

408 Yards on Corner Lots

All yards adjoining public streets, except yards adjoining alleys, shall be deemed front yards.

409 Height Regulations

No principal building or structure shall exceed thirty-five (35) feet or three stories in height, and no accessory building or structure shall exceed twenty (20) feet in height; provided, however, that said height limitations shall not apply to barns, windmills, silos, or other accessory farm structures, or to belfries, steeples, spires, electric, broadcasting or utility poles, equipment or towers, water towers, chimneys or smoke stacks, flagpoles, fire or observation towers, cupolas, domes, monuments, penthouses or roof structures for housing stairways, or to tanks, ventilating fans, air-conditioning equipment or similar equipment required to operate and maintain the building.

ARTICLE 5: SPECIAL PROVISIONS

500 Environmental Protection -- Flood Plains

- A. Purposes -- This Section is intended to safeguard and promote the public health, safety and general welfare by:
1. Regulating development in areas known to possess characteristics indicative of flooding and/or chronic wetness;
 2. Maintaining adequate natural drainage-ways to carry abnormal water flows during periods of heavy precipitation and snow melt;
 3. Restricting the construction of improvements in locations where they would likely be damaged by floods; or where they could be washed away and cause damage to downstream properties.
 4. Preventing encroachments on floodways which would cause damage to other properties along the water course by increasing the height or the velocity of floods;
 5. Preventing health and safety hazards along drainage-ways during floods by preventing the placing or storing in the floodway of unsanitary or dangerous substances;
 6. Reducing the financial burden imposed on the Town and its residents by frequent and periodic floods, overflows on land and erosion;

7. Assuring the eligibility of the Town so that residents in endangered areas may obtain reasonable surety for their home through the National Flood Insurance Act of 1968; and
8. Permitting and encouraging the retention of open land uses located and designed to constitute an appropriate part of the physical development of the Town as provided in the adopted Comprehensive Development Plan.

B. Flood Plains Defined -- The provisions of this Section shall apply to all flood plain areas, which are hereby designated to include:

1. All areas delineated as "100-year flood plains", or the equivalent, in studies published by the U.S. Army Corps of Engineers or by the Maryland Department of Natural Resources; except that,
1. In the absence of such delineation of the 100-year flood plain along any drainageway, stream or body of water, the provisions of this Section shall apply to all lands containing alluvial soils or high water table soils as identified in and delineated upon the maps of the Washington County Soil Survey, and to all land lying within 25 feet measured horizontally from the centerline of any stream, drainage-way or body of water. Specifically, these provisions shall apply to the following named soil types:

AsB Ashton fine sandy loam
 At Atkins silt loam
 Cs Chewacla gravelly sandy loam
 Ct Chewacla silt loam
 Cu Chewacla stony silt loam
 Cv Congaree silt loam and gravelly loam
 Dz Dunning and Melvin silty clay loams
 Hu Huntington fine sandy loam
 Hv Huntington gravelly loam
 Hw Huntington silt loam
 Hx Huntington silt loam, local alluvium (if subject to flooding)
 Le Largent silt loam
 Lm Linside silt loam
 Ln Linside silt loam, local alluvium (if subject to flooding)
 Me Melvin silt loam
 Pg Philo gravelly sandy loam
 Ph Philo silt loam
 Pn Pope fine sandy loam
 Po Pope gravelly loam
 Pp Pope gravelly sandy loam
 Ps Pope silt loam
 Pt Pope stony gravelly loam
 Te Terrace escarpments
 Wa Warners loam (if subject to flooding)

C. Review Procedures -- All land lying in, or within a horizontal distance of 100 feet from the 100-year flood plain areas or the area of alluvial and high water table soils as shown, for reference only, on the zoning map shall be subject to the following procedure:

1. Where an application for use of such land involves or includes permanent structures or facilities, including but not limited to buildings, septic systems and wells, the Zoning Administrator shall transmit a copy of such application and supplementary information to the Washington Soil Conservation District, a copy to the Washington County Health Department, and a copy to the Maryland Water Resources Administration, requesting the written comments of each such reviewing agency regarding the proposed use. The Zoning Administrator may also request the written comments of all other County, State or Federal agencies with a relevant interest.
2. In addition to the information ordinarily required for a zoning permit, the Zoning Administrator may require the applicant to supply any or all of the following supplementary information to assist in the thorough and equitable evaluation of the proposed use.
 - (a) The existing and proposed contours at a vertical interval of two (2) feet; and
 - (b) The layout of existing and proposed streets and the nature, extent and location of existing and proposed utilities; and
 - (c) The existing and proposed elevations of the land at the corners of the foundation of any buildings and utility facilities and at the intersections of any streets; and
 - (d) The lowest elevation of the lowest proposed floor level and the main floor elevation within all proposed utility facilities; and
 - (e) A detailed on-site soil survey prepared by a qualified soil scientist and/or a detailed engineering investigation by a registered professional engineer in accordance with survey techniques approved by the Washington Soil Conservation District.
3. The Zoning Administrator shall postpone action on such application for a period of thirty (30) days from the date of transmittal to the agencies listed in sub-section C.1, above. If no written response is received, or if no request for a reasonable extension of the review time is received from said agencies within said thirty (30) days, the presumption shall be that the agency has no objections to the proposed use.

4. If the application complies with all other relevant provisions of this Ordinance, the Zoning Administrator, after the expiration of said thirty (30) days or of such reasonable additional review time as may have been granted, shall either disapprove the application, or shall approve the application and issue a zoning permit or shall approve the application subject to such additional requirements as may seem necessary, reasonable and proper to protect the public in reducing flood hazards or to protect the public health, safety or welfare, based upon the written comments of the reviewing agencies. Such additional requirements may include, and the reviewing agencies may suggest that such additional requirements include without being limited to, prohibiting or restricting one or more of the following uses and activities:
 - a. All buildings, including residential, commercial, industrial and other buildings intended for human occupancy or employment.
 - b. All refuse sites, excavation sites, dumps, junkyards, storage of animal waste materials, or the storage of inflammable liquids such as petroleum.
 - c. The filling of wetlands, the removal of topsoil, the damming, changing, or relocation of any watercourse.
 - d. The installation or use of any sewage disposal facilities or potable water supply facilities.

D. Minimum Construction Standards -- The following minimum construction standards shall apply to all uses which may in the future be permitted in 100-year flood plains delineated pursuant to sub-section B.1, above, and the standards may be specified by the Zoning Administrator as additional requirements in granting approval pursuant to sub-section C.4, above:

1. No building shall be erected or located in any flood plain unless the main floor elevation of said building shall be not less than three (3) feet above the design flood water elevation.
2. Any structure placed in the flood plain shall be firmly anchored to prevent flood waters from carrying it downstream. Such anchoring shall be sufficient to withstand a flood velocity of ten (20) feet per second; this requirement shall apply to all portions of the structure up to an elevation of not less than three (3) feet above the design flood elevation. The Zoning Administrator shall require the applicant to submit the written opinion of a registered professional engineer that the proposed structural design meets this standard.

3. All materials and equipment located or stored below the main floor elevation of any building located in a flood plain shall be protected from flood damage. The Zoning Administrator may require the applicant to install a water pump in any such building. No living accommodations shall be located below the main floor elevation of any such building.
 4. Notwithstanding other provisions of this Ordinance, the total area of all buildings and impervious surfaces located in a flood plain shall not cover more than thirty-five (35%) per cent of the total lot or land area, in order that the remaining land will be open and allow for the unobstructed passage of water; the remaining open land, however, may be used for parking and loading areas, landscaping, required access drives, required yards, and similarly permitted open uses.
 5. No building or improvement located in a flood plain shall be located or designed so as to impede unreasonably the movement or flow of surface water or debris.
- E. Effect of Approval -- The granting of approval of a site development plan or the issuance of a zoning permit for any building or use located within or adjoining a flood plain shall not constitute a representation, guarantee, or warranty of any kind or nature by the Zoning Administrator or by any other public body or official, as to the practicality or safety of any structure or use proposed or erected and shall create no liability upon or cause action against such public body or official for any flood, chronic wetness, or pollution damage that may result pursuant thereto.

501 Special Setback Requirements

All uses or buildings subject to compliance with this Section shall be located at least two hundred (200) feet from any lot occupied by a dwelling, school, church, or institution for human care not located on the same lot or property as the said uses or buildings, or any lot which is within a residential land subdivision duly recorded in the Land Records of Washington County.

502 General Performance Standards

No land or structure in any Zoning District shall be used or occupied in any manner that created any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution, heat, electromagnetic or other condition in such manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises.

- A. Performance Standard Procedure -- With the exception of residential uses as listed in Section 305.B, the applicant for zoning permit for any other principal or accessory use shall include with such application an affidavit acknowledging his understanding of the performance standards specified herein and applicable to such use, and affirming his agreement to conduct or operate such use at all times in conformance with such standards. Where there is reason to believe that the nature of the proposed use would make it difficult to comply with the applicable standards, the Zoning Administrator may require the applicant to submit plans of the proposed construction and a description of the proposed machinery, operations and products, and specifications for the mechanisms and techniques to be used in restricting the emission of any dangerous and objectionable elements listed in this Section, provided, however, that no applicant shall be required to reveal the secret details of industrial or trade data and may specify that the plans or other information submitted pursuant to this section shall be treated as confidential matter.
- B. Standards Applicable to Other Uses -- Regardless of whether or not a use is required to comply with the procedure specified in subsection A, above, every use shall comply with the performance standards themselves.
- C. Standards for Noise and Vibration Control -- All uses shall comply with the "10.03.45 Regulations Governing the Control of Noise in the State of Maryland," as adopted by the Secretary of Health and Mental Hygiene pursuant to Article 41, Section 245 (c) of the Annotated Code.
- D. Standards for Air Quality Control -- All uses shall comply with the "10.03.35 Regulations Governing the Control of Air Pollution in the State of Maryland," and the "10.03.36 Regulations Governing the Control of Air Pollution in Area 1," as adopted by the Secretary of Health and Mental Hygiene pursuant to Article 43, Section 697 of the Annotated Code.
- E. Standards for Water supply, Sewerage, Storm Water and Refuse Disposal -- All uses shall comply with the "10.03.27 Regulations governing Individual Water and Sewerage Systems. . . , " or the "10.03.28 Regulations Governing Water Supply and Sewerage Systems in the Subdivision of Land," and the 10.03.30 Regulations Governing the Submission of Plans for Approval and Record of Systems of Water Supply, Sewerage, Storm Water and Refuse Disposal," as adopted by the Secretary of Health and Mental Hygiene pursuant to Article 43 of the Annotated Code.
- F. Standards for Fire and Explosion Hazards -- All uses involving flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion in the use and storage of such materials and with adequate fire-fighting and

fire-suppression equipment acceptable to the State Fire Marshall.

- G. Standards for Water Quality -- All uses shall comply with the "Water Resource Regulation 4.7, Requirements for a Discharge Permit," and the "Water Resource Regulation 4.8, General Water Quality Criteria and Specific Water Quality Standards for All Maryland Waters," as adopted pursuant to Article 96A of the Annotated Code.

503 Planned Residential (Cluster) Development (PRD)

The plans and other required supplementary data for a proposed Planned Residential Development shall be designed, prepared and submitted for review and approval in accordance with the requirements and procedures specified in the Town's Land Subdivision Ordinance.

504 Standards for Mobile Home Parks

Where permitted, Mobile Home parks shall be designed, constructed and maintained in accordance with the provisions of this section, and in accordance with applicable State and County Health Regulations.

A. Lot Standards

1. Individual mobile home lots located in a Mobile Home Park shall contain at least 5,400 square feet of lot area and shall not be less than 45 feet wide at the building setback.
2. The maximum number of mobile home lots permitted in Mobile Home Park shall be computed by subtracting from the gross site area a fixed percentage of ten percent of said area for usable open space and dividing the remaining 90 percent of the area by the minimum lot requirements specified in subsection A.1, above; provided, however, that in computing the maximum number of mobile home lots that may be created, and lands which are located within an environmental protection-flood plain area, (which are subject to either periodic flooding or chronic wetness), which are occupied by public utility easements, or which have a slope in excess of 25 percent in such a manner as to limit their use or prevent their development shall not be considered part of the gross site area.

B. Yard and Setback Standards

1. All mobile homes shall be located at least seventy-five (75) feet from any street right-of-way which abuts a Mobile Home Park boundary and at least one hundred (100) feet from any other boundary line.

2. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home and the pavement of an adjoining Park street, or common parking area or other common areas within the mobile home park.
3. All mobile homes shall be separated from each other and from other buildings by at least twenty (20) feet.
4. Each mobile home lot shall have a concrete stand or pad at least fifty (50) feet long and twenty-four (24) feet wide.

C. Street Standards

1. Access to mobile home parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent public streets. Each mobile home park shall be provided with at least two (2) points of access to a public street or streets, provided that no two such points of access shall be within one hundred fifty (150) feet of each other.
2. All Mobile Home Parks shall be provided with safe and convenient paved access streets serving every mobile home lot. Alignment and gradient shall be properly adapted to topography in accordance with Town roads standards.
3. All streets within a mobile home park shall have a right-of-way width of at least fifty (50) feet and a paved cartway at least twenty-eight (28) feet wide, except that streets designed for one-way traffic may have a right-of-way forty (40) feet wide and shall have a paved cartway at least twenty-two (22) feet wide.
4. All streets shall be paved in accordance with Town roads specifications and shall be kept in good repair.
5. No lot within a Mobile Home Park shall have direct vehicular access to a public road abutting the Mobile Home Park.

D. Off-Street Parking Standards

1. Off-street parking areas shall be provided in all Mobile Home Parks for the use of park occupants and guests. Such areas shall be provided at the rate of at least one and one-half (1.5) vehicular parking spaces for each mobile home lot; provided, however, that one (1) space may be provided within each mobile home lot and that such spaces may be counted in partial satisfaction of this requirement.
2. Each required off-street parking space shall contain at least two hundred (200) square feet, not including accessways, and shall be located not more than three hundred (300) feet from the mobile home lot that it is intended to serve.

E. Buffer and Open Space Standards

1. A suitably screened or landscaped buffer strip at least ten (10) feet wide shall be provided by the developer along all of the property and street boundary lines separating the Mobile Home Park and adjacent uses.
2. All Mobile Home Parks shall provide not less than ten percent (10%) of the total land area for usable open space and recreation purposes. Usable open space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.

F. Other Site Improvements

1. Individual tenants at the Mobile Home Park may construct attached enclosures to individual mobile homes, provided that no such enclosures may exceed one hundred percent (100%) of the floor area of the mobile home. Individual building permits shall be required for such enclosures in each case.
2. All parks shall be provided with safe, convenient, all-season pedestrian walks of adequate width for intended use, durable and convenient to maintain, between individual mobile home lots, the park streets and all community facilities provided for park residents.

505 Historic District Regulations

- A. Purposes -- The provisions of this Section 505 are intended to facilitate the preservation of structures of historic and architectural value, together with their appurtenances and environmental settings to:
1. Safeguard the heritage of the Town by preserving the district therein which reflects elements of its cultural, social, economic, political or architectural history;
 2. Stabilize and improve property values in such a district;
 3. Foster civic beauty;
 4. Strengthen the local economy; and
 5. Promote the use and preservation of historic districts for the education, welfare, and pleasure of the residents of the Town.

B. Authority and Applicability

1. The application of this Section 505 shall be based upon the authority conferred by Section 8 in Article 66B of the Code of Public General Laws of Maryland, the relevant portions of which are incorporated herein and made a part hereof by reference.
2. The provisions of this Section 505 shall become effective on and from the effective date of the Resolution by which the Mayor and Council appoint a historic district commission to exercise the powers and perform the duties as specified for such Commission by said Article 66B and as further specified hereinafter.

C. Historic District Commission Organization

1. The Historic District Commission shall elect from its membership a Chairman, a Vice-Chairman, and a Secretary. The Chairman, or in the Chairman's absence, the vice-Chairman, shall preside over the Commission's meetings, and shall have the right to vote on motions therein.
2. The Historic District Commission shall adopt bylaws for the transaction of its business. The bylaws shall specify the time and place of regular meetings and shall provide for the calling of special meetings by the Chairman or by at least two (2) members of the Commission.
3. All meetings of the Historic District Commission shall be open to the public. Any interested person or his representative is entitled to appear and be heard by the Commission before it reaches a decision on any matter. The Commission shall keep an open record of its resolutions, proceedings and actions which shall be kept available for public inspection during reasonable business hours.
4. Certificates of Appropriateness shall be issued upon a majority vote of the members of the Historic District Commission and shall be signed by the Chairman, or Vice-Chairman, and by the Secretary.
5. The Historic District Commission may request the advice and assistance of the Planning Commission, the Washington County Historic Society, the Maryland Historical Trust or any other person or organization with a relevant interest.

6. The Historic District Commission may adopt regulations for the equitable and expeditious review of applications for certificates of appropriateness. Such regulations may include the requirements that the applicant submit plans, drawings, color samples, photographs, and/or other information necessary for the Commission to judge the appropriateness of the proposed change.

D. Establishment of Historic Districts

1. The provisions of this Section 505 shall apply within the limits of the Historic District area or areas shown upon the Town Zoning Map adopted and included pursuant to Section 300 of this Ordinance.
2. The Mayor and Council may from time to time amend or modify the limits of the Historic District area or areas, following the procedures specified in Article 11 of this Ordinance; provided, however, that the advice of the Historic District Commission regarding such amendment shall be requested before the public hearing is conducted pursuant to Section 1103.

E. Requirement and Exemption

1. A Certificate of Appropriateness, issued in accordance with Sub-Section F, below, shall be obtained before the construction, alteration, reconstruction, moving or demolition of any structure is made, wherein any changes are involved which would affect the exterior appearance of a structure visible or intended to be visible from an adjacent public way within the area of a Historic District.
2. Nothing in this Section 505 shall be taken or construed to prevent work and repairs on any structure coming under the heading of ordinary maintenance, nor shall it affect the right to complete any work covered by a permit or authorization issued prior to the effective date of this Section 505.

F. Procedure for Certificate of Appropriateness

1. The person or persons proposing to make any change within the scope of Sub-Section E, above, shall file an application requesting that the Historic District Commission issue a Certificate of Appropriateness giving approval for such change. No permit for any such change shall be granted until the Commission has acted thereon as hereinafter provided.

2. At the Historic District Commission's first regular meeting more than seven (7) days following receipt of the application, the Commission shall review and shall either approve or disapprove said application; provided, however, that if the Commission requires the applicant to submit additional information, the Commission's action may be postponed until the first regular meeting following receipt of said information.
3. If the Commission approves the application, a Certificate of Appropriateness shall be issued to the appliance and a copy furnished to the Town's Building Inspector, if any. Said Certificate shall explicitly describe the nature of the changes approved by the Commission or shall include and make reference to other plans, specifications or other documents showing or describing the approved changes.
4. If the Commission disapproves the application, a written record of such action and the reasons therefor, including the modifications, if any, that would be necessary to secure the Commission's approval, shall be furnished to the applicant. The applicant shall have the right to resubmit a modified application.
5. Any person aggrieved by any decision of the Historic District Commission shall have the right to appeal said decision to the Circuit Court of Washington County, as provided by law.
6. The failure of the Historic District Commission to act upon an application within 45 days from the date the application was filed shall be deemed to constitute automatic approval of the proposed changes unless an extension of this 45 day period is agreed upon mutually by the applicant and the Commission, or unless the application has been withdrawn.

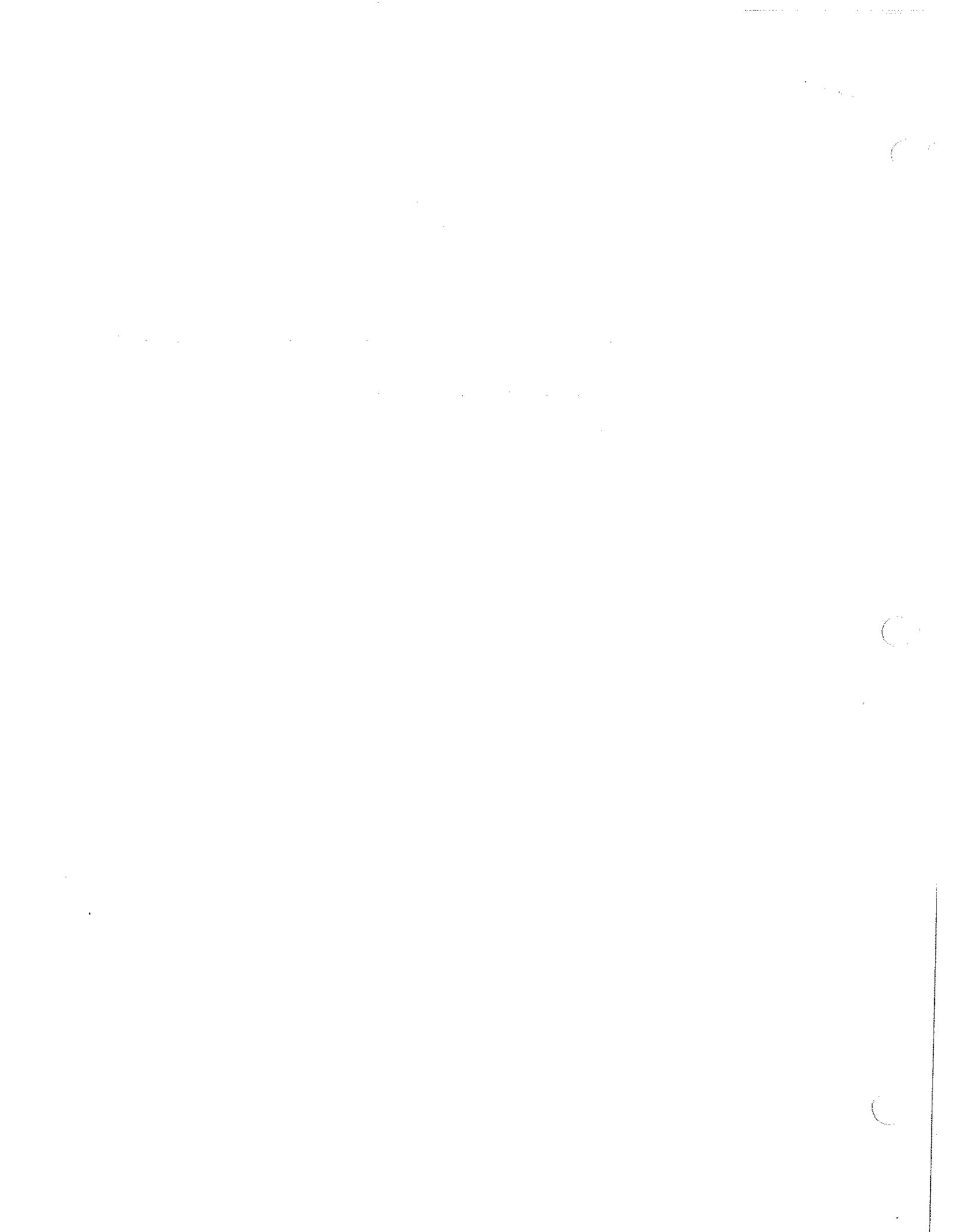
G. Criteria for Reviewing Applications -- In reviewing applications for changes, the Historic District Commission shall consider:

1. The historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area.
2. The relationship of the exterior architectural features of the structure to the remainder of the structure and to the surrounding area.
3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used.
4. The height of any proposed new buildings or modifications to existing ones, which would be within ten percent (10%) of the average height of existing adjacent buildings.

506 Buffer Zone

Any land or structure in any Zoning District used, occupied, and/or developed for commercial purposes (anything other than one (1) or two (2) family residential use) shall require a minimum ten (10') foot natural buffer on any property line adjacent to residential property and/or residentially zoned property. The Buffer Zone may be increased by the Planning Commission as part of Site Plan Approval up to twenty (20') feet in width. The Buffer shall consist of shrubs, trees and/or other natural ornaments that can be maintained regularly and shall be at least six (6') feet in height with an initial height of four (4') feet. The Buffer material shall be dense enough so that same shall restrict, reduce and/or minimize sight and noise intrusion. The owner of the property upon which the Buffer Zone is created and/or his, her, or its successors, grantees and/or assigns shall be responsible for the maintenance and upkeep of the Buffer Zone.

Zoning Ordinance for Town of Williamsport originally dated
February 15, 1977 with Subsequent Amendments Republished
December 1, 2004 and this Section 506 Added March 31, 2013.



5. The proportional relationship between the width and the height of the exterior walls of a proposed buildings.
6. The proportional relationship between the width and the height of doors and of windows.
7. The rhythm of ordered, recurrent alteration of solids and voids within front facades to assure appropriate rhythm of mass to openings.
8. The rhythm of the spacing of building masses to the spaces between buildings or structures.
9. The rhythm of spacing of walkways, entrances, porches or other projections.
10. The types, textures and colors of exterior buildings and trim materials, and of architectural details such as cornices, sills, lintels, arches, quoins, balustrades, iron work, chimneys, dormers, gutters, downspouts, and the like.
11. The type, material and proportions of the roof shapes.
12. The type, material and proportions of walls, fences, landscaping or other elements providing enclosure.
13. The arrangement and species of landscaping materials, if any.
14. The type and proportion of material used for sidewalks or other walkways.
15. Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

H. Limitations on the Commission's Authority

1. The Historic District Commission shall consider only the exterior features of a structure visible from an adjacent public way within a historic district, and shall not consider any interior arrangements.
2. The Historic District Commission shall not have the authority to approve uses not otherwise permitted by Section 305 of this Ordinance.
3. The Historic District Commission shall be strict in its judgment of plans for those structures deemed to be valuable according to studies performed for districts of historic or architectural value. The Commission shall be lenient in its judgment of plans for structures of little historic value or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding structures of the surrounding area.

4. The Historic District Commission is not required to limit new construction, alteration, or repairs to the architectural style of any one period.
5. The Historic District Commission shall not disapprove an application except on the basis of the criteria specified in Sub-Section G, above.

ARTICLE 6. OFF-STREET PARKING AND LOADING

600 Required Off-Street Parking Space

Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each building or use which, after the effective date of this Ordinance, is established, erected, enlarged or altered for use for any of the following purposes in any district; for uses not specifically listed, the requirements for the most similar use listed shall be followed:

Use	One (1) Off-Street Parking Space Required for Each	Plus One (1) Off-Street Parking Space Required For Each
A. <u>RESIDENTIAL USES</u>		
1. Single family, two-family and multi-family dwellings.	0.5 dwelling unit (2 spaces per unit).	-----
2. Mobile Home Parks.	1 dwelling unit (mobile home).	-----
3. Conversions, rooming houses.	1 dwelling unit.	-----
4. Home occupations, home professional offices.	Non-resident employee.	100 Sq. Ft. of floor space used for the occupation or office.
B. <u>PUBLIC OR PRIVATE RECREATIONAL USES</u>		
1. Private or membership clubs or lodges.	6 members or 6 persons of total capacity.	Full-time employee.
2. Bowling alleys.	0.25 lanes (4 spaces per lane).	Full-time employee.