “Youth camp” may also include the incidental use of camp facilities by private organizations otherwise unaffiliated with the youth camp.

(310) Zoning approval.

“Zoning approval” means a building permit or a final certificate required by this Title and in a form prescribed by the Planning Director.

(311) Zoning authority.

“Zoning authority” includes the Planning Commission, the Planning Director, the Deputy Planning Director, the Zoning Administrator, and any other employee of the Department of Planning and Zoning.

(312) Zoning certificate.

“Zoning certificate” means a certificate issued in accordance with Title IV when a building permit is not required.

(313) Zoning Map.

(i) “Zoning Map” means a detailed map showing the location and boundaries of the zoning districts established by this Title.

(ii) “Zoning Maps” are entitled “Official Zoning Maps, Queen Anne’s County, Maryland.”