

ARTICLE 5. DISTRICT REGULATIONS**PART I – ZONING DISTRICTS**Section 5-1. "R-1" Single-Family Residential District Regulations

The purpose of this district is to provide for single-family residential development of spacious character together with such public buildings, schools, churches, public recreational facilities and accessory uses, as may be necessary or are normally compatible with residential surroundings. This district is located to protect existing development of high character and contains vacant land considered appropriate for such development in the future.

1. The following uses are permitted by right:
 - a. Single-Family detached dwellings.
 - b. Public parks, playgrounds, golf courses (public or private, except miniature golf courses, putting greens, driving ranges, and similar activities operated as a business), and non-profit, non-governmental public recreation facilities subject to site plan review.
 - c. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
 - d. Type 1 Home Occupation subject to the standards in Section 6-28.
 - e. Satellite dish antennas subject to the conditions contained in Section 6-12.
 - f. Transmission lines and pipelines for local distribution of utilities.
 - g. Temporary buildings, the uses of which are incidental to construction operations or 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.
 - h. Occasional festivals, events or public interest of special events subject to the conditions contained in Section 6-30.
 - i. Residential Group Home. (See Section 6-29)

2. Customary accessory buildings and uses including, but not limited to:
 - a. Accessory private garages for not more than three (3) automobiles.
 - b. Swimming pools and barbecue grills for use of occupants and their guests. Swimming pools shall not be located in a required front yard.
 - c. Utility Buildings subject to the requirements of Section 6-14.
 - d. Private piers, less than six (6) feet in width.
3. The following uses are permitted as special exceptions after approval by the Board of Appeals:
 - a. Farm, truck garden, orchard, or nursery for growing or propagation of plants, trees, and shrubs, including temporary stands for seasonal sales or products raised on the premises, but not including the raising for sale of birds, bees, rabbits, or other animals, fish, or other creatures to such an extent as to be objectionable to surrounding residences by reason of odor, dust, noise, or other factors, and provided no retail or wholesale business office or store is permanently maintained on the premises.
 - b. Churches and parish halls, temples, convents, and monasteries.
 - c. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted equivalent to a public school, and institutions of higher learning.
 - d. Non-profit libraries or museums or art galleries.
 - e. Hospitals, nursing homes, and similar institutional uses.
 - f. Housing for the elderly and handicapped.
 - g. Emergency services including fire, rescue, ambulance, police, and other related activities and any use associated therewith.
 - h. Recreational facility, privately or commercially owned and operated, such as boating lake, picnic grounds, private clubs, lodges, and recreational buildings, including country clubs and swimming pools, provided that:
 - 1) the nature of the structure and use will not conflict with the character of the area by reason of traffic, noise, appearance, and other characteristics;

- 2) sufficient safeguards be established by the Board of Appeals to prevent undue disturbance of any residential area, including but not limited to the enlargement of required yards and reduction of building coverage.
- i. Temporary buildings, the uses of which are incidental to construction operations or 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.
 - j. Type 2 Home occupation subject to the requirements of Section 6-28.
 - k. One accessory dwelling unit subject to the requirements of Section 6-27.
 - l. Assisted living facility subject to the requirements of Section 6-29.
 - m. Non-profit religious, educational, and philanthropic institutions social, fraternal clubs and lodges.
 - n. Museums, Boys Club, and Girls Clubs.
 - o. Public utility installations for sewer, water, gas, electric, and telephone mains and incidental appurtenances. (See Section 6-1)
 - p. Towers and related structures subject to the requirements of Section 6-25.
 - q. Satellite dish antenna subject to the conditions outlined in Section 6-12.
 - r. Semi-public and private institutions of an educational, medical, charitable or philanthropic nature, including but not limited to schools, hospitals, sanatoria, clinics, nursing homes, and orphanages.
 - s. Bed and Breakfast.

4. Height, Area and Bulk Regulations:

Maximum Height	2½ stories or 35 feet
Minimum Lot Specifications	
- Area (total)	10,000
- Per Family	10,000
- Width	60
- Depth	100
Maximum Lot Coverage	50%
Minimum Yard Specifications	
- Front Yard Depth	25
- Side Yard Width (two required unless otherwise specified)	10
- Rear Yard Depth	30
	[AMENDED PER ORDINANCE 2010-02-01]

5. Permitted Signs: See Article 7

6. The following additional regulation shall apply in the "R-1" District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-2. "R-2" Two-Family Residential District Regulations

The purpose of this district is to provide for single-family and two-family residential development of moderately spacious character together with such public buildings, schools, churches, public recreational facilities, and accessory uses, as may be necessary or are normally compatible with residential surroundings. The district is located to protect existing development of this character and contains vacant land considered appropriate for such development in the future.

1. The following uses are permitted by right:
 - a. All uses permitted by right in the "R-1" District.
 - b. Two-family dwellings, duplex.
 - c. Accessory uses and structures as provided in the "R-1" District.

2. The following uses are permitted by special exception after approval by the Board of Appeals:
 - a. All uses permitted by special exception in the "R-1" District.
 - b. Senior housing.
 - c. Adult Day Care.

3. Height, Area and Bulk Regulations:

Maximum Height	2 ½ stories or 35 feet
Minimum Lot Specifications	
- Area (total)	8,000
- Per Family	5,000
- Width	60
- Depth	100
Maximum Lot Coverage	50%
Minimum Yard Specifications	
- Front Yard Depth	15
- Side Yard Width (two required unless otherwise specified)	5(1)(2)
- Rear Yard Depth	30
	[AMENDED PER ORDINANCE 2010-02-01]

Footnotes:

(1) The two required side yards shall total 15 feet and neither shall be less than five (5) feet.

(2) The dwelling units of a two-family dwelling may be sold separately if separate utilities systems are provided. Each dwelling unit of a two-family dwelling must comply with the minimum lot area per dwelling unit.

4. Permitted Signs: See Article 7
5. The following additional regulation shall apply in the "R-2" District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-3. "R-3" Multi-Family Residential District Regulations

This district provides for the continuation of existing higher density multiple-family residence and townhouse projects approved prior to June 28, 2006. The Town shall limit the extent of this district to those areas currently approved for development and zoned "R-3". The Town does not intend to create or expand any existing "R-3" District. The Town will instead rely on the "R-4" Mixed-Use Residential District, which provides for well planned, mixed-use neighborhoods that includes a diverse mix and efficient arrangement of land uses and housing types, to address community needs for higher density multifamily residences and attached single family residential units.

1. The following uses are permitted by right:
 - a. Any use permitted in the "R-1" Single-Family Residential District.
 - b. Townhouses.
 - c. Two-family dwellings, duplex.
 - d. Multiple-family dwellings.
 - e. Boarding, rooming, and lodging houses.
 - f. Private clubs, fraternities, sororities, and lodges, excepting those for which the chief activity is a service customarily carried on as a business.
 - g. Apartments.
 - h. Non-profit, religious, educational, and philanthropic institutions.
 - i. Accessory buildings and uses.
2. The following uses are permitted by special exception after approval by the Board of Appeals:
 - a. All uses permitted by special exception in the "R-2" District.
 - b. In the case of efficiency, one bedroom apartment development designed specifically for occupancy by not more than one or two persons, each efficiency apartment shall be considered equivalent to 0.50 family dwelling unit and the lot area and number of parking spaces required per unit may be determined accordingly, subject to the provisions of this Ordinance governing special exceptions, and upon approval by the Board of Appeals.

3. Height, Area and Bulk Regulations:

	Single Family or Two Family	Townhouses
Maximum Height	3 stories or 45 feet	Same
Minimum Lot Specifications	1 family – 6,500 2 family & over – 3,250 per unit (2)	2,200
Width	1 family – 50 ft. 2 family & over – 50 ft.	20 ft.
Depth	100 ft	
Coverage	---	50%
Minimum Yard Requirements		
- Front Yard Depth	15 ft.	20 ft.
- Side Yard Width (two required unless otherwise specified)	1, 2, 2½ story – 5 ft. (1) 3 story – 10 ft. (2)	10 ft. (3) 15 ft. (3)
Rear Yard Depth	30 ft. [AMENDED PER ORDINANCE 2010-02-01]	25 ft.
Maximum Number of Units per Building	Multifamily 10	6 (1)
Maximum Number of Dwelling Units per Acre	1 family – 5 2 family & over – 5 Multifamily - 16	NA

Footnotes:

(1) The two required side yards shall total 15 feet and neither shall be less than five (5) feet.

(2) The dwelling units of a two-family dwelling may be sold separately if separate utilities systems are provided. Each dwelling unit of a two-family dwelling must comply with the minimum lot area per dwelling unit.

(3) Side yard requirements applies to end units only.

4. Permitted signs: See Article 7

5. The following additional regulations shall apply in the "R-3" District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-3A "RM-C" Multifamily Residential District Regulations.
(ADOPTED PER ORDINANCE 2008-03-03)

1. Purpose of the District

While existing land uses in the Town's Corporate limit provide for a variety of residential uses, it is the Town's intent to provide opportunities for Multifamily Residential uses interspersed with commercial uses along the Route 272 and Route 40 corridor. Residents within the Multifamily residential district would benefit by the close proximity of goods and services to the residents. These neighborhoods would provide and encourage multi-modal transportation opportunities, unique to the Route 272 and Route 40 corridor, as the road systems in these areas have been designed to handle traffic volumes, which can support the multi-family residential district.

Any tract of land so developed shall be in one ownership or in the case of multiple ownership of the tract, it shall be developed according to a single plan with common authority and common responsibility. If the developer/owner has received approval for a development project, then opts at a later time, to not proceed with the project as proposed, future phases may be developed in accordance with the regulations which are current at the time of development, provided the landscaping, bufferyards, setbacks, open space provisions, etc., provided on the original plan remain in the subsequent phases. All property owners shall be signators on the development plan. (AMENDED BY ORDINANCE 2013-07-01)

2. The following uses are permitted by right:

- a. Detached Single-Family Dwelling
- b. Two-family Dwellings, Duplex
- c. Townhouses
- d. Multifamily Dwelling
- e. Apartments
- f. Non-profit, religious, educational, and philanthropic institutions.
- g. Accessory buildings and uses.
- h. Type 1 Home Based Business subject to the standards in Section 6-28.

3. The following uses are permitted by special exception after approval by the Board of Appeals:

a. All uses permitted by special exception in the R-2 District.

4. Height, Area and Bulk Requirements:

	Minimum Area & Dimension		Minimum Yard Requirements [1]			Maximum Height	Minimum Road Frontage
	(Sq.Ft.)	Width (ft.)	Front	Side [2]	Rear [2]	Feet	Feet
Detached, Single Family	6,500	65	30 [1]	10	30*	3 stories or 45 [2]	100/25 [5]
Semi-Detached	6,500 [3]	65	30 [1]	15	30*	3 stories or 45 [2]	100/25 [5]
Duplex	13,000 [4]	80	30 [1]	15	30*	3 stories or 45 [2]	100/50 [5]
Townhouse	1,800	18	20 [1]	15 [6]	30*	3 stories or 45 [2]	18
Apartments	5 acre minimum development tract **	n/a**	n/a**			3 stories or 45 feet**	50**

*[AMENDED PER ORDINANCE 2010-02-01] ** (AMENDED PER ORDINANCE 2013-07-01)

Notes:

- [1] Principal structures shall be setback a minimum of 50 feet from any right-of-way or road widening easement of collector or arterial roadways or streets as defined on a current Official Cecil County Roadway Classification Map.
- [2] When required, side and rear yards are each increased by at least one foot for each additional foot of building above 35 feet.
- [3] Per unit
- [4] Per building
- [5] Road frontage requirements may be reduced to the lower figure for lots on a local roadway as defined on a current Official Cecil County Roadway Classification Map.
- [6] A 15-foot side yard is required for end units.

5. District Standards

a. Maximum Residential Density Provisions. Maximum permitted residential densities shall be as follows:

- (1) Detached Single Family Units- Six (6) dwelling units per acre.
- (2) Duplex Units - Six (6) dwelling units per acre.
- (3) Semi-detached Units - Six (6) dwelling units per acre.
- (4) Townhouse Units - Twelve (12) dwelling units per acre.
- (5) Apartment Units - Sixteen (16) dwelling units per acre.

6. All development in the "RM-C" district shall comply with the following:

- (1) Adequate pedestrian access shall be provided throughout all developments.
- (2) The development shall be designed in such a way to allow for adequate access throughout the site for emergency vehicles and apparatuses.
- (3) Parking areas should be separated from the main vehicular circulation system.
- (4) All areas not occupied by buildings, roads, parking areas, service areas, or other required or permitted uses, including open spaces and usable recreation areas shall be landscaped by lawns, trees, shrubs, gardens, or other suitable ground cover.
- (5) No outdoor storage shall take place in the Buffer.

7. Townhouse and Apartments

- (1) Townhouse and apartment developments shall be served by public water and sewer facilities.
- (2) In townhouse and apartment developments, provided that all buildings are located to provide access for servicing, fire protection and off-street parking, lots may front on open space, courts or group parking areas.
- (3) No building shall be constructed closer to any other building on the same lot than a distance equal to the height of the higher of the two buildings. The space between two buildings can be reduced to a distance equal to half of the taller of the two buildings provided that:

- (a) The spacing is approved by the Emergency Services representative to the Cecil County Technical Advisory Committee; and
 - (b) The buildings are oriented side to side, or corner to corner; and
 - (c) The reduction in the building spacing requirement will allow for additional usable open space to be provided on the site; and
 - (d) The buildings are designed in clusters rather than strips.
- (4) No apartment building in this zone shall be constructed closer to any property line of the development tract than a distance equal to the height of the building.
 - (5) No more than eight (8) dwelling units shall be contained in a townhouse structure without a setback between structures as specified below.
 - (6) The minimum distance between townhouse structures shall be sixty (60) feet if townhouse structures are face to face. The point of measurement shall be the exterior walls of the structures and does not include balconies or other architectural features.
 - (7) No townhouse structure shall be closer than twenty (20) feet to any interior roadway or closer than fifteen (15) feet to any off-street parking area excluding garages built into an individual townhouse unit.
 - (8) Apartment buildings shall be set back at least twenty (20) feet from all parking areas and internal roads.
 - (9) Apartment buildings shall be set back 50 feet from any right-of-way or road widening easement of collector or arterial roadways as defined on a current Official Cecil County Roadway Classification Map.
 - (10) The maximum length of an apartment building shall be 300 feet.
 - (11) The minimum lot size for townhouse and/or apartment development shall be one acre.
8. Landscaping and Bufferyards. The following landscaping and bufferyards shall be required:

- a. A minimum of 25 percent of the development envelope shall be landscaped.
 - b. A minimum 25 foot bufferyard meeting the "C" standard in Appendix A shall be provided around the perimeter of the development tract. No parking areas, roadways, or accessory structures shall be permitted in the 25 foot planted bufferyard.
9. Open Space Provisions. Common open space shall be provided as stated below and shall not include roads, parking areas or accessory structures unless permitted by the Planning Commission and shall be improved by the developer with recreation amenities as required by the Planning Commission:
 - a. Subdivisions involving all detached single family dwellings units, 15 percent of the gross site area.
 - b. Development involving any other type of dwelling unit, 20 percent of the gross site area.
10. Permitted signs. All signs permitted in the R-1 districts subject to the sign regulations of Article 7.
11. Additional Requirements. The Planning Commission may impose additional development requirements to achieve compliance with all applicable development standards contained in the current North East Zoning Ordinance and current North East Subdivision Regulations and all other regulatory standards of the Town of North East where such modifications do not require a major redesign of the proposed development or preparation of an amended site plan or subdivision plat as previously approved by Cecil County.

Section 5-4. "R-O" Residential Office District Regulations

This district is meant to provide for a mixture of residential uses and business uses. It permits business uses not unduly disruptive of a high-density residential area. In addition, it is the intent of the Town to insure that new development and redevelopment in the district maintains an appropriate scale and character consistent with the surrounding neighborhoods.

1. The following uses are permitted by right:
 - a. All uses permitted by right in "R-3" Residential District.
 - b. Bed and breakfast.
 - c. Offices for professional or business purposes, including but not limited to medical, law, real estate, insurance and manufacturer's representatives' offices.
 - d. (Deleted per Ordinance 2014-12-01)
 - e. Semi-public and private institutions of an educational, medical, charitable or philanthropic nature, including but not limited to schools. (AMENDED PER ORDINANCE 2014-12-01)
 - f. accessory uses and structures, including but not limited to those permitted in "R-3" Residential District;
 - g. temporary construction uses as provided in the "R-1" Residential District by special exception.

2. Height, Area, and Bulk Regulations.

The height, area and bulk regulations shall be in all respects the same as that for "R-3" Residential District.

3. Permitted Signs. See Article 7

4. Community Appearance Standards

All new construction and redevelopment in the "RO" Residential Office District shall be subject to the community appearance standards in Section 6-32. (AMENDED PER ORDINANCE 2014-12-01)

5. The following additional regulations shall apply in the "RO" District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-5. "R-4" Mixed-Use Residential District Regulations

1. The purpose of this district is to provide for single-family and two-family residential development of moderately spacious character together with such public buildings, schools, churches, public recreational facilities, and accessory uses, as may be necessary or are normally compatible with residential surroundings. It also is the purpose of the "R-4" Mixed-Use Residential District to encourage Master Planned Communities that include a diverse mix and efficient arrangement of land uses and housing types and to create communities that exhibit the following characteristics:
 - a. Range of housing types and densities;
 - b. Compact design;
 - c. Interconnected streets designed to balance the needs of all users, with sidewalks and on-street parking;
 - d. Open spaces integral to the community; and
 - e. Location adjacent to and extending the Town into new areas in a manner that insures development that is consistent with and complimentary to the existing Town character.
2. The following uses are permitted by right:
 - a. Any use permitted in the "R-2" Two-Family Residential District.
 - b. Private clubs, fraternities, sororities, and lodges, excepting those, the chief activity of which is a service customarily carried on as a business.
 - c. Non-profit, religious, educational, and philanthropic institutions.
 - d. Accessory buildings and uses as provided in the "R-1" Residential District.
 - e. Accessory dwelling unit, subject to the requirements of Section 6-27.
3. The Planning Commission may permit a Master Planned Community (MPC) meeting the requirements of Section 6-31.
4. The following uses may be permitted by special exception after approval by the Board of Appeals:
 - a. All uses permitted by special exception in the "R-2" Residential District.

- b. In the case of efficiency, one bedroom apartment development designed specifically for occupancy by not more than one or two persons, each efficiency apartment shall be considered equivalent to 0.50 family dwelling unit and the lot area and number of parking spaces required per unit may be determined accordingly, subject to the provisions of this Ordinance governing special exceptions, and upon approval by the Board of Appeals.
5. Height, Area and Bulk Regulations shall be in all respects the same as the "R-2" Residential District except as provided for a Master Planned Community (MPC) in the "R-4" District approved as per Section 6-31.
6. Permitted signs: See Article 7.
7. The following additional regulations shall apply in the "R-4" Mixed-Use Residential District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-6. "VC" Village Commercial District Regulations

The purpose of the "VC" Village Commercial district is provide for a mix of residential, commercial and business uses of limited scale and intensity. Development standards are designed to insure that the scale and intensity of non-residential uses permitted in this district are compatible with adjacent residential neighborhoods and uses. Use should not be so intensive as to create congestion and/or parking problems along Main Street and in the adjacent residential neighborhoods.

1. The following uses are permitted by right provided the hours of operation for non-residential uses are limited to 8:00 am to 8:00 pm:
 - a. All uses permitted by right in "R-2" Residential District.
 - b. Bed and breakfast and country inns.
 - c. Accessory uses and structures, including but not limited to those permitted in "R-1" Residential District.
 - d. Satellite dish antenna subject to the requirements of Section 6-12.

2. The following uses are permitted by right if the use does not exceed 800 square feet gross floor area and provided the hours of operation are limited to 8:00 a.m. to 8:00 p.m.: (AMENDED PER ORDINANCE 2008-03-02)
 - a. Craft or specialty shops.
 - b. Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, and bakery, with sales of bakery products on the premises and other uses of a similar character.
 - c. Book stores, news centers, gift shops, jewelry shops, boutiques, photographic art supply stores, antique stores, and florist shops.
 - d. Barber shops, beauty parlors, photographic or artists' studios, and messenger services.
 - e. Business services, including computer repair, copying, and postal services.
 - f. (DELETED PER ORDINANCE 2008-03-02)

3. The following uses are permitted as special exceptions after approval by the Board of Appeals:
 - a. One accessory dwelling unit subject to the requirements of Section 6-27.

- b. Government buildings.
 - c. Non-profit museums or art galleries.
 - d. Child care centers, large institutional. (See Section 6-29)
 - e. Post office, local.
 - f. Type 2 home occupation subject to the requirements of Section 6-28.
 - g. Churches and parish halls, temples, convents, and monasteries including accessory community care services.
 - h. Offices for professional or business purposes, including but not limited to medical, law, real estate, insurance and manufacturer's representatives' offices limited to 1,000 square feet gross floor area. The 1,000 square feet gross floor area limit does not apply to buildings with an existing footprint of the building which is in excess of 1,000 square feet. (AMENDED PER ORDINANCE 2010-09-02)
 - i. All uses outlined in Section 5-6; paragraph 2 above, which encompass greater than 800 square feet of gross floor area. (AMENDED PER ORDINANCE 2008-03-02)
 - j. Limited Restaurant. (See Section 6-19)
(AMENDED PER ORDINANCE 2009-05-01)
 - k. Public or private parking lot or facility for vehicles, not exceeding twenty (20) spaces. Parking lot or facility shall have a minimum horizontal buffer distance of 100 feet to any similar independent, stand-alone parking lot or facility. The horizontal buffer may contain uses (other than private or public parking lots) which are consistent with the "VC" Village Commercial District Regulations.
(ADOPTED PER ORDINANCE 2012-11-01)
4. Community Appearance Standards – (AMENDED PER ORDINANCE 2008-03-02)
- a. All new construction and development in the VC District, except infill development approved as per the requirements of Section 5-14, shall be subject to the community appearance standards in Section 6-32.
 - b. Hours of operation. Hours of operation may be modified by the Board when the use requires a special exception.
 - c. Parking: Compliance with off street parking requirements is encouraged but shall not be required if the use is 800 square feet or less. Uses greater than 800 square feet are encouraged to

provide on site parking, however, applicant may utilize Article 6-8. Parking Regulations. Paragraph 2. Joint Use and Off-Site Facilities.

5. Height, Area and Bulk Regulations:

Maximum Height	2½ stories or 35 feet
Minimum Lot Specifications	
- Area (total) – Residential Uses	6,500
- Area - Non-residential uses outlined above	None
- Per Family	For Dwelling – 3,250
- Width	50
- Depth	100
Maximum Lot Coverage	60%
Minimum Yard Specifications	
- Front Yard Depth	5 ft. (1)
- Side Yard Width (two required unless otherwise specified)	None, except noted (2)
- Rear Yard Depth	None, except as noted (3)

Footnotes:

(1) Front yards shall conform to the average front yard along the block face as determined by the Planning Commission and in no case shall be less than five (5) feet.

(2) There shall be a side yard not less than ten (10) feet in width on any side adjoining a residential zoning district.

(3) There shall be a rear yard not less than twenty (20) feet in depth on the rear adjoining a residential district.

6. Permitted Signs. See Article 7

7. The following additional regulations shall apply in the "VC" Village Commercial District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-7. "VM" Village Marine District Regulations

The purpose of the "VM" Village Marine district is to permit limited commercial development on key waterfront properties serving recreational boaters and watermen. In addition to docking and tie-up facilities, these sites may also be appropriate for related services, such as restaurant, boating specialties and supplies, and sanitary facilities. The standards for these sites do not permit more intense marina uses, such as dry dock facilities, major boat repair, and high and dry storage.

1. The following uses are permitted by right:
 - a. Boatyard for the sale, docking, storage, and minor repair of yachts and pleasure boats.
 - b. Boat sales and storage, but not including high and dry or dry-stack storage.
 - c. Government buildings.
 - d. Satellite dish antennas subject to the conditions contained in Section 6-12.
 - e. Temporary buildings, the uses of which are incidental to construction operations or 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.
 - f. Swimming pools and barbecue grills for use of occupants and their guests. Swimming pools shall not be located in a required front yard.
 - g. One accessory private garage for not more than three (3) automobiles.
 - h. Customary accessory use and structures.
 - i. All uses permitted by right in "R-2" Residential District. (ADOPTED PER ORDINANCE 2009-05-01)
 - j. Bed and breakfast and country inns. (ADOPTED PER ORDINANCE 2009-05-01)
 - k. Accessory uses and structures, including but not limited to those permitted in "R-1" Residential District. (ADOPTED PER ORDINANCE 2009-05-01)

2. The following uses are permitted as special exceptions after approval by the Board of Appeals:
- a. Docks, piers, bulkheads and other over water structures, except private over-water piers and boathouses accessory to a dwelling.
 - b. Marinas and yacht clubs, provided that:
 - (1) The marina or yacht club complies with all other codes, regulations, laws and ordinances, including those relating to the establishment of bulkhead lines and the necessary approval is obtained from the United States Army Corps of Engineers.
 - (2) The proposed design is satisfactory as regards such safety features as location of fueling points, fuel storage effect on navigation, and possibilities for water pollution.
 - (3) The marina or yacht club is properly located with respect to access roads and existing and future developed areas.
 - c. Standard restaurant, limited to no more than 3,500 square feet.
 - d. Retail sales in a ships store with total floor area not exceeding 3,500 square feet.
 - e. Television antennas 50 feet tall or more, towers and antennas more than 50 ft tall and associated sub-stations.

3. Height, Area and Bulk Regulations:

Maximum Height	3 stories or 45 feet
Minimum Lot Specifications	
- Area (total)	6,500
- Width	50
- Depth	100
Maximum Lot Coverage	70%
Minimum Yard Specifications	
- Front Yard Depth	None
- Side Yard Width (two required unless otherwise specified)	None, except as noted (1)
- Rear Yard Depth	None, except as noted (2)

Footnotes:

(1) There shall be a side yard not less than ten (10) feet in width on any side adjoining a residential zoning district.

(2) There shall be a rear yard not less than twenty (20) feet in depth on the rear adjoining a residential district.

4. Permitted Signs. See Article 7
5. The following additional regulations shall apply in the "VM" Village Marine District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-8. "GC" General Commercial District Regulations

The "GC" General Commercial district encompasses the shopping and office core in the area known as the Central Business District. The purpose of the "GC" General Commercial District is to provide for an appropriate mix of retail, business, and service uses catering to residents and visitors in a traditional town center. Development standards for the "GC" district address both functional and aesthetic characteristics such as architecture, signage and pedestrian comfort that differentiates the town center from typical strip commercial development located along major highway corridors. They promote appropriate development and redevelopment, maintaining shops near the street edge, with on-street and rear parking.

1. The following uses are permitted by right:
 - a. Parking lots for vehicles not exceeding 15,000 pounds gross vehicle weight.
 - b. Display room for merchandise to be sold on order where merchandise sold is stored elsewhere.
 - c. Dressmaking, tailoring, decorating, shoe repairing, repair of household appliances and bicycles, bakery, with sales of bakery products on the premises and other uses of a similar character.
 - d. Offices and office buildings, including medical clinics.
 - e. Personal service uses, including barber shops, banks with the exception of drive-in-banks as set forth in Section 6-22, beauty parlors, photographic or artists' studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning receiving stations (no on site dry cleaning shall be permitted), undertaking establishments, florist shops and other personal service uses of a similar character.
 - f. Printing, publishing, and engraving establishments.
 - g. Retail stores, but there shall be no slaughtering of animals or poultry on the premises of any retail store.
 - h. Self-service laundry only.
 - i. Commercial apartments, except street level apartments.
 - j. Craft or specialty shop.
 1. Material storage yards in connection with retail sales of products where storage is incidental to the approved occupancy of a store, provided all products and materials used or stored shall be located in the rear yard of the property.

- m. Accessory building and uses.
2. The following uses are permitted as special exceptions after approval by the Board of Appeals:
- a. Temporary construction uses and structures as provided in the "R-1" Residential District.
 - b. Privately owned and operated convalescent homes, nursing homes, or homes for the aged.
 - c. Automobile filling stations or motorcycle or motor vehicle repair and maintenance, as provided in Sections 6-23 and 6-24.
 - d. Grocery stores as provided in Section 6-21.
 - e. Drive-in Banks as provided in Section 6-22.
 - f. Adult day care, child day care.
 - g. Standard restaurants subject to Section 6-19.
 - h. Taverns, bars, pubs, or sports bars.
 - i. Fast food restaurants excluding drive-in or drive-thru fast food restaurants subject to Section 6-19.
3. Height, Area and Bulk Regulations:

Maximum Height	3 stories or 45 feet
Minimum Lot Specifications	
- Area (total)	Residential - 6,500 Other uses permitted uses listed in 3 above - none
- Per Family	For Dwelling 6,500 sq. ft. per family
- Width	50
- Depth	100
Minimum Yard Specifications	
- Front Yard Depth	None
- Side Yard Width (two required unless otherwise specified)	None, except as noted (1)
- Rear Yard Depth	None, except as noted (2)

Footnotes:

(1) There shall be a side yard not less than ten (10) feet in width on any side adjoining a residential zoning district.

(2) There shall be a rear yard not less than twenty (20) feet in depth on the rear adjoining a residential district.

5. Permitted signs: See Article 7.

6. The following additional regulations shall apply in the "GC" General Commercial District: No outdoor storage or parking is permitted in the Buffer or any required bufferyard.
7. Community Appearance Standards – all new construction and redevelopment in the "GC" General Commercial District, except infill development approved as per the requirements of Section 5-14, shall be subject to the community appearance standards in Section 6-32.

Section 5-9. "HC" Highway Commercial District Regulations

The intent of the "HC" Highway Commercial District is to provide for commercial activities that depend on highway traffic for business. These areas are generally retail and service establishments that locate along high volume highways for accessibility and visibility. The district standards specify the types of uses and applicable development standards for highway commercial uses. In addition, this section includes development design standards intended to improve highway safety and the visual quality associated with highway commercial uses within the Town of North East.

1. The following uses are permitted by right:
 - a. Movie houses and open-air theaters.
 - b. Recreation facility privately or commercially owned and operated.
 - c. Reserved. (AMENDED PER ORDINANCE 2012-11-01)
 - d. Transmission lines and pipelines for local distribution of utilities.
 - e. Communication towers 50 feet tall or less as provided in Section 6-25.
 - f. Satellite dishes antenna as provided in Section 6-12.
 - g. Post office and mailing facilities.
 - h. Recycling Centers.
 - i. Grocery stores, mini-markets, and supermarkets as set forth in Section 6-21.
 - j. Bus or passenger train terminals.
 - k. Dressmaking, tailoring, decorating, dry cleaning and pressing and bakery, with sales of bakery products on the premises and other uses of a similar character.
 - l. Business and repair services.
 - m. Retail stores.
 - n. Hotel, motel.
 - o. Personal services.
 - p. Health services, but not including State Licensed Medical Clinics,

Clinics, or Clinic Services as defined in this Ordinance or any kind of retail or wholesale store or warehouse, except as otherwise provided herein (AMENDED PER ORDINANCE 2012-11-01)

- q. Department stores.
- r. Shopping centers and malls as set forth in Section 6-18.
- s. Retail Establishments in an office building.
- t. Display room for merchandise to be sold on order where merchandise sold is stored elsewhere.
- u. Building material and supply, boat sales, farm implements storage and sales, feed and grain storage and sales, heavy equipment sales and service provided there is no storage of goods outside fully enclosed building.
- v. Wholesale establishment or warehouse in a completely enclosed building.
- w. Offices and office buildings.
- x. Financial institutions, banks.
- y. Drive-in banks as set forth in Section 6-22.
- z. Restaurant, standard.
- aa. Drive-in or drive-thru fast food restaurants or fast food restaurants as set forth in Section 6-19.
- bb. Motor vehicle sales or rental.
- cc. Automobile, trailer and truck sales, service and repair, and emission testing, not including body work.
- dd. Drinking places, e.g., pubs, bars, dance halls, nightclubs, cocktail lounges, coffee houses.
- ee. Funeral parlors, undertaking establishments, and mortuaries.
- ff. Open-air markets (farm and craft markets, flea markets, produce markets, non-municipal) greenhouses and horticultural sales with outdoor display, wholesale or retail.
- gg. Temporary buildings, the uses of which are incidental to construction operations or 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.

- hh. Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision, the time period to be determined by the Board of Appeals.
- ii. Festivals, events of public interest or special events.
- jj. Itinerant merchants subject to Section 6-33.
- kk. Accessory Use, utility buildings.
- ll. Automobile parking lots and automobile storage garages.
- mm. Automobile and light truck storage lots.
- nn. Automobile filling stations as set forth in Section 6-23.
- oo. Motorcycle and motor vehicle repair and maintenance as set forth in Section 6-24.
- pp. Storage of goods not related to sale or use of those goods on the same lot where they are stored provided all storage is within completely enclosed structure.
- qq. Food Storage lockers.
- rr. Material storage yards in connection with retail sales of products where storage is incidental to the approved occupancy of a store. Storage areas shall not be located in the front yard, and if visible from a public right-of-way must be screened.
- ss. Customary accessory use and structures.
- tt. Public utilities and related structures.
- uu. Video arcades, pool halls, billiard rooms, and game rooms.
- vv. 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, soundproof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
- ww. Big Box Retail Establishments. (ADOPTED PER ORDINANCE 2007-08-01)

- xx. Churches and parish halls, temples, convents, and monasteries.
(ADOPTED PER ORDINANCE 2012-11-01)
 - yy. Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted equivalent to a public school, and institutions of higher learning.
(ADOPTED PER ORDINANCE 2012-11-01)
 - zz. Non-profit libraries or museums or art galleries.
(ADOPTED PER ORDINANCE 2012-11-01)
 - aaa. Housing for the elderly and handicapped.
(ADOPTED PER ORDINANCE 2012-11-01)
 - bbb. Cross-Dock Facility.
(ADOPTED PER ORDINANCE 2017-02-01)
2. The following uses are permitted as special exceptions after approval by the Board of Appeals:
- a. Adult oriented commercial enterprises and services.
 - b. Satellite simulcast betting/off-tracking betting.
 - c. Towers and antennas more than 50 ft tall and associated substations and wireless communications towers.
 - d. Railroad freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
 - e. Automobile painting, body work, automobile repair garage but not a junk yard or open storage of salvage automobiles or used automobile parts.
 - f. A State Licensed Medical Clinic, Clinic, or Clinic Services, as provided for in Article 6: Section 6-34.
[ADOPTED PER ORDINANCE 2012-09-02]
 - g. Hospitals, nursing homes, and similar institutional uses.
(ADOPTED PER ORDINANCE 2012-11-01)
 - h. Emergency services including fire, rescue, ambulance, police, and other related activities and any use associated therewith.
(ADOPTED PER ORDINANCE 2012-11-01)

3. Height, Area and Bulk Regulations:

Maximum Height	3 stories or 45 feet
Minimum Lot Specifications	
- Area (total)	20,000
- Width	100
- Depth	100
Minimum Yard Specifications	
- Front Yard Depth	40
- Side Yard Width (two required unless otherwise specified)	10
- Rear Yard Depth	25

4. Permitted Signs. See Article 7.

5. The following additional regulations shall apply in the "HC" Highway Commercial District: No outdoor storage or parking is permitted in the Buffer or any required bufferyard.

Section 5-9A. "LC" Limited Commercial District Regulations
(ADOPTED PER ORDINANCE 2007-01-01)

Limited Commercial encompasses selected historically recognized commercial or business uses established prior to the adoption of this ordinance that have adequate land area for the existing and potential uses and are located in areas with adequate vehicle access, including for limited truck traffic. The purpose of the Limited Commercial District is to recognize these locations where existing limited industrial, commercial and/or business activities have been conducted and to provide for their continued use, expansion and conversion to appropriate similar uses in compliance with existing standards.

1. The following uses are permitted by right:
 - a. Building material and supply establishments and related storage.
 - b. Retail stores the total floor area of which does not exceed 15,000 square feet.
 - c. Business and repair services the total floor area of which does not exceed 15,000 square feet.
 - d. Commercial apartments.
 - e. Mini Warehouses as set forth in Section 6-20.
 - f. Material storage yards in connection with retail sales of products where storage is incidental to the approved occupancy of a store, provided all products and materials used or stored shall be located in the rear yard of the property.
 - g. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
 - h. Public utilities and related structures.

2. The following uses are permitted as special exceptions after approval by the Board of Appeals:
 - a. Retail stores or business and repair services with a floor area in excess of 15,000 square feet.
 - b. Wholesale businesses, warehouses and similar non-processing storage and distribution uses, including limited bulk storage of

petroleum products, and other flammable, explosive, or noxious materials.

- c. Railroad passenger stations.

3. Height, Area and Bulk Regulations:

Maximum Height	3 stories or 45 feet
Minimum Lot Specifications	
- Area (total)	20,000
- Width	100
- Depth	100
Minimum Yard Specifications	
- Front Yard Depth	30
- Side Yard Width (two required unless otherwise specified)	10
- Rear Yard Depth	25

4. Permitted signs: See Article 7.
5. The following additional regulations shall apply in the "LC" General Limited Commercial District: No outdoor storage or parking is permitted in the Buffer or any required bufferyard.

Section 5-10. "LI" Light Industrial District Regulations

This district is intended for light manufacturing, fabricating, warehousing, and wholesale distributing activities which can operate in a clean and quiet manner. Also, within this district, the "HC" Highway Commercial uses will be allowed as these intensified uses are deemed to be compatible with the other permitted uses within the "LI" Light Industrial District.

Regulations are designed to protect abutting or surrounding districts; to establish standards for intensity of use and to guide the character or development. In keeping with the purpose of this district, no use may be permitted which may be detrimental to the area because of odor, smoke, dust, fumes, fire, noise, explosion or unsightly storage of materials or products.

1. The following uses are permitted by right:
 - a. Any use permitted in the "HC" Highway Commercial District.
 - b. Manufacture and assembly of:
 - (1) medical and dental equipment;
 - (2) drafting, optical, and musical instruments;
 - (3) watches, clocks, toys, games;
 - (4) electrical or electronic apparatus; and
 - (5) boats; and
 - (6) bolts, nuts, screws, rivets, ornamental metal products, firearms, appliances, tools, dies, machinery, hardware products and sheet metal products.
 - c. Manufacture of baskets, boxes, cabinets, furniture other wood products of similar nature, mattresses, clothing and fabrics fibers into fabric goods, hosiery, millinery, rugs, pillows, quilts, printing, and finishing of textiles.
 - d. Wholesale businesses, warehouses and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products, and other flammable, explosive, or noxious materials.
 - e. Building material sales yard, including the sales of rock, sand, gravel, and the like as an incidental part of the main business, and contractors' equipment storage yard or plant.

- f. Public utilities uses, such as electrical substations, storage of materials and trucks, repair facilities, offices and electric generating plants.
 - g. Accessory uses and structures, including but not limited to retail sales of products manufactured on the premises.
 - h. Boat sales, docking; storage and minor repair of yachts and pleasure boats.
 - i. Mini Warehouses as set forth in Section 6-20.
 - j. Satellite simulcast betting/off-track betting.
2. The following uses are permitted as a special exception after approval by the Board of Appeals:
- a. Temporary construction structures and uses, as provided in the "R-1" Residential District.
 - b. Production, processing, cleaning, testing, and distribution of other materials, goods, foods, and products and research, experimental, or testing laboratories provided that they:
 - (1) Emit no obnoxious, toxic or corrosive fumes or gases except for those produced by internal combustion engines under design operating conditions;
 - (2) Emit no odorous gases or other odorous matter in such quantities as to be perceptible at or beyond any point on the lot boundaries;
 - (3) Emit no smoke greater than that emitted by properly operating domestic heating equipment;
 - (4) Discharge into the air no dust or other particulate matter created by any industrial operation or emanating from any products stored prior or subsequent to processing;
 - (5) Produce no heat or glare humanly perceptible at or beyond the lot line;
 - (6) Produce no physical vibrations humanly perceptible at or beyond lot lines;
 - (7) Produce no noise exceeding the level of ordinary conversation at the boundaries of the lot;

- (8) Utilize all lighting in a manner which does not permit an external light source to be visible from any point beyond a lot line;
- (9) Are carried on in completely enclosed buildings. Storage may be permitted out-of-doors, but shall be effectively screened by a solid, uniformly finished wall or fence with solid entrance and exit gates, which wall or fence shall be in no case lower than the enclosed storage. Such storage shall not be deemed to include the parking of licensed vehicles under 1½ ton rated capacity.

c. A State Licensed Medical Clinic, Clinic, or Clinic Services, as provided for in Article 6: Section 6-34. [ADDED PER ORDINANCE 2012-09-02]

3. All areas not covered by buildings or parking facilities shall be landscaped in accordance with Article 12.

4. Height, Area and Bulk Regulations:

Maximum Height	4 stories or 55 feet
Minimum Lot Specifications	
- Area (total)	40,000 sq. ft.
- Width	150
- Depth	200
Minimum Yard Specifications	
- Front Yard Depth	25
- Side Yard Width (two required unless otherwise specified)	20
- Rear Yard Depth	25

5. Special Height and Yard Regulations:

- a. Whenever any building in the “LI” Light Industrial District adjoins or abuts upon a residential district, such building shall not exceed two stories and shall not exceed 35 feet in height, unless it is set back one foot from all required yard lines for each foot of additional height above 35 feet.
- b. If a side yard and/or rear yard adjoins a residential district, there shall be a side and/or rear yard of not less than 25 feet.

6. Permitted signs: See Article 7

7. The following additional regulations shall apply in the "LI" Light Industrial District: No outdoor storage shall take place in the Buffer or any required bufferyard.

Section 5-11. "HI" Heavy Industrial District Regulations

This district is intended to provide for the complete range of business, commercial and industrial uses which may operate in an area proximate to an interstate highway. Within this district intensive business, commercial and industrial uses, as well as multiple-mixed uses which both serve the traveling public; production, manufacture and movement of industrial goods and services are all contemplated. Permitted uses in this district will only be restricted as set forth below and by prevailing State and Federal regulations, if any.

The traffic control problems associated with major truckstop facilities and travel plazas are a cause for concern and in order to protect adequately the free access to and from the interstate highway and the combination of uses contemplated within this district, truckstop facilities and travel plazas and facilities catering primarily to tractor trailers and other large highway vehicles, are therefore, permitted only by special exception. It is recognized that travel plazas and other interstate related commercial uses rely on all modes of travel along the interstate highway. Accordingly, those uses are expected to market to and solicit the business of said interstate highway traffic.

The only restrictions on use within this district shall be that the treatment or processing of hazardous waste will not be permitted within this district. The storage of hazardous wastes shall only be such as is allowed, on a temporary basis, under Federal regulations, and such as is necessary in a manufacturing or production process for a permitted use within the district. All other uses shall be deemed permitted, except as hereinafter set forth and provided that any use within this district shall be subject to site plan approval as set forth in Section 10-2, et seq. of this Ordinance.

1. Permitted uses: Not in limitation of the foregoing, but by way of example as to the broad uses permitted in this district, the following uses are permitted:
 - a. Any use permitted in the "LI" Light Industrial District.
 - b. Any industrial use not specifically listed above including uses requiring outdoor storage. Any use requiring a Special Exception in the "LI" Light Industrial District or "HC" Highway Commercial District shall be considered a permitted use under this district.
 - c. Any multiple or mixed commercial, industrial, or business uses including, but not limited to, industrial parks, business parks, services-oriented parks or any combination thereof.
2. Landscaping: All areas not covered by building or parking facilities shall be landscaped, maintained and approved in accordance with Article 12.

- 3. **Parking:** Parking for commercial uses shall be provided at a rate of one space (9' X 20') per 200 square feet of floor space or as required for the anticipated volume of usage. Industrial uses shall provide parking sufficient for employees considering the largest shift plus a reasonable number of visitor spaces and required handicapped spaces. Industrial and Commercial uses shall provide one loading dock space per use.
- 4. **Height, Area and Bulk Regulations:**

Maximum Height	6 stories or 75 feet
Minimum Lot Specifications	
- Area (total)	40,000 sq. ft.
- Width	150
- Depth	200
Minimum Yard Specifications	
- Front Yard Depth	25
- Side Yard Width (two required unless otherwise specified)	25 (1)
- Rear Yard Depth	25

Footnotes:

(1) Parking may be permitted in a required side yard but shall not be located closer than ten (10) feet to any property line.

- 5. **Permitted Signs:** See Article 7
- 6. **Special Exceptions:**
 - a. Truck stops
 - b. Travel Plazas
 - c. Truck stops and travel plazas shall be located where traffic congestion does not exist on roads used for immediate access to the center, and where congestion is not likely to be created by the proposed center; or where such congestion will be alleviated by currently scheduled improvements to access roads, by demonstrable provision for proper exits and entrances, and by internal provision for parking and traffic circulation.
 - d. Any commercial use not specifically permitted in the "LI" Light Industrial District.
 - e. A State Licensed Medical Clinic, Clinic, or Clinic Services, as provided for in Article 6: Section 6-34. [ADDED PER ORDINANCE 2012-09-02]

7. Definitions: For purposes of this section, the following words have the following definitions:
- a. Truck stop - An independent facility catering predominantly to tractor trailers and other large highway vehicles in which highway services such as fuel, food, repair and similar items are provided.
 - b. Travel Plaza - A complete integrated facility servicing the motoring public located near an interstate highway, including overnight accommodations, restaurants, fuel, servicing and other necessary items required by all sectors of the motoring public including automobiles, buses, and trucks, and which do not cater predominantly to tractor trailers and other large highway vehicles.

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